

INTERNATIONAL COMMISSION
FOR THE
NORTHWEST ATLANTIC FISHERIES



PROCEEDINGS
OF THE
SEVENTH SPECIAL MEETING SEPTEMBER 1975
EIGHTH SPECIAL MEETING JANUARY 1976
26th ANNUAL MEETING JUNE 1976

Dartmouth • Canada
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PROCEEDINGS
OF THE
SEVENTH SPECIAL MEETING, SEPTEMBER 1975
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ANNUAL MEETING - JUNE 1976

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Executive Secretary	- Mr L.R. Day (ICNAF Secretariat)
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" Scientific Advisers	- Mr Ø. Ulltang (Norway)
Chairman, Panel 2	- Mr W. Kalinowski (Poland)
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Chairman, Panel 3	- Mr E. Gillett (UK) acting for Mr R.H. Letaconnoux (France)
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International Control

Chairman of Standing Committee on International Control (STACTIC)	- Mr W.G. Gordon (USA)
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PART I

PROCEEDINGS OF THE SEVENTH SPECIAL COMMISSION MEETING
MONTREAL, CANADA, 22-28 SEPTEMBER 1975

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International Commission for



the Northwest Atlantic Fisheries

Serial No. 3699
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Proceedings No. 2

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Ceremonial Opening

Monday, 22 September, 1000 hrs

The Opening Session of the Seventh Special Meeting of the Commission was convened in the Windsor Hotel in Montreal, Canada, at 1000 hrs, on 22 September 1975.

The Chairman of the Commission, Mr Eric Gillett, Fisheries Secretary for Scotland, opened the Meeting and expressed pleasure to introduce the Honourable Roméo Leblanc, Minister of State for Fisheries, who addressed the Meeting on behalf of the Government of Canada as follows:

"Ladies and Gentlemen:

"On behalf of the Government of Canada, I would like to welcome you to this Special Meeting of the International Commission for the Northwest Atlantic Fisheries. I hope you enjoy your stay in Montreal and that your deliberations will be productive.

"I need not tell you the importance which the Government of Canada places on the outcome of this Meeting. Our concern has been expressed in direct talks with representatives of some Governments and in diplomatic communications to all Members of ICNAF. We - Canada, and all other ICNAF nations, singly and collectively - have reached a crossroad. Which fork of the road we take in the future depends, in large measure, on what happens here in Montreal over the next seven days (and, according to our delegation, the nights as well).

"The stocks are in a tragic state of decline. Canada, through proposals first submitted last June in Edinburgh and being reconsidered here this week, is asking for your cooperation to halt this decline and begin the vital rebuilding process. It will not be long before Canada, in line with the consensus developing within the Law of the Sea Conference, will extend its fisheries jurisdiction, bringing about a fundamental change in the management regime in waters off the Canadian coast. These facts are the background for the choice of our future path.

"We in Canada see two alternatives. First, ICNAF Member Countries can cooperate with Canada now, to reach agreements which will effectively halt stock declines and begin to meet coastal state needs. Such cooperation by others now can provide the basis for Canada's cooperation in the future, when, with improved conservation, Canada would be prepared to facilitate rather than impede the operations of foreign fleets fishing for stocks surplus to Canadian fishermen's needs. This future has a place for an international organization, along ICNAF lines, to work with Canada in the implementation of the new management system based on Canadian regulation and control.

"The second alternative is less attractive. Failure of this Meeting to develop adequate conservation measures for the 1976 season will further aggravate the crisis of the fisheries. It will force Canada to search for solutions outside ICNAF and will heighten the Canadian people's deep sense of frustration concerning present international management approaches off the Canadian coast. Such an atmosphere would make it difficult for the Government to be forthcoming with regard to the facilitation of foreign fleet activities when Canada extends its fisheries jurisdiction. Liberalization of port use and other forms of cooperation would be hard to justify to a people who would have seen no cooperation on the part of others now. Nor would the Canadian people then see much reason to perpetuate anything like the present ICNAF consultative system, a system which, in their eyes, had failed them in the time of need. I wish each one of you could have accompanied me on visits I have made to Canada's Atlantic provinces this summer. You could have sensed for yourselves the depth of feeling of all our Atlantic population - not only the fishermen - concerning the state of the stocks and the consequent effects on our coastal communities. If you had come with me, you would realize that what I am saying here is a genuine reflection of the feelings of the Canadian people, on the Atlantic coast and indeed throughout Canada.

"The first path is obviously the one which would provide the firmest base for the future - a future I am convinced can be bright for all of us. In the future regime, fishermen of other nations will have

access to the Canadian zone to take fish surplus to Canadian needs. It is the size of that surplus that will be determined by the actions you take here over the next week. Sound conservation now will assure maximum surpluses later; poor conservation now will leave little for others after coastal state needs are met.

"I urge you in all sincerity to follow this path and to take the first steps along it by supporting the proposals Canada is making to you. Delay in taking these steps will serve no country's interests. Ultimately, the necessary conservation and management measures will be implemented in any event. Now is the best time to adopt such measures and ensure their early effectiveness; here is the best opportunity to do so and ensure consideration for all interests. I know that you are facing difficult decisions, but it is in meeting the challenge of the present that we can all find the best promise for the future.

"I would like nothing better than to be able to report to the Canadian people that Canada has received the cooperation it requested, and that we have embarked in concert with you on a new era of improved management that will alleviate the plight of our hard-pressed coastal communities, while at the same time assuring fishermen of your countries that they too have a future here on our side of the Atlantic. I would like to be able to say that we have begun at this Meeting new forms of cooperation we all want for the years to come.

"In conclusion, let me welcome you again in Montreal, to the Province of Quebec, and to Canada. I hope to be able to welcome you and your organization to this country on other occasions in future. That, in summary, is really the message I wish to leave with you today."

The Chairman thanked the Minister for his important remarks and expressed the hope that the Commission would report satisfactory agreement at the end of the Meeting. He then announced that the US delegation had expressed a wish that Mr Carlyle E. Maw, Under Secretary of State for Security Assistance, Special Representative of the President and Chief of the United States Delegation to the Third United Nations Conference on Law of the Sea, address the Meeting. With the agreement of the delegates, Under Secretary of State Maw addressed the Meeting as follows:

"Mr Chairman, Minister Leblanc, Distinguished Commissioners and Delegates, Ladies and Gentlemen:

"It is a great pleasure for me to be in Montreal again, enjoying as always the very warm Canadian hospitality. I had the privilege of being here just a few weeks ago when Secretary Kissinger spoke at the annual meeting of the American Bar Association. And, now the great city of Montreal is host to this seventeen-nation assembly of one of the largest and oldest international fisheries commissions.

"I am here today, and have asked for this opportunity to speak briefly with you, because of the very great importance of the outcome of this Special Meeting to the people of North America and to the future of the fisheries of the Northwest Atlantic Ocean.

"I am especially privileged to bring to you this morning the greetings of the President of the United States of America.

"President Ford has asked me to convey a special message to the Commission as a measure of his great concern for world fisheries and especially for the fisheries of the Northwest Atlantic. It reads as follows:

""This Special Meeting of the International Commission for the Northwest Atlantic Fisheries takes up the most difficult problem in the Commission's twenty-five year history. I send my warmest greetings and good wishes to the participants.

""It is imperative that the Commission succeed in establishing adequate conservation measures and enforcement procedures to rebuild the important fishery stocks of the Northwest Atlantic. If agreement cannot be reached on reasonable conservation and enforcement measures, the ability of the Commission to fulfill its stated purposes will be called into question. For our part, I pledge the full support of the United States to sound fisheries management and conservation practices, based on scientific evidence and implemented within the framework of internationally-negotiated agreements.

""I am strongly opposed to unilateral claims by nations to jurisdiction on the high seas. However, pressures for unilateral measures do exist, and will continue to mount, if international arrangements do not prove to be effective.

""It is my earnest hope that the Commission will vindicate the trust we place in it and fully justify our mutual efforts to find cooperative approaches to fisheries conservation and management for the benefit of all mankind. In this spirit, I send you best wishes for a productive and rewarding session.""

"Mr Chairman, in the quarter-century since the establishment of this Commission, the United States has indeed placed its trust in the ability of the Commission's Member States to sit down together and mutually resolve the complex and difficult fisheries issues of the Convention Area. Over the years, this Commission has set the standard for others to follow in achieving international solutions to high seas fishery problems.

"But it is clear beyond doubt that the deliberations you begin here today, and the decisions you must reach in the coming week, are the most critical in the Commission's history.

"Your decisions in this extraordinary meeting will not only heavily influence the proceedings of other international fishery bodies, but your decisions here this week will likely determine whether or not international fishery commissions can remain viable decision-making bodies in the regulation of coastal fisheries around the world.

"If ICNAF cannot do it, with its experience and its demonstrated ability to work together for the mutually satisfactory solution of common problems, then it is unlikely that any Commission can.

"In Washington, this past Friday, I testified before a committee of the US Congress on proposed legislation which could unilaterally extend the fisheries zone of the United States to 200 miles from our shores.

"I conveyed the strong opposition of the Executive Branch to that legislation. As you have noted in President Ford's message, he strongly opposes unilateral action and supports negotiated solutions.

"On Wednesday of this week, I shall again be testifying before another US Congressional Committee in opposition to the 200-mile fisheries legislation.

"We have in recent months conducted a complete re-evaluation of our policy on fisheries in view of our disappointment at the slowness with which the Law of the Sea Conference has been proceeding.

"As Secretary Kissinger stated last month here in Montreal before the American Bar Association, we plan to begin immediately to negotiate interim agreements as a transition to a 200-mile fisheries zone off the coasts of the United States. We intend to do this through bilateral agreements, and wherever possible, within the existing framework of international commissions.

"We intend, during these negotiations, to establish the philosophical underpinnings of our plan and to accomplish through phased negotiations, rather than by unilateral action, the objectives of a 200-mile fisheries zone, which is the emerging consensus in the Law of the Sea Conference.

"Our plan is to negotiate agreements which will accomplish the following objectives within 200 miles of our coasts:

- establishment of an effective conservation regime based on the best available scientific evidence;
- creation of preferential harvesting rights for US fishermen to the full limits of our harvesting capacity, with the surplus allocated among foreign fishermen;
- implementation of a standardized system for collection of fisheries data with information contributed by both foreign and domestic fishermen;
- introduction of more effective enforcement procedures; and
- implementation of satisfactory arrangements to resolve gear conflicts and ensure adequate foreign compensation to US fishermen in case of negligence by foreign fishermen.

"I should add here that we support these same objectives for coastal fisheries within 200 miles of the coasts of other nations. And, we would hope that these principles will before long be embodied in a comprehensive treaty on the Law of the Sea.

"Mr Chairman, Commissioners, this Special Meeting is the first new test of our strong faith in negotiated solutions. I appreciate fully the magnitude and difficulty of your tasks, and I am confident that you will be able to take the very tough decisions, based on scientific evidence, which you must make. I have every expectation that, by the end of this week, we will be able to conclude that the fisheries stocks will be conserved, that the livelihood of our coastal fishermen will be protected, and that enforcement procedures, including onboard observers, will be strengthened.

"Mr Chairman, I want to thank you very much for the opportunity to appear here today. Also, I wish to express our hope and expectation that we will be able to report back to President Ford that this Special Meeting has been successful. Thank you very much."

The Chairman thanked Under Secretary of State Maw for his frank statement and the presentation of the letter from President Gerald Ford of the United States.

The Chairman then declared the Seventh Special Meeting of the Commission recessed until 1130 hrs when it would reconvene in the First Plenary Session to hear the Report of the Standing Committee on Research and Statistics (STACRES).

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3700
(B.z.2)

Proceedings No. 3

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of First Plenary Session

Monday, 22 September, 1130 hrs

1. Opening. The First Plenary Session of the Seventh Special Meeting of the Commission was called to order by the Chairman, Mr Eric Gillett (UK). Delegates from 13 of the 17 Member Countries, and Observers from the Government of Cuba and the International Council for the Exploration of the Sea (ICES) were present (Appendix I).
2. Agenda. The Agenda (Appendix II) and Meeting Schedule were adopted without change.
3. Rapporteur. The Executive Secretary was appointed Rapporteur.
4. Report of the Standing Committee on Research and Statistics (STACRES). The Chairman of STACRES, Dr A.W. May (Canada), presented a summary of the Provisional Report of STACRES. He reviewed briefly the deliberations on the implication of possible alternative objectives for fisheries management, the status of certain stocks in Subareas 3 and 4, and the estimates of potential yield of the groundfish resources in Subareas 2-4. He pointed out that an item of finfish and squid within the second-tier overall TAC in Subarea 5 and Statistical Area 6 had not been completed and that advice on this item would be presented to Panel 5 at its first meeting on 23 September. The Plenary Session took note of the Provisional Report and looked forward to its completion and consideration for approval in the Final Plenary Session.
5. The First Plenary Session adjourned at 1200 hrs to enable delegates to study the scientific advice presented in the STACRES Report.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

List of Participants

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SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975Plenary SessionsAgenda

1. Opening: Chairman of the Commission, Mr E. Gillett (UK)
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Report of STACRES

Note: Results of the deliberations of STACRES and its Assessments Subcommittee during the period 17-20 September 1975 will be presented by the STACRES Chairman, Dr A.W. May.

5. Further consideration of fishing effort reduction on groundfish stocks in Subareas 2, 3 and 4

Note: A Canadian proposal (*Comm.Doc. 75/8*) for reduction of fishing effort on groundfish stocks in Subareas 2, 3 and 4 was discussed at the 1975 Annual Meeting (*June 1975 Meeting Proceedings 5, 13 and 17*) and deferred for further consideration to the September 1975 Special Meeting. An elaboration of the Canadian proposal is available as *Comm.Doc. 75/IX/40* for study.

6. Further consideration of vessel gear and area restrictions on Georges Bank in Subarea 5

Note: The US proposal for amendment of the ICNAF haddock regulations for Subarea 5 (*Comm.Doc. 75/30*) dealing with a closed area on Georges Bank has been referred to the September 1975 Special Commission Meeting by action of the June 1975 Annual Meeting (*June 1975 Meeting Proceedings 11*). This item will allow further discussion of modifications to the US proposal with a view to adopting it.

7. Further consideration of conservation of all finfish and squid in Subarea 5 and Statistical Area 6

Note: The USA has advised Depositary Government of their formal objection to the Proposal (11) for the conservation of finfish and squids in Subarea 5 and Statistical Area 6 adopted at the 1975 Annual Meeting (*June 1975 Meeting Proceedings 19, Appendix I*). Accordingly the USA has requested that the Commission reconsider the TAC and national allocations and the exclusion of squid (*June 1975 Meeting Proceedings 11*). The USA has proposed that the TAC for 1976 be set at 550,000 metric tons, including squids.

8. Further consideration of the Scheme of Joint Enforcement: fishing vessel licensing

Note: The USA has requested further consideration of this matter from the 1975 Annual Meeting (*June 1975 Meeting Proceedings 4*) with a view to adopting a proposal on fishing vessel licensing (*Comm.Doc. 75/22, Revised*).

9. Further consideration of exemption clauses in trawl regulations in Subareas 3, 4 and 5

Note: The USA has requested further consideration of this matter from the 1975 Annual Meeting (*June 1975 Meeting Proceedings 13*) with a view to adopting further modifications in exemption clauses in trawl regulations in Subareas 3, 4 and 5 (*Comm.Doc. 75/15*). The USA will present an elaboration on its proposal.

10. Consideration of 1976 catch limitation requirements for the following particular stocks referred from the June 1975 Annual Meeting:

- (a) Div. 3NO cod
- (b) Subdiv. 3Ps cod
- (c) Div. 4T-Subdiv. 4Vn(Jan-Apr) cod
- (d) Subdiv. 4Vs-Div. 4W cod
- (e) Div. 4X(offshore) cod
- (f) Div. 4X haddock
- (g) Div. 3P redfish
- (h) Div. 4VWX redfish
- (i) Div. 3LNO American plaice

11. Consideration of Danish request to have Member Countries transfer "unwanted" portion of 1975 catch quotas for cod in Subarea 1 to Denmark.

Note: This item was introduced in the Meeting of Panel 1 (*June 1975 Meeting Proceedings ?*) at the 1975 Annual Meeting and referred for further consideration to the September 1975 Special Commission Meeting.

12. Consideration of Statement of Government of Cuba

Note: *Comm.Doc. 75/IX/39* contains an analysis of the results of the 1975 Annual Meeting in relation to the minimum needs of Cuba in their intended fishing operations in the Convention Area in 1976. The statement has been forwarded for circulation to Member Governments so that due consideration may be given it at the September Special Commission Meeting.

13. Other Business

14. Adjournment



Serial No. 3701
(B.e.75)

Proceedings No. 4

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of Joint Meetings of Panels 2, 3, and 4

Monday, 22 September, 1445 hrs
Friday, 26 September, 1125 hrs
Saturday, 27 September, 1110 hrs
Sunday, 28 September, 1130 hrs

1. The Chairman of the Commission, Mr E. Gillett (UK), was elected Chairman of the Joint Meeting of Panels 2, 3, and 4. All countries, except Bulgaria, Iceland (represented at meetings of 26, 27, and 28 September), and Romania (represented at meetings on 28 September), were represented. Observers from the Government of Cuba and ICES were also present.
2. Rapporteur. The Executive Secretary was appointed Rapporteur.
3. Under Plenary Agenda Item 5, Fishing Effort Reduction on Groundfish Stocks in Subareas 2, 3, and 4, the Chairman drew attention to the Canadian proposal (Comm.Doc. 75/8) introduced at the June 1975 Annual Meeting and to the elaboration of the proposal (Comm.Doc. 75/IX/40) as a basis for its further consideration. The delegate of Canada, in re-opening the discussion of the proposal, referred to the poor state of the groundfish stocks and the need for reduction of effort to restore them to greater productivity. Cod catches were still declining in spite of increased effort, pointing to a clear case of overfishing. He noted that STACRES recorded lower TACs than Canada had suggested at the June 1975 Meeting. He said that if effort stays high the stocks will decrease still further. There was no certainty that TACs would reduce effort. The STACRES Report on the remit given to it at the June 1975 Meeting to look at levels of reduction indicated that the Canadian proposal for 40% effort reduction from that in 1973 was correct. He requested comments and modifications which would not weaken the proposal but would make it more acceptable to all. He pointed out that the new Canadian proposal (Comm.Doc. 75/IX/40) for fishing effort reduction for 1976 applies to only five geographic areas in Subareas 2, 3, and 4, and further suggests a 45% reduction from the 1972-73 average. This could be subject to some change. Further elaboration includes a table giving the data for the 1972-73 average with the exemption level at 200 fishing days. The measure was designed to benefit all countries and the stocks. The delegate of Denmark said he could give modifications to the Canadian proposal tomorrow. The delegate of France reviewed the history of French fishing in Subareas 2, 3, and 4 in recent years which showed continuous decline in catch per day. France understood the Canadian concern and favoured any reasonable conservation measure based on scientific advice. The decrease in French fishing effort showed her concern and responsibility. It was suggested that those not responsible for the present situation should not be given the same reduction as those who had been. The delegate of Portugal said he understood the problem and Canadian concern but that Portugal had greatly reduced effort and felt she was not responsible for the decline. He requested more detailed information on what the proposal was asking of countries and, particularly, if the proposal was based on 1973 or 1972-73 data. The delegate of Canada stated that Canada was flexible and was prepared to let countries choose 40% from 1973 or 45% from 1972-73. He said that the Canadian fleet size was now frozen by a licensing system. Canadian fishermen had suffered greater declines in catches than most other countries and in the inshore fishery, in spite of greater effort, catches had declined one-half. The delegate of the USA noted that the situation in Subareas 2, 3, and 4 groundfish stocks was a repeat of the Subarea 5-Statistical Area 6 situation where there had been overfishing and ultimate stock decline. Total allowable catches were not being attained. All countries were responsible for the declines in the stocks and must come to grips with the problem now. The delegate of the USSR agreed that the responsibility must be shared by all. He understood the Canadian proposal but considered that the use of days fished or days on ground were not a sound basis for effort limitation since they did not reflect the fishing capacity of the fishing vessel and gear. He pointed out that the June and October 1973 Meetings attempted effort limitation using days fished but had to settle for the two-tier catch quota system. He noted that the USSR was having difficulties with the Canadian proposal because of bilateral relations. The delegate of the FRG believed that effort limitation was a good measure for conservation and enforceable management. The Canadian proposal was sound, and he was ready to accept it to a certain extent. The FRG fishery fluctuated but had not increased for ten years or more. He felt that, in order to avoid unfairness in relation to the vessel size categories when fleet composition changes, he would like Canada to consider converting fishing days of vessels smaller than 2,000-ton vessels to fishing days of greater units. The delegate of Spain agreed there was a critical situation and understood the need for protection of the stocks. However, the Canadian proposal provided a great hardship for Spain. He requested details of the Canadian proposal which he favoured in general. The delegate of Norway

understood the Canadian proposal and agreed that a reduction in fishing effort would give a more reliable guarantee of conservation. The delegate of Poland said that the proposal should be based on scientific advice and that further study such as was conducted for the Subarea 5-Statistical Area 6 effort limitation proposal was necessary. In the meantime, he felt it would be helpful to reduce TACs. The delegate of Japan pointed out that his country was dependent for food on its distant-water fisheries and that the spirit of compromise was necessary in settling different national interests. He felt that days fished and days on ground could not be used as a yardstick for different vessels and countries but was willing to participate in measures to attempt conservation objectives. The delegate of the UK appreciated the gravity of the problem leading to the Canadian proposal. He was convinced some such action was needed and that drawbacks in the proposal were not great enough to cause objection and, therefore, supported the Canadian proposal. He felt that even with the proposal there would still be a by-catch problem and, in some cases, in high proportions since the effort limitation would not change methods of fishing. He noted that there might be a need to return to methods and techniques of fishing to give best conservation results. This would also apply to the enforcement problem. He stated he would like to see details of the proposal. The delegate of Canada was grateful for the comments and proposed to provide detailed calculations for each country in a supplementary paper by Friday. He invited technical comments for consideration for incorporation.

4. Under Plenary Agenda Item 12, Catch Quota Requirements for Cuba in 1976, the Chairman asked the Observer from Cuba to introduce his document (Comm.Doc. 75/IX/39) which was a result of a re-assessment of the Cuban catch quota requirements following the setting of catch quotas by the Commission at the June 1975 Annual Meeting. The Observer from Cuba explained that all Cuba's stated requirements had taken into consideration the by-catch in directed fisheries. He indicated that in the Div. 2J-3KL cod fishery he could further reduce his requirement to 6,000 tons and in the witch fishery in Div. 3NO, he could accept 100 tons but expected the by-catch to amount to 500 tons. He pointed out that the Cuban vessels will have fishmeal and oil plants and will have no discards. He inquired what effect reduction in Subareas 2, 3, and 4 would have on Cuba's quotas as Cuba has no fishing days. He was sympathetic with the Canadian effort limitation proposal but had doubts regarding its practicality. He felt that catch allocation was a more sound conservation measure and pointed out that the Cuban by-catch considerations had taken into account what Canada had said was needed from effort control. The delegate of Japan noted the similarity between the Cuban and GDR experiences with the only difference being GDR's historic performance. He noted that allocating 6,000 tons to Cuba from the "Others" category for the Div. 2J-3KL cod stock would leave nothing in this category. The delegate of the UK felt that the Cuban case was fair and he would like to accommodate their request. He said it was wrong to have nothing left in the "Others" category. It was difficult for countries with a long history in a fishery to see countries with no historic performance obtain catch quotas. He suggested including 10,000 tons in the "Others" category by adding 4,000 tons to the TAC. The delegate of Portugal thought the quotas should stay as allocated at the June 1975 Meeting and the Commission should take note of the amount required by Cuba as fair and well considered. The delegate of Japan felt that the Cuban request and the Portuguese suggestion were reasonable. The delegate of Spain agreed in principle but expressed concern about possible future changes to the "Others" category. The delegate of the FRG considered it wise to have Cuba in the Commission structure and he felt it was reasonable for Cuba to know what her quotas would be when bound as a member. He suggested using an asterisk after "Others" and a footnote saying Cuba stated her intention to take 6,000 tons. The delegate of Portugal believed that the Cuban request for silver hake in Subarea 4 was the crux of the Cuban problem as Cuba had indicated this fishery was important to her and she could not reduce the amount requested. The Observer from Cuba said her catch figures were indicative of the Cuban fishing capabilities. Cuba was ready to take legal steps to join ICNAF. Cuba was in favour of conservation and needed the quotas as a member in 1976. The delegate of Portugal suggested that a Commission resolution might say that Cuba was not bound by the quotas for 1976 but by the Cuban figures. The delegate of Canada saw no difficulty in a Cuban allocation for cod in Div. 2J-3KL but he did in other stocks. He did not like the idea of exceeding the TAC and noted that the GDR received allocations before it became a member of the Commission. He stated that Canada would give 1,000 tons to the "Others" category in Div. 2J-3KL cod, making a total of 7,000 tons and allowing 6,000 tons to Cuba with 1,000 tons left in the "Others" category.

In consideration of a Cuban allocation in the Subarea 2-Div. 3K redfish fishery for 1976, the delegate of Canada suggested that Cuba be allocated 1,000 tons leaving 3,750 tons for "Others". In the Div. 3M cod fishery, the delegate of Canada suggested that Cuba reduce its request to 1,800 tons in order to leave 200 tons for "Others". The Chairman said that discussions should be considered as preliminary and any figures stated would be provisional.

5. The Joint Meeting of Panels 2, 3, and 4 agreed to recess at 1830 hrs, Monday, 22 September, and refer the Cuban allocation of silver hake in Div. 4VWX to Panel 4 and allocation of other stocks in various Divisions to their appropriate Panel or Panels.

6. The Joint Meeting of Panels 2, 3, and 4 reconvened at 1125 hrs, Friday, 26 September.

7. The Chairman returned to consideration of Plenary Agenda Item 5, Fishing Effort Reduction for Groundfish Stocks in Subareas 2, 3, and 4, and drew attention to a further Canadian paper (Comm.Doc. 75/IX/49) giving additional details of the Canadian proposal for fishing effort reduction on groundfish stocks in Subareas 2,

3, and 4 in 1976. The delegate of Canada introduced the proposal, noting that it had additional statistical information provided by Denmark, Norway, and the UK. He pointed out that Member Countries could use effort reduction figures of 45% from the 1972-73 average or 40% from the 1973 effort, that longliners would be exempt from effort reduction, that consideration would be given to limited transfer of effort between tonnage categories of vessels, and that Member Country effort would be reported during the season on a basis similar to that for the monthly reporting of catch data.

The delegate of the UK noted that it seemed logical that Canada, in accepting 45% reduction from 1972-73 or 40% reduction from 1973, might be prepared to accept 50% of 1972 effort. He suggested that there might be some provision for lateral transfer of effort into other areas to allow smaller Member Countries a better opportunity to catch their quotas. He asked if Canada might consider raising the 200 days fishing exemption to 300 days fishing.

The delegate of Portugal said there was no scientific basis for reduction. Poor statistics and limited research over the years provided little information on the state of the gradually diminishing stocks. With improved data there had been a steady reduction of TACs in an effort to stop decline and restore the stocks. The proposal had difficult aspects as witnessed in the effort reduction study for Subarea 5 and Statistical Area 6 and the fact that effort may be assigned in areas where vessels cannot fish due, for example, to ice. He proposed that attempts be made to solve individual country problems bilaterally and raised the point that the statistics used might not be reliable or correct.

The delegate of Spain agreed in principle with the Canadian proposal but reserved the right to revise statistics. He had difficulty with the definition of days fished and days on grounds. The main difficulty was having excess fishing days and no quota or vice-versa.

The delegate of Iceland thanked the Chairman for his welcome and hoped his late arrival had not caused any inconvenience. He stated that, although Iceland had sought other solutions to her problems, she did not wish to stand in the way of Canada's efforts to seek effective conservation of the fish stocks round her coasts. Iceland was not fishing much in the ICNAF Area but this may be only temporary. Iceland favours the Canadian proposal as it is in the best interests of everyone.

The Chairman pointed out that the table in Comm.Doc. 75/IX/49 did not include provision for "Others".

The delegate of the USSR agreed that effort limitation was one means of regulating but found that it did not reflect actual fishing effort. He noted that some delegations favour catch quotas and that TACs have been sharply reduced (60% for USSR) since 1972. He believed the by-catch problem was best solved by two-tier quotas by Subareas, and stated that the figures included in the Canadian proposal for USSR require clarification as fishing conditions have changed since these figures were raised. He suggested that such figures should be subject to bilateral review.

The delegate of the USA supported the Canadian proposal as it considered all needs, e.g. 1) directed effort at conservation, 2) protected Canadian fishermen, 3) allowed foreign fleets to participate, 4) easier system to control than two-tier system, and stated that prompt action was needed.

The delegate of the GDR said the GDR will support all sensible and scientifically-based proposals for stock regulation. One measure for regulating stock is proposed in the Canadian document by adopting an effort limitation. In dealing with the Canadian proposal, the GDR is guided by the fact that the regulation of stocks must be improved; that the by-catch problem can be tackled in a better manner; that the control of adherence to the Commission's decisions can be improved in the interest of all Member Countries. He said that GDR advocates the principle that, for the purpose of his people's nutrition, a sensible scientifically-founded fishery is based on the admissible MSY. The GDR is fishing only for her needs and has a clear, directed fishery with only small by-catches. He noted that the TACs for the important stocks were drastically reduced at the Woods Hole and Edinburgh Meetings in order to secure a long-term stable fishery with the highest admissible catch level and the recovery of stocks. The decisions were taken at the Edinburgh Meeting in a very responsible manner and were fully supported by the GDR. The GDR is of the opinion that the Commission can, on principle, agree with the Canadian proposal. However, there are a number of proposals which still have to be discussed and solved. One is the correct definition of fishing days on the basis of a clear definition of the fishing effort. In the Canadian proposal the tonnage class is given as a measure. However, we know that vessels of the same tonnage class have very differing performances depending on their horse power, fishing gear, crew, etc., so that the proposed measure does not guarantee a just, equitable treatment of all Member Countries. Another problem is that the definition of fishing days in the proposal envisages the division into fishing areas and vessel classes. This constitutes a serious interference with national regulations and planning of Member Countries and at the same time, makes control much more complicated. The GDR also shares the opinion of the delegate of the UK that a transfer of effort between vessel classes and areas could be carried out. By so doing, countries could select the economically best fleet structure without exceeding the quotas or the fishing effort. Taking into consideration such possibilities, the GDR regards the application of the Canadian proposal as acceptable.

The delegate of France supported the Canadian proposal as it is the best way to deal with by-catch and ensures effective regulation.

The delegate of the FRG said that the FRG was at a disadvantage because it had a small coast with a large population to feed and, therefore, must cooperate with coastal states to ensure supply of fish as food. He stated that the FRG favoured an effort regulation along the lines of the Canadian proposal which would balance the deficiencies of the present quota system and its implementation. He agreed with others regarding the use of a 1972 data basis, lateral transfer between areas, and transfer between vessel categories when the composition of a fleet changed. He believed that effort limitation should be reduced if a particular stock increases, e.g. the cod stock in Div. 2J-3KL.

The delegate of Japan believed that effort should be reduced in accordance with scientific advice and stated that the reduction rate seemed too sharp. He said that practical and technical difficulties could be overcome by study.

The delegate of Canada expressed gratitude for the support given by the delegates and felt that most of the technical modifications suggested could be accommodated. He urged all Member Countries to provide technical difficulties and modifications to Canada, in writing, for analysis and incorporation by Canadian experts in a further paper on details of the Canadian proposal.

8. The Joint Panels agreed to meet at 1100 hrs, Saturday, 27 September, to consider such a paper. It was further agreed that those attending the meeting should include two delegates, including the head of delegation from each Member Country of the Panels.

9. The Joint Meeting of Panels 2, 3, and 4 recessed at 1320 hrs, Friday, 26 September.

10. The Joint Meeting of Panels 2, 3, and 4 reconvened at 1110 hrs, Saturday, 27 September, to continue consideration of Plenary Agenda Item 5, Fishing Effort Reduction on Groundfish Stocks in Subareas 2, 3, and 4. The delegate of Canada requested that Dr R.G. Halliday (Canada) review the technical changes embodied in the Canadian proposal (Comm.Doc. 75/IX/49 Revised). Attention was directed to five major changes: 1) base period is now 1972-73 - 45%, 1973 - 40%, or 1972 - 50%; 2) Div. 3M and 3P have been combined with Div. 3LNO to give only three areas for management; 3) base effort level has been raised to 300 days fishing from 200 days fishing; 4) revised statistics received from the GDR and Japan have now been included in the calculations; and 5) conversions of effort between tonnage categories have been incorporated in footnotes to the table.

The delegates of Denmark and Portugal expressed a preference for use of 1973 as a base period. The delegate of the USSR preferred the "swept volume method" instead of "days fished" as a measure of effort. He noted that the basic year used was incorrect in some cases and requested consideration for use of the year of best effort. He also requested that effort expended at a depth of 500-600 m and deeper, e.g. for roundnose grenadier, should be excluded.

The delegate of Portugal presented five difficulties for his country. In Div. 3M there was no need for effort reduction as the cod stock was stabilized and TAC regulation would be sufficient. Div. 3M was outside the 200-mile zone and he could not accept a reduction in effort in Div. 3M. Another problem was the fact that the areas, into which the effort was contained, did not coincide with the areas through which single stocks extend and consequently, it might be necessary while fishing for one stock to transfer effort from one effort area to another. A factor of flexibility in this transfer of effort should be introduced or else the limitation of effort should not be sub-divided by areas but apply to the sum total of the Subareas considered. He felt there was a need for a definition of days fished. Effort limitation, in his opinion, was more difficult to control than catch quota. Minor points included difficulties with effort for gillnetters, dory vessels and midwater trawls.

The delegate of the UK felt the smaller nations needed an element of flexibility and requested that there be a provision for transfer of fishing days from area to area and vessel to vessel expressed in general terms. The delegate of Denmark supported the UK. The delegate of the GDR could agree to effort limitation or the two-tier quota system but it must be scientifically based. Any regulation should allow best and most economical use of vessels. Regulation must be fair and give all countries an opportunity to fish their quotas. He agreed that roundnose grenadier should not be included in the reduction scheme as it was found in deep water and the stock was in good state.

The delegate of Iceland said Iceland has not accepted allocation of quotas as a regulatory measure. One hundred days for "Others" in each geographic area was not a realistic amount and he suggested the amount should be up to or at the level for Cuba. Choice of base period has introduced strong inequity for Iceland which had considerable fishing in earlier years but none now. He was instructed to vote for the Canadian proposal but against quota allocation.

The delegate of Poland said no account had been taken of the fishing pattern changes in 1973 in the Polish fisheries. Like other countries, Poland had an example of an allocation of fishing effort with no quota.

The delegate of Norway felt there was a need for more flexibility, and requested that Norway be allowed transfer between gear categories. The delegate of the USSR supported the need for more flexibility. In reply, the delegate of Canada noted that he had already said there was no objection to the transfer of days fishing between vessel categories on the basis of the relative effectiveness of the vessels as demonstrated by the Member Countries. He explained that the years 1972 and 1973 had been chosen as a reference point because they had the best published statistics. The definition of days fished was included in the ICNAF Statistical Bulletin. Also, there was a reference to it in paragraph A of the proposal. Regarding the proposed omission of Div. 3M, he said there was no relevance of the 200-mile zone to this proposal. The groundfish stocks should not be exempt from the benefit of the Canadian proposal. In response to a question from the delegate of the USSR, he felt there was a precedent for treating USA as a coastal state in the southwestern part of Subarea 4, and Canada in Subarea 5 as well as France in Subarea 4.

Following further consideration of the difficulties countries had expressed regarding the proposal, the delegate of Canada reported that Canada could agree to 1) the 1972-73, 1973, and 1972 base periods with 45%, 40%, and 50% effort reduction, respectively, based on ICNAF Statistical Bulletin data, 2) transfer of effort between vessel categories with conversion factor based on catch per day fished reported in the ICNAF Statistical Bulletins, 3) limited transfer of effort from one of the three areas to another and a suggested 15% or 50 days fished limit, whichever was larger, with application against the area from which the effort was taken, 4) allow 45 days for countries to send corrections or missing figures and information on transfers planned for 1976 to the Executive Secretary, 5) immediate reporting of transfers between areas as soon as known during the year, 6) need for more information on roundnose grenadier effort and by-catch, 7) include Div. 3M in the scheme, 8) some increase for "Others", perhaps 150 days fished instead of 100, but not large, 9) transfer between any gear categories but conversion factors must be based on data on days fished reported in the ICNAF Statistical Bulletin, 10) transfer of effort (15% or 50 days fished) to other areas by countries in the "Others" category, and 11) transferability could take care of situations where quotas extend over two areas, e.g. quota in Div. 2J-3KL difficult to divide in Subarea-Div. 3K and Div. 3LNO - some stocks are found in Div. 2J-3KL, others in Div. 3LNO. The delegate of Canada felt Canada could not entertain the USSR proposal to base effort reduction on various years, whichever was most favourable, as it would have a rather large effect on the scheme.

In summarizing further Canadian views, the delegate of Canada pointed out that Member Countries must send within 45 days information on the reference year they wish to use, any corrections to the statistics, and where countries wish to use their effort in the five previously-named areas in 1976. Canada would agree that countries could increase their effort by 10% (not 15% as previously agreed) or 50 days fished by transfer from any one of the five areas during the year. Canada expected that the results of the compilations by the Executive Secretary would be reviewed at the January 1976 Special Meeting of the Commission in Rome.

In response to further questioning regarding the proposal, the delegate of Canada felt more information was needed on midwater trawls used by the various Member Countries. The difficulty raised by Portugal regarding gillnetter and longliner effort should be analyzed and reported.

The Chairman, noting that Portugal would vote against the proposal if Div. 3M was left in, reminded the Panel Members that the Canadian proposal for management of the effort regulation allowed members to vote on any line entry in the proposal rather than on the whole proposal.

11. The Joint Meeting of Panels 2, 3, and 4 recessed at 1730 hrs, 27 September.

12. The Joint Panels reconvened at 1130 hrs, 28 September, to consider a further modification of the Canadian proposal for effort reduction on groundfish stocks in Subareas 2, 3, and 4 (Comm.Doc. 75/IX/49 - 2nd Revision).

13. The Panels accepted the Chairman's proposal for procedure that Canada should first present the modifications, then the Panels would take a decision on any suggested amendments and finally take a decision on the proposal as a whole. The delegate of Canada referred to Comm.Doc. 75/IX/49 - 2nd Revision and requested the following insertions to which the Panels agreed:

- (1) page 2, paragraph 1(e), line 5: for "statistical data" read "relative catch rates (catch per day fished)"
- (2) page 2: delete last sentence of paragraph 1(e) and replace it with the following new sentence which will replace paragraph 4 on page 3: "During the 1976 fishing season, further transfers involving the movement of fishing effort from area to area shall be limited to 10% of the total number of fishing days for the Contracting Government allocated for the 1976 fishing season in the area to which the transfer is made or 50 fishing days, whichever is the greater."

14. The delegate of Portugal suggested that "large pelagics" in paragraph 1 of page 1 be changed to read "and all other pelagics". This was agreed by the Panels. A further suggestion to change "for the years 1971, 1972 and 1973" in lines 7 and 8 of paragraph 1(e) on page 2 was, with Panels' agreement, changed to "for the last

three years for which such data are available". He further noted that "...to which the transfer is made...." in new paragraph 4 on page 3 had read in previous drafts "...from which the transfer is made....". The Panels agreed to retain the present wording and to reconsider the matter at the January 1976 Special Commission Meeting when more basic information would be available. His further suggestion that "within 45 days from 29 September 1975" in line 1 of paragraph 2 on page 2 be changed to read "within 60 days from 29 September 1975" resulted in Panel agreement to alter the phrase to read "by 30 November 1975".

15. At the request of the delegate of the USSR, the Panels agreed that the vessel categories, 1000-1999.9 tons, should be shown for the USSR in the table at Attachment 2. In dealing with the USSR suggestion that roundnose grenadier be left out of the effort limitation scheme, the Panels noted that this was a deep-water species and fished at great depths and agreed that USSR information on by-catch would form the basis for further discussion at the January 1976 Special Commission Meeting.

16. The Panels agreed to suggestions that "illustrative" be added before "table" in line 6 of paragraph 1(a) on page 1 and that "for the categories indicated in the attached illustrative table and other categories as necessary" should replace "in the attached table and as may be amended" in line 3 of paragraph 3 on page 3.

17. The delegate of Canada could not accept a Polish proposal that paragraph 1(a) on page 1 should be amended to show that Contracting Governments should reduce their effort to a level which would allow them to fulfill their national quotas for 1976 based on appropriate catch rates. The delegate of Canada, strongly supported by the delegate of the USA, rejected a Polish proposal to substitute a second-tier quota scheme for the effort reduction scheme, and a Romanian proposal to include in paragraph 1(a) on page 1 the suggestion that reduction should not affect Contracting Governments which fish less than 10,000 tons and have a developing fishery.

18. The delegate of Portugal pointed out that it would be impossible for his country to report monthly effort statistics as required by a proposed Canadian resolution (Comm.Doc. 75/IX/49, Attachment 3). The delegate of Canada, supported by the delegate of the UK, pointed out that statistics had been a long-time requirement of the Member Countries. The flow of information must be improved. Both were essential to the control of fishery operations in the ICNAF Area.

19. The Chairman noted that specific amendments had been discussed and decisions taken and proposed to take a formal or indicative vote on the proposal as a whole and as amended. The results of an agreed indicative vote were 14 'yes' with a reservation by Portugal regarding the inclusion of Div. 3M as one of the areas for limiting effort and 1 absent (Bulgaria). Therefore, Panels 2, 3, and 4, in joint session,

agreed to accept the vote as formal and to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (1) for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area (Appendix I).

20. Following discussion and amendment of the Canadian proposal for early implementation of the proposal for effort limitation for groundfish in Subareas 2, 3, and 4, Panels 2, 3, and 4, in joint session,

agreed to recommend

that the Commission adopt Resolution (1) Relating to the Implementation of the Proposal (1) for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area (Appendix II).

21. The Joint Meetings of Panels 2, 3, and 4 adjourned at 1300 hrs, 28 September.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975(1) Proposal for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area

Panels 2, 3, and 4, in joint session, recommend that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

"1. That Contracting Governments other than the coastal states take appropriate action in 1976 to limit fishing effort for groundfish, i.e., all finfish except herring, mackerel, capelin, and all other pelagics, billfishes, and sharks, by persons under their jurisdiction in Subareas 2, 3, and 4 of the Convention Area in accordance with the following:

- (a) Each Contracting Government in 1976 shall reduce the number of days fishing for groundfish by 40% based on the number of fishing days reported in 1973, or 45% based on the average number of fishing days reported in 1972-73, or 50% based on the number of fishing days reported in 1972, for each of the tonnage, gear and area categories listed in the attached regulation and illustrative table. Each Contracting Government shall have the option of choosing the base period to be applied to its fleet, provided that the base period selected shall be the same for all tonnage, gear and area categories;
- (b) For each Contracting Government having vessels under its flag using longline gear, the number of days fished by such vessels shall not be reduced but shall be limited to the number of days fished during the selected base period;
- (c) Contracting Governments with less than 300 days fished in a particular tonnage, gear and area category during the selected base period shall not be required to reduce the number of days fished for that tonnage, gear and area category, but shall be required to limit the number of days fished in that tonnage, gear and area category to the number of days fished during the selected base period;
- (d) Contracting Governments with the number of days fished during the selected base period for a particular tonnage, gear and area category in excess of 300 shall not in any event be required to reduce the number of days fished in 1976 to less than 300;
- (e) Contracting Governments shall be permitted, in establishing their effort allocations for 1976, to transfer effort between tonnage, gear and area categories for all vessels under their flag. Conversion factors used for transfers between vessel tonnage and gear categories shall be based upon averages of relative catch rates (catch per day fished) for that Contracting Government reported to the Commission for all of Subareas 2, 3, and 4 for the last three years for which such data are available.

"2. That Contracting Governments, by 30 November 1975, shall submit to the Executive Secretary a list of the number of fishing days to apply in 1976 for each tonnage, gear and area category, in accordance with the requirements stated in paragraph 1 above. Such information shall include:

- (a) The single base period which each Contracting Government intends to use in applying the regulation of fishing effort for groundfish by all vessels under its flag;
- (b) Proposed amendments, if any, a Contracting Government wishes to make in the statistical data as reported to the Commission for the years 1972 and 1973 upon which the regulation of fishing effort for groundfish is to be applied and an explanation for any such adjustments;
- (c) A description of any redistribution of fishing effort for groundfish among the various vessel tonnage, gear and area categories for 1976 that a Contracting Government wishes to make for vessels fishing under its flag.

"3. That the Commission, at the Eighth Special Commission Meeting in January 1976, shall review the data supplied pursuant to paragraph 2 above and confirm national allocations for fishing effort for the categories indicated in the attached illustrative table and other categories as necessary, in accordance with the provisions of paragraph 1 above.

"4. During the 1976 fishing season, further transfers involving the movement of fishing effort from area to area shall be limited to 10% of the total number of fishing days for the Contracting Government allocated for the 1976 fishing season in the area to which the transfer is made or 50 fishing days, whichever is greater."

Regulation - Integral part of Proposal (1) for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 28 September 1975

"1. That each national allocation of effort in the attached table is an integral part of this regulation.

"2. That, for any effort allocation for a particular vessel tonnage, gear and area:

- (a) Each Contracting Government shall limit the number of days fished for groundfish (24-hour periods, reckoned from midnight to midnight, during which any fishing took place) by persons under its jurisdiction in the areas referred to in the table to the number of fishing days listed for that Contracting Government or, in the case of Contracting Governments not listed by name, to the amount listed under "Others";
- (b) Each Contracting Government mentioned by name in the table shall prohibit fishing for groundfish by persons under its jurisdiction on the date on which

accumulated reported number of days fished,
estimated unreported number of days fished, and
the number of fishing days estimated to be expended before closure could be introduced,

equal 100 percent of the allowable number of fishing days. Each Contracting Government mentioned by name in the table shall promptly notify the Executive Secretary of the date on which such prohibition has been put into effect. The Executive Secretary shall promptly inform all Contracting Governments of such notification.

- (c) Each Contracting Government not mentioned by name in the table shall notify the Executive Secretary in advance if persons under its jurisdiction intend to engage in a fishery to which this regulation applies, together if possible with an estimate of the number of fishing days to be expended; and it shall also promptly report the number of days fished for groundfish by persons under its jurisdiction in the areas mentioned in the table in increments of 25 days. The Executive Secretary shall notify all Contracting Governments of the date on which

accumulated reported number of days fished,
estimated unreported number of days fished, and
the number of fishing days estimated to be expended before closure could be introduced,

by persons under the jurisdiction of Contracting Governments not mentioned by name in the table equal 100 percent of the allowable number of fishing days designated for "Others" in the table. Within 10 days of the receipt of such notification from the Executive Secretary, each Contracting Government not mentioned by name in the attached table shall prohibit fishing by persons under its jurisdiction using vessels of the particular tonnage and gear category in the areas mentioned in the regulation.

Recording of Effort

"3. That all Contracting Governments take appropriate action to ensure that all vessels under their jurisdiction which fish in Subareas 2, 3, and 4 of the Convention Area record their fishing effort on a daily basis according to position, date, and type of gear.*

Other

"4. That, with regard to any effort allocation, each linear and columnar entry in the table shall be considered a separate proposal under Article VIII of the Convention as amended. Further, sub-paragraph 2(c) shall apply to each Contracting Government without a specific effort allocation in any linear and columnar entry in the table notwithstanding that sub-paragraph 2(b) may apply to each such Government with respect to another linear and columnar entry in the table.

"5. That the effort allocations in the table are without prejudice to future allocations."

* This paragraph of the regulation is not intended to lessen in any way the obligation of Member Countries to report all other data on fishing effort, such as hours fished, in Subareas 2, 3, and 4 of the Convention Area and all data on fishing effort in Subareas 1 and 5 of the Convention Area and Statistical Areas 0 and 6.

Illustrative Table - Integral part of Proposal (1) for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 28 September 1975

Country	Base period	Vessel tonnage	Gear	DAYS FISHED FOR GROUND FISH				NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976								
				Base Data												
				SA2+3K	3LNO	Area 3M	3P	4VWX	SA2+3K	3LNO	Area 3M	3P	4VWX			
Bulgaria	72-73	>2000 >2000	OT MWT	2	19	-	-	-	-	-	2	19	-	-	-	-
Canada ¹	72-73	150-499.9 150-499.9 150-499.9 500-999.9 500-999.9	OT MWT LL OT MWT	-	1,330	-	1,436	5,222	-	1,600	-	2,200	5,100	100	200	2,400
Denmark	73	150-499.9 150-499.9 500-999.9 500-999.9	OT LL OT MWT	15	9	2,115	-	-	-	15	9	-	-	-	-	-
France ¹	72-73	150-499.9 1000-1999.9	OT OT	411	108	105	288	102	492	411	108	105	288	102	492	
FRG	73	1000-1999.9 >2000	OT OT	243	13	6	-	-	-	1,090	71	33	5	-	-	5
GDR	72-73	500-999.9 1000-1999.9 1000-1999.9 >2000 >2000	OT OT MWT OT MWT	2	-	-	-	3	69	504	76	-	1	69	-	-
Japan	73	1000-1999.9 >2000	OT OT	-	1	-	1	9	170	-	1	-	1	9	31	170

- continued

Illustrative Table - continued

Country	Base period	Vessel tonnage	Gear	DAYS FISHED FOR GROUND FISH				NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976						
				Base Data				Area						
				SA2+3K	3LNO	3M	3P	4VWX	SA2+3K	3LNO	3M	3P	4VWX	
Norway	72-73	150-499.9	OT	58	-	7	-	-	-	58	-	7	-	-
		150-499.9	LL	377	35	111	313	56	-	377	35	111	313	56
		500-999.9	OT	82	-	3	-	-	-	82	-	3	-	-
		500-999.9	LL	77	-	-	-	-	-	77	-	-	-	7
		1000-1999.9	OT	37	-	-	-	-	-	37	-	-	-	-
Poland	73	1000-1999.9	OT	-	-	-	-	37	-	-	-	-	-	-
		>2000	OT	2,101	448	68	10	8	-	1,261	300	68	10	40
Portugal	73	500-999.9	DV	-	200	-	116	7	-	-	200	-	116	7
		500-999.9	GN	-	359	-	-	-	-	-	300	-	-	-
		1000-1999.9	OT	1,778	1,942	592	165	217	-	1,066	1,165	355	165	217
		1000-1999.9	DV	-	52	-	27	7	-	-	52	-	27	7
		1000-1999.9	GN	-	584	-	17	2	-	-	350	-	17	2
		>2000	OT	817	752	266	34	119	-	490	451	266	34	119
Romania	72-73	>2000	OT	175	33	10	2	-	175	33	10	2	-	
Spain ²	72-73	150-499.9	PT	47	5,240	13	1,118	1,459	-	47	2,882	13	615	802
		500-999.9	PT	42	1,852	8	237	740	-	42	1,019	8	237	407
		1000-1999.9	OT	245	386	233	128	257	-	245	300	233	128	257
		1000-1999.9	PT	3	291	-	57	120	-	3	291	-	57	120
USSR	72-73	150-499.9	OT	-	1,024	23	1,902	53	-	-	563	23	1,046	53
		500-999.9	OT	14	94	7	6	108	-	14	94	7	6	108
		1000-1999.9	OT	5,046	2,947	1,304	154	6,827	-	2,775	1,621	717	154	3,755
UK	72	500-999.9	OT	60	43	97	-	-	-	60	43	97	-	-
		1000-1999.9	OT	684	504	520	-	85	-	342	300	300	-	85

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Illustrative Table - continued

Country	Base period	Vessel tonnage	Gear	DAYS FISHED FOR GROUND FISH						NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976				
				Base Data						Area				
				SA2+3K	3LNO	3M	3P	4VWX	SA2+3K	3LNO	3M	3P	4VWX	
USA ¹	72-73	150-499.9 150-499.9	OT MWT	-	-	-	-	-	607	-	-	-	-	700
Cuba	-	>2000	-	-	-	-	-	-	4	300	400	225	-	810
Others ³	-	-	-	-	-	-	-	-	-	100	100	100	100	100

1 Estimated number of days fished only, not national allocations of fishing effort.

2 Figures for the PT gear categories are for days fishing by pairs of trawlers.

3 Others allocation = 100 days fished per effort management area, irrespective of vessel tonnage or gear used.

EXPLANATORY NOTES TO THE TABLE

A number of countries have indicated a preference for one of the three base periods. The preferred base period is included in the above table. For countries that did not indicate a preference, the base period of 1972-73 has been used. A number of countries have provided adjusted statistics on effort and have suggested conversions between tonnage/gear categories as follows:

- a) Days fished for FRG in tonnage category 1,000-1,999.9 g.t. has been converted to days fished in tonnage category >2,000 g.t., using a conversion factor of 0.76.
- b) Data provided by GBR has allowed revision of days fished in Div. 4VWX. Days fished in tonnage category 500-999.9 g.t. has been converted to days fished in tonnage category 1,000-1,999.9 g.t., using a conversion factor of 1.0.
- c) Data provided by Japan has allowed revision of days fished in the >2,000 g.t. tonnage category.
- d) Days fished by Poland in tonnage category 1,000-1,999.9 g.t. has been converted to tonnage category >2,000 g.t., using a conversion factor of 0.87.
- e) Data provided by UK has allowed revision of days fished.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

- (1) Resolution Relating to the Implementation of the Proposal for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area

The Commission

Recognizing that proposals designed to achieve the conservation and optimum utilization of groundfish stocks in Subareas 2, 3, and 4 of the Convention Area throughout 1976 through the limitation of fishing effort for groundfish have been adopted at the September 1975 Special Commission Meeting and subject to review at the January 1976 Special Commission Meeting;

Taking into Account that under Article VIII of the Convention, as amended, this proposal would not enter into force until six months after the date on the notification from the Depositary Government transmitting the proposals to the Contracting Governments, which could not occur before April 1976 at the earliest;

Having Considered that the purpose of the Convention is to promote the conservation and optimum utilization of fish stocks on the basis of scientific investigation, and economic and technical considerations, and that this purpose cannot be completely achieved unless the proposal referred to above is applied throughout 1976;

Recognizing that, in order to achieve the purposes and objectives of the Convention, fishing activity in the area must be conducted in accordance with this proposal throughout 1976;

1. Invites the attention of Governments to the above matters;
2. Stipulates that the proposal referred to above should apply throughout 1976;
3. Requests Governments whose vessels conduct fishing operations in the areas to implement the proposal, subject to any modification that may be unanimously agreed by the Delegations present and voting at the January 1976 Special Meeting of the Commission, beginning on 1 January 1976;
4. Expects that all Members of the Commission will conduct their fishing operations in accordance with the proposal beginning on 1 January 1976 unless any of the Members of Panels 2, 3, and 4 notifies an objection to the Depositary Government prior to that date.



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Proceedings No. 5

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of Meetings of Panel 5

Tuesday, 23 September, 0900 hrs
Wednesday, 24 September, 0900 hrs
Friday, 26 September, 1645 hrs

1. The Meeting of Panel 5 was convened by the Chairman, Mr Wm.L. Sullivan Jr (USA). All Members of Panel 5, except Bulgaria and Romania, were present. Representatives from Denmark, Norway, and the UK, and Observers from Cuba attended.
2. LT T.R. McHugh (USA) was appointed Rapporteur.
3. The Agenda, to include Plenary Items 4, Report of STACRES, 6, Further Consideration of Vessel, Gear and Area Restrictions on Georges Bank in Subarea 5, 7, Further Consideration of All Finfish and Squid in Subarea 5 and Statistical Area 6, and 12, Consideration of Statement of the Government of Cuba, from the Plenary Agenda, was adopted.
4. The Report of STACRES (Redbook 1976, Part A), relating to the consideration of finfish and squid within the second-tier overall TAC in Subarea 5 and Statistical Area 6, was presented by the Chairman of STACRES, Dr A.W. May (Canada). The delegate of the USA pointed out that Item 5 of Addendum 1 to the Report stated that "consideration of this item was not as complete as would have been desirable since not all Member Countries were represented by experts in this field (in some cases, discussion of this item had not been anticipated)." As the USA had filed an objection to the second-tier quota and had asked that the item be placed on the agenda more than 60 days in advance of the Special Meeting, and further had asked each country to consider the matter in preparation for the Special Meeting, it was difficult to reconcile the requirement in Rule 6 of the Commission's Rules of Procedure that STACRES provide sound scientific advice on which the Commission could base its decisions with the failure of some of the Member Countries of the Panel to contribute to the formulation of that scientific advice. The Chairman of STACRES felt that the absence of some of the members did not constrain those who were present from analyzing the data, and that the Report, with additional observations contained in Addendum 1, had been accepted as it stands by all present at the STACRES Meeting. There were no further comments on the Report.
5. The delegate of the USA opened discussion of the Plenary Agenda Items by stating that the proposals for vessel, gear, and area restrictions on Georges Bank in Subarea 5 (Item 6), and further consideration of conservation of all finfish and squid in Subarea 5 and Statistical Area 6 (Item 7) had to be linked together as an initial step in obtaining adequate protection for the stocks of fish off the US coast. As had been pointed out, the USA intended to act now through negotiations to obtain such protection. There was a comprehensive set of issues to be dealt with. The resolution of these issues was extremely important because the USA's two branches of Government were opposed on the course of action to be taken. As an illustration of the views in the Congress, the delegate of the USA quoted from a highly critical assessment of the 1975 Annual Meeting delivered by Senator Magnuson during hearings on 19 September 1975. The delegate of the USA continued that the House of Representatives Committee responsible for fisheries had voted 36 to 3 in favour of a 200-mile limit bill. The President was opposed to unilateral extension of jurisdiction, but Congress would not be satisfied if no agreement was reached to conserve the fish stocks.

The USA objected to the second-tier quota set at the 1975 Annual Meeting because it was too high to meet US conservation goals. The USA had proposed that the quota be set at a level of 550,000 tons including squid, a level that still requires at least five years for recovery to MSY, with only a 90% probability that recovery will begin in 1976. STACRES saw no reason to exclude squid from the overall quota. This quota level represents a rational approach to the conservation problem but, if it is not adopted, the probability is that the goal of restoring the fish stocks will not be met in a reasonable time. Temporary short-term economic dislocations may be felt by the distant-water fishermen, however, US and Canadian fishermen have been feeling such a dislocation for a period of time and this burden should be shared by others.

With regard to the US proposed vessel, gear, and area restriction on Georges Bank (Comm.Doc. 75/IX/47), the mixed species populations and the effect of directed fisheries for certain species on other species have caused damage to important commercial stocks. The closure in effect off New England and the Middle Atlantic States, also established to control bottom fishing, has resulted in some indications of recovery for the

flounder stocks as reported by US fishermen. The proposal extends the closure out onto Georges Bank to remove bottom-fishing pressure from the important haddock and yellowtail flounder stocks.

The delegate of the USA said that both items are matters of major importance to the USA, and are critical to the future of ICNAF. The USA, disturbed by the rejection of adequate conservation measures by ICNAF, would have to re-evaluate its position if no agreement is reached on these items. The USA had not filed an objection to a fundamental conservation proposal before in an international fisheries organization. International fisheries commissions were on trial here. If this Meeting was not successful, the USA would have to take a second look at its position. The alternatives to working out solutions through negotiation were not desirable.

6. Consideration of Vessel, Gear, and Area Restrictions on Georges Bank in Subarea 5 (Comm.Doc. 75/IX/47). The delegate of Japan expressed appreciation for the modifications made in the proposal, introduced at the Annual Meeting, to accommodate the squid and argentine fishermen, and stated that he would meet informally with the USA to discuss further alterations. The delegate of the USSR noted that the closure to bottom fishing was aimed at eliminating the haddock by-catch problem, but would affect the USSR's ability to take its TACs allocated in other fisheries, namely, cod, redfish, silver and red hake, and certain of the flatfishes. Under the terms of the proposal, it would be impossible to continue in the fishery for hakes, the most important fisheries in the area for the USSR, with allocations of some 74,000 tons. The species are caught between 80 and 300 m on the southern part of Georges Bank and between 50 and 150 m on the northeast slope during the last half of the second quarter and the third quarter of the year. The Corsair Canyon hake fishery is very important during the period between June and August each year. Argentine and redfish are taken between 150 and 250 m on the northern slope of Georges Bank. In some areas, the closure extends to 200, even 250 m, making it impossible to take many of the quotas allocated to the USSR. The losses would range up to 60-70% of the allocations. Other regulations, such as mesh size, quotas, by-catch restrictions, and the closure of the spawning grounds, already provide protection for the haddock stocks. The delegates of the USSR and Spain advised that they would discuss the matter informally with the USA.

7. Consideration of the Conservation of Finfish and Squid in Subarea 5 and Statistical Area 6. The delegate of the USA opened the discussion by reiterating that there was no more important issue for the USA. He requested that all members consider this item a declaration of intent to deal with the conservation problems in a reasonable time. The Report of STACRES (Redbook 1976, Part A) re-affirmed the US position with regard to including squid in the second-tier quota. It is in the best interest of all countries fishing in Subarea 5 and Statistical Area 6 to restore the stocks to the maximum level in the shortest period of time. The delegate of Spain noted that Spain had also filed an objection to the second-tier quota. Copies of the objection (Comm.Doc. 75/IX/48) would be distributed to outline Spain's position in further discussion. The delegate of Japan reviewed the history of Japan's allocations, both for squid and the second-tier quota, and remarked that the Commission might not be able legally to re-open the question of the quota allocation and the exclusion of squid as these matters had been decided at the 1975 Annual Meeting and had not yet come into effect. He noted that the squid and the second-tier quotas for Japan were the same in 1974 (24,300 tons), while for 1975 the squid allocation was left unchanged, and the second-tier quota was reduced to 21,250 tons. He pointed out that the condition of the squid stock does not show any decline and the quota has been set at the same level. Japanese fishing activity, which concentrates on squid, is less responsible for the overall depletion of the biomass than some others. At the 1975 Annual Meeting, STACRES recommended a level of 650,000 tons for the second-tier quota. STACRES also reviewed the status of the squid stocks and separated *Loligo* and *Illex*, while leaving the aggregate quota for squid at the same level as 1974. Japan expected special consideration in the second-tier allocation, although it was seen that the Japanese second-tier quota would be reduced sharply because the coastal states would ask for the same or higher share of the available biomass. Spain had asked at the 1975 Annual Meeting that squid be separated from the second-tier quota; Japan had supported this because the stocks had not suffered a serious decline, and the separation was biologically justified because the squid had such a short-life cycle. Refraining from squid fishing would not appreciably contribute to the rebuilding of the total biomass. There is, therefore, no reason to reduce the squid catch. Because of the second-tier allocation, the Chairman reminded the delegates that an established TAC and allocation had been revised in the similar case of herring when that species was discussed at the November 1974 Special Commission Meeting. The delegate of Spain expressed support for the Japanese position. The delegate of Canada stated that Canada had been opposed to the exclusion of squid from the second-tier quota at the 1975 Annual Meeting and that position had not changed. The delegate of the USA considered that the Japanese and Spanish position, which was the basis of the US objection to the proposal, appeared to be unchanged from that at the 1975 Annual Meeting. The second-tier quota, if excluding squid, was not a quota for rapid recovery as it was effectively a 724,000-ton quota. There was also a by-catch problem related to the squid fishery, which Spain would deal with as part of a second-tier quota. Neither Spain nor Japan has a second-tier quota. The USA would remain unequivocally opposed to an effective 724,000-ton quota. The delegate of Spain said that squid should be excluded from the second-tier quota, but that Spain was addressing that problem, not the size of the TAC. He pointed out paragraph 3 of Addendum 1 to the Report of STACRES, which indicated that the effect of excluding squid from the TAC on the recovery of the total biomass was as yet unknown; species such as menhaden were also excluded from the second-tier quota although they are a part of the biomass.

The delegate of Japan stated that it was his position that the allocations of the second-tier quota had been disadvantageous to Japan whose fisheries were primarily for squid. He noted that the Spanish objection argued for a second-tier allocation of 5,790 tons for Spain and inquired if Spain intended to fish that amount. The delegate of the USA pointed out that the figures presented in the discussion did not take into consideration the high by-catches in the squid fishery which often ranged up to more than 50% of the catch. Assuming a 50%

by-catch, the by-catch in the squid fishery would amount to 37,000 tons, a level that was not provided for either in the allocations for "Other Finfish" or for the second-tier quota. In the "Other Finfish" category, only 15,000 tons was allocated to "Others". The by-catch necessary in the squid fishery would not even allow for Cuba's needs. The delegate of Japan explained that Japan did not have a second-tier quota because squid had been excluded from that quota and Japan intended to report by-catch under "Others" in that quota. Although squid was the usual target species, butterfish had been taken by Japanese fishermen and recorded under "Others" in the "Other Finfish" category. Future butterfish catches would also be reported under "Others" in the "Other Finfish" category. The percentages of by-catch usually were not as high as mentioned by the US delegate. The delegate of the USA replied that even if the by-catch was only 25%, 18,500 tons would have to be allocated to "Others" for the "Other Finfish" TAC. As the total in the "Others" category is only 15,000 tons, squid fishing would have to stop when the by-catch reached 15,000 tons. The USA is still opposed to the procedures attempted here and at the 1975 Annual Meeting, as they do not meet the needs of the total biomass which, to be effective, requires protection of all species. The delegate of Spain reported that the by-catches were not as large as the USA had indicated, and that new gear would be used in 1976 to ensure that the by-catch problem in the squid fishery would be reduced.

The delegate of Canada pointed out that the Report of STACRES indicated that a 750,000-ton quota, effectively the size of the current 650,000-ton quota which excluded squid, would result in a period of 11 years to recovery to MSY with only a 67% chance that the recovery would start in 1976. This was not considered good enough. Previous US statements clearly indicated that the US Congress would take action, as they did in the House Committee vote taken earlier, to extend the jurisdiction of the USA; Canada could not be restrained from following that lead shortly after such action was taken. Canada would prefer negotiated solutions, but the Commission could bring about the situation that would cause the US Congress to extend jurisdiction and pressure for unilateral extension in Canada would follow. ICNAF's credibility would be diminished. ICNAF or some similar organization might not survive unilateral extension of jurisdiction. He felt that the discussion was proceeding on two points: firstly, whether squid should be included in the second-tier quota, and secondly, what the level of that quota should be. His delegation remained of the opinion that the decisions made at the 1975 Annual Meeting do not meet today's conservation requirements. Such issues have been reconsidered by the Commission in the past after agreement was reached at earlier meetings.

The Chairman suggested bringing the question of inclusion or exclusion of squid to a vote. The delegate of Spain suggested discussing the TAC level for the second-tier quota before any vote was taken. The delegate of the FRG suggested an indicative vote be taken on a quota of 650,000 tons including squid, and if that vote were passed, then vote on the allocations for that level. The delegate of the USA felt that a vote might polarize the Meeting, and suggested that a vote be taken on the US proposal for a quota of 550,000 tons including squid.

8. Further informal discussion was considered appropriate, and the Meeting recessed at 1230 hrs, 23 September.

9. Panel 5 reconvened at 1430 hrs, 23 September.

10. The Chairman noted that there were two questions currently before the Panel, first the second-tier quota set at the 1975 Annual Meeting which had been objected to by the USA and Spain, and second, the US proposal for a quota of 550,000 tons including squid. The delegate of Italy suggested that a first step might be to separate the squid from the overall quota and find levels for each quota. The delegate of France stated that the French fishery was small. France favoured including squid in the second-tier quota as a means of solving the by-catch problem.

The delegate of the USA reminded the participants that there were two questions to be addressed. First was the protection of certain species on Georges Bank through the proposal concerning gear and area restrictions, and second, the question of the two-tier quota. Not to be lost in the US emphasis on these two issues was its concern for the reconciliation of Canada's proposal concerning effort limitation off the Canadian coast, another important factor in ICNAF's success. The USA had proposed a second-tier quota of 550,000 tons including squid but was determined to work out a solution acceptable to the countries present. The USA would be interested in other proposals and would entertain any proposal that excluded squid if the TACs were set at low enough levels. Despite the emphasis on the second-tier quota, the USA still had not abandoned its desire for greater protection on Georges Bank. The delegate of the USA suggested that a vote be taken on the US proposal.

The delegate of Japan stated that he understood the political implications of such a vote and was prepared to discuss the matter further. The USA was, however, the only country that wished to have the subject reopened. An indicative vote, rather than a binding vote, might be more suitable for evaluation of the countries' positions with regard to this question. Such a vote should be taken on whether or not the decision taken at the 1975 Annual Meeting should be reconsidered.

The delegate of Italy suggested that the solution be worked out privately and further recommended that the

Meeting be recessed to facilitate such compromise. The delegate of Canada advised that a failure by the Panel to change the 1975 Annual Meeting decision was unacceptable to Canada, and if that decision were left unchanged, his Government would file an objection. It may be possible, he continued, to work out some type of compromise, suggesting that the figure of 550,000 tons, excluding squid, be set as the second-tier quota. The delegate of the FRG noted that his delegation could not accept the compromise suggested by Canada as it would be at the expense of countries that did not fish for squid. At the 1975 Annual Meeting, the FRG had voted for the 650,000-ton quota including squid, but the majority had decided against including squid. Since the 1975 Annual Meeting, two countries had objected to the decision taken at that time to exclude squid. The scientists had not changed their position since the 1975 Annual Meeting. The delegate of the GDR reported that the GDR would support any measures that would lead to greater stocks of fish, but noted that the GDR had taken the following position at the 1975 Annual Meeting. First, the GDR believed that the scientists' estimate that a TAC of 650,000 tons would lead to recovery, and that a higher TAC was possible without significant effect; second, that the second-tier quota was aimed at the by-catch problem in 1973, and that through steps the GDR had reduced her by-catch coefficient from 3.1% to 0.4%; third, that the GDR squid fishery, amounting to 900 tons in 1974, had revealed a low by-catch. The GDR did not think that separating the squid from the second-tier quota was contrary to the STACRES recommendation, but suggested that all countries take a proportional reduction in their second-tier quota.

Discussion followed concerning the absence of two Members of the Panel (Bulgaria and Romania) and whether it would still require eight affirmative votes for the Panel to adopt a proposal. Although it was possible to conduct a poll by telephone or telex if necessary, the Chairman indicated that it appeared doubtful that any measure could be adopted unless it received eight or more affirmative votes in the Panel. An indicative vote on whether the 1975 Annual Meeting decision to exclude squid from the TAC should be changed resulted in 4 'yes', 3 'no', 3 'abstain', and 2 'absent'.

The delegate of Japan noted that, even if it were possible to reach agreement on a second-tier quota, much work remained to be done to allocate such a quota among the Panel Members. The delegate of the USA expressed his chagrin at the results of the indicative vote. The only conclusion he could draw was that the other Members of Panel 5 did not believe that the USA was serious about the need for conservation. There seemed to be little point in proceeding with the discussion unless specific proposals were forthcoming that would begin to meet the US requirements. There would be sacrifices to be made by all the participants. The USA was serious about its position, but was now faced with immediate drastic decisions. Based on the indicative vote just taken, it was possible that the USA would remove itself from further substantive discussions. It was possible for the USA only to express its greatest concern over the matter.

The delegate of Japan noted that he had requested the indicative vote to show what the attitudes of the other participating Governments were. Japan, he reported, was fully prepared to move forward to reach a solution to the problems. The delegate of Spain also reported being ready to move toward a solution.

The delegate of Canada stated that the indicative vote may have been a signal to the US Congress to extend jurisdiction. It was not the case that Member Governments were relieved of responsibility for their actions by participating in an indicative vote; if indicative votes were a means of exploration, it may be appropriate to see which of the suggested courses of action might lead to a resolution of the difficulties. The delegate of the USA, having given a fresh appraisal of the political realities, suggested that those interested in an agreement might give an indication of where compromise might lie. Two delegations who voted 'no' to the question of whether the decision made during the 1975 Annual Meeting should be reconsidered had already indicated a willingness to take a new look. The delegate of Canada suggested voting on the proposals which had been made to see which might lead to an area of compromise. The delegate of the GDR supported this suggestion.

The first vote, taken on the FRG's suggestion that the second-tier quota be set, as was done originally at the 1975 Annual Meeting at 650,000 tons including squid, resulted in an indicative vote of 5 'yes', 3 'no', 2 'abstain', and 2 'absent'. The second vote, the Canadian compromise suggestion that the second-tier quota be set at 550,000 tons excluding squid, resulted in an indicative vote of 4 'yes', 2 'no', 4 'abstain', and 2 'absent'. The final vote on the US proposal that the second-tier quota be set at 550,000 tons including squid resulted in a vote of 2 'yes', 5 'no', 3 'abstain', and 2 'absent'.

Following the votings, the delegate of the USA noted that the result of the first vote regarding the reconsideration of the second-tier quota excluding squid told the story. The further votings almost constituted a charade, as it appeared that the minds of the delegates were already made up. The failure of ICNAF to come to grips with this problem would have profound effects on US policy. The failure of ICNAF to seek appropriate solutions would add to the already serious pressures being brought to bear on this matter.

The delegate of Canada, quoting Shakespeare, remarked "Perseverance keeps honour bright". The historical doctrine of the freedom of the seas has been modified either by international agreements and regulations, or extensions of jurisdiction. Freedom of the seas may become more destructive through the application of advanced technology in the fisheries. Extension of jurisdiction implies the responsibility of the coastal state to maintain the stocks and see that any surpluses are fully utilized by others. It had been an integral part of the Canadian position that there was a need for an international body such as ICNAF to manage the fisheries. If the members persist in taking no action, a call for extension of jurisdiction by the coastal states would follow at an early date. The delegate of Canada suggested a meeting of the heads of delegations at the earliest

possible time to discuss the fundamental underlying problems, such a meeting to have priority over the other Agenda Items now before the Commission.

The Chairman of the Commission noted that the questions to be faced were very broad, and that the sincerity of the Canadian delegation should not be underestimated. The issues at stake at this session of the Commission raised serious questions for any type of international fisheries management scheme. With the attendant Law of the Sea problems also at stake, there should be a meeting of the heads of delegations as soon as possible. The delegate of the UK, noting that the UK was not a Member of Panel 5, suggested that the Members of Panel 5 could decide the fate of the Commission and that those Member Governments not Members of Panel 5 should have some share in the decision. Commenting on the dispute at hand, without reference to the particulars of the scientific information, he considered that the action of the Members of the Panel at the 1975 Annual Meeting in removing species from a quota already decided without making a reduction in the overall TAC itself amounted to sharp practice and constituted the worst sort of basis for making a decision. The delegate of Denmark supported the position taken by the UK delegate, stating that decisions which affect the wider membership of the Commission should be taken by the entire membership of the Commission. He noted that the indicative vote had been taken not to complicate the issues, but to remove the problems inherent in a final vote.

11. The Meeting of Panel 5 was recessed at 1600 hrs, 23 September.

12. The Panel reconvened at 0900 hrs, 24 September, with the heads of the Panel Member delegations, the heads of the Danish, Norwegian, Portuguese, and the UK delegations, and the Observer from Cuba present.

13. The Chairman called for further discussion of the conservation of all finfish and squid in Subarea 5 and Statistical Area 6, and reviewed the status of attempts during meetings of the Panel on 23 September to resolve Panel Members' differences regarding the TAC and national allocation for all finfish and squid and the exclusion of squid from the second-tier quota. He reviewed the history and purpose of the two-tier quota system for the benefit of heads of the non-Panel member delegations present.

A lengthy discussion followed during which the participants repeated the views they had expressed during the earlier Panel session on how the two-tier quota system should be applied in the circumstances. Italy, Japan, and Spain, those countries interested primarily in the squid fishery, maintained that the unique biological characteristics of the squid should be taken into consideration. Its short-life cycle set it apart from the other species under regulation, and the scientific evidence indicated that the squid stocks were not in the same danger of depletion as some of the other species included in the second-tier quota. Therefore, substantial fishing should be allowed to prevent the loss of a valuable resource. If squid were included in the second tier, the countries which fished for squid would suffer such reductions in their second-tier quota that they would not be able to take all the available squid after by-catch was considered. The delegate of Spain suggested that a TAC of 576,000 tons, excluding squid, was an appropriate level, both to separate the squid and keep the TAC under 650,000 tons.

The alternate position, taken by those countries whose fisheries do not rely primarily on squid, was that the conservation requirements necessary now and the removal of the squid from the TAC reduced their potential allocations to the point where the sacrifice necessary to meet the conservation ends of the Commission would not be shared equally. The delegate of the USA pointed out that it was necessary to allow for the excessive unreported by-catch noted by US inspectors by reducing the second-tier TAC to 550,000 tons even if squid were excluded. The delegate of the GDR reminded the delegates that countries fishing for herring and mackerel could pose the question of removing those species from the second-tier TAC. The delegate of the USA stated that such an erosion would threaten the entire ICNAF management system.

Delegates suggested various compromise overall TACs and allocations during the course of the discussion. The first compromise noted that the middle ground between the decision taken at the 1975 Annual Meeting for a 650,000-ton quota excluding squid, and the current US position of 550,000 tons including squid, was 600,000 tons excluding squid. A second compromise called for including the squid fisheries with the highest by-catch in the second-tier TAC and removing those with the cleaner fisheries. Although allocations were calculated removing *Illex* from the TAC, the Panel decided that the scientific evidence available did not support such a separation, as pointed out in the Report of STACRES (Redbook 1976, Part A).

Lengthy discussion centered on two points: first, that 650,000 tons would be the ceiling figure for the second-tier TAC; and, second, whether squid would be included in that TAC. The delegate of Canada noted that Canada's second-tier allocation would more accurately reflect Canada's needs if set at 18,000 tons, and offered the 4,000-ton difference between that and the 22,000-ton allocation set for Canada at the 1975 Annual Meeting to help balance the needs of the others who fish in Subarea 5 and Statistical Area 6.

14. The Meeting of Panel 5 recessed at 1305 hrs, 24 September.

15. The Meeting of Panel 5 reconvened at 2115 hrs, 24 September, to consider five proposals for the allocation of second-tier TACs of 650,000 tons including squid and 576,000 tons excluding squid. After lengthy consideration of these possibilities, and further modifications, the delegate of Japan, seconded by the delegate of the USA, moved that the Panel vote on the following allocation of a 576,000-ton quota which excluded squid:

Bulgaria	13,750 tons
Canada	18,000 "
France	2,950 "
Federal Republic of Germany	13,750 "
German Democratic Republic	47,500 "
Italy	1,750 "
Poland	68,000 "
Romania	3,850 "
USSR	169,000 "
USA	213,000 "
Others	24,450 "

576,000 tons

The motion was defeated by a vote of 5 'yes', 3 'no', 2 'abstain', and 2 'absent' (Romania and Bulgaria). The delegate of Spain, seconded by the delegate of the USA, then moved that the Panel adopt the following allocations, based on a 650,000-ton TAC including squid:

Bulgaria	14,400 tons
Canada	18,000 "
France	2,950 "
Federal Republic of Germany	14,900 "
German Democratic Republic	48,750 "
Italy	6,800 "
Japan	18,000 "
Poland	76,500 "
Romania	3,850 "
Spain	16,000 "
USSR	177,250 "
USA	230,000 "
Cuba	21,000 "
Others	1,600 "

650,000 tons

These allocations were adopted by Panel 5 by a vote of 10 'yes' and 2 'absent', noting that Cuba intends to take 21,000 tons in Subarea 5 and Statistical Area 6. Therefore, Panel 5

agreed to recommend to the Commission

that the 1976 second-tier TAC and allocation of finfish and squid, as adopted at the 1975 Annual Meeting of the Commission, be amended to read as shown in Table 1.

16. The Meeting of Panel 5 recessed at 0115 hrs, 25 September.

17. Panel 5 reconvened at 1645 hrs, 26 September, for further consideration of vessel, gear, and area restrictions on Georges Bank in Subarea 5. The delegate of the USA introduced Commissioner's Document 75/IX/47 (Revised) which showed a smaller area than that originally proposed for the gear restriction on Georges Bank. The delegate of the USSR added that the revisions in the proposal were the result of lengthy and difficult discussions and although the USSR was greatly affected by the proposal, and had opposed it, the USSR delegation considered themselves co-authors of the revised proposal and were prepared to accept it. The delegate of Japan, who had expressed difficulties with the original proposal, stated that he was prepared to accept the revised proposal. The delegate of the GDR noted that the proposal would not affect the large GDR pelagic fisheries in the area, and stated that his delegation was in favour of it. The delegate of Poland stated that his delegation was prepared to accept the proposal.

The delegate of Spain stated that he had expressed his opposition to the proposal at two earlier meetings of the Commission. As some parts of the northeast portion of the closed area were areas of importance for the Spanish cod fishery, he could not accept the proposal and would vote against it.

The Panel, by a vote of 9 'yes', 1 'no', and 2 'absent',

agreed to recommend to the Commission

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (2) for international regulation of fishing gear employed in the fisheries in Subarea 5 of the Convention Area and in the adjacent waters to the west and south within Statistical Area 6 (Appendix I).

18. Consideration of the Statement of the Government of Cuba (Comm.Doc. 75/IX/39). The Observer from Cuba pointed out, in the course of discussing revision of the 1975 Annual Meeting allocation of "Others" quotas to take into account the request of Cuba for quotas in certain stocks for 1976 that Cuba's directed fisheries in the Subareas would be for mackerel and hakes, and that the other requests were primarily intended to cover the calculated by-catch in those fisheries. It was noted that the Cuban request for an allocation of herring would be considered at a Special Meeting to be held in January 1976. After some revision of the original Cuban proposal, the Panel

agreed to recommend to the Commission

that the "Others" allocations as determined at the 1975 Annual Meeting for 1976 for certain stocks of finfish and squid in Subarea 5 and Statistical Area 6 be amended as shown in Table 1.

The delegate of Italy declared that mackerel was an important part of Italy's fishery program, but that he could agree to a 2,000-ton allocation for the "Others" category in which Italy would fish in 1976. He stated that Italy intended to take 1,800 tons of mackerel in 1976, and possibly would seek an allocation of that species at some time in the future.

19. There being no further business, the Meeting of Panel 5 adjourned at 1800 hrs, 26 September.

Table 1. Summary of revised 1976 allocations for certain stocks in Subarea 5 and Statistical Area 6.

	Cod	Mackerel	Silver hake		Red hake		Other finfish ¹	Squid <i>Loligo</i>	All finfish ² + squid
	5Z	5+6	5Ze	5Zw+6	5Ze	5Zw+6	SA 5+6	SA 5+6	SA 5+6
TAC recommended by Scientific Advisers	35,000	254,000	50,000	43,000	26,000	16,000	150,000	44,000	650,000
Bulgaria	-	16,300	600	-	-	-	4,000	-	14,400
Canada	4,519	4,400	-	-	-	-	-	-	18,000
Denmark	-	-	-	-	-	-	-	-	-
France	-	-	-	-	-	-	-	-	2,950
FRG	-	1,200	-	-	-	-	-	1,000	14,900
GDR	-	48,900	-	-	-	-	3,000	-	48,750
Iceland	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	3,300	6,800
Japan	-	-	-	-	-	-	-	15,700	18,000
Norway	-	-	-	-	-	-	-	-	-
Poland	457	78,300	-	-	-	-	10,000	1,700	76,500
Portugal	-	-	-	-	-	-	-	-	-
Romania	-	3,200	-	-	-	-	-	-	3,850
Spain	6,645	-	-	-	-	-	-	8,800	16,000
USSR	2,314	88,000	36,400	30,000	19,000	9,000	50,000	2,000	177,250
UK	-	-	-	-	-	-	-	-	-
USA	20,000	4,700	8,500	9,000	1,000	6,000	68,000	8,500	230,000
Cuba	400	7,000	4,250	3,750	1,400	900	3,000	1,000	21,000
Others	665	2,000	250	250	4,600	100	12,000	2,000	1,600
Total allocated catches	35,000	254,000	50,000	43,000	26,000	16,000	150,000	44,000	650,000
Estimated catch outside Convention Area									

¹ Excluding TAC species and also menhaden, tunas, billfishes, and large sharks other than dogfish.

² Excluding menhaden, tunas, billfishes, and large sharks other than dogfish.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975(2) Proposal for International Regulation of Fishing Gear Employed in the Fisheries in Subarea 5 of the Convention Area and in the Adjacent Waters to the West and South within Statistical Area 6

Panel 5 recommends that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

That Proposal (1) for International Regulation of Fishing Gear Employed in Subarea 5 and in Adjacent Waters to the West and South within Statistical Area 6, adopted at the November 1974 Fifth Special Commission Meeting (November 1974 Meeting Proceedings, pages 26-27) and entered into force on 27 July 1975, be replaced by the following:

"1. That each Contracting Government take appropriate action to prohibit the taking of fish, other than crustacea, from vessels over 130 feet (39.6 m) in length by persons under its jurisdiction with fishing gear other than pelagic fishing gear (purse seines or true midwater trawls, using midwater trawl doors incapable of being fished on the bottom), in the area adjacent to the United States coast within that part of Subarea 5 (Southern New England and Gulf of Maine) and the adjacent waters to the west and south which lies north of 39°00'N and north of straight lines connecting 39°00'N, 73°30'W; 40°20'N, 72°33'W and 40°20'N, 68°15'W, and south and west of a straight line drawn between the points: 40°20'N, 68°15'W and 43°17'N, 70°00'W (Area I).

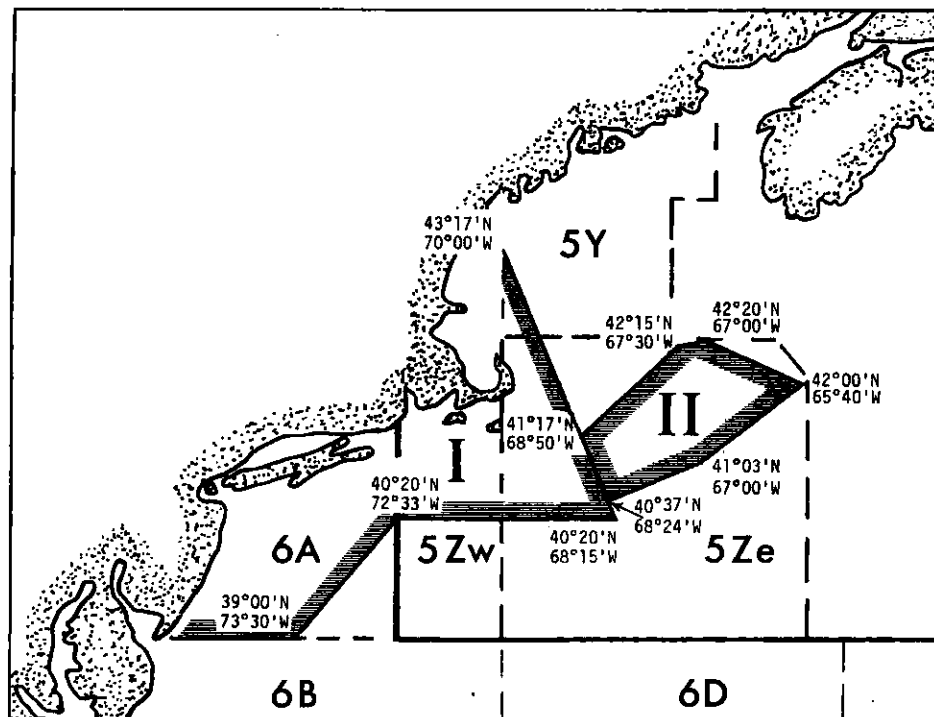
"2. That the Contracting Governments take appropriate action to prohibit the taking of fish other than crustacea and scallops, by vessels over 155 feet (47.2 m) in length by persons under their jurisdiction with fishing gear other than pelagic fishing gear (purse seines, or true midwater trawls, using midwater trawl doors incapable of being fished on the bottom), in the area of Subarea 5 bounded by straight lines connecting 42°20'N, 67°00'W; 42°00'N, 65°40'W; 41°03'N, 67°00'W; 40°37'N, 68°24'W; 41°17'N, 68°50'W; and 42°15'N, 67°30'W (Area II).

"3. That Contracting Governments prohibit any person to whom paragraphs 1 and 2 above would apply from attaching any protective device to pelagic fishing gear or employing any means which would, in effect, make it possible to fish for demersal species in the areas described in paragraphs 1 and 2 above.

"4. That nothing in this proposal shall affect the trawl mesh-size requirements in force in Subarea 5."

NOTE: Attached is a chart illustrating the Areas I and II affected by this proposal.

Chart illustrating Areas I and II affected by Proposal (2) for International Regulation of Fishing Gear Employed in the Fisheries in Subarea 5 of the Convention Area and in the Adjacent Waters to the West and South within Statistical Area 6



International Commission for



the Northwest Atlantic Fisheries

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SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

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

Wednesday, 24 September, 1430 hrs

1. Opening. The Meeting of STACTIC was called to order by the Chairman, Mr W.G. Gordon (USA).
2. Participants. Representatives were present from the following Member Countries: Canada, Denmark, France, Federal Republic of Germany, German Democratic Republic, Italy, Japan, Norway, Poland, Portugal, Spain, USSR, UK, and USA.
3. Rapporteur. Capt C.F. Juechter (USA) was appointed Rapporteur.
4. Plenary Agenda Item 8, Further Consideration of the Scheme of Joint Enforcement: Fishing Vessel Licensing. The Chairman reviewed the discussions held at the Special Meeting of STACTIC held 4-7 March 1975 in Leningrad, USSR (1974/75 Meeting Proceedings, Part III) relating to a US proposal for a system of vessel registration for Member Governments as a means of improving compliance with the Commission's complex system of quota regulations. He pointed out that further consideration had been given the US proposal at the Commission's Annual Meeting in June 1975 (June 1975 Meeting Proceedings No. 4) and called upon the USA to present its new proposal. The delegate of the USA presented the US proposal (Comm.Doc. 75/IX/45) explaining that it took into account the discussions and suggestions made at the 1975 Annual Meeting and thus had been modified accordingly. The delegate of Canada endorsed the US proposal but suggested certain changes and additions be made to it with a view to strengthening the registration scheme proposed. The delegate of the USSR stated that he wished to reserve opinion on this proposal until the matter of Canadian port closures was resolved.

After considerable discussion concerning substantive and editorial changes, STACTIC

agreed to recommend to the Commission

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, a proposal (3) for national registration of vessels engaged in fishing or in the treatment of sea fish in the Convention Area and Statistical Areas 0 and 6 (Appendix I).
5. The Meeting of STACTIC adjourned at 1600 hrs.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

(3) Proposal for National Registration of Vessels Engaged in Fishing or in the Treatment of Sea Fish in the Convention Area and Statistical Areas 0 and 6

STACTIC recommends that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

That pursuant to paragraph 5 of Article VIII of the Convention, as amended by the 1963 Protocol, the following arrangements for national registration of fishing vessels be made for the purpose of more effectively managing the fisheries of the Northwest Atlantic Ocean:

"1. All vessels over 50 gross tons engaged in fishing or in the treatment of sea fish in the Convention Area or Statistical Areas 0 and 6 shall be registered by the Flag State. A report of this registration shall be filed with the ICNAF Secretariat prior to 1 January of each year, when possible, or in a timely manner following departure of the vessel from its home port, or by message within 30 days if the Flag State changes the terms of its registration.

"2. Such report shall include:

- (a) Name of vessel, both native and Latin alphabet spelling,
- (b) Official number of the vessel registered by appropriate authorities of the Flag State,
- (c) Home port and nationality of vessel,
- (d) Owner or charterer of vessel,
- (e) Certification that master has been provided with the regulations in force for the area or areas where the vessel will be engaged in fishing for sea fish,
- (f) Principal target species of the vessel while engaged in fishing for sea fish while in the Convention Area or Statistical Areas 0 and 6,
- (g) Subareas where the vessel will be expected to fish.

"3. A document of registration of the vessel in a form prescribed by the national legislation shall be maintained aboard the vessel and shall be made available to any authorized inspector conducting an inspection under the provisions of the Scheme of Joint International Enforcement.

"4. If the activities or purposes of any properly registered vessel as stated on the registration form are changed, endorsements with the changes noted shall be submitted to the ICNAF Secretariat as soon as possible after the date of the change but in any event no later than 30 days after the date of the change, and message endorsements may be appended to the registration form aboard the vessel to reflect the Flag State's acknowledgement of such changes.

"5. The ICNAF Secretariat will provide to Member Governments requesting such information monthly listings of all vessels registered to fish in the Convention Area or Statistical Areas 0 and 6, including the activities the vessels are authorized to conduct."



Serial No. 3704
(B.e.75)

Proceedings No. 7

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of Joint Meetings of Panels 3, 4, and 5

Wednesday, 24 September, 1630 hrs
Sunday, 28 September, 1015 hrs

1. A Joint Meeting of Panels 3, 4, and 5 was convened by Mr E. Gillett (UK).
2. Mr V.M. Hodder (ICNAF) was appointed Rapporteur.
3. The Panels met to consider Plenary Agenda Item 9, Further Consideration of Exemption Clauses in Trawl Regulations in Subareas 3, 4, and 5. The delegate of the USA introduced a draft proposal for the simplification of the trawl regulations relevant to the exemption clauses for certain species when fishing is conducted for other species with small-meshed gear. He indicated that it was necessary to prepare the text of the amendment for each of Subareas 3, 4, and 5 separately to take account of the different species that would be affected. There was general agreement to the proposed amendments, but most delegates felt the need to examine the text of the amendments before agreeing to the proposal.
4. The Joint Meeting of Panels 3, 4, and 5 recessed at 1700 hrs, 24 September.

5. The Joint Meeting of Panels 3, 4, and 5 reconvened at 1015 hrs, Sunday, 28 September.
6. The draft text of the amendments to the mesh regulations for Subareas 3, 4, and 5 was considered, and Panels 3, 4, and 5, in joint session,
agreed to recommend to the Commission
that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, Proposal (4) for mesh regulation of the trawl fishery in Subarea 3 (Appendix I), Proposal (5) for mesh regulation of the trawl fishery in Subarea 4 (Appendix II), and Proposal (6) for mesh regulation of the trawl fishery in Subarea 5 and Statistical Area 6 (Appendix III).
7. The Joint Meeting of Panels 3, 4, and 5 adjourned at 1025 hrs, 28 September.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

- (4) Proposal for International Mesh Regulation of the Trawl Fishery for Cod, Haddock, Redfish, Halibut, Witch, Yellowtail Flounder, American Plaice, Greenland Halibut, Pollock, and White Hake in Subarea 3 of the Convention Area

Panel 3, in joint session with Panels 4 and 5, recommends that the Commission transmit to the Depository Government the following proposal for joint action by Contracting Governments:

That paragraph 3(i) of the Trawl Regulations for Subarea 3, adopted at the Twenty-Fourth Annual Meeting (Annual Report, Vol. 24, 1973/74, page 92) and entered into force on 11 January 1975, be replaced by the following:

- "3. (i) In order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of cod, haddock, and other regulated species incidentally, except as provided for in paragraph 3(ii), the Contracting Governments permit persons under their jurisdiction to take cod, haddock, and other regulated species with nets having a mesh size less than that specified in the preceding paragraph, so long as such persons do not have in possession (either at sea or at the time of off-loading) on board a vessel fishing primarily for other species which has been fishing in the Convention Area or in Statistical Area 6, cod, haddock, and other regulated species mentioned in paragraph 1 above taken together in amounts in excess of 2,500 kg (5,510 lbs) for each or 10% by weight for each, of all fish on board such vessel, whichever is greater."

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

- (5) Proposal for International Mesh Regulation of the Trawl Fishery for Cod, Haddock, and Flounders in Subarea 4 of the Convention Area

Panel 4, in joint session with Panels 3 and 5, recommends that the Commission transmit to the Depository Government the following proposal for joint action by Contracting Governments:

That paragraph 2(i) of the Trawl Regulations for Suarea 4, adopted at the Twenty-Fourth Annual Meeting (Annual Report, Vol. 24, 1973/74, page 93) and entered into force on 11 January 1975, be replaced by the following:

- "2. (i) In order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of cod, haddock, and flounders incidentally, except as provided for in paragraph 2(ii), the Contracting Governments permit persons under their jurisdiction to take cod, haddock, and flounders with nets having a mesh size less than that specified in the preceding paragraph, so long as such persons do not have in possession (either at sea or at the time of off-loading) on board a vessel fishing primarily for other species which has been fishing in the Convention Area or Statistical Area 6, cod, haddock, and flounders in amounts in excess of 2,500 kg (5,510 lbs) for each or 10% by weight for each, of all fish on board such vessel, whichever is greater."

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

- (6) Proposal for International Mesh Regulation of the Trawl Fishery for Cod, Haddock, and Yellowtail Flounder in Subarea 5 of the Convention Area, and in the Adjacent Waters to the West and South within Statistical Area 6

Panel 5, in joint session with Panels 3 and 4, recommends that the Commission transmit to the Depository Government the following proposal for joint action by Contracting Governments:

That paragraph 2(i) of the Trawl Regulations for Subarea 5, adopted at the Twenty-Fourth Annual Meeting (Annual Report, Vol. 24, 1973/74, page 94) and entered into force on 11 January 1975, be replaced by the following:

- "2. (i) In order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of cod, haddock, and yellowtail flounder incidentally, except as provided for in paragraph 2(ii), the Contracting Governments permit persons under their jurisdiction to take cod, haddock, and yellowtail flounder with nets having a mesh size less than that specified in the preceding paragraph, so long as such persons do not have in possession (either at sea or at the time of off-loading) on board a vessel fishing primarily for other species which has been fishing in the Convention Area or in Statistical Area 6, cod, haddock, or yellowtail flounder in amounts in excess of 2,500 kg (5,510 lbs) for each or 10% by weight for each, of all fish on board such vessel, whichever is greater."

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3705
(B.e.75)

Proceedings No. 8

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of Meetings of Panel 3

Thursday, 25 September, 0915 hrs

Thursday, 25 September, 1700 hrs

Friday, 26 September, 1500 hrs

1. The Meeting of Panel 3 was opened by the Chairman, Mr R.H. Letaconnoux (France).
2. Mr J.S. Beckett (Canada) was appointed Rapporteur.
3. The Agenda, Consideration of Items 10 and 12 from the Plenary Agenda, was adopted.
4. All members of the Panel, except Bulgaria and Romania, were present. A representative of the FRG, and Observers from Cuba were in attendance.
5. Conservation Requirements. The Chairman of the Scientific Advisers to Panel 3, Mr B.B. Parrish (UK), reported on the recommendations of STACRES with regard to each stock as it was considered; and drew attention to Table 1 of the Report of STACRES (Redbook 1976, page 16) which set out the long-term results of controlling fishing intensities at F_{max} and at lower levels.

(a) Div. 3NO cod. The delegate of Canada drew attention to the fact that the new recommendation of STACRES (43,000 tons at F_{max}) was in fact below Canada's call for a lower TAC (60,000 tons) than that (85,000 tons) recommended by STACRES prior to the 1975 Annual Meeting. He emphasized, through clarification by the Chairman of the Scientific Advisers, the benefits, in terms of the speed with which the stock would recover, of fishing below F_{max} .

The delegate of Canada expressed the strong conviction that the TAC should be below that necessary to achieve F_{max} , but agreed to accept a TAC of 43,000 tons since this was less than half the TAC for 1975.

The Panel

agreed to recommend to the Commission

that the 1976 TAC for Div. 3NO cod be as shown in Table 1.

(b) Subdiv. 3Ps cod. The delegate of Canada noted that this stock was very important to Canadian fishermen and called for a TAC lower than the 48,000 tons estimated by STACRES as being necessary to achieve F_{max} .

The Panel

agreed to recommend to the Commission

that the 1976 TAC for Subdiv. 3Ps cod be as shown in Table 1.

(c) Div. 3P redfish. The delegate of Canada stated that, while it was desirable to fish below F_{max} since the status of this particular stock was close to the MSY level and since good recruitment was anticipated, he would agree to the TAC being set at the F_{max} level.

The Panel

agreed to recommend to the Commission

that the 1976 TAC for Div. 3P redfish be as shown in Table 1.

6. National Allocations

(a) Div. 3NO cod. The Observer from Cuba drew attention to Comm.Doc. 75/IX/39 which contained an

assessment of Cuba's quota requirements for various stocks, including 2,500 tons of Div. 3NO cod.

After some discussion on the method of accommodating the Cuban request, the Panel agreed to recommend a specific national allocation for Cuba rather than to make some provision within the "Others" category.

The delegate of Norway stated that his country would be prepared to carry out no fishing for cod in Div. 3NO provided a satisfactory amount of cod was allocated in Subdiv. 3Ps.

The delegates of Canada, France, and Spain requested allocations of 8,000, 500, and 21,000 tons, respectively. The Panel, by a vote of 11 in favour, 1 against (Spain), and 2 absent,

agreed to recommend to the Commission

that the 1976 allocations of Div. 3NO cod be as shown in Table 1,

provided that Norway's request could be satisfied in Subdiv. 3Ps (see paragraph 10(a) below).

(b) Subdiv. 3Ps cod. The delegates of Canada, France, Norway, and Spain requested allocations of 15,000 tons (plus 15,000 tons estimated outside the Convention Area), 4,400 tons (plus 1,000 tons estimated outside the Convention Area), 1,400 tons, and 13,500 tons, respectively.

The Panel considered the results of pro-rated reductions in the quotas and the delegate of Spain stated that his Government would have great difficulty in accepting an allocation as small as that (6,415 tons) which would result from straight pro-rating.

Following some debate, the Panel decided to leave discussion of this stock for the time being.

(c) Div. 3LNO American plaice. The TAC for this stock was set at the 1975 Annual Meeting.

The delegate of Canada stressed the importance of this stock to Canadian fishermen and suggested the national allocations set out in Table 1. He noted that these suggestions represented major reductions for the USSR and Poland and offered 3,000 tons of the Canadian allocation of the Subarea 2-Div. 3K redfish stock to the USSR and 700 tons of Div. 3M cod to Poland. Both these offers were accepted by the respective delegates.

The delegate of Portugal expressed his opposition to the principle of a country, particularly a coastal state with a preferential allocation, giving away part of its quota after this had been determined by the Commission. Panel 3

agreed to recommend to the Commission

that the Commission approve the quota transfers proposed by Canada.

The delegate of Denmark expressed his reluctant acquiescence to this action. The Panel by unanimous vote of those present

agreed to recommend to the Commission

that the 1976 national allocations of Div. 3LNO American plaice be as shown in Table 1.

7. The Meeting of Panel 3 recessed at 1245 hrs.

8. The second Meeting of Panel 3 was held with Mr E. Gillett (UK), the Chairman of the Commission, in the chair, on Thursday, 25 September, at 1700 hrs, to consider specific allocations to Cuba from the "Others" category in a number of stocks. The Panel

agreed to recommend to the Commission

that the following allocations be assigned to Cuba and "Others" for 1976:

<u>Stock</u>	<u>Cuba</u>	<u>"Others"</u>
Div. 3M cod	1,900 tons	100 tons
Div. 3M redfish	2,200 "	200 "
Div. 3LN redfish	2,700 "	200 "
Div. 3O redfish	1,000 "	200 "

Div. 3LNO yellowtail. Cuba withdrew her request for a specific allocation, but the Panel noted that

Cuba expected to catch 300 tons as by-catch in 1976.

Div. 3NO witch. Cuba withdrew her request for a specific allocation, but the Panel noted that Cuba expected to catch 500 tons as by-catch in 1976.

9. The Meeting of Panel 3 recessed at 1815 hrs, Thursday, 25 September.

10. The third Meeting of Panel 3 was reconvened at 1500 hrs, Friday, 26 September, to further consider national allocations for the two outstanding stocks, Subdiv. 3Ps cod and Div. 3P redfish.

(a) Subdiv. 3Ps cod. The Panel, by unanimous vote of those present, agreed to recommend to the Commission

that the 1976 allocations of Subdiv. 3Ps cod be as shown in Table 1.

The delegate of Norway confirmed that the allocation of Subdiv. 3Ps cod was satisfactory to his delegation and that he could withdraw the proviso attached to the Div. 3NO cod allocations.

(b) Div. 3P redfish. The Panel, by unanimous vote of those present, agreed to recommend to the Commission

that the 1976 allocations of Div. 3P redfish be as shown in Table 1.

11. The Meeting of Panel 3 adjourned at 1525 hrs, Friday, 26 September.

Table 1. Summary of 1976 revised TACs and allocations for certain stocks in Subarea 3.

	Cod			Redfish				American plaice
	3M	3NO	3Ps	3M	3LN	3O	3P	3LNO
TAC recommended by Scientific Advisers	40,000	43,000	48,000	16,000	20,000	16,000	18,000	47,000
Bulgaria	-	-	-	-	-	-	-	-
Canada	2,100	8,000	14,000	1,000	1,300	500	12,500	43,000
Denmark	6,840	-	-	-	-	-	-	-
France	6,650	500	4,400	-	-	-	1,500	700
FRG	500	-	-	-	-	-	-	-
GDR	-	-	-	-	1,000	-	-	-
Iceland	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-
Norway	1,330	-	1,400	-	-	-	-	-
Poland	1,460	-	-	-	-	-	-	-
Portugal	10,000	2,600	-	-	1,000	-	-	-
Romania	-	-	-	-	-	-	-	-
Spain	2,090	18,400	9,250	-	-	-	-	-
USSR	4,940	10,200	950	12,600	13,800	14,300	3,800	3,000
UK	2,090	-	-	-	-	-	-	-
USA	-	-	-	-	-	-	-	-
Cuba	1,900	2,000	-	2,200	2,700	1,000	-	-
Others	100	1,300	1,500	200	200	200	200	300
Total Allocated Catches	40,000	43,000	31,500	16,000	20,000	16,000	18,000	47,000
Estimated catch outside Convention Area			15,000 (CAN) 1,000 (FRA)					



Serial No. 3706
(B.e.75)

Proceedings No. 9

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of Meetings of Panel 4

Thursday, 25 September, 1400 hrs

Friday, 26 September, 1515 hrs

1. Opening. The meeting was convened by the Chairman, Mr K. Løkkegaard (Denmark). All Panel members, except Bulgaria, were represented, as well as Observers from Cuba.
2. Rapporteur. Mr V.M. Hodder (ICNAF) was appointed Rapporteur.
3. Agenda. The Panel agreed to consider Plenary Agenda Items 10 and 12 insofar as they pertained to Panel 4.
4. Report of Scientific Advisers. Mr R.C. Hennemuth (USA), Chairman of Scientific Advisers to Panel 4, reviewed those sections of the Report of STACRES (Redbook 1976, Part A) relevant to Panel 4. He noted that STACRES considered the TACs for three stocks and provided advice not only on the TAC levels at F_{max} but also, for two cod stocks, on catch levels corresponding to F-values lower than F_{max} (Redbook 1976, page 11). He observed that the lower the TAC is set below the level corresponding to F_{max} , the quicker will be the recovery of the stocks to their long-term equilibrium levels. It was also noted that, for haddock in Div. 4X, there was no change in the advice provided by Scientific Advisers at the 1975 Annual Meeting (Redbook 1975, page 35).

5. Conservation Requirements

(a) Haddock in Div. 4X. The Panel noted that the Scientific Advisers at the 1975 Annual Meeting had advised that there should be no directed fishery on this stock but that a by-catch of haddock in fisheries for other species in the area would be about 15,000 tons. The delegate of Canada indicated the desirability of setting a TAC for the by-catch of haddock and of allocating the TAC as was done for 1975. The Panel accordingly

agreed to recommend to the Commission

that the 1976 TAC for haddock in Div. 4X be 15,000 metric tons with the allocations as set out in Table 1.

(b) Cod in Div. 4X (offshore). The Panel noted that it had agreed at the 1975 Annual Meeting to a 1976 TAC of 4,000 tons in accordance with the advice of the Scientific Advisers at that Meeting, but that the allocation of this TAC was deferred to this Special Meeting. The Panel accordingly

agreed to recommend to the Commission

that the allocation of the 1976 TAC of 4,000 metric tons of cod in Div. 4X (offshore) be as set out in Table 1.

(c) Cod in Subdiv. 4Vs and Div. 4W. The Panel took note of the advice of STACRES at this Meeting that the TAC at F_{max} should not exceed 30,000 metric tons for 1976. The delegate of Canada suggested that the TAC should be set at 29,000 tons, a level slightly lower than that at F_{max} , but reluctantly agreed to 30,000 tons, after several delegates indicated the severity of the reduction from the 1975 TAC of 60,000 tons. The Observer from Cuba indicated his desire for an allocation of 2,800 tons from this stock but noted that the drastic reduction in the TAC from the 1975 level would necessarily have an effect on Cuba's requirement. While the delegate of Canada had initially requested an allocation of 18,000 tons from this stock for 1976, he agreed to reduce the request to 17,500 tons in favour of providing an allocation for Cuba and leaving a small amount for "Others". The Panel, by unanimous vote of the members present (Bulgaria absent)

agreed to recommend to the Commission

that the 1976 TAC for cod in Subdiv. 4Vs and Div. 4W be 30,000 metric tons with the allocations as set out in Table 1.

(d) Cod in Div. 4T (Jan-Dec) and Subdiv. 4Vn (Jan-Apr). The Panel took note of the advice of STACRES at this Meeting that the TAC at F_{max} should not exceed 30,000 tons for 1976, and also that this represented a reduction from the 1975 TAC of 50,000 tons. The delegate of Canada, in requesting an allocation of 23,000 tons (of which 4,000 tons would be taken outside the Convention Area), suggested a set of figures as a basis for allocation. The Panel accordingly

agreed to recommend to the Commission

that the 1976 TAC for cod in Div. 4T (Jan-Dec) and Subdiv. 4Vn (Jan-Apr) be 30,000 metric tons with the allocations as set out in Table 1.

(e) Redfish in Div. 4VWX. The Panel took note of the advice of STACRES at this Meeting that the TAC at F_{max} should not exceed 20,000 tons in 1976, and also that this represented a reduction from the 1975 TAC of 30,000 tons. At the request of the delegate of Canada, consideration of this stock was deferred to a later session.

6. Consideration of Request by Cuba for Allocations from Certain Stocks in Subarea 4 (Comm.Doc. 75/IX/39)

(a) Silver hake in Div. 4VWX. The Panel noted that Cuba's request for 15,000 tons exceeded the allocation of 11,000 tons for "Others" agreed at the 1975 Annual Meeting. The Observer from Cuba indicated that it would be extremely difficult for him to modify his request for 15,000 tons from this stock and hoped that the Panel could modify the allocations agreed at the 1975 Annual Meeting to meet his request. Several delegates pointed out that, even if the additional 4,000 tons were found for Cuba, a small allocation of 500 tons should be provided for "Others". The delegate of the USSR agreed to provide 2,000 tons and the delegate of Canada agreed to provide 2,500 tons from their respective allocations agreed at the 1975 Annual Meeting. The Panel accordingly

agreed to recommend to the Commission

that the 1976 allocations for silver hake in Div. 4VWX, as agreed at the 1975 Annual Meeting, be amended to those set out in Table 1.

(b) Flounders in Div. 4VWX. The Panel noted that Cuba's request for 2,800 tons from this stock exceeded the allocation of 1,500 tons for "Others" agreed at the 1975 Annual Meeting. The Observer from Cuba agreed to reduce his request to 1,300 tons which would leave 200 tons for "Others". The Panel accordingly

agreed to recommend to the Commission

that the 1976 allocations for flounders (American plaice, witch, and yellowtail) in Div. 4VWX, as agreed at the 1975 Annual Meeting, be amended to those set out in Table 1.

(c) Argentine in Div. 4VWX. The Panel noted that Cuba's request for 2,500 tons would completely deplete the allocation for "Others" agreed at the 1975 Annual Meeting. In order to meet the Cuban request and also provide an amount for "Others", the delegate of Japan agreed to reduce his country's allocation from 6,000 to 5,500 tons. The Panel accordingly

agreed to recommend to the Commission

that the 1976 allocations for argentine in Div. 4VWX, as agreed at the 1975 Annual Meeting, be amended to those set out in Table 1.

(d) Herring in Div. 4XWb. The Panel noted that further consideration of the TAC and allocations for this stock would take place at a Special Commission Meeting to be held in January 1976, and agreed to defer the Cuban request for an allocation to that Meeting.

(e) Pollock in Div. 4VWX and Subarea 5. The Panel noted that the Cuban request for an allocation from this stock would be considered in a joint meeting of Panels 4 and 5.

7. The Meeting of Panel 4 recessed at 1700 hrs, Thursday, 25 September.

8. The Meeting of Panel 4 reconvened at 1515 hrs, Friday, 26 September.

9. Conservation Requirements (continued)

(a) Redfish in Div. 4VWX. The Panel took note of the advice of STACRES at this Meeting that the TAC for 1976 should not exceed 20,000 tons, the level corresponding to F_{max} , and also that this represented a reduction from the 1975 TAC of 30,000 tons. The Observer from Cuba noted that his request for 850 tons was intended to

cover the by-catch of redfish in the silver hake fishery but, considering that the TAC had now been reduced, he would not press for a specific allocation. The Panel accordingly

agreed to recommend to the Commission

that the 1976 TAC for redfish in Div. 4VWX be set at 20,000 metric tons with the allocations as set out in Table 1.

10. Adjournment. The Meeting of Panel 4 adjourned at 1530 hrs, Friday, 26 September.

Table 1. Summary of 1976 revised TACs and allocations for certain stocks in Subarea 4.

	Cod		Haddock	Redfish	Flounders ¹	Silver hake	Argentine
	4T(Jan-Dec)+ 4Vn(Jan-Apr)	4Vsw (offshore)					
TAC recommended by Scientific Advisers	30,000	30,000	0 ²	20,000	28,000	100,000	25,000
Bulgaria	-	-	-	-	-	-	-
Canada	19,000	17,500	13,300	12,000	17,000	2,500	-
Denmark	650	350	-	-	-	-	-
France	4,000	700	-	250	250	-	-
FRG	-	-	-	-	-	-	-
GDR	-	-	-	-	-	-	-
Iceland	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	5,500
Norway	-	-	-	-	-	-	-
Poland	-	-	-	-	-	-	-
Portugal	375	150	-	-	-	-	-
Romania	-	-	-	-	-	-	-
Spain	1,725	9,600	-	-	-	-	-
USSR	-	900	-	1,000	8,900	82,000	16,500
UK	-	-	-	-	-	-	-
USA	-	-	1,500	6,000	350	-	-
Cuba	-	600	-	-	1,300	15,000	2,500
Others	250	200	200	750	200	500	500
Total Allocated Catches	26,000	30,000	15,000	20,000	28,000	100,000	25,000
Estimated catch outside Convention Area	4,000 (CAN)						

¹ American plaice, witch and yellowtail combined.

² Recommendation by Scientific Advisers pertains to zero TAC for directed fishery.

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3707
(B.e.75)

Proceedings No. 10

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of Joint Meetings of Panels 2 and 3

Thursday, 25 September, 1215 hrs
Friday, 26 September, 1600 hrs

1. A Joint Meeting of Panels 2 and 3 was convened by Mr R.H. Letaconnoux (France) on 25 September, with Mr J.S. Beckett (Canada) as Rapporteur. All members of the Panels, except Bulgaria and Romania, were represented.
2. Redfish in Subarea 2 and Div. 3K. The delegate of Canada requested the Panels to consider the transfer of 3,000 tons of redfish in Subarea 2 and Div. 3K from Canada to the USSR. The Panels also noted the Cuban request for an allocation of 1,000 tons from this stock (Comm.Doc. 75/IX/39). The Observer from Cuba indicated his wish for 2,000 tons to compensate in part for reductions in allocations from other stocks, but finally agreed to an allocation of 1,500 tons, leaving 3,250 tons as the allocation for "Others". The Panels agreed to recommend to the Commission that the 1976 allocations for redfish in Subarea 2 and Div. 3K be as set out in Table 1.
3. The Joint Meeting of Panels 2 and 3 recessed at 1220 hrs, Thursday.
4. The Joint Meeting of Panels 2 and 3 was reconvened at 1600 hrs, Friday, 26 September, with Mr E. Gillett (UK) as Chairman, and Mr J.C. Price (USA) as Rapporteur. All members of the Panels, except Bulgaria and Romania, were represented.
5. Cod in Div. 2J, 3K, and 3L. The delegate of Canada proposed that the Panels consider modifications in the allocations of cod in Div. 2J+3KL relating to the transfer of 4,000 tons from Canada to the USSR, and 1,000 tons from Canada to Spain. Noting the earlier Cuban request for an allocation from this stock, he also requested the Panels to approve the transfer of 1,000 tons from Canada to the allocation for "Others", raising it to 7,000 tons, from which 5,000 tons would be allocated to Cuba.

The delegate of Portugal expressed serious concern over such a procedure. He noted that Canada had been given the full amount of their initial allocation in the belief that this was required to fulfill a genuine need. He stated that this did not now appear to be the case since part of this allocation was simply being used to bargain for gains in other areas. The delegate of Canada called attention to the fact that Canada's catch history, even over the last ten years, showed higher catches of this stock than Portugal. He stated that this was a pertinent point since Canada had held hopes of restoring this fishery to its former levels. He stated that this now no longer appeared possible due to repeated reductions in the TACs for this stock. He added that conditions having changed earlier plans, the subject re-allocations were being made to compensate for earlier sacrifices by the countries concerned.

The delegate of the USSR noted that three months of fishing remained in 1975, and reminded the Panels that the Div. 2J-3KL capelin quota as established at the January 1975 Sixth Special Commission Meeting did not provide for a specific overall TAC, but in addition to the USSR quota specified additional maximum allocations of 10,000 tons for other participants in the fishery. He stated his desire to raise in a preliminary fashion the question of transferring allocations assigned to members who did not plan to fish this capelin stock during the remainder of the year. He emphasized that, while the USSR desired to utilize allocations of others that would otherwise not be fished during 1975, his intention at the present time was only to seek the general advice and views of the Panels on this matter. The delegate of Norway stated that he was not prepared at the present time to respond to this question, but could attempt to do so later in the Meeting.

The delegate of Canada stated that this was a difficult and sensitive issue, particularly as the capelin-cod relationship was viewed as a particularly close one by Canadian fishermen. He concluded that the question

was not necessarily insoluble, but that Canada was not prepared to support the suggestion at the present time. The delegate of the FRG noted that such transfers of allocations had been conducted on a bilateral basis in the past, and that it might now be useful for the Commission to address the general issue of the transferability of such allocations. However, he further noted that in the specific case of Div. 2J-3KL capelin the allocations had been made on the assumption that all the amounts would not be taken, and thus the Panels could not consider that these amounts were available for transfer. The delegate of Denmark supported the observation of the delegate of the FRG on the unavailability of such amounts for transfer in the present situation, but stated the view that sufficient time was not available to begin a discussion of the general issue of quota transfers. The delegate of the USSR agreed that there was not time to begin a discussion of the general issue of quota transfers, but that this might be addressed at a later time. He re-emphasized that his only intention in raising the question in the case of capelin was to determine the general view of the Panels on the issue, including the question of its legality.

The delegate of Portugal, referring to the previous discussion on Div. 2J+3KL cod, re-emphasized his view that such changes in previously agreed allocations were undesirable, as well as dangerous since one negative vote could upset the entire allocation. He noted that it was not Portugal's intention to object to the present re-allocation since their concern was with the conservation of this stock, but only to stress their view that this was a highly undesirable procedure.

The Panels finally

agreed to recommend to the Commission

that the 1976 allocations for cod in Div. 2J+3KL be as set out in Table 1.

6. There being no further business, the Joint Meeting of Panels 2 and 3 adjourned at 1630 hrs, Friday, 26 September.

Table 1. Revised 1976 allocations for stocks overlapping Subareas 2 and 3.

	Cod	Redfish
	2J+3KL	2+3K
TAC recommended by Scientific Advisers	300,000	30,000
Bulgaria	-	-
Canada	24,000	500
Denmark	4,200	-
France	14,000	-
FRG	20,000	-
GDR	12,500	2,500
Iceland	-	-
Italy	-	-
Japan	-	-
Norway	4,000	-
Poland	18,500	4,000
Portugal	52,500	2,500
Romania	-	-
Spain	41,000	-
USSR	49,000	15,000
UK	3,300	-
USA	-	750
Cuba	5,000	1,500
Others	2,000	3,250
Total Allocated Catches	250,000	30,000
Estimated catch outside Convention Area	50,000 (CAN)	-

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3709
(B.e.75)

Proceedings No. 11

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of Joint Meeting of Panels 4 and 5

Friday, 26 September, 1630 hrs

1. The Joint Meeting of Panels 4 and 5 was convened by the Chairman of the Commission, Mr E. Gillett (UK). All members of the Panels, except Bulgaria and Romania, were present.

2. Mr J.C. Price (USA) was appointed Rapporteur.

3. The Joint Meeting of Panels 4 and 5 was convened to consider the re-allocation of the "Others" quota for the stock of pollock in Subareas 4 and 5 as requested by the Observer from Cuba. The Panels noted the request for a 1,200-ton allocation for Cuba and 400 tons for "Others", and

agreed to recommend to the Commission

that the 1976 allocations for pollock in Subareas 4 and 5 be as set out in Table 1.

4. The delegate of Spain drew attention to the difficulties arising in negotiating the second-tier TAC for Subarea 5 and Statistical Area 6, due to the pollock stock assessment covering Subareas 4 and 5. Panels 4 and 5 accordingly

agreed to recommend to the Commission

that STACRES be requested to provide separate assessments for the pollock stocks in Subareas 4 and 5 for the 1976 Annual Meeting.

5. There being no further business, the Joint Meeting of Panels 4 and 5 adjourned at 1645 hrs.

Table 1. Summary of 1976 revised allocations for the pollock stock overlapping Subareas 4 and 5.

	Pollock
	4VWX+5
TAC recommended by Scientific Advisers	55,000
Bulgaria	-
Canada	33,500
Denmark	-
France	-
FRG	1,600
GDR	3,500
Iceland	-
Italy	-
Japan	-
Norway	-
Poland	-
Portugal	-
Romania	-
Spain	1,200
USSR	2,100
UK	-
USA	11,500
Cuba	1,200
Others	400
Total Allocated Catches	55,000
Estimated catch outside Convention Area	-

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3711
(B.e.75)

Proceedings No. 12

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of Joint Meeting of Panels 3 and 4

Friday, 26 September, 1645 hrs

1. The Joint Meeting of Panels 3 and 4 was convened by Mr E. Gillett (UK), with the Executive Secretary as Rapporteur. All Panel members, except Bulgaria and Romania, were represented.
2. The primary purpose of the Joint Meeting was to consider the Cuban request for an allocation of mackerel from the stock in Subareas 3 and 4. The Panels agreed to an allocation of 2,000 tons for Cuba in 1976, leaving 500 tons as the allocation for "Others", and accordingly
agreed to recommend to the Commission
that the 1976 allocations for mackerel in Subareas 3 and 4 be as set out in Table 1.
3. The Joint Meeting of Panels 3 and 4 adjourned at 1650 hrs.

Table 1. Summary of 1976 revised TACs and allocations for certain stocks overlapping Subareas 3 and 4.

	Mackerel
	3+4
TAC recommended by Scientific Advisers	56,000
Bulgaria	-
Canada	15,300
Denmark	-
France	-
FRG	-
GDR	-
Iceland	-
Italy	-
Japan	-
Norway	-
Poland	-
Portugal	-
Romania	-
Spain	-
USSR	17,700
UK	-
USA	500
Cuba	2,000
Others	500
Total Allocated Catches	36,000
Estimated catch outside Convention Area	20,000 (CAN)



Serial No. 3712
(B.z.2)

Proceedings No. 13

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

Report of the Final Plenary Session

Sunday, 28 September, 0945 hrs

1. The Chairman, Mr E. Gillett (UK), opened the Meeting. Representatives of all Member Countries, except Bulgaria, were present. The Republic of Cuba, FAO and ICES were represented by Observers.
 2. The Report of STACRES (Proc. 1 with Appendices and Addendum) was adopted. The delegate of Canada congratulated the scientists for their progressive and realistic report.
 3. The Reports of the Ceremonial Opening (Proc. 2) and the First Plenary Session (Proc. 3) were adopted.
 4. The Report of Panel 5 (Proc. 5) with catch quota recommendations and Proposal (2) regulating fishing gear on Georges Bank in Subarea 5 (Proc. 5, Appendix I) were adopted.
 5. The Report of STACTIC (Proc. 6) with Proposal (3) for national registration of vessels fishing or treating sea fish in the Convention Area and Statistical Areas 0 and 6 (Proc. 6, Appendix I) were adopted.
 6. The Plenary recessed at 1015 hrs, 28 September, to allow a Joint Meeting of Panels 3, 4, and 5 to adopt proposals for amendment of the exemption clauses to the mesh regulations in Subareas 3, 4, and 5 (Proc. 7).
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7. The Plenary Session reconvened at 1020 hrs, 28 September.
 8. The Report of Panel 3 (Proc. 8) with catch quota recommendations was adopted.
 9. The Report of Panel 4 (Proc. 9) with catch quota recommendations was adopted.
 10. The Report of Joint Meetings of Panels 2 and 3 (Proc. 10) with catch quota recommendations was adopted.
 11. The Report of Joint Meetings of Panels 4 and 5 (Proc. 11) with catch quota recommendations was adopted.
 12. The Report of Joint Meetings of Panels 3 and 4 (Proc. 12) with catch quota recommendations was adopted.
 13. The Plenary Session recessed at 1045 hrs, 28 September, to allow for a Joint Meeting of Panels 2, 3, and 4 to consider the revised Canadian proposal for effort limitation on groundfish in Subareas 2, 3, and 4.
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14. The Plenary Session reconvened at 1510 hrs, 28 September.
 15. The Report of Joint Meetings of Panels 2, 3, and 4 (Proc. 4) was reviewed and Proposal (1) for regulation of fishing effort on groundfish in Subareas 2, 3, and 4 in 1976 (Proc. 4, Appendix I) was adopted with the addition of "and columnar" after "linear" in paragraph 4 of Attachment 1, and the insertion of all vessel tonnage categories used in the Table forming Attachment 2 to the Proposal. Resolution (1) for early implementation of Proposal (1) for regulation of fishing effort on groundfish in Subareas 2, 3, and 4 in 1976 (Proc. 4, Appendix II) with amendments providing for early implementation including any modifications which might be made as a result of a review of the Proposal at a Special Commission Meeting to be held at FAO, Rome, in January 1976 was adopted.
 16. The Report of Joint Meetings of Panels 3, 4, and 5 (Proc. 7) with Proposals (4), (5), and (6) for exemption clauses in mesh regulations in trawl fisheries in Subareas 3 (Proc. 7, Appendix I), 4 (Proc. 7, Appendix II), and 5 (Proc. 7, Appendix III) were adopted.

17. The Plenary considered a Canadian proposal requiring the reporting of monthly effort statistics beginning 1 January 1976 to the Secretariat for collation and circulation to Member Governments. The delegate of Canada explained that the requirement was to develop mutual confidence in the ICNAF effort regulation scheme as provided in Subareas 2, 3, and 4, and to facilitate the planning of enforcement activities by Member Governments. The Plenary agreed to adopt Resolution (2) relating to the provision of monthly catch statistics (Appendix I).

18. The Plenary then considered a resolution relating to the Commission's decisions regarding 1976 catch allocations to the Republic of Cuba in Subareas 2, 3, 4, and 5 and Statistical Area 6. The Resolution (3) (Appendix II) was adopted, with the addition of the paragraph, "Agrees that, if the Republic of Cuba becomes a Member of the Commission before the end of 1975, she will not be bound by the quota regulations of 1975" after the paragraph, "Recognizing....force". The Observer from Cuba said that his Government was prepared to abide by the other Commission regulations for the remainder of 1975 which would be considered as a period of learning about the Commission's requirements.

19. The Observer from Cuba expressed his grateful pleasure at the adoption of Resolution (3) allocating the Government of Cuba catch quotas for 1976. He thanked all delegations and participants for their warm welcome and consideration of the Cuban request. He announced that the Government of Cuba would take the necessary steps immediately after the Meeting to become a Member of the Commission. He also extended an invitation, on behalf of the Government of Cuba, to the Commission to hold its 1976 Annual Meeting in Cuba. The Plenary unanimously agreed to accept the invitation to hold its 1976 Annual Meeting from 8 to 23 June 1976 in Cuba, and expressed its pleasure and gratitude to the Government of Cuba as hosts.

20. The Chairman drew attention to the table at Appendix III which contained TACs and allocations for 29 fish stocks or species recommended by the Panels and adopted by the Plenary for 1976. He pointed out that the TACs and allocations were for nine stocks deferred from the 1975 Annual Meeting (Proposal (11)), revised allocations for 19 stocks agreed at the 1975 Annual Meeting (Proposal (11)), and revised TAC and national allocation for 1976 of the whole group of stocks or species (collectively) in Subarea 5 and Statistical Area 6. The Plenary agreed

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, Proposal (7) for international quota regulation of the fisheries in the Convention Area and in Statistical Area 6 (Appendix III).

The delegate of Iceland, in explaining his vote, said that it is the view of the Government of Iceland that the coastal state has sovereign rights over the exploitation of the living resources within a zone of up to 200 miles. Moreover, the Icelandic Government has reservations with regard to the establishment of a quota system and allocations under it as contained in the Canadian proposal. With these reservations, and in view of the overriding necessity to reduce the fishing effort for adequate conservation of the stocks in the areas concerned, Iceland has voted in favour of the Canadian proposal.

At the request of the delegate of the FRG, the Executive Secretary agreed to prepare an up-to-date table of TACs and allocations for 1976 for circulation to Member Countries.

21. The Plenary, at the request of the delegate of the FRG, agreed that a resolution regarding entry into force on 1 January 1976 of the Proposal (7) catch quota measures adopted at this meeting, adopted Resolution (4) drafted by the Executive Secretary to this effect (Appendix IV).

22. The Chairman drew attention to the note by the US Commissioners (Comm.Doc. 75/IX/50) regarding the US intention to place amendments to the Scheme of Joint International Enforcement on the Commission's agenda for the January 1976 Special Commission Meeting. These items would provide authority to temporarily detain vessels in violation, to temporarily withdraw a vessel's registration to fish upon violation, and to penalize Member Countries when a national or "Others" quota has been exceeded. The delegate of Denmark supported by the delegate of the UK felt that it was desirable, as far as possible, not to overload the agenda of special meetings with items which are ordinarily dealt with at Annual Meetings. The danger exists of having too little time to give full consideration to extra items. The delegate of the USA noted that the Commission has grown to be a big, sophisticated organization with a very complex task and, since there are many items to consider, the Commission as a responsible organization must allocate time. He pointed out that the members of STACTIC would be attending the January 1976 Special Commission Meeting and hoped the proposed amendments to the Enforcement Scheme could be considered at a meeting of STACTIC to be held in the early days of the Commission Meeting. He further pointed out that it had been agreed at the June 1975 Annual Meeting that STACTIC could meet during the January 1976 Special Commission Meeting and that Comm.Doc. 75/IX/50 only alerts the Member Countries to proposals which would come from the US Commissioners 60 days in advance of that meeting. The delegate of Canada agreed that it was proper for any Member Government to propose items for the agenda of any meeting of the Commission. Early circulation of a provisional agenda allows for comment on items well before any meeting. The delegate of Denmark said he had no legal objection but was only suggesting that the meeting of STACTIC be postponed to the time of the 1976 Annual Meeting. The delegate of the FRG requested that there be no concurrent meetings of STACTIC and the Panels or Committees. The Plenary agreed that a meeting of STACTIC would be held in conjunction with the January 1976 Special Commission Meeting.

23. The Chairman recognized the delegate of Canada who expressed his delegation's appreciation to the Member

Governments for their good will in accepting the Canadian proposal for effort limitation on groundfish in Subareas 2, 3, and 4. He felt that the Commission's accomplishments at this meeting made it obvious that she can be a very effective body and hoped that the credibility of international fisheries management had been vastly improved as a result of this meeting.

24. In response to a question from the delegate of Japan, the delegate of the USA said that his Government would give full consideration to withdrawal of objection to the Proposal (11) for the conservation of finfish and squid in Subarea 5 and Statistical Area 6, adopted at the 1975 Annual Meeting, since his Governments' concern had now been reconciled. The delegate of Spain said that, as far as he knew, Spain would be withdrawing its reservation. His delegation would be presenting a paper containing a proposal for allocation of the second-tier TAC in Subarea 5 and Statistical Area 6.

25. The Executive Secretary drew attention to the Draft Proceedings of the 25th Annual Meeting of the Commission which was circulated to Member Governments as Circular Letter 75/45 and requested approval. There being no comments, the Plenary accepted the Proceedings.

26. The Chairman recognized the Observer from ICES who thanked the Commission for its continued cooperation and for invitations to the June 1975 and September 1975 Meetings of the Commission. He extended an invitation to any of the delegates to attend the ICES Statutory Meeting which was being held in Montreal beginning 29 September 1975. The Observer from FAO expressed his thanks for the opportunity to attend this most important meeting which would have important reflections elsewhere.

27. Adjournment. The Chairman thanked the meeting participants, host Government and the Commission Secretariat for their contributions to a most successful and historic meeting. There being no other business, the Seventh Special Commission Meeting was adjourned at 1715 hrs, 28 September. A press notice covering the Proceedings of the Meeting is at Appendix V.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

(2) Resolution Relating to the Provision of Monthly Effort Statistics

The Commission

Noting Article VI, paragraphs 1 and 3 of the 1949 International Convention for the Northwest Atlantic Fisheries;

Recognizing the need to develop mutual confidence in the ICNAF effort regulation scheme and to facilitate the planning of enforcement activities by Member Governments;

Resolves

1. That Member Governments shall from 1 January 1976 report to the Secretariat provisional monthly listings of days fished by vessel tonnage and gear category and ICNAF Division or Subdivision, whether or not the Governments concerned have effort allocations for the tonnage and gear category in that area;
2. That the aforementioned effort statistics shall be reported to the Secretariat within 30 days following the calendar month in which the effort was expended; and
3. That the Secretariat shall, within 10 days following the monthly deadlines for receipt of the provisional effort statistics, collate the information received and circulate it to Member Governments.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

(3) Resolution Relating to the Commission's Decisions Regarding 1976 Catch Allocations to the Republic of Cuba

The Commission

Having Been Informed of the desire of the Republic of Cuba to become a Member of the Commission as soon as possible;

Desiring to clarify any matters which would expedite such membership;

Recalling that the Twenty-Fifth Annual Meeting of the Commission had received a request from the Republic of Cuba for specified catch allocations from certain stocks in Subareas 2, 3, 4, and 5 and Statistical Area 6 for 1976;

Recognizing that the Republic of Cuba would be without a specific quota applicable to it in 1976 with respect of allocations for 1976 made during the Twenty-Fifth Annual Meeting in June 1975, which allocations are pending entry into force;

Agrees that, if the Republic of Cuba becomes a Member of the Commission before the end of 1975, she will not be bound by the quota regulations for 1975;

Affirms that allocations for the Republic of Cuba and "Others" in the proposals of the Twenty-Fifth Annual Meeting should be considered to read as in the attached Table;

Requests all Member Governments to so consider the above-mentioned allocations for 1976;

Requests Further that the Depositary Government circulate this Resolution to all Member Governments.

Table - Integral part of Resolution (3) Relating to the Commission's Decisions Regarding 1976 Catch Allocations to the Republic of Cuba, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 28 September 1975

Species or species group	Stock area	1976 Allocations (metric tons)	
		Cuba	Others
Cod	2J+3KL	5,000	2,000
	3M	1,900	100
	3NO	2,000	1,300
	4VwW	600	200
	5Z	400	665
Redfish	2+3K	1,500	3,250
	3M	2,200	200
	3LN	2,700	200
	3O	1,000	200
Silver hake	4VWX	15,000	500
	5Ze	4,250	250
	5Zw+6	3,750	250
Red hake	5Ze	1,400	4,600
	5Zw+6	900	100
Pollock	4VWX+5	1,200	400
Flounders ¹	4VWX	1,300	200
Argentine	4VWX	2,500	500
Mackerel	3+4	2,000	500
	5+6	7,000	2,000
Other finfish ²	5+6	3,000	12,000
Squid (<i>Loligo</i>)	5+6	1,000	2,000
All finfish ³ and squids	5+6	21,000	1,600

¹ American plaice, witch, and yellowtail combined.

² Excluding all TAC species and also menhaden, tunas, billfishes, and large sharks other than dogfish.

³ Excluding menhaden, tunas, billfishes, and large sharks other than dogfish.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

(7) Proposal for International Quota Regulation of the Fisheries in the Convention Area and in Statistical Area 6, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 28 September 1975

- That (a) the national quota allocations for 1976 of nine stocks deferred from the 1975 Annual Meeting (Proposal 11) and the revised quota allocations of 19 stocks agreed at the 1975 Annual Meeting (Proposal 11), and
- (b) the revised national quota allocations for 1976 of the whole group of stocks or species (collectively) in Subarea 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6 (excluding menhaden, tunas, billfishes, and large sharks other than dogfish),

shall be in accordance with the following table:

Table - Integral part of Proposal (7) for International Quota Regulation of the Fisheries in the Convention Area and in Statistical Area 6, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 28 September 1975.

(a) National allocations (in metric tons) for 1976 of particular stocks or species in the Convention Area and in Statistical Area 6. Quantities in parentheses are estimated catches outside the Convention Area. (Total = Total Allowable Catches (TAC)).

Country	Cod							Haddock				Redfish			
	2J+3KL	3M	3NO	3Ps	4TVn ¹	4Vsw	4X(off-shore) ²	5Z	4X ³	2+3K	3M	3LN	30	3P	4VWX
Bulgaria	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Canada	24,000 (50,000)	2,100	8,000	14,000 (15,000)	19,000 (4,000)	17,500	3,700	4,519	13,300	500	1,000	1,300	500	12,500	12,000
Denmark	4,200	6,840	-	-	650	350	-	-	-	-	-	-	-	-	-
France	14,000	6,650	500	4,400 (1,000)	4,000	700	-	-	-	-	-	-	-	1,500	250
Federal Republic of Germany	20,000	500	-	-	-	-	-	-	-	-	-	-	-	-	-
German Democratic Republic	12,500	-	-	-	-	-	-	-	-	2,500	1,000	-	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Japan	4,000	1,330	-	1,400	-	-	-	-	-	-	-	-	-	-	-
Norway	18,500	1,460	-	-	-	-	-	-	-	-	-	-	-	-	-
Poland	52,500	10,000	2,600	-	375	150	-	457	-	4,000	-	1,000	-	-	-
Portugal	-	-	-	-	-	-	-	-	-	2,500	-	-	-	-	-
Romania	41,000	2,090	18,400	9,250	1,725	9,600	-	6,645	-	-	-	-	-	-	-
Spain	49,000	4,940	10,200	950	-	900	-	2,314	-	15,000	12,600	13,800	14,300	3,800	1,000
USSR	3,300	2,090	-	-	-	-	-	-	-	-	-	-	-	-	-
UK	-	-	-	-	-	-	-	-	-	750	-	-	-	-	6,000
USA	5,000	1,900	2,000	-	-	600	-	400	-	1,500	2,200	2,700	1,000	-	-
Cuba	2,000	100	1,300	1,500	250	200	100	665	200	3,250	200	200	200	200	750
Others	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	300,000	40,000	43,000	47,500	30,000	30,000	4,000	35,000	15,000	30,000	16,000	20,000	16,000	18,000	20,000

¹ Div. 4T(Jan-Dec) and Subdiv. 4Vn(Jan-Apr).

² Div. 4X(offshore) in that part of Div. 4X south and east of the straight lines joining coordinates in order listed: 44°20'N, 63°20'W; 43°00'N, 65°40'W; 43°00'N, 67°40'W.

³ TAC and allocations pertain to by-catch only with no directed fishery.

Table (a) continued

Country	Red hake		Silver hake		American plaice	Flounders ⁴	Pollock	Argentine	Mackerel		Other finfish ⁵	Squid
	5Ze	5Zw+6	4VMX	5Ze					3LNO	3+4		
Bulgaria	-	-	-	600	-	-	-	-	-	16,300	4,000	-
Canada	-	-	2,500	-	43,000	17,000	33,500	-	15,300 (20,000)	4,400	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-
France	-	-	-	-	700	250	-	-	-	-	-	-
Federal Republic of Germany	-	-	-	-	-	-	1,600	-	-	1,200	-	1,000
German Democratic Republic	-	-	-	-	-	-	3,500	-	-	48,900	3,000	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-	-	3,300
Japan	-	-	-	-	-	-	-	5,500	-	-	-	15,700
Norway	-	-	-	-	-	-	-	-	-	-	-	-
Poland	-	-	-	-	-	-	-	-	-	78,300	10,000	1,700
Portugal	-	-	-	-	-	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	3,200	-	-
Spain	-	-	-	-	-	-	1,200	-	-	-	-	8,800
USSR	19,000	9,000	82,000	36,400	3,000	8,900	2,100	16,500	17,700	88,000	50,000	2,000
UK	-	-	-	-	-	-	-	-	-	-	-	-
USA	1,000	6,000	-	8,500	-	350	-	-	-	4,700	68,000	8,500
Cuba	1,400	900	15,000	4,250	-	1,300	1,200	2,500	2,000	7,000	3,000	1,000
Others	4,600	100	500	250	300	200	400	500	500	2,000	12,000	2,000
Total	26,000	16,000	100,000	50,000	47,000	28,000	55,000	25,000	56,000	254,000	150,000	44,000

⁴ Flounders in Div. 4VMX pertain to American plaice, witch and yellowtail.

⁵ Excluding TAC species and also menhaden, tunas, billfishes, and large sharks other than dogfish.

NOTE: In addition to the 1976 allocations for Cuba listed in the above Table, their by-catch of witch in Div. 3NO is expected to be 500 tons, and the by-catch of yellowtail in Div. 3LNO is expected to be 300 tons.

Table (b) National allocations for 1976 of stocks or species (collectively) in Subarea 5 and Statistical Area 6 (excluding menhaden, tunas, billfishes, and large sharks other than dogfish).

Country	All finfish ⁶ + squid 5+6
Bulgaria	14,400
Canada	18,000
Denmark	-
France	2,950
Federal Republic of Germany	14,900
German Democratic Republic	48,750
Iceland	-
Italy	6,800
Japan	18,000
Norway	-
Poland	76,500
Portugal	-
Romania	3,850
Spain	16,000
USSR	177,250
UK	-
USA	230,000
Cuba	21,000
Others	1,600
Total	650,000

⁶ Excluding menhaden, tunas, billfishes, and large sharks other than dogfish.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975

- (4) Resolution Relating to the Implementation of the Proposal for International Quota Regulation of the Fisheries in the Convention Area and in the Adjacent Waters to the West and South within Statistical Area 6

The Commission

Recognizing that a proposal designed to achieve the conservation and optimum utilization of stocks of fish in the Convention Area and in the adjacent waters to the west and south within Statistical Area 6 through catch quota regulation has been adopted at the September 1975 Special Commission Meeting;

Taking into Account that under Article VIII of the Convention, as amended, this proposal would not enter into force until six months after the date on the notification from the Depositary Government transmitting the proposals to the Contracting Governments, which could not occur before April 1976 at the earliest;

Having Considered that the purpose of the Convention is to promote the conservation and optimum utilization of fish stocks on the basis of scientific investigation, and economic and technical considerations, and that this purpose cannot be completely achieved unless the proposal referred to above is applied throughout 1976;

Recognizing that, in order to achieve the purposes and objectives of the Convention, fishing activity in the area must be conducted in accordance with this proposal throughout 1976;

1. Invites the attention of Governments to the above matters;
2. Stipulates that the proposal referred to above should apply throughout 1976;
3. Requests Governments whose vessels conduct fishing operations in the area to implement the proposal beginning on 1 January 1976;
4. Expects that all Members of the Commission will conduct their fishing operations in accordance with the proposal beginning on 1 January 1976 unless any of the Members of the Panels to which the proposal refers notifies an objection to the Depositary Government prior to that date.

SEVENTH SPECIAL COMMISSION MEETING - SEPTEMBER 1975Press Notice

1. The Seventh Special Meeting of the International Commission for the Northwest Atlantic Fisheries (ICNAF) was held at Montreal, Canada, during 22-28 September 1975, under the Chairmanship of Mr E. Gillett (UK). About 135 representatives attended from 16 of the 17 Member Countries (Bulgaria absent) as follows: Canada, Denmark, France, Federal Republic of Germany, German Democratic Republic, Iceland, Italy, Japan, Norway, Poland, Portugal, Romania, Spain, Union of Soviet Socialist Republics, United Kingdom, and United States of America. Observers were present from Cuba, the Food and Agriculture Organization of the United Nations (FAO), and the International Council for the Exploration of the Sea (ICES).

2. Subjects covered

The main purpose of the meeting was (a) to establish national quotas for 1976 for nine of the stocks in Subareas 3 and 4 which were deferred from the 1975 Annual Meeting, (b) to further consider the conservation of all finfish and squids in Subarea 5 and Statistical Area 6, (c) to further consider the Canadian proposal for reduction of fishing effort on groundfish stocks in Subareas 2, 3, and 4, (d) to consider a scheme for registering fishing vessels and further conservation regulations about control of by-catch and closed areas, and (e) to consider Cuba's request for allocations from certain stocks.

3. Scientific advice

The Commission's Standing Committee on Research and Statistics (STACRES) met at Montreal, Canada, during 17-20 September 1975, to review the state of certain stocks in Subareas 3 and 4 and the overall finfish and squid resource in Subarea 5 and Statistical Area 6, and submitted a comprehensive report on these matters.

4. TACs and national allocations

The Commission agreed to total allowable catches (TACs) for 1976 in respect of the nine stocks in Subareas 3 and 4 for which decisions were deferred to this Special Commission Meeting (Table 1). In considering the national allocation of catches for the nine stocks, the Commission noted the request of Cuba for allocations for 1976 from a number of stocks whose TACs and national allocations were agreed at the 1975 Annual Meeting. Therefore, in addition to the allocation of the catches for the nine stocks, the Commission agreed to revised quota allocations for 19 other stocks, all of which are listed in Table 2(a).

The Commission further considered the implications of excluding squids from the overall second-tier TAC of 650,000 tons in Subarea 5 and Statistical Area 6, as decided at the 1975 Annual Meeting, and agreed to amend that decision by setting the 1976 TAC at 650,000 metric tons for finfish and squids. The revised allocations are given in Table 2(b).

5. Effort reduction in Subareas 2, 3, and 4

The Commission agreed to recommend to Member Governments that fishing effort in Subareas 2, 3 and 4 should be reduced by countries other than the coastal states by approximately 40% of the average number of fishing days in 1972-73. Member Countries will notify the Commission by 30 November of the disposition of the reduced effort in the different areas and by different vessel categories, and may also vary these amounts to a limited extent during 1976. Further consideration will be given to details of the scheme at the January 1976 Meeting.

6. Improvements to fishery regulations

The Commission, in considering the need for further conservation measures to reduce the by-catch of certain groundfish species on Georges Bank, agreed to establish an area on Georges Bank in which the use of fishing gear other than pelagic fishing gear is prohibited for vessels greater than 155 feet (47.2 m) in length.

The Commission also reviewed the ICNAF trawl regulations and agreed to simplify the clauses regarding the permitted by-catch of protected species in fisheries conducted with small-mesh nets.

The Commission further considered the need to improve international enforcement by providing for the licensing of vessels over 50 gross registered tons, engaged in fishing or in processing of fish in the

Convention Area, and agreed that all such vessels be registered by the Flag State and that a report of such registration be filed with the ICNAF Secretariat prior to 1 January of each year, the report to include for each vessel the principal target species and the Subareas where fishing is expected to take place.

7. The Commission agreed on the allocation of stocks to be available to Cuba in Subareas 2-5 and Statistical Area 6 in 1976 in anticipation of Cuba's joining the Commission. The Cuban representative stated that this would enable his Government to adhere to the Convention in 1975. In expectation of the Cuban membership, the Commission accepted with pleasure the invitation of the Government of Cuba to hold its 26th Annual Meeting in Havana, Cuba, from 8 to 23 June 1976.

8. Special meeting

The Eighth Special Meeting of the Commission will be held at FAO in Rome, Italy, in January 1976 to consider the conservation of herring stocks in Subareas 4 and 5 and Statistical Area 6, further details of the scheme of limitation of fishing effort, and other matters.

9 October 1975

Office of the Secretariat
Dartmouth, N.S., Canada

Table 1. Nominal catches for 1972-74 and total allowable catches (TACs) for 1974-76 for nine stocks deferred from the 1975 Annual Meeting.

Species	Stock area	Catches (000 tons)			TACs (000 tons)		
		1972	1973	1974	1974	1975	1976
Cod	3NO	103	80	73	101	88	43
	3Ps	44	53	46	70	62	47.5
	4Vn (Jan-Apr) + 4T	68	50	49	63	50	30
	4VsW	62	54	44	60	60	30
	4X (offshore)	7	7	6	-	5	4
Haddock	4X	13	13	13	0	15	15
Redfish	3P	26	18	22	25	25	18
	4VWX	50	40	33	40	30	20
American plaice	3LNO	59	53	46	60	60	47

Table 2(a). National allocations (in metric tons) for 1976 of particular stocks or species in the Convention Area and in Statistical Area 6. Quantities in parentheses are estimated catches outside the Convention Area. (Total = Total Allowable Catches (TAC)).

Country	Cod								Haddock	Redfish					
	2J+3KL	3M	3NO	3Ps	4TVn ¹	4VsW	4X(off-shore) ²	5Z	4X ³	2+3K	3M	3LN	3O	3P	4VWX
Bulgaria	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Canada	24,000 (50,000)	2,100	8,000	14,000 (15,000)	19,000 (4,000)	17,500	3,700	4,519	13,300	500	1,000	1,300	500	12,500	12,000
Denmark	4,200	6,840	-	-	650	350	-	-	-	-	-	-	-	-	-
France	14,000	6,650	500	4,400 (1,000)	4,000	700	-	-	-	-	-	-	-	1,500	250
Federal Republic of Germany	20,000	500	-	-	-	-	-	-	-	-	-	-	-	-	-
German Democratic Republic	12,500	-	-	-	-	-	-	-	-	2,500	-	1,000	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Norway	4,000	1,330	-	1,400	-	-	-	-	-	-	-	-	-	-	-
Poland	18,500	1,460	-	-	-	-	-	457	-	4,000	-	-	-	-	-
Portugal	52,500	10,000	2,600	-	375	150	-	-	-	2,500	-	1,000	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Spain	41,000	2,090	18,400	9,250	1,725	9,600	-	6,645	-	-	-	-	-	-	-
USSR	49,000	4,940	10,200	950	-	900	-	2,314	-	15,000	12,600	13,800	14,300	3,800	1,000
UK	3,300	2,090	-	-	-	-	-	-	-	-	-	-	-	-	-
USA	-	-	-	-	-	-	200	20,000	1,500	750	-	-	-	-	6,000
Cuba	5,000	1,900	2,000	-	-	600	-	400	-	1,500	2,200	2,700	1,000	-	-
Others	2,000	100	1,300	1,500	250	200	100	665	200	3,250	200	200	200	200	750
Total	300,000	40,000	43,000	47,500	30,000	30,000	4,000	35,000	15,000	30,000	16,000	20,000	16,000	18,000	20,000

¹ Div. 4T(Jan-Dec) and Subdiv. 4Vn(Jan-Apr).

² Div. 4X(offshore) in that part of Div. 4X south and east of the straight lines joining coordinates in order listed: 44°20'N, 63°20'W; 43°00'N, 65°40'W; 43°00'N, 67°40'W.

³ TAC and allocations pertain to by-catch only with no directed fishery.

Table 2(a) continued

Country	Red hake		Silver hake		American plaice	Flounders ⁴	Pollock	Argentine		Mackerel		Other finfish ⁵	Squid
	5Ze	5Zw+6	4VMX	5Ze				5Zw+6	3+4	5+6	4VMX		
Bulgaria	-	-	-	600	-	-	-	-	-	-	16,300	4,000	-
Canada	-	-	2,500	-	43,000	17,000	33,500	-	-	15,300 (20,000)	4,400	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-	-
France	-	-	-	-	700	250	-	-	-	-	-	-	-
Federal Republic of Germany	-	-	-	-	-	-	1,600	-	-	-	1,200	-	1,000
German Democratic Republic	-	-	-	-	-	-	3,500	-	-	-	48,900	3,000	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-	-	-	3,300
Japan	-	-	-	-	-	-	-	5,500	-	-	-	-	15,700
Norway	-	-	-	-	-	-	-	-	-	-	-	-	-
Poland	-	-	-	-	-	-	-	-	-	-	78,300	10,000	1,700
Portugal	-	-	-	-	-	-	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-	3,200	-	-
Spain	-	-	-	-	-	-	1,200	-	-	-	-	-	8,800
USSR	19,000	9,000	82,000	36,400	3,000	8,900	2,100	16,500	17,700	88,000	50,000	50,000	2,000
UK	-	-	-	-	-	-	-	-	-	-	-	-	-
USA	1,000	6,000	-	8,500	-	350	11,500	-	500	4,700	68,000	68,000	8,500
Cuba	1,400	900	15,000	4,250	-	1,300	1,200	2,500	2,000	7,000	3,000	3,000	1,000
Others	4,600	100	500	250	300	200	400	500	500	2,000	12,000	12,000	2,000
Total	26,000	16,000	100,000	50,000	47,000	28,000	55,000	25,000	56,000	254,000	150,000	150,000	44,000

⁴ Flounders in Div. 4VMX pertain to American plaice, witch and yellowtail.

⁵ Excluding TAC species and also menhaden, tunas, billfishes, and large sharks other than dogfish.

NOTE: In addition to the 1976 allocations for Cuba listed in the above Table, their by-catch of witch in Div. 3NO is expected to be 500 tons, and the by-catch of yellowtail in Div. 3LNO is expected to be 300 tons.

Table 2(b). National allocations for 1976 of stocks or species (collectively) in Subarea 5 and Statistical Area 6 (excluding menhaden, tunas, billfishes, and large sharks other than dogfish).

Country	All finfish ⁶ + squid 5+6
Bulgaria	14,400
Canada	18,000
Denmark	-
France	2,950
Federal Republic of Germany	14,900
German Democratic Republic	48,750
Iceland	-
Italy	6,800
Japan	18,000
Norway	-
Poland	76,500
Portugal	-
Romania	3,850
Spain	16,000
USSR	177,250
UK	-
USA	230,000
Cuba	21,000
Others	1,600
Total	650,000

⁶ Excluding menhaden, tunas, billfishes, and large sharks other than dogfish.

PART II
 PROCEEDINGS OF THE EIGHTH SPECIAL COMMISSION MEETING
 FAO, ROME, ITALY, 21-26 JANUARY 1976

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International Commission for



the Northwest Atlantic Fisheries

Serial No. 3739
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Proceedings No. 2

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

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

Monday, 19 January, 1020 hrs
Tuesday, 20 January, 0930 hrs
Thursday, 22 January, 2015 hrs
Saturday, 24 January, 1100 hrs
Monday, 26 January, 0915 hrs

1. Opening. The meeting of the Standing Committee on International Control (STACTIC) was convened by the Chairman, Mr W.G. Gordon (USA).
 2. Participants. All Member Countries were present, except Iceland and Romania.
 3. Rapporteur. Mr D.E. Russ (USA) was appointed Rapporteur.
 4. Agenda. The provisional agenda, as circulated 60 days in advance of the meeting, was adopted.
 5. The Chairman drew attention to the STACTIC Agenda Item, "Amendments to the Scheme of Joint International Enforcement", and announced that the Canadian delegation would, in accordance with an agreement at the June 1975 Annual Meeting (June 1975 Mtg.Proc.No. 4, App.I, Annex 5), present a paper (Comm.Doc. 76/I/4) and show a film on Transfer of ICNAF Inspectors by Helicopter in the FAO Cinema Room 23 in Building C, at 1400 hrs and that Comm.Doc. 76/I/2, "Note by US Commissioners on Strengthening and Improving the Scheme of Joint International Enforcement of the ICNAF Fisheries Protocols within the Convention Area and Statistical Areas 0 and 6", which was a revision of Comm.Doc. 76/IX/50, "Note by US Commissioners Concerning Regulation of International Fisheries in the Convention Area and Statistical Areas 0 and 6 (Intent to make proposals)", presented to the September 1975 Special Commission Meeting (September 1975 Mtg.Proc.No. 13), would be available for consideration following the film.
 6. STACTIC recessed at 1130 hrs.
-
7. STACTIC reconvened at 1400 hrs in the FAO Cinema. The delegate of Canada reviewed the Canadian paper on helicopter transfers to fishing vessels (Comm.Doc. 76/I/4) and narrated a film demonstrating boardings at sea of a Canadian fishing trawler by Canadian ICNAF inspectors from a helicopter. He invited Member Countries to consult, as necessary, with their technical experts prior to the 1976 Annual Meeting and to expect a formal Canadian proposal to the 1976 Annual Meeting for the adoption of the procedure as part of the ICNAF Scheme of Joint International Enforcement.
 8. Further to the Agenda Item, "Amendments to the Scheme of Joint International Enforcement", the delegate of USA introduced a US proposal for strengthening and improving the Scheme of Joint International Enforcement by allowing the detention of and the withdrawal of registration of those vessels found infringing the Commission's regulations and the adjustment of catch quotas for taking more than the allowed catch (Comm.Doc. 76/I/2). The delegate of Portugal noted that he had had very little time to review the US proposal. He questioned if an inspector could find a vessel and/or skipper guilty and administer punishment as if he were a judge in a court of law, and asked why the US proposal on over-quota penalties or adjustments excluded coastal states? He felt such penalties should only apply equally to all Contracting Governments. The delegate of Norway noted that the US proposal had merit but should be limited to detention only, because withdrawal of registration appeared beyond the scope of the inspector's authority. He noted that the term "apparent" infringement needed to be made more concrete. The delegate of USSR said that the US proposal introduced some serious fundamental changes from the US proposal submitted at the Seventh Special Commission Meeting, September 1975 (ICNAF Comm.Doc. 75/IX/50). He also said that it would be very difficult for the USSR to accept the US proposal (Comm.Doc. 76/I/2) before having time to review it. He stated that withdrawal of a vessel registration was against Soviet legislation. No Soviet vessel may be deprived of its right to work at sea. He stressed that changes would need to be effected in Soviet law before acceptance of the US proposal as stated. He strongly indicated that the law courts only should judge. It would be impossible

for the ICNAF inspector to be the judge and impose punishment against a fishing vessel. The delegate of FRG also drew attention to the significant difference between the present US proposal and the US proposal provided to Contracting Governments at the September 1975 Special Meeting in Montreal. He raised the issue of what is and what is not control. He felt that it might be possible that registrations (licences) issued to fishery companies in his country could be withdrawn by a flag state inspector with respect to one vessel in a certain area. He favoured over-quota adjustments for Contracting Governments who overfished quota allocations but felt that a 250% adjustment could be excessive. FRG could not accept excluding coastal states as stated in the US proposal, but felt the burden must be on the Contracting Governments and there should be no exclusions. The delegate of Portugal suggested that, when judging the performance of countries, at the time of determining quota allocations within TACs, not only the excess of catches could lead to adjustments, but also in that performance, the amounts that have been added as an arrangement of transference of quotas between countries should not be taken as an integral part of that performance.

The delegate of USA, in response to the comments, said that it was not the intent of the US proposal to have inspectors withdraw national registrations (licences) to prevent vessels from continuing to sail but that such withdrawal was only of the authorization to fish and was only of a temporary measure necessary to ensure timely resolution of the problem. He said that the US proposal was not intended to punish fishermen but to bring about the control that, for four years since the Joint Inspection Scheme was agreed upon in 1971, has been direly lacking. Detention in the US proposal was only to allow adequate time for the flag state inspector, if available, to come to the scene and to conduct the necessary investigation concerning any infringement and provide the successful resolution of the matter. The delegate of Portugal said that he would be in a much better position to comment on the US proposal after studying the document but emphasized that punishment for over-quota fishing should not apply to the entire nation's fleet but to the specific vessel that overfished. The delegate of USSR was greatly concerned that fishing vessels could suffer great financial losses if the US proposal as stated was accepted. Inspectors would eventually have more rights than Courts. The inspector's government should be held liable for losses or damages attributable to the inspector's action. He supported more cooperation between the ICNAF and flag state inspectors and foresaw no problem in having these inspectors check out and fully investigate apparent infringements. The delegate of UK indicated that the UK could not accept a regulation of this kind without altering its legal system. Such an alteration was very questionable since the Law of the Sea results would alter the whole scheme in due time. He felt strongly that the problem was with Member Governments failing to follow up on infringement reports, failing to prosecute fishermen who commit infringements and failing to carry out their obligations under the ICNAF Scheme of Joint Enforcement. The US proposal as stated, in his opinion, could only create new problems. The delegate of Italy agreed with others that the US proposal for detention and withdrawal of registration went too far and would create financial losses to vessel owners and/or fishing companies.

The delegate of Canada had some legal difficulties with the US proposal and had not had a chance to review them with his legal advisers. However, he strongly emphasized the need for all Member Governments to become actively involved in the International Scheme of Joint Enforcement. Until now, the burden of policing the distant-water fisheries had been shared by the two coastal states. The delegate of Japan had some difficulties fully understanding the US proposal and he needed further explanation from the delegate of USA. He also needed time to study the document.

The delegate of UK reiterated that the real problem was the lack of cooperation by Member Governments in prosecuting violations and that flag states were not properly enforcing the ICNAF regulations against their own fishermen. When evidence is communicated to the flag state concerning a violation, then there should be timely prosecution and resolution. He could not see how the US proposal as stated could, in fact, achieve this aim.

The delegate of GDR supported improving the Enforcement Scheme but the US proposal needed careful discussion. Because the Member Governments had considerable difficulties with the US proposal, the matter might best be deferred until the Law of the Sea meeting was concluded. The delegate of Portugal felt that it was most difficult to judge the perfection of the Scheme when the requirements under the Scheme were changing constantly. There was a need to study the system now in effect, to find out how well or poorly it is working, then effect changes, if necessary. The delegate of FRG shared the views of the delegate of Portugal. He felt that the Law of the Sea meeting would not resolve all fishery problems and there would still be need for a Joint International Enforcement Scheme. He suggested that the delegate of USA might wish to review and revise his proposal. The delegate of UK, in making his position clear relative to the over-quota penalties, pointed out that it was the responsibility of the flag states to see that their fishermen did not exceed their quota allocations.

9. STACTIC recessed at 1800 hrs, 19 January.

10. STACTIC reconvened at 0930 hrs, 20 January.

11. The Chairman welcomed the delegate of Romania and reopened discussion on the US proposal for strengthening and improving the Scheme of Joint International Enforcement (Comm.Doc. 76/I/2). The delegate of Poland appreciated the concern expressed in the US proposal for strengthening and improving the Scheme of Joint International Enforcement. Polish authorities have taken several steps in order to ensure the proper implementation

of all ICNAF regulations by the Polish fishermen. Poland actively participates in the ICNAF Scheme of Joint International Enforcement, sending national inspectors on board fishing vessels to make inspections at sea in the Convention Area. The inspections of Polish fishing vessels by the US and Canadian inspectors have not detected serious infringements. Nevertheless, Poland is of the opinion that it is necessary to make the international control more effective. The US proposal has some difficulties for Poland from the legal point of view. According to Polish law, the national inspector is not empowered to detain the inspected vessel, even if an apparent infringement was found. He can only report the facts to appropriate Polish authorities and require the master of the vessel not to continue the action which may cause further violation of the regulations. The inspector cannot impose any punishment upon the master of the vessel. The detention of a vessel or the withdrawal of the vessel's registration to fish in the Convention Area can only be considered as punishment under Polish law and, in these circumstances, Poland could not accept the US proposals in ICNAF Comm.Doc. 76/I/2. The delegate of Spain had no objection to the US proposal but he felt that present rules were becoming more complicated rather than simplified. He pointed out that Spain was improving its fishing activities, as were other countries, as reflected in ICNAF Comm.Doc. 76/I/3. He felt that the over-quota penalty was a matter of concern for the Commission. The delegate of Portugal did not see where the US proposal would provide for improvement in the present Scheme of Joint Enforcement. He felt that the provision for an over-quota penalty in the US proposal was a matter that should be discussed by the Commission, rather than in STACTIC. The delegate of France stated that each improvement to the Scheme raises more legal difficulties. However, the legal issues should not drown out the US proposal. If the Commission had waited over the years for each proposal to be fully approved by the lawyers, it would not have made much progress. She felt that maybe Canada and the USA, the countries which have been in constant contact with the problems of enforcement under the Scheme, are the best judges as to what is needed to improve and strengthen the Scheme. The delegate of Romania said that it was impossible for him to attend the STACTIC meeting on 19 January due to bad weather in Bucharest. He stated that Romanian fishing vessels observe all ICNAF fishery regulations and that no infringements were found by inspectors. He viewed detention and withdrawal of registration as matters which might be items for which the Law of the Sea could find lasting solutions. The delegate of Bulgaria noted the great progress already made in ICNAF on controlling the fisheries. He stated that Bulgaria had many legal problems concerning the detention of fishing vessels and withdrawal of licenses. He suggested that STACTIC analyze the statistical data related to the execution of the quotas for 1975 and report the conclusions and suggestions coming from these analyses at the time of the 1976 Annual Meeting. The delegate of USA expressed his disappointment at the many difficulties expressed by Member Governments concerning the US proposal. He reiterated that USA was hoping to leave this meeting with some meaningful improvements to the Scheme of Joint Enforcement. His delegation was willing to consider modifications to its proposal and to discuss the revised document in a positive way.

The Chairman suggested that the delegate of USA should proceed as quickly as possible to prepare a revision of Comm.Doc. 76/I/2 for distribution for further debate. The delegate of USA stated this could be prepared and distributed to Member Governments as ICNAF Comm.Doc. 76/I/2 - Revised.

12. The Chairman drew attention to STACTIC Agenda Item "Enforcement Problems in the Effort Limitation Scheme". The delegate of Canada stated that Canada would have a short paper (ICNAF Comm.Doc. 76/I/6) on enforcement problems in the effort limitation scheme. The paper would speak for itself; it should not be controversial and only a part of the document, in fact, was a matter for STACTIC.

13. Under the STACTIC Agenda Item "Other Business":

(a) The delegate of FRG made suggestions for improvements in the timely and concise notification of new ICNAF regulatory measures. He suggested that the 1975 ICNAF Fishery Regulations (Comm.Doc. 75/6) be updated as it was of great help to the fishermen.

(b) The delegate of USSR introduced a proposed addendum to Section 5(iii) of the present Scheme of Joint Enforcement. The addendum stated "The members of the inspection party shall not visit the galley of the inspected vessel unless they possess sanitary certificates issued by appropriate authorities of the flag state vessel." The delegate of USA expressed puzzlement and wondered if the matter could not be handled in a somewhat different way and the Scheme kept as a positive document. The delegate of Portugal agreed with the delegate of USA. However, it should be made clear that the ICNAF inspector was bound by the procedures outlined in the Scheme of Joint Enforcement and the inspector should only go where he has to go in order to ascertain the facts of the infringements. The delegate of USSR said he found it necessary to cite a situation where US inspectors entered a Soviet fishing vessel's kitchen and even crew's quarters where they had no right to be under the circumstances. The delegate of USSR was concerned because such practices are a public health problem and strongly requested that such future practices by US inspectors be restricted. The delegates of Portugal and FRG expressed their concern and commented that the ICNAF inspectors should be thoroughly familiar with paragraph 5 of the Scheme of Joint Enforcement. The delegate of UK stated that inspectors should certainly be required to conduct their activities under the Scheme of Joint Enforcement and that a complaint concerning an inspector's conduct in any particular case when boarding under the authority of the ICNAF Scheme was a matter for STACTIC consideration, and in the light of the circumstances of that case. After considerable discussion STACTIC agreed that it was not the intent of the Scheme of Joint Enforcement for inspectors to enter areas where the health of the crew of a fishing vessel might be affected.

(c) The delegate of FRG suggested that possibly the ICNAF Secretariat could supply Member Countries with a looseleaf handbook containing ICNAF fishery regulations, statistical requirements, and administrative provisions such as how to deal with inspection reports, etc. Such a handbook could be updated by periodic changes

generated from the Secretariat. Also, he felt that it might be possible for the ICNAF Secretariat to identify current catches, over-quota catches, and further specifications needed to better inform the fishermen and those responsible for the conduct of their fishermen. The Executive Secretary stated that his office could assist in providing current fishery regulations and changes to such regulations as they occur. Manuals and handbooks, as suggested, could be provided, however, it would be the responsibility of Member Countries to translate the texts into their own language. Otherwise, the office of the Secretariat was prepared to provide any reasonable assistance to Member Countries in fulfilling their needs in ICNAF.

The delegate of Portugal, supported by the delegate of Italy, requested that the ICNAF Secretariat generate more documents like ICNAF Comm.Doc. 75/6 which was most helpful in informing fishermen and administrators alike of current fishery regulations. The Chairman reviewed the comments made by the delegates and those of the Executive Secretary and stated that appropriate recommendations would be made to the Commission through the STACTIC Report.

(d) The delegate of Spain requested information from the delegate of USA as to what law or authority the US inspector uses when conducting boardings outside the 12-mile limit. The delegate of USA replied that United States inspection officers (officers of the US Coast Guard or agents of the US National Marine Fisheries Service) may, on occasion, board fishing vessels of other Contracting Governments in waters off the coast of the United States beyond 12 miles, either under the authority of the Joint Scheme of International Enforcement or under the authority of US domestic law. In either case, the authority for the boarding is made clear. If the boarding is done under the authority of the ICNAF Joint Scheme of International Enforcement, then the ICNAF pennant will be displayed from the enforcement vessel. If the boarding is pursuant to US domestic law (at present, the continental shelf fisheries resources regulations), the vessel being boarded will be so advised by the boarding officer, at the earliest possible time, upon establishment of radio, visual or direct verbal communications, and no ICNAF pennant will be displayed.

(e) The delegate of Spain cited an instance where an armed party of US inspectors had alarmed the master of a Spanish trawler. He proposed that ICNAF inspectors be denied the right to carry firearms and requested that his statement be recorded in the minutes of the STACTIC Report for presentation to the Commission in Plenary.

14. The Chairman called for discussion of the Agenda Item, "Enforcement Problems in the Effort Limitation Scheme", and invited the Canadian delegation to introduce and explain their proposal (ICNAF Comm.Doc. 76/I/6). The delegate of Portugal saw no difficulty with Item 1 of the Canadian proposal which required modifications to the Report of Inspection adopted at the 1975 Annual Meeting. Item 2 had already been included in a recommendation to establish standard entries for inclusion in all logbooks (June 1975 Mtg.Proc.No.4, App.II), and Item 3 was not a matter for STACTIC but for discussion in the Commission. The delegate of Canada agreed that Item 2 of the Canadian proposal was already a requirement and that Item 3 could be taken when the proposal on effort limitation was considered in a joint meeting of Panels 2, 3, and 4 (see Proc. 5). The delegate of FRG stated that he had no substantive objection to the Canadian proposal, and suggested that Item 1 of the Canadian proposal could be incorporated in the Report of Inspection adopted at the June 1975 Annual Meeting. The delegate of USSR agreed in principle with the comments made by the delegate of FRG but stated that STACTIC was working rather rapidly and he needed some time to consult with necessary specialists at home before making a firm commitment. At the Chairman's suggestion, STACTIC agreed that the Report of Inspection forms on hand should be used up and that Member Countries should then take responsibility for changing the new reporting format to comply with Item 1 of the Canadian proposal (ICNAF Comm.Doc. 76/I/6).

15. The Chairman called for further discussion of the Agenda Item, "Amendments to the Scheme of Joint Enforcement", and drew attention to the revised US proposal (ICNAF Comm.Doc. 76/I/2 - Revised). The delegate of USA explained in detail the changes effected in the revised US proposal. The delegate of Portugal stated that the revised US document was an improvement but a practical difficulty still existed in the definition of "falsification". The delegate of Portugal stated that he would be submitting a working paper which would comment on and revise some of the principles in the revised US proposal, in the hope that they may be helpful in resolving some of the questionable points. The delegate of USSR stated that he still had some questions with regard to the revised US proposal, particularly in a case where the ICNAF inspector and the flag state inspector could not agree to an alleged infringement (A-E) as outlined in the US proposal. The delegate of USA felt that there would be very few instances where agreement would not be reached between the ICNAF inspector and the designated official of the flag state. He also presented a number of examples which could clearly be considered deliberate falsification of fishing logs. The delegate of FRG said it was important not to confuse deliberate falsification with unintentional error. He could accept the US proposal if the exemption for the coastal states from the over-quota adjustment provision was deleted. The delegate of Portugal also objected to the language of the US proposal providing for coastal state exclusion from the regulation. He favoured coastal state preference, but opposed total exemption for the coastal state from some provisions of the Commission.

The delegate of USSR viewed detention in the US proposal as being inconsistent with paragraph 5(i) of the existing Scheme of Joint Enforcement (Comm.Doc. 75/6). He emphasized that detention could result in financial losses to the master and vessel owners which could well be higher than the penalty assessed for an apparent infringement. The delegate of USA stated that there were no clear-cut answers at present to the questions posed by the delegate of USSR concerning losses and noted that such issues are usually dealt with in civil court actions. He added that the problem would be minimized if Member Countries provided

sufficient control through provision of adequate authorities and inspectors. The delegate of UK stated that the problems under discussion appeared to be more the result of failures to meet agreed obligations rather than lack of specific obligations provided in the existing Scheme. He suggested that STACTIC form a sub-committee to examine enforcement problems at the working level. The delegate of Canada could support the US revised proposal. However, Canada viewed an over-quota adjustment of 250% as too high, and suggested a figure of 100%, noting that this would not constitute a penalty. He stated that Canada would not insist on the coastal state exemption from the over-quota adjustment requirement in the US proposal.

At the Chairman's suggestion, STACTIC agreed that a Working Group of Member Countries could better discuss and debate the US proposal and report their findings and recommendations to STACTIC. The Chairman then named delegates from Canada, Portugal, USSR, UK, and USA to the Working Group. The delegate of USA was appointed Chairman of the Working Group.

16. STACTIC recessed at 1600 hrs, 20 January.

17. STACTIC reconvened at 2015 hrs, 22 January.

18. The Chairman requested a report from the Working Group set up to study the US proposal (Comm.Doc. 76/I/2 - Revised). The delegate of USA who was Chairman of the Working Group stated that he was unable to get a unanimous agreement from the Working Group and introduced Corrigenda I and II to ICNAF Comm.Doc. 76/I/2 - Revised, which he explained were not a product of the Working Group but were US proposals. The delegate of Portugal drew attention to his document (Comm.Doc. 76/I/9 - Revised) and introduced the Portuguese proposal on pages 4, 5, and 6 for improving the language in paragraph 5(v) of the Scheme of Joint Enforcement. He stated that the over-quota adjustment item was not a matter for consideration by STACTIC, and that the US proposal concerning withdrawal of registration added nothing to the Scheme. The delegate of Norway suggested that the Working Group should be given another opportunity to meet and to come to some agreed recommendations concerning the US proposal.

The Chairman raised the question of whether the over-quota adjustment item was a matter for consideration by STACTIC rather than STACREM. The delegate of USA restated the needs for better control, indicating strongly that many Member Countries have not properly controlled their fishing activities in the Convention Area and Statistical Area 6. The delegate of Portugal said that every measure in the Scheme of Enforcement was a control. The delegate of FRG agreed that the measures contained in the Scheme of Joint Enforcement were all controls and requested further discussion and views from other Member Countries. Although he shared the views of the Portuguese delegate that over-quota adjustment was somewhat beyond the terms of reference of STACTIC, he felt that the deliberation of the US proposal should continue in the present form, be it STACTIC or not. The delegate of Portugal stated that, in his opinion, the over-quota adjustment item rightfully belonged before STACREM. The delegate of Japan shared the views of the Portuguese delegate and suggested that the over-quota adjustment item be referred to STACREM and subsequent action by the Commission. The delegate of UK stated that there was a close link in terms of reference for STACTIC and STACREM and possibly the matter could be handled in either STACREM or STACTIC. He suggested, however, that a hard stand should not be taken on pure procedural references. He was supported by the delegate of FRG in suggesting that further discussion of all items of the US proposal be continued in STACTIC.

The delegate of Cuba suggested that a small Working Group be appointed to further discuss the items contained in the US proposal (Comm.Doc. 76/I/2 - Revised and Corrigenda I and II). The delegate of Denmark suggested that discussions should continue in STACTIC to see where the differences of opinion are on the US proposal. He felt that some new language might be appropriate in the US proposal.

In response to a suggestion by the delegate of Portugal that a thorough study be made of the US proposal to determine what the proposal was attempting to accomplish, the delegate of USA commented on all items of the US proposal, identifying the needs for each item, and the objectives which would be accomplished if such items were agreed. The delegate of Canada, in endorsing the US proposal, viewed "falsification of fishing logbook records" as a blatant violation. Inspectors in his country found it easy to distinguish between "falsification" and an error. The delegate of UK viewed detention and withdrawal of registration as punishment and that his country could not confer upon either foreign or national inspectors such powers. He said the fundamental differences were in legal systems and that only UK courts could administer punishment. The delegate of Cuba said detentions would create loss of fishing time for Cuban fishermen. In outlining his country's program of participation in the Scheme of Joint Enforcement, he said Cuba was ensuring their fishermen who fish in the Convention Area and Statistical Area 6 were well informed of Commission requirements and Cuba was prepared to take steps to punish infringements reported against their vessels.

The Chairman then proposed a vote by Member Countries on the items in the revised US proposal with Corrigenda I and II. The delegate of USA restated the objectives of the US proposal and hoped Member Countries would view the proposal as a means for improving the Scheme of Joint International Enforcement. The delegate of FRG said he was not opposed to taking a vote but he could only vote in favour of the proposal if it was made clear that there was no question of detention but only of facilitating control. The delegate

of Portugal restated his previous position and indicated strongly that the 48-hour detention period could definitely be considered as punishment. He suggested a 6- to 12-hour detention period as a more reasonable measure. The delegate of Japan said there were difficulties for Japan and he would, therefore, have to vote against such proposed measures. The delegate of Romania emphasized that detention on the high seas was outside the inspector's authority. He indicated that Romania would vote against the US proposal. The delegate of France supported the views expressed by the delegate of FRG and agreed that "falsification" was a serious violation but could not be left to the judgment of the international inspector. She agreed that, if a vote were taken, it should be on each item separately. The Chairman suggested that sub-paragraph (vi) of the proposed US amendment to paragraph 5 of the Scheme of Joint International Enforcement as presented in Corrigendum I to Comm.Doc. 76/I/2 - Revised be dropped. This was agreed by STACTIC. The delegate of Cuba could not accept detention and indicated that Cuba would have to vote against the US proposal. The delegate of GDR viewed detention as punishment and said that he would vote against the US proposal. The delegate of Norway recommended that the Working Group reconvene to resolve the difficulties found with the US proposal. Norway had several legal problems and would have to abstain, should a vote be taken at this time. The delegate of Bulgaria had difficulties with the detention and withdrawal of registration items. The delegate of UK, supported by the delegate of Portugal, viewed detention and withdrawal of registration as severe punishment and not control. Legislation in the UK would not enable his country to accept the proposal. The delegate of USSR stated that the problems could not be solved by voting at this time. He agreed with Norway and Cuba that the Working Group should be reconvened. The delegate of USA suggested that a vote on the amended US proposal not be taken because it was evident that the vote would not carry. He noted that his delegation was no longer disappointed in the course of the discussions, it was appalled! The original US proposal was now so watered down that it was difficult for the proposers to justify it. He reminded the delegates of the major statements on Law of the Sea and the need for a transition to the coming 200-mile economic zone by Secretary of State Kissinger shortly before the September 1975 Special Commission Meeting and by Under-Secretary of State Maw at the same Meeting in delivering the extraordinary message from the President of the United States. He felt that some delegates in spite of this seemed to be telling the United States to take unilateral action. He found this incredible, since such action would be reflected in future US and Canadian management of a 200-mile zone which would affect all ICNAF Members. The US proposal had been intended to make major steps as part of the transition to the 200-mile zone, in accord with the policy announced by Secretary Kissinger at the September 1975 Meeting. The delegate of USA said that the United States intended to do this by negotiation and agreement, and that international law certainly recognized the right of 18 nations as represented in ICNAF to agree amongst themselves in new arrangements. It is clear that the United States does not intend to live under the old fisheries order much longer. While the United States does not see much chance of agreement given the statements of a number of delegates, the United States would agree to a resumption of the Working Group since it genuinely desired to get out of this muddle and reach agreement on enforcement, which certainly needs to be improved. The delegate of Portugal stated that considerable progress has been made in establishing controls and additional discussion was needed to resolve the illogical issues which the US proposal raised. He said that he was willing to do everything possible to help get out of the "muddle", but that he did not feel pleased about the remarks made by the delegate of USA. The delegate of Cuba commented on the words spoken by the delegate of USA. He said that to negotiate it takes two parties who try to resolve contradictory views, not one who tells what to do and the other one accepts. The United States have their own interests and so have the rest of the Member Countries and any agreement should meet the interests of all. He wished everyone to understand that Cuba comes to the ICNAF meetings with the purpose to promote her interests and yet subscribes to the principles of the Commission. He hoped everyone would maintain a constructive attitude and work together to resolve complex matters. Cuba would keep on working in a constructive way because Cuba believes in the principles of the Commission.

The Chairman suggested that the STACTIC Working Group meet at 0900 hrs, 23 January, and return to the next STACTIC meeting with a report of their deliberations and accomplishments.

19. STACTIC recessed at 2320 hrs, 22 January.

20. STACTIC reconvened at 1100 hrs, 24 January.

21. The Chairman requested the Chairman of the STACTIC Working Group to present its report and recommendations (Appendix I).

(a) Following the presentation the Chairman requested comments from Member Countries on a draft proposal for a requirement to have flag state inspector or designated authority present (Appendix I, Annex 1). The delegate of Romania suggested that the numbers of vessels in the first sentence of paragraph 2 of Annex 1 should be changed to a lower number, possibly 3 or 5, from the 10-15 suggested. The delegate of USSR said he had no objections to the Annex 1 item, but both he and the delegate of Cuba said they needed information regarding the location of inspection offices in North America. They also requested instructions about proper methods for establishing communication between foreign inspectors and flag state authorities, having in mind that diplomatic channels could not be used for such a purpose. The delegate of USA replied that he saw no particular difficulty in making appropriate arrangements for designated authorities in one of the North American countries. He also noted that existing commercial communication facilities are more than adequate to meet the needs of these authorities, both in voice and in telegraphic modes. The delegate of Denmark indicated the present Scheme of Joint International Enforcement (pages 29-32 of Comm.Doc. 75/6)

already provided for the presence of flag state inspectors and designated authorities. He suggested that there was perhaps a need to consider the "capacity" of the vessels engaged in fishing in the Convention Area as well as the numbers. The delegate of Portugal noted that until now it was not mandatory for Member Countries to have an inspector in the Convention Area or a designated flag state authority stationed in North America. The delegate of Canada said he saw no difficulties with the Annex 1 proposal and pointed out that such a designated authority arrangement was already in effect between Canada and USSR. He preferred changing the vessel number to 10 rather than 10-15. The delegate of Italy suggested a figure of 12 vessels, while the delegate of UK preferred a larger number than 10 vessels. The delegate of USSR suggested a specific number dependent upon vessel length. The delegate of Denmark stated that, since there was no discussion of his suggestion to setting the vessel limit at 20 or taking into consideration the size of the vessels, he at least would want the words "North America" changed to "coastal states" in order to include Greenland. The delegate of FRG supported the proposal of the delegate of Denmark and suggested that the states bordering the Convention Area should be mentioned.

The Chairman instructed the Working Group to redraft Appendix I, Annex 1, and incorporate the views and suggestions for consideration later by STACTIC.

(b) The Chairman then requested consideration of a draft proposal for actions to be taken immediately upon discovery of an apparent infringement (Appendix I, Annex 2). The Chairman of the Working Group drew attention to the deletion of the paragraph D on falsification of logbook records and to the substantial changes made in the latter part of the text. At the suggestion of the delegate of UK, "allowable catch" in line 2 of paragraph B was changed to read "'Others" quota". The delegate of FRG said it would be difficult for him to convince his Government that the proposal was a non-detention one. He stated the measure would not facilitate control. Following suggestions by the delegates of UK and Romania for improvements to the text, STACTIC agreed that the Working Group should redraft Annex 2 incorporating the suggested language change.

(c) Following suggested language changes to a draft resolution relating to the improvement of the Commission's fishery regulations (Appendix I, Annex 3), STACTIC agreed that the Working Group should also redraft the resolution.

(d) The Chairman requested consideration of a draft resolution relating to withdrawal of authorization to fish (Appendix I, Annex 4). A suggestion to delete "on a mandatory basis" from line 6 of the 'Recognizing' paragraph by the delegate of UK was supported by the delate of Italy and agreed by all delegates. The delegate of USSR viewed "falsification of fishing logbook records" as a very serious infringement. In response to a request from the delegate of Italy for a definition of "falsification", the delegate of USA said that, as defined by the Working Group, it was the willful and intentional entry into a fishing logbook of an incorrect entry. The delegate of FRG indicated that he had some difficulty with the use of the word "penalty" in line 6 of the 'Recognizing' paragraph. Following several suggestions for further language change, STACTIC agreed that the Working Group should redraft Annex 4 to include comments and suggestions.

(e) The Chairman asked the Chairman of the Working Group to present a draft proposal regarding over-quota adjustment (Appendix I, Annex 5). The delegate of USA, in support of the proposal, pointed out that it would be a positive incentive to Member Countries to control the activities of their fishermen more closely. The delegate of Portugal agreed with the US' delegate's statement, but reiterated his stand that the proposal was a matter for consideration by the Commission rather than STACTIC. Suggestions for improving paragraph 7 of the proposal by inserting new language were agreed. The delegate of USA emphasized the seriousness of over-quota fishing and cited over-runs of 114% in specific instances. He stated that Member Countries needed to more closely control the activities of their fishermen, particularly in fisheries in the "Others" categories. In suggesting further debate on the merits of the proposal, he stated that mechanisms for better control of this over-quota fishing must be found, otherwise the "Others" category would have to be absorbed in national allocations. The delegate of Portugal said he could not see how the proposal would correct the situation. The delegate of USA hoped that the members of STACTIC would respond to the needs of the problem and debate the principles of the proposal rather than its wording. The delegate of Japan pointed out that absorbing "Others" quotas in national allocations would not solve the problem because each country would demand specific quotas on all species for precaution. As a result, many specific quotas would not be caught and the procedures for future allocations would become very difficult. He also felt that not only should there be adjustment after over-quota fishing, but also for under-quota fishing. The delegate of Cuba felt the proposal, as written, might create more problems than solutions. He suggested further study and submission of Member Countries' further views at the June 1976 Annual Meeting. In response to the statement by the delegate of Portugal that the over-quota problem was attributable to the system of reporting catches, the delegate of USA, supported by the Executive Secretary, viewed the problem as not the fault of the reporting system but as the failure of Member Countries to take the necessary action to control quota over-runs. The delegate of USSR recognized the over-quota fishing problem and agreed with the principles of this proposal. He said his Government was concerned with the "punishment" aspect and wished to see the proposal redrafted. The delegate of Italy said his Government also could not accept "punishment" by the Commission. This was a matter for the Italian courts. The delegate of FRG viewed the over-quota adjustment not as a punishment but as an administrative measure to restore the state of the stocks.

The Chairman suggested, with the members of STACTIC agreeing, that the Working Group incorporate the agreed changes in Annexes 1 through 5.

22. STACTIC recessed at 1620 hrs, 24 January.

23. STACTIC reconvened at 0915 hrs, 26 January.

24. The Chairman drew attention to the proposal redrafted by the Working Group to strengthen and improve the Scheme of Joint Enforcement.

(a) The Chairman suggested that each proposal be discussed separately and requested comments on the revised draft of the proposal for requirement to have flag state inspector or designated authority present. The delegates of Portugal and Denmark felt the title should be shortened and the language improved. It was agreed that the title should read "Proposal for Requirement to have the Flag State Inspector or Designated Authority present in the Convention Area or Statistical Areas 0 and 6". The Chairman suggested 15 as the number of vessels to be inserted in line 2 of the text of the proposal. The proposal as amended was considered and STACTIC

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (1) that paragraph 1 of the Scheme of Joint International Enforcement be amended to require that a Contracting Government having more than 15 fishing vessels in the Convention Area and Statistical Areas 0 and 6 have an inspector or designated authority present in the Convention Area and Statistical Areas 0 and 6 to receive and respond to notice of apparent infringements (Appendix II).

(b) The Chairman requested comment on the revised draft of the proposal for actions to be taken immediately upon the discovery of an apparent infringement. Suggestions by the delegates of Romania and USA for improving the language of the text were accepted. The Chairman pointed out that the proposal, as written, was not meant to stop all fishing but to stop only that fishing which was observed as an apparent infringement under the new paragraph 5(v) of the Scheme. Following suggestions from the delegates of FRG and Denmark, it was agreed that the wording "notwithstanding any other provisions of this Scheme" in line 1 of paragraph 5(v) should be deleted. Having agreed to the proposed amendments, STACTIC

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (1) that paragraph 5(v) of the Scheme of Joint International Enforcement be replaced to provide for the immediate actions necessary upon discovery of an apparent infringement (Appendix III).

(c) The Chairman requested comments on the redraft of the resolution requesting STACTIC to review reports of inspectors and reported actions taken by Contracting Governments in respect of apparent infringements. The Chairman pointed out that the reports listed in the proposal were already required under the Scheme of Joint International Enforcement but the resolution provided for their review and for recommendations to the Commission to provide for better compliance with the Commission's regulations and to strengthen and improve the Scheme.

The meeting agreed that there should be better cooperation between Member Countries in resolving infringements and improving the Scheme. Taking account of minor amendments to the proposal, STACTIC

agreed to recommend

that the Commission adopt resolution (1) relating to the enforcement of the Commission's fishery regulations (Appendix IV).

(d) The Chairman then requested comments on the redraft of the resolution relating to withdrawal of authorization to fish. Following several amendments to the proposal, STACTIC

agreed to recommend

that the Commission adopt resolution (2) relating to withdrawal of authorization to fish in the Convention Area and Statistical Areas 0 and 6 (Appendix V).

(e) The Chairman requested comments on the redraft of the proposal relating to over-quota adjustments. The delegate of USA suggested the words "reductions" and "reduce" where they appear in the text should read "adjustments" and "adjust". The delegate of Portugal suggested deletion of "nationals or" in line 1 of paragraph 7(a) and "or perpetuate the harm caused by the fishing above the quota limit". The Chairman of the Working Group assured the delegate of Portugal, and the meeting in general, that there was no intent to adjust quotas for over-fishing which had occurred in past years, however, there would naturally be a delay of one quota period. Having included the amendments in the proposal, STACTIC

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (2) that a new paragraph 7 be added to the Management of International Quota Regulations to allow for adjustments in cases where there has been over-quota fishing (Appendix VI).

25. Under Other Business, the delegate of Spain gave notice that Spain intended to use special small-mesh nets from 10 fishing vessels in special experimental fishing for squids in Subarea 5 and Statistical Area 6 during 1976 and possibly 1977.

The delegate of Cuba, in response to a question from the delegate of Canada, said that Cuban vessels were ready to be inspected now and that Cuba was training ICNAF inspectors and plans to begin inspecting fishing vessels during the second half of 1976.

The delegate of Canada hoped the Canadian proposal for use of helicopters for inspection of fishing vessels could be adopted at the 1976 Annual Meeting. He agreed to provide technical as well as general operational guidelines to all Member Countries for review and study. He invited Member Countries to participate in their trials and permit helicopter inspections on a voluntary basis before the proposal is acted upon. The delegate of USSR said he was not against bilateral arrangements but felt that Soviet fishing vessels provided very little free space on the decks for transfer of inspectors by helicopters. He looked forward to the delegate of Canada providing his Government with technical information and instructions for the masters of fishing vessels.

At the Chairman's suggestion, STACTIC agreed to meet again prior to the Annual Meeting during the period 31 May to 5 June inclusive.

26. There being no other business, STACTIC adjourned at 1145, 26 January 1976.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of the STACTIC Working Group

Thursday, 22 January, 0800 hrs
Friday, 23 January, 0900 hrs and 1530 hrs
Saturday, 24 January, irregularly throughout the day

1. The Working Group convened under the chairmanship of Mr L.N. Schowengerdt (USA). Lt T.R. McHugh (USA) was appointed Rapporteur. Representatives from Canada, Denmark, Japan, Portugal, USSR, UK and USA attended.
2. The Working Group had a mandate from STACTIC to seek a solution to the difficulties the Member Countries were having in accepting the US proposal for detention of vessels, withdrawal of registration for certain infringements and over-quota adjustments (Comm.Doc. 76/I/2 - Revised).
3. The Working Group met at 2015 hrs on 22 January but was unable to get unanimous agreement from the members on recommendations for STACTIC. As a result, the US delegation provided STACTIC with further modifications to its proposal in Corringenda I and II to Comm.Doc. 76/I/2 - Revised. These were considered by STACTIC at 2015 hrs, 22 January.
4. Following continued difficulties with accepting the new US proposal, the Working Group, as instructed by STACTIC, met again at 0900 hrs and 1530 hrs, 23 January to provide agreed recommendations to STACTIC. The Working Group approved the recommendations contained in Annexes 1-5 with the suggestion that STACTIC set the minimum number of vessels for which an inspector or designated authority would have to be present in the Convention Area or Statistical Areas 0 and 6 at between 10 and 15.
5. Consideration by STACTIC of the recommendations in Annexes 1-5 resulted in comments and suggestions which were incorporated in redrafts by the Working Group on 24 January and agreed by STACTIC on 26 January (see Appendices II to V inclusive of the Report of STACTIC).

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Draft proposal for requirement to have flag state inspector or designated authority in the Convention Area and Statistical Areas 0 and 6

STACTIC recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That, pursuant to paragraph 5 of Article VIII of the Convention, to improve measures of control in the Convention Area, the following sentence be added to paragraph 1 of the Scheme of Joint International Enforcement:

"Each Contracting Government which has more than 10-15 of its vessels engaged in fishing for sea fish or in the treatment of sea fish in the Convention Area, shall have an inspector present in the Convention Area and Statistical Areas 0 and 6 or a designated authority in North America to receive and respond, without delay, to notice of apparent infringements."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Draft proposal for actions to be taken immediately upon the discovery of an apparent infringement

STACTIC recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That, in view of the necessity to take immediate remedial action in the event that an inspector finds an apparent infringement of the Commission's regulations, the continuing need to ensure immediate notice of the apparent infringement is made to the flag state of the inspected vessel, and to ensure that disputes over the particulars of an infringement are resolved in a timely fashion, the Commission adopt the following new paragraph to replace the current paragraph 5(v) of the Scheme of Joint International Enforcement:

- "5. (v) Notwithstanding any other provisions of this Scheme, where an inspecting officer observes an apparent infringement of the regulations prohibiting:
- A. Fishing in a closed area or with gear prohibited in a specific area;
 - B. Fishing in an "Others" quota without prior notification to the ICNAF Secretariat, or after the allowable catch for that stock or species has been taken and Contracting Governments have been so informed by the Executive Secretary;
 - C. Fishing for stocks or species in an area after the Contracting Government having jurisdiction over the inspected vessel has notified the Executive Secretary that its allowable catch for those stocks or species has been taken;
 - D. Fishing without proper flag state registration documents for the area where the vessel is found fishing;

the inspector shall, with a view toward facilitating flag state action on the apparent infringement, immediately attempt to communicate with an inspector of the inspected vessel's flag state known to be in the vicinity, or the authority of the inspected vessel's flag state designated in accordance with paragraph 1 above. The master of the inspected vessel shall arrange for messages to be sent and received by using his radio equipment and operator for this purpose.

The inspected vessel shall cease all fishing which appears to the inspector to be in contravention of regulations cited above. If an inspector is unable to communicate with an inspector or designated authority of the flag state within a reasonable period of time, he shall complete the inspection, leave the inspected vessel, and communicate as soon as possible with an inspector or designated authority of the flag state. However, if he succeeds in establishing communications while on board the inspected vessel, and providing the inspector or designated authority of the flag state agrees, the inspector may remain aboard the inspected vessel. The inspected vessel may not resume fishing until the inspector is reasonably satisfied either with the action taken by the vessel's master, or as a result of his communication with an inspector or designated authority of the flag state, that when it resumes fishing, the vessel will not repeat the apparent infringement for which it has been cited."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Draft resolution relating to the enforcement of the Commission's fishery regulations

STACTIC recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that the active participation of Contracting Governments in the Scheme of Joint International Enforcement has to be improved significantly in order to ensure adequate enforcement of the Commission's regulations;

Recognizing further that such participation may best be improved by a thorough evaluation of the efforts of Contracting Governments to implement the Scheme of Joint International Enforcement;

Noting that the Scheme of Joint International Enforcement provides for an Annual Report of Inspection and Disposition of Infringements to be submitted to the Commission by 1 March each year:

1. Requests all Contracting Governments take expeditious steps to implement and carry out the provisions of the Scheme of Joint International Enforcement;
2. Requests each Contracting Government submit, as provided in the Scheme of Joint International Enforcement, the Report of Inspections and Disposition of Infringements for 1974, if it has not done so, and 1975 by 1 March 1976;
3. Directs STACTIC to review the Reports of Inspection and Disposition of Infringements and provide to the Commission at the 1976 Annual Meeting an evaluation of each Contracting Government's participation in the Scheme of Joint International Enforcement and the action taken in respect of apparent infringements which have been reported.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Draft resolution relating to withdrawal of authorization to fish within the Convention Area

STACTIC recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that, when serious or aggravated infringements of Commission regulations occur, they should be disposed of promptly and effectively, that significant penalties should be provided under national legislation upon conviction of serious or aggravated infringements, and that suspension or revocation of a vessel's authorization to fish within the Convention Area represents a significant penalty which could be applied on a mandatory basis upon conviction of certain serious or aggravated infringements;

Noting that serious or aggravated infringements may include at least the following:

- (a) Fishing in a closed area or with gear prohibited within a specific area;
- (b) Fishing in an "Others" quota without prior notification to the ICNAF Secretariat, or after the allowable catch for that stock or species has been taken and Contracting Governments have been so informed by the Executive Secretary;
- (c) Fishing for stocks or species in an area after the Contracting Government having jurisdiction over the inspected vessel has notified the ICNAF Secretariat that its allowable catch for those stocks or species has been taken;
- (d) Falsification of fishing logbook records;
- (e) Failure to possess proper flag state registration documents (authorization to fish in the Convention Area);

Taking into Account the fact that the national legislation of many Contracting Governments at present does not allow the suspension or revocation of a vessel's authorization to fish within the Convention Area under most circumstances;

Having Considered that it is appropriate to review national legislation and proposed changes to national legislation carefully before agreeing to request changes to that legislation; but

Being Aware that time is of the essence in reaching a satisfactory solution to the problem of serious or aggravated infringements; and

Recognizing that, in order to achieve the purposes and objectives of the Convention, measures of international control can only be effective if supported by effective and appropriate national legislation;

1. Invites the attention of the Contracting Governments to the above matters;
2. Requests that Governments review the status of their national legislation with a view to proposing changes which would authorize, among other things, the suspension or revocation of a vessel's authorization to fish in the Convention Area upon conviction of serious or aggravated infringements;
3. Stipulates that it is necessary to give continuing attention to the adoption of new and more effective measures of international control; and
4. Expects that appropriate authorities of the Contracting Governments will be prepared to report to the Commission at the next Annual Meeting the results of their review and be prepared to propose new and more effective measures of international control if necessary.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Draft proposal for amendment of the management of international quota regulations

STACTIC, having reviewed the following proposal from the standpoint of measures of international control and recognizing that the proposal would make a significant contribution to the effectiveness of international control as a positive incentive to Contracting Governments to more closely regulate the activities of their fishermen, recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That the Management of International Quota Regulations, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973/74, page 105) and amended by the Twenty-Fifth Annual Meeting (June 1975 Meeting Proceedings No. 4, page 171), be amended by the addition of the following paragraph:

"7. That, notwithstanding the above, when the Commission finds that nationals or vessels of, or under contract or charter to, a Contracting Government have taken more than their allowed catch quota in any category of catch quotas for any quota period, the Commission may reduce the corresponding catch quota for that Contracting Government in a succeeding quota period. In the event that an "Others" allocation is exceeded, the Commission may make a similar reduction in the allocation to "Others", noting, if possible, in making such a reduction which of the Contracting Governments fishing on that allocation was responsible for the excessive catch, and reducing the amount of the "Others" allocation that the vessels of that Contracting Government will be authorized to take accordingly. The quota adjustment shall be subtracted from the relevant quota following the determination of quotas provided for in paragraphs 2 and 3 above and shall not result in any increase in other quotas for the Government to which the quota adjustment applies, nor shall it result in any increase in that quota or other quotas for any other Government unless the Commission determines that the increase will not cause further harm to the stock or perpetuate the harm caused by the fishing above the quota limit."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

(1) Proposal for Amendment of the Scheme of Joint International Enforcement of the Fishery Regulations in the Convention Area and in Statistical Areas 0 and 6

STACTIC recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That pursuant to paragraph 5 of Article VIII of the Convention, paragraphs 1 and 5(v) of the Scheme of Joint International Enforcement, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, pages 87-89), be replaced by the following:

"1. Control shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by the appropriate authority of the respective Governments shall be notified to the Commission. Appropriate authorities of Contracting Governments shall also notify the Commission of the names of the flag state authorities designated to receive immediate notice of infringements and the means by which they may receive and respond to radio communications. Each Contracting Government which has, at any time, more than 15 vessels under its country's flag, or under charter or contract to persons under its jurisdiction, engaged in fishing for sea fish or in the treatment of sea fish in the Convention Area and Statistical Areas 0 and 6 shall, during that time, have an inspector or other designated authority present in the Convention Area and Statistical Areas 0 and 6, or other designated authority present in the country of a Contracting Government which is adjacent to the Convention Area, to receive and respond, without delay, to notice of apparent infringements."

- "5. (v) Where an inspecting officer observes an apparent infringement of the regulations prohibiting:
- (a) Fishing in a closed area or with gear prohibited in a specific area;
 - (b) Fishing for stocks or species in a region after the date on which the Contracting Government having jurisdiction over the inspected vessel has notified the Executive Secretary that persons under its jurisdiction will cease a directed fishery for those stocks or species;
 - (c) Fishing in an "Others" quota without prior notification to the ICNAF Secretariat, or more than 10 days after the "Others" quota for that stock or species has been taken and Contracting Governments have been so informed by the Executive Secretary;
 - (d) Fishing without proper flag state registration documents for the area where the vessel is found fishing;

the inspector shall, with a view toward facilitating flag state action on the apparent infringement, immediately attempt to communicate with an inspector of the inspected vessel's flag state known to be in the vicinity, or the authority of the inspected vessel's flag state designated in accordance with paragraph 1 above. The master of the inspected vessel shall arrange for messages to be sent and received by using his radio equipment and operator for this purpose. At the request of the inspector, the master shall cease all fishing which appears to the inspector to be in contravention of regulations cited above. During this time, the inspector shall complete the inspection and, if he is unable to communicate with an inspector or designated authority of the flag state within a reasonable period of time, he shall leave the inspected vessel and communicate as soon as possible with an inspector or designated authority of the flag state. However, if he succeeds in establishing communications while on board the inspected vessel, and provided that the inspector or designated authority of the flag state agrees, the inspector may remain aboard the inspected vessel. So long as the inspector remains aboard, the master may not resume fishing until the inspector is reasonably satisfied either with the action taken by the vessel's master, or as a result of his communication with an inspector or designated authority of the flag state, that the vessel will not repeat the apparent infringement for which it has been cited."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

(2) Proposal for Amendment of the Management of International Quota Regulations

STACTIC recommends that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

That the Management of International Quota Regulations, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, pages 105-106) and amended by the Twenty-Fifth Annual Meeting (June 1975 Meeting Proceedings No. 4, page 171), be amended by the addition of the following paragraph:

"7. That notwithstanding the above:

- (a) When the Commission finds that vessels of, or under contract or charter to, a Contracting Government have taken more than their national catch quota for any quota period, the Commission may adjust the corresponding catch quota for that Contracting Government in a succeeding quota period; or
- (b) When the Commission finds that a Contracting Government failed to report an intention to fish under an "Others" quota and subsequently took catches thereunder, or failed to report, in accordance with the Commission's regulations, catches taken under an "Others" quota, or continued a directed fishery under an "Others" quota after this fishing had been prohibited in accordance with the Commission's regulations, the Commission may decide upon measures to be taken to compensate for the damage to the stocks or species which was caused by the excessive catch. Such measures might include, among other things, adjustments to national quotas or the establishment of new national quotas for that Contracting Government as might be appropriate.

Quota adjustments shall be subtracted from the relevant quotas following the determination of quotas provided for in paragraphs 2 and 3 above, and shall not result in any increase in other quotas for the Contracting Government to which the quota adjustment applies, nor shall it result in any increase in any quotas for any other Contracting Government unless the Commission determines that the increase will not cause further harm to the stock."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

(1) Resolution Relating to the Enforcement of the Commission's Fishery Regulations

STACTIC recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that the active participation of Contracting Governments in the Scheme of Joint International Enforcement has to be improved significantly in order to ensure adequate enforcement of the Commission's regulations;

Recognizing further that such participation may best be improved by the efforts of Contracting Governments to implement the Scheme of Joint International Enforcement;

Noting that the Scheme of Joint International Enforcement provides for an Annual Report of Inspections and Disposition of Infringements to be submitted to the Commission by 1 March each year;

1. Requests all Contracting Governments take expeditious steps to implement and carry out the provisions of the Scheme of Joint International Enforcement;
2. Requests each Contracting Government submit, as provided in the Scheme of Joint International Enforcement, the Report of Inspections and Disposition of Infringements for 1974, if it has not already done so, and the Report for 1975, by 1 March 1976, and a summary and comments, if appropriate, of the results of the inspections made by their own inspectors;
3. Directs STACTIC to review the above summaries, comments, and Reports of Inspections and Disposition of Infringements, to report to the Commission at the 1976 Annual Meeting concerning the action taken by Contracting Governments in respect of apparent infringements which have been reported, and to make recommendations to ensure a high level of compliance with the Commission's regulations.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(2) Resolution Relating to Withdrawal of Authorization to Fish Within the Convention Area and Statistical Areas 0 and 6

STACTIC recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that serious or aggravated infringements of Commission regulations should be disposed of promptly and effectively, that significant penalties should be provided under national legislation upon conviction of serious or aggravated infringements, and that suspension or revocation of a vessel's authorization to fish within the Convention Area and Statistical Areas 0 and 6 represents a significant penalty which could be applied upon conviction of certain serious or aggravated infringements;

Noting that serious or aggravated infringements may include the following:

- (a) Fishing in a closed area or with gear prohibited within a specific area;
- (b) Fishing for stocks or species in a region after having been notified by the Contracting Government having jurisdiction over the vessel that its quota for those stocks or species has been taken;
- (c) Fishing in an "Others" quota without prior notification to the ICNAF Secretariat, or after having been notified by the Contracting Government having jurisdiction over the vessel that the "Others" quota for that stock or species has been taken;
- (d) Falsification of fishing logbook records;
- (e) Failure to possess proper flag state registration documents (authorization to fish in the Convention Area and Statistical Areas 0 and 6);

Taking into Account the fact that the national legislation of many Contracting Governments at present does not allow the suspension or revocation of a vessel's authorization to fish within the Convention Area and Statistical Areas 0 and 6 under most circumstances;

Having Considered that it is appropriate to review national legislation and proposed changes to national legislation carefully before agreeing to request changes to that legislation; but

Being Aware that time is of the essence in reaching a satisfactory solution to the problem of serious or aggravated infringements; and

Recognizing that, in order to achieve the purposes and objectives of the Convention, measures of international control can only be effective if supported by effective and appropriate national legislation;

1. Invites the attention of the Contracting Governments to the above matters;
2. Requests that Governments review the status of their national legislation with a view to proposing changes which would authorize or require, among other things, the suspension or revocation of a vessel's authorization to fish in the Convention Area and Statistical Areas 0 and 6 upon conviction of serious or aggravated infringements;
3. Stipulates that it is necessary to give continuing attention to the adoption of new and more effective measures of international control; and
4. Invites the appropriate authorities of the Contracting Governments to present the results of their review to the Commission at the next Annual Meeting, and to propose, if necessary, new and more effective measures of international control.

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3750
(B.z.3)

Proceedings No. 3

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of the Ceremonial Opening

Wednesday, 21 January, 1000 hrs

The Opening Session of the Eighth Special Meeting of the Commission was convened in the Red Room at the Food and Agriculture Organization of the United Nations (FAO) at 1000 hrs on 21 January 1976.

The Chairman of the Commission, Mr Eric Gillett, Fisheries Secretary for Scotland, opened the Meeting. He welcomed the Commissioners, Advisers, Observers, and Guests, and extended, on behalf of the Commission, a warm welcome to the Delegation from the Government of Cuba which had become the Eighteenth Member of the Commission.

The Chairman then introduced Mr Fred Popper, Assistant Director-General (Fisheries) for FAO. Mr Popper said he had personal pleasure in renewing acquaintance with many old friends and official pleasure at having some of the world's greatest authorities on fisheries gathered at FAO. He drew attention to the importance of food in the crisis situation in the world today and the aim of FAO to be successful in helping to provide more. He also stressed the role fish would play in relieving the crisis situation. All attending could contribute to the relief of this basic and fatal food problem. He pointed out that fish was in a state of crisis. There was a continuing heavy demand from the resource which is showing the effects of heavy exploitation all over the world. He said that the future role of FAO in fisheries was being examined very thoroughly by a subcommittee of the Committee on Fisheries and that only last week a group of experts gathered together by FAO had met informally to look at the future of international fisheries in the context of a developing new international order, specifically through the Law of the Sea Conference. As a result of the meeting, there was now a better idea of the future shape and role of regional fisheries commissions if there was a general extension of national jurisdiction over fisheries. There was a convergence of views that future arrangements would depend on a particular region. The group of experts felt that the original commissions would have a more important and effective part to play than in the past. There was, thus, an important and effective role for ICNAF in the future. Mr Popper welcomed the Commission participants to FAO and wished them every success in their deliberations.

The Chairman thanked Mr Popper. He pointed out that crisis situations in ICNAF had so far been overcome and he hoped this would continue. The Law of the Sea deliberations were much on everyone's minds. He noted a continuing function for regional bodies and expressed gratitude to FAO for introducing its studies on this matter. He thanked FAO, on behalf of the Commission, for the facilities, hospitality and opportunity given the Commission participants to discuss mutual problems with their colleagues at FAO.

The Chairman then declared the Eighth Special Meeting of the Commission recessed to prepare for the beginning of the work of the Commission in its First Plenary Session.

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3751
(B.z.3)

Proceedings No. 4

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of the First Plenary Session

Wednesday, 21 January, 1030 hrs

- Item 1. Opening. The First Plenary Session of the Eighth Special Meeting of the Commission was called to order by the Chairman, Mr E. Gillett (UK), after the Ceremonial Opening (Proc. 3). The Chairman welcomed delegates from all Member Countries and the Observers from FAO (Appendix I).
- Item 2. Agenda. The provisional Agenda as circulated by the Executive Secretary was adopted (Appendix II). The Plenary agreed that consideration of the item on effort limitation for groundfish in Subareas 2, 3, and 4 should be deferred to Thursday morning and the herring catch limitation in Div. 5Z and Statistical Area 6 would be taken this afternoon (Wednesday).
- Item 3. Rapporteur. The Executive Secretary was appointed Rapporteur.
- Item 4. Report of Seventh Special Commission Meeting, Montreal, 22-28 September 1975 (see this 1975/76 Proceedings, Part I). The Plenary approved the Report of the Seventh Special Commission Meeting.
- Item 5. Report of the Standing Committee on Research and Statistics (STACRES). The Chairman of the Commission invited the Chairman of STACRES, Dr A.W. May (Canada), to present a summary of the provisional report of STACRES. Dr May reviewed the reports of the Working Group on Fishing Effort Regulation (Redbook 1976, Part B, pages 23 and 29-33) conducted under Mr A.T. Pinhorn (Canada) and of the Working Group on Herring (Redbook 1976, Part B, pages 24 and 35-50) under Dr V.C. Anthony (USA). The Chairman of the Commission thanked Dr May and the scientists for their thorough consideration and reporting. The delegate of GDR advised that additional information on effort would be provided as soon as possible.

The Chairman proposed that the Plenary adjourn so that the meeting participants could study the Report of STACRES in preparation for the deliberations to follow.

The First Plenary Session adjourned at 1400 hrs.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976List of Participants

(Head of Delegation underlined)

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Advisers:

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Mrs S. Pugliese, Conference Services, FAO, Via Cristoforo Colombo, Rome

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Plenary Sessions

Agenda

1. Opening - Chairman of the Commission, Mr E. Gillett (UK)
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Approval of Report of Seventh Special Commission Meeting, Montreal, 22-28 September 1975 (Circular Letter 75/60)
5. (a) STACRES Report, 17-20 September 1975 (Summ.Doc. 76/I/1)
(b) Results of the deliberations of the scientists during the period 12-16 January 1976 will be reported to the Commission (Proc. 1, Serial No. 3734)
6. Consideration of Conservation of Herring in Subareas 4 and 5 and Statistical Area 6
 - (a) Review of TAC and allocation in Div. 4VWa (June 1975 Proc. 10, Section 6(v), and Appendix V)
 - (b) Review of TAC and allocation in Div. 4XWb (June 1975 Proc. 10, Section 6(vi), and Appendix V)
 - (c) TAC and allocation in Div. 5Y (June 1975 Proc. 11, Section 13(vii), and Appendix III)
 - (d) TAC and allocation in Div. 5Z and Statistical Area 6 (June 1975 Proc. 11, Section 13(vi), and Appendix II)
 - (e) Review of size limitation in Subareas 4 and 5 (Proposal (4) from January 1972 Special Commission Meeting, amended by Proposal (1) from January 1974 Special Commission Meeting and Proposal (10) from June 1974 Annual Meeting)
7. Consideration of Conservation of Mackerel in Subareas 3, 4, and 5, and Statistical Area 6
 - (a) Review of size limitation in Subareas 3, 4, and 5, and Statistical Area 6 (June 1975 Proc. 16, Appendix I)
8. Further Consideration of Fishing Effort Reduction on Groundfish Stocks in Subareas 2, 3, and 4 (September 1975 Proc. 4 and 13) (Circular Letter 75/60)
9. Other Business
 - (a) Consideration of Report of STACTIC Meeting, 19-20 January 1976 (Proc.2, Serial No. 3739)
 - (b) Consideration of Reports of Panel A (Seals), 12 December 1975 (Summ.Doc. 76/VI/3), and 22 January 1976 (Proc. 6, Serial No. 3748)
10. Adjournment



Serial No. 3754
(B.e.76)

Proceedings No. 5

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Joint Meetings of Panels 2, 3, and 4

Thursday, 22 January, 1015 hrs
Saturday, 24 January, 1745 hrs
Monday, 26 January, 1250 hrs and 1815 hrs

1. Opening. The meeting was chaired by the Chairman of the Commission, Mr E. Gillett (UK).
2. Rapporteur. The Executive Secretary was appointed Rapporteur.
3. Agenda. The Chairman referred to the following two items for consideration at the meeting:
 - i) Request by Bulgaria for catch quota allocations in Subareas 2, 3, and 4 in 1976 (Comm.Doc. 76/I/8 and Corrigendum);
 - ii) Fishing effort reduction on groundfish stocks in Subareas 2, 3, and 4 in 1976 (September 1975 Mtg. Proc. 4).

He noted that a proposal (1) for international regulation of fishing effort for groundfish in Subareas 2, 3, and 4 had been adopted at the Seventh Special Commission Meeting (September 1975 Mtg. Proc. 4 and 13). A resolution relating to the implementation of this proposal had also been adopted (September 1975 Mtg. Proc. 4 and 13) which read in part:

"Requests Governments whose vessels conduct fishing operations in the areas to implement the proposal subject to any modifications that may be unanimously agreed by the Delegations present and voting at the January 1976 Special Meeting of the Commission, beginning on 1 January 1976;"

He pointed out that any modification or amendment to the September 1975 Meeting proposal must have unanimous agreement. If not, such modification would not be accepted and the proposal with table of effort allocations as agreed at the September 1975 Meeting would stand.

The Panels agreed that the Bulgarian request for quota allocations should be discussed first.

4. Bulgarian Request for Catch Quota Allocations in Subareas 2, 3, and 4 in 1976. The Chairman drew attention to the Bulgarian request for allocation of catch quotas in 1976 as set out in their Comm.Doc. 76/I/8 and Corrigendum. He noted that re-opening of decisions on allocations made at the September 1975 Meeting might not be within the competence of this meeting. The Commission had not been advised of the Bulgarian proposal 60 days in advance of this meeting and, therefore, the item had not been included on the agenda. However, the Joint Panels would hear the Bulgarian proposal and consider what action might be taken to meet the request, such as the possibility of Bulgaria fishing from the "Others" category.

The delegate of Bulgaria, in reviewing the Bulgarian proposal (Comm.Doc. 76/I/8 and Corrigendum), first apologized for the lack of Bulgarian representation at the September 1975 Meeting, due to uncontrollable circumstances. The allocations at that meeting were embarrassing to Bulgaria. Having accepted to fish in the "Others" category during the allocations at the Twenty-Fifth Annual Meeting, he now found the "Others" allocation had been greatly reduced at the September Meeting. These re-allocations affected Bulgaria most and were considered an injustice. Bulgaria had, therefore, requested re-allocation at this meeting in order to meet her needs as set out in her proposal. The delegate of Bulgaria pointed out that, in some stocks, the amounts in the "Others" category were not enough to meet Bulgaria's needs, e.g. Bulgaria's request for 5,000 tons of silver hake in Div. 4VWX could not be met from the 500 tons left in the "Others" category by the September 1975 Meeting decision. The Chairman noted that, except for redfish in Div. 3NO and silver hake in Div. 4VWX, the Bulgarian request could be met from the "Others" quotas and asked for the reactions of the Panel members.

The delegate of Canada felt that it might be possible for Bulgaria to fish in "Others" in most cases. Regarding the two exceptions, redfish and silver hake, he pointed out that Canada did not like to encourage fishing redfish and that possibly, 5,000 tons of silver hake could be transferred from USSR, Cuba, and Canada.

He felt it would be difficult to reopen the allocation problem at this meeting as it had been a very difficult allocation exercise at the September 1975 Meeting. He was sympathetic with the Bulgarian problem but could offer no other possible solution.

The delegate of Romania pointed out that he was also fishing in "Others" in some of the stocks in the Bulgarian proposal and that, if the "Others" allocations changed, it would mean Romania would not be able to obtain her requirements in "Others" and that her national allocation of effort would need changing. He had no authority for such changes.

The Chairman suggested that the Panels look at each of the stocks and quantities requested by Bulgaria. The delegate of Italy pointed out that Italy could not support an allocation to Bulgaria of 1,000 tons from the 2,000 tons in "Others" for cod in Div. 2J+3K. The delegate of Japan thought Bulgaria should fish in "Others", while the delegate of Portugal pointed out that the "Others" category had to contain enough to allow for by-catch. The delegate of FRG asked if Bulgaria's problem could not be solved by solving the effort allocation problem first. There would then be no need to proceed with quota re-allocations. The delegate of Bulgaria stated that the Bulgarian request did not threaten the work of the Commission. There was already a precedent for re-allocation in the Commission. He proposed that the days fished for "Others" in the table of national allocation of fishing effort as presented in the STACRES Report, to better conform to amounts left in "Others", should be altered to read 100 in Subarea 2 + Div. 3K, 100 in Div. 3LNO, 30 in Div. 3M, 70 in Div. 3P, and 200 in Div. 4VWX, instead of 100 in each area. He stressed that Bulgaria had held membership in Panels 2, 3, and 4 for two years and had not yet received specific quota allocations. The delegate of Canada said he had no objection to a change in the days fished for "Others" and especially if it satisfied the Bulgarian problem. The Chairman, in response to questioning, pointed out that three countries, Iceland, Italy and possibly Bulgaria, who had or might have no specific national allocation of fishing effort in Subareas 2, 3, and 4 for 1976, would be able to fish under "Others". The Chairman moved to consider the Bulgarian request for 5,000 tons of silver hake in Div. 4VWX and suggested that, because there was only 500 tons left in the September 1975 Meeting allocation for "Others", there could either be re-allocation or an increase in the TAC as a solution. The delegate of Cuba felt the Bulgarian problem deserved special attention and proposed the following re-allocation of the silver hake quota: Bulgaria 2,000 tons, Canada 2,000 tons, USSR 81,000 tons, Cuba 14,500 tons, and "Others" 500 tons. The proposal was withdrawn by the delegate of Cuba when it failed to get support. The delegate of UK, supported by the delegate of Denmark, suggested that the "Others" quotas be increased since it caused the least difficulty and seemed the best solution. The delegate of Canada, citing the too-high TACs of previous years which sometimes exceeded the upper range of recommendations by the Scientific Advisers and the final acceptance in recent years of the scientists' advice, was reluctant to increase the TAC and reverse the recent realistic trend. The Chairman then suggested returning to the Bulgarian problem later.

5. Fishing Effort Reduction on Groundfish Stocks in Subareas 2, 3, and 4 in 1976. The Chairman drew attention to the Report of STACRES (Redbook 1976, Part B, Appendix I) which contained a revision of Table II and set out the most recent information on nationally proposed fishing days for 1976 for the areas Subarea 2 + Div. 3K, Div. 3LNO, Div. 3M, Div. 3P, and Div. 4VWX.

The Chairman of the STACRES Working Group on Fishing Effort Regulation, Mr A.T. Pinhorn (Canada), explained that the table now included additional information provided by GDR, Denmark, Romania, and Portugal. The Panels received assurance from Mr Pinhorn that all national submissions of days fished and of supporting data had been reviewed critically by the Working Group and that any difficulties were explained (Comm.Doc. 76/I/1 and Addenda) and found satisfactory. The delegate of FRG noted that there had been considerable changes made to the base data. This led him to question if the catch and effort statistics previously submitted to the Commission and published in the Commission's Statistical Bulletin series were correct and if not, why not. In response, the Executive Secretary stated that effort had been made in the past, and in recent years special efforts by Mr Hodder, the Commission's Assistant Executive Secretary, to improve the quality of the statistics. Very active participation in the Coordinating Working Party on Atlantic Statistics, whose members included FAO, ICES, ICSEAF, ICCAT, OECD, EEC, and ICNAF, had set up standard forms and procedures to reduce the work of nationals in providing fisheries statistics. New regulatory measures required more detailed, precise, and immediate statistical information which were straining the resources of national statistical offices. The Commission's Secretariat has continued its plea for better statistics, meanwhile providing help and encouragement where and when required.

The Chairman requested consideration of the entries in the effort table for each country and reminded the delegates of the need for unanimous acceptance. The delegate of Portugal considered that exemption from the effort limitation scheme for the coastal states, Canada, USA, and France, was an injustice. There were assurances from the delegates of USA and France that their days-fished figures in the table were estimated numbers only, but that they would likely be observed. The delegate of Canada stated that the Canadian figures included effort inside and outside the Convention Area and suggested that the Canadian figures be accepted as not binding. Following further discussion, a diplomatic compromise was reached and the Panels agreed that the footnote to the table in the proposal from the September 1975 Meeting be changed to read "Estimated number of days fished only; include fishing effort outside the Convention Area." The Chairman requested the continuation of consideration of the effort table by countries. The delegates of Cuba, Denmark, France, Federal Republic of Germany, German Democratic Republic, Japan, Norway, Poland, Portugal, Romania, Spain, USSR, and UK agreed that the figures in the table were acceptable. The figures for the coastal states, Canada, France, and USA, were then examined. The delegate of Canada reported that the

Canadian base data and prepared fishing days for 1976 had not been changed from the September 1975 Meeting. The delegates of France and USA said their figures were only a guideline.

The Chairman, in referring to the Bulgarian proposal for catch quota allocations, felt that the only basis for agreement in the Joint Panels seemed to be to leave the Bulgarian quota figures unchanged and review the Bulgarian question at the 1976 Annual Meeting when there would be more information on catches and the state of the stocks. Because Bulgaria had not received her September 1975 Meeting Proceedings until the end of November, there had been no time to request an agenda item and to provide a covering memorandum 60 days before the present meeting. Therefore, he felt the problem must be treated on its merits and suggested taking a vote on each of the eight stocks for which quotas had been requested. The delegate of UK felt that the problem would be easier to solve at the 1976 Annual Meeting when there were many stocks to consider and there would be more flexibility in making decisions. The delegate of Bulgaria reported that he had received the September 1975 Meeting Proceedings on 28 November and on that date telegraphed the Secretariat (see Comm.Doc. 76/I/1, page 1). At the same time, an official objection to the September 1975 Meeting proposal was sent to the US Embassy in Sofia and to the ICNAF Secretariat. After discussing the problem with the US Ambassador in which the difficulties for the Commission, if there was an objection, were stressed, Bulgaria agreed to withdraw her proposed objection and present her case to the January 1976 Meeting. The ICNAF Secretariat was, in the meantime, advised not to circulate the document containing the Bulgarian proposed objection.

The Chairman thanked the delegate of Bulgaria for his explanation and expressed appreciation of the decision to discuss rather than object. He noted that Bulgaria would be bound by the September 1975 quota allocations unless there is an objection. He noted that there seemed no reason now for accepting Bulgaria's quota proposals as there had been no agreed suggestions for solution. Bulgaria could persist in putting forward her proposal and get a decision or as suggested, could agree to have the problem presented to the 1976 Annual Meeting. The delegate of Bulgaria expressed his regret at how much time the problem was taking, and acknowledged the inherent difficulties. He said that Bulgaria accepts the September 1975 proposal for reduction of fishing effort on groundfish in Subareas 2, 3, and 4 in 1976. In addition, he presented the following reservations:

- i) Bulgaria could not accept an allocation of 21 fishing days for groundfish in Subareas 2, 3, and 4 for 1976 as it was based on inadequate historical fishing data.
- ii) Bulgaria could see no reasonable explanation why specific catch quotas could not be allocated to her. However, keeping in mind the difficulties encountered by the Commission during the present meeting, Bulgaria agreed as an exception for 1976 to fish from the "Others" category and insisted that specific quotas be allocated to her at the 1976 Annual Meeting.
- iii) While agreeing to fish from the "Others" category in 1976, the re-allocation for silver hake in Div. 4VWX was quite unacceptable. In this respect, the Bulgarian fisheries' needs would be partly met by taking at least 3,000 tons. This was a compromise solution for 1976.
- iv) Bulgaria wished it stressed in the record of this meeting that she be given equal consideration as a member of Panels 3 and 4 when quotas and days fishing were being allocated at the 1976 Annual Meeting.

The Chairman expressed appreciation to the delegate of Bulgaria for his compromise and moved that the participants consider the number of days fishing to be allocated to Bulgaria, Iceland, and Italy who would now be fishing under the "Others" category in the effort regulation for groundfish in Subareas 2, 3, and 4 for 1976. He pointed out that there were now 100 fishing days allocated to each of the five areas and noted that Italy required 250 fishing days and Bulgaria 380 fishing days. The delegate of Bulgaria suggested reducing Div. 3M to 30 fishing days, Div. 3P to 70, and increasing Div. 4VWX to 200, leaving Subarea 2 + Div. 3K and Div. 3LNO at 100. The delegate of Italy preferred not to have the numbers decreased below 100 in any areas and suggested increasing Div. 4VWX above 100. At the Chairman's suggestion, the Panels agreed that the table should be amended to show the "Others" category in Div. 4VWX increased to 200 fishing days. The delegate of Romania requested deletion of the last sentence of Comm.Doc. 76/I/1 Addendum 4.

The Chairman requested that Canada have a draft of the revised regulation on effort circulated for study before the next Joint Meeting of Panels 2, 3, and 4. A request by the delegate of UK to have the possibility of transfer between tonnage categories as well as areas was supported by Portugal. The Chairman requested that Canada and the UK discuss the matter informally and insert their decision in the draft of the revision of the effort regulation proposal.

6. The Joint Meeting of Panels 2, 3, and 4 recessed at 1715 hrs.

7. The Joint Meeting of Panels 2, 3, and 4 reconvened at 1745 hrs, 24 January.

8. The Chairman requested continuation of discussion on fishing effort reduction on groundfish stocks in Subareas 2, 3, and 4 in 1976. The delegate of Canada drew attention to the revised proposal on effort reduction (Appendix I) which, in accordance with requirements, had been circulated before the meeting. He

explained that the proposal had been drafted as a regulation and incorporated some of the textual material contained in proposal (1) adopted at the Seventh Special Commission Meeting, September 1975, but that there were no substantive amendments.

(a) In introducing discussion on paragraph 1 of the revised proposal, the delegate of Portugal again drew attention to the injustice of having the coastal states exempted from the regulation and requested deletion of the phrase "other than the coastal states" in paragraph 1 of the revised proposal. The delegate of Canada pointed out that the September 1975 proposal exempted the coastal states. He opposed any amendment regarding the exemption phrase and pointed out that amendments could only be made by unanimous agreement as required by the September 1975 Meeting. The delegate of Canada, supported by the delegates of the coastal states, France and USA, stated they were not prepared to accept an amendment but were prepared to report data on fishing effort as required in paragraph 5 of the revised proposal. The delegate of Portugal pointed out that exclusion from regulatory requirements had not been accepted in the past and cited the quota regulations. He noted further that the regulatory portion of the September 1975 proposal did not record exemption for the coastal states. The delegate of Canada pointed out that footnote 1 of the table referred to the coastal state status and read "Estimated number of days fished only, not national allocation of fishing effort". The Chairman suggested that the principle of exemption for the coastal states be returned to later for further consideration. The Panels agreed that there should be a reference citation for the ICNAF List of Species where it appeared in paragraph 1.

(b) The delegates had no comments on paragraph 2 of the revised proposal.

(c) The Chairman requested comments on paragraph 3. The Panels agreed that the word "persons", wherever it occurred, should be changed to read "vessels"; "in an area" should be inserted after fishing in line 3 of paragraph 3(c); in the second last line of paragraph 3(c), delete all after "jurisdiction" and substitute "in a particular area"; in the fourth line of paragraph 3(c), delete "vessel" and in the fifth line of paragraph 3(c), delete comma after "gear".

(d) The delegate of USSR, in reference to paragraph 4 of the revised proposal, pointed out that it would take about 20 days to make a transfer of fishing days. The delegate of Canada suggested the deletion of "10 days" in line 6 of paragraph 4. The delegate of Portugal noted that it would be difficult to specify in advance the number of fishing days to be transferred. The delegate of Canada explained that advance notice was intended to provide for notification of the change in the table and to make enforcement easier. The delegate of UK questioned whether it should be necessary to report the number of days being transferred as it could only be 10% or 50 days, whichever is greater. The delegate of Canada felt that too much vagueness in the regulation would make it harder to enforce. He felt that countries would know how many days they wished to transfer and would find it possible to report them. The Chairman suggested the insertion of the word "estimated" before "number" in the second last line of paragraph 4. The Panels agreed to the insertion of the following sentence after "greater" in line 5: "Contracting Governments may also transfer fishing effort from one category to another within the same area, provided that the conversion factors specified in ICNAF Commissioner's Document 76/I/1 with Addenda are used." The Panels also agreed to the addition in the paragraph by the Executive Secretary of wording which would require confirmation of the estimated number of days to be transferred and prompt notification to the Contracting Governments by the Executive Secretary of the changes in allocations of fishing days.

(e) Following considerable discussion, the Panels agreed to delete all of paragraph 5 and its footnote.

(f) Discussion on paragraph 6 of the revised proposal centered around the possible deletion of the second sentence which the delegate of Portugal had interpreted as allowing Portuguese vessels to fish in the "Others" category wherever they had no specific allocation in their area, vessel tonnage or gear categories in the proposal's table. The delegates of Bulgaria, Iceland, and Italy pointed out that they had no specific allocations and would, therefore, have to meet their needs from the "Others" category which would, if the Portuguese interpretation prevailed, leave very little for them. They could, therefore, not accept the second sentence of paragraph 6. The delegate of Portugal said that he hoped to be able to agree to the deletion of the second sentence of paragraph 6 but would have to consult his Government before taking a decision. The Chairman again reminded the delegates that a vote against an amendment to the September 1975 proposal would mean reverting to the original September 1975 text and table. Following his suggestion, the Panels agreed to an indicative vote on whether paragraph 6 should be amended by the omission of the second sentence. All delegates, except the delegate of Portugal, voted for omission of the second sentence. The delegate of Canada, having noted that Portugal needed 30 fishing days in Subarea 2 + Div. 3K and 30 to 50 fishing days in Div. 3M, suggested that Bulgaria, Iceland, and Italy, as a block, be given most of the original "Others" allocation, leaving a small amount for a new "Others" category and that Portugal be given an extra number of fishing days allocated to the Dory vessel (= DV) gear category. The delegate of Portugal said that the addition of 15 fishing days in each of the four blank gillnet (= GN) categories would allow him to vote for removal of the second sentence of paragraph 6. There was support from some of the delegates to having a separate allocation for Bulgaria, Iceland, and Italy combined and a small allocation for a new "Others" category. The delegate of USSR, supported by the delegates of Canada, Spain, and USA, agreed to discontinue discussion of paragraph 6 until 26 January, and urged the delegate of Portugal, in the meantime, to obtain authority from his Government to delete the sentence. The Panels agreed to reconvene in the morning of 26 January.

(g) The Chairman requested reconsideration of paragraph 1 and of whether the coastal states should be exempt from the regulation and the phrase "other than the coastal states" be retained in the paragraph. The delegate of USA noted that the new regulation was a combination of the September 1975 proposal and regulation and suggested that paragraph 1 of the first part of the September 1975 proposal, which included the phrase "other than the coastal states", become paragraph 1 of the new regulation. The delegate of UK, supported by the delegates of Italy and Portugal, objected, in principle, to the exemption of the coastal states from the regulation and declared that they would have to abstain if any vote were taken. Following discussion, the Panels agreed to take an indicative vote on the revised paragraph 1. The result was 5 for (Canada, France, Norway, Romania, and USA) and 12 abstentions.

9. The Chairman suggested that the Joint Meeting recess until 26 January to await the Portuguese decision regarding paragraph 6 and to give more time for consideration of possible solutions to the difficulties being met. The Panels recessed at 2145 hrs, 24 January.

10. The Panels reconvened at 1250 hrs, 26 January.

11. The Chairman returned to discussion of the proposal revised by Canada (Appendix I) on fishing effort reduction on groundfish stocks in Subareas 2, 3, and 4 in 1976 and noted that it had been agreed that the delegate of Portugal should report the decision of his Government with regard to the omission of the second sentence of paragraph 6 of the proposal. The delegate of Portugal reported (see Appendix II for the complete text of the statement of the delegate of Portugal) that following the September 1975 Meeting, he had advised his Government that, in his interpretation of paragraph 6 of proposal (1), its vessels could fish in the "Others" category when it had no specific allocations. The Portuguese Government, industry and fishermen had counted on this interpretation but he had been instructed to accept that 20 fishing days be added in each of Subarea 2 + Div. 3K and of Div. 3M, that the dory vessel categories with vessel tonnages 500-999.9 and 1,000-1,999.9 be deleted, that the gillnet blanks (4) in Subarea 2 + Div. 3K (2) and in Div. 3M (2) each be allocated 10 fishing days, and that the "Others" category be replaced by Bulgaria, Iceland, and Italy as a group. The delegate of FRG understood the Portuguese position but had difficulty with the Portuguese proposal as he understood it was not meant to allow everyone to fish in the "Others" category. The delegate of Portugal pointed out that his proposal benefitted not only Portugal but Bulgaria, Iceland, and Italy. The delegate of Canada said there was no advantage except to the coastal states to revert back to the September 1975 proposal, therefore, the Panels must obtain a technically unanimous decision on the new proposal, i.e., no votes against and not too many abstentions. Finally, the delegate of Canada suggested a compromise solution as follows:

- i) that Bulgaria, Iceland, and Italy, as a group, be allocated 100, 100, 100, 100, and 200 days fished for the areas;
- ii) that an "Others" category be allocated 20 fishing days each for the area Subarea 2 + Div. 3K and the area Div. 3M;
- iii) that the number of fishing days allocated for the "Others" category in area Subarea 2 + Div. 3K and in area Div. 3M be used only by gillnetters (= GN).

The Panels noted that the proposed Canadian solution would require considerable amendments to the text of paragraphs 3 and 4 of the revised proposal (Appendix I). The Panels agreed that there should be an indicative vote on the Canadian suggestion for amendments to the table and that a small working group consisting of representation from Canada, Italy, USA, and the Executive Secretary should prepare a draft of the text incorporating the necessary changes. Result of the indicative vote was unanimous agreement with the Canadian suggested amendments to the table.

12. The Panels recessed at 1600 hrs, 26 January.

13. The Panels reconvened at 1815 hrs, 26 January. The Executive Secretary presented the draft of the proposal as prepared by the Working Group. Having considered the text and the table as amended, Panels 2, 3, and 4, in joint session,

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (3) for international regulation of fishing effort for groundfish in Subareas 2, 3, and 4 of the Convention Area (Appendix III).

14. There being no other business, the Chairman declared the Joint Meetings of Panels 2, 3, and 4 adjourned at 1830 hrs, 26 January 1976.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Canadian proposal for the 1976 international regulation of fishing effort for groundfish in Subareas 2, 3, and 4 of the Convention Area

That proposal 1 for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 28 September 1975, be replaced by the following:

"1. That this regulation shall apply to all Contracting Governments other than the coastal states fishing for groundfish, i.e., all finfish species listed in the ICNAF List of Species under the categories Principal Groundfish, Flounders, Other Groundfish, and Other Fish (except capelin, porbeagle sharks and other sharks) in Subareas 2, 3, and 4 of the Convention Area by the year 1976.

"2. That each national allocation of effort in the attached table is an integral part of this regulation.

"3. That, for any effort allocation for a particular vessel tonnage, gear, and area:

- (a) Each Contracting Government shall limit the number of days fished for groundfish (24-hour periods, reckoned from midnight to midnight, during which any fishing took place for one or more of the above species) by persons under its jurisdiction in the areas referred to in the table to the number of fishing days listed for that Contracting Government or, in the case of Contracting Governments not listed by name, to the amount listed under "Others";
- (b) Each Contracting Government mentioned by name in the table shall prohibit fishing for groundfish by persons under its jurisdiction on the date on which

accumulated reported number of days fished,
estimated unreported number of days fished, and
the number of fishing days estimated to be expended before closure could be introduced,

equal 100 percent of the allowable number of fishing days. Each Contracting Government mentioned by name in the table shall promptly notify the Executive Secretary of the date on which such prohibition has been put into effect. The Executive Secretary shall promptly inform all Contracting Governments of such notification;

- (c) Each Contracting Government not mentioned by name in the table shall notify the Executive Secretary in advance if persons under its jurisdiction intend to engage in a fishery to which this regulation applies, together if possible with an estimate of the number of fishing days to be expended and the vessel, gear, and tonnage category of the vessels that will engage in the fishery; and it shall also promptly report the number of days fished for groundfish by persons under its jurisdiction in the areas mentioned in the table in increments of 25 days. The Executive Secretary shall notify all Contracting Governments of the date on which

accumulated reported number of days fished,
estimated unreported number of days fished, and
the number of fishing days estimated to be expended before closure could be introduced,

by persons under the jurisdiction of Contracting Governments not mentioned by name in the table equal 100 percent of the allowable number of fishing days designated for "Others" in the table. Within 10 days of the receipt of such notification from the Executive Secretary, each Contracting Government not mentioned by name in the attached table shall prohibit fishing by persons under its jurisdiction using vessels of the particular tonnage and gear category in the areas mentioned in the regulation.

Transfers

"4. Contracting Governments mentioned by name in the table may transfer fishing effort from area to area during the 1976 fishing season providing such transfers are limited to 10 percent of the total number of fishing days for the Contracting Government allocated for the 1976 fishing season in the area to which the transfer is made or 50 fishing days, whichever is greater. When a Contracting Government intends to make such a transfer, it shall notify the Executive Secretary 10 days in advance, specifying the number of fishing days to be transferred and the areas involved in the transfer.

Recording of Effort

"5. That all Contracting Governments take appropriate action to ensure that all vessels under their jurisdiction which fish in Subareas 2, 3, and 4 of the Convention Area record their fishing effort on a daily basis according to position, date, type of gear, and species being fished, and specify each day the time a vessel begins and ceases fishing.¹

Other

"6. That, with regard to any effort allocation, each linear and columnar entry in the table shall be considered a separate proposal under Article VIII of the Convention as amended. Further, sub-paragraph 3(c) shall apply to each Contracting Government without a specific effort allocation in any linear and columnar entry in the table notwithstanding that sub-paragraph 3(b) may apply to each such Government with respect to another linear and columnar entry in the table.

"7. That the effort allocations in the table are without prejudice to future allocations."

¹ This paragraph of the regulation is not intended to lessen in any way the obligation of Member Countries to report all other data on fishing effort, such as hours fished in Subareas 2, 3, and 4 of the Convention Area and all data on fishing effort in Subareas 1 and 5 of the Convention Area and Statistical Areas 0 and 6.

Table - Integral part of Proposal for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on

			NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976				
Country	Vessel tonnage	Gear	SA2+3K	3LNO	Area 3M	3P	4VWX
Canada	150- 499.9	OT	-	(1600)	-	(2200)	(5100)
	150- 499.9	MWT	-	-	-	(50)	(100)
	150- 499.9	LL	-	(150)	-	(50)	(200)
	500- 999.9	OT	(1200)	(7100)	(500)	(1500)	(2400)
	500- 999.9	MWT	-	-	-	(100)	(100)
Cuba	> 2000	OT	250	450	225	-	810
Denmark	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	540	-	1500	85	140
	500- 999.9	OT	306	83	100	75	125
	500- 999.9	MWT	-	-	-	17	33
France	150- 499.9	OT	-	(108)	-	(288)	(102)
	1000-1999.9	OT	(411)	(269)	(105)	(109)	(492)
FRG	1000-1999.9	OT	123	6	3	-	-
	> 2000	OT	802	44	17	-	-
GDR	500- 999.9	OT	682	38	-	-	-
	1000-1999.9	OT	-	-	-	-	-
	1000-1999.9	MWT	-	-	-	-	-
	> 2000	OT	234	30	-	-	-
	> 2000	MWT	-	-	-	-	-
Japan	1000-1999.9	OT	-	1	-	1	18
	> 2000	OT	-	78	-	31	179
Norway	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	300	135	288	304	250
	500- 999.9	OT	130	14	-	-	-
	500- 999.9	LL	-	-	-	-	-
	1000-1999.9	OT	-	-	-	-	-
Poland	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	1535	300	80	-	-
Portugal	500- 999.9	DV	-	-	-	-	-
	500- 999.9	GN	-	483	-	8	2
	1000-1999.9	OT	1496	1362	592	24	35
	1000-1999.9	DV	-	-	-	-	-
	1000-1999.9	GN	-	527	-	9	5
	> 2000	OT	589	527	266	5	19
Romania	> 2000	OT	80	80	25	35	-
Spain	150- 499.9	PT	215	2136	40	408	341
	500- 999.9	PT	183	1818	34	349	288
	1000-1999.9	OT	558	302	82	105	116
	1000-1999.9	PT	22	202	14	43	33
USSR	150- 499.9	OT	-	563	23	172	53
	500- 999.9	OT	14	94	7	6	108
	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	3505	1051	736	154	3425
	> 2000	MWT	343	662	-	-	-
UK	500- 999.9	OT	-	-	-	-	-
	1000-1999.9	OT	616	246	370	-	-
USA	150- 499.9	OT	-	-	-	-	(1883)
	150- 499.9	MWT	-	-	-	-	(81)
Others			100	100	100	100	200

Footnote: Figures in brackets () are estimates only; include estimated fishing days outside the Convention Area.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Statement of the Portuguese Delegate regarding proposed fishing effort limitation for groundfish in Subareas 2, 3, and 4 of the Convention Area

I have finally contacted my authorities and in order to explain our position, I have to declare the following:

The understanding of paragraph 6, as was approved in Montreal, was reported by the Portuguese Commissioners to their Government as meaning that for any country against whom at some point in the table there was a blank with respect to a certain category (namely gear and tonnage) of vessel, that same category was allowed to fish in the "Others" allocation.

No interpretations other than those bordering on the absurd can possibly be given to the wording of the paragraph as it stands.

Paragraph 6 as it reads is essential because the allocations for any one country now are varied according to the vessel category, so that in the same area for one vessel category the country might fish a national quota and in another category might fish as "Others". It is not like a catch allocation which for each country is simply either national or of "Others".

In all their projected calculations, the Portuguese Government, industry and fishermen, in good faith, counted on that expectation.

The proposal, which emerged late in the day, to eliminate the sentence in paragraph 6 has to be seen not as a simple proposal but as allocating to three countries in particular an allocation that did not belong, at the close of the Montreal Meeting, to them alone.

That other countries are not now opposed to this proposal is not our problem.

However, the fact is that it is essential here to underline that not only the coastal states, which most unexpectedly may now be interpreted as not having any allocation, could consequently legally be free to fish as much as they wish, but also there are several non-coastal countries whose fishing effort, far from being reduced in relation to the 1972-1973 basis, has on the contrary been expanded.

The Portuguese fishing effort, estimated without negating the rights given by the only logical interpretation of paragraph 6, has been drastically reduced and only three countries have been even more reduced than us. These other three countries, however, have the possibility of fishing for pelagic species; consequently, in an all-round assessment, Portugal is the country which is to fare worst from the present scheme, even without the further loss brought about by the amendment to paragraph 6.

We have a fellow feeling for countries now fishing under "Others" and understand their difficulties, consequently, we are sure that the crux of the problem is not that, but rather lies in the failure on the part of others to understand the tortuous rules as they are written and realize what actually has been going on.

The number of fishing days for "Others" had no real scientific basis, neither has it one now, nor indeed is it ever likely to have one in the future. This is the reason why in the Canadian proposal in Comm.Doc. 75/IX/49 (Revised) it was 100 days for 2+3K, 100 days for 3LMNOP and 100 days for 4VWX, whereas, by the second revision of that proposal, 3LMNOP had jumped to 300 and during this meeting 4VWX increased to 200.

In this connection, it is important to underline that the previous jump to 300 was not the result of any proposals from Bulgaria, Iceland or Italy.

The unscientific character of the "Others" quotas results from its objective to be a catch-all for all categories of vessels and all fishing countries.

As we have always realized the implications of an allocation for "Others", the Portuguese Delegation would not stand against any proposal to increase that allocation. We did not do so here, because obviously, as has always been the case, when any one country manages to increase the allocation for "Others", the increase does not benefit that country alone.

Portugal does appear to be the one country that has fallen more times from a national allocation into that of "Others". No wonder we realize only too well the painful implications of this type of allocation.

We must caution the countries that fish for "Others", that there is a precedent for non-member countries to be included in that same allocation. So that if Koreans, Greeks, or Irish, to mention just a few probable

contenders, should see fit to increase their effort, future prospects of Member Countries fishing under "Others" could well be severely curtailed.

Portugal is not a country that feels hurt when another country is advantaged, as long as in the transaction the interests of Portugal herself are not vitally affected. Indeed, our record of cooperation with all newcomers and developing fisheries from the Faroese, through Poland, and the German Democratic Republic to Cuba, Romania and Bulgaria speaks for itself: a record that can be read in the minutes of the meetings not only to ICNAF, but also of NEAFC and ICSEAF.

We do not shout blackmail or cry murder when we see that, to take but one instance, the Federal Republic of Germany, most intelligently as always, refuses to distinguish between a declared penalty and the direct free kick with which we have finally been penalized and thus ends this meeting with a cut in fishing effort considerably smaller than Portugal's.

We are always glad if one or more of our friends gets away with it....or does not do so badly.

We realize well enough that everyone round this table has the interests of his country at heart and we could only feel disrespect for those who would not try to defend their national interests.

However, in this instance, we feel that facts indeed support our contention that Portuguese fishermen are in a special category by themselves in these seas. They have fished here for generations past, as did men of only a few other nations: many Portuguese fishermen, as did those from only a couple of other nations, have settled in fishing communities along the shores of the coastal states; like a few other countries, we are undergoing a process of redevelopment, having had to abandon traditional methods of fishing at which we were masters; as with very few other nations, our cod fishery was stable until overfishing caused by other parties imposed a steady decline in catch; in company with very few other fishing nations, we are still developing selective methods of fishing for which this side of the Atlantic we are given no reward; like the fishermen of a few other countries, we fish to feed our people.

What does make our fishermen stand alone in a special and individual category is the fact that no fishing industry of any other nation can be accredited with all the special factors we have just mentioned and that both our fishermen and all the rest of our people are poor and the spectre of hunger and ruin hangs over us at exactly a time when, as never before, we deserve the help of all - East and West, North and South.

Thus, we hope for the understanding and assistance of all, especially from the three countries who were led to think that our position was against them. It must be said in passing that Bulgaria had proposed for "Others" 80 days in 2+3K and 30 days in 3M, so they could have supported our previous proposal, with only the dissent of Italy.

We must call your attention to the fact that, if you intend to dispense with the allocation for "Others" in this scheme, it is not sufficient to eliminate the second sentence of paragraph 6 in the proposal.

As each linear and columnar entry in the table would still have to be considered as a separate proposal and besides two designations, namely "Contracting Governments not listed by name" and "amounts listed under "Others"", remain extant and appear frequently in the text of the Regulation - see paragraphs 3(a), 3(b), 3(c) and (4) - there are still many points to be cleared up and plenty of amendments to be made to those other paragraphs as a result of this sudden change of criterium.

For instance, it should be clearly understood by the three countries, who are now to replace the "Others", that they will not be entitled to transfers under paragraph 4, even though their names may now appear in the table, and the reason for this discrimination is that their names appear as a group.

Indeed, if "Others" are to disappear, there still remains, with the wording already approved, a distinction between "Contracting Governments mentioned by name (singularly)" and "Contracting Governments mentioned by name (collectively) in a group" as a direct result of the difference now existing in the text between the categories of "Contracting Governments mentioned by name" and "Contracting Governments not mentioned by name".

Taking all this into consideration, we therefore propose the following:

Previously, on my own initiative, I had proposed 30 days (15+15), respectively, for GN5 and GN6 in 2+3K and another 30 days (equally 15+15) in 3M, as against our estimation of what we could fish with GN5 and GN6 as "Others" which was 30 days in 2+3K and 50 days in 3M.

In an effort to reach agreement I am now instructed to accept 20 (10+10) in 2+3K and 20 (10+10) in 3M. This is for us an important reduction and is as far as we can go in the interest of all the countries round this table.

When we bear in mind all the previously accepted alterations to the Montreal scheme, we feel that the minor modifications we now propose, although of considerable interest to us, in no way affect anybody else's point of view.

If this is acceptable to you all, we therefore propose:

- (a) the DV categories be deleted from the table with all the corresponding blanks;
- (b) the GN blanks be substituted by 10 in the table;
- (c) "Others" category be replaced by the expression "Bulgaria, Iceland and Italy as a group" and all consequential amendments be effected.

I must finalize by stating that, since the conventional right of objection may have been deemed removed, although unconventionally, by the Montreal Resolution which accompanied the proposal under review, unless our amendment is accepted, we see no way out other than to reject the proposed alteration to paragraph 6 of that proposal.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(3) Proposal for the International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area

Panels 2, 3, and 4, in joint session, recommend that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That Proposal (1) for International Regulation of the Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 28 September 1975 (September 1975 Meeting Proceedings No. 4, Appendix I) and pending entry into force, be replaced by the following:

"1. That Contracting Governments, other than the coastal states, take appropriate action in 1976 to limit fishing effort for groundfish, i.e., all finfish species listed in the ICNAF List of Species (ICNAF Statistical Bulletin Vol. 24 for the year 1974, pages 7-9) under the categories Principal Groundfish, Flounders, Other Groundfish, and Other Fish (except capelin, porbeagle sharks and other sharks) by vessels under their jurisdiction in Subareas 2, 3, and 4 of the Convention Area, in accordance with the following:

"2. That each national allocation of effort in the attached table is an integral part of this regulation.

"3. That, for any effort allocation for a particular vessel tonnage, gear, and area:

(a) For the purpose of this regulation, a day fished for groundfish is defined as a 24-hour period, reckoned from midnight to midnight, during which any fishing took place for one or more of the above species.

(b) Each Contracting Government having a national allocation in a particular entry in the table shall prohibit fishing for groundfish by vessels under its jurisdiction on the date on which

accumulated reported number of days fished,
estimated unreported number of days fished, and
the number of fishing days estimated to be expended before closure could be introduced,

equal 100 percent of the allowable number of fishing days. Each such Contracting Government shall promptly notify the Executive Secretary of the date on which such prohibition has been put into effect. The Executive Secretary shall promptly inform all Contracting Governments of such notification.

(c) Each Contracting Government not having a specific national allocation of fishing days in the table shall notify the Executive Secretary in advance if vessels under its jurisdiction intend to engage in a fishery to which this regulation applies, together if possible with an estimate of the number of fishing days to be expended and the gear and tonnage category of the vessels that will engage in the fishery; and it shall also promptly report the number of days fished for groundfish by vessels under its jurisdiction in the areas mentioned in the table in increments of 25 days. The Executive Secretary shall notify all Contracting Governments of the date on which

accumulated reported number of days fished,
estimated unreported number of days fished, and
the number of fishing days estimated to be expended before closure could be introduced,

by vessels under the jurisdiction of such Contracting Governments equal 100 percent of the allowable number of fishing days designated for such Contracting Governments. Within 10 days of the receipt of such notification from the Executive Secretary, each such Contracting Government shall prohibit fishing by vessels under its jurisdiction in the particular area.

(d) Each Contracting Government not having a national allocation in a particular entry in the table shall notify the Executive Secretary in advance if vessels under its jurisdiction intend to engage under the "Others" category in a fishery in an area to which this regulation applies, together if possible with an estimate of the number of fishing days to be expended and the gear and tonnage category of the vessels that will engage in the fishery; and it shall also promptly report the number of days fished for groundfish by vessels under its jurisdiction in the areas mentioned in the table in increments of 10 days. The Executive Secretary shall notify all Contracting Governments of the date on which

accumulated reported number of days fished,
estimated unreported number of days fished, and
the number of fishing days estimated to be expended before closure could be introduced,

by vessels under the jurisdiction of such Contracting Governments equal 100 percent of the allowable number of fishing days designated for "Others" in the table. Within 10 days of the receipt of such notification from the Executive Secretary, each such Contracting Government shall prohibit fishing by vessels under its jurisdiction in the "Others" category in the particular area.

"4. Contracting Governments may transfer fishing effort from area to area during the 1976 fishing season, providing such transfers are limited to 10 percent of the total number of fishing days for the Contracting Government allocated for the 1976 fishing season in the area to which the transfer is made or 50 fishing days, whichever is greater; however, in the case of Contracting Governments not having a specific national allocation of fishing days, such transfers shall be limited to a total of 10 percent for all such Contracting Governments. Contracting Governments may also transfer fishing effort from one category to another within the same area, provided that the conversion factors specified in ICNAF Commissioners' Document 76/I/1 with Addenda are used. When a Contracting Government intends to make such a transfer, it shall notify the Executive Secretary in advance, specifying the estimated number of fishing days to be transferred and the areas and categories involved in the transfer. Within 30 days of having notified the Executive Secretary of the estimated number of fishing days transferred, a Contracting Government shall advise the Executive Secretary of the actual number of fishing days transferred. The Executive Secretary shall circulate within 10 days to Contracting Governments any estimated or final changes in the allocations of fishing days submitted to him.

"5. That, with regard to any effort allocation, each entry in the table shall be considered a separate proposal under Article VIII of the Convention as amended. Further, sub-paragraph 3(d) shall apply to each Contracting Government without a specific effort allocation in any entry in the table, notwithstanding that sub-paragraph 3(b) may apply to each such Contracting Government with respect to another entry in the table.

"6. That the effort allocations in the table are without prejudice to future allocations."

Table - Integral part of Proposal (3) for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 26 January 1976

Country	Vessel tonnage	Gear	NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976				
			SA2+3K	3LNO	Area 3M	3P	4VWX
Canada ¹	150- 499.9	OT	-	(1600)	-	(2200)	(5100)
	150- 499.9	MWT	-	-	-	(50)	(100)
	150- 499.9	LL	-	(150)	-	(50)	(200)
	500- 999.9	OT	(1200)	(7100)	(500)	(1500)	(2400)
	500- 999.9	MWT	-	-	-	(100)	(100)
Cuba	> 2000	OT	250	450	225	-	810
Denmark	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	540	-	1500	85	140
	500- 999.9	OT	306	83	100	75	125
	500- 999.9	MWT	-	-	-	17	33
France ¹	150- 499.9	OT	-	(108)	-	(288)	(102)
	1000-1999.9	OT	(411)	(269)	(105)	(109)	(492)
Federal Republic of Germany	1000-1999.9	OT	123	6	3	-	-
	> 2000	OT	802	44	17	-	-
German Democratic Republic	500- 999.9	OT	682	38	-	-	-
	1000-1999.9	OT	-	-	-	-	-
	1000-1999.9	MWT	-	-	-	-	-
	> 2000	OT	234	30	-	-	-
	> 2000	MWT	-	-	-	-	-
Japan	1000-1999.9	OT	-	1	-	1	18
	> 2000	OT	-	78	-	31	179
Norway	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	300	135	288	304	250
	500- 999.9	OT	130	14	-	-	-
	500- 999.9	LL	-	-	-	-	-
	1000-1999.9	OT	-	-	-	-	-
Poland	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	1535	300	80	-	-
Portugal	500- 999.9	GN	-	483	-	8	2
	1000-1999.9	OT	1496	1362	592	24	35
	1000-1999.9	GN	-	527	-	9	5
	> 2000	OT	589	527	266	5	19
Romania	> 2000	OT	80	80	25	35	-
Spain ²	150- 499.9	PT	215	2136	40	408	341
	500- 999.9	PT	183	1818	34	349	288
	1000-1999.9	OT	558	302	82	105	116
	1000-1999.9	PT	22	202	14	43	33
USSR	150- 499.9	OT	-	563	23	172	53
	500- 999.9	OT	14	94	7	6	108
	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	3505	1051	736	154	3425
	> 2000	MWT	343	662	-	-	-
UK	500- 999.9	OT	-	-	-	-	-
	1000-1999.9	OT	616	246	370	-	-
USA ¹	150- 499.9	OT	-	-	-	-	(1883)
	150- 499.9	MWT	-	-	-	-	(81)
Bulgaria, Iceland, and Italy ³			100	100	100	100	200
Others		GN	20	-	20	-	-

¹ Figures in brackets () are estimated only; include estimated fishing days outside the Convention Area.

² Figures for the PT gear categories are for days fishing by pairs of trawlers.

³ Allocation for Bulgaria, Iceland, and Italy as a group = days fished per effort management area, irrespective of vessel tonnage or gear used.

- continued

Table - continued

DEFINITIONS OF ABBREVIATIONS

OT = otter trawl
MWT = midwater trawl
LL = longline
PT = pair trawl
GN = gill net



Serial No. 3748
(B.e. 76)

Proceedings No. 6

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Special Meeting of Panel A (Seals)

Thursday, 22 January, 0905 hrs

1. Opening. The meeting was called to order by Mr K. Henriksen (Canada) in the absence of the Chairman of the Panel, Mr K. Vartdal (Norway). All Panel Member Countries were present, with the USA as an Observer (Appendix I).
2. Mr J.S. Beckett (Canada) was appointed Rapporteur.
3. The Agenda (Appendix II) was adopted as circulated.
4. Report of Scientific Advisers to Panel A (Seals). The Chairman noted that the November and December meetings of the Scientific Advisers to Panel A had been discussed at the Special Meeting of Panel A in Bergen, 12 December 1975 (Appendix V). There was no discussion or comment.
5. Conservation Measures for Hooded Seals. The delegate of Canada expressed his apologies to the Danish delegation for having to ask for the delay in reaching a decision on conservation measures for both hooded and harp seals, and thus creating this additional meeting. He noted, however, that the Canadian and Norwegian delegations had been able to meet and were agreed on a joint proposal for the TAC for hooded seals on the "Front" to be set at 15,100 animals in 1976. The Panel Members agreed with this proposal. The Panel agreed to national allocations proposed jointly by Canada and Norway as follows:

Norwegian ships on the "Front"	9,000
Canadian ships on the "Front"	6,000
Others	<u>100</u>
Total	15,100

It was further agreed that, in order to prevent inaccurate shooting due to poor light conditions, hunting of hooded seals should be limited to the period between 1000 and 2300 GMT up to 31 March 1976, and to the period 0900-2400 GMT thereafter. Panel A, therefore,

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (4) for international regulation of the fishery for hooded seals, by catch quota and time of day, in the "Front" Area of the Convention Area (Appendix III).

6. Conservation Measures for Harp Seals. The delegate of Canada noted that the conservation measures for harp seals had been subject to intensive scientific discussion, and presented a joint Canadian-Norwegian proposal that the TAC for harp seals should be set at 127,100 animals, mostly pups, in 1976. He stated that this figure would provide satisfactory protection for the stock since the TAC was for one year only and that expanded research was to be carried out in 1976.

The delegate of Norway stressed that a lowering of the TAC in 1976 would be for one year only and that the TAC could be modified in subsequent years according to the scientific assessment of the stock.

The Panel accepted this proposal and the delegate of Denmark expressed his pleasure that it had proved possible to reach agreement. He felt that the recommended TAC would not endanger the stock.

On the subject of the national allocation of the TAC for harp seals, the Panel accepted a joint Canada/Norway proposal that provided the following allocations:

Norwegian vessels in the "Front"	44,667
Canadian vessels in the "Front"	52,333
Estimated catch in the "Front" and "Gulf" Areas by Canadian small vessels and landsmen	30,000
Others	<u>100</u>
Total	127,100

Panel A, therefore,

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (4) for international regulation of the fishery for harp seals, by catch quota in the "Front" and "Gulf" Areas of the Convention Area (Appendix III).

7. Future Research Requirements. The Chairman noted the research plans discussed at the Bergen Meeting and the delegate of Canada drew attention to the Danish suggestion, at that Meeting, that working papers and research results should be presented well in advance of any meeting to allow thorough study beforehand.

The delegate of Denmark inquired about proposed Norwegian and Canadian cooperative research on simulation studies. No information concerning the development of this program was available, but it was noted that the other Panel Member should be kept informed.

The delegate of Canada announced that his country would be expanding its aerial census of the seals in the "Front" Area in 1976.

8. Approval of Panel Report. It was agreed that this would be done by circulating the draft, before submission to the Commission.

9. Next Meeting. After discussion, it was agreed that, while a brief meeting should be held at the time of the Annual Commission Meeting, it would be too soon after the sealing season for research results to be available to the Scientific Advisers. It was agreed that a subsequent meeting should be held later in the year, after the proposed meeting of the Scientific Advisers in Copenhagen in October. Details of the later meeting will be determined at the time of the 26th Annual Meeting of the Commission in June. It was further agreed that it was not anticipated that the Scientific Advisers would be asked to advise the Panel at the June Meeting, although any Panel Member could request that they do so. In such event, it was agreed that ample warning should be given to the scientists.

10. Other Business. The delegate of Canada noted that the TACs and national allocations for 1976 would not normally come into effect for six months. Therefore, the Panel agreed to adopt a resolution (3) calling for voluntary adherence to the decisions of the Commission concerning the conservation of harp and hooded seals (Appendix IV).

11. Adjournment. The Panel adjourned at 0935 hrs.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Special Meeting of Panel A (Seals)

List of Participants

(Head of Delegation underlined)

Acting Chairman: Mr K. Henriksen, H.B. Nickerson & Sons Ltd., P.O. Box 130, North Sydney, N.S.

CANADA

Commissioner:

Mr K. Henriksen, H.B. Nickerson & Sons Ltd., P.O. Box 130, North Sydney, N.S.

Advisers:

Mr J.S. Beckett, International Fisheries Directorate, Fisheries and Marine Service, Environment Canada,
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Mr J.E. Creeper, Fisheries Management (Maritimes), Fisheries and Marine Service, Environment Canada, P.O.
Box 550, Halifax, N.S. B3J 2S7

Dr M.P. Shepard, International Fisheries Policy, Fisheries and Marine Service, Environment Canada, 580 Booth
Street, Ottawa, Ont. K1A 0H3

Mr W. Short, N.F.F.A.W.U., P.O. Box 5158, St. John's, Nfld.

Mr G.C. Slade, Newfoundland Department of Fisheries, 4th Floor, Viking Bldg., St. John's, Nfld.

DENMARK

Commissioner:

Mr E. Lemche, Ministry for Greenland, Høusegade 3, DK-1128 Copenhagen K

Adviser:

Mr Sv.Aa. Horsted, Grønlands Fiskeriundersøgelse, Jaegersborg Alle 1B, DK-2920 Charlottenlund

NORWAY

Commissioners:

Mr K. Raasok, Ministry of Fisheries, Oslo

Mr H. Rasmussen, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen

Advisers:

Mr N. Bølset, Utenriksdepartementet, Oslo

Mr L. Grønnevet, 6170 Vartdal

Mr P.L. Mietle, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen

OBSERVER

USA

Mr J.C. Price, Office of International Fisheries, National Marine Fisheries Service, NOAA, US Department of
Commerce, Washington, D.C. 20235

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Special Meeting of Panel A (Seals)

Agenda

1. Opening by Chairman
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Report of Meetings of Panel and Scientific Advisers, November and December 1975 (Summ.Doc. 76/VI/3)
5. Conservation Measures for Hooded Seals
6. Conservation Measures for Harp Seals
7. Future Research Requirements
8. Approval of Panel Report
9. Next Meeting
10. Other Business
11. Adjournment

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(4) Proposal for International Regulation Respecting the Protection of Seals in the "Gulf" and "Front" Areas of the Convention Area

Panel A recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That the International Regulation Respecting the Protection of Seals in the "Gulf" and "Front" Areas of the Convention Area, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, page 91) and entered into force on 11 January 1975, and amended at the Twenty-Fifth Annual Meeting (June 1975 Meeting Proceedings No. 12, page 244) and entered into force on 16 January 1976, be replaced by the following:

- "1. That the Contracting Governments take appropriate action to ensure that, for the year 1976 only, the total allowable catch in the "Front"¹ and "Gulf"² Areas be 127,100 harp seals, *Pagophilus groenlandica*, including a quota of 52,333 for Canada, 44,667 for Norway, and 100 unallocated, and an estimate of 30,000 harp seals to be caught by indigenous non-mobile fisheries of the "Front" and "Gulf" Areas.
- "2. That the Contracting Governments take appropriate action to ensure that, for the year 1976 only, the total allowable catch in the "Front" Area be 15,100 hooded seals, *Cystophora cristata*, including a quota of 6,000 for Canada, 9,000 for Norway, and 100 unallocated.
- "3. That the Contracting Governments take appropriate action to ensure that the open season in the "Front" Area for the taking of harp seals shall commence not earlier than 0900 hours GMT on 12 March 1976 and terminate not later than 2400 hours GMT on 24 April 1976, and for the taking of hooded seals shall commence not earlier than 1000 hours GMT on 22 March 1976 and terminate not later than 2400 hours GMT on 24 April 1976.
- "4. That Contracting Governments take appropriate action to prohibit the killing of adult (harp) seals in whelping patches in the "Gulf" and "Front" Areas.
- "5. That Contracting Governments take appropriate action to prohibit the killing, by vessels in the "Front" Area during the open season each day, of harp seals between the hours 2400 GMT and 0900 GMT, and of hooded seals between the hours 2300 GMT and 1000 GMT up to 31 March and between the hours 2400 GMT and 0900 GMT thereafter.
- "6. That Contracting Governments take appropriate action to prohibit the killing of whelping hooded seals in Davis Strait from vessels of over 50 gross tons.
- "7. That the Proposal for Management of the International Quota Regulations, adopted by the Commission in Plenary Session on 14 June 1974, shall not apply."

¹ All the waters of the Strait of Belle Isle and the Atlantic Ocean east of a straight line between the lighthouse at Amour Point on the east coast of Labrador and the lighthouse on Flowers Island in Flowers Cove, Newfoundland.

² All the waters and territories west of a straight line between the lighthouse at Amour Point on the coast of Labrador and the lighthouse on Flowers Island in Flowers Cove, Newfoundland.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

- (3) Resolution Relating to the Implementation of the Proposal for International Regulation Respecting the Protection of Seals in the "Gulf" and "Front" Areas of the Convention Area

Panel A recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that the proposal for the protection of seals designed to achieve the conservation and optimum utilization of the stocks of seals in the Convention Area has been adopted on 26 January 1976;

Bearing in Mind that the regulation is intended to come into force on 12 March 1976 and remain in force throughout 1976;

Taking into Account that, under Article VIII of the Convention, as amended, this proposal would not enter into force until six months after the date of the notification from the Depositary Government transmitting the proposal to the Contracting Governments, which could not occur before late July 1976, at the earliest; it would, therefore, not come into effect during the open season;

Having Considered that the purpose of the Convention is to promote the conservation and optimum utilization of the seal stocks on the basis of scientific investigation, and economic and technical considerations, and that this purpose cannot be successfully achieved unless the proposal referred to above is applied from 12 March 1976;

Recognizing that, in order to achieve the purposes and objectives of the Convention, sealing activity in the Convention Area must be conducted in accordance with this proposal from 12 March throughout 1976;

1. Invites the attention of Contracting Governments to the above matters;
2. Stipulates that the proposal referred to above should apply in 1976;
3. Requests Contracting Governments whose vessels conduct sealing operations in the area to implement the proposal on 12 March 1976;
4. Expects that Members of Panel A will conduct their sealing operations in accordance with the proposal beginning on 12 March 1976, unless any of the Members of the Panel notifies an objection to the Depositary Government prior to that date.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Report of Special Meeting of Panel A (Seals)
Bergen, Norway, 12 December 1975

1. Opening. The meeting was called to order by the Chairman of the Panel, Mr K. Vartdal (Norway), who welcomed the participants and referred briefly to meetings of the Canada-Norway Sealing Commission on 11-12 December 1975, and of the Scientific Advisers to Panel A in Ottawa, 17-19 November 1975 (Redbook 1976, Part D.6) and in Bergen, 9-10 December 1975 (Redbook 1976, Part D.7). Representatives of all Member Countries of the Panel were present (Annex 1).
2. The Executive Secretary was appointed Rapporteur.
3. Agenda. The Agenda as circulated was adopted (Annex 2).
4. Reports of Meetings of Scientific Advisers. Dr A.W. Mansfield (Canada), Chairman of the Scientific Advisers, was asked to review the Reports of the Ottawa (Redbook 1976, Part D.6) and Bergen (Redbook 1976, Part D.7) meetings of the Scientific Advisers. Dr Mansfield pointed out that the report of the Bergen meeting was more pertinent and presented the scientists' findings with regard to the hooded and harp seal stocks. He noted that the scientists had agreed that it would be prudent to leave the total allowable catch for hooded seals at the present level of 15,100. But, however, there was no unanimous agreement on a total allowable catch for the harp seal, owing to uncertainties in the data available. The Chairman thanked Dr Mansfield on behalf of the Panel for the work of the Scientific Advisers at Ottawa and Bergen and requested any comments on the reports. The delegates of Canada and Norway also expressed their sincere thanks for the work carried out by the scientists and agreed on the need for an increase in scientific effort. The delegate of Denmark also agreed to do as much research as possible within the limits of funds made available.
5. Conservation Measures for Harp and Hooded Seals. The Chairman requested comments from the Panel Members. The delegate of Canada stated that, although thorough consideration had been given to the results of the scientific meeting by the Canadian and Norwegian delegations in another forum, the two delegations had as yet been unable to form a common view regarding TACs and national allocations. It was Canada's view that the best chance for reaching agreement would be provided by allowing more time for consultations between the two countries. It was hoped that Denmark would understand the reasons for the delay and would accept postponement of discussion in the interests of reaching an agreement satisfactory to all sides. It was suggested that any decision be postponed to another meeting of Panel A to be held during the period of the Eighth Special Commission Meeting beginning 21 January 1976 at FAO in Rome. The delegate of Norway agreed to the Canadian suggestion. The delegate of Denmark pointed out that Denmark would have liked to have seen an agreement reached from the Canada-Norway Sealing Commission meeting, but that she was prepared to accept a postponement in the interests of achieving a satisfactory solution of the problem. A request was made to know something more about the differences of the positions of Canada and Norway which had prevented a decision being taken at this time. The Chairman noted that it was wise not to take a vote now if Canada and Norway could not agree. He hoped that further discussions between Canada and Norway would effect a compromise and requested that Canada and Norway report more of the details of their positions. The delegate of Canada expressed appreciation of Denmark's understanding and willingness to postpone a decision. Canada noted that the Canadian scientific reports gave TACs below the present TAC of 150,000 for harp seals (a range of 90,000 to 127,000). It was pointed out that, although some Canadian scientists acknowledged uncertainties in the information and that maintenance of the TAC for harp seals at 150,000 might not unduly damage the stocks, all Canadian scientists felt that the TAC should be lowered and this was Canada's position. There had been a sorry history of management of fish stocks in the ICNAF Area where upper limits of ranges of TACs proposed by scientists had consistently been chosen and had been proven too high. It was, therefore, prudent to give further consideration to both the harp and hooded seal conservation requirements. The delegate of Norway expressed understanding of the Canadian position and feeling regarding the fish stocks in the ICNAF Area, but felt that the Commission was in a better position with regard to seals where more complete and precise data have been reported for a long period of time. Concerning a TAC, the Norwegian position was to go along with the advice from the majority of the scientists. It was pointed out that the economic position of the sealing industry made it difficult to reduce the possibilities for sealing. More time was needed to consider the industry's problem. The understanding and willingness of Denmark to postpone a decision was acknowledged. The delegate of Denmark reported that it was in the interest of the Greenland hunters to allow more seals to escape from the fisheries in the south. Therefore, a low TAC was preferred. The Danish position could be associated with the Canadian position, but it was thought best to have a reasonable compromise reached at a further meeting to be held within the time allocated for the Eighth Special Commission Meeting in Rome. The Chairman noted the agreement of the Panel Members to delay a decision on conservation requirements for both the harp and hooded seal stocks.

6. Research Requirements. The Chairman noted that research requirements had been reported in meetings of Scientific Advisers and that Canada, Denmark, and Norway would press for more funds for additional research. The delegate of Denmark pointed out that the last two meetings of the scientists had been very fruitful, as there had been time to study the presentations, and that it was very important that working papers and research results should be presented well in advance of the next meeting for thorough study. The delegate of Canada agreed that good progress had been made in the scientific studies and that reports should be presented early for detailed study.
7. Approval of Report. The Panel agreed upon a draft of the Report which was prepared for consideration by the Panel before adjournment.
8. Time and Place of Next Meeting. The Panel agreed that the Executive Secretary be requested to arrange for a special meeting of the Panel on Thursday, 22 January 1976, during the time of the Eighth Special Commission Meeting in Rome.

The delegate of Denmark extended a welcome to the Scientific Advisers to meet in Copenhagen after the ICES meeting which was being held from 4 to 13 October 1976, to be followed by a meeting of the Panel if it was considered necessary. This invitation was gratefully accepted by the Panel.
9. Other Business. There being no other business, the Chairman and the delegates of Canada and Norway joined in expressing their gratitude to the delegate of Denmark for attending the meeting and for his understanding of the difficulties which made it necessary to postpone a decision on the conservation measures for the hooded and harp seal stocks at this time.
10. Adjournment. The Special Meeting of the Panel adjourned at 1400 hrs, 12 December 1975.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Special Meeting of Panel A (Seals)
Bergen, Norway, 12 December 1975

List of Participants

(Head of Delegation underlined)

Chairman: Mr K. Vartdal, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen, Norway

CANADA

Commissioner:

Mr K. Henriksen, H.B. Nickerson & Sons Ltd., P.O. Box 130, North Sydney, N.S.

Advisers:

Mr L.J. Cowley, Fisheries Management (Nfld) Branch, Fisheries and Marine Service, Environment Canada, P.O. Box 5667, St. John's, Nfld. A1C 5X1
Mr T. Curran, Fisheries and Marine Service, Environment Canada, Goose Bay, Labrador
Capt M. Johnson, Johnson Combined Enterprises Ltd., Catalina, Nfld.
Mr P.F. Lett, Fisheries and Marine Service, Environment Canada, Biological Station, St. Andrews, N.B. E0G 2X0
Dr A.W. Mansfield, Fisheries and Marine Service, Environment Canada, Arctic Biological Station, P.O. Box 400, Ste. Anne de Bellevue, P.Q. H9X 3L6
Dr B.S. Muir, Resource Branch, Fisheries Management Maritimes, Fisheries and Marine Service, Environment Canada, P.O. Box 550, Halifax, N.S. B3J 2S7
Dr D.E. Sergeant, Fisheries and Marine Service, Environment Canada, Arctic Biological Station, P.O. Box 400, Ste. Anne de Bellevue, P.Q. H9X 3L6
Capt A.M. Shaw, Mayhaven Shipping Ltd., 6676 Second Street, Halifax, N.S.
Dr M.P. Shepard, International Fisheries Policy, Fisheries and Marine Service, Environment Canada, 580 Booth Street, Ottawa, Ont. K1A 0H3
Mr G.C. Slade, Department of Fisheries, 4th Floor, Viking Bldg., St. John's, Nfld.

DENMARK

Commissioner:

Mr E. Lemche, Ministry for Greenland, Hausergade 3, DK-1128 Copenhagen K

Advisers:

Mr Sv.Aa. Horsted, Grønlands Fiskeriundersøgelse, Jaegersborg Allé 1B, DK-2920 Charlottenlund
Mr F.O. Kapel, Grønlands Fiskeriundersøgelse, Jaegersborg Allé 1B, DK-2920 Charlottenlund

NORWAY

Commissioner:

Mr H. Rasmussen, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen

Advisers:

Mr E. Aas, Ministry of Fisheries, Oslo
Mr S. Engesaeter, Economic Section, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen
Mr T. Gisleen, Ministry of Foreign Affairs, Oslo
Mr B. Hundven, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen
Capt G. Jakobsen, Norwegian Fishermen's Association, P.O. Box 567, 9001 Tromsø
Mr O.H. James-Olsen, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen
Dr Aa. Jongsgaard, Institute of Marine Zoology and Limnology, University of Oslo, Oslo
Mr P. Karlsen, Norwegian Fishermen's Association, 6062 Brandal
Mr P. Kibsgaard-Petersen, Association of Norwegian Fishing Vessel Owners, P.O. Box 122, N-6001 Aalesund
Mr P.L. Mietle, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen
Mr T. Øritsland, Institute of Marine Research, P.O. Box 2906, 5011 Bergen
Mr L. Sørensen, c/o G.C. Rieber & Co., Bergen

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Special Meeting of Panel A (Seals)
Bergen, Norway, 12 December 1975

Agenda

1. Opening by Chairman, Mr K. Vartdal (Norway)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Report of Meetings of Scientific Advisers, 17-19 November 1975 and 9-10 December 1975 - Chairman of Scientific Advisers, Dr A.W. Mansfield (Canada)
5. Conservation measures for:
 - a) harp seals
 - b) hooded seals
6. Research required
7. Approval of Panel Report
8. Next Meeting
9. Other Business
10. Adjournment

International Commission for



the Northwest Atlantic Fisheries

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EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Meetings of Panel 5

Wednesday, 22 January, 1420 hrs

Thursday, 23 January, 1440 hrs

Friday, 24 January, 0925 hrs

1. Opening. The meeting was convened by the Chairman, Mr Wm.L. Sullivan Jr (USA). All members of the Panel were represented. The UK was represented by observers.
2. Rapporteur. Mr J.S. Beckett (Canada) was appointed Rapporteur.
3. Agenda. The Chairman noted that the Panel should consider Items 6(c) and 6(d), 1976 TACs and allocations for herring stocks in Div. 5Y and in Div. 5Z and Statistical Area 6, respectively.
4. TAC for Herring in Div. 5Z and Statistical Area 6. The Chairman referred to Comm.Doc. 76/I/5 and the Report of STACRES (Redbook 1976, Part B, Appendix II), and noted the scientific recommendation that the TAC should not exceed 60,000 metric tons.

The delegate of USA reviewed the main agenda items before the Eighth Special Meeting of the Commission, and stated that the treatment of the problems would affect the actions of the USA, both in the short term and in the future when managing within an anticipated economic zone. He noted that a number of fisheries in the ICNAF and NEAFC Areas had collapsed, and that the herring fishery in Div. 5Z and Statistical Area 6 might well be in danger of collapse. The delegate of USA traced the decline of this herring fishery (373,598 tons in 1968, 149,000 in 1974). He commented that, rather than rebuilding the stock, there had been a decline during the four years of management to a level only 40% of the Commission's own management goal. He noted that there had been poor recruitment since the strong 1970 year-class, and quoted the STACRES Report that a TAC of 40,000 tons would only allow slight rebuilding. He urged the Panel to take a responsible attitude and adopt this lower TAC. The delegate of USSR proposed a TAC of 60,000 tons, the maximum recommended by STACRES, since even this reduction would cause grave economic difficulties for the Soviet fishing fleet. The delegate of Poland supported the proposal of the USSR since a TAC of 40,000 tons would, according to the STACRES Report (Fig. 4), produce very little increase in the stock size. The delegates of Romania and Japan also supported a TAC of 60,000 tons, as did the delegate of GDR who noted that herring was of great importance to the GDR for domestic use. He stated that the GDR would support any reasonable conservation measure but that STACRES had fully discussed the situation and a TAC of 40,000 tons would not benefit the stock very much compared to a TAC of 60,000 tons. The delegate of Canada noted that the Commission too often took the upper limit of a range of TAC values, and that, since 60,000 tons was the maximum TAC recommended by STACRES, a smaller TAC would actually be in accord with the recommendation. The delegate of FRG commented that the declines in NEAFC Area herring stocks were due to fishing juveniles rather than to over-fishing adults. He pointed out that STACRES had reported that a constant TAC of 60,000 tons would allow rebuilding of the stock over the years, once a strong year-class was produced. He suggested that the Panel should adopt a TAC at that level with some additional constraints, following the suggestions on management strategies in the STACRES Report. The delegate of Cuba, supported by the delegate of France, agreed that the TAC should be kept low to maximize the benefit of any future strong year-class, but that, since 60,000 tons represented a 60% reduction from the TAC in 1975, this should be the level in 1976. He also noted that, contrary to earlier thinking, Cuba would not carry out a directed fishery in the relevant area. The delegate of USA could accept a TAC of 60,000 tons, provided there was also agreement on constraints and that the TAC for 1977 and subsequent years would be 60,000 tons, or less, depending upon the status of the stock until the MSY level was achieved. This was supported by the delegate of Canada. The delegate of Cuba suggested that no definite constraints should be adopted with regard to future TACs since the Panel would react responsibly to the situation as it developed. The delegate of USA expressed his sympathy of this view in other circumstances. He noted, however, that the only positive action by the Commission had involved commitments taken some years ahead. The delegate of Bulgaria supported a TAC of 60,000 tons. The delegate of USSR noted that there was some uncertainty about the strength of the 1974 year-class. This could improve the situation rapidly, as noted by STACRES. He suggested the matter be left to the STACRES meeting in April 1976, at which time the results of the spring juvenile surveys would be available. The delegate of USA noted that the 1974 year-class would not enter the adult fishery until 1978, and that spring juvenile surveys did not give a complete picture of the strength of new year-classes.

The Chairman then read the following paragraph that he had drafted as a possible expression of the idea of constraint on future TACs as supported by some delegates:

"That the Commission shall establish a level of catch for the herring stock in Div. 5Z and Statistical Area 6 for subsequent years which will maintain the adult stock at a level of at least 225,000 tons, and that the TAC will be set at 60,000 tons or less until such time as the adult stock reaches the level of 500,000 tons. Thereafter, the Commission will set the TAC so as to maintain the adult stock at a level of at least 500,000 tons."

The delegate of USSR questioned the need for such constraints, considering the fact that a good year-class would result in very rapid recovery. He, therefore, considered that a decision should be delayed, since the available information might increase and certainly would not decrease. The delegate of USA reiterated that the 1974 year-class would not recruit to the adult spawning stock until 1978, a view confirmed by the Chairman of STACRES. The delegate of USSR contended that the herring management strategy in the area was being weakened by the intensive fishing for juveniles in the Gulf of Maine, although he noted that the connection between these juveniles and the adult herring on Georges Bank had not been definitely proven. The delegate of USA responded that the sardine fishery had been in existence for over 100 years, but its continuation was a conscious management strategy, and that it was, in fact, the development of foreign fishing that had depleted the stock. He felt that he was being forced to revert to his original proposal for a TAC of 40,000 tons. The delegate of Canada supported this and noted that the abundance of adult herring had been maintained for a century since the development of the juvenile fishery. The matter had been considered by STACRES some years previously and no scientific basis had been found for closing the juvenile fisheries.

The Chairman proposed a vote be taken on a TAC of 60,000 tons including a constraint on the level of TACs in future years.

Panel 5 unanimously accepted a TAC of 60,000 tons with the constraint paragraph as above.

5. Allocation of TAC in Div. 5Z and Statistical Area 6. The delegates of Japan and Romania expressed concern over the size of the allocation to the "Others" category, while the delegate of Cuba requested an allocation of 1,500 tons to cover by-catch. The delegate of FRG noted that neither Canada nor the USA had caught their quotas in recent years and produced the allocations that would result from pro-rated reductions of the 1975 allocations (Canada 800, FRG 9,500, GDR 12,460, Poland 15,360, USSR 16,840, USA 3,360, and Others 1,680). The allocations for the coastal states could, however, be set in the range of their present catches. This was supported by the delegate of USSR. The delegate of USA reported that a careful analysis of the needs of the US herring catching and processing industry, in light of the reduction in stocks elsewhere, indicated the need for a very substantial increase in the US quota from this stock to 25,000 tons. The delegate of Canada stated that, despite being a coastal state in the area and having a 10-year average catch of 3,415 tons, Canada could accept an allocation of 2,000 tons. The delegate of Japan referred to the overrun of the "Others" quota in 1975 and advocated improvement in the reporting system to prevent an overrun in 1976. The delegate of Romania noted that, in 1975, only two Romanian vessels took herring in the area and that their catches were regularly reported to ICAAF. Furthermore, they ceased fishing when told by ICAAF inspectors that the "Others" quota was nearly filled. He stated that he could not accept a pro-rated reduction because the smaller fleets would then be eliminated from the fishery. The delegate of USA suggested that, since the TAC was so small, it might be allocated, except to USA and Canada, on a by-catch basis only. The delegate of FRG noted that the FRG fishery was a directed fishery for herring with no by-catch. He stated that he could not accept so high an allocation to the USA, but could accept that the TAC be managed by closing the fishery for the first six months of the year, except for the coastal states, and then opening it to all other states under an "Others" category. This suggestion was supported by the delegates of Japan and Italy who noted that such a decision, if adopted, should not become a precedent. The delegate of USA noted the pitfalls of an "Others" category such as the 1975 quota overrun, while the delegate of Poland stated that he could not accept the suggestion. The Polish fleet fishes mackerel in the first part of the year, and in the last quarter, and takes herring as a by-catch, thus necessitating some quota both early in the year and also at the end of the year when an "Others" quota might already be filled. The delegate of GDR emphasized the drastic economic effects of the reduction in TAC and stated that he could not accept any allocation except pro-rating the reduction between all countries other than the coastal states. He hoped that the latter would reduce their demands, and warned that an overall "Others" category would be dangerous. The delegate of France noted that French catches had amounted to 3,000 tons during the past three years using two vessels. It was vital to have at least one vessel fishing and 2,000 tons would be an adequate quota. The delegate of FRG noted that his country also had special needs. FRG and GDR had renounced their herring quota in Div. 5Y in 1975 in the hope of getting some compensation in Div. 5Z and Statistical Area 6. Furthermore, in order to match FRG's second-tier quota, she would need 11,100 tons of herring since, in past ICAAF meetings, the principle had been applied that the sum of single species quotas should not be less than the second-tier quota. The delegate of Bulgaria supported the concept that the coastal states be allocated more moderate quantities and the remainder of the TAC be allocated on a proportionally reduced basis.

6. Panel 5 recessed at 1840 hrs, 22 January.

7. Panel 5 reconvened at 1440 hrs, 23 January.

8. Consideration of US Proposal for Allocation of TAC for Herring in Div. 5Z and Statistical Area 6. The delegate of USA presented a table of estimated herring by-catches and a draft proposal that called for division of the TAC over two six-month periods; national allocations for the first six months based primarily on the needs of the different fleets in terms of by-catch in other fisheries; and allocations for the last half of the year to be decided at the Annual Meeting. He indicated that the proposed allocation to FRG was based, in part, on the special case of their fishery which was a directed one and also on the FRG's need for fish to match their second-tier quota. He also noted that the proposal was based on suggestions made in earlier discussions on the subject and that it would protect the smaller national fisheries despite the lower TAC. The proposal was, however, dependent on the decision concerning the TAC in 1976 and subsequent years already agreed to by the Panel. The delegate of Poland stated that the allocations for the larger fisheries should be pro-rated from 1975 although he could accept the allocations proposed by the USA for the coastal states and countries with small fisheries. He suggested figures of FRG 3,000 tons, GDR 3,900 tons, Poland 4,850 tons, and USSR 5,250 tons. He questioned the accuracy of the by-catch table, noting that in Polish fisheries the rate of herring by-catch in the area varied 2-20% by month. The delegate of USSR stated that he could not accept any exemption for coastal states to the by-catch only provision of the proposal and, in fact, he believed that directed fisheries should be permitted up to the limit of any country's allocation. He noted that the by-catch table gave figures for USSR fisheries which were much too high. The delegate of Cuba stated that Cuban fisheries would need a by-catch allocation of 800 tons during the first half of the year, particularly since Cuban experience indicated a by-catch of 10-15% in the mackerel fishery. He expressed concern that the amount of by-catch permitted on board, in the proposal, was too low to allow Cuban vessels to operate in conformity with it. The delegate of Romania could accept the proposal but he believed it would only defer many of the problems to the Annual Meeting. The delegate of Japan stated that he could accept the proposal on the understanding that a reasonable allocation would be granted Japan for the second half of the year. The delegate of GDR stated that the quotas determined at the Annual Meeting must be pro-rated for all countries other than the coastal states. The delegate of FRG stressed that, if allocations were to be made on a pro-rated basis, this should apply to all, whereas in the proposal the allocations to countries previously fishing under "Others" were not reduced in proportion to the reduction in the TAC. He suggested that allocations should be determined for both halves of the year at the present meeting in order to prevent problems at the Annual Meeting. He stated that the FRG would require fair treatment at the meeting and reiterated the FRG's need for quotas to match the second-tier quota. He noted that the Commission's policy has been to reduce by-catches and questioned the rationale of reducing directed fisheries in favour of by-catch allocations. The delegate of France noted that France had a second-tier quota of 2,950 tons and would be unable to support any second period allocation that did not provide an adequate quota for the operation of one vessel, perhaps 2,000 tons. The delegate of Canada spoke in favour of the proposal. The delegate of USA, in response to the many comments, noted that they had been very helpful but that it was difficult to include the many provisos in a regulation and asked that their inclusion in the record of the meeting be taken as an adequate expression of the concern of the various countries. He suggested that a small working group consider some of the points raised. This suggestion was accepted with the delegate of Romania stressing that the interests of small fleets should be taken into account at the Annual Meeting. Delegates of USA, USSR, Poland and Japan agreed to sit on the working group to consider provisions concerning directed fisheries, and by-catch on board.

9. Proposed Modifications to US Proposal for Allocations of TAC for Herring in Div. 5Z and Statistical Area 6. The Working Group reported back to Panel 5 after a short break, and the delegate of USA presented modifications to the proposal, particularly in permitting certain directed fisheries and increasing the by-catch allowance to 7.5%. These modifications were generally accepted, although the delegate of Cuba was concerned that the by-catch allowance was not high enough for the mackerel fishery. He proposed an allowance of 10% for a vessel fishing mackerel but withdrew the proposal after discussion. The delegate of Poland appealed for a higher allocation since the proposed quota for Poland was reduced by a higher percentage than for any other country. He accepted the suggestion of the delegate of USA that the Polish concern be included in the minutes for fuller consideration at the Annual Meeting. The delegate of FRG referred to his earlier interventions and suggested that certain restrictions be placed on the allocations to countries normally in the "Others" category, or that they be included in an "Others" category somewhat smaller than the aggregate of the proposed allocations.

The proposal was then modified to include the TAC of 60,000 tons for 1976 and adopted by the Panel by a vote of 11 countries in favour, 1 abstaining, and 1 not voting. Panel 5, therefore,

agreed to recommend

that the Commission transmit to the Depositary Government for joint action by the Contracting Governments proposal (5) for international regulation of the fishery for herring in Division 5Z of the Convention Area and Statistical Area 6 (Appendix I).

10. TAC for Herring in Div. 5Y. The delegate of USA noted that STACRES had assessed the herring stock in Div. 5Z and Statistical Area 6 on two different assumptions concerning the strength of recruitment and thus had presented a range of recommended values for the TAC. Panel 5 had adopted a TAC consistent with the upper limit of this range. In assessing the Div. 5Y herring stock, STACRES had, however, only used the more conservative estimate of recruitment and was recommending a TAC of 4,000 tons. The delegate of USA believed

that utilization of the same assumption for Div. 5Y herring, as had been used in producing the TAC adopted for Div. 5Z and Statistical Area 6, would result in a range of possible TACs for Div. 5Y up to 7,000 tons. He requested that STACRES be asked to immediately re-examine their findings and quoted the precedent set at the 1973 Special Meeting in Rome when Panel 4 considered Div. 4XWb herring.

11. The Panel agreed that STACRES be asked to re-analyze their findings. Panel 5 recessed at 1740 hrs, 23 January.

12. Panel 5 reconvened at 0925 hrs, 24 January.

13. The Chairman of the Assessments Subcommittee presented the report of the re-analysis by STACRES of the Div. 5Y herring stock, utilizing a different assumption of the strength of the 1973 year-class (Proc. 1). The re-analysis indicated that the TAC could be as high as 7,000 tons and yet be consistent with the Commission's management goal. The delegate of USA expressed his gratitude to the members of STACRES for their effort and proposed a TAC of 7,000 tons. Panel 5 agreed unanimously to recommend to the Commission that the TAC for herring in Div. 5Y in 1976 be 7,000 tons.

14. Allocation of the TAC for Div. 5Y Herring. The delegate of USA proposed allocations of 950 tons to Canada, 6,000 tons to USA and 50 tons to "Others". The delegate of Canada expressed his reluctant support. The delegate of FRG noted that, having once had a directed fishery in the area, he hoped that FRG would be able to obtain a quota in the future, should the state of the stock improve. After determining that 50 tons was adequate for any by-catches in the area, partly due to a large part of the area being closed to all but coastal vessels, the Panel agreed to the proposed allocations, subject to review at the 26th Annual Meeting and to inclusion in the proposal of language concerning immediate implementation of any changes. Panel 5, therefore,

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (6) for international regulation of the fishery for herring in Division 5Y of the Convention Area (Appendix II).

15. Panel 5 adjourned at 1010 hrs, 24 January.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(5) Proposal for International Quota Regulation of the Fishery for Herring in Division 5Z of Subarea 5 of the Convention Area and in Adjacent Waters to the West and South within Statistical Area 6

Panel 5 recommends that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

"1. That the Contracting Governments take appropriate action to regulate the catch of herring, *Clupea harengus* L., by persons under their jurisdiction fishing in Division 5Z of Subarea 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6, so that the aggregate catch of herring by persons taking such herring shall not exceed 30,000 metric tons in the period 1 January to 30 June 1976, or 60,000 metric tons in 1976.

"2. That Competent Authorities from each Contracting Government listed below shall limit in the period 1 January to 30 June 1976 the catch of herring taken by persons under their jurisdiction to the amounts listed from Division 5Z of Subarea 5 and adjacent waters to the west and south within Statistical Area 6:

Bulgaria	500	metric	tons
Canada	1,000	"	"
Cuba	500	"	"
France	500	"	"
Federal Republic of Germany	4,000	"	"
German Democratic Republic	4,000	"	"
Japan	500	"	"
Poland	4,000	"	"
Romania	500	"	"
USSR	5,000	"	"
USA	9,400	"	"
Others	100	"	"

30,000 metric tons

Provided, however, that persons under the jurisdiction of any Contracting Government who do not take the total amount of herring in the amounts mentioned above during the period 1 January to 30 June 1976 may take herring in the amounts remaining available within those amounts listed above during the period 1 July to 31 December 1976, in addition to any quotas allocated by subsequent action of the Commission.

"3. Notwithstanding the provision of paragraph 2 above, it is understood that no Contracting Government will permit a directed fishery for herring in the period 1 January to 30 June 1976, except with purse seines or vessels of less than 110 feet (33.5 meters).

"4. To minimize the risk of exceeding the amounts listed in paragraph 2 above and in order to avoid impairment of fisheries conducted for other species and which take herring incidentally, that the Contracting Governments limit persons under their jurisdiction to have in possession on board a vessel fishing for other species (either at sea or at the time of off-loading) herring caught in Division 5Z of Subarea 5 and in adjacent waters to the west and south within Statistical Area 6 in amounts not exceeding 7.5 percent by weight of all fish on board. Should it be observed during an inspection under the Scheme of Joint International Enforcement that a vessel is taking herring in amounts greater than that permitted during the first 72 hours of fishing since entering the fishery within the region specified in paragraph 1 above, the inspector shall note this fact on the Report of Inspection and bring it to the attention of the master. Such observation in itself shall not be considered an infringement.

"5. That the Contracting Governments take appropriate action to regulate the catch of herring, *Clupea harengus* L., by persons under their jurisdiction fishing in Division 5Z of Subarea 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6, so that the aggregate catch of herring by vessels from this stock shall not exceed in the period 1 July to 31 December 1976 the amount which is decided for each Contracting Government at the Annual Meeting in June 1976 by unanimous vote of the Contracting Governments present and voting, plus the amount remaining pursuant to paragraph 2 above, which amounts shall become effective for all Contracting Governments on 1 July 1976.

"6. That the Commission shall establish a level of catch for the herring stock in Division 5Z of Subarea 5 and in adjacent waters to the west and south within Statistical Area 6 for subsequent years which will maintain the adult stock at a level of at least 225,000 tons, and that the total allowable

catch will be set at 60,000 tons or less per year, until such time as the adult stock reaches the level of 500,000 tons. Thereafter, the Commission will set the total allowable catch so as to maintain the adult stock at a level of at least 500,000 tons."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(6) Proposal for International Quota Regulation of the Fishery for Herring in Division 5Y of Subarea 5 of the Convention Area

Panel 5 recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

"1. That the Contracting Governments take appropriate action to regulate the catch of herring, *Clupea harengus* L., by persons under their jurisdiction fishing in Division 5Y of Subarea 5 of the Convention Area, so that the aggregate catch of herring by vessels from this stock shall not exceed 7,000 tons in 1976 or an amount which is decided at the Annual Meeting in June 1976 by unanimous vote of the Contracting Governments present and voting, which adjusted amount shall become effective for all Contracting Governments upon receipt of notification from the Depositary Government of the amount decided by the Commission.

"2. That Competent Authorities from each Contracting Government shall limit in 1976 the catch of herring taken by persons under their jurisdiction from the above-mentioned stock to the amount below, or the adjusted amount which is decided for each Contracting Government at the Annual Meeting in June 1976 by unanimous vote of the Contracting Governments present and voting, which amount shall become effective for each Contracting Government upon receipt of notification from the Depositary Government of the amounts decided by the Commission:

Canada	950 metric tons
USA	6,000 " "
Others	50 " "
	<hr/>
	7,000 metric tons."

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3753
(B.e.76)

Proceedings No. 8

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Meetings of Panel 4

Friday, 23 January, 0920 hrs and 1215 hrs

1. Opening. The Meeting of Panel 4 was convened by the Chairman, Mr K. Løkkegaard (Denmark), with all Panel Members present.
2. Rapporteur. Mr J.C. Price (USA) was appointed Rapporteur.
3. Agenda. The Agenda as circulated was adopted.
4. Scientific Recommendations for the Div. 4VWX Herring Stocks. The Chairman noted that the 1975 Annual Meeting had agreed on 1976 TACs and allocations for herring stocks in Subarea 4, but provided for review and possible revision at the present meeting. He noted that some changes had since been recommended by STACRES, and requested its Chairman, Dr A.W. May (Canada), to present a brief explanation of its newest recommendations. Dr May noted that the existing regulatory scheme included a January-December TAC of 90,000 tons which excluded 15,000 tons for fisheries outside the Convention Area for Div. 4XWb, and a seasonal July 1975-June 1976 quota of 45,000 tons for Div. 4VWa. He stated that the present recommendations essentially involved "Option 1" presented at the 1975 Annual Meeting, although "Option 2" had actually been discussed by the Commission. He continued that STACRES was now recommending a 107,000-ton TAC which excluded the 11,000-ton estimate for fisheries outside the Convention Area for Div. 4WX for 1976, representing a 3,000-ton increase in the figure presented in June 1975. He stated that the recommended TAC for Div. 4V was 11,000 tons for the period July 1976-June 1977. He added that the total recommended TAC for herring in Subarea 4 was thus 21,000 tons less than that which had been previously established. He stated that the fishery in Div. 4Wa is a winter fishery commencing in November or December and that the assessment calculations made for the present meeting included catches made in December 1975. Thus, the Commission might wish to establish a seasonal quota period from November 1975-October 1976 for this stock.
5. Conservation Requirements for Herring in Subarea 4. The Chairman suggested initial consideration of the recommended quota periods and areas only, to be followed by an exchange of views on the actual numbers involved in the recommended TACs. The delegate of FRG stated that, from an administrative point of view, he believed it undesirable to have such differing management periods, and noting his reluctance to approve this procedure, he asked for an elaboration of the reasons for it. Dr May stated that current scientific data indicated that the herring in Div. 4WX was one stock which migrated between Div. 4W and Div. 4X. He indicated that the fishery followed the migration of the fish, beginning in Div. 4W in November and extending from the spring months to October in Div. 4X, and that the recommended period was thus more consistent with the way the fishery was actually conducted. While the delegate of FRG was not completely convinced of the need for such an arrangement, he could accept it. The delegate of Canada stated that a more accurate beginning date for the fishery was 15 November, adding that recruitment was such that assessments were also better during this period. Subsequently, with no additional discussion, Panel 4 agreed that quotas be placed on herring in Div. 4WX from 16 November 1975 to 15 November 1976 and in Div. 4V from 1 July 1976 to 30 June 1977.

The Chairman then invited comments on the recommended 11,000-ton TAC for Div. 4V, noting that this was the same TAC as had been agreed and allocated at the 1975 Annual Meeting. The Panel agreed to accept this quota for Div. 4V. The delegate of Canada emphasized that a fresh look was required at various numbers approved at Edinburgh, and that, with a capability for taking more than the total TAC, the Canadian view remained that the coastal state should be allocated all but a small by-catch allowance for "Others". Accordingly, he proposed a quota of 10,500 tons for Canada and 500 tons for "Others". The delegate of USSR noted that there had been no need seen to reduce the TAC and, while expressing understanding for the Canadian view, emphasized that the Soviet Union could not accept an allocation below that adopted at the 1975 Annual Meeting. The delegate of FRG expressed agreement with the delegate of USSR in favouring the Edinburgh allocations, noting that, while it had been agreed to subject the Edinburgh figures to review and possible revision, STACRES had conducted a review and there appeared no reason for revision. He continued that neither the TAC nor the Canadian need for herring had changed, and that the difficult situation in other herring fisheries made every ton in the present fishery particularly important. The delegate of Canada

emphasized that his view on the allocation was not a new one, as he had expressed opposition to these allocations at the 1975 Annual Meeting. He noted that the stock appeared to be a healthy one due to present regulation, and that requiring Canadian small-boat fishermen to cease fishing before the end of the season, as had occurred under the previous allocation, created an extremely difficult situation.

Noting that the actual amounts of herring involved in the present discussion were small, the Chairman proposed that this allocation be left for the moment and that the Panel proceed to consider the 107,000-ton TAC recommended for Div. 4WX. With no discussion, the Panel approved this recommendation. The Chairman then opened discussion on the allocation of the recommended TAC, noting that an additional 3,000 tons was available over that discussed at the 1975 Annual Meeting. The delegate of USA, referring to the serious situation created in Div. 5Y, proposed that the US allocation be increased from 500 to 1,000 tons. The delegate of Cuba, referring to the Cuban request for herring in this area in Comm.Doc. 75/39 to cover by-catches in its silver hake fishery, proposed that Cuba be given a specific allocation of 900 tons. The delegate of FRG stated that he desired only that the 800-ton FRG allocation from the combined areas remain the same. The delegate of USSR indicated that he also desired that the 1975 USSR allocation remain unchanged and saw no reason to object to the requested increase of the US allocation, provided it was consistent with its fishing capability. The delegate of Canada stated that, as was the case with the Div. 4V stock, Canada believed the coastal state should receive the entire amount except for an allowance for by-catches by "Others", adding that this would, in the present case, amount to maintaining the quota at the 1975 level. The delegate of Canada suggested that additional time be provided to clear up confusion on the implications of the proposed change in the management regime.

6. Panel 4 recessed at 1000 hrs.

7. Panel 4 reconvened at 1215 hrs.

8. The delegate of Canada suggested that the Chairman of STACRES, Dr A.W. May (Canada), again be called on to further clarify the proposed redistribution of the allocations now being considered. Dr May noted that the source of the present confusion appeared to be that, in translating the previous management regime to the proposed regime, it was necessary to apportion the catches to give an assumed catch in 1977 for Div. 4Wa. However, no assessment for the Div. 4WX stock was available for 1977 and that, unless this was included, the figures in Appendix II of Proceedings No. 10 at the 1975 Annual Meeting would not be comparable. He noted the difficulty in looking at a proposed redistribution that did not take these additional quantities into account. The delegate of Canada, supported by the delegate of USSR, noted that the only way out of the present difficulty appeared to be reliance on the allocation which had been established at the 1975 Annual Meeting, subject to a further review during the 1976 Annual Meeting. The delegate of FRG stated that he had no objection to this procedure but appealed to the assessment scientists for a further clarification and examination of the situation in order that the Commission might again consider an alternative system at a later date. The Chairman noted that continuation of the Edinburgh allocations would not permit the Commission to act upon the requests of Cuba and the USA. In response, the delegates of Cuba and USA indicated that they could continue to accept the existing allocations agreed at the 1975 Annual Meeting. The delegate of Canada emphasized that his country continued to hold the view expressed at the 1975 Annual Meeting, namely, that Canada as the coastal state should be allocated all but a small by-catch allowance for these stocks, because of the overriding needs of the Canadian small-boat fishermen dependent on these stocks for their livelihood. The delegate of Cuba noted that 900 tons was considered to be the minimum amount needed to cover the anticipated herring by-catch of Cuban vessels in its Subarea 4 silver hake fishery. He noted that, under these circumstances, there was some concern by Cuba that the existing by-catch allowance of 1,000 tons might not be sufficient. He requested information on any other expected catches in this category. As no comments were forthcoming, the Chairman noted that the only significant anticipated catches in the "Others" category would be those of Cuba. The delegate of Canada noted that, in view of the condition of this stock, some hope existed for a small increase in the TAC at the 1976 Annual Meeting. Some discussion followed on a possible small increase in the Div. 4XWb "Others" quota. The delegate of Canada opposed any increase at the present time, noting that an additional review by STACRES will have taken place by the time of the 1976 Annual Meeting and that there, an additional 400-ton "Others" quota was provided in the Div. 4VWa allocation.

9. The Chairman noted, and the Panel agreed, that, because the Panel had been unable to reach unanimous agreement on changes in national allocation, the TACs and national allocations for Subarea 4 herring for 1976 would remain unchanged from those agreed at the 1975 Annual Meeting.

The Panel agreed, however, that the 1976 TAC and national allocations of the Subarea 4 herring stocks would be subject to review and possible revision at the 1976 Annual Meeting. Panel 4, therefore,

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (7) for international quota regulation of the fishery for herring in Div. 4VWa and Div. 4XWb of Subarea 4 of the Convention Area (Appendix I).

10. Panel 4 adjourned at 1230 hrs, 23 January 1976.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

- (7) Proposal for International Quota Regulation of the Fishery for Herring in Division 4V, Division 4W, and Division 4X of Subarea 4 of the Convention Area

Panel 4 recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

"1. That the Contracting Governments take appropriate action to regulate the catch of herring, *Clupea harengus* L., by persons under their jurisdiction fishing in Division 4V and that portion of Division 4W north of 44°52'N, and Division 4X and that portion of Division 4W south of 44°52'N, of Subarea 4 of the Convention Area, so that the aggregate catch of herring by vessels from this stock shall not exceed in 1976 an amount decided at the 1976 Annual Meeting by unanimous vote of the Contracting Governments present and voting if a decision to revise the aggregate catch is taken. Such amount would become effective for all Contracting Governments upon receipt of notification from the Depositary Government of the amount decided by the Commission.

"2. That Competent Authorities from each Contracting Government shall limit in 1976 the catch of herring taken by persons under their jurisdiction from the above-mentioned stock to the amount decided for each Contracting Government at the 1976 Annual Meeting by unanimous vote of the Contracting Governments present and voting, if a decision to revise the catch taken by persons under their jurisdiction is taken. Such amount would become effective for each Contracting Government upon receipt of notification from the Depositary Government of the amounts decided by the Commission."



Serial No. 3752
(B.e.76)

Proceedings No. 9

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Joint Meeting of Panels 3, 4, and 5

Thursday, 22 January, 1715 hrs

1. Opening. Mr E. Gillett (UK) agreed to act as Chairman. Representatives of the Member Countries of each Panel were present.
2. Rapporteur. The Executive Secretary (Mr L.R. Day) was appointed Rapporteur.
3. Agenda. It was agreed that the meeting would consider:
 - (a) Proposal for amending the size limit regulation of the fishery for herring in Subareas 4 and 5 and Statistical Area 6 (Comm.Doc. 76/I/12).
 - (b) Proposal for amending the size limit regulation of the fishery for mackerel in Subareas 3, 4, and 5 and Statistical Area 6 (Comm.Doc. 76/I/13).
4. Amendment to Size Limit Regulation for Herring. The delegate of Canada introduced the joint Canada/US proposal (Comm.Doc. 76/I/12), indicating the proposed amendment related to having the exemption apply at the time of inspection rather than on a trip basis, due to the problems associated with enforcement of the regulation as it now stands.

The delegates of FRG, GDR, Poland, and USSR agreed to the amended proposal, and there were no objections from any of the other Member Countries present. Accordingly, Panels 4 and 5, in joint session with Panel 3,

unanimously agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (8) for international size limit regulation of the fishery for herring in Subareas 4 and 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6 (Appendix I).

5. Amendment to Size Limit Regulation for Mackerel. The delegate of USA introduced the joint Canada/US proposal (Comm.Doc. 76/I/13), indicating that the proposed amendment is the same as that for herring in Section 4 above.

The delegates of Poland, Romania, and USSR expressed no objection to the proposed amendment, and there were no objections from any of the other Member Countries present. Accordingly, Panels 3, 4, and 5, in joint session,

unanimously agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (9) for international size limit regulation of the fishery for herring in Subareas 3, 4, and 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6 (Appendix II).

6. There being no further business, the Joint Meeting adjourned at 1745 hrs.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

- (8) Proposal for International Size Limit Regulation of the Fishery for Herring in Subareas 4 and 5 of the Convention Area and in Adjacent Waters to the West and South Within Statistical Area 6

Panels 4 and 5, in joint session with Panel 3, recommend that the Commission transmit to the Depository Government the following proposal for joint action by Contracting Governments:

That the International Size Limit Regulation of the Fishery for Herring in Subareas 4 and 5 of the Convention Area and in Adjacent Waters to the West and South Within Statistical Area 6, adopted at the January 1972 Special Commission Meeting (Annual Proceedings Vol. 22, 1971-72, pages 73-74) and amended at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, page 98), be replaced by the following:

"1. That the Contracting Governments take appropriate action to prohibit the taking or possession of herring, *Clupea harengus* L., less than 9 inches (22.7 cm), measured from the tip of the snout to the end of the tail fin, by persons under their jurisdiction, except as provided below, in those portions of Division 4W south of 44°52'N latitude and Division 4X south of 43°50'N latitude of Subarea 4, in Subarea 5, and in adjacent waters to the west and south within Statistical Area 6.

"2. That the Contracting Governments may permit persons under their jurisdiction to take herring less than 9 inches (22.7 cm), measured as specified in paragraph 1 above, so long as such persons do not have in possession on board a vessel engaged in fishing for sea fish or in the treatment of sea fish herring under this size limit in an amount exceeding 10 percent by weight, or 25 percent by count, of all herring on board the vessel caught in the areas specified in paragraph 1 above which can be identified as to size at the time of inspection.

"3. Should it be observed during an inspection under the Scheme of Joint International Enforcement that a person is taking herring less than 9 inches (22.7 cm) in excessive amounts during the first 48 hours of fishing since entering the fishery within the areas specified in paragraph 1 above, the inspector shall note this fact on the Report of Inspection and bring it to the attention of the master. Such observation in itself shall not be considered an infringement."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

- (9) Proposal for International Size Limit Regulation of the Fishery for Mackerel in Subareas 3, 4, and 5 of the Convention Area and in Adjacent Waters to the West and South Within Statistical Area 6

Panels 3, 4, and 5, in joint session, recommend that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

That the International Size Limit Regulation of the Fishery for Mackerel in Subareas 3, 4, and 5 and in Adjacent Waters to the West and South Within Statistical Area 6, adopted at the Twenty-Fifth Annual Meeting (June 1975 Meeting Proceedings No. 16, page 257), be replaced by the following:

"1. That the Contracting Governments take appropriate action to prohibit the taking or possession of mackerel, *Scomber scombrus* L., less than 10 inches (25 cm), measured from the tip of the snout to the end of the tail fin, by persons under their jurisdiction, except as provided below, in Subareas 3, 4, and 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6.

"2. That the Contracting Governments may permit persons under their jurisdiction to take mackerel less than 10 inches (25 cm), measured as specified in paragraph 1 above, so long as such persons do not have in possession on board a vessel engaged in fishing for sea fish or in the treatment of sea fish mackerel under this size limit in an amount exceeding 10 percent by weight, or 25 percent by count, of all mackerel on board the vessel caught in the areas specified in paragraph 1 above which can be identified as to size at the time of inspection.

"3. Should it be observed during an inspection under the Scheme of Joint International Enforcement that a person is taking mackerel less than 10 inches (25 cm) in excessive amounts during the first 48 hours of fishing since entering the fishery within the areas specified in paragraph 1 above, the inspector shall note this fact on the Report of Inspection and bring it to the attention of the master. Such observation in itself shall not be considered an infringement."



Serial No. 3755
(B.z.3)

Proceedings No. 10

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of the Final Plenary Session

Monday, 26 January, 1115 hrs and 1830 hrs

1. Due to the enforced absence of the Chairman, Mr E. Gillett (UK), the Vice-Chairman, Mr D.H. Wallace (USA), was appointed to the chair. Representatives of all Member Countries were present.
2. The Report of STACRES (Redbook 1976, Part B) was adopted.
3. The Report of STACTIC (Proc. 2) with Proposals (1) for amendments to paragraphs 1 and 5(v) of the Scheme of Joint International Enforcement (Proc. 2, Appendix II) and (2) for amendment of the Management of Quota Regulations (Proc. 2, Appendix III), and Resolutions (1) regarding the reporting and review of infringements and their disposition (Proc. 2, Appendix I, Annex 3) and (2) regarding withdrawal of authorization to fish (Proc. 2, Appendix I, Annex 4) were adopted unanimously, with the delegate of UK voting 'yes' but formally wishing to reserve his Government's approval of the amendment to paragraph 5(v) of Proposal (1) because of possible legal difficulties.
4. The Reports of the Ceremonial Opening (Proc. 3) and the First Plenary Session (Proc. 4) were adopted.
5. The Report of Panel A (Seals) (Proc. 6) with Proposal (4) regarding regulation of the harp and hooded seal fisheries (Proc. 6, Appendix III) and Resolution (3) relating to early implementation of Proposal (6) (Proc. 6, Appendix IV) were adopted.
6. The Report of Panel 5 (Proc. 7) with Proposals (5) for regulation of the fishery for herring in Div. 5Z of Subarea 5 and Statistical Area 6 (Proc. 7, Appendix I) and (6) for regulation of the herring fishery in Div. 5Y of Subarea 5 (Proc. 7, Appendix II) were adopted with the delegate of FRG abstaining and the delegate of Portugal absent.
7. The Report of Panel 4 (Proc. 8) with Proposal (7) for regulation of the fisheries for herring in Div. 4VWX of Subarea 4 (Proc. 8, Appendix I) were adopted.
8. The Report of a Joint Meeting of Panels 3, 4, and 5 (Proc. 9) with Proposals (8) for herring size limit regulation in Subareas 4 and 5 (Proc. 9, Appendix I) and (9) for mackerel size limit regulation in Subareas 3, 4, and 5 (Proc. 9, Appendix II) were adopted.
9. Cuban Resolution. The Chairman drew attention to a request by the delegate of Cuba to have Member Governments to take into account in the conduct of surveillance that Cuban vessels, because of difficulties in supply of netting, will be able to comply with the Commission's regulations regarding mesh of nets after 1 July 1976. The Plenary agreed unanimously to adopt Resolution (4) relating to the application of the Commission's regulations on the mesh of nets to Cuba (Appendix I).
10. The Plenary recessed at 1210 hrs, 26 January, to await the decisions of Joint Meetings of Panels 2, 3, and 4.
11. The Plenary reconvened at 1830 hrs, 26 January.
12. The Report of Joint Meetings of Panels 2, 3, and 4 (Proc. 5) with Proposal (3) for regulation of fishing effort on groundfish in Subareas 2, 3, and 4 in 1976 (Proc. 5, Appendix II) was adopted, with the understanding that the proposal would be reviewed at the 1976 Annual Meeting. The delegate of Iceland wished it recorded that it is the view of the Government of Iceland that the coastal state has the sovereign rights over the exploitation of the living resources within a zone of up to 200 miles. Moreover, the Icelandic Government has reservations with regard to the establishment of a quota system and allocations under it as contained in the proposal and already explained. With these reservations and, in view of the overriding

necessity to reduce the fishing effort for adequate conservation of the stocks in the areas concerned, Iceland abstained with regard to Proposal (3) as a whole. The delegate of Spain wished it recorded that Spain has included in the individual vessel's licence the days which each vessel asking to fish in Subareas 2, 3, and 4 is permitted to fish in any of the five areas in Subareas 2, 3, and 4 by dividing the total fishing days allocated to the five areas among the total of the vessels allowed to fish. However, these days are only estimates as some of the vessels may not appear in the area or, for various reasons, they may spend less time in the area than their licences record. Therefore, ICNAF inspectors are asked to take into account these facts if they find that a vessel has been fishing in a particular area for a longer period than that recorded in the licence and which is, as mentioned above, only an estimate.

13. Adjournment. The Chairman, Mr D.H. Wallace (USA), expressed his appreciation for the diligence and dedicated effort demonstrated by all delegations in coming to grips with the complex and important matters before the meeting. The delegate of Canada strongly endorsed the Chairman's words and expressed the appreciation of the Canadian delegation for their persistence and determination to reach a decision on all matters. He expressed his gratitude, on behalf of the meeting participants, to the Vice-Chairman of the Commission for chairing the final Plenary Session and bringing the meeting to a successful close. The delegate of Bulgaria expressed his appreciation for the understanding attitude from all for the Bulgarian problem. The delegate of Italy extended his Government's greetings and its hope that the delegates had enjoyed their stay in Rome. The delegate of Cuba said his Government looked forward to hosting the 1976 Annual Meeting in Havana and to presenting an atmosphere conducive to rapid and good solutions to the Commission's problems. There being no other business, the Eighth Special Meeting of the Commission was adjourned at 1845 hrs, 26 January 1976. A press notice covering the decisions of the Eighth Special Meeting is at Appendix II.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

(4) Resolution Relating to the Application of the Commission's Regulations on the Mesh of Nets to Cuba

The Commission

Having Noted the statement of the delegation of Cuba that difficulties in supply make it impossible for all Cuban vessels fishing in Subareas 2 and 3 to comply with the regulations of the International Commission for the Northwest Atlantic Fisheries regarding the mesh of nets before 1 July 1976;

Notes that the authorities of Cuba will not require compliance with those regulations in Subareas 2 and 3 by Cuban vessels until 1 July 1976;

Requests Member Governments to take this into account in the conduct of inspections under the Scheme of Joint International Enforcement.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Press Notice

1. The Eighth Special Meeting of the International Commission for the Northwest Atlantic Fisheries (ICNAF) was held at FAO, Rome, Italy, during 21-26 January 1976, under the chairmanship of Mr E. Gillett (UK). About 105 representatives attended from all 18 Member Countries as follows: Bulgaria, Canada, Cuba, Denmark, France, Federal Republic of Germany, German Democratic Republic, Iceland, Italy, Japan, Norway, Poland, Portugal, Romania, Spain, Union of Soviet Socialist Republics, United Kingdom, and United States of America. Observers were present from the Food and Agriculture Organization of the United Nations (FAO). Cuba became the 18th Member of the Commission in November 1975 and was accorded a special welcome.

2. Subjects covered

The main purpose of the meeting was to consider a number of matters deferred from the June 1975 Annual Meeting and the September 1975 Special Commission Meeting: (a) establish total allowable catches (TACs) and national quotas for 1976 in respect of two herring stocks in Subarea 5 and Statistical Area 6, and review the conservation measures for two herring stocks in Subarea 4; (b) review, and revise if necessary, the minimum size limit regulations for herring in Subareas 4 and 5 and Statistical Area 6, and mackerel in Subareas 3, 4, and 5 and Statistical Area 6; (c) further consider the matter of fishing effort reduction on groundfish stocks in Subareas 2, 3, and 4; (d) consider further improvement to the Commission's Scheme of Joint International Enforcement of the fishery regulations; and (e) consider the conservation measures for harp and hooded seals for 1976.

3. Scientific and technical advice

The Commission's Standing Committee on Research and Statistics (STACRES) met during 12-16 January 1976 to review the state of the herring stocks in Subareas 4 and 5 and Statistical Area 6 and the scientific aspects of effort reduction measures for Subareas 2, 3, and 4, and submitted a comprehensive report on these subjects. Meetings of the Standing Committee on International Control (STACTIC) were held during 19-26 January 1976 and submitted a report on proposals for improving the enforcement of the Commission's fishery regulations.

4. Herring catch limitations

(a) The Commission agreed to regulations setting a TAC of 60,000 metric tons for herring in ICNAF Division 5Z and Statistical Area 6 (Georges Bank and Middle Atlantic area) for 1976. A compromise agreement set the TAC at 30,000 metric tons for the period 1 January to 30 June 1976 and provided national allocations as follows:

Bulgaria	500 metric tons	Japan	500 metric tons
Canada	1,000 " "	Poland	4,000 " "
Cuba	500 " "	Romania	500 " "
France	500 " "	USSR	4,000 " "
Federal Republic of Germany	4,000 " "	USA	9,400 " "
German Democratic Republic	4,000 " "	Others	100 " "

The agreement also included the prohibition of a directed fishery in this period except with purse seiners or vessels less than 110 feet in length, a limitation of 7.5% of herring caught incidentally in other fisheries, primarily mackerel and hake, constraints on future TACs to prevent further declines and to rebuild the stock, and national allocation of catch for the final six-month period of 1976 at the 1976 Annual Meeting. The TAC and allocations become effective immediately.

(b) The Commission agreed to a TAC of 7,000 metric tons for herring in ICNAF Division 5Y (Gulf of Maine) for 1976 and the allocations to Canada of 950 metric tons, USA 6,000 metric tons, and Others 50 metric tons. These amounts may be adjusted at the 1976 Annual Meeting. The TAC and allocations become effective immediately.

(c) The Commission agreed to allow revision of the TAC and allocations for herring in ICNAF Divisions 4VWX (Nova Scotia Bank and Bay of Fundy) at the 1976 Annual Meeting, following failure to reach agreement on adjustments to the TAC and allocations as provided for by the 1975 Annual Meeting.

5. Herring and mackerel size limitation

The Commission agreed to revisions to the herring and mackerel size limitation regulations to provide exemption clauses which would be more enforceable.

6. Groundfish effort reduction in Subareas 2, 3, and 4

The Commission agreed to modification of the table allocating national fishing effort for groundfish off the Canadian Atlantic coast adopted at the September 1975 Special Commission Meeting (Table 1) and to revision of the governing regulation to make it clearer to deal with three countries (Bulgaria, Iceland, and Italy) not given specific allocations, and to deal with the applicability of the allocation for "Others".

7. Management of international catch quota regulations

The Commission agreed to an amendment to the Catch Quota Management regulation which would allow adjustments to be made in national allocations in case of over-fishing of catch quotas.

8. Improvements to the Scheme of Joint International Enforcement

The Commission agreed to

- (a) an addition to the Scheme to require any Member Country having at any time 15 or more fishing vessels in the ICNAF Area to have an inspector or designated authority in the Member Country adjoining the area to receive and respond to notices of infringement;
- (b) a revision to the Scheme requiring immediate action in case of infringements, including cessation of illegal fishing, authority for the foreign inspector to remain aboard to safeguard evidence by agreement with the national inspector or designated authority, and conditions on resuming fishing;
- (c) a resolution requesting fuller reporting on infringements and detailed analysis and recommendations by the Commission's Standing Committee on International Control (STACTIC) to the Commission's Annual Meetings;
- (d) a resolution requesting review of national legislation with a view to action at the 1976 Annual Meeting on withdrawal of ICNAF registration for vessels infringing the regulation.

9. Seal conservation

The Commission agreed to TACs and national allocations for harp and hooded seals in the "Gulf" and "Front" Areas for 1976. The TAC for harp seals was set at 127,100 with a Canadian allocation of 52,333, a Norwegian allocation of 44,667, an estimated 30,000 to be caught in the indigenous non-mobile fisheries, and an unallocated amount of 100. The TAC for hooded seals was set at 15,100 with a Canadian allocation of 6,000, a Norwegian allocation of 9,000, and an unallocated amount of 100.

The Commission agreed to a resolution requesting implementation of the harp and hooded seal proposals by 12 March 1976.

10. Cuban adherence to mesh regulations

The Commission agreed to a resolution which recognized the inability of the new Member Country, Cuba, to comply with the mesh-size regulations in Subareas 2 and 3 (Labrador and Newfoundland areas) before 1 July 1976.

11. 1976 Annual Meeting

The 1976 Annual Meeting of the Commission will be held, by kindness of the Cuban Government, in Havana, Cuba, from 8 to 23 June 1976, to be preceded by meetings of the Standing Committee on Research and Statistics (STACRES), the Standing Committee on International Control (STACTIC), and the Scientific Advisers to the Panels from 31 May through 5 June 1976.

19 February 1976

Office of the Secretariat
Dartmouth, Nova Scotia, Canada

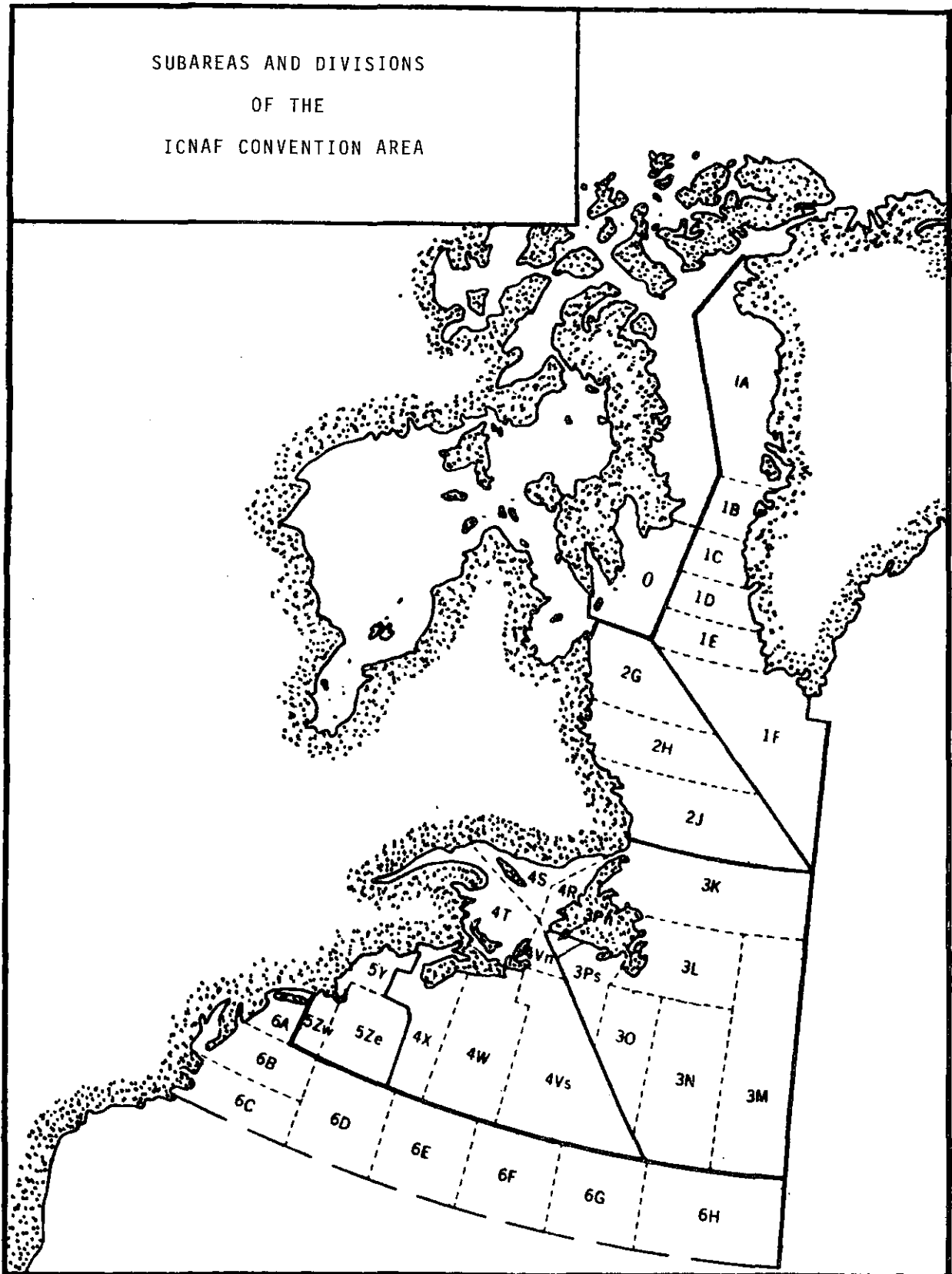


Table 1. Integral part of Proposal (3) for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 26 January 1976

Country	Vessel tonnage	Gear	NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976				
			SA2+3K	3LNO	Area 3M	3P	4VWX
Canada ¹	150- 499.9	OT	-	(1600)	-	(2200)	(5100)
	150- 499.9	MWT	-	-	-	(50)	(100)
	150- 499.9	LL	-	(150)	-	(50)	(200)
	500- 999.9	OT	(1200)	(7100)	(500)	(1500)	(2400)
	500- 999.9	MWT	-	-	-	(100)	(100)
Cuba	> 2000	OT	250	450	225	-	810
Denmark	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	540	-	1500	85	140
	500- 999.9	OT	306	83	100	75	125
	500- 999.9	MWT	-	-	-	17	33
France ¹	150- 499.9	OT	-	(108)	-	(288)	(102)
	1000-1999.9	OT	(411)	(269)	(105)	(109)	(492)
Federal Republic of Germany	1000-1999.9	OT	123	6	3	-	-
	> 2000	OT	802	44	17	-	-
German Democratic Republic	500- 999.9	OT	682	38	-	-	-
	1000-1999.9	OT	-	-	-	-	-
	1000-1999.9	MWT	-	-	-	-	-
	> 2000	OT	234	30	-	-	-
	> 2000	MWT	-	-	-	-	-
Japan	1000-1999.9	OT	-	1	-	1	18
	> 2000	OT	-	78	-	31	179
Norway	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	300	135	288	304	250
	500- 999.9	OT	130	14	-	-	-
	500- 999.9	LL	-	-	-	-	-
	1000-1999.9	OT	-	-	-	-	-
Poland	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	1535	300	80	-	-
Portugal	500- 999.9	GN	-	483	-	8	2
	1000-1999.9	OT	1496	1362	592	24	35
	1000-1999.9	GN	-	527	-	9	5
	> 2000	OT	589	527	266	5	19
Romania	> 2000	OT	80	80	25	35	-
Spain ²	150- 499.9	PT	215	2136	40	408	341
	500- 999.9	PT	183	1818	34	349	288
	1000-1999.9	OT	558	302	82	105	116
	1000-1999.9	PT	22	202	14	43	33
USSR	150- 499.9	OT	-	563	23	172	53
	500- 999.9	OT	14	94	7	6	108
	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	3505	1051	736	154	3425
	> 2000	MWT	343	662	-	-	-

Table - continued

Country	Vessel tonnage	Gear	NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976				
			SA2+3K	3LNO	Area 3M	3P	4VWX
UK	500- 999.9	OT	-	-	-	-	-
	1000-1999.9	OT	616	246	370	-	-
USA ¹	150- 499.9	OT	-	-	-	-	(1883)
	150- 499.9	MWT	-	-	-	-	(81)
Bulgaria, Iceland, and Italy ³			100	100	100	100	200
Others		GN	20	-	20	-	-

¹ Figures in brackets () are estimated only; include estimated fishing days outside the Convention Area.

² Figures for the PT gear categories are for days fishing by pairs of trawlers.

³ Allocation for Bulgaria, Iceland, and Italy as a group = days fished per effort management area, irrespective of vessel tonnage or gear used.

DEFINITIONS OF ABBREVIATIONS

OT = otter trawl
MWT = midwater trawl
LL = longline
PT = pair trawl
GN = gill net.

PART III

PROCEEDINGS OF THE TWENTY-SIXTH ANNUAL MEETING
MONTREAL, CANADA, 8-23 JUNE 1976

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International Commission for



the Northwest Atlantic Fisheries

Serial No. 3950
(B.u.76)

Proceedings No. 2

ANNUAL MEETING - JUNE 1976

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

Monday, 31 May, 1415 hrs
 Tuesday, 1 June, 1015 hrs
 Tuesday, 1 June, 1400 hrs
 Wednesday, 2 June, 1010 hrs
 Wednesday, 2 June, 1550 hrs
 Monday, 21 June, 0950 hrs

1. Opening. The meeting of STACTIC was opened by the Chairman, Mr W.G. Gordon (USA).
2. Participants. Delegates of all Member Countries were present, except Bulgaria, France, Iceland, Italy, Portugal, and Romania. Denmark was represented by its delegate to STACRES.
3. Rapporteur. LCDR T. Nunes (USA) was appointed Rapporteur.
4. Agenda. The Agenda, as circulated in advance by the Secretariat, was adopted.
5. Consideration of Scheme of Joint International Enforcement

(a) The Chairman invited attention to Agenda Items 5(a) Present Status of Implementation of the Scheme of Joint International Enforcement, and 5(b) Status of Withdrawal of Reservations to the Scheme, suggesting that the delegates also review the situation with respect to enforcement activities in Statistical Areas 0 and 6. The delegate of USA indicated that the USA participated fully in the Scheme of Joint International Enforcement. The delegate of UK indicated that British vessels still continue to accept voluntarily international inspection under the Joint Enforcement Scheme in Statistical Areas 0 and 6, while such inspections in the Convention Area have full statutory authority. The delegates of USSR and Spain indicated that they would be prepared to comment on their country's participation later in the meeting. The delegate of Poland had no remarks. The delegate of Norway indicated that Norway has fully implemented the Scheme of Joint International Enforcement. The delegate of Japan indicated that Japan would be sending inspection officers and inspection vessels to the ICNAF Area: Mr Tadashi Hozumi (5 March-8 May 1976) aboard the *Zao-maru*; Mr Tatsuki Nagai (2 June-12 August 1976) aboard the *Okuni-maru*; one inspector (January-March 1977) aboard an unspecified vessel. The delegate of GDR indicated no changes. The delegate of FRG indicated that he thought the Federal Republic of Germany had done everything that was expected. There had been no implementation in Statistical Area 0 since it was the FRG understanding that this area did not exist in the Convention. International inspection in Subareas 1 to 5 and Statistical Area 6 had been implemented. The delegate of Denmark indicated that inspectors were being appointed in Greenland. The delegate of Canada, referring to ICNAF Circular Letter 76/37, indicated that Canada was not yet in a position to accept mandatory inspections in Statistical Area 6. He added that since Canadians fish there so seldom, he doubted if it made any difference. The delegate of USSR indicated that the status of USSR participation as indicated in Circular Letter 76/37 was correct. The delegate of FRG, referring to Circular Letter 76/37, suggested that the document could be improved. The remarks were unclear and might even be confusing. The Chairman asked all countries having remarks shown in Circular Letter 76/37 to advise the Executive Secretary if any need for clarification. There being no additional remarks or comments, the Chairman indicated that Items 5(a) and 5(b)¹ of the Agenda had been covered by the preceding discussion.

(b) The Chairman then drew attention to Agenda Item 5(c), Reports of Cooperative Enforcement, and asked for brief remarks from those countries which may have participated in such activity. The delegate of Canada indicated that, in 1975, Canada accommodated Spanish inspectors on board Canadian inspection vessels. Eleven cooperative inspections were conducted by Spain and Canada. More inspections were planned but were hampered by bad weather and the limited availability of fishing vessels to be inspected. Canada was very pleased with the effort and hoped to participate in further cooperative inspections.

(c) The Chairman then drew attention to Agenda Item 5(d), Plans for Participation in Scheme of Joint International Enforcement, Including Nationally-Designated Authorities to Receive and Respond to Notices of Infringements, calling for the designation of persons, changes, suggestions, and comments. The delegate of Denmark indicated that the appointment of someone in Greenland would serve the purpose of a nationally-designated authority to receive and respond to notices of infringements in Greenland waters. The delegate

¹ Note by Executive Secretary: Romania has still not formally withdrawn her reservation to the Scheme.

of Spain indicated that Spain expected to send someone to be stationed in Canada in the near future who would act as the Spanish designated authority. The delegate of Norway reported that Mr Rolf Trolle Andersen of the Norwegian Embassy in Canada had been appointed temporarily for this purpose. The delegate of FRG asked that Mr Dehde's name be deleted from Annex B of Circular Letter 76/37 since he had retired. A successor would be appointed. The FRG had been considering whether it was wise to have an inspection authority on the western side of the Atlantic, and had explored the feasibility of having this function performed by Consular Offices in USA and Canada but concluded that there would be no advantage to such appointments as the Consular Offices, in any case, would have to contact Bonn before they could assume responsibility for any action. The delegate of USSR indicated that, previously, the Chief of Joint Expeditions in the ICNAF Area had been designated to receive and respond to notices of infringements, however, USSR will soon provide the ICNAF Secretariat with the name of a permanently-designated authority who will be located in Halifax. The delegate of Cuba indicated that Mr Amaro Riesgo of the Foreign Affairs Department of the Fisheries Ministry had been designated the Cuban authority.

(d) Having completed Agenda Item 5(d), and noting that some delegates had already responded to Item 5(e), Reports of Those Ready for Mandatory Inspections in Statistical Areas 0 and 6, the Chairman asked for additional reports. The delegate of Canada commented that revisions to the Enforcement Scheme made at the January 1976 Meeting did amend the Inspection Scheme to apply to Statistical Areas 0 and 6 though the revised Scheme has not yet entered into force. The delegate of Cuba indicated that Cuba was ready to accept mandatory inspection in Statistical Area 6. The delegate of Spain stated that Spain accepted inspection in Statistical Area 6 on a mandatory basis and could accept inspection in Statistical Area 0 even though not fishing in the Area. The delegate of FRG asked where the definition of Statistical Area 0 could be found. The Executive Secretary replied that the Area was defined in the ICNAF *Statistical Bulletin* and *Redbook*. The Chairman suggested that the area definition for Statistical Area 0 be incorporated into the next revision to the ICNAF *Handbook*.

6. The Chairman, referring to Agenda Item 6, Review of Annual Return of Inspections, Infringements, and Disposition of Infringements for 1974 and 1975, noted that the document normally available for this item had been delayed and would be available soon. The Chairman, with the agreement of the delegates, set aside Agenda Item 6 until such time as the document became available.

7. The Chairman moved to Agenda Item 7, Review of Notification by Nationals of Vessels Engaging in Fisheries Research, noting that this item stems from Proposal (1) agreed at the 1975 Annual Meeting. The delegate of Canada expressed regret and said Canada would soon submit the required data. The delegate of Cuba indicated that Cuba was in a similar position to Canada; Cuba planned to submit data on either 31 May or 1 June 1976. The delegate of Denmark was unsure if the information had been passed to ICNAF, but if it had not, it would soon be communicated. The delegate of FRG, unsure of his Government's transmission of information, queried the Executive Secretary who indicated that FRG had submitted the data. The delegate of GDR reported having submitted the required data in December 1975. The delegates of Japan and Norway reported that information had been submitted. The delegate of Poland reported that the Polish research vessel *Wieczno* was conducting fishing surveys in accordance with the ICNAF program for Subarea 5 and would give early notification of future cruises. The delegate of Spain noted that Spain, unfortunately, had no research vessels operating in the Convention Area. The delegate of USSR reported that data had been submitted. The delegate of UK reported that his Government had submitted data and that no vessels were available to conduct research in the ICNAF Convention Area. The delegate of USA reported that the USA had submitted a detailed report including sailing orders, research objectives, and potential results. All US Government research vessels in the ICNAF Area were included in the detailed report. Information concerning privately-owned vessels would be provided when available.

8. The Chairman turned to Agenda Item 8, Review of Registration by Nationals of Vessels Engaging in Fishing or Treatment of Sea Fish, noting that this item stems from Proposal (3) agreed at the September 1975 Special Commission Meeting. The Executive Secretary, at the request of the Chairman, reported that Bulgaria, Cuba, France, FRG, GDR, Italy, Japan, Norway, Romania, Spain, USSR, UK, and USA had submitted registration information. The delegate of Canada indicated that a report was in progress and would soon be ready. The Chairman urged those countries currently working on reports to submit them as soon as practicable since they were an important source for identifying those countries fishing and what their target species were.

9. Introducing Agenda Item 9, Review of National Reports of Status of their Legislation Regarding Authorization for Suspension or Revocation of Vessels' Authorization to Fish in the Convention Area and Statistical Areas 0 and 6 upon Conviction of Certain Serious or Aggravated Infringements, the Chairman noted that, since no formal report had been requested, each Member Country should report on potential national legislation. The delegate of USA reviewed US domestic legislation which required all vessels to be licensed and registered to fish. Certain basic rules existed with civil and criminal sanctions. Revocation of licences has been provided for conviction of violation of the regulations. The delegate of UK briefed the delegates on legislation whereby ICNAF regulations were adopted nationally, and on the penalties which might be imposed by the Courts for contravention of this legislation. The Courts had no power to order revocation of fishing licences. Ministers of the Crown might revoke licences when catch quotas had been overrun or when any of the conditions attached to the licence had been infringed, but could not revoke licences as additional punishment for the same offence. If the offender had already been dealt with by the Courts, no further action would be taken. He added that the UK had reviewed its measures for implementing its ICNAF obligations,

and the relevant legislation, and was satisfied that present penalties were adequate but had and will keep such matters continually under review. The delegate of USSR indicated that all USSR vessels in the ICNAF Area were registered in accordance with existing regulations. Each vessel had an appropriate document of such registration. Masters of vessels at sea receive orders from the Chief of Joint Expeditions in the ICNAF Area. The delegate of USA added that, in certain cases, imprisonment was provided for in their domestic law. The delegate of Spain reported that, since January 1976, Spanish vessels had been required to have a licence to fish in the ICNAF Area. In a few days, Spain will have issued an order that included all points discussed by STACTIC at the January 1976 Special Commission Meeting including logbook falsification. Licence revocation would be provided for vessel infringements. This order would be published in 8-15 days. The delegate of Poland reported that the Polish authorities had been preparing necessary modifications to many aspects of their existing national legislation; among the aspects were registration of vessels, basic changes to logbooks which would include many of the new requirements aimed mainly at better data collection, adapting the logbooks to computer data processing and introducing modifications for cumulative reporting, etc., and penalties for various kinds of violations. All the above-mentioned items needed more serious consideration for effectiveness. Poland would submit information immediately after the work had been completed. The delegate of Norway indicated that, under Norwegian law, revocation (suspension) of licences could not be accomplished by an administrative process. Norway had planned revised legislation that would provide for administrative revocation (suspension) of licences. The delegate of Japan reviewed provisions of Japanese law. Revocation of licences was provided for distant-water, large-scale trawl fishing in other than the Bering Sea and the Northeast Pacific. The licensing system provided for licences for designated fisheries. Licences were not granted in any case where an applicant was ineligible, i.e., where an applicant was conspicuously neglectful of adhering to the spirit of fisheries laws or ordinances. Restrictions and conditions might be imposed on any licence and were required in certain cases. Licences might be revoked, suspended, or altered under the following conditions: a licensee ceased to be eligible; violation of fishery laws or ordinances; if any fishery had been suspended for one year from the date of issuance, or for two consecutive years; in the public interest. A public hearing was required prior to revocation, setting restrictions or conditions. Various laws provided for the restrictions and/or prohibitions being established concerning fishing areas, seasons, fishing gear, closed areas, etc. The following penalties/sanctions might be imposed: suspension, revocation, alteration, restrictions on licences. Only the Minister of Agriculture and Forestry had authority to impose administrative penalties. It was impossible under Japanese law that an ICNAF decision could automatically be linked with revocation or suspension of licences. The application of legal penalties must be decided by the Courts. The indication of an alleged violation by any inspector might be adopted as evidence by a Court, however, no Court was thereby required to render a specific judgement. The delegate of GDR reported that, in accordance with the ICNAF document, his Government had had specific regulations in force since 10 March 1976. The delegate of FRG indicated that national legislation generally paralleled ICNAF regulations. In the licensing procedure, the Minister reserved the right to revoke a licence if all obligations under national orders and decrees were not fulfilled. An infraction of ICNAF regulations, as with German law, was subject to a fine, but not imprisonment. The delegate of Cuba reserved official comment indicating that Cuba had recently adopted a new Constitution. Serious changes in Cuban legal and administrative orders were contemplated as a result of their new Constitution. The Minister of Fisheries had signed several resolutions regarding the Commission regulations and every vessel master had received these resolutions. Seminars had also been conducted on the fishing grounds by inspectors to ensure that everyone was acquainted with the regulations. Cuba would rather impose penalties on persons than upon vessels. The delegate of Canada indicated that Canadian law provided that the Minister might issue, suspend, or revoke licences. This applied to ICNAF regulations. Fines and/or imprisonment were provided for under Canadian law. Imprisonment was rarely imposed for violations. The delegate of Denmark indicated that, under present Danish law, revocation (suspension) of licences could not be accomplished administratively. As regards penalties, present legislation only provided for fines and confiscation, not imprisonment. Introduction of a minimum penalty system would be against basic principles in Danish legislation, according to which Courts should be limited only by maximum penalty levels. The Chairman suggested that any additions by other delegates to this item might be made to the Rapporteur.

10. The Chairman moved to Agenda Item 10, Proposal for Transfer of Inspectors by Helicopter, noting that this proposal had been made by Canada. The delegate of Canada requested deferral of this item to 1 June 1976 and hoped to have a revised document available at that time.

11. STACTIC recessed at 1520 hrs, 31 May 1976.

12. The meeting of STACTIC reconvened at 1015 hrs, 1 June 1976, with delegates of all Member Countries, except Bulgaria, Denmark, France, Iceland, Italy, Portugal, and Romania, present. The Chairman called attention to Comm.Doc. 76/VI/34, "Translations of the Questionnaire and Report of Inspection", prepared 1 May 1976 by the Secretariat. The Chairman noted that the Enforcement Committee of the North-East Atlantic Fisheries Commission (NEAFC), at a meeting held in London in April 1976, contemplated various changes to the NEAFC Scheme of International Joint Enforcement which would be substantially different from the ICNAF Scheme. The delegates expressed interest in receiving a paper to be produced by the Chairman highlighting the proposed changes (see Comm.Doc. 76/VI/59).

13. The Chairman reopened discussion of Agenda Item 10, Proposal for Transfer of Inspectors by Helicopter. The delegate of Canada reviewed the Canadian proposal (Comm.Doc. 76/VI/36) concerning the landing of ICNAF inspectors aboard vessels by helicopter, emphasizing that the proposed procedures were designed to minimize possible misunderstandings. The delegate of UK questioned whether the procedures outlined in the Canadian proposal conformed with those adopted by the Intergovernmental Maritime Consultive Organization (IMCO). The delegate of Canada understood that no applicable IMCO standard existed. Canada published annual helicopter vessel hoist procedures for use in search and rescue (SAR) incidents and this proposal had been designed along lines similar to the SAR procedures. The delegate of Canada, when asked if the Canadian CH 124 helicopter was equipped with VHF-FM radio, replied that the aircraft currently had limited VHF-AM capability and that no plans existed for the installation of VHF-FM equipment. The delegate of USA stated that the USA found 2182 KHZ a difficult frequency on which to communicate between ships and aircraft at close range. The utilization of VHF-FM Channel 16 with a shift to an appropriate working frequency provided nearly ideal communications. VHF-FM had limited power output and did not use a long wire antenna. The delegate of Canada indicated that the present Scheme of Joint Enforcement applied in the Convention Area outside national fisheries limits. It followed, therefore, that upon extension of fisheries jurisdiction by coastal states, the Scheme would not apply within the 200-mile fishing zones. Canada believed there would be a continuing need for multilateral cooperation, including joint enforcement in the management of stocks beyond the 200-mile limit. The Scheme developed over the past years within ICNAF had been a useful one and it would play a vital part in the future with relation to the stocks beyond the 200-mile limit. Impending jurisdictional changes would soon affect the geographical area in which the Scheme applied. Nevertheless, with a view to the future, STACTIC must continue its efforts to bring about further improvement in this valuable Scheme. It was also possible that with extended jurisdiction, elements of the present ICNAF Scheme could be incorporated into procedures established by coastal states. The delegate of USA questioned whether the intent was to provide for helicopter operations in ice-infested waters or whether the proposal goes beyond areas where ice conditions exist, thereby changing the tone of the proposal. The delegate of Canada responded that it was never Canada's intention to limit the use of helicopters for boarding to ice-infested waters only. Most of Canada's inspection vessels were not helicopter equipped, thereby limiting their means of transporting an inspector(s) to the use of boats. Several Canadian vessels, however, were helicopter equipped. Cases might arise where it might be more appropriate and/or safer to transport inspectors by helicopter. Canada proposed that no conditions be placed upon the circumstances when helicopters would be used. The delegate of FRG asked where, in the Scheme of Joint International Enforcement, it was mentioned that the Scheme only applies beyond coastal state jurisdiction. The delegate of Canada drew attention to the wording of Proposal (1) adopted by the Commission on 14 June 1974 (1974 Meeting Proceedings No. 4, Appendix I, Annex 1, page 128) which revised the Scheme of Joint Enforcement. The proposal states that the Scheme was established "for international control outside national fishery limits". Past practice had also been that the Scheme did not apply within the 12-mile fishery zone of coastal states. He indicated that Canada did not wish to discourage improvements to the Scheme. Canada believed that the helicopter proposal was an improvement and hoped that it would be approved. The Chairman noted that the ICNAF *Handbook* indicates that the ICNAF Convention only applies outside a coastal state's fishery jurisdiction (Article I, page 2). The delegate of UK indicated that the Protocol to amend paragraphs 5 and 8 of Article VIII of the Convention, adopted 19 December 1969, provided that the Commission might make proposals for international control on the high seas. The delegate of FRG, in reply to Canada and UK, indicated that FRG does not recognize unilaterally-extended jurisdictions such as economic zones or fishery limits of 200 miles. In any case, FRG would want the so-called economic zones as part of the high seas.

The Chairman asked the delegates to comment on the proposal (Comm.Doc. 76/VI/36) for the use of helicopters. The delegate of USA questioned the adoption of the signals set out in Appendix B to the proposal and their method of implementation. Such signals were adequately covered in the International Code of Signals. Adoption of new signals could create a parallel, confusing set of signals. Other questions were: How could an inspector on an inspecting aircraft establish a vessel's failure to permit him to board? How could it be established that signals had been received by a vessel? What was the distinction between the helicopter captain's decision to attempt such a boarding and that of a vessel master to accept the attempt? What was the difference between refusal to allow boarding in accordance with the Scheme and refusal to allow boarding based upon safety considerations from the vessel master's viewpoint, particularly, when effective communication had not been established? These points required additional discussion for clarification. The delegate of Canada indicated that these concerns also applied in the use of a surf boat. An apparent infringement report would be required for refusal to allow boarding, and it was not Canada's intention to prejudge when infringements had taken place. There was no change from the principles employed in boarding by boat. The delegate of UK said that he shared the concerns of USA. Possible confusion might result due to inadequate communications and/or duplication of signals. He proposed that, subject to the approval of the delegates, a working group consider the proposal. The delegate of GDR said he could accept the proposal in principle. He questioned the procedure requiring that the electrical power to the vessel antennae be turned off, and noted that a master might choose an area of the vessel that did not require turning off antennae power. A vessel might, for safety purposes, be required to make sudden course and speed changes. Since the vessel master was responsible for the safety of his vessel, it was important that this matter be clarified. The delegate of Canada indicated that one of the bases of the proposal was that the vessel master and the helicopter captain would mutually agree upon the transfer point aboard the vessel. The point taken by the GDR was valid in that a vessel might be required to change course and speed in the ice. Canada believed that the vessel master's responsibility was clearly defined. The master was free, under the proposal, to change course and speed. It might be that the inspection could not take place due to the exigencies

of the moment but it was hoped that common sense, good seamanship, and good airmanship would prevail as the safety of all involved was paramount. No known incident had resulted in jeopardizing either a Canadian inspector or a vessel and/or crew member. The delegate of Norway agreed with the proposal, in principle, and with the establishment of a working group, as recommended by UK, to resolve the difficulties exposed during the discussion. The delegate of Canada supported fully the UK proposal. The Chairman, noting consensus for the establishment of a working group to refine the helicopter proposal, asked Canada to provide a Chairman for the Working Group which should report to STACTIC at its next session. The USA and UK agreed to participate with Canada on the Working Group.

14. The Chairman drew attention to Comm.Doc. 76/VI/29, "Notes by the USA Concerning Enforcement Issues". The delegate of USA indicated that additional comments with respect to Agenda Item 11, Proposals for New and More Effective Measures of Control under the Scheme, would be reserved for later.

15. The delegate of FRG asked if the USA could give its interpretation of the application of the Scheme of International Enforcement in 1977. The delegate of USA said that he had not found any problems with the Canadian statement. Additional comments would be reserved.

16. STACTIC recessed at 1120 hrs, 1 June.

17. STACTIC reconvened at 1400 hrs, 1 June. The Chairman drew attention to Comm.Doc. 76/VI/35, Memorandum by the United States Concerning the Keeping of Logbooks - Subarea 5 and Statistical Area 6. The delegate of USA indicated that this was another document in a series concerning the status of compliance with ICNAF requirements by vessels of Member Countries. A general improvement in compliance had been noted aboard vessels inspected by US inspectors off the US coast. Each delegation was asked to consider the paper with respect to its own vessels' performance. The Chairman suggested further discussion concerning the paper might be held on a bilateral basis with the US delegation.

The delegate of USSR indicated that USSR vessels did their best in meeting logbook requirements. Additional detailed information was requested on logbook infractions so that USSR officials could properly brief vessel masters and others concerned and ensure such infractions were eliminated to the extent possible. The Chairman asked the USSR delegation to consult with the US delegation concerning more specific logbook infraction information.

18. The delegate of Canada indicated that the Helicopter Proposal Working Group was making good progress and that work should be completed later in the day.

19. STACTIC recessed at 1415 hrs, 1 June.

20. STACTIC reconvened at 1010 hrs, 2 June with delegates of all Member Countries, except Bulgaria, Denmark, France, Iceland, Italy, and Romania, present. The Chairman called attention to Comm.Doc. 76/VI/17, Summary of Information on Inspections, Infringements, and Disposition of Infringements for 1975, and suggested that the US memorandum (Comm.Doc. 76/VI/35) concerning logbooks be discussed together with this document. The delegate of Canada reported that Canada had neglected to include information on the disposition of the 1974 cases pending as had been requested. In its report to the 1975 Annual Meeting, Canada had one mesh-size case outstanding; this had been disposed of, resulting in the imposition of a \$200-fine. The delegate of Portugal indicated that the information in the document was not clear and misleading. Several reports had apparently not been received by Portugal. He indicated that he would work with the Canadian delegation to clarify matters. Discard and logbook problems had been resolved in Portugal; only mesh-size difficulties remained, largely due to misunderstandings about different netting material standards. The Chairman suggested that the delegates discuss the report on a bilateral basis to clarify relevant issues. The delegate of FRG asked if the one FRG infringement (logbook discrepancy) reported by the US inspector had been sent to his Government. The delegate of Canada, commenting on the enforcement activities of Canadian authorities, said some 21 vessels had been cited by Canadian inspectors in 1975 for fishing from the "Others" quota allocation without first having notified the ICNAF Secretariat. He expressed concern that, in some cases, the "Others" quotas were substantially overrun, particularly in the case of Div. 5Z + Statistical Area 6 herring, during the past year. He noted that this type of performance undermined the quota system and if Member Countries did not comply with the reporting requirements, the quota overrun problems would continue. In September 1975, Canadian inspectors, working with the Secretariat, became aware that the "Others" quota in Div. 5Z + Statistical Area 6 herring had been reached, and it was only through these joint efforts that the "Others" quota was closed and a greater quota overrun avoided. The delegate of Japan indicated that Japanese vessels had caught herring under the "Others" allocation in Div. 5Z + Statistical Area 6 without prior notification to the Secretariat. Later they did report to the Secretariat. Meanwhile, a letter was received from Canada citing the Japanese vessels. On investigation, it was revealed that the difficulty resulted from personnel changes and misunderstandings of procedures to be followed. However, he believed that Japan was not responsible for the overrun of the "Others" quota of herring in Div. 5Z + Statistical Area 6, as 100-ton catch

reports were submitted to the Secretariat without delay from the beginning of the Japanese fishery and the indication from the Secretariat had been complied with. The Chairman observed that the problem under discussion had been in existence for some time. Countries participating in the "Others" quota should advise the Executive Secretary prior to their intended fishing activity and estimate their expected catch. STACTIC agreed that its concern with this problem should be conveyed to the Panels and the Commission.

21. The Chairman drew attention to the Revised Canadian Proposal for the Utilization of Helicopters in Vessel Boardings (Comm.Doc. 76/VI/36 Revised) (see Section 13 for previous discussion) which had been revised by the Working Group with participation of Canada, UK, and USA. The convener of the Working Group, Mr D.R. Bollivar (Canada), reviewed the revised proposal. The delegate of Portugal asked whether there might not be a need to provide the vessel master with a greater degree of participation in the decision to undertake a helicopter boarding. Not only the safety of the personnel boarding the vessel, but also the safety of the vessel and the aircraft and their crews should be considered. He felt that some provision should be made to give the master of the vessel some discretion in deciding if it were safe to have his vessel inspected. Clarification was needed. The delegate of Canada indicated that the proposed procedure had been written from the viewpoint of the helicopter rather than the vessel. The delegate of Portugal emphasized that, under the accepted principles of good seamanship, the master's responsibility for the vessel was clear. The master must have equal authority with the captain of the helicopter in deciding if he could safely accept boarding by helicopter. There might be times when the master felt circumstances existed where it would be unsafe to permit an inspection. The Chairman suggested phrase changes to give the aircraft and vessel captains equal authority. The delegate of Portugal indicated that he would require additional time to study the proposal. The delegate of USSR said that he could not approve this proposal as he had had no opportunity to consult with helicopter specialists and experts in his country. Such consultation was important due to space limitations aboard Soviet vessels caused by much fishing gear and many antennae. Concern was expressed about safety considerations due to the proposed stoppage of radio transmissions, to the question of adequate deck space to land the inspector safely, to the possible misunderstanding of communications and signals, and to the difficulty in ensuring that helicopter lines would not foul. Concern was also expressed about the possible acceptance of such procedures by vessel masters. The delegate of Canada indicated that decisions taken by ICNAF were not binding upon any Member State but that a Member State might enter an objection or a reservation. Canada agreed that Member States should consult with specialists. He noted that the minimum clear space required for a hoist transfer to a vessel was relatively small, about three meters square, and that if such areas could not be found aboard a vessel, a transfer would not take place. He discussed the several problems raised by USSR in an attempt to resolve difficulties. The delegate of UK suggested that instructions to masters should also include directions to deal with radio transmissions and the discharge of static electricity from a helicopter. The delegate of USA suggested that ICNAF might consider printing on plastic cards a standard set of safety precautions, in several languages, dealing with helicopter boarding procedures. Such a placard could be displayed in the pilot house of fishing vessels. Concern was expressed at the use of the International Code of Signals (INCO) signal "SQ3" in boardings under the ICNAF Scheme since the signal might have two meanings depending on whether or not the ICNAF pennant was displayed. Without the ICNAF pennant, the signal was a command. It was used by the USA to command a vessel to stop, indicating the application of US law in US jurisdiction. The delegate of USSR indicated that formal objection could be made to the helicopter proposal since it had not been put forward in advance of the Annual Meeting. He emphasized that it would not always be possible to turn off electronic equipment aboard fishing vessels. He noted that the described helicopter hand and other signals adopted from IMCO were intended for rescue operations and questioned their appropriateness for use in ICNAF boardings. The delegate of GDR said that he could accept the proposal. However, he requested that the responsibility of vessel masters be clarified. The responsibilities of the aircraft captain and vessel master should be clearly delineated so as to avoid problems between Member States in the event of an accident. He asked if an infringement existed if it were impossible for an inspection party to board. The master of the vessel should be required to report why a boarding was not possible. The Chairman asked the Working Group to meet again to incorporate the various comments made at this session.

22. The Chairman directed attention to Comm.Doc. 76/VI/59 concerning Proposed Changes in the NEAFC Scheme of International Joint Enforcement. The delegate of Portugal indicated that the proposals were not yet formal NEAFC recommendations but would be received and discussed at the NEAFC meeting in July 1976. The Chairman suggested that, since by-catch was a problem in ICNAF, STACTIC might consider if the proposed NEAFC changes were worth adoption by ICNAF. He also drew attention to the proposed changes for NEAFC with respect to the size of vessels which should be required to maintain logbooks and the establishment of a NEAFC inspectorate. The delegate of Portugal pointed out that the intent of the NEAFC proposal was to zero-in on the by-catch problem. NEAFC shared with ICNAF the difficulties of determining by-catch due to large quantities of fish being ground into meal making species identification impossible. The proposal concerning an inspectorate stemmed from the fact that the NEAFC Area was surrounded by coastal states. Nearly all fishermen in NEAFC were from coastal states, while ICNAF has an unbalanced mix of coastal and distant-water fleets. The delegate of FRG questioned the meaning of the term "excess landings" on the ICNAF Return of Inspection forms. The Chairman noted that the definition could be found in Comm.Doc. 76/VI/17. The delegate of Portugal said that NEAFC felt it was necessary to inspect the catch when it was landed, as it was only at that time that an infringement for "excess landings" could be firmly established. The delegate of FRG suggested that use of the term "excess by-catch" might be a more appropriate term. He proposed, as suggested by NEAFC's Enforcement Committee, a change to the form, allowing for an appropriate transition period. Regarding the size limit of vessels for which logbooks were required to be kept, he noted that the different pattern of fisheries on the

two sides of the Atlantic justified different logbook requirements. The delegate of USA proposed that the NEAFC proposed changes be set aside and that their development be monitored. He indicated that it would be beneficial to review the "excess by-catch" problem, suggesting that it be explored in another forum. He said that the USA was opposed to the creation of an ICNAF inspectorate. The delegate of Canada indicated that Canada was prepared to support a change in the form with respect to "excess by-catch" as soon as convenient. With respect to logbooks, Canada required that the fishing log be maintained on even smaller vessels than required by ICNAF. Logs were required for Canadian statistical purposes. In Canada's view, there was no point in changing ICNAF regulations on logbooks. Canada felt that the creation of an ICNAF inspectorate would, at present, be inappropriate. The Chairman noted that Denmark, on previous occasions, expressed concern over logbook requirements for smaller vessels due to conditions in Greenland. He further noted that NEAFC may have peculiar needs and that there may be a need in ICNAF for better excess-landings data and a category of excess by-catch. The delegate of Portugal emphasized the differences in the scope of fishing activity in the NEAFC and ICNAF Areas and drew attention to a paper (Comm.Doc. 76/VI/37) which he had prepared to explain the differences between the NEAFC and ICNAF Enforcement Schemes. There was greater control in ICNAF than in NEAFC because of the better balance of coastal states in NEAFC. The Chairman, noting the consensus to change the ICNAF reporting forms with respect to "excess by-catch" and "excess landings", requested the Executive Secretary to make the appropriate changes. The delegate of Portugal noted that there is a distinction between quota infractions and by-catch infractions in the proposed NEAFC forms.

23. The Chairman drew attention to Agenda Item 11, New and More Effective Measures under the Scheme (Comm. Doc. 76/VI/29). The delegate of USA indicated that the USA intended to explore the possibility of greater implementation of the observer program. As of now, however, the USA did not propose a programmatic change. Concerning US enforcement activities, the provisions of the US Fishery Conservation and Management Act of 1976 would become effective 1 March 1977. All countries should have copies of the Act as they were provided via US Embassies in Member Countries. The USA under its domestic law was required to enforce US regulations. Under US law, there would be no conflict with the ICNAF Scheme effective 1 March 1977. That law extends US jurisdiction over the living resources of the sea out to 200 miles from the US coast. The ICNAF Joint Scheme would cease to apply within that zone. In its place, US enforcement of her domestic law would apply. As of now, details concerning enforcement procedures, etc., have not been fully developed. A great deal of planning must be done. Regarding the enforcement of the "Others" quota, the USA noted the difficulties in the past in the enforcement of these quotas. Non-notification of fishing under the "Others" quota and the failure to report catches in 100-ton increments had clearly been observed by Canadian and US inspectors. From an enforcement standpoint, the Scheme implied a country violation rather than a violation by individual vessels. A more effective method was needed to charge violations to vessels rather than to countries. If the "Others" quota system would not be enforced, then the viability of the system was called into question. Change was needed. The USA might make proposals to the Panels.

24. STACTIC recessed at 1220 hrs, 2 June.

25. STACTIC reconvened at 1550 hrs, 2 June. The Chairman invited the convener of the Working Group to discuss the activities of the Group in relation to the helicopter transfer procedure (see Section 21 for previous discussion). The delegate of Canada expressed appreciation to UK, USSR, US and Canadian members of the Working Group and reviewed the changes made in the Canadian proposal concerning helicopter boardings. The delegate of Portugal suggested minor clarifications. He stated that the proposed procedures should not apply in emergency conditions. He was not against the proposal, in principle, but he would have to consult with vessel masters and helicopter experts in Portugal. The delegate of FRG indicated that he was in a similar position. He supported the proposal since he was impressed by the film shown at the STACTIC meeting in Rome and by the additional efforts which had been made in the Working Group to improve the proposed amendments to the Scheme of Joint Enforcement. Despite that, the proposal might be subject to objections since the advice given to him by experts stressed that the helicopter transfer procedure would be dangerous. The delegate of USSR, in a similar position to Portugal and FRG, indicated that he had no instructions regarding the proposal from his Government since it had not been received before his arrival at the Montreal meeting. The proposal was linked with several disciplines other than fishing and should probably be discussed in the Plenary Session. The Chairman, noting FRG, Portugal and USSR reservations, asked for a consensus to recommend an implementation date for the helicopter procedures to the Commission. Following a request from the delegate of Portugal for more time for the delegates to study the proposal and to make further suggestions or objections, STACTIC, having approved the proposal in concept, deferred further discussion and a final decision to a later session.

26. Under Other Business, the delegate of FRG suggested that, in the future, STACTIC should not meet for an entire week. The Chairman explained that the present schedule had been set due to long sessions of STACTIC in the past. The delegate of Cuba stated:

"With your permission, I would like to take this opportunity to draw your attention to some measures which had been undertaken by our country in order to guarantee that our fishing vessels fully comply with the regulations already in force by the Commission.

"At the same time, I must also refer you to some negative actions that have taken place recently during some inspections carried out by US inspectors on our vessels. Their actions, in our opinion, do not contribute to developing the basis for the mutual confidence necessary to achieve success in the enforcement and implementation of the Joint International Scheme of Enforcement.

"Previously in this meeting, I had referred you briefly to some of the internal measures we have adopted in order to achieve the full observance by our fishing captains of the regulations adopted by the Commission.

"Those measures are essentially the following:

- "1. We have nominated a National Standing Committee which is in charge of the study and implementation of the ICNAF regulations, and which is composed of personnel from our fishing fleet, from our Fisheries Research Center and several Departments of our Ministry.
- "2. We have produced a manual containing all the regulations in force by ICNAF for our skippers and fishermen. That manual has been used in seminars conducted on board fishing vessels on the fishing grounds in the Northwest Atlantic.
- "3. We have introduced standard logbooks on our vessels in order to register all the data required during inspections, and to be able to comply with the various statistical requirements of the Commission. Actually, a new version of the logbook is being printed to take into account some minor changes recommended as a result of the inspections we have undergone.
- "4. At present, there are several Ministerial resolutions which will give a mandatory basis for our domestic enforcement of the ICNAF regulations. At the moment, this objective is achieved by internal administration dispositions. It is a fact that the results of some of these measures I am referring to, have been observed by US inspectors and fisheries officials.

"It is also a fact that some of those authorities have expressed to us their recognition for our efforts.

"In contradiction with that, the latest inspections conducted by US inspectors have had a different character which certainly does not contribute to achieving the goals already stated.

"To be specific, the inspection conducted by the US patrol ship *Tamaroa* on the eleventh of May on Cuban vessel *Rio Cauto* is an example of this negative procedure. This ship, as related to us by Captain Dionisio Hernandez, Chief of the Fleet operating in the ICNAF Area and also a Cuban ICNAF inspector, suffered the following actions which are, by no means, in accordance with any internationally accepted inspection scheme under the existing law of the sea regime:

- "1. This vessel was boarded by an armed party who detained the vessel for 14 hours with resulting financial losses from that action.
- "2. During the inspection 150 boxes of frozen fish were destroyed searching for some prohibited species without positive results.
- "3. The master of the ship was asked to spread on the deck every catch and not to discard it directly to the bunkers, when obviously this practice will reduce the fishing efficiency by more than 50% for this type of ship.

"Finally, we want to inform you that, to the present, we have not received any official report of the inspections carried out by the US inspector.

"I apologize for taking so much of your time but we wanted to take this opportunity to express our complete disagreement with those methods. At the same time, we can assure you that Cuba is going to continue taking all the necessary steps to implement more efficiently the Joint International Scheme.

"Thank you very much."

The Chairman suggested that the delegate of Cuba consult with the US delegation to resolve the problem.

27. The Chairman suggested that STACTIC delay the election of a new Chairman until the next meeting when the full membership would be present. In reply to the delegate of FRG, the Executive Secretary advised that there was no ICNAF rule of procedure prohibiting the re-election of the Chairman of a Standing Committee.

28. STACTIC recessed at 1635 hrs, 2 June.

29. STACTIC reconvened at 0950 hrs, 21 June, with delegates from all Member Countries, except Iceland and Romania, present.

30. The Chairman drew the attention of the delegates to Comm.Doc. 76/VI/21, Present Status of Implementation of the Scheme of Joint International Enforcement (as at 15 June 1976) and its Addendum which provided corrected data from Cuba and Italy. He suggested that Member Countries with suggestions for change should pass them to the Executive Secretary.

31. The Chairman then suggested further consideration of the revised Canadian proposal for amendment of the Scheme of Joint International Enforcement to permit inspections by helicopter hoist procedure (Appendix I) (see Section 25 for previous discussion). This revision included changes made by the Working Group on the basis of suggestions and comments previously made in STACTIC. The Chairman then drew attention to a further amendment (Comm.Doc. 76/VI/41) presented by the delegate of Portugal which added a section (ii) to paragraph 4 of the proposal. The delegate of Portugal, in presenting the Portuguese proposal, noted that when reading the amended wording of the Scheme of International Joint Enforcement (Appendix I) one found not only a proposal for new regulations but also annexed instructions to masters. Some instructions should, he felt, be more appropriately a part of the regulations. He said that masters of fishing vessels should not be burdened with any added responsibility under the Scheme. The wording of the Portuguese proposal, as it stood, could lighten their responsibilities. He proposed a revision of section (ii) of paragraph 4 which would now read: "The procedures established for personnel helicopter hoist transfers are not intended to place a higher duty of care upon the master of a fishing vessel than would otherwise be the case under International Law". The delegate of Canada indicated that the Portuguese proposal was quite acceptable. The delegate of USSR, to clarify his delegation's position, noted that, in earlier sessions of STACTIC, he had drawn attention to the late presentation of the proposal during the meeting and that, as a result, he had had no opportunity to consult with experts in the USSR on a number of important issues. Now, as formal adoption of this proposal by the Commission and the time for it to enter into force was considered, and having no intention to lodge any formal procedural objection, he proposed adoption of a procedure analogous to that adopted by the Commission on enforcement matters in Statistical Areas 0 and 6. In that case, those countries that were able to apply a proposal would do so on a mandatory basis and, in this instance, would participate in helicopter hoist enforcement starting in 1977 and those countries that required changes in legislation would apply the proposal voluntarily. He did not object to the Canadian and Portuguese proposed amendments to the Scheme. The Chairman noted that countries might have difficulty in implementing the proposal and pointed out that the Commission provides opportunities for it not applying throughout the Convention Area. The delegate of Portugal indicated that, until Statistical Areas 0 and 6 are part of the Convention, Portugal cannot make application of any scheme mandatory in these areas, but will apply it on a voluntary basis. Paragraphs 2 and 7 of the instructions in the proposal should be made an integral part of the regulations. Not doing this may raise particular problems in Portugal. In addition, as he had previously mentioned, no time had been given to consult with industry, vessel masters and crews, and helicopter experts. The Chairman indicated that the concerns of the delegate of Portugal had been taken into consideration when STACTIC approved the Canadian helicopter proposal in concept, recognizing that some nations may wish at a later time to recommend changes in order to have it applicable within their domestic law. The delegate of Japan indicated that his delegation had not had time to study the proposal beforehand. There was no objection to the proposal, but Japan's final acceptance was subject to detailed examination by Japanese legal and technical experts and vessel masters. The delegate of Bulgaria supported the Chairman's suggestion and noted that many technical complications lie ahead. There was no guarantee that the proposed procedure would be a safe one. He requested that countries which would be implementing the procedure, especially Canada, to study the proposal carefully one more. He accepted the Portuguese proposal.

The Chairman, noting the comments of USSR, Portugal, Bulgaria, and Japan on the technical aspects of the proposal and their reservations of possibly having this apply only in certain areas and not on their vessels, indicated that the proposal should be recommended to the Commission for adoption. Accordingly, STACTIC

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (1) for amendment to the ICNAF Scheme of Joint International Enforcement of the Fishery Regulations to permit inspections by helicopter hoist procedure in the Convention Area and Statistical Areas 0 and 6 (Appendix II).

32. Turning to ICNAF Comm.Doc. 76/VI/53, Proposal by the US Commissioners for a Commission Resolution Relating to the Effective Enforcement of the Commission's Regulations, the delegate of USA pointed out that this proposal dealt with the problem of enforcement within national fisheries' limits during the coming year. The proposal recognized that, in two cases, the coastal states would shortly be extending their fisheries limits to a greater distance than at present. It set out the US views on the enforcement regime which must, therefore, take place in order to ensure the continued effective application of the regulations under the present Convention. It was recognized that the STACTIC delegates probably did not have the authority to deal with the proposal at this meeting. He welcomed their comments on the proposal, however, and had considered it might be useful to discuss it here. But, recognizing the expressions of the delegations in earlier sessions with respect to authority they have or do not have, he thought that STACTIC should refer this proposal to the Commissioners for consideration in the Plenary Sessions without a recommendation from STACTIC. The delegate of Portugal requested clarification concerning the area and time of applicability of the resolution. As it was surmised in the introduction of the US proposal, his delegation had no authority to act on this type of resolution. The requirement that fishing vessels stop immediately when hailed was seen as

impractical and unsafe. When USA extended its fisheries jurisdiction, it would, by unilateral action, enforce its regulations as it saw fit. Countries might accept or reject the extended jurisdiction of USA but, in any case, the adoption of this resolution would be inconsistent with the Convention and the International Scheme of Joint Enforcement. Unilaterally, the USA could do what it proposed in the resolution and more. The delegate of USA, in response to the delegate of Portugal's request, drew the distinction between the Convention Area and the area in which the Scheme of Joint International Enforcement applies. The Convention Area includes all that water up to the territorial limits (3 miles) of the coastal states. The Scheme of Joint International Enforcement includes the waters of the Convention Area up to the limits of national fisheries jurisdiction, so that there is an area between the limits of territorial waters and the limits of national fisheries jurisdiction not covered by an explicit enforcement scheme under the Convention, itself. The USA, if it remained in ICNAF for 1977, was concerned that, within the new limits of national fisheries jurisdiction, there must be an effective means to enforce the decisions that had been made by this Commission as to the conduct of the fisheries. The best way that the USA could see to do that, within the terms of national legislation and within the terms of the Convention, and the regulations under the Convention, was to apply the procedures as contained in this resolution within the limits of national fisheries jurisdiction. The Commission's regulations were what should be enforced because they were still applicable in the Convention Area up to the territorial sea. It was a difficult and somewhat complex set of ideas and it has resulted in a somewhat complex proposal. The USA is fully aware that the majority of the delegates do not have the authority to make a decision on such a matter at the present time. The delegate of Portugal replied that, while it was correct that there was an area under the Convention in which the Scheme of Joint International Enforcement did not apply and that areas of coastal state fisheries jurisdiction did exist, the problem of all those areas should become well defined. The question was whether or not the USA would participate in the Commission. As a consequence, the resolution was either not needed with extended jurisdiction, or was impossible to apply under the Convention. The delegate of FRG indicated that, as quite rightly anticipated by the US delegation, it could not be expected that most Commissioners could accept the proposal made by USA since it might imply recognition of extended coastal states' jurisdiction and he had made it clear that he could not recognize that here. It was not quite outside the framework of ICNAF to have such a proposal since in Article VIII, paragraph 5 of the ICNAF Convention, as amended, the Commission may make proposals not only for international control measures but for national measures of control as well. So the US paper could be phrased in such a way as to be a proposal for national measures of control. If the USA were to extend its fishery zone (though the FRG did not recognize such unilateral actions), then the USA would be entitled to have enforcement procedures of any kind they would desire as long as they are compatible with the general international law. Nevertheless, it would be advisable from a pragmatic point of view that the enforcement measures within an extended fisheries jurisdiction zone be submitted to an international body such as ICNAF to develop a standardized form of enforcement, perhaps not in legal substance, but in forms similar to existing procedures established in ICNAF. This might facilitate enforcement and any legal regime. It might be well for the coastal states to continue with ICNAF practices. He would prefer that, for example, upon being signalled, a vessel stop only after having completed fishing. This would be a reasonable condition not only for international, but also for national control. If ICNAF was going to continue in a way that part of its regulations apply to waters within a nation's fisheries jurisdiction and part apply only outside a nation's fisheries jurisdiction, one should know the limits of national fisheries jurisdiction claimed by coastal states. If FRG were to adopt this US proposal (though she cannot) she should know the part of the Convention Area to which the Scheme of Joint International Enforcement does not apply. She should also know in paragraph 1 the definition of "relevant coastal state", that is to say, the delineation between different coastal states. This is particularly important in some areas of Subarea 5. Perhaps the Secretariat and the coastal states could provide the Commission with a map with coordinates of the fisheries jurisdiction claimed by the coastal states in the ICNAF Area. The delegate of Canada reiterated two basic elements of Canada's approach to this meeting in connection with the US proposal. Firstly, the Scheme of Joint International Enforcement did not apply within the limits of national fisheries jurisdiction. Secondly, the Canadian Government for 1977 would adopt and enforce as Canadian regulations under Canadian law in its 200-mile zone those measures agreed within the Commission with Canadian concurrence. The delegate of USSR agreed with the observations of the US delegate that STACTIC and/or the Commission could take no definitive action on the US proposal. Considering the US resolution outside the official sphere, he could agree with the previous comments with respect to the wording of the document. Many questions surfaced with regard to the area of application of the resolution. He wished to draw attention to the section on the stopping of a trawler. There had been lengthy deliberations at previous sessions resulting in alternate wording. This should make a distinction between international and national enforcement. The observer scheme proposed by the USA differed greatly from the scheme of scientific observers adopted by the Commission in 1975. These were his unofficial remarks concerning this proposed resolution. The delegate of Portugal reminded STACTIC that the observer scheme that had previously been placed before the Commission was outside the enforcement scheme. It was made clear then that the observer scheme had nothing to do with enforcement. Unfortunately, in the US proposal, the observers were made part of an enforcement system and the applicable terms and conditions were not specified. In short, a coastal state had fisheries jurisdiction in a certain area or it had not. If it had and it was party to the Convention, it would enforce the Convention regulations in that area as it wished; outside that area, it had to enforce them as the Convention dictated. If it was not party to the Convention, it would enforce what it wished, however it wished; outside its jurisdiction, it would enforce nothing. The delegate of USA indicated understanding of the Portuguese delegate's statements. As the USA had previously indicated, the domestic legislation required that if the USA remained within the ICNAF Convention for 1977, it was the conservation regulations agreed by ICNAF which should be enforced. That was the US legal position and one of the underlying reasons for the resolution before STACTIC. The

US law contemplates enforcing within the Convention Area, inside the limits of national fisheries jurisdiction, the conservation regulations which have been agreed to internationally. The delegate of Cuba indicated that the meaning of the area covered was unclear. Requiring a fishing vessel to stop immediately could not be accepted due to economic implications. As the US delegation would realize, the concept of permanent observers had much to do with the concept of sovereignty of other states. This was a very important concept that must be taken into account. Present Cuban legislation dealing with sovereignty would not accept this type observer. Cuba would accept an observer only if she signed an agreement, bilateral or multilateral, as a basis to say when she specifically recognized such a program. This would be something Cuba accepted because another state would also accept the same theory on board their own vessels. To accept such a measure that was dictated unilaterally by another state is not contemplated in Cuba's present legislation. This concept of national sovereignty is of great importance and should be given more thought. The delegate of Spain indicated that it would be unprofitable to continue consideration of the issue and that the matter should be referred to the Commission and to the Governments affected by it so that due consideration could be given to all the points raised by the proposed resolution. The paper was not in sufficient detail. The applicable area, for example, needed clarification. The Chairman indicated his understanding that it was the US intent to refer the document to Governments. It was also intended that STACTIC be a forum to allow some discussion and deliberations and that without recommendations, refer the document to the Commission for further referral to Governments. The delegate of Portugal agreed with the delegate of Spain, noting that the discussion had been profitable. The delegate of GDR reiterated its official position. The GDR delegation had no authority to consent to such a suggestion before the conclusion of the Law of the Sea Conference. He held the same view as the delegation of USSR - that the wording and text could be considered only informally. He suggested that this resolution could be discussed by the countries concerned after the coastal states extended their jurisdiction to 200 miles. Some changes were required in paragraphs 2 and 4. He considered it was impossible while fishing to stop a vessel immediately. Similarly, in paragraph 4, the observer program was dealt with as a scientific program and not as an enforcement program. The detailed procedures to be used in implementing the observer program needed clarification. He was not in a position to state the GDR final position on the matter. The delegate of Portugal requested a reference for the statement in the Scheme of Joint International Enforcement that the Scheme only applied outside national fisheries jurisdiction. The delegate of FRG quoted the reference on page 128 of the 1974 Meeting Proceedings. The Chairman noted a consensus to refer the US proposal without recommendation to the Commission for further referral to Member Governments for further study before the next Commission meeting. He asked that the major discussion on the issue occur in STACTIC and not in Plenary where time was limited, if it was intended by any delegation to seek adoption of Comm.Doc. 76/VI/53 as a formal resolution. On confirmation that the USA did not seek adoption, STACTIC agreed that there was no need for extensive debate in the Plenary Session.

33. The Chairman asked for any additions or changes to the report of STACTIC which had been circulated. The delegate of FRG indicated that the FRG had now submitted vessel registration information as required under the STACTIC Agenda Item 8, Review of Registration by Nationals of Vessels Engaging in Fishing or Treatment of Sea Fish. It was again requested that Mr Dehde's name be removed from Annex B of Circular Letter 76/37. The delegate of Portugal informed that the post of designated authority under the Scheme of Joint International Enforcement in the ICAF Area had already been created for Portugal by Order-in-Council. The Treasury, however, had not yet allocated the necessary foreign exchange funds, but these should be available soon. With respect to Agenda Item 5(e), Portugal was not in a position to accept mandatory inspections in Statistical Areas 0 and/or 6, but as Portuguese fishing vessels had not been registered for fishing in these areas, it had made no difference. Referring to Agenda Item 7, he pointed out that Portugal had no research vessels operating in the Convention Area. With respect to Agenda Item 9, he said that Portuguese courts have no power to order revocation of fishing licences or permits since this was regarded as the punishment of an instrument in the food supply chain rather than the culprits.

34. The Chairman moved to Agenda Item 12, Election of a Chairman for 1976/77. The delegate of FRG nominated Mr W.G. Gordon (USA) for re-election. The delegate of Portugal seconded the nomination. There being no other nominations, Mr W.G. Gordon (USA) was re-elected Chairman of STACTIC.

35. STACTIC adjourned at 1100 hrs, 21 June.

ANNUAL MEETING - JUNE 1976

Draft proposal for amendment to ICNAF Scheme of Joint International Enforcement to permit inspections by helicopter hoist procedure in the Convention Area and in Statistical Areas 0 and 6

That pursuant to paragraph 5 of Article VIII of the Convention, paragraphs 2, 4(i), and 7 of the Scheme of Joint International Enforcement, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, pages 87-89), be replaced by the following; and that Annexes A and B be added to the Scheme of Joint International Enforcement:

"2. Vessels and helicopters carrying inspectors shall display a special flag or pennant approved by the Commission to indicate that the inspector is carrying out international inspection duties. The names of the vessels which may be either special inspection vessels or fishing vessels and the identity of the helicopters so used for the time being, shall be notified to the Commission.

"4. (i) The master of a vessel employed for the time being in fishing for sea fish or in the treatment of sea fish in the Convention Area or in Statistical Areas 0 and 6 shall facilitate boarding when given the appropriate signal in the International Code of Signals by a vessel or a helicopter carrying an inspector. The vessel to be boarded shall not be required to stop or manoeuvre when fishing, shooting, or hauling. The master shall nonetheless provide:

- a) a boarding ladder; or,
- b) such assistance to boardings from helicopters as specified in Annex A to the Scheme of International Enforcement; and
- c) in either case, observe the ordinary practice of good seamanship to enable an inspection party to board as soon as practicable.

"7. An inspector observing a failure of a vessel to enable an inspection party to board after being properly signalled shall:

- (i) Report the apparent infringement as soon as possible to any inspector of the flag state known to be in the vicinity or a designated authority of the flag state;
- (ii) Prepare a report giving as much information as possible, including the distance from which the signal was given, the visibility at the time, sea state, wind and icing conditions."

ANNUAL MEETING - JUNE 1976

Instructions to masters for transfer of an ICNAF inspection party by helicopter to and from fishing vessels

The Contracting Governments shall take appropriate action to ensure that all masters of fishing vessels under their jurisdiction engaged in fishing for sea fish or in the treatment of sea fish in the Convention Area or in Statistical Areas 0 and 6 are made aware of and comply with the following instructions with regard to the transfer of ICNAF inspection parties by helicopter to and from fishing vessels:

1. Inspection parties authorized under the ICNAF Scheme of Joint Enforcement procedures may board a vessel not only by sea boat, but also by helicopter. In some ice conditions this may be the only practical way of boarding a vessel. Masters shall be aware of this method of transferring inspectors, and shall be conversant with the information contained in these instructions.
2. The captain of the helicopter shall be responsible for the safety of personnel who are being transferred between a vessel and the helicopter during the entire time such personnel are attached to the helicopter via the hoist cable and the lifting device.
3. The master of the vessel shall follow the procedures described below to assist the helicopter:
 - (i) Attempt to communicate by radio in some common language;
 - (ii) Alter course and speed if requested and if free to do so;
 - (iii) Maintain a steady course and speed throughout the transfer operation unless the safety of the vessel is in jeopardy;
 - (iv) Provide a visual indication of relative wind by means of a pennant or other suitable device;
 - (v) Clear the transfer area of objects which could be blown loose;
 - (vi) Radio transmission shall not be made on standing wire antennae (high frequency) in the immediate vicinity of the transfer area during the transfer. If such transmissions become necessary, the helicopter shall be advised so that the transfer can be delayed;
 - (vii) A guide line may on occasions be lowered first. Crew members should be available to man this line to assist in the transfer of the inspection party, but the inspection party, other lines and wires should not be touched by the crew of the vessel until the inspection party ground them on the vessel;
 - (viii) TAKE APPROPRIATE MEASURES TO ENSURE TO THE EXTENT PRACTICABLE THAT NONE OF THE LINES OR FITTINGS LOWERED FROM THE HELICOPTER ARE ATTACHED TO OR PERMITTED TO FOUL IN THE VESSEL.
4. The helicopter displaying its ICNAF pennant shall communicate to the vessel, by one or more of the following means, his intention to conduct a boarding:
 - (i) Radio communications on 2182 KHZ, VHF-FM Channel 16 or other agreed to frequencies;
 - (ii) Visual or aural indication of an appropriate signal extracted from the International Code of Signals as included in Annex B of the ICNAF International Inspection Scheme;
 - (iii) Hover over or near the intended boarding position in conjunction with hand signals indicated in paragraph 5.
5. The following visual hand signals, adopted from the International Code of Signals, may be used by the air crew or vessel crew to permit communication as appropriate to the stage of the boarding operation:
 - (i) Signal: Pointing movement by the arm or hand

<u>Used by:</u>	<u>Meanings:</u>
Helicopter	Wish to conduct transfer or boarding in the indicated location
 - (ii) Signal: Vertical motion with an arm or a flag, or a "Thumbs-Up" indication

<u>Used by:</u>	<u>Meanings:</u>
Either	Ready to conduct transfer; or
Vessel	Desire transfer from this position; or
Helicopter	Take up the slack on the guide line; or
Helicopter	Pull in gently on the guide line; or
Either	Any affirmative response.

(iii) Signal: Horizontal motion with arm or flag, or "Thumbs-Down" indication

Used by:

Meanings:

Vessel	Transfer not recommended from this position - recommend alternate (and point towards desired position); or
Either	Not ready to conduct transfer; or
Vessel	Request you stop the transfer; or
Helicopter	Ease the tension on the guide line; or
Helicopter	Release the guide line; or
Either	Any negative response.

6. A visual display of the symbol YU by the helicopter or the radio transmission of YANKEE UNIFORM to the fishing vessel indicates the signals in Annex B of the Scheme of Joint International Enforcement are to be used for inspection communications.
7. The following situations are representative of conditions under which a personnel helicopter hoist transfer will not be attempted:
 - (i) In the opinion of the captain of the aircraft or the master of the vessel, there is inadequate clear space for a transfer or there are too many obstructions;
 - (ii) There is significant vessel motion such that, in the opinion of the captain of the aircraft or the master of the vessel, a hazard exists;
 - (iii) The helicopter cannot position itself with an acceptable relative wind;
 - (iv) Other hazards exist which prejudice the safety of the helicopter or the vessel or of personnel being transferred.

ANNUAL MEETING - JUNE 1976Standard examples with meanings from the International Code of Signals and remarks pertinent to helicopter transfers under the ICNAF Scheme of Joint Enforcement

<u>IMCO Signal</u>	<u>IMCO Meaning</u>	<u>ICNAF Remarks</u>
SQ 3	You should stop, or heave to, I am going to board you	The display of the ICNAF pennant indicates the presence of an authorized ICNAF inspection team in the helicopter
MG	You should steer course _____	Course is true
IK-RQ	Request you proceed at _____ KTS	
AZ	I cannot alight but I can lift crew	Indication of intentions to conduct helicopter hoist transfer (used with BB signal)
BB1-RQ	May I alight on your deck: are you ready) to receive me forward)	Used in conjunction with signal AZ to indicate helicopter will not alight but will conduct a hoist transfer in the area indicated
BB2-RQ	May I alight on your deck: are you ready) to receive me amidships)	
BB3-RQ	May I alight on your deck: are you ready) to receive me aft)	
K	I wish to communicate with you by (extracts from IMCO Table 1) 6... International Code Flags 8... Radiotelephony 2182 KHZ 9... VHF Radiotelephony Channel 16	
YX	I wish to communicate by radiotelephony on frequency indicated	
C	YES (affirmative)	
N	NO (negative)	November Oscar by voice or radio transmission
YU	I am going to communicate with your station by means of the International Code of Signals	
BT	Helicopter is coming to you now (or at time indicated)	

ANNUAL MEETING - JUNE 1976(1) Proposal for amendment to ICNAF Scheme of Joint International Enforcement to permit inspections by helicopter hoist procedure in the Convention Area and in Statistical Areas 0 and 6

STACTIC recommends that the Commission transmit the following proposal to Depository Government for joint action by the Contracting Governments:

That pursuant to paragraph 5 of Article VIII of the Convention, paragraphs 2, 4, and 7 of the Scheme of Joint International Enforcement, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, pages 87-89), be replaced by the following; and that Annexes A and B be added to the Scheme of Joint International Enforcement:

"2. Vessels and helicopters carrying inspectors shall display a special flag or pennant approved by the Commission to indicate that the inspector is carrying out international inspection duties. The names of the vessels which may be either special inspection vessels or fishing vessels and the identity of the helicopters so used for the time being, shall be notified to the Commission.

"4. (i) The master of a vessel employed for the time being in fishing for sea fish or in the treatment of sea fish in the Convention Area or in Statistical Areas 0 and 6 shall facilitate boarding when given the appropriate signal in the International Code of Signals by a vessel or a helicopter carrying an inspector. The vessel to be boarded shall not be required to stop or manoeuvre when fishing, shooting, or hauling. The master shall nonetheless provide:

- a) a boarding ladder; or
- b) such assistance to boardings from helicopters as specified in Annex A to the Scheme of International Enforcement.

In either case, the master shall observe the ordinary practice of good seamanship to enable an inspection party to board as soon as practicable. With respect to personnel helicopter hoist transfers, in certain circumstances such as those cited in paragraph 7 of Annex A, a boarding, using the helicopter hoist transfer procedure, will not be attempted;

- (ii) The procedures established for personnel helicopter hoist transfers are not intended to place a higher duty of care upon the master of a fishing vessel than would otherwise be the case under International Law;
- (iii) Fishery support vessels in transit and not for the time being connected with fishing or transferring unprocessed fish are not subject to boarding under this Scheme;
- (iv) An inspection party will consist of one inspector in charge of making the inspection who may be accompanied by additional inspectors appointed under this Scheme and not more than two witnesses. The word "inspector" hereafter refers only to the inspector in charge unless it is clear that all inspectors appointed under this Scheme and included in the inspection party are referred to;
- (v) The master shall enable the inspector to examine and photograph catch, nets, or other gear and any relevant documents as the inspector deems necessary to verify the observance of the Commission's regulations in force in relation to the flag state of the vessel concerned.

"7. An inspector observing a failure of a vessel to enable an inspection party to board after being properly signalled shall:

- (i) Report the apparent infringement as soon as possible to any inspector of the flag state known to be in the vicinity or a designated authority of the flag state;
- (ii) Prepare a report giving as much information as possible, including the distance from which the signal was given, the visibility at the time, sea state, wind and icing conditions."

NOTE: Attached are Annexes A and B which form an integral part of this proposal.

Annex A - Integral part of Proposal (1) for amendment to ICNAF Scheme of Joint International Enforcement to permit inspections by helicopter hoist procedure in the Convention Area and in Statistical Areas 0 and 6

Instructions to masters for transfer of an ICNAF inspection party by helicopter to and from fishing vessels

The Contracting Governments shall take appropriate action to ensure that all masters of fishing vessels under their jurisdiction engaged in fishing for sea fish or in the treatment of sea fish in the Convention Area or in Statistical Areas 0 and 6 are made aware of and comply with the following instructions with regard to the transfer of ICNAF inspection parties by helicopter to and from fishing vessels:

1. Inspection parties authorized under the ICNAF Scheme of Joint Enforcement procedures may board a vessel not only by sea boat, but also by helicopter. In some ice conditions this may be the only practical way of boarding a vessel. Masters shall be aware of this method of transferring inspectors, and shall be conversant with the information contained in these instructions.
2. The captain of the helicopter shall be in charge of and shall ensure for the safety of personnel who are being transferred between a vessel and the helicopter during the entire time such personnel are attached to the helicopter via the hoist cable and the lifting device.
3. The master of the vessel shall follow the procedures described below to assist the helicopter:
 - (i) Attempt to communicate by radio in some common language;
 - (ii) Alter course and speed if requested and if free to do so;
 - (iii) Maintain a steady course and speed throughout the transfer operation unless the safety of the vessel is in jeopardy;
 - (iv) Provide a visual indication of relative wind by means of a pennant or other suitable device;
 - (v) Clear the transfer area of objects which could be blown loose;
 - (vi) Radio transmission shall not be made on standing wire antennae (high frequency) in the immediate vicinity of the transfer area during the transfer. If such transmissions become necessary, the helicopter shall be advised so that the transfer can be delayed;
 - (vii) A guide line may on occasions be lowered first. Crew members should be available to man this line to assist in the transfer of the inspection party, but the inspection party, other lines and wires should not be touched by the crew of the vessel until the inspection party ground them on the vessel;
 - (viii) TAKE APPROPRIATE MEASURES TO ENSURE TO THE EXTENT PRACTICABLE THAT NONE OF THE LINES OR FITTINGS LOWERED FROM THE HELICOPTER ARE ATTACHED TO OR PERMITTED TO FOUL IN THE VESSEL.
4. The helicopter displaying its ICNAF pennant shall communicate to the vessel, by one or more of the following means, his intention to conduct a boarding:
 - (i) Radio communications on 2182 KHZ, VHF-FM Channel 16 or other agreed to frequencies;
 - (ii) Visual or aural indication of an appropriate signal extracted from the International Code of Signals as included in Annex B of the ICNAF International Inspection Scheme;
 - (iii) Hover over or near the intended boarding position in conjunction with hand signals indicated in paragraph 5.
5. The following visual hand signals, adopted from the International Code of Signals, may be used by the air crew or vessel crew to permit communication as appropriate to the stage of the boarding operation:
 - (i) Signal: Pointing movement by the arm or hand

<u>Used by:</u>	<u>Meanings:</u>
Helicopter	Wish to conduct transfer or boarding in the indicated location
 - (ii) Signal: Vertical motion with an arm or a flag, or a "Thumbs-Up" indication

<u>Used by:</u>	<u>Meanings:</u>
Either	Ready to conduct transfer; or
Vessel	Desire transfer from this position; or
Helicopter	Take up the slack on the guide line; or
Helicopter	Pull in gently on the guide line; or
Either	Any affirmative response.

(iii) Signal: Horizontal motion with arm or flag, or "Thumbs-Down" indication

Used by:

Meanings:

Vessel	Transfer not recommended from this position - recommend alternate (and point towards desired position); or
Either	Not ready to conduct transfer; or
Vessel	Request you stop the transfer; or
Helicopter	Ease the tension on the guide line; or
Helicopter	Release the guide line; or
Either	Any negative response.

6. A visual display of the symbol YU by the helicopter or the radio transmission of YANKEE UNIFORM to the fishing vessel indicates the signals in Annex B of the Scheme of Joint International Enforcement are to be used for inspection communications.
7. The following situations are representative of conditions under which a personnel helicopter hoist transfer will not be attempted:
 - (i) In the opinion of the captain of the aircraft or the master of the vessel, there is inadequate clear space for a transfer or there are too many obstructions;
 - (ii) There is significant vessel motion such that, in the opinion of the captain of the aircraft or the master of the vessel, a hazard exists;
 - (iii) The helicopter cannot position itself with an acceptable relative wind;
 - (iv) Other hazards exist which prejudice the safety of the helicopter or the vessel or of personnel being transferred.

Annex B - Integral part of Proposal (1) for amendment to ICNAF Scheme of Joint International Enforcement to permit inspections by helicopter hoist procedure in the Convention Area and in Statistical Areas 0 and 6

Standard examples with meanings from the International Code of Signals and remarks pertinent to helicopter transfers under the ICNAF Scheme of Joint Enforcement

<u>IMCO Signal</u>	<u>IMCO Meaning</u>	<u>ICNAF Remarks</u>
SQ 3	You should stop, or heave to, I am going to board you	The display of the ICNAF pennant indicates the presence of an authorized ICNAF inspection team in the helicopter
MG	You should steer course _____	Course is true
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AZ	I cannot alight but I can lift crew	Indication of intentions to conduct helicopter hoist transfer (used with BB signal)
BB1-RQ	May I alight on your deck: are you ready) to receive me forward)	Used in conjunction with signal AZ to indicate helicopter will not alight but will conduct a hoist transfer in the area indicated
BB2-RQ	May I alight on your deck: are you ready) to receive me amidships)	
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K	I wish to communicate with you by (extracts from IMCO Table 1) 6... International Code Flags 8... Radiotelephony 2182 KHZ 9... VHF Radiotelephony Channel 16	
YX	I wish to communicate by radiotelephony on frequency indicated	
C	YES (affirmative)	
N	NO (negative)	November Oscar by voice or radio transmission
YU	I am going to communicate with your station by means of the International Code of Signals	
BT	Helicopter is coming to you now (or at time indicated)	

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3960
(B.b.76)

Proceedings No. 3

ANNUAL MEETING - JUNE 1976

Report of the First Plenary Session

Tuesday, 8 June, 1000 and 1610 hrs
 Wednesday, 9 June, 0930 hrs
 Monday, 14 June, 1015 hrs
 Tuesday, 22 June, 0925 hrs

1. The Opening Session of the Twenty-Sixth Annual Meeting of the Commission was convened in the Sheraton-Mount Royal Hotel, Montreal, Canada, at 1000 hrs on 8 June 1976.
2. The Chairman of the Commission, Mr Eric Gillett, Fisheries Secretary for Scotland, opened the Meeting. He welcomed the Delegates, Observers, and Guests, and introduced the Canadian Minister of State for Fisheries, the Honourable Roméo LeBlanc, who addressed the Commission as follows:

"It gives me great pleasure to welcome delegates to the 26th Annual Meeting of the International Commission for the Northwest Atlantic Fisheries (ICNAF).

"I wish to recall that we had been invited by the Government of Cuba to hold this Annual Meeting in Havana. I want to thank the Cuban Government for foregoing their plans so that Canada could host the meeting. A good deal of preparatory work must have been done in Cuba and I very much appreciate the Cuban decision which has allowed us to hold the meeting here. I also wish to thank the other Member Nations for giving up the beaches of Cuba for the sidewalks of Montreal.

"Much has happened since the Special Meeting of the Commission held in Montreal last September. The great concern about the status of the resource off the Canadian coast, which led to the establishment of an effort reduction program and more stringent TACs for certain stocks, has been reinforced by the pessimistic report developed by the Assessments Subcommittee at its April meeting in Halifax. We know now that the resource crisis is much worse than we had imagined. Even stronger measures are needed for 1977 if the resource is to survive and to provide an economic base for future fisheries, not only by fishermen of coastal states but by others as well.

"On Friday of last week my colleague, the Secretary of State for External Affairs, and I announced the decision of the Government of Canada to extend Canadian fisheries jurisdiction to 200 miles by 1 January 1977. We believe that such action is necessary to ensure that the disastrous decline of the stocks is halted and that the next decade will see the restoration of a resource that is vital to meeting the protein needs of the world.

"The Government of Canada took this step only after careful appraisal of the ICNAF scientists' assessments and a careful review of the management results obtained under present multilateral fisheries arrangements. We are convinced that only the coastal state can effectively provide for proper management of the resource, taking into account the interests of both coastal fishing communities and of fishermen of other nations. Canada is committed to allowing others to fish for stocks which may be surplus to Canadian capacity. I re-affirm that commitment now. For many stocks there can only be a surplus if the stocks are rebuilt. It is to the process of rebuilding that the Government of Canada is preparing to devote itself now.

"Canada has long worked toward multilateral solutions of international fisheries problems. We remain committed to this approach. That commitment has brought us to the present ICNAF meeting. Here, in good faith, we are about to work with other Member Nations to bring about sound conservation measures for 1977, measures which recognize the needs of our hard-pressed coastal communities and provide for access within Canada's 200-mile limit by fishermen of other nations so that protein resources do not go unutilized. We believe that Canadian participation in the present meeting will help us all during the transition between the old and new regimes of fisheries management off Canada's coast.

"I hope that this Canadian approach will be clearly understood. We are here to consult and cooperate with our ICNAF partners. For 1977, however, Canada will determine within its 200-mile zone

the conservation measures to be applied, the vessels which will be allowed to fish, and the allocations they will be allowed to take. Vessels fishing within the zone will be fishing under Canadian permits and will be subject to Canadian enforcement procedures. This does not mean that Canada will ignore the results of this meeting in 1977. On the contrary, as an interim measure for 1977 only, Canada is prepared to give effect to those regulations agreed within ICNAF with Canada's concurrence, by adopting and enforcing such regulations under Canadian law. Canada, of course, may also adopt additional regulatory measures for 1977 but these too would take into account decisions within ICNAF and would be consistent with agreements reached here with Canadian concurrence.

"For stocks of the area outside 200 miles, Canada is committed to multilateral cooperation and is prepared to negotiate the regulations for such stocks for 1977 on the same basis as at past ICNAF meetings.

"I should also like to outline in brief general terms some key elements in Canada's approach to the long-term future of ICNAF:

- 1) With respect to the future, during 1976, Canada will seek modification of the existing ICNAF arrangements to provide for continued multilateral cooperation regarding the management of stocks beyond 200 miles. In the exercise of its management responsibilities for stocks within 200 miles, Canada will establish consultative procedures aimed at maintaining the present high level of scientific cooperation within ICNAF and providing a forum for discussion of regulations applied by Canada within its zone. We are hopeful that other Members share Canada's desire to continue multilateral cooperation and consultation regarding the management of stocks in the Northwest Atlantic and will join with us in the development of suitable new arrangements.
- 2) In view of the impending jurisdictional changes and the present ICNAF procedure which allows Member Nations to lodge objections to measures agreed at the present meeting, Canada must serve notice, by 30 June 1976, of its intention to withdraw from ICNAF on 31 December 1976. Canada will not necessarily proceed with withdrawal but must preserve this option to clear the way for new multilateral arrangements which take into account the new jurisdictional realities. Indeed, it is Canada's hope that we can make an uninterrupted transition from the old to the new regimes. It goes without saying, however, that if agreement cannot be reached at the present meeting Canada must exercise its option to withdraw.

"In proposing new arrangements we are mindful of the value of much that has been developed under the old arrangements. We do not wish to lose what is good. It would be unrealistic for us to hope that this meeting could arrive at final decisions about the future of ICNAF. A special meeting on this question may be necessary later this year. I hope, however, that we can all here and now affirm our mutual commitment to continued consultation and cooperation within what we all know is the developing new order of the sea. Let us set a model for the implementation of that new order as we have in the past, with all our failings, set a model for other international fisheries commissions. We owe this duty to a hungry world. As a first step, we must work at this meeting to assure the protection of the resource and the development of an orderly transitional regime for 1977. That is the job before us. Good luck!"

3. The Chairman thanked the Minister for his remarks about the achievements of ICNAF in the past and the possibilities for international cooperation in this field in the future. He said that ICNAF has led the world in international fisheries management and this has remained true whatever dissatisfaction some Members may have had with the degree of success it has achieved. Now with jurisdictional changes forthcoming, ICNAF may well take the lead in developing new forms of international consultations in regard to fisheries.

He pointed out that this conference would take place under the ICNAF Convention and Rules and it was the Chairman's duty to ensure that these rules were adhered to in the discussions. These rules included the right of any Member State to disassociate itself from any recommendations of the Commission so that the position of each Member State was fully preserved whatever views it might take with regard to the extension of jurisdiction, whether from the point of view of a coastal state or a non-coastal state. Full account would no doubt be taken in the proceedings of the statements of intent with regard to changes of jurisdiction which had been made by two Member States. Canada and USA had given due notice of their request to have the future of ICNAF considered at this meeting and this would give an opportunity to review the new jurisdictional situation. But the Commission delegates must act at this meeting under the terms of the Convention. He suggested that it might be advisable to take some time off to consider the situation and meet later to discuss the agenda item related to the question of extended jurisdiction, namely "The future of the Commission and its potential role under extended coastal state jurisdiction" (Plenary Agenda Item 15) to which might be added, if agreed, "to what extent pending changes in jurisdiction should modify proceedings at this meeting".

4. The Plenary agreed to the proposed procedure and to resume discussion at 1600 hrs.

5. The Plenary recessed at 1040 hrs, 8 June.

6. The Plenary reconvened at 1610 hrs, 8 June.

7. The Chairman called the meeting to order with delegates from all Member Countries, except Romania, present including Observers from the Republic of Korea, the European Economic Community, the Food and Agriculture Organization of the United Nations and the International Council for the Exploration of the Sea (Appendix I).

8. The Chairman asked for comments on the Agenda for the Plenary Session (Appendix II) and on the timetable for the Plenary, Panels and Committee sessions. The Agenda was adopted. The delegate of Denmark requested that the Meeting of Panel 1 be postponed to the beginning of next week as his delegation was not yet complete and discussions were still being held on Panel matters by his Government in Copenhagen. The Plenary adopted the timetable including the change for the Meeting of Panel 1.

9. Under Plenary Item 3, Publicity, the Plenary agreed that a Committee on Publicity should be set up composed of the Chairman of the Commission, the Chairman of the Standing Committee on Finance and Administration (STACFAD) and the Executive Secretary.

10. Under Plenary Item 4, Approval of the Report of the Proceedings of the Eighth Special Commission Meeting, January 1976, the Plenary approved the Report as presented.

11. Plenary Agenda Item 5. Panel Memberships, 6. Administrative Report, 7. Auditor's Report, 1974/75, 8. Financial Statements, 1975/76, 9. Budget Estimate, 1976/77, 10. Budget Forecast, 1977/78, were referred to STACFAD.

12. Under Plenary Agenda Item 11. Status of Commission Proposals, the Chairman referred to Comm.Doc. 76/VI/16. The Plenary took note of the status of proposals adopted by the Commission for changes in the Convention and for the regulation of the fisheries as detailed for the information of the Commission participants.

13. Under Plenary Agenda Item 12. Amendments to Financial Regulations, and Commission and Panel Rules of Procedure, the Chairman referred to this item as a requirement from the 1975 Annual Meeting of the Commission. The Executive Secretary advised that, in view of the pending discussion of the future of the Commission and the probability of a re-negotiation of the Articles of the Convention, it had been decided to postpone consideration of amendments to the present regulations and rules of procedure.

14. Plenary Items 13. Annual Returns of Infringements and 14. Scheme of Joint International Enforcement were referred by the Plenary to the Standing Committee on International Control (STACTIC).

15. Under Plenary Agenda Item 15. Future of the Commission and its Potential Role under Extended Coastal State Jurisdiction, the Chairman drew attention to the statement made by the Canadian Minister of State for Fisheries, the Honourable Roméo LeBlanc, regarding the extension of fishery jurisdiction to 200 miles by Canada effective 1 January 1977 (see paragraph 2 above) and requested comments from Member Countries.

(a) The delegate of USA made the following statement:

"Thank you, Mr Chairman.

"I believe it appropriate before we move into the schedule of Committees and the program of small group deliberations laid out for the next two weeks, for the United States also to share with the Members of the Commission the principles and objectives which guide its work and participation here. Before doing so, I would like to thank our Canadian colleagues for the arrangements made for this important meeting. I would like to express to our hosts our appreciation for the hospitality of the Canadian Government on this occasion.

"The Commission meets in Montreal in circumstances which can only be described as unique in ICNAF's 26-year history. Since our last session, the United States has passed into law the Fishery Conservation and Management Act of 1976. The purposes and content of this Act undoubtedly are well known, but I think it worthwhile to review them here.

I

"In the first instance, the purpose of the Act is to foster a national program for the conservation and management of the fishery resources of the United States in order to prevent overfishing, to rebuild overfished stocks, to ensure conservation and to realize the full potential of the fishery resources of the United States. The Act directs that immediate action be taken to conserve and manage the fishery resources found off the coast of the United States and to do so through the establishment of a fishery conservation zone which shall extend seaward of 200 nautical miles on the baseline from which the territorial sea is measured. Enforcement of the authority of the United States within the fishery management zone will commence on 1 March 1977.

"The Act provides for foreign fishing within the zone after 28 February 1977 under certain described

circumstances and conditions. The principles underlining the continuation of foreign fishing within the zone are that it shall be pursuant to a governing international fishery agreement -- a bilateral agreement in character -- and that foreign nations with which the United States has such agreements may apply for access to that portion of the optimum yield of any fishery subject to the exclusive fishery management authority of the United States which will not be harvested by vessels of the United States. The determination of the total allowable catch, the harvesting capacity of vessels of the United States and the allowable surplus will, at such time as the new regime is completely in place, be a function of a system which begins with a domestic Regional Council as provided in US law.

"Enforcement within the zone under the new regime obviously resides with the United States as the coastal state and will take place pursuant to the United States law.

II

"The United States is prepared to consider remaining in ICNAF for a transitional year but it must, in that consideration, determine whether the outcome of this meeting is consistent with the change in jurisdiction which will take place on 1 March 1977.

"In order to be consistent, this Twenty-Sixth Annual Meeting would have to proceed on the basis that the determination of total allowable catch, coastal state harvesting capacity, and a finding that a surplus exists is, within the 200-mile fishery conservation zone, the responsibility of the coastal state.

"Enforcement is an area of equal importance. The United States takes note that the Scheme of Joint Enforcement applies only in the area outside the national fishery limits or, for the United States, only beyond 200 miles as of 1 March 1977.

"Were ICNAF to continue into 1977, and assuming it has been possible for others to agree to the proposals for fishing in Subarea 5 and Statistical Area 6 on the basis I've just described, then the United States would give them full effect while they remain in force for the United States in accordance with the Convention. The United States would take such enforcement action as would be necessary within its zone to ensure that fishing activities are undertaken in accordance with the proposals of the Commission, as provided by United States law.

"Finally, if it is going to be possible for the United States to remain in ICNAF for a transitional period, each vessel fishing within the fishery conservation zone of the United States after 28 February 1977 must obtain a permit issued annually by the Secretary of State, display it prominently in the wheelhouse of the vessel, and show it upon request to a duly authorized enforcement official of the United States. The terms and conditions of these permits will be the same as the proposals adopted by the Commission, that enter into force in accordance with the Convention. The United States would expect to receive from each Government a list of vessels fishing off the coast of the United States under ICNAF and would issue such permits for each such fishing vessel needed to take that Government's allocation. The sole purpose of the requirement is to provide enforcement officers on the scene with readily apparent evidence that a vessel is authorized to fish in the area by virtue of the Convention.

"The provision in United States law authorizing continued fishing under ICNAF is a temporary measure. It is not a substitute for the conclusion of governing international fishery agreements on a bilateral basis. The continuation of ICNAF for the United States is not only dependent on acceptance of the registration permit requirement, but is also dependent on acceptance of United States positions on enforcement and fishing effort limitations. Further, the domestic Regional Councils could require additional conservation measures which would apply within the zone.

"Having described the outcome of this session which would provide the most favourable prospect of the United States being able to remain in ICNAF for a transitional year, I would add that I and the members of the US delegation are not unaware of the difficulties it may present. Nonetheless, we believe that the 26 years of our association require us to be as candid as possible as to the limitation on continued United States participation should the Commission deem it desirable to provide for a transition from the old regime to a new regime.

III

"Of course, it may be that a transition period of the kind I have described is neither required nor desirable. The United States is prepared to negotiate bilaterally with those nations which wish to apply to fish within the fisheries conservation zone after 1 March 1977 and since our agreements will apply to both coasts, those negotiations will be going forward in any case.

IV

"The United States is prepared to participate in the negotiation of new multilateral arrangements for cooperation and consultation for this region, with the understanding, of course, that management authority within the zone off the coast of the United States rests with the United States.

"Finally, recognizing that the months ahead are unpredictable and that it may not be possible for us to achieve all that must be achieved between now and 1 March 1977, the United States feels incumbent to report that it will as of 30 June give notice of intent to withdraw from ICNAF in order to establish the condition precedent to possible withdrawal by the United States from ICNAF as of 31 December 1976.

"Mr Chairman.

"I have outlined several courses of action open to the Commission, all of which are, for the United States, consistent with our law. We will be prepared to consider them as the other Members of the Commission decide.

"We have also, as perhaps many of you are aware, made this statement available to the Secretariat so that it may be distributed as soon after this presentation as possible.

"Thank you, Mr Chairman."

(b) The Chairman asked for further comments from other delegations. The delegate of Cuba suggested a recess to be able to study details of the US and Canadian statements and be prepared to resume discussions tomorrow morning. The delegate of Portugal supported the Cuban proposal. He pointed out that the rules of the Convention were still in force. One of the rules required that papers for discussion be circulated 60 days before a meeting. This had not been done. In this case, it was important to know exactly what the ideas of the coastal states were so that other Members could take a position and especially in relation to the future of ICNAF. He said he interpreted the Canadian position as not wanting to withdraw from ICNAF but she wanted Member Countries to adopt the new circumstances so she would not have to withdraw. However, because of the objection rule, she would have to withdraw and then correct her position. The USA, on the other hand, gave ICNAF another year and would then withdraw. He believed that ICNAF had not failed but that not enough data had been made available for proper research and, consequently, proper assessments. ICNAF was slowly making progress. Could any other succeeding body do better? He recognized the primary interest and concern of the coastal states for what was adjacent to their coast but felt that such interests could be defended without wiping out the goodwill and progress in science which ICNAF has had. The delegate of UK requested, as a point of clarification, if he understood correctly that USA intended to leave ICNAF at the latest at the end of 1977. The delegate of USA replied that the Fisheries Conservation and Management Act of 1976 provided that USA promptly re-negotiate all treaties to bring them in line with the Act. However, that language did not preclude continued association in multilateral arrangements provided such arrangements took into account the exclusive authority of the coastal state. First of all, in order to establish the condition precedent to possible withdrawal, USA, on 30 June 1976, would give notice of intent to withdraw and would also be willing to participate in re-negotiation or revision of existing arrangements so that they might have a multilateral character. Continued participation in ICNAF, as it had been known in past years, was circumscribed by the Act and it did not have to be exclusively bilateral, it could be multilateral. The delegate of Canada drew attention to the fact that the statement of the Canadian Minister of State for Fisheries was consistent with an approach at this meeting which would be to proceed with business as usual and to conduct the considerations of the TACs, national allocations and other regulatory measures but to bear in mind the desirability of having the actions consistent with Canadian interests and enforcement within 200 miles. In his interpretation, neither the US nor Canadian statements should keep the Commission from doing its best at the present session from developing recommendations which could be handled in the manner outlined in the Canadian statement and in the manner which he understood was possible in the transition period for USA. He also pointed out that Canada was committed to multilateral cooperation outside the 200-mile zone and did not have a closed mind on the type of arrangement that should be reached outside the 200-mile zone for multilateral cooperation or inside the 200-mile zone for consultation or if something entirely new might be necessary. He shared the views expressed that ICNAF had made a good deal of progress and that it would be unfortunate to lose the benefit of its performance. There had been failures in ICNAF as the serious decline in stocks showed but these had been due to the need to develop new scientific concepts. Progress had been made in these developments now and in some cases had already been applied. Canada believed that the crisis in the resource could best be solved by extension of jurisdiction and by applying the best science and greater degree of control possible under national jurisdiction. The Chairman spoke briefly in appreciation of the efforts and contributions by Dr Needler, the head of the Canadian delegation, to ICNAF in particular and to fisheries in general. His proposal to continue a further exchange of views between Member Countries tomorrow as how best to carry on the meeting in the light of the statements made, was agreed by the Plenary.

16. The Plenary Session recessed at 1700 hrs, 8 June.

17. The Plenary Session reconvened at 0930 hrs, 9 June, to continue consideration of Plenary Agenda Item 15, Future of the Commission and its Potential Role under Extended Coastal State Jurisdiction.

(a) The delegate of Norway made the following statement:

"Mr Chairman:

"The Norwegian authorities have considered carefully the question of the future role of ICNAF in the light of the new jurisdictional situation which will exist in 1977. Our tentative conclusion is that the Commission could continue to play a useful role in several different contexts.

"Firstly, with regard to stocks which occur only on the high seas beyond the 200-mile limit. Secondly, with regard to such stocks as occur both within 200 miles and beyond this limit, and which are capable of being exploited in both areas. Thirdly, my delegation has noted with interest the statements made by the Canadian and United States Governments concerning a role for ICNAF also with regard to stock occurring exclusively within the 200-mile limit. Here, the Government of Canada has indicated its willingness to utilize, at least in a transitional period, the machinery of ICNAF in its management of stocks with a view to conservation and full utilization. We have also listened with great interest to the statement of the representative of the United States on this subject. Fourthly, we hope that ICNAF can continue to play an important role as a forum for cooperation in scientific research.

"Naturally, the responsibility for the establishment of TACs and for the distribution of the surplus must, in the last instance, lie with the coastal state. At the same time, decisions in such matters must depend on extensive consultations. The willingness expressed by Canada and by the United States to utilize, with effect for 1977, this Commission as one of the instruments for such consultations, and to abide by any decisions reached with the concurrence of the coastal state, is, in the view of my delegation, a development which we should all welcome.

"At the same time, however, the Commission will obviously only be able to play a useful role with regard to stocks within 200 miles to the extent that Member Countries show full awareness of the consequences of the new jurisdictional situation. One of these consequences is that allocations of catch to countries other than the coastal state must normally be limited to the surplus. We must, therefore, in the view of my delegation, accept the proposal that, in allocating the TAC for each stock among the participating states, we must first deduct the estimated coastal state catch.

"Reference has been made, Mr Chairman, to the need at a subsequent stage to establish new multi-lateral arrangements in order to bring ICNAF into line with the new jurisdictional realities. My delegation can see that such a need may arise, but would not like to take a position at the present stage. Obviously, much will here depend on the degree of success of our work at the present meeting. We think that the suggestion of holding a conference in the autumn to deal with these matters deserves serious consideration.

"In view of the fact that so many of the delegates here represent their countries also at NEAFC, my delegation would finally like, Mr Chairman, to draw attention to the connection between the topics which we discuss here in the context of ICNAF and the similar topics arising with regard to NEAFC. NEAFC too will be in the position, when it meets this summer, of having to plan its measures for 1977 against a background of anticipated basic changes in the jurisdictional situation through the establishment of zones of 200 miles. The same questions which today are posed with regard to ICNAF will then have to be tackled with regard to NEAFC. I would like to emphasize, however, that the parallel between the situation of the two organizations is far from complete. We should, therefore, not assume that the solutions which we find here for ICNAF will necessarily serve as applicable precedents for NEAFC.

"Thank you."

(b) The delegate of Iceland said:

"Mr Chairman:

"We Icelanders congratulate the Canadian and the United States delegates with the decisions of their respective Governments on the extension of the fisheries jurisdiction to 200 miles. This is a great pleasure for us and we are glad especially when we think of our extension of fishery jurisdiction and our struggle which has now been peacefully terminated, as we have now made an agreement and settled the dispute with the British.

"The rational management of fish stocks within 200 miles is of great importance. We have also attached great importance to the management of fisheries resources outside 200 miles, and at the Law of the Sea Conference we have supported management regime outside 200 miles. We consider it especially important for the coastal states. Rational management and optimum sustainable yield of the resources is of importance both inside and outside 200 miles.

"We, therefore, favour the approach set out by the Canadians, providing for continued multilateral cooperation regarding the management of stocks beyond 200 miles. We also are in favour of proposals

in the direction of using ICNAF this year as a forum or consultative body for allocating the surplus to the coastal states' capacity, i.e., when the coastal state has taken its share. We are in favour of consultative procedures in the future aimed at maintaining the present high level of scientific cooperation within ICNAF and providing a forum for discussion of regulations applied by Canada.

"We look upon ICNAF as an important body in the future, although its functions must differ in the evolution. Anyhow, we must take into account and respect what the Law of the Sea Conference decides upon in this respect.

"Thank you, Mr Chairman."

(c) The delegate of Cuba contributed the following:

"Mr Chairman:

"Cuba has supported the 200-mile limit at the Law of the Sea Conference even though this is against our own interest since our own resources are rather poor. But, we have done that in favour of the underdeveloped countries that will benefit from that measure. Of course, we feel that the highly developed countries will also benefit immensely by this measure and we expect them to take into consideration the interest of the underdeveloped countries who need fish very badly as a source of protein.

"Cuba has recognized the right of the coastal states to establish the 200-mile limit but would like to see that accomplished at a world level and the final agreement that will eventually be reached at the Law of the Sea Conference should take into consideration the right of the underdeveloped countries to receive a preferential status in the allocation of the surplus. In the case of unilateral laws, our country will have to study in great detail those laws before accepting them. Cuba understands that ICNAF has been a very useful body and that it should survive the new regime. The mistakes that have been committed in the past and have resulted in the present state of the stocks is the fault of all the Member Countries of ICNAF, including the coastal states and it is unjust that only the distant-water fleets will have to pay for the mistakes of all. We think that ICNAF must be a body that should take in mainly all these five functions that I am going to mention:

- 1) To administer the resources outside the 200-mile limit;
- 2) To serve as a consultant body or forum where the coastal states will receive the criteria of the countries that fish in the region about the state of the stocks and the regulatory measures that should be established even though the coastal states will take final decisions;
- 3) To coordinate and conduct research programs;
- 4) To serve as a statistical center for the fisheries of the region; and
- 5) To negotiate the surplus on a multilateral basis.

"Cuba is in favour of holding a meeting before the year is over where modifications to the text of the Convention should be accomplished but, to do that with a practical approach, we need to create a working group before this meeting is over where Canada, the United States and three other Member Countries representative of the remainder of the Member Countries should participate. These five countries should meet before the next meeting of the Commission and prepare a projection of what the future Convention should be. This will guarantee quick solutions once the next meeting is convened and, of course, any agreement will be subject to revision once the Conference on the Law of the Sea comes to an end.

"We feel that at the present meeting quota regulations should be negotiated for 1977 within the text of the Convention trying to incorporate the criteria of the coastal states.

"Thank you, Mr Chairman."

(d) The delegate of Portugal stated:

"Mr Chairman:

"We have studied carefully the Canadian and United States documents regarding the future of the Commission and will try and state clearly and succinctly Portugal's position.

"The Commission is faced with two problems in time: one, the transitional period; the other, the situation during 1976.

"Throughout 1976 the work of ICNAF should go on as usual except for the fact that, effective 30 June 1976, two coastal states propose to declare they wish to leave the Commission. This declaration of intent, however, in no way relieves those States from their treaty obligations for 1976.

"In consequence, we feel unable to accept the statement that, in order to be consistent, the 26th Annual Meeting must proceed on the basis that determination of TACs, of coastal state harvest capacity

and of a surplus, if any, is, within the 200-mile fishing zone, the responsibility of the coastal state.

"We feel it necessary to remind the Commission that, at the time of the 26th Annual Meeting, there is no fisheries economic zone anywhere in the Convention Area. These zones will be created by laws of the coastal states, effective from 1 January 1977 for Canada and from 1 March 1977 for the United States.

"Because we are practical men in our deliberations of today, we will take into consideration that fisheries jurisdiction areas will be different tomorrow.

"This attitude is, however, a far cry from deciding here and now that the coastal states are immediately free to do as they like before the economic zones come into being.

"Meanwhile, the problem of the intermediate period can be solved only within the context of the current regulations and present Convention to which every Member Country is obviously a party, until such time as the terms of the Convention itself allow one to opt out.

"This should, in no way, be seen as an imposition, a penalty, or a damned nuisance, but indeed as a guarantee for an orderly changeover of jurisdiction, and for the continuation of the process of international collaboration essential to every facet of international fisheries problems.

"Our second point is that the Commission is also faced with two problems relating to areas: one outside the 200-mile limit and the other inside that limit.

"Outside the 200-mile zone the authority of the ICNAF Convention remains uncontested, even after the economic zones take effect within the area of the ICNAF Convention.

"By 1977, however, two coastal states may have withdrawn from ICNAF and may then be outside of both the decision-making process of ICNAF and of the Joint International Inspection Scheme.

"In order to be practical, whilst at this very moment decisions have to be taken which affect certain fisheries in 1977, we need to have immediate knowledge of the future intentions of these two countries regarding the extent of their future commitment to ICNAF, outside of the 200-mile zone.

"It would appear unrealistic of the coastal states to try and impose immediate conditions on the remaining "Club" members, in exchange for the reward of their staying on in the "Club", and even then perhaps only for another transitional year, when the "Club" is not subject to the rules of the coastal states but rather they are subject to the rules of the "Club".

"Our Convention is in force now and no country is doing anybody any favour by complying with a Convention to which it is a party. Indeed, it is its obligation to do so. So the discussions here on matters involving 1977 will have to follow the rules of the Convention procedure as they now stand.

"We all hope that the cooperation and goodwill which have always prevailed in our discussions will continue and consequently, that the two coastal states may be assured that we will do our best to accommodate the facts as they stand for 1977. On the other hand, it is fair and necessary for ICNAF to obtain from them now reassurances that they will also do their best to accommodate ICNAF needs after the end of 1976.

"Our delegation is in accord with the views put forward in the previous speech by the Cuban delegate. We, too, favour the concept of the 200-mile fishery economic zone. This concept is, however, in our view without prejudice to the two overriding first principles which have to be taken into account by each and every fishery organization and fishery authority, whether they be national or international.

"The principles are namely:

- 1) Conservation of stocks has top priority;
- 2) Full and rational utilization of the resources is accomplished.

"The two coastal states, which are going to take unilateral action to extend their fisheries jurisdiction, are two of the richest countries in the world. They should take pause before yielding to the temptation of the purely materialistic view that their action adds to their riches and, consequently, is in the best interests of their people, and that is that.

"Better that they should regard themselves as custodians of those resources rather than proprietors. These rich nations are entrusted with these vast amounts of natural resources because it is in their best interests to protect them and consequently, it is logical to expect that they will take all the necessary steps to provide the best possible systems of rational management.

"We hope they will not overlook or ignore the tremendous social problems and repercussions that

their decisions may create, if they establish a selfish scheme of exploitation and control of the resources available. We understand as selfish any scheme in which full consideration would not be given every time to the parallel economic problems and conditions prevailing in underdeveloped, semi-developed or developing countries with well-established fishing activities in the area.

"Those coastal states must realize that their new rights bring with them tremendous new responsibilities. Due to their past experience and work with ICNAF, we feel sure the coastal states will rise to these obligations and consider with fairness the needs of their partners of old.

"In the consensus arising from the Law of the Sea Conference, the coastal states are not sovereign over the resources inside the 200-mile zone; their rights are sovereign for the purpose of utilization of these resources.

"Therefore, we feel it is very much in the interest of the coastal states to have at their disposal an international consultative body which will collect and coordinate all statistical and research data and also will be called upon to explain and report the social and economic problems that other countries feel should bear on the allocation of the surplus, if any.

"The coastal states have the right to decide against this internationally-framed advice, but this advice they need.

"Thus, ICNAF would expect to continue with little change outside the 200-mile limit as there are still wide areas to be managed and controlled, including a vast extension in Statistical Area 6 which should now be definitely taken into the ICNAF Area.

"However, it is also advisable to create an international consultative body under the aegis of ICNAF to aid and advise the coastal states in their management of their 200-mile zones within the priority considerations explained above.

"Finally, we would profit from this occasion to clarify Portugal's position regarding national laws applicable to fisheries on the high seas.

"We would definitely prefer that such laws would conform with the conclusions of the UN Law of the Sea Conference.

"Given, however, the long period of time that Conference has taken without yet reaching any conclusion, Portugal is not against unilateral action in this respect, provided that such an action is in conformity with the consensus arising from that Conference.

"Portugal is, however, definitely against any section of unilateral national law which will not reflect that consensus and will strongly object to any control which does not take due account of the principles of full utilization and conservation of the stocks.

"In the application of their new-found powers, coastal states must know that it is not a wave of repression against foreign fishermen which will solve the problems of the fisheries. It is human and true the world over that national fishermen feel strongly that the root of all evil is always "those foreign fishermen". National authorities must not fall for this easy way out.

"Foreign fishermen have discovered the way to exploit several valuable underexploited stocks, and helped and completed research and statistics, foreign fishermen bring money to the harbours, and last but not least, foreign fishermen bring friendship and international understanding.

"It is collaboration and applied science and technology that hold the key to successful management of international fisheries. Let us not take a step back by drawing inimical lines on the oceans. The lines themselves were expected and may even be welcome unless they will merely reflect national self-interest and, in no way, take into account the interdependence of stocks and the very real tangent needs of other nations.

"Then inevitably, they would foster hostility and disputation on an international scale. This sad legacy of disintegration and misunderstanding is desired by no one. ICNAF is no "house divided". We still sit round the conference table and common sense will prevail, equity and the spirit of compromise will save the day once again."

(e) The delegate of UK contributed the following:

"Mr Chairman:

"(1). The United Kingdom for some time now has supported the adoption of 200-mile fishing limits, with extensive coastal state rights, at the United Nations Law of the Sea Conference (UNLOSC). In the past, we have consistently stressed the importance which we attach to proceeding by international agreement. But in the light of recent developments we need to consider (with our partners in the European

Economic Community (EEC) as appropriate) what our attitude to unilateral extensions of limits should be in future. Therefore, the United Kingdom delegation cannot give a definitive reaction to yesterday's statements by Canada and the United States.

"(2). But on a practical level, we are eager to continue to participate in conservation both within the potential 200-mile zone of the various coastal states involved and in those parts of the Convention Area which will be outside that zone. It is easy now to foresee us wanting to operate once again in the ICNAF Area at levels comparable to those which applied until a very few years ago, and it is, therefore, in our interest to ensure that the international stocks return as quickly as possible to their former strength, and that the portion of the stocks lying within the 200-mile zone which is surplus to the coastal states' requirements is as large as possible. I very much welcome the obvious desire of the Canadian and United States Governments to proceed in fullest consultation with the other Governments interested in fishing in the ICNAF Area. The United Kingdom delegation will participate fully in discussions at this meeting. I do not anticipate that my Government would want to oppose the reflection in conservation measures adopted by this meeting of the reasonable needs of the coastal states and of coastal fishing communities.

"(3). As far as the future of ICNAF is concerned, it seems clear that there will continue to be an important place for international organizations within the context of extended coastal state jurisdiction to deal with the kind of matters mentioned by other delegations; and also for bodies to operate in areas outside national jurisdictions. Within ICNAF there lies a good deal of expertise on the questions that will still need to be considered internationally in future. We are not yet in a position to give a final view on the future role of the international commissions in general. Nevertheless, the United Kingdom delegation will be happy to participate in a non-committal discussion of what changes might need to be made in the Convention, if other delegations would find this helpful."

(f) The delegate of Poland made the following statement:

"Mr Chairman:

"On many occasions Poland has emphasized the special role which should be played by international fishery organizations towards world fishing management. We have stressed this point very much during recent sessions of the Law of the Sea Conference in New York.

"As to ICNAF, we highly appreciate its efforts to protect living resources of the North Atlantic region. It seems to us that ICNAF rightly evaluated the useful scientific system of collecting data and other researches aiming to protect fish stocks for the benefit of all nations concerned. We see a very important role for ICNAF in the future, regardless of the anticipated extension of jurisdiction by coastal states.

"Summing up, this delegation is very much in favour of maintaining ICNAF activity for our mutual benefit. That is why we also support the Cuban proposal to set up a working group to prepare necessary changes to the present ICNAF Convention."

(g) The delegate of FRG said:

"Mr Chairman:

"The item on the future role of ICNAF has two aspects, the immediate one and a more long-term orientated one.

"As regards the immediate aspect, we are sitting here in an ICNAF meeting according to the ICNAF Convention. This applies, according to its Article I, paragraph 1, to all waters except the territorial waters, regardless of our views on the extension of fishery jurisdiction (Article I, paragraph 2). So we could continue business as usual, if there were not the announcements of Canada and the United States that they might withdraw from ICNAF, effective 1 January 1977. If they would do so and we would not substitute a specific regime for that period, Canada and the United States could not refer to ICNAF regulations and we would enjoy what, in our view, would be the freedom of fishing on the high seas since we do not recognize unilateral extension of fishery limits; whereas, the coastal states would exercise what, in their view, would be the coastal state's management.

"This foreseeable and unpleasant conflict should be settled pragmatically for the mentioned transitional period. In this connection, I have to point out that a transitional period of one year seems to be rather short, since in former years, when there were extensions of fishery jurisdiction, either the coastal states or proposals, such as at the Geneva Conferences of 1958 and 1960, provided for much longer transitional periods. Nonetheless, we are prepared to settle this conflict here within the framework of ICNAF for this transitional period, provided that we stick at least to the basic principles of ICNAF as contained in the Convention's Article VII, paragraph 1, that we should try to achieve the optimum utilisation of the stocks, based on scientific investigation and economic consideration. These considerations, of course, would have to include economic problems of distant-water fishing states, which have traditionally fished in the ICNAF Area and are dependent on its resources as the coastal

states are, and since we will remain dependent on future resource, we too are interested in the rebuilding of the stocks where necessary, and will, insofar as we remain entitled to fish, provide scientific effort for the assessment of stocks.

"We have noted Minister LeBlanc's statement that Canada is prepared to give effect to regulations agreed to in ICNAF for 1977, under the conditions that these regulations receive Canada's concurrence. Not anticipating my Government's final view on this approach, it appears to me to be a compromise which saves everybody's legal position. But we wonder what additional conservation measures might be taken by the coastal states, as mentioned in both Canadian and United States statements.

"As regards the United States statement that the determination of TACs, coastal state's capacity and surplus would be within the responsibility of the coastal state, I wonder whether that should mean that ICNAF (even during a transitional period pending the results of the UN Law of the Sea Conference) should not be in a position to have its view on these items which are essential for the optimum utilization of the stocks.

"When I said earlier the conflict should be resolved pragmatically, I had in mind as well the enforcement problem. I understand that the question, who should enforce, is open under the ICNAF Convention, though under the general law of the sea, in our view, it would still be the flag state who had the right and responsibility to enforce the rules applicable to its vessels on the high seas, which would include a fisheries zone of 200 miles.

"ICNAF has already taken a first step for better enforcement through the vessel registration scheme. Do I understand the Canadian and United States proposals correctly, that that Scheme should be altered so that the permits would be issued by the coastal states instead of the licences being issued by the flag states? Or would the permits have to include a specific vessel allocation? This, I think, would not only raise legal problems but as well practical difficulties, at least so long as those vessel allocations cannot be transferred easily.

"Regarding the future of ICNAF after a transitional period, we firmly believe that the record of ICNAF is good enough to justify adapting ICNAF to a changing law of the sea. We believe, indeed, that an amended ICNAF Convention could well provide the framework for continued cooperation and consultation between the states concerned, as long as such consultation was genuine. Therefore, we agree to the proposals to convene a meeting for re-negotiating the Convention, as provided for in its Article XVII as amended.

"We have noted the offer to conduct bilateral agreements with the coastal states and I am sure our Government will urgently take the steps necessary so that negotiations to that effect can be conducted as soon as possible. But I would like to add a last question here: whether and under what circumstances would both coastal states, United States and Canada, be prepared to admit foreign fishing without such agreement?

"These are some preliminary remarks and questions from my delegation.

"Thank you, Mr Chairman."

(h) The delegate of Japan contributed the following:

"Mr Chairman:

"My delegation highly esteems the achievement of this Commission during the period of more than a quarter of a century, not only in scientific research but in managing the fish resources in the Northwest Atlantic area.

"Although, in some cases, proceedings of this Commission could not necessarily be regarded as satisfactory by every Member Nation, each of us has striven to fill gaps among us and overcome the difficulties one after another through the spirit of mutual cooperation.

"For example, when we were dealing with the problem of a two-tier quota system in Subarea 5 and Statistical Area 6 which was initiated by the United States delegation, we could finally agree to the introduction of a new scheme after extensive discussions.

"Further, when Canada asked for a new management formula in Subareas 2, 3, and 4 a couple of years ago, again, everybody made an effort to work out a so-called "effort limitation scheme" which is applied as from this year.

"It is the belief of my delegation that the Commissioners of all participating countries are hoping to make further progress along these lines in order to improve the conservation and management of the resources on the basis of scientific findings and with the spirit of mutual cooperation.

"I have studied very carefully the statements made by the distinguished Ambassador Madam Ridgway

and Minister LeBlanc. To my regret, I got an impression that the United States seems to be intending a total negation of the existence of ICNAF because our Convention does not conform with the "Fishery Conservation and Management Act" which has been recently brought into being in her country.

"We are aware of the fact that the UN Law of the Sea Conference is approaching the final stage and that 200-mile exclusive jurisdiction is gaining a wide support at this moment.

"We believe, however, that unilateral establishment of exclusive management authority over 200 miles of water could not be regarded as valid from the point of view of current international law. Moreover, such unilateral action, at this stage where the said UN Conference is striving to reach a final agreement acceptable to all, might give an adverse effect to this situation.

"Once an agreement is reached at the Law of the Sea Conference and the exclusive jurisdiction over the 200-mile zone by coastal states is accepted as international law, the Contracting Governments, I suppose, would be prepared to consider how to adjust the basis, roles and functions of this Commission to a new situation. My delegation seriously doubts whether our colleagues from various countries would be prepared to discuss such a matter as has been proposed by the United States, at this stage, because the proposal is derived from the unilateral decision which they do not believe to be justifiable.

"The Japanese delegation has no authority to get into any discussion which is not in conformity with our Convention or which is not in compliance with the formal procedure for the amendment of our Convention.

"Mr Chairman, the Government of Japan has a grave concern over the future of this Commission in the light of the jurisdictional actions which are going to be taken on the part of the two coastal states.

"The Japanese delegation is prepared to participate in a deliberation concerning the future of the Commission at this Commission meeting in Montreal, with the understanding that we proceed on a preliminary and non-committal basis.

"This is the preliminary reaction of our delegation for the time being."

(1) The delegate of USSR made the following statement:

"Mr Chairman:

"The Soviet delegation has arrived at the meeting to discuss and take decisions on the problems in strict conformity with the 1949 Convention which has been ratified or approved by all the Member Countries. In this connection, it is beyond our terms of reference to consider the matter that emerged yesterday on the actual handing over to the coastal states the main ICNAF functions which were determined by Governments on the basis of international agreement.

"The Soviet delegation would like to present its position based on principle with respect to the deliberation on the item dealing with the future status of the Commission.

"As is known, the Soviet Union is prepared to agree to the establishment of economic zones provided that there will also be mutually acceptable decisions taken on the other major issues of the Law of the Sea at the Third UN Conference.

"When convening the Third Law of the Sea Conference, the United Nations General Assembly considered the task to be the establishment of a new regime of the World Ocean and the Floor Thereof for the Common Benefit of Mankind. To fulfill this task, it is necessary to ensure the cooperation of all the States and to seek mutually acceptable solutions in the nature of a compromise. This is why the Soviet Union undertakes all the measures within its power in order to settle the problem on the basis of consensus or on a broader ground to any extent possible.

"We believe that under conditions where the UN Conference has not yet completed its work, unilateral actions on extension of national jurisdiction weaken such cooperation and do not foster the establishment of a common regime of the sea on a justified basis.

"We know from experience that in many cases the unilateral actions of coastal states go far beyond the framework of the Single Negotiating Text presently under discussion at the Conference.

"The strengthening of these trends interferes with the progress that might be made there and paves the way for extremists, e.g., in the countries having intentions to establish either formally or in fact 200-mile territorial waters, deflects from fulfilling the task set by the United Nations Organisation.

"All this leads to disorder and creates a situation fraught with consequences that are difficult to predict.

"Regarding the statement made by the US delegation with respect to the United States law which establishes a 200-mile fishery conservation zone, the Soviet delegation would like to remind the Commission that the USSR Embassy in the United States has made a statement to the Department of State about the USSR negative attitude towards this action. It was indicated in this statement that the United Nations Conference has entered an important stage of practical agreement on fundamental questions. Under such conditions there must be an especially substantial and balanced approach of all the participants to the problems under discussion at the Conference so as to ensure taking decisions which would take into account the legitimate interests of the nations and hit at the same time the major target, the development of international cooperation.

"It is of no less importance, of course, that practical actions of states should facilitate making agreed arrangements and should not move in a backward direction. It is noted in the Soviet statement that the fact that the United States has passed the law on establishment of 200-mile fishery conservation zone contradicts the efforts directed to achieve at the Conference mutually acceptable solutions.

"Such is the official position of the USSR. The Soviet delegation would like to dwell on the proposals that the Commission would take decisions at the present meeting, proceeding from the principle of a coastal state exclusive jurisdiction within a 200-mile coastal zone and on the basis that the determination of total allowable catch, coastal state harvesting capacity and surplus to be allocated among other Member Countries as well as individual enforcement, reside with a coastal state.

"In this connection, the Soviet delegation has to state the following.

"As it has been indicated above, the ICNAF was founded according to the 1949 Convention ratified or approved by all the sovereign Member Countries having equal rights. No Member State has any privilege with respect to the access to resources. The Commission is not authorized today to hand over its functions and authority to any country.

"Such is the legal aspect of the matter.

"If not to regard the essence of the above proposals, we did and will do all in our power to maintain and preserve the spirit of good international cooperation as we cannot to any extent comply with the evident trend to abolish the ICNAF which would result in consequent infringement of the international commitments outlined by the 1949 Convention. We must also bear in mind that the ICNAF is one of the international organizations whose activity draws the attention of many countries all over the world who are developing their fisheries. To abolish the ICNAF would mean to strike against their hopes and trust in international cooperation. This would be a great mistake.

"As far as our delegation is concerned, we are fully aware of the moral and political responsibility that might be entailed by this action. Taking this position into account, the Soviet delegation is prepared to discuss the practical aspects of further cooperation between the states conducting fisheries in the Northwest Atlantic, proceeding from the necessity to take effective regulatory fishery measures as foreseen by the 1949 Convention.

"The Soviet delegation considers the ICNAF to be the greatest and the most effective international fishery organization despite certain faults related to its activity. This is supported by the long-term cooperative experience gained by the scientists in the field of research on fisheries resources of the Convention Area, by the vast and scientifically established system of measures on fisheries management, by the harmonious Scheme of Joint International Enforcement and lastly, by the cooperative experience gained by the Governments' representatives in the ICNAF as to how to find objective solutions on fisheries regulations paying due regard to the legitimate rights and interests of all Member Countries.

"The Soviet delegation has always treated with understanding the needs and requirements of the coastal states' fishermen taking into consideration at the same time the peculiarities and the character of their fisheries. In fact, for a long time, we have done our best not to cause damage to these fishermen if such damage is due to reasons originating from us and not to domestic ones. We re-affirm our readiness in the future to do all in our power to take into account the legitimate demands of such fishermen and we are prepared to listen to concrete proposals in this respect established on their real harvesting capacity and needs.

"The Soviet delegation has arrived in Montreal for the purpose of deliberating and settling practical issues on the Commission's agenda in accordance with the Convention being in force. We are ready to carry out this work in a constructive way taking common interests into account.

"In view of the fact that the discussions on future ICNAF activity are under way now, the Soviet delegation is also prepared to take part in these discussions on the assumption that any recommendations may be taken by the ICNAF only after the ultimate decision will have been taken at the Third United Nations Law of the Sea Conference on the issue dealing with the rights of a coastal state in the field of fisheries conducted in waters adjacent to its coast."

(j) The delegate of Denmark contributed as follows:

"Mr Chairman:

"I would first like to comment on that part of our Agenda which requests us to discuss the future role of ICNAF. My delegation has, in the past many times when ICNAF in the right and more often without right, was criticized for inefficiency, expressed its opinion that ICNAF has made very much progress and has been able to adjust to a development which could not be foreseen when the Convention was signed. Consequently, we feel that these achievements should not be dropped and in the future regime with its extended 200-mile zone, ICNAF will still have a function. It will not only still be desirable but even necessary to continue. You can be sure that Denmark will participate in the discussions in order to make the modifications to the existing Convention which might be necessary.

"As far as the Canadian and United States statements are concerned, I must say that my delegation is not authorized to accept or express views on the unilateral action of their extension of their fishery zones to 200 miles as of next year. Also, I am not able to comment if the timing of the decision of the two countries is right. I will not comment on whether it is consistent with what is appearing from the Law of the Sea Conference, but I will limit myself to looking at the possible influence of these declarations of which we have taken note on the proceedings of our meeting here. I noted with pleasure, aided by the interpretation of the Canadian delegate, the willingness of Canada to go on in this meeting in the way we have been negotiating before with the net reservation from Canada that, having achieved results in the meeting, they have to consider themselves if the results were consistent with their legislation. This situation has always existed and I find it natural for them to go back. So I see no hindrance from this legislation to this meeting. There has been a willingness from delegations in the past to look upon the special problems and claims of the coastal states. I think it should be possible to do that at this meeting too.

"I am pleased to see at the bottom of page 2 of the United States statement an attitude very much like that of Canada and I think it would be possible for us to go on that way. But turning to page 3, I was a bit disappointed. I cannot accept existence of 200 miles for the United States as I have no authority, but I would hope the United States will consider, if possible, going along in the way of Canada, so we can avoid the complications which paragraph 1 on page 3 involve. I am willing to cooperate, as in the past, by negotiation, case by case, subarea by subarea, but, of course, this cannot be done without knowing those countries' intention to make changes in their jurisdiction. However, this question is separate from our discussion here and our delegation cannot enter into it."

(k) The delegate of GDR spoke as follows:

"Mr Chairman:

"Life has shown that the complicated and interwoven problems of the human society of the 20th century cannot be solved without multilateral cooperation rather than only by unilateral agreements.

"We are sure that none of the delegations of ICNAF Member States doubts that conservation and rational utilization of living sea stocks belong to these problems which can be solved best only by multilateral cooperation.

"With respect to international fishery organizations as a carrier of their multilateral cooperation, the GDR has expressed its position on further necessity and suitability of these organizations, both in the UN Conference on the Law of the Sea and by its constructive cooperation in those organizations.

"We appreciate the working results of ICNAF as other delegations do and therefore support the views expressed here by many delegations according to which ICNAF, after having been modified accordingly, has to fulfill an important function also under the conditions of a new law of the sea, and this not only outside but also inside the so-called 200 nautical mile zones.

"It would be especially tragic if it were the states which founded ICNAF to doubt the existence of this organization by the steps they have taken recently.

"As to the unilateral steps taken by the coastal states, to extend their national jurisdictions on parts of the open sea before the conclusion of the Conference on the Law of the Sea, it has to be said that they are in direct contradiction to the efforts undertaken by the UN Conference to draft a universally acceptable new convention of the Law of the Sea.

"In connection with this assessment which does not render only our personal view, we proceed from the fact that the Convention (ICNAF) is still in harmony with governing international law, of which it is an integral part.

"With regard to this legally intact convention which at present is effective for solving fishery problems, we do not see any need for the Commission to call for a re-negotiation of the Convention.

"For the same reason, it is necessary that this session of the Commission proceed from valid rules of the Convention and its common practice when it comes to take any steps for 1977.

"Thus, our view basically corresponds with the view expressed by one of both coastal states with respect to 1977. Therefore, we support the wish expressed by the representative of Denmark that the representatives of the other coastal state may join such a regulation. Mr Chairman! Delegates! Naturally, our delegation is not unaware of the problems and consequences caused by the aforesaid unilateral steps.

"Therefore, we are prepared to participate in discussing and drafting acceptable solutions. We shall do this also in a pragmatic way if it serves the interests of all concerned.

"Thank you, Mr Chairman."

(l) The delegate of France said:

"Mr Chairman:

"I will only make a brief statement as it seems to me that, at the present stage of our considerations concerning the future of ICNAF, everything has been said by my colleagues.

"However, I would also like to point out that the general problem of consequences of the extension of economic zones by certain Member Countries derives from theses developed during the Conference of the Law of the Sea; my country is currently examining the consequences thereof within the European Economic Communities.

"The problem of the future role of ICNAF is also that of the role of international organizations in the new world which is being evolved. We believe that these organizations can still prove to be necessary if they adjust and change their structure.

"Therefore, my country would be happy to take part in any conference which might be organized with a view to proceeding to a study of the re-adaptation of ICNAF.

"We would sincerely wish that ICNAF, which has played a major role so far, goes on playing that role in the future and serves, in particular, as a meeting place for consultation of all countries fishing in the area, whether they are coastal states or non-coastal states.

"All this being said and having placed ourselves at a very general level, which, in fact, belongs more to the competence of diplomats than fishing experts, we do hope that the new situation, from which we will have to draw consequences for the future, will not prevent us from carrying out our work and overcoming difficulties."

(m) The delegate of Italy stated:

"Mr Chairman:

"Like other EEC members who spoke before me, I must say that I am not enabled to take any position vis-à-vis the unilateral declarations of our Canadian and United States partners. These declarations involve indeed delicate diplomatic and juridical problems which have been already outlined here and all I can say is that our delegation shares the concern for the future of ICNAF. The Italian delegation believes that this problem can more properly be discussed in the Special Meeting already announced and which we welcome.

"As far as the immediate future of our organization, we consider it important not to kill it because, despite some inevitable bottlenecks, it has always served a useful role. I don't know what the situation would be today if ICNAF had not existed.

"As you know, we have been Members of ICNAF since the beginning and we have always managed to respect its prescriptions, in the interest of everybody. The quantities of fish we have caught are certainly not enough to create a problem for the ecosystem balance; on the other hand, those quantities are a vital part of our resources. That is why we are confident that the coastal states will take into consideration this aspect of the problem and will allow the transitional period, as it has been defined here, to be wide enough to start a new life of ICNAF in a renewed world context, on a sufficiently reflected basis."

(n) The delegate of Bulgaria stated:

"Mr Chairman:

"I wish to make some preliminary remarks on the issue. Two aspects of the problem are under discussion: first, will ICNAF continue after extension of the coastal state fisheries zone to 200 miles,

and second, what role will ICNAF play in the future? ICNAF is one of the foremost organizations in the field of fisheries and has always been a model for constructive international cooperation. It is very difficult to foresee the role of this organization, after extension of coastal state jurisdiction.

"The Commission, especially in previous years, has always done its best to satisfy the claims of the coastal states. That is why the statements of Canada and the United States about their intention for eventual withdrawal from ICNAF create some confusion. On the one hand, the importance of ICNAF is underlined, and on the other, the intention for eventual withdrawal is also expressed. Perhaps more details will be forthcoming from the coastal states.

"As far as the other aspect of the problem is concerned, what function will the Commission have and which kind of a fisheries regime will be conducted in this part of the world ocean, we all cannot express definite views before the conclusion of the Law of the Sea Conference. If we are going on with deliberations, we must adhere strictly to the position of our Governments at the Law of the Sea Conference.

"The 200-mile zone has already been accepted by most of the countries but there are difficulties in the interpretation of the regime within this zone. It is our understanding that the discussion of this problem here will duplicate the work in the Law of the Sea Conference. We believe that we should postpone our deliberations until the agreement of the Law of the Sea Conference is reached."

(o) The Chairman noted that there were questions posed which he suggested might be answered next week at a further session of the Plenary. He asked for the views of the delegates regarding the Cuban suggestion to establish a working group at the present meeting to prepare a projection of what the future Convention might be. He noted that there should be no commitment whatsoever but with the fishery experts present an exchange of views in a working group might help Governments to take decisions later. He pointed out that there was a joint responsibility to the staff of ICNAF and its future and a need for resolution of any uncertainty.

18. Under Plenary Agenda Item 48. Report of STACRES, the Chairman invited the Chairman of STACRES, Dr A.W. May (Canada), to present a summary of the provisional report of STACRES. Dr May reviewed the work of the Assessments, Biological Surveys, Environmental, Statistics and Sampling Subcommittees and the various Working Groups. The Chairman expressed the Commission's thanks and gratitude to STACRES, its officers and scientists for their continued excellent efforts and noted that decisions involving financing of proposed special research projects would await the recommendations of STACFAD.

19. The Plenary agreed to terminate its discussions until next week and recessed at 1245 hrs, 9 June.

20. The Plenary reconvened at 1015 hrs, 14 June, to continue consideration of Plenary Agenda Item 15, the Future of the Commission. The Chairman noted that the Plenary had agreed to consider pragmatically the problems to see if mutually acceptable solutions could be reached. Since the problems had not yet been introduced in the Panels, he felt that it would be useful if the discussion concentrated on "fish". He asked, if it were accepted that there was a role for an international body within and outside 200 miles, how soon could steps be taken to begin formulation of a revised or a new international fisheries body and who would take the initiative, the Depositary Government, ICNAF, or the coastal states? Secondly, should a working group be set up, as suggested last week, to advise on the possible formulation of a revised or a new body and the role of such a group? Thirdly, what practical arrangements were envisaged for enforcement in the future? He then invited those Member Countries who had not had the opportunity last week to make general statements.

(a) The delegate of Spain then spoke as follows:

"Mr Chairman:

"Let us skip over the feeling of emptiness imposed upon us by the reality of these past few days' discussions, and think back to last Wednesday, 9 June, in order to link this statement to the others then made. Allow me first of all to greet, on behalf of the delegation of Spain, all the other delegations here represented. Let me thank, very particularly, our host, the Government of Canada, whose delegation is, so far, winning the day with considerable subtlety.

"The delegation of Spain has been able to make use of the weekend to consider in detail the statements made by the Minister of Fisheries of Canada and by Ambassador Madam Ridgway of the United States regarding proposed extension of fisheries jurisdiction over a 200-mile zone in the, alas!, very near future. Without, in any way, committing my Government, I would like to comment briefly on the preliminary reaction of my delegation to the statements in question.

"I firmly believe that, if we consider them with realism, we are faced with two positions which are substantially alike. One may recognize a difference in procedure, but certainly not in the basic

concepts underlying the expected final results. In truth, as from 1 January 1977 in the one case, and 1 March 1977 in the other, the coastal states announce the exercise of sovereign rights over an area extending seawards 200 miles in all matters pertaining to:

- the determination of the total allowable catch;
- the harvesting capacity of the coastal state; and
- the sharing out of the allowable surplus, if any.

"I cannot consider here and now the substantial points raised by these statements, which obviously exceed the purpose of this meeting; it is, nevertheless, gratifying for my delegation to note that both coastal states recognize as one of the essential points to consider when allocating the surplus, the historical performance of the distant-fishing countries, which, contrary to legend, have done so much for the coastal communities and for the development of the fisheries of the North Atlantic, in general.

"Having made this initial analysis of the situation, the obvious question arises concerning the future role not only of ICNAF but also of other multilateral organizations dealing with the management of fisheries resources. Here we have listened to the unilateral statements of Canada and the United States, and those of us who, for better or for worse, also fish on the other side of the Atlantic are probably going to have to face similar formulae during the coming meeting of NEAFC in early July. We should expect a similar recognition of our past fishing history in the area, and as a corollary the possibility of continuing our fishing activities within the framework which may be imposed by the new circumstances.

"But let us come back to ICNAF whose immediate future is worrying us all. Although it may not appear to us, at the moment, as a very bright one, we firmly believe that we should all think carefully, and most of all the coastal states, about the responsibility which we would incur, were this Commission whose great services we readily recognize to become obsolete and inefficient in the future.

"In the present state of the world we must not block any avenue of cooperation and dialogue between nations, but must overcome the difficulties and widen it. With this understanding, we favour the survival, for survival it is, of a multilateral forum such as ICNAF, even while we recognize the basic importance that the strengthening of bilateral ties has for the development of relations between states.

"Against the gloomy background that I have just described, my country has taken a stand, well known by all, that tries to overcome problems and adjust to new situations with the maximum of pragmatism. This stand avoids all unnecessary confrontation and looks for an acceptable understanding by way of negotiation.

"At this stage, we believe that after this meeting many of ICNAF's functions, undoubtedly the main ones among them, are going to lie outside the sphere of the organization. We would not like to see an organization which has been so useful up to now, making over the years an important effort of meeting the growing needs of the coastal states, playing a secondary role in the future. It appears quite clear that the new situation has been brought about by the exclusive position of the coastal states and we feel we must question them as to what kind of a future they envisage for ICNAF.

"Reasserting our tradition of searching for an understanding through negotiation, Spain would like once more to contribute, within its possibilities, to the survival of this type of international organization having the greatest possible content. In proof of this, we would like to pick up the suggestions put forward by several delegations and offer Spain as the meeting place of the Special Committee which would examine and propose changes to be introduced in the 1949 Convention, and of the conference of Government representatives which would immediately follow. We believe we meet the necessary objective conditions, and we submit to the consideration of the conference our offer of meeting again in Spain before the end of November.

"Thank you, Mr Chairman."

(b) Continuing the discussion, the delegate of Canada made the following statement in response to the various comments contained in the statements of the Member Countries:

"Mr Chairman:

"The Canadian position with regard to both the conduct and significance of the present meeting of ICNAF and the future of ICNAF was fully set out in the statement of the Honourable Roméo LeBlanc at our opening session. In the light of statements by other delegations on these matters, I wish to reiterate the Canadian approach, to attempt to answer various questions that have been raised, and to comment on certain proposals.

"The Canadian delegation considers it an important development that this meeting is proceeding with what we might call "business as usual". We are here developing recommendations for sound conservation

measures, including allocations, for 1977 in accordance with the usual ICNAF procedures, while taking into account the positions expressed by the two principal coastal states. Those recommendations, in keeping with a fundamental commitment we all share, must also satisfy the principle of optimum utilization, as a number of delegations have urged. For Canada's part, both the Secretary of State for External Affairs and the Minister of State for Fisheries have underlined our commitment to this principle.

"As was stated by Mr LeBlanc, Canada has undertaken to give effect within its 200-mile zone, in 1977, to those measures agreed at the present ICNAF meeting with Canadian concurrence. This means that Canada would adopt, apply and enforce the measures in question as Canadian regulations under Canadian law. As to allocations to other countries agreed upon with Canadian concurrence, Canada would issue appropriate permits on the basis of those allocations relating to stocks of the Canadian 200-mile zone.

"To answer a number of questions raised by the representative of the Federal Republic of Germany, I wish to make the following additional points on this matter:

- (1) As a transitional measure for 1977 at least, Canada has made clear that it would issue such permits even to those ICNAF Member States with which Canada does not have bilateral agreements. The Canadian Government's approach to this question for the years beyond 1977 remains under consideration.
- (2) Canada sees no reason why the ICNAF vessel registration scheme should not continue in 1977, although that scheme could not prejudice or be a substitute for the permits to be issued by Canada as a Canadian requirement. Indeed the ICNAF vessel registration scheme will remain most valuable for the area beyond 200 miles.
- (3) As to flag state licences for fishing within Canada's 200-mile zone, it must be understood that these cannot substitute for Canadian permits. I must stress here Canada's view that even under a system of coastal state regulation and enforcement, flag states would not be relieved of their responsibility to ensure that their vessels comply with the applicable regulations, including strict adherence to quota allocations.
- (4) More generally, I would reply to the questions raised by the representative of the Federal Republic of Germany by assuring him and all others here that Canada would undertake to carry out appropriate consultations later this year with the countries concerned on the modalities of implementation of jurisdiction, especially as to licensing procedures and, where appropriate, enforcement procedures - recalling, of course, that enforcement will fall within Canadian authority.

"The representative of the Federal Republic of Germany also inquired what additional regulatory measures might be established by Canada in 1977 beyond those agreed at the present meeting with Canadian concurrence. I am not certain that it would be possible or useful to try to give examples at this time. In any event, as stated by Mr LeBlanc, any additional Canadian regulations in 1977 would take into account and be consistent with agreements reached here with Canadian concurrence.

"As to the future of ICNAF, we have already stated that Canada is committed to continued multilateral cooperation in the management of stocks beyond 200 miles and wishes to negotiate as soon as possible new multilateral arrangements to this end. Obviously the ICNAF Convention in its present form cannot apply to the 200-mile zone. However, the sort of system we have developed in ICNAF would be valuable and indeed necessary for the conservation and management of stocks within the ICNAF Area beyond 200 miles. We have an open mind as to whether new arrangements should be negotiated by way of amendments to the present Convention or otherwise. In either case, a basic change would be in the geographic area of application of these multilateral arrangements. In addition the Canadian Government believes that the new arrangements would have to take into account the relationship between the stocks of the 200-mile limit and those beyond.

"As to arrangements concerning stocks of the 200-mile zone, I would reaffirm Canada's commitment to consult annually with other countries fishing in the zone, in the development of Canadian regulations for conservation and management of the stocks and the allocation of surpluses. We attach the highest importance to maintaining the kind of scientific cooperation that has developed in ICNAF. Canada proposes to establish an appropriate mechanism or forum for consultations on these matters. The precise form of that mechanism, and its possible relationship to the multilateral organization for the area beyond 200 miles, are questions that remain under consideration in Canada. It would seem desirable at any rate for consultations regarding regulations in the 200-mile zone to be carried out in conjunction with meetings of the international commissions dealing with stocks beyond 200 miles. Certainly we would be pleased and grateful to hear the views and suggestions of other countries on these possible approaches, although I must emphasize that the establishment by Canada of a consultative mechanism for stocks of the 200-mile zone will not be a matter for negotiation as such.

"I should like at this point to recall Mr LeBlanc's suggestion that a special meeting to deal with

the future of ICNAF may be necessary later this year. The Canadian delegation hopes that all here would agree on the usefulness of such a meeting, either of the Commission itself or of plenipotentiaries. Any delay could seriously prejudice the future of multilateral consultation and cooperation to which we are all committed. Mr LeBlanc stated a few days ago Canada's hope that we can make an uninterrupted transition from the old to the new regime, and to do this it would be imperative to set to work immediately on the elaboration of a new regime. For Canada to remain a member of ICNAF in 1977, we must have adequate assurance that management measures for 1978 will be developed under the new arrangements.

"As to the Cuban suggestion, which has already been supported by some members, that we create a working group that would meet at an early date to produce a draft of what might be a modified ICNAF Convention, this idea is a useful one and I would like to set out Canada's views on it.

"The group should have a wide mandate. We believe that it should examine what new arrangements will be necessary in order to ensure the continuance of multilateral cooperation in the management of stocks found outside expanded national fishery limits. This might well be accomplished by modifications to the present ICNAF Convention, but Canada for its part has an open mind on this question, as I have already indicated. What we want to ensure is that the lessons of ICNAF are not lost whatever the arrangements arrived at, and that particular attention be paid in such arrangements to ensure that stocks which straddle the outer limit of national jurisdiction - or migrate back and forth across the limit - are managed in cooperation with the coastal state.

"It is important, in the Canadian view, that the proposed group have a certain degree of flexibility. It would be our suggestion, therefore, that those taking part in the group do so in a personal capacity, as experts in this field, and not as representatives of Governments. We would also suggest that the group be convened soon enough to be in a position to submit their report to the Special ICNAF Meeting or meeting of plenipotentiaries we have proposed be held later this year. We would be pleased to act as hosts for both the group of experts meeting and the special meeting of the Commission or of plenipotentiaries here in Canada."

(c) The delegate of USA then contributed the following to the discussion:

"Mr Chairman:

"We think, upon reflection, it was quite wise of you to have provided some several days between our initial consideration of the future of ICNAF and our exchange this morning. It has given us an opportunity to hear the views of others, to hear from others the questions which were raised by our statement, and to try to respond to those questions in an additional statement today. We have not, however, anticipated some of the questions which you posed this morning in introducing the subject, but we would certainly, in an exchange which might follow, be prepared to try to respond to those specific questions.

"Let me try once again to provide some insight into the United States position and to do so from a perspective somewhat different from that employed last week. Let me try, this time, to state our position in terms of what the United States Government will be looking for at such time as the Commission completes its deliberations and the results are circulated to Governments. After the conclusion of this Annual Meeting, when the United States Government receives the proposed Commission regulations for 1977, it will look for the following:

"First, do the regulations take into account the provisions of United States law which will be binding for the United States as of 1 March 1977?

"Second, do the Commission regulations create a conflict between United States law and what would become treaty obligations on the United States were the United States to accept the ICNAF proposed regulations and were ICNAF to remain in force for 1977?

"To take the second question first, obviously the United States Government cannot put itself in a position of having to choose, on 1 March 1977, between abiding by its own domestic law and abiding by its treaty obligations under the Convention. Either the United States law and the international commitments we accept at the time we accept Commission proposals are consistent, or the United States will face such a choice. Clearly, the choice would be in favor of its own law. It would be intolerable for any government knowingly to place itself in a position in which its behavior, while consistent with international treaty obligations, is inconsistent with its domestic regulations.

"Turning then to the first question, do the regulations take into account the provisions of United States law? The United States, in reviewing the Commission proposed regulations which would flow from this meeting, and the recommendations, would seek specifically to determine whether

- first, the proposed regulations provide for coastal state enforcement within the limits of national fisheries jurisdiction as those limits are determined by a coastal state;
- second, do they provide, also within the limits of national fisheries jurisdiction, for a national permit system determined by the coastal state in a manner consistent with its domestic law?

- third, the United States, in reviewing the proposed Commission regulations, would seek to determine whether those regulations intrude into the arena of domestic rule-making with respect to the management of fishery resources within the limits of national fisheries jurisdiction;
- fourth, do the proposed regulations for 1977 establish quotas which take into account the setting of the total allowable catch within the limits of national fisheries jurisdiction by the coastal state and the determination by the coastal state of its needs before the allocation of any surplus.

"The United States believes these four prerequisites to United States acceptance of the Commission-proposed regulations must be met if the United States is not to exercise its intention to withdraw by 31 December 1976. We think that they can be achieved within the limits of the present Convention. Whether they can be achieved without raising questions of principle for other Members, is a matter which is not for the United States to determine. If the nations represented here find that questions of principle are raised, even though we see them as practicalities, and that they cannot be accommodated, then clearly the delegations representing their nations within the Commission would act on that finding. Or their Governments, subsequently, would decide questions of principle had been raised which cannot be accommodated and would act on that finding. The result is very much the same whether it flows from Commission proceedings or subsequent decisions by Governments to object to the regulations. To the extent that it is not possible for the ICNAF regulations for 1977 to meet the four objectives I have stated above, the United States would have to move toward withdrawal.

"If I may, in an aside here, just say that the task that we have struggled with in the weeks preceding this Commission meeting is the task posed by the second question we offered. Is it tolerable for any government to put itself in a position where it must choose between international treaty obligations or domestic law? We decided that it was not. We are trying to structure a situation in which the treaty obligations which would flow from the acceptance of the proposed regulations are the same as domestic law and, therefore, a conflict does not arise.

"There are two items which do require specific comment. First, the question was raised the other day by the Federal Republic of Germany - what does the United States mean when it says that additional conservation measures might be applied within the zone following 1 March? If the Commission regulations and recommendations are acceptable to the United States and ICNAF remains in force for the United States for 1977, it would nonetheless be the intention of the United States to reserve for itself the right to expand on those regulations after 1 March. This is not to say that the United States would not abide by the determinations of surplus and allocations reached at this meeting. There are, however, other ways by which coastal states may manage the fisheries. These include area and season closures and gear regulations. We can foresee that as the program of domestic management of fisheries resources comes into force for the United States, decisions would be reached by the United States which amplify the international measures agreed to within ICNAF or which are new. We believe it essential that somehow provision be made for the coming into force of such additional measures after 1 March 1977, if the United States should decide upon such measures. We certainly are not unaware that this reservation of authority creates fears that such measures might be used to negate the decisions reached here with respect to surplus and allocations. I can only hope that the United States' commitment to abide by its treaty obligations which would be inherent in the acceptance of the Commission-proposed regulations, would be seen as assurance enough that those additional measures which might come into force, if any, would be consistent with the measures we have agreed to internationally.

"All of what I have said up until now relates to a single question for the United States - that is, whether it is possible, through ICNAF, to provide a transition for coming into force of extended jurisdiction off the coast of the United States - the transition to last only for 1977. Thereafter, distant-water states which wish to fish off the coast of the United States would have to have entered into bilateral agreements. In many instances in 1977, in this transition, it is obvious that the relationship would be governed in a rather dual fashion, both by the treaty obligations and by those bilateral agreements which we negotiate between now and 1 March.

"The question of the future of ICNAF becomes more clear if one makes this distinction between managing the fisheries in 1977 in a way that provides a transition, and discussing the multilateral relationship that might exist once we have moved through the transition period. Clearly, the United States cannot remain in ICNAF, as we know ICNAF, past 1977. Thus, I am, this morning in talking about the future, talking about a new organization which, if agreed upon, would come into force no later than 1978. The United States would support the re-negotiation of the Convention, or any other approach to reaching agreement on new arrangements, whichever approach is found to be the more appropriate for the new situation. We are here with no firm guidelines as to what the future might be. We are prepared to participate fully in an examination of the guidelines, or in any other preparatory work that others might find appropriate. We are prepared to respond positively to the proposal that there be a working group and that the working group operate, without commitment, to examine what might be appropriate means for the future, or what might be the appropriate arrangements for a multilateral organization.

"I think that you will find us here wanting not to go into great detail as to our participation in such a working group. One, we want to be without commitment to a particular solution, to be able

to examine, frankly, and without mental reservation, if you will, what the various proposals are; we are prepared to take into account the interest that others might have in assigning specific duties in a new organization, both with respect to the management of stocks which are transboundary or to the discussion of consultative arrangements, if any, that might apply within the zone. We do not think that this work needs to be completed in 1976. It should be initiated in 1976 if there is to be a transition without interruption. It would obviously have to be completed by 1977 and ready to go into force no later than 1978.

"Mr Chairman, I hope this makes more clear what it is the United States is trying to achieve in this Commission meeting. The two tasks, reaching agreement on proposed regulations for 1977 and preparing the way for the future are, in our view, entirely separate. We are prepared to participate in both. We hope that the outcome of both is favorable to continued international cooperation. I have not, as I said in the beginning, answered some of the specific questions which you posed. We would be happy to answer those questions specifically in the course of this morning."

21. The Chairman noted that, although there was a great deal of similarity in the positions adopted by Canada and USA, there were also important differences. It would help the other Members of the Commission, if in the course of discussion these differences could be narrowed down, particularly with regard to the steps to be taken for the modification of ICNAF or the creation of some other organization and the definition of their respective roles. Then, noting the reluctance of delegates to contribute to the discussion, the Chairman suggested they consider whether a working group should be set up, its composition, meeting time and place, and terms of reference, emphasizing the Canadian point that participation in the working group should be in a personal capacity and not as a Government representative. The delegate of USA asked for clarification of the various proposals, noting that at one point it seemed to be suggested that the working group should be drawn from the delegates at this meeting to prepare recommendations to Governments; at another point, the working group was suggested to be established outside the Convention and then a special meeting of the Commission or special meeting of plenipotentiaries seemed to be suggested. The delegate of Canada replied that the Canadian proposal was that, first, there should be a meeting of a group of experts acting in a personal capacity. Then later this year, there should be either a special ICNAF meeting or a meeting of plenipotentiaries. This inferred that the meeting of a group of experts should be fairly soon, not later than the end of August or early September. The Canadian feeling was that it might be better if it was a meeting of plenipotentiaries. The Chairman noted that a meeting of plenipotentiaries suggested that a participant has full powers to commit his Government at that stage, which was perhaps not desirable. The delegate of FRG, in thinking aloud, noted that Article XVII of the Convention might provide a procedure for amending the Convention. He agreed that there should be a working group appointed by ICNAF, that participation should be in a personal capacity, and that the working group should consider either amendments to ICNAF under Article XVII or the creation of an entirely new body. He also agreed that the working group should start work at the end of August or early September and the special meeting of ICNAF or of plenipotentiaries be held in October. The delegate of Portugal felt that his Government might prefer acting under Article XVII as the Convention needed very little amending for application outside the 200-mile limit. He and the delegate of Denmark also agreed with the delegates of Canada and FRG regarding the working group and procedures relating to the future of the Commission. The Chairman pointed out that, if the group of experts was to have coastal state participation, it would have to accept coastal state jurisdiction as a basis for discussion. The delegate of UK agreed that a group of experts must act in a personal capacity. He wondered if it would not be worthwhile for the group of experts to be constituted now and hold a preliminary meeting here, in order to consider a possible agenda and approach to the matter and then report briefly to this meeting. The delegate of Canada said that, if the working group of experts was to be able to carry out its assigned role, certain things would have to be taken for granted. He did not believe that it would be necessary to decide at this meeting whether to proceed with the development of new arrangements under Article XVII or in some other manner, or whether to proceed with the development of new arrangements by way of a special meeting of ICNAF or otherwise, but that the group of experts might consider these matters. He favoured the suggestion of the delegate of UK. The delegate of Italy also favoured use of Article XVII for amending the Convention but pointed out that the proposal would need to be notified 90 days before the special meeting in which it was to be considered. The delegate of Cuba felt that the group of experts should take into account the developments at the Law of the Sea Conference by meeting after mid-September 1976. There should then be time for the report by the group to be circulated and studied before the special ICNAF meeting. He hoped that the group of experts could be created now, with the participants appointed on a personal basis, to set up a timetable for future meetings and to study carefully the possibility of working within the Convention and of having a special ICNAF meeting or of obtaining a solution to the question by any other means. The Chairman said the group of experts should be small and that delegates should be thinking about its membership. The delegate of USA suggested that, in order to clarify the role of the Group of Experts, a small preliminary *ad hoc* Working Group be set up to meet informally to frame a proposal for the work of the proposed Group of Experts. This suggestion was accepted by the delegates who were asked by the Chairman to nominate a maximum of six persons who would participate in a meeting to be convened as soon as possible to decide broadly the objectives of the subsequent Group of Experts.

The Plenary agreed that the *ad hoc* Working Group should be made up of Mr M.B. Phillips, Dr J.A. Storer, Mr E. Dituski, Mr A.A. Volkov, Captain J.C.E. Cardoso, and Mr K. Løkkegaard, with Mr Løkkegaard taking the lead in convening a meeting as soon as possible during the present Commission meeting, with a view to providing suggestions to the Commission at this meeting on the next step to be taken, and in particular, the form, function and objectives of the subsequent Group of Experts which would meet after the Law of the Sea Conference.

22. The Plenary recessed at 1230 hrs, 14 June 1976.

23. The Plenary reconvened at 0925 hrs, 22 June.

24. The Chairman drew attention to the Report of the ad hoc Working Group on the Group of Experts to Consider the Future of ICNAF (Appendix III) and asked the Convener of the Working Group, Mr K. Løkkegaard (Denmark), to present the Report. Mr Løkkegaard emphasized that the Working Group had two main aims: (1) to present a wide mandate for the Group of Experts and, (2) to avoid prejudicing the substance by not identifying too many problems for the Group. He noted that the text had been carefully prepared in order to avoid controversial formulation in the Group or controversial discussion in the Plenary. As the delegate of Denmark, he accepted the Report. It provided the opportunity for the Group of Experts to explore all possibilities for the future. He suggested that there was a need for a wider scope for the Group of Experts in making a choice of dates in September. The delegates of Canada, Portugal, and USA accepted the Report with its broad mandate and agreed to the need for flexibility as to the dates for the meeting of the Group of Experts. The delegate of Portugal, underlining the broad scope of the mandate, gave, as an example, that one might suggest for Subareas 1 to 4 and Statistical Area 0, a solution for the future of ICNAF different from that to be proposed for Subarea 5 and Statistical Area 6. The Chairman, noting provisional agreement with the Report, suggested consideration of (1) what steps would be taken after the suggestions of the Group of Experts under paragraph 4 had been received, and (2) what interim financial arrangements should be made by STACFAD. In regard to what might happen after the report of the Group of Experts was received by the ICNAF Commissioners for the attention of their Governments, the Convener of the Working Group said that this matter was discussed in the Working Group, and that following the presentation of the report to Governments, it was thought that an initiative would be taken by one of the Member Countries. The delegate of Spain pointed out that an initiative had already been taken by Spain, with an invitation to hold the special meeting in Spain at a time agreed by the Commission. The delegate of Canada said it seemed inevitable that there would be a special meeting of ICNAF this autumn to consider matters deferred from the present meeting. It also seemed the future of ICNAF must be an item on the agenda of this same special meeting. The Chairman suggested it could be useful to have some discussion of the timing of any changes either in the constitution of ICNAF or in the formulation of any other organization. He drew attention to the timing involved in adopting the course of revising the ICNAF Convention or of setting up a new organization and asked for observations. The delegate of Portugal noted that ratification of any new treaty would take some time. He pointed out that, in spite of what the Group of Experts might advise, ICNAF would still have to decide its own fate. The delegate of Denmark felt that a timetable of events leading to a possible amendment to ICNAF could not take place until early spring of 1977 and would have no effect on the existence of ICNAF. In response to a request from the delegate of Japan regarding the thoughts of Canada and USA on the matter of timing, the delegate of Canada, supported by the delegate of USA, said that Canada was open-minded regarding modifications under Article XVII or by separate negotiation and that STACFAD should continue to budget for the whole year 1976/77 in the usual manner. In any event, there should be adequate time set aside for full discussion in the special Commission meeting in the fall of 1976. The delegate of Bulgaria agreed with Canada and suggested the special meeting be held in Spain during the first half of January 1977. The delegate of Denmark felt that a January meeting was too late to provide the necessary decisions on deferred Panel items. The Chairman, in summing up the discussion, said there seemed to be general agreement with the Working Group recommendations subject to flexibility about the timing of the meeting of the Group of Experts. The likely course of events after the Group of Experts report to the Commissioners was that there would then emerge from some country a proposal that the matter should be discussed in ICNAF or under some new international arrangements. On the financial side, there was agreement that ICNAF should budget for the whole year 1976/77. The Chairman, in response to a question from the delegate of Denmark, said that there seemed to be no reason for a recommendation or resolution to dispose of the report of the Working Group as it was a report to ICNAF Commissioners themselves and the report would only need approval. The delegate of Canada agreed that the report should be approved and that a special Commission meeting should be held well before 1 January 1977, possibly in the last week of November or the first week of December which would consider the deferred Panel items and should discuss, without prejudice, the future of ICNAF. He re-emphasized that Canada hoped that there would be an uninterrupted transition from ICNAF, as it is, to the new regime whether or not it required a modification of ICNAF or a new body. He was pleased to note that progress was being made at this meeting and it would seem to be enough to make it possible for Canada to remain in ICNAF through 1977. The delegate of Portugal agreed with Canada, however, he noted that NEAFC meetings in the last week of November and ICSEAF meetings starting 10 December would have to be circumvented in establishing the time of the ICNAF Special Meeting. The Plenary agreed that the Executive Secretary should look into the possibility of dates and places for the Special Meeting of the Commission which would look at the deferred Panel items and discuss the future of the Commission. The delegate of Japan, in speaking on the disposal of the Report of the Working Group, noted that the time of any interim meetings and reports of the Group of Experts should be sent to the Commissioners so that they could be kept continually informed and provide early advice to their Governments.

25. The delegate of UK, on behalf of the Member States of the European Communities, presented the following statement relating to the discussion of Plenary Agenda Item 15:

"Mr Chairman:

"I take the floor on behalf of the Member States of the European Communities present at this Meeting. These States have taken note of the general views which were presented by the USA and Canada regarding future control and management of fisheries stocks. They are convinced of the fundamental importance of measures to secure the conservation and optimum utilization of the living resources of the sea and remain willing to work towards achieving this end.

"As some delegates will be aware, the European Communities are currently undertaking a reappraisal of their common fisheries policy in the light of changing circumstances. This will affect not only the arrangements to apply to waters under the jurisdiction of Community Member States, but also the approach to be adopted in the framework of cooperation with other countries. Some of the problems which have been discussed at the Meeting will fall within the scope of the developing Common Fisheries Policy. The process of reappraisal to which I have referred is not yet complete. It should, therefore, be made clear that the Member States of the Community cannot at this stage prejudice their position on the way in which their common institutions will contribute to the realization of the objectives which they share with all other parties to the Convention, or the way in which the proposals adopted at this Meeting are to be set within a community context."

26. The Chairman thanked the Plenary and the members of the *ad hoc* Working Group for their good efforts and declared the Plenary Session adjourned at 1015 hrs, 22 June.

ANNUAL MEETING - JUNE 1976

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Mr V.M. Hodder, Assistant Executive Secretary, ICNAF
Mr W.H. Champion, Administrative Assistant, ICNAF
Mr S.A. Akenhead, Biostatistician, ICNAF
Mrs V.C. Kerr, Senior Secretary, ICNAF
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ANNUAL MEETING - JUNE 1976Plenary SessionsAgenda

PROCEDURES

1. Opening
2. Agenda
3. Publicity

ADMINISTRATION

4. Approval of draft report of Proceedings of Eighth Special Commission Meeting (*Summ.Doc. 76/VI/6*)
5. Panel memberships (*Comm.Doc. 76/VI/14*)
6. Administrative Report (*Comm.Doc. 76/VI/15*)

FINANCE

7. Auditor's Report, 1974/75
8. Financial Statement, 1975/76
9. Budget Estimate, 1976/77 (*Appendix I to STACFAD Agenda*)
10. Budget Forecast, 1977/78 (*Appendix II to STACFAD Agenda*)

COMMISSION PROPOSALS

11. Status of proposals adopted by the Commission (*Comm.Doc. 76/VI/16*)
 - (a) for changes in the Convention
 - (b) for regulation of fisheries
12. Amendments to Financial Regulations, and Commission and Panel Rules of Procedure (*Comm.Doc. 76/VI/19*)

INTERNATIONAL CONTROL

13. Annual Returns of Infringements (*Comm.Doc. 76/VI/17*)
14. Scheme of Joint International Enforcement (*Comm.Doc. 76/VI/29*)

FUTURE OF COMMISSION

15. Discussion of the future of the Commission and its potential role under extended coastal state jurisdiction (*Comm.Docs. 76/VI/23 and 76/VI/30*)

CONSERVATION

16. Reduction of fishing effort on groundfish in Subareas 2, 3, and 4 for 1977
17. Conservation of cod stocks in the Convention Area
18. Conservation of haddock stocks in Subareas 4 and 5
19. Conservation of redfish stocks in Subareas 2, 3, 4, and 5
20. Conservation of silver hake stocks in Subareas 4, 5, and Statistical Area 6
21. Conservation of red hake stocks in Subarea 5 and Statistical Area 6
22. Conservation of pollock stocks in Subareas 4 and 5
23. Conservation of American plaice stocks in Subareas 2 and 3
24. Conservation of witch flounder stocks in Subareas 2 and 3
25. Conservation of yellowtail flounder stocks in Subareas 3, 5, and Statistical Area 6
26. Conservation of Greenland halibut stocks in Statistical Area 0 and Subareas 1, 2, and 3
27. Conservation of American plaice, witch and yellowtail stock in Subarea 4
28. Conservation of flounder (except yellowtail) stocks in Subarea 5 and Statistical Area 6
29. Conservation of roundnose grenadier stocks in Statistical Area 0 and Subareas 1, 2, and 3
30. Conservation of herring stocks in Subareas 4, 5, and Statistical Area 6
31. Conservation of mackerel stocks in Subareas 3, 4, 5, and Statistical Area 6
32. Conservation of argentine stock in Subarea 4
33. Conservation of capelin stocks in Subareas 2 and 3
34. Conservation of other finfish stocks in Subarea 5 and Statistical Area 6
35. Conservation of squid (*Illex*) stocks in Subareas 3, 4, 5, and Statistical Area 6

36. Conservation of squid (*Loligo*) stock in Subarea 5 and Statistical Area 6
37. Conservation of all finfish and squids in Subarea 5 and Statistical Area 6
38. Conservation of northern deep-water prawn in Subarea 1
39. Conservation of scallops in Subarea 5
40. Conservation of harp and hooded seals in the Northwest Atlantic
41. Conservation of Atlantic salmon in the Convention Area
42. Conservation of alewives in Subarea 5 and Statistical Area 6 (*Comm.Doc. 76/VI/19*)
43. Conservation of menhaden in Statistical Area 6 (*Comm.Doc. 76/VI/26*)
44. Conservation by seasonal closures for Subarea 5 and Statistical Area 6 (*Comm.Doc. 76/VI/27*)
45. Conservation by gear regulations for Subarea 5 and Statistical Area 6 (*Comm.Doc. 76/VI/28*)
46. Management objectives for groundfish stocks in Subareas 2, 3, and 4 (*Comm.Doc. 76/VI/22*)
47. Further consideration of 1976 allocations of redfish and capelin in Subareas 2 and 3 (*Comm.Doc. 76/VI/31*)

REPORTS OF COMMITTEES AND PANELS

48. Report of Standing Committee on Research and Statistics (STACRES)
49. Report of Standing Committee on Finance and Administration (STACFAD)
50. Report of Standing Committee on Regulatory Measures (STACREM)
51. Report of Standing Committee on International Control (STACTIC)
52. Reports of Panels 1-5 and Panel A (Seals)

OTHER MATTERS

53. Date and location of 1977, 1978, and 1979 Annual Meetings
54. Press Statement
55. Other Business
56. Adjournment

ANNUAL MEETING - JUNE 1976

Report of the *ad hoc* Working Group on the Group of Experts to Consider Future of ICNAF

The *ad hoc* Working Group recommends to the Commission:

- (1) That experts be designated from Canada, Cuba, Denmark, Portugal, USSR, and USA to discuss the future of ICNAF and related matters in the light of recent and impending developments. In particular, the Group of Experts should:
 - (a) examine and seek to formulate suggestions regarding the future of multilateral cooperation in the field of fisheries in the Northwest Atlantic Ocean;
 - (b) examine and seek to formulate suggestions regarding the procedure and timing to be followed in pursuing the matter considered in (a) above;
- (2) That the designated experts together with such assistants as are necessary, act in a personal capacity at meetings of the Group and that its discussions and any suggestions formulated by it without prejudice to the position of any ICNAF Member Governments;
- (3) That the Executive Secretary of ICNAF be invited to attend meetings of the Group in a consultative capacity;
- (4) That suggestions formulated and reports prepared by the Group be sent to the ICNAF Commissioners for the appropriate attention of their respective Governments;
- (5) That the Group of Experts hold its first substantive meeting in Ottawa, at the invitation of the Government of Canada, during the last half of September 1976. The convening of any subsequent meetings of the Group shall be decided upon at the September meeting.

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3961
(B.c.26)

Proceedings No. 4

ANNUAL MEETING - JUNE 1976

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

Tuesday, 22 June, 1125 hrs

1. The meeting of STACFAD was called to order by the Chairman, Mr E.B. Young (Canada).
2. The Executive Secretary was appointed Rapporteur.
3. Membership. Nominees were present from Canada (Mr J.S. Beckett), FRG (Dr D. Booss), USSR (Mr A.A. Volkov), UK (Mr R.C. Lawson), and USA (CDR L.N. Schowengerdt). Observers were present from Canada (Miss D. Pethick) and GDR (Mr W. Lange and Mr H. Petermann).
4. The provisional Agenda was adopted.
5. Panel Memberships were reviewed. There were no applications for new memberships or transfers. However, the delegate of FRG noted that his country might withdraw from some Panels due to the loss of fisheries in these areas. He also thought that several other Member Countries might be in a similar position.
6. Report of Annual Meeting of the International Fisheries Commissions Pension Society (IFCPS). The Chairman presented a brief history of IFCPS. He informed the members that the IFCPS, at its last Annual Meeting, had decided to reconsider an early retirement benefit for the staffs of member Commissions of the Society based on the attainment of age 60 and with 20 years of service. He considered it a reasonable step toward full compatibility with the Canadian and US Government plans for their employees. He noted that the Society hoped approval could be obtained from the Commission in time to begin implementation of the benefit in October 1976. The cost to the Commission would be about \$625.00 per year (4.9% of the cost of the pension plan). This amount could be found in the proposed estimates for 1976/77. Following discussion, STACFAD

recommends

that the Commission adopt the early retirement plan as proposed by IFCPS at its 1976 Directors' Meeting.

The Chairman also reported that the Sun Life Insurance Company had provided the IFCPS with the calculations showing the single premium required at 1 October 1976 for upgrading the annuity credits for superannuation for the Commission employees to the 1973 rather than the 1972 earnings level. He pointed out that this was roughly compatible with Canadian and FAO policy to average the last 6 years of salary for superannuation purposes. The cost at 1 October 1976 to increase the credits earned to 1 October 1973 to the 1973 earnings class would be \$7,554.20. He noted that upgrading to the 1972 level at a cost of about \$1,500.00 was already included in the 1976/77 proposed estimates. At the request of the representative of FRG, the Executive Secretary agreed to circulate a comparison of the Canadian and UN plans for both the early retirement and superannuation plans.

7. Auditor's Report. The Auditor's Report covering the Commission's accounts to 30 June 1975 was distributed in October 1975. STACFAD, noting that no comments were received from the Contracting Governments,

recommends

that the Auditor's Report for 1974/75 be adopted.

8. Administrative Report and Financial Statements (Comm.Doc. 76/VI/15). The Executive Secretary presented the Report, making specific reference to the fact that the Commission's budget showed a deficit of approximately \$13,628. This deficit was due mainly to the increased and unforeseen costs in the Communications Services Account and the Annual and Mid-Year Meetings Account.

He drew attention to the 1975/76 contributions which were still outstanding, as follows:

Bulgaria	\$ 283.61
German Democratic Republic ¹	13,591.71
Poland ²	22,307.66
Romania	<u>13,591.71</u>
Total	<u>\$ 49,774.69</u>

STACFAD

recommends

that the Administrative Report with the Financial Statements for 1975/76 be adopted.

9. Working Capital Fund (WCF). STACFAD reviewed the amount of the WCF (\$36,214) and noted that this amount made it possible to cover the 1975/76 deficit of about \$14,000 and leave about \$22,000 in the WCF. STACFAD, therefore,

recommends

that \$14,000 be transferred immediately from the WCF to cover extraordinary expenditures in 1975/76.

10. Status of Protocol Relating to Basic Annual Fee Structure (Comm.Doc. 76/VI/16). The Executive Secretary reported that the June 1973 Protocol relating to a basic payment of 15% rather than \$500 by Contracting Governments had not entered into force as it required approval by 3/4 of all Contracting Governments. The representative from FRG suggested that the status of this Protocol should be drawn to the attention of the Commission. Those Governments having already approved were FRG on 18 August 1975, Canada on 18 September 1975, France on 29 September 1975, Cuba on 28 November 1975 and GDR on 21 May 1974.

11. Upgrading of Annuity Credits to the 1973 Earnings Level for ICNAF Staff. STACFAD, having noted that the cost was estimated at \$7,554.20 and that only \$1,500 of this was in the 1976/77 estimates, because the estimated cost from the Sun Life Insurance Company had arrived too late to be included in the 1976/77 estimates, with the representative of FRG reserving decision, approved the upgrading and consideration of increasing the 1976/77 estimates in the amount of \$6,000.

12. Budget Estimate, 1976/77. STACFAD examined the 1976/77 budget estimates (Appendix I to STACFAD Agenda) and

recommends

- i) that \$6,000 be added to the Superannuation Account to cover the cost of upgrading pension credits to the 1973 level;
- ii) that the ordinary expenditures of the Commission for the fiscal year 1976/77 be set at \$368,500 (Appendix I); and
- iii) that, after an estimated amount of \$54,721 from the Miscellaneous Fund is applied against the amount in (ii) above, approximately \$313,779 be appropriated from Member Countries in 1976/77.

In response to a request of the representative from FRG regarding the doubling of the amount budgeted for Computer Services (Budget Item 10), the Executive Secretary pointed out that the previous year's estimate only covered a period of 6 months while the 1976/77 figure covered a full year's operations.

With regard to a request from STACRES for financial support for sampling experts attending a special sampling workshop to be held later in 1976, the Executive Secretary explained that such support was, in accordance with the Commission's Articles, a national responsibility.

STACFAD also noted a request for \$18,000 for the purchase of tags for an international herring tagging experiment in Subareas 4 and 5. The representatives from USA and Canada indicated that funds would now be made available through national sources.

13. Budget Forecast, 1977/78. STACFAD considered the Budget Forecast for 1977/78 of \$382,500 presented in Appendix II to the STACFAD Agenda. Following considerable discussion, the Members agreed that the items Salaries should be raised to \$218,000 to show an annualization of a prior year's salary scale increases, Travel should be increased from \$5,500 to \$6,000, Communications should be increased from \$20,000 to \$25,000 and Annual and Mid-Year Meetings should be increased from \$20,000 to \$25,000, making a total of \$405,000 as the requirement to cover the estimated ordinary expenditures (Appendix III) and

¹ Payment received 12 July 1976.

² Payment received 13 July 1976.

recommends

that the Commission give consideration at the 1977 Annual Meeting to authorizing an appropriation of \$405,000 for the ordinary expenditures of the Commission in 1977/78.

14. Severance Pay for ICNAF Staff. The Chairman explained that Canada and the United Nations had comparable termination or severance benefits provided for employees. Following discussion, STACFAD

recommends

that the Commission adopt the Canadian Government staff regulations regarding termination benefits for the staff members of the ICNAF Secretariat.

15. Publications. The Executive Secretary reviewed the status of the Commission's publications as presented in Comm.Doc. 76/VI/18, pointing out that the first number of the new Selected Papers series had been distributed and was well received. The representative of Canada expressed concern at the lateness of the List of Vessels for 1974 and the Statistical Bulletin for 1974. It was pointed out that some Member Countries were as late as six months in submitting the necessary data. STACFAD agreed that this should be brought to the attention of the Commission.

16. Date of 1976/77 Billing. The billing date was set at 16 August 1976.

17. Time and Place of 1977, 1978, and 1979 Annual Meetings. STACFAD

recommends

that, unless invitations are extended, the 1977, 1978, and 1979 Annual Meetings be held at Commission Headquarters beginning Tuesday of the first full week in June.

18. Other Business. At the suggestion of the delegate of UK, STACFAD

recommends

that an interim meeting of STACFAD be held to review future financial arrangements for ICNAF during the Special Meeting of the Commission to be held in December 1976.

19. Election of Chairman for 1976/77. Mr E.B. Young (Canada) was re-elected Chairman of STACFAD for the year 1976/77.

20. Adjournment. The meeting of STACFAD adjourned at 1330 hrs, 22 June.

ANNUAL MEETING - JUNE 19761976/77 Expenditures to be Covered by Appropriations
from Contracting Governments and from Other Sources

	<u>Proposed estimates 1976/77</u>
1. Personal Services	
(a) Salaries	\$ 197,000
(b) Superannuation	12,000
(c) Additional help	2,000
(d) Group medical and insurance plans	2,500
(e) Contingencies	17,000
2. Travel	5,500
3. Transportation	1,500
4. Communications	20,000
5. Publications	22,000
6. Other Contractual Services	20,000
7. Materials and Supplies	9,000
8. Equipment	5,000
9. Annual and Mid-Year Meetings	20,000
10. Computer Services	25,000
11. Contingencies	<u>10,000</u>
Total Ordinary Expenditures	\$ 368,500
<hr/>	
1975/76 Extraordinary Expenditures to be covered by Appropriation from Working Capital Fund	\$ 14,000

ANNUAL MEETING - JUNE 1976

Preliminary Calculation of Billing for Member Countries against
Proposed Estimates of \$368,500 for 1976/77 Fiscal Year

Budget: 1976/77	\$ 368,500.00
Deduct: Estimated advance from Miscellaneous Fund	<u>54,721.00</u>
Funds required to meet 1976/77 administrative budget	<u>\$ 313,779.00</u>

Countries	No. of Panels	Total billing 1975/76	Basic charge (18 Governments)	Total billing 18 Countries 66 Panels
Bulgaria	3	\$ 13,591.71	\$ 500.00	\$ 14,353.58
Canada	5	22,307.66	500.00	23,589.30
Cuba	4	-	500.00	18,971.44
Denmark	4	17,949.68	500.00	18,971.44
France	5	22,307.66	500.00	23,589.30
FRG	4	17,949.68	500.00	18,971.44
GDR	3	13,591.71	500.00	14,353.58
Iceland	2	9,233.72	500.00	9,735.72
Italy	1	4,875.73	500.00	5,117.86
Japan	3	13,591.71	500.00	14,353.58
Norway	4	17,949.68	500.00	18,971.44
Poland	5	22,307.66	500.00	23,589.30
Portugal	4	17,949.68	500.00	18,971.44
Romania	3	13,591.71	500.00	14,353.58
Spain	5	22,307.66	500.00	23,589.30
USSR	5	22,307.66	500.00	23,589.30
UK	3	13,591.71	500.00	14,353.58
USA	3	13,591.71	500.00	14,353.58
	66	\$ 278,996.73	\$ 9,000.00	\$ 313,778.76
		(\$ 4,359.98) (per Panel)		(\$ 4,617.86) (per Panel)

ANNUAL MEETING - JUNE 19761977/78 Estimated Expenditures to be Covered by Appropriations
from Contracting Governments and from Other Sources

	<u>Forecast estimates 1977/78</u>
1. Personal Services	
(a) Salaries	\$ 218,000*
(b) Superannuation	7,000
(c) Additional help	2,000
(d) Group medical and insurance plans	3,000
(e) Contingencies	18,000
2. Travel	6,000
3. Transportation	1,500
4. Communications	25,000
5. Publications	25,000
6. Other Contractual Services	22,000
7. Materials and Supplies	10,000
8. Equipment	5,000
9. Annual and Mid-Year Meetings	25,000
10. Computer Services	27,500
11. Contingencies	<u>10,000</u>
Total Ordinary Expenditures	<u>\$ 405,000</u>

* Includes prior year's salary scale increases.

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3962
(B.e.76)

Proceedings No. 5

ANNUAL MEETING - JUNE 1976

Report of Meeting of Panel 1

Wednesday, 16 June, 0930 hrs

1. Opening. The Chairman, Mr V.M. Kamentsev (USSR), opened the meeting.
2. Rapporteur. Mr B.W. Jones (UK) was appointed Rapporteur.
3. Agenda. The Agenda as circulated was adopted.
4. Panel Membership. Representatives of all Panel Members were present. The meeting was also attended by Observers from Canada, GDR, Italy, Korea, FAO, and EEC. No changes in Panel membership were proposed.
5. Report of Scientific Advisers. The Report of the Meeting of Scientific Advisers (Redbook 1976, Part D.1) was presented by Mr B.W. Jones (UK) who was substituting for the Chairman of Scientific Advisers, Mr Ø. Ulltang (Norway). Reference was made to the Status of Fisheries and Research Carried Out in Subarea 1 and Statistical Area 0 and off East Greenland in 1975 (Summ.Doc. 76/VI/39, Revised). Total catches from the area had increased in 1975 due mainly to the substantial increases in catches of Greenland halibut and shrimps. The catch of cod remained unchanged. Mr Jones reviewed the Report of the Assessments Subcommittee on the state of the stocks in the area and presented the conservation advice recommended by STACRES which was supported by the Scientific Advisers. The Report of the Scientific Advisers was adopted by the Panel.
6. Conservation Requirements

(a) Greenland halibut. The delegate of Denmark expressed appreciation to the Panel for its understanding in earlier meetings for Denmark's special needs as the coastal state in Greenland waters. He mentioned the depressed state of the cod stocks and the possibility of effort being transferred to the area and, therefore, wished to stress the need for conservation measures for the area. He hoped that the Panel would be sympathetic to the needs of Denmark because of its social and economic dependence on the fisheries of the area. The delegate of Denmark proposed that the TAC for Greenland halibut be set at 20,000 tons as recommended by STACRES. The delegate of Portugal pointed out an error in the statistics which had resulted from his country's landings of Greenland halibut being reported to the Secretariat as Atlantic halibut. The Panel

agreed to recommend

that the Commission adopt a TAC of 20,000 tons for Greenland halibut in Subarea 1 and Statistical Area 0 for 1977, with national quota allocations as given in Table 1.

(b) Roundnose grenadier. The delegate of Denmark proposed that the TAC be set at 8,000 tons as recommended by STACRES. The Panel

agreed to recommend

that the Commission adopt a TAC of 8,000 tons for roundnose grenadier in Subarea 1 and Statistical Area 0 for 1977, with national quota allocations as given in Table 1.

(c) Shrimp (*Pandalus borealis*). The delegate of Denmark expressed his country's concern for the rapid rise in catches in the shrimp fisheries. There were indications already that the 1976 catches might show a further increase and with this in mind, the TAC of 26,000 tons (for the offshore fisheries) recommended by STACRES represented the absolute upper limit that would be acceptable and it might be desirable to set the TAC below this level. The delegate of USSR mentioned that his country had made an assessment of the size of the stock which indicated that the TAC could safely be set in the range of 60,000-70,000 tons. This assessment was not available at the time of the meeting of the Assessments Subcommittee but had been presented to STACRES at the present meeting. Further research data would be available from his country during the year. The delegate of Spain reported that vessels from his country fished the same areas

as the USSR and their commercial data indicated that the stock was probably being underfished. He proposed that the TAC should be reassessed. The delegate of Norway indicated that his country had been limiting its fishing for shrimp. He suggested that the data presently available were not adequate for a full assessment. Norwegian scientists would be collecting data aboard their commercial vessels during the year. He proposed that it might be better to postpone any decision on this stock to a special Panel meeting later in the year. This proposal was supported by the delegates of Spain, USSR, and FRG. The delegate of Spain reported that, at the specific request of the Government of Denmark, the Spanish authorities had limited the taking of shrimp by Spanish ships off Greenland, so that 1976 catches, in all probability, would follow the line set in 1975. Also, conscious of the need for further data on the stock, a scientist would be going on board commercial vessels this year. His findings, together with all the relevant commercial data, would be forwarded to the appropriate authorities when available. The delegate of Denmark expressed his gratitude to those countries which had limited their fisheries for shrimp. He agreed that additional data would be helpful and, while not generally in favour of postponing work to later meetings, he accepted that it might be profitable to do so in this case. The Panel

agreed

that the TAC and allocation of quotas for shrimp in Subarea 1 for 1977 should be decided at a special meeting of the Panel at a time and place yet to be decided.

(d) Subarea 1 cod. The STACRES recommendation was for a zero TAC. This would permit a modest increase in spawning stock biomass during 1977 and would protect the recruiting year-classes allowing some further growth before they were exploited. The delegate of Denmark said that, while not objecting to the basis on which STACRES made its advice but, because of the extreme social and economic dependence of his country on the cod fishery in Subarea 1, he could not accept a zero TAC. Referring to the Report of the Assessments Subcommittee, he pointed out that a TAC of 31,000 tons could be taken in 1977 without further reducing the spawning stock biomass and he proposed that this figure should be taken as an absolute maximum for the TAC. This proposal was supported by the delegates of Portugal and Spain. The Panel

agreed to recommend

that the Commission adopt a TAC of 31,000 tons for cod in Subarea 1 for 1977.

During the discussion on the allocation of TACs, the delegate of Denmark stated that there was a vital economic need for the quota for his country to be maintained at the 1976 level (28,600 tons). The delegates of Portugal and Norway asked if special consideration could be given to longline and gill net fisheries but this was opposed by the delegates of FRG, France, and Spain. Because of the difficulties associated with the allocation of cod quotas, the delegate of Portugal proposed that this question be postponed to a special meeting of the Panel later in the year. This proposal was supported by the delegate of Norway who said that this would also allow time for delegations to give further consideration to the Assessments Subcommittee's comments on the management implications of the interrelationships between the cod of West Greenland, East Greenland and Iceland. The Panel

agreed

that the allocation of quotas for cod in Subarea 1 for 1977 should be postponed to a special meeting of the Panel at a time and place yet to be decided.

In relation to the proposed special meeting of the Panel, it was

agreed to recommend

- i) that the regulatory measures for both the shrimp and cod fisheries agreed at such a meeting would enter into force on 1 January 1977, and
- ii) that countries which had offered to provide additional data on the shrimp stock should undertake to make these available for an assessment meeting which would precede the special Panel meeting.

7. Future Research Requirements. The Panel accepted the future research requirements as given in the Report of the Scientific Advisers (Redbook 1976, Part D.1). The delegate of Denmark stressed the need for shrimp catch and effort data to be reported via the STATLANT system.

8. Date and Place of Next Meeting. The delegate of Spain offered to hold the special Panel meeting in Spain, perhaps coinciding with the special meeting of the Commission for which Spain had also been offered in the Plenary. No decision was taken at this stage.

9. Approval of Panel Report. The Chairman undertook to circulate the draft Report for comment and approval.

10. Other Business. The delegate of Denmark requested that the Chairman of STACRES be consulted about arrangements for a reassessment of the shrimp stock before the proposed special meeting of the Panel.

11. Adjournment. There being no other business, the Panel adjourned at 1230 hrs, 16 June.

Table 1. Summary of TACs and allocations for Subarea 1 + Statistical Area 0 for 1977.

	Greenland halibut	Roundnose grenadier	Cod	Shrimp
	0+1	0+1	1	1
TAC recommended by Scientific Advisers	20,000	8,000	0	26,000
Bulgaria	-	-	DEFERRED TO A SPECIAL MEETING	DEFERRED TO A SPECIAL MEETING
Canada	-	-		
Cuba	-	-		
Denmark	7,200	2,000		
France	-	-		
FRG	-	-		
GDR	-	1,100		
Iceland	-	-		
Italy	-	-		
Japan	-	-		
Norway	-	-		
Poland	-	-		
Portugal	-	-		
Romania	-	-		
Spain	-	-		
USSR	10,000	3,800		
UK	-	-		
USA	-	-		
Others	2,800	1,100		
Total allocated catches	20,000	8,000		

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3963
(B.e.76)

Proceedings No. 6

ANNUAL MEETING - JUNE 1976

Report of Meeting of Panel 2

Wednesday, 9 June, 1500 hrs

1. The meeting was called to order by the Chairman, Mr W. Kalinowski (Poland).
2. Rapporteur. Dr T.K. Pitt (Canada) was appointed Rapporteur.
3. Agenda. The Agenda was adopted. The Panel agreed to consider any of the stocks overlapping with other Panels in Joint Panel meetings.
4. Review of Panel Membership. The following Panel Members were present: Canada, Cuba, France, FRG, GDR, Iceland, Norway, Poland, Portugal, Spain, USSR, and UK. No changes in Panel Membership were proposed.
5. Report by Chairman of Scientific Advisers. Mr B.B. Parrish (UK), acting on behalf of Mr D.J. Garrod (UK), presented the Report of the Scientific Advisers (Redbook 1976, Part D.2). This was adopted by the Panel.
6. Conservation Requirements
 - (a) Div. 2GH cod. The Panel agreed to accept the TAC of 20,000 tons for 1977 as recommended by the Scientific Advisers. The delegate of GDR suggested the TAC be allocated as in 1976. The delegate of Canada said Canada's estimated requirements from the stock was 3,000 tons and suggested that the remaining 17,000 tons be pro-rated according to the 1976 allocations. The delegate of Italy requested an allocation of 300 tons from the stock.

After some discussion of the reasons why allocations were not taken in 1975 and some statements regarding the 1976 fishing plans for countries with allocations, the Panel considered the Canadian proposal for the allocation of Div. 2GH cod and

agreed to recommend

that the Commission adopt a TAC of 20,000 tons for cod in Div. 2GH for 1977 with national allocations as given in Table 1.
7. Future Research Requirements. The Panel endorsed the recommendation contained in the Report of the Scientific Advisers (Redbook 1976, Part D.2).
8. Date and Place of Next Meeting. The Panel agreed that the next meeting of Panel 2 should be held in conjunction with the next Annual Meeting.
9. Approval of Panel Report. The Panel agreed that the Report would be circulated to the Head of each delegation for approval.
10. Other Business. There was no other business.
11. Adjournment. The Panel adjourned at 1600 hrs, 9 June.

Table 1. Summary of TACs and allocations for Subarea 2 for 1977.

	Cod
	2GH
TAC recommended by Scientific Advisers	20,000
Bulgaria	-
Canada	3,000
Cuba	-
Denmark	-
France	450
FRG	3,600
GDR	900
Iceland	-
Italy	-
Japan	-
Norway	800
Poland	4,000
Portugal	2,900
Romania	400
Spain	450
USSR	2,300
UK	700
USA	-
Others	500
Total allocated catches	20,000

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3964
(B.e.76)

Proceedings No. 7

ANNUAL MEETING - JUNE 1976

Report of Meetings of Panel 3

Thursday, 10 June, 0930 hrs
Friday, 11 June, 1115 hrs
Saturday, 19 June, 1515 hrs

1. Mr E. Gillett (UK), acting on behalf of the Chairman, Mr R.H. Letaconnoux (France), opened the meeting.
2. Rapporteur. Dr T.K. Pitt (Canada) was appointed Rapporteur.
3. Agenda. The Panel agreed that discussion of stocks overlapping Panels and all of the capelin stocks be dealt with in Joint Panel meetings.
4. Panel Membership. All Panel Members were present with Observers from FRG and Italy.
5. Report of the Chairman of Scientific Advisers. Mr.B.B. Parrish (UK) presented the Report of the Scientific Advisers to Panel 3 (Redbook 1976, Part D.3). At the request of the delegate of Denmark, the Chairman of the Scientific Advisers explained the reduction in TAC for Div. 3M cod from 40,000 tons in 1974 to 25,000 tons in 1976. With the stock in a depressed state because of heavy fishing, the lower TAC would help restore the stock and would allow the relatively strong 1973 year-class to contribute more effectively to rebuilding the stock. The delegate of Portugal, while agreeing to accept the recommendation, suggested that the low catches reported did not reflect the condition of the stock. The Report was adopted without revision.
6. Conservation Requirements - Setting of TACs. The delegate of Canada proposed that the Panel first consider the TACs for each stock. Following considerable discussion, the Panel unanimously agreed to recommend
that the TACs for all Panel 3 stocks for 1977 be set at the levels given in Table 1.
7. National Allocation of TACs. The delegate of Italy stated that his country was in a very critical economic condition and hence were trying to reduce its imports of food. Thus, they were requesting allocation of fish from various stocks. This request was made by telegram to the Secretariat on 5 April 1976. He pointed out that at the January 1976 Special Meeting at FAO, Rome (January 1976 Mtg.Proc.No. 5, App.III) Italy was given an effort allocation with Bulgaria and Iceland. Previous allocations for cod in the ICNAF Area were not taken because Italy's fishing effort was directed elsewhere. He pointed out that other countries have not, in the past, taken their allocations of fish but have still been given quotas. He, therefore, appealed to the Members to consider Italy's plight when he put forward his request for specific allocations.

(a) Div. 3M cod. The delegate of Italy requested a specific allocation of 200 tons. The delegate of Canada requested 5,000 tons. The delegate of Portugal stated that, since this stock was beyond 200 miles, the TAC should be pro-rated and, since the TAC was reduced, each country participating in this fishery should take a proportional reduction. The delegate of UK stressed the need to provide for an adequate allocation in the "Others" category. The delegate of Canada pointed out that the special needs of the coastal states had been recognized by the Commission in the past and modified its request to 3,000 tons. After further discussion, the Panel unanimously

agreed to recommend

that the 1977 allocations be established at the levels given in Table 1.

- (b) Div. 3NO cod. The delegate of Canada stated that Canada's estimated requirements from this stock in 1977 was 8,000 tons. The delegate of USSR proposed that, after considering the needs of the coastal states, the remainder be allocated in proportion to the 1976 allocation. The delegate of Spain proposed

that the allocation for Canada be 8,000 tons, that "Others" be maintained at the 1976 level, and that the remainder be allocated on the basis of the historical performance. After some discussion on the amount that would go in the "Others" category, the Panel unanimously

agreed to recommend

that the 1977 allocations be established at the levels given in Table 1.

(c) Div. 3NO witch. The delegate of Canada indicated that its estimated requirements from this stock was 7,000 tons. The Panel unanimously

agreed to recommend

that the 1977 allocations be established at the levels given in Table 1.

(d) Subdiv. 3Ps witch. The delegate of Canada indicated an estimated requirement from this stock of 2,600 tons. There was some discussion concerning the need for a small allocation in the "Others" category. The Panel unanimously

agreed to recommend

that the 1977 allocations be established at the levels given in Table 1.

(e) Div. 3LNO yellowtail. The delegate of Canada stressed the great importance of this stock to Canadian fishermen and indicated estimated requirements for 1977 at 11,200 tons. The Panel unanimously

agreed to recommend

that the 1977 allocations be established at the levels given in Table 1.

(f) Div. 3M American plaice. The Panel unanimously

agreed to recommend

that the 1977 allocations be established at the levels given in Table 1.

(g) Div. 3LNO American plaice. The delegate of Canada stressed the great importance of flatfish stocks to the Canadian fishermen and that Canada would estimate its needs at 45,800 tons and suggested that 700 tons be allocated to France. The delegate of USSR requested 1,000 tons. After some discussion on the need for an "Others" allocation, the Panel unanimously

agreed to recommend

that the 1977 allocations be established at the levels given in Table 1.

(h) Subdiv. 3Ps American plaice. The delegate of Canada stated that it had the capacity and need for the total TAC and suggested that the 6,000-ton TAC be allocated to give Canada 5,400 tons and France, 600 tons. The delegate of France agreed with this allocation. The delegate of USSR stressed the importance of having an allocation in the "Others" category. After some discussion, the Panel unanimously

agreed to recommend

that the 1977 allocations be established at the levels given in Table 1.

8. The Panel recessed at 1600 hrs, 11 June.

9. The Panel reconvened at 1515 hrs, 19 June, to continue national allocation of the TACs for the remaining stocks in Subarea 3.

(a) Div. 3LN redfish. The delegate of Canada stated that Canada's estimated requirements from the stock in 1977 was 8,000 tons. He noted that the Canadian fishermen were becoming increasingly dependent on redfish stocks in Subarea 3 because of a general reduction in the level of stocks of all species. The Panel unanimously

agreed to recommend

that the 1977 allocation for Div. 3LN redfish be established at the levels given in Table 1.

(b) Div. 30 redfish. The delegate of Canada indicated Canada's estimated requirements for 1977 at 8,000 tons and proposed an allocation that was agreed by the Panel. The Panel unanimously

agreed to recommend

that the 1977 allocations for Div. 30 redfish be established at the levels given in Table 1.

(c) Div. 3P redfish. The delegate of Canada gave Canada's estimated requirements for 1977 at 8,000 tons. He pointed out that this stock was very important to Canada and France. The Panel unanimously

agreed to recommend

that the 1977 allocations for Div. 3P redfish be established at the levels given in Table 1.

(d) Div. 3M redfish. The delegate of Canada stated that this fishery had become very important to the Canadian East Coast fishermen and pointed out that the original 1976 allocation had been taken in one week. He indicated that Canada estimated a requirement of 4,950 tons from this stock. The delegate of Portugal pointed out that Portugal had taken about 2,500 tons from this stock in 1975 as by-catch in the cod fishery. The delegate of USSR stated that USSR could not be below 9,250 tons. The delegate of UK agreed with the delegate of Portugal that a fairly substantial allocation was needed to take care of the by-catch problem. The delegate of Canada pointed out that, since there had been a reduction in the TAC for cod in this Division, there would consequently be a lower by-catch of redfish. The delegate of Denmark stated that, while he was in agreement with this allocation which gave Canada special consideration, this was not to be considered as a principle to be applied to other stocks which were beyond the coastal states' 200-mile zone, nor should this allocation be used as a basis for future allocations. The delegate of Spain said that he doubted that an "Others" quota of only 200 tons could adequately cover the fact that a large number of countries were fishing in the area for cod, with a by-catch of redfish. The delegate of Canada presented a proposal that would allocate 500 tons for Portugal and 200 tons for "Others". The Panel

agreed to recommend

that the 1977 allocations for Div. 3M redfish be established at the levels given in Table 1.

(e) Subdiv. 3Ps cod. The delegate of Canada stressed the importance of this stock to the coastal states and proposed that, except for 100 tons for "Others", the entire stock would be required by Canada and France. The delegate of Spain stated that, although Spain had accepted the needs expressed by the coastal states, he could not accept, as a matter of principle, the overall scheme of national allocations for cod proposed in this Panel, or indeed in Panel 2, for non-coastal states in 1977. The reasons underlying this position were explained in detail during the meeting of Joint Panels 2 and 3, Thursday, 17 June (Proceedings No. 11); a proposal for re-allocation of all cod stocks where there is a surplus (Subareas 2 and 3) was put forward in Comm.Doc. 76/VI/52 (Addendum), based on the findings shown in Comm.Doc. 76/VI/52. The Panel, with the latter reservation,

agreed to recommend

that the 1977 allocations for Subdiv. 3Ps cod be established at the levels given in Table 1.

10. There being no further business, the Panel adjourned at 1700 hrs, 19 June.

Table 1. Summary of TACs and allocations for stocks in Subarea 3 for 1977.

	Cod		Redfish			Witch		Yellowtail		American plaice		
	3M	3NO	3M	3LN	30	3NO	3Ps	3LNO	3M	3LNO	3Ps	
TAC recommended by Scientific Advisers	25,000	30,000	16,000	16,000	16,000	10,000	3,000	12,000	2,000	47,000	6,000	
Bulgaria	-	-	-	-	-	-	-	-	-	-	-	
Canada	2,100	8,000	4,450	8,000	8,000	7,000	2,500	11,200	500	44,800	5,300	
Cuba	1,150	1,250	1,600	1,150	500	-	-	-	-	-	-	
Denmark	4,050	-	-	-	-	-	-	-	-	-	-	
France	3,950	310	-	-	1,900	-	400	300	-	700	600	
FRG	300	-	-	-	-	-	-	-	-	-	-	
GDR	-	-	-	425	-	-	-	-	-	-	-	
Iceland	-	-	-	-	-	-	-	-	-	-	-	
Italy	-	-	-	-	-	-	-	-	-	-	-	
Japan	-	-	-	-	-	-	-	-	-	-	-	
Norway	800	-	-	-	-	-	-	-	-	-	-	
Poland	850	-	-	-	-	-	-	-	-	-	-	
Portugal	5,950	1,620	500	425	-	-	-	-	-	-	-	
Romania	-	-	-	-	-	-	-	-	-	-	-	
Spain	1,250	11,460	-	-	-	-	-	-	-	-	-	
USSR	2,950	6,360	9,250	5,900	7,400	2,900	500	-	1,000	1,000	-	
UK	1,250	-	-	-	-	-	-	-	-	-	-	
USA	-	-	-	-	-	-	-	-	-	-	-	
Others	400	1,000	200	100	100	100	100	500	500	500	100	
Total allocated catches	25,000	30,000	16,000	16,000	16,000	10,000	3,000	12,000	2,000	47,000	6,000	



Serial No. 3965
(B.e.76)

Proceedings No. 8

ANNUAL MEETING - JUNE 1976

Report of Meetings of Panel 4

Saturday, 12 June, 0930 hrs
Wednesday, 16 June, 1430 hrs
Tuesday, 22 June, 1015 hrs

1. The meeting was called to order by the Chairman, Mr K. Løkkegaard (Denmark).
2. Rapporteur. Mr L.S. Parsons (Canada) was appointed Rapporteur.
3. Agenda. The Agenda was adopted, with the inclusion of consideration of a Canadian proposal for the regulation of fishing gear used in the directed silver hake fishery in Subarea 4 (Comm.Doc. 76/VI/25).
4. Review of Panel Membership. All Panel Members were present as well as Observers from GDR, Italy, Norway, UK, and FAO. No changes in Panel membership were proposed.
5. Report of Scientific Advisers. The Chairman of the Scientific Advisers to Panel 4, Mr R.C. Hennemuth (USA), presented the Report of the Scientific Advisers (Redbook 1976, Part D.4). He called the Panel Members' attention to the fact that the Scientific Advisers had reviewed the status of the cod stock in Div. 4T + Subdiv. 4Vn(Jan-Apr) and silver hake in Div. 4VWX, in the light of additional information presented at the Meeting of Scientific Advisers. New projections on the cod stock in Div. 4T + Subdiv. 4Vn(Jan-Apr) were presented in the Report of Scientific Advisers (Redbook 1976, Part D.4).

6. Conservation Requirements for Stocks in Subarea 4

(a) Div. 4T(Jan-Dec) + Subdiv. 4Vn(Jan-Apr) cod. The TAC recommended by STACRES and the Scientific Advisers was zero, compared with 30,000 tons for 1976. The delegate of Canada stated that the depleted state of this stock presented very grim prospects for Canadian fishermen, particularly those based in the Gulf of St. Lawrence. It was necessary to make every attempt to bring about recovery of the stock. The situation was, however, somewhat similar to that experienced with haddock in Subareas 4 and 5 in that it would be very difficult to avoid the capture of some fish by small boat fishermen. He indicated that he would make a specific proposal at the next session of the Panel.

(b) Subdiv. 4Vn(May-Dec) cod. The delegate of Canada proposed and Panel 4

agreed to recommend

that a TAC of 3,500 tons, as recommended by STACRES for Subdiv. 4Vn(May-Dec) cod, be adopted for 1977 (Table 1).

(c) Subdiv. 4Vs-Div. 4W cod. STACRES had recommended a TAC of 7,000 tons for 1977, a substantial decrease from the TAC of 30,000 tons for 1976. The Chairman of Scientific Advisers stated that the major problem with this stock seemed to be greatly reduced recruitment in the most recent years, which could be related to moderate by-catches of young cod in the silver hake fishery. The recommended TAC of 7,000 tons for 1977 would provide for some increase in the spawning stock. The delegate of Canada stated that the drastic decline in this cod stock had disastrous implications for Canadian fishermen. It was essential that this stock be rebuilt as rapidly as possible and, therefore, he proposed and Panel 4

agreed to recommend

that a TAC of 7,000 tons be adopted for Subdiv. 4Vs-Div. 4W cod for 1977 (Table 1).

(d) Div. 4X (offshore) cod. Panel 4

agreed to recommend

that a TAC of 4,000 tons be adopted for Div. 4X (offshore) cod for 1977 (Table 1).

(e) and (f) The Chairman of Scientific Advisers informed the Panel that both haddock stocks in Div. 4VW and in Div. 4X remained at a very low level. Therefore, STACRES and the Scientific Advisers had recommended for 1977 a zero directed fishery with by-catches to be kept as low as possible. Panel 4

agreed to recommend

that a TAC of 2,000 tons be adopted for Div. 4VW haddock for 1977 and that a TAC of 15,000 tons be adopted for Div. 4X haddock for 1977 (Table 1).

The Panel also

agreed to recommend

that no directed fishery should exist for haddock in these Divisions and that the TACs should be taken as by-catch only (Table 1).

(g) Div. 4VWX redfish. The delegate of Canada proposed and Panel 4

agreed to recommend

that a TAC of 20,000 tons, as recommended by STACRES, be adopted for Div. 4VWX redfish for 1977 (Table 1).

(h) Div. 4VWX silver hake. The Chairman of Scientific Advisers informed the Panel that STACRES and the Scientific Advisers had recommended a TAC of 63,000 tons for this stock, compared with a TAC of 100,000 tons for 1976. He noted that some scientists had disagreed with this recommendation. The delegate of USSR stated that USSR scientists did not agree with the STACRES recommendation because some data of considerable significance presented by their scientists had not been taken sufficiently into account. Results of Soviet trawling surveys indicated that the 1972, 1973, and 1974 year-classes, which will contribute significantly to the 1977 catch, were abundant. Success of the fishery in 1975, and to date in 1976, suggested that these survey projections of year-class strength were correct. He stressed that, without taking the results of these surveys into account, it was not possible to carry out an accurate assessment and suggested that a TAC of 120,000 tons would be appropriate for 1977. The delegate of Canada stated that the 63,000 tons recommended by STACRES was estimated to correspond to F_{max} and hence there was reason to be cautious. Further consideration of the TAC for 1977 was deferred until the next session of the Panel.

(i) Div. 4VWX flounders. The delegate of Canada proposed and Panel 4

agreed to recommend

that a TAC of 28,000 tons, as recommended by STACRES, be adopted for Div. 4VWX flounders for 1977 (Table 1).

(j) Div. 4VWX argentine. The delegate of Canada proposed and Panel 4

agreed to recommend

that a TAC of 20,000 tons be adopted for Div. 4VWX argentine for 1977 (Table 1).

(k) Reconsideration of 1976 TAC for Div. 4XW(b) herring. The delegate of Canada noted that at the January 1976 Special Meeting it had been agreed to reconsider the 1976 TAC for this stock at the 1976 Annual Meeting. The scientists had now recommended a 1976 TAC of 89,200 tons corresponding to the previously recommended TAC of 81,000 tons. He stressed that Canadian fishermen had sufficient capacity to catch considerably more than the TAC. He proposed that the increase of 8,200 tons in the TAC for 1976 be allocated exclusively to Canada. This would provide 1976 allocations as follows: Canada - 61,700 tons, USSR - 11,000 tons, USA - 500 tons, "Others" - 1,000 tons, and an estimated Canadian catch outside the Convention Area of 15,000 tons. The delegate of USA stated that his country supported the revised TAC, but required an increase in its allocation to 1,000 tons for 1976. Panel 4

agreed to recommend

that the 1976 TAC for Div. 4XW(b) herring be revised to 89,200 tons from the previously recommended level of 81,000 tons (Table 1).

(l) Div. 4VWX herring stock boundaries. The Scientific Advisers agreed with the recommended revision of quota boundaries suggested by STACRES, namely, to set quotas separately for Div. 4V and Div. 4WX. The proposed transition in the area-season scheme did not involve any change in management objectives but was suggested in order to take account of new knowledge on stock interrelationships of herring in this area, which suggested that herring in Div. 4W(a) be managed together with herring in Div. 4XW(b). The delegate of FRG asked whether the scientists could recalculate quotas in past years to correspond to the proposed

change in area-season controls, to clarify matters. The delegate of Canada stated that the scientists did not have the necessary data with them at this meeting. The Panel agreed to defer further consideration of herring TACs for 1977 until its next session.

(m) Regulation of fishing gear used in the Subarea 4 directed silver hake fishery. The delegate of Canada drew attention to the comments in the Report of the Scientific Advisers (Redbook 1976, Part D.4) and in the STACRES Report on the possible effects of by-catches of young cod in the silver hake fishery on the yields from the Subdiv. 4Vs-Div. 4W cod stock. There was evidence from inspections that some by-catches of young cod were taken in the silver hake fishery. If such by-catches were as large as 10,000 tons, this could wipe out the cod stock. For this reason, Canada would like to see the mesh size of gears used in the silver hake fishery regulated. The delegate of USSR noted that there were two issues under consideration: (a) the protection of young silver hake; and (b) protection of young groundfish of other species. The adoption of a minimum mesh size of 130 mm for bottom trawls and 80 mm for midwater trawls, as proposed by Canada, would mean the virtual cessation of the silver hake fishery. He stressed that a minimum mesh size of 130 mm for bottom trawls would not retain any silver hake and a minimum mesh size of 80 mm for midwater trawls would result in severe losses. He drew attention to the conclusion of STACRES that a minimum mesh size of 55-60 mm would be adequate to permit escapement of young silver hake. USSR data showed that the by-catch of other species was insignificant because the silver hake fishery occurred in areas where these other species did not concentrate. His country would be prepared to consider this matter further when scientific data on the distribution of cod, haddock, and flatfishes in relation to the distribution of silver hake were made available. In the main areas where silver hake were concentrated, bottom trawls with a minimum mesh size of 60 mm should be used. The delegate of Canada noted that, in view of the STACRES recommendation, Canada was prepared to modify its proposal to provide for a minimum mesh size of 55 mm for synthetic materials (equivalent to 60 mm manila) for midwater trawls, since that was most appropriate for optimizing the yield of silver hake. However, a minimum mesh size of 130 mm was necessary when bottom trawling for silver hake in order to minimize by-catches of the young of other groundfish species. He stressed that Canadian inspections of vessels fishing for silver hake indicated that frequently there are significant by-catches of other groundfish. The delegate of USSR agreed with the proposal for a minimum mesh size of 60 mm for midwater trawls but requested that, instead of adopting a minimum mesh size of 130 mm for bottom trawls, consideration be given to the designation of areas where bottom trawling for silver hake could be prohibited. The Chairman proposed that the matter be deferred until the next session of the Panel.

7. The Panel recessed at 1200 hrs, 12 June.

8. Panel 4 reconvened at 1430 hrs, 16 June.

9. The Chairman called for further consideration of conservation requirements for stocks in Subarea 4.

(a) Div. 4T(Jan-Dec) + Subdiv. 4Vn(Jan-Apr) cod. The Chairman re-opened discussion on this stock and drew attention again to the STACRES recommendation, supported by the Scientific Advisers, of a zero TAC. The delegate of Canada noted that an Addendum to the Report of Scientific Advisers (Redbook 1976, Part D.4) indicated that a catch of up to 15,000 tons would not result in further decline of the spawning stock. He emphasized again the great dependence of Canadian small-boat fishermen upon this cod stock. Nonetheless, Canada would, by domestic regulation, make every attempt to keep the catch as low as possible and, in particular, would endeavour not to exceed 15,000 tons. If a specific figure was necessary when the TAC should be established as 15,000 tons or less, with a substantial part of this catch to be taken outside the Convention Area. He proposed an allocation for "Others" of 10 tons and noted that it would be necessary to set an amount to cover the special situation of France but this amount had not yet been determined. The delegate of Spain stressed that the proposed allocations would eliminate the Spanish fishery from this stock and add to the difficulties which would be encountered in this Subarea during 1977. Therefore, Spain would have to reserve its position on the allocations for this stock. The Panel

agreed to recommend

that a TAC of 15,000 tons be adopted for Div. 4T(Jan-Dec) + Subdiv. 4Vn(Jan-Apr) cod for 1977 (Table 1).

(b) Div. 4VWX silver hake. The Chairman informed the Panel that the scientists of Canada, Cuba, USSR, and USA had met on 14 June to consider further the TAC for 1977 and the proposed gear regulations for the directed silver hake fishery in Subarea 4 (Comm.Doc. 76/VI/49). Dr R.G. Halliday (Canada) who had chaired the scientific discussions, reported that, despite further consideration of this issue, the scientists had been unable to agree on an appropriate TAC for 1977. A list of additional information required for the resolution of the existing disagreement had been drawn up. This information would not be available until December 1976. Similarly, because of inadequate information, they had been unable to delineate areas and seasons in which bottom trawling for silver hake should be prohibited to minimize by-catches of other groundfish species. Additional information on the relative distributions of silver hake and other groundfish could be made available by December 1976. The delegate of Canada proposed that a minimum mesh size of 60 mm (manila) be adopted for all trawls used in the silver hake fishery in Subarea 4. Panel 4

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (2) for international regulation of the fishery for silver hake in Subarea 4 (by minimum mesh size regulation) (Appendix I).

The delegate of Canada proposed and Panel 4 agreed that further consideration of the TAC for 1977 and the delineation of closed areas and/or seasons for directed bottom trawling for silver hake be deferred to an interim Panel meeting in December 1976.

(c) Div. 4VW(a) herring. The delegate of Canada proposed that the TACs for 1977 should be established on the basis of Option 2 as outlined by STACRES. He proposed and Panel 4

agreed to recommend

that a TAC of 33,500 tons, as recommended by STACRES, be adopted for 1 July 1977-30 June 1978 for Div. 4VW(a) herring (Table 1).

(d) Div. 4XW(b) herring. The delegate of Canada proposed and Panel 4

agreed to recommend

that a TAC of 84,000 tons, as recommended by STACRES, be adopted for 1977 for Div. 4XW(b) herring (Table 1).

10. Following the consideration of TACs for all stocks, the Chairman directed the Panel's attention to the determination of national allocations.

(a) Subdiv. 4Vn(May-Dec) cod. The delegate of Canada estimated the coastal state requirement to be 3,250 tons and proposed that 150 tons be allocated to France and 100 tons for the "Others" category. Panel 4

agreed to recommend

that the 1977 national allocations for Div. 4Vn(May-Dec) cod be set at the levels given in Table 1.

(b) Subdiv. 4Vs-Div. 4W cod. The delegate of Canada pointed out that Canadian fishermen had previously taken much larger catches from this stock than the level of TAC for 1977. He estimated Canada's requirements for 1977 as 6,550 tons and proposed that 250 tons be allocated to France, 100 tons to USA, and 100 tons to "Others". He stressed that it would be impossible to satisfy the needs of Canadian fishermen even with the allocations proposed. The delegate of Cuba questioned whether the 100 tons proposed for "Others" was sufficient to cover by-catches and proposed that the "Others" allocation be increased to 1,000 tons. The delegate of Canada noted that measures to be taken, e.g. minimum mesh-size regulations for silver hake, should result in smaller by-catches in 1977. The delegate of Spain stated that, although he realized the difficulties being experienced by Canadian fishermen, Spanish fishermen faced equally difficult prospects. In view of Spain's historical presence in the fishery, particularly in the cod fishery, and considering that the overall reduction of cod allocations was such that there was a reduction of two-thirds in the total allocation for Spain from 1976 to 1977, he thought that the results would not be acceptable to his Government. It would really amount to a situation of discrimination against the participation of Spain in the cod fishery. That was why, while admitting the needs of the coastal states, he asked for a specific quota of 2,000 tons for Spain in this area. If it were not accepted, he would have to reserve Spain's position regarding allocation of this stock.

(c) Div. 4X (offshore) cod. The delegate of Canada estimated Canada's requirement as 3,600 tons and proposed that 300 tons be allocated to USA and 100 tons to "Others". Panel 4

agreed to recommend

that the 1977 national allocations for Div. 4X (offshore) cod be set at the levels given in Table 1.

(d) Div. 4VW haddock. The delegate of Canada noted that his country's estimated requirements for 1977 was 1,700 tons and he proposed allocations be set as follows: USA - 200 tons, and "Others" - 100 tons. Panel 4

agreed to recommend

that the 1977 national allocations for Div. 4VW haddock be set at the levels given in Table 1.

(e) Div. 4VWX flounders. The delegate of Canada stated that Canada's 1977 requirements from this stock would amount to 27,000 tons with the remaining 1,000 tons set aside for by-catch. He stressed that

Canada has had in the past a large flatfish fishery in this area. Pending further consultations, the Panel agreed to defer the determination of national allocations for this stock until later in the meeting.

(f) Div. 4VWX argentine. The delegate of Canada noted that Canada was attempting to develop a fishery for this species and estimated the Canadian requirement as 1,000 tons. He proposed that the remaining 19,000 tons be pro-rated in accordance with the 1976 allocations. Panel 4

agreed to recommend

that the 1977 national allocations for Div. 4VWX argentine be set at the levels given in Table 1.

(g) Revision of Div. 4XW(b) herring allocations for 1976. Panel 4

agreed to recommend

that the 1976 national allocations for Div. 4XW(b) herring be set at the levels given in Table 1.

(h) 1977/78 Div. 4VW(a) herring (seasonal). The delegate of Canada stressed that there could be no doubt about the Canadian capability to catch the entire TAC for this stock. He estimated Canada's requirements at 33,400 tons, with 100 tons to be allocated for "Others". After discussion, Panel 4

agreed to recommend

that the national allocations for 1 July 1977-30 June 1978 for Div. 4VW(a) herring be set at the levels given in Table 1.

(i) Div. 4XW(b) herring. The delegate of Canada stated that Canada had the harvesting capacity to take the entire TAC for this stock. He estimated Canada's requirements as 82,900 tons and proposed that 1,000 tons be allocated to USA and 100 tons to "Others". The delegate of USSR drew attention to the fact that his country had conducted a fishery for herring in this area for about 20 years and that it attached particular importance to continued participation in this fishery. He proposed that the USSR allocation for 1977 should be maintained at the 1976 level of 11,000 tons. If this was not acceptable to other Members of the Panel, he would suggest that the determination of national allocations for this stock be deferred until the interim meeting of the Panel in December 1976. The delegate of USA supported the Canadian proposal with retention of the *proviso* that transfers between the Canadian and US allocations would be possible. The delegate of FRG proposed that the 1,000 tons suggested for the USA be allocated instead to "Others" since there had been no recent catches by the USA from this stock. The delegate of USA commented that this allocation of 1,000 tons was necessary to compensate for the reductions in Div. 5Y. The delegate of France drew attention to the catches by France from this stock in 1974 and 1975 and requested that his country be permitted to continue fishing at the same level in 1977. The Chairman asked the delegate of Canada to comment on the proposals put forward by the delegates of USSR and FRG. The delegate of Canada replied that Canada could not change the proposal in view of the demonstrated harvesting capacity of its fleet. The Panel agreed that it would be necessary to defer further consideration of allocations for this stock until the next session of the Panel.

11. The Panel recessed at 1700 hrs, 16 June.

12. The Panel reconvened at 1015 hrs, 22 June.

13. Further Consideration of National Allocations for 1977

(a) Div. 4T(Jan-Dec) + Subdiv. 4Vn(Jan-Apr) cod. The delegate of Canada, supported by the delegate of France, proposed that the TAC remain unallocated. The Chairman asked what the catch reporting procedure would be if this proposal were accepted. After discussion, Panel 4

agreed to recommend

that the TAC of 15,000 tons for 1977 remain unallocated, and that the normal procedure of reporting catches on a monthly basis would apply for this stock.

(b) Subdiv. 4Vs-Div. 4W cod. The delegate of Spain stated that, although his country recognized the special needs of the coastal state, it would have to reserve its position on this cod stock in view of its general request in the Joint Meeting of Panels 2 and 3 for a redistribution of allocations for all cod stocks in the Convention Area. Panel 4

agreed to recommend

that the 1977 national allocations for Subdiv. 4Vs-Div. 4W cod be set at the levels given in Table 1.

(c) Div. 4VWX redfish. The delegate of Canada estimated Canada's 1977 requirements from this stock as 13,000 tons and proposed that 250 tons be allocated to France, 500 tons to USSR, 6,000 tons to USA, and 250 tons for "Others". Panel 4

agreed to recommend

that the 1977 national allocations for Div. 4VWX redfish be set at the levels given in Table 1.

(d) Div. 4VWX flounders. The delegate of Canada noted that there was some disagreement about the extent of by-catch of flounders in the silver hake fishery, and proposed that the determination of 1977 national allocations for this stock be deferred until the interim Panel meeting in December 1976, at which time measures to reduce the by-catch in the silver hake fishery would be considered. The Panel agreed to defer the setting of national allocations until the interim Panel meeting in December 1976.

(e) Div. 4XW(b) herring. The delegates of Canada, FRG, and USSR indicated that it had not been possible to resolve their conflicting proposals for national allocations of the 1977 TAC for this stock. The Panel

agreed to recommend

that the setting of 1977 national allocations for Div. 4XW(b) herring be deferred until the interim Panel meeting in December 1976.

14. Minimum Mesh Regulation for Subarea 4 Silver Hake Fishery. The delegate of Cuba indicated that his country would have some difficulty in implementing the proposed 60-mm minimum mesh size by 1 January 1977. After discussion, Panel 4

agreed to recommend

that the minimum mesh size regulation for the Subarea 4 silver hake fishery take effect on 1 April 1977, subject to review at the interim Panel meeting in December 1976 (Appendix I).

15. By-Catch Regulation for Div. 4VW Haddock. Panel 4

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (3) for international regulation of the fishery for haddock in Div. 4V and Div. 4W of Subarea 4 of the Convention Area (Appendix II).

16. Future Research Requirements. The Panel endorsed the recommendation on future research requirements in the Report of the Scientific Advisers (Redbook 1976, Part D.4).

17. Date and Place of Next Meeting. It was agreed that Panel 4 would meet in December 1976 at a time and place to be decided in Plenary.

18. Approval of Panel Report. The Chairman undertook to circulate the draft Report for comment and approval.

19. Adjournment. There being no other business, the Panel adjourned at 1130 hrs, 22 June.

Table 1. Summary of TAGs and allocations for stocks in Subarea 4 for 1977 and revised 1976 allocations for herring in Div. 4XW(b).

	Cod		Haddock		Redfish	Silver hake	Flounders (Yellowtail, witch and Amer. plaice)	Argentine	Herring		
	4T(Jan-Dec)- 4Vn(Jan-Apr)	4Vn (May-Dec)	4Vw 4Vsw	4X 4Vw					1 July 1977- 30 June 1978	1976 (Revised)	
TAC recom- mended by Scientific Advisers	0	3,500	7,000	4,000	20,000	...	28,000	20,000	33,500	84,000 ³	89,200 ³
Bulgaria											
Canada		3,250	6,550	3,600	13,000	1,700	13,400	1,000	33,400		76,700 ³
Cuba								1,925			
Denmark											
France		150	250		250						
FRG											
GDR											
Iceland											
Italy											
Japan											
Norway								4,250			
Poland											
Portugal											
Romania											
Spain											
USSR					500			12,725			11,000
UK											
USA			100	300	6,000	200	1,500				500
Others		100	100	100	250	100	100	100	100		1,000
Total allowable catches	15,000	3,500	7,000	4,000	20,000	2,000	15,000	20,000	33,500	84,000 ³	89,200 ³

1 Portion of Div. 4X south and east of straight lines connecting coordinates: 44°20'N, 63°20'W; 43°00'N, 65°40'W; 43°00'N, 67°40'W.
 2 TAC recommended by Scientific Advisers pertains to directed fisheries.
 3 Includes an estimated inshore catch of 15,000 tons for 1976 and for 1977.

ANNUAL MEETING - JUNE 1976(2) Proposal for International Regulation of Trawl Net Mesh Size in the Silver Hake Fishery in Subarea 4 of the Convention Area

Panel 4 recommends that the Commission transmit the following proposal to Depositary Government for joint action by the Contracting Governments:

"1. That Contracting Governments take appropriate action to prohibit, except as provided in paragraph 2, the taking of silver hake, *Merluccius bilinearis*, in Subarea 4 of the Convention Area by persons under their jurisdiction with trawl nets having in any part of the net meshes of dimensions less than 60 mm or 2-3/8 inches as measured by the ICNAF gauge specified below. These mesh sizes relate to manila twine netting when measured wet after use or the equivalent thereof when measured dry before use. The Commission may, on the basis of scientific advice as to selectivity equivalents, determine the appropriate mesh sizes when trawl nets made of materials other than manila are used or when seine nets are used.

(a) Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 centimeters in 8 centimeters and a thickness of 2.3 millimeters, inserted into meshes under a pressure or pull of 5 kilograms. The mesh size of a net shall be taken to be the average of the measurements of any series of twenty consecutive meshes, at least ten meshes from the lacings, and when measured in the codend of the net beginning at the after end and running parallel to the long axis.

"2. (i) In order to avoid impairment of fisheries conducted primarily for species other than silver hake not otherwise regulated by ICNAF trawl net mesh size regulations, which take small quantities of silver hake incidentally, except as provided for in paragraph 2 (ii), the Contracting Governments may permit persons under their jurisdiction to take silver hake with nets having a mesh size less than that specified in the preceding paragraph, so long as such persons do not have in possession (either at sea or at the time of off-loading) on board a vessel fishing primarily for other species, which has been fishing in Subarea 4 of the Convention Area, silver hake taken in amounts in excess of 2,500 kg (5,510 lbs) or 10% by weight of all fish on board such vessel, whichever is greater.

(ii) Should it be observed during an inspection that a vessel is taking silver hake in excessive amounts during its first 48 hours fishing in Subarea 4 of the Convention Area since leaving port or previously off-loading, the inspector shall note this fact on the inspection report and bring it to the attention of the master. Such an observation in itself shall not be considered an infringement.

"3. That Contracting Governments prohibit the use, by persons to whom this proposal would apply, of any means or device other than those described in paragraph 4, which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the meshes of the nets, provided that devices may be attached to the upper side of the codend in such a manner that they will not obstruct the meshes of the codend. Any such device, on the basis of scientific evidence, must not obstruct the meshes or reduce significantly the selectivity of the codend.

"4. That Contracting Governments may permit any canvas, netting, or other material to be attached to the underside only of the codend of a net to reduce and prevent damage.

"5. That this regulation will not enter into force for Contracting Governments until 1 April 1977 in order to provide Contracting Governments an additional period of time to acquire and distribute to their vessels new trawl nets that comply with the above regulation."

ANNUAL MEETING - JUNE 1976

(3) Proposal for International Regulation of the Fishery for Haddock in Division 4V and Division 4W of Subarea 4 of the Convention Area

Panel 4 recommends that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

That Proposal (3) from the June 1975 Annual Meeting for International Regulation of the Fishery for Haddock in Division 4V and Division 4W of Subarea 4 of the Convention Area (June 1975 Annual Meeting Proceedings No. 10, Appendix III, page 213) which entered into force on 16 January 1976, be replaced by the following:

"1. That, in order to avoid impairment of fisheries for other species and which take small quantities of haddock incidentally, Contracting Governments not mentioned by name in the part of Proposal (8) for International Quota Regulation dealing with national allocations for haddock in Division 4V and Division 4W of Subarea 4 may permit persons under their jurisdiction to have in possession on board a vessel fishing for other species (either at sea or at the time of off-loading) haddock caught in Division 4V and Division 4W of Subarea 4 in amounts not exceeding 5,510 lbs or 2,500 kg, or 1 percent by weight, of all other fish on board caught in Division 4V and Division 4W of Subarea 4, whichever is greater.

"2. For Contracting Governments not mentioned by name in the part of Proposal (8) for International Quota Regulation dealing with national allocations for haddock in Division 4V and Division 4W of Subarea 4, the provisions of paragraph 2 of the Trawl Regulations for Subarea 4 regarding the incidental catch of haddock shall be suspended in Division 4V and Division 4W of Subarea 4 during the period that this proposal is in effect."

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3966
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ANNUAL MEETING - JUNE 1976

Report of Meetings of Panel 5

Monday, 14 June, 1500 hrs
 Tuesday, 15 June, 1130 hrs
 Friday, 18 June, 0945 hrs
 Saturday, 19 June, 1130 hrs
 Tuesday, 22 June, 1445 hrs

1. Opening. The meeting was convened by the Chairman of the Commission in the absence of the Chairman of Panel 5, Mr Wm.L. Sullivan Jr (USA). Representatives of all Member Governments, except Romania, and Observers from Denmark, Norway, UK, South Korea and FAO were present. The Chairman of the Commission called for nominations for Chairman of the Panel, and was himself elected to serve for the present session.
2. Rapporteur. LT T.R. McHugh (USA) was appointed Rapporteur.
3. Agenda. The Agenda as circulated was adopted.
4. Panel Membership. There were no changes in the Panel Membership to consider.
5. Amendments to Panel Rules of Procedure. The Chairman noted that this item was to have been considered by a working group which, in view of the pending extension of jurisdiction by the coastal states and its effect on the future of the Commission, agreed to defer meeting.
6. Report of the Scientific Advisers (Redbook 1976, Part D.5). The Report was presented by Dr R.G. Halliday (Canada), Chairman of the Scientific Advisers to Panel 5. The only discussion of the Report was in response to a request by the Scientific Advisers that the Panel comment on the value and need of the Report on the Status of the Fisheries and Research (Summ.Doc. 76/VI/42 Revised). After brief remarks, which included a comment by the delegate of Canada that the Report to the Panel should include only those recommendations of the Scientific Advisers that differed from the recommendations of STACRES, and by the delegate of FRG that it would be good if the Commission could reduce the number of reports given each Commissioner to read and concentrate, as far as possible, on the Report of the Scientific Advisers to the Panel, the Panel agreed to refer the comments made by the Scientific Advisers to the STACRES Steering and Publications Subcommittee.
7. Consideration of Individual TACs for 1977
 - (a) The Chairman took note of Comm.Doc. 76/VI/44, which presented the US proposals for 1977 total allowable catch levels for cod in Div. 5Y and Div. 5Z, for haddock in Subarea 5, for redfish in Subarea 5, for silver hake in Div. 5Y, Subdiv. 5Ze, and Subdiv. 5Zw + Statistical Area 6, for red hake in Subdiv. 5Ze, and Subdiv. 5Zw + Statistical Area 6, for yellowtail in Subarea 5 (East of 69°W) and in (West of 69°W) + Statistical Area 6, and for other flounders in Subarea 5 and Statistical Area 6, and suggested that it would help to guide the Panel's deliberations on establishing the TACs. The delegate of Canada noted that, for a number of species listed in Comm.Doc. 76/VI/44, the United States had proposed TACs which were greater than those recommended by the scientists. He said that Canada was reluctant to agree to TACs which could cause further declines in particular stocks, and asked the delegate of USA to explain how the TACs contained in their proposal related to F_{max} . The delegate of USA replied that none of the proposed TACs exceeded F_{max} . TACs for 1977 were established as shown in Table 1.
 - (b) Div. 5Y and Div. 5Z + Statistical Area 6 herring. The delegate of USA, in response to a question from the Chairman concerning the nature of this fishery, reported that it was conducted as a small directed fishery in the Gulf of Maine. The delegate of USSR pointed out that the US proposal for a TAC of 7,000 tons treated Div. 5Y herring differently from that in Div. 5Z + Statistical Area 6. He suggested that these two stocks be considered together as in the past. The delegate of FRG raised two questions: first, whether there was a commitment as to the size of the herring stock in Div. 5Y as there was in respect of the Div. 5Z + Statistical Area 6 stock, and second, if the proposed 7,000-ton TAC in Div. 5Y did not exceed F_{max} , what TAC would the proposed increased in the TAC for Div. 5Y herring correspond to for Div. 5Z herring?

The Chairman invited discussion of both the Div. 5Y and Div. 5Z + Statistical Area 6 herring stocks. The delegate of USA referred the Panel Members to the Figures on pages 104 and 106 of the Report of the Assessments Subcommittee (Redbook 1976, Part C, Appendix I) and stated that the levels of F proposed for both stocks were well below $F_{0.1}$ and were of equivalent value for the proposed TAC in both stocks. The delegate of USSR observed that some of the proposed TACs represented an increase over the STACRES recommendations, yet, in the case of Div. 5Z + Statistical Area 6 herring, there was a decrease in the TAC that was not substantiated by the results of trawl surveys or the year-class data obtained from commercial catches. He suggested that the TAC for the Div. 5Z + Statistical Area 6 herring be set on the same basis as the proposed TAC for the Div. 5Y herring. The delegate of USA responded by outlining the different management objectives sought for the two stocks. It was intended to sustain the coastal herring fishery in Div. 5Y while the offshore Div. 5Z + Statistical Area 6 herring stock was being rebuilt. Trying to rebuild both at the same time would result in a severe economic burden for a portion of the US industry. The delegate of USA also pointed out that her delegation had considered beginning to rebuild the Div. 5Z + Statistical Area 6 herring stock during the last half of 1976, but, recognizing the economic hardships such an effort would impose on the distant-water Member Countries, refrained from doing so. The delegate of GDR stated that he was unable to accept any TAC other than that contained in the Report of the Assessments Subcommittee (Redbook 1976, Part C, Appendix I).

(c) Other finfish in Subarea 5 and Statistical Area 6. There was a brief discussion of the meaning of the "advisory" TACs placed on four species within this category. The Panel, tentatively agreed to set the TAC for other finfish at 150,000 metric tons, the same as in 1976, while deferring the question of "advisory" limitations on species within this category to a later meeting of the Panel.

(d) Subarea 5 and Statistical Area 6 squid (*Illex* and *Loligo*). In response to a suggestion by the delegate of Italy that raising the quota for *Illex* would not pose great danger to the stock, the Chairman of the Scientific Advisers to the Panel pointed out that, in the absence of firmer data, STACRES had recommended pre-emptive quotas for both squid species. The scientific information for *Loligo* was more reliable than that for *Illex*. The delegate of Spain drew attention to the portions of the Report of the Assessments Subcommittee which dealt with the squid stocks and suggested that the available evidence showed that the *Loligo* stock was stable or had been increasing in recent years. He requested that the Chairman of the Scientific Advisers to Panel 5 comment on three questions: 1) Was there clear evidence which demonstrated a stock/recruitment relationship which would change the estimates of the Assessments Subcommittee? 2) Was there any more evidence of a decrease in the level of recruits into the fishery in recent years? 3) Would a removal at the rate of 50,000 metric tons annually be dangerous to the stock? He concluded by agreeing with the delegate of Italy that the TACs for both species of squid should be increased. The Chairman of the Scientific Advisers to Panel 5 replied that there was not clear evidence for or against a stock/recruitment relationship, but that it was appropriate to consider there may be such a relationship. Second, analyses have reported that the squid stocks had been stable in recent years and that the fishing was conducted on new recruits each year. Finally, recruitment did appear to be constant. The Assessments Subcommittee advised that removals be held at the level of 40% until better scientific evidence was available. The best answer to the third question was really dependent on the answer to the first. The delegate of Japan stated that he wished to reserve his position on the size of the TACs for these stocks until Japan's allocation was decided.

8. After a brief discussion of the mackerel assessment, and deferring that issue to a joint meeting of Panels 3, 4, and 5, Panel 5 turned its attention to the discussion of the proposal put forth by the United States in Comm.Doc. 76/VI/43 concerning allocations of Div. 5Z + Statistical Area 6 herring for the second half of 1976. The delegate of USA noted that the needs of the coastal states had been included in the proposal, and the remainder of the herring was pro-rated among the distant-water countries based on their allocations established at the Eighth Special Commission Meeting in January 1976. He pointed out that in some fisheries by-catch already could have accounted for much of a country's allocation. The delegate of Poland stated that he was unhappy with the proposed allocations, and proposed that allocations for the second half of 1976 be pro-rated from 1975 allocations to give more favourable treatment to the larger herring fisheries. The delegate of FRG noted that, if the allocations for the herring were pro-rated from the figures agreed to for the first half of 1976, those countries which catch a great deal of herring as by-catch would benefit from larger allocations at the expense of those countries with smaller quotas, but much cleaner fisheries. He said he could not accept allocations which would have that result. Secondly, he pointed out that, even without herring, many countries would still be able to catch their second-tier quota. The FRG was not among them. He felt it was important to continue to adhere to the principle held in ICNAF that the sum of a country's individual species quotas should reach its second-tier quota and countries should have an opportunity to catch their entire second-tier quota. These allocations were deferred for later discussion.

9. Consideration of the US Proposal for International Regulation of River Herring in Subarea 5 + Statistical Area 6 (Comm.Doc. 76/VI/19). The delegate of USA opened the discussion of this proposal by pointing out that it set an absolute weight limit of 5,510 lbs or 2,500 kg for possession of river herring by-catch at the time of inspection. The delegate of USSR said that the proposal would be acceptable if it permitted a percentage of river herring by-catch on board of 1 or 2 percent as well as the weight limitation. After the delegate of Bulgaria agreed with the USSR position, the delegate of USA said he would take that view into consideration for later discussion.

10. Consideration of US Proposal Relating to Taking of Menhaden by Contracting Governments. In introducing Comm.Doc. 76/VI/26, the delegate of USA noted that the proposal made effective the intent of the Commission to reserve menhaden to the coastal fisheries. The delegate of USSR agreed with the purpose of the proposal, but could not agree to explicitly reserving any species to the coastal state within the framework of the Convention. The delegate of USA agreed to revised language for the proposal under consideration (Comm.Doc. 76/VI/26 Revised).

11. Panel 5 recessed at 1800 hrs, 14 June.

12. Panel 5 reconvened at 1130 hrs, 15 June.

13. Consideration of National Allocations with Specific Reference to the "Others" Category. The Chairman opened this discussion by noting that the USA proposed, in Comm.Doc. 76/VI/45, that allocations to "Others" be eliminated. The delegate of USSR objected to that proposal since small amounts of each species should be set aside for "Others" to indicate the interest of all Member Governments in fisheries throughout the Convention Area. The delegate of FRG agreed. The delegate of Japan said that he was not prepared to accept the elimination of the "Others" quota from any allocations in Subarea 5 and Statistical Area 6. The delegate of USA pointed out that the Commission established the "Others" category to make fish available for Member Countries not having specific allocations and non-Member countries, and to account for by-catch. The USA was not prepared to allow any new directed fisheries in areas of extended fisheries jurisdiction and would propose other regulations to account for by-catch. The Observer from UK suggested a footnote be added to the regulations which would permit allocations to "Others" for by-catch and provide further that unclaimed portions of "Others" allocations would revert to the coastal state if it became clear during 1977 that these portions would not be taken up.

14. Panel 5 recessed at 1245 hrs, 15 June.

15. Panel 5 reconvened at 1500 hrs, 15 June.

16. Further Consideration of National Allocations with Specific Reference to the "Others" Category

(a) The delegate of USA stated that her delegation would be able to accept a symbolic allocation to "Others". The by-catch problem, previously taken into account in the "Others" allocations, would be reduced by the seasonal closures and gear restrictions that the USA would propose soon. Another brief discussion centered on a comment by the delegate of FRG that he could not agree to an allocation to the "coastal states". The Panel agreed that all allocations to individual Member Countries would be brought to the Panel for approval. The delegate of Spain stated that he would have to reserve his position on any allocations until all the allocations were decided. Following considerable discussion, the Panel agreed to the 1977 allocations for cod in Div. 5Y, redfish in Subarea 5, silver hake in Div. 5Y, and yellowtail in Subarea 5 (East of 69°W) and in (West of 69°W) + Statistical Area 6 as shown in Table 1.

(b) Subdiv. 5Ze silver hake. The delegate of USSR proposed that, after the coastal state and "Others" allocations were taken from the TAC of 70,000 tons, the remaining silver hake should be allocated by pro-rating the surplus among those countries having allocations in 1976. The allocation proposed for the USA was 15,000 tons, for Canada - 2,500 tons, and for "Others" - 120 tons. The delegates of Spain and Poland each requested an allocation of 2,000 tons; the delegate of Italy requested 200 tons for by-catch. The delegate of FRG stated that he would not be able to support an increase in the TAC and a decrease in the "Others" allocation. Anticipating large reductions in his country's allocations for other species, the delegate of USSR stated that he could not support a trend initiated by some countries to start new fisheries in this Subarea. Increases in the TAC should not be allocated to those countries which had not previously fished on the stock under consideration. In response, the delegate of Spain observed that the status of the silver hake stock in Div. 5Z was improving, providing enough of a surplus for all to meet their needs.

(c) Subdiv. 5Zw + Statistical Area 6 silver hake. The delegate of Cuba proposed that the 50,000-ton TAC be allocated by agreeing to the US proposal for 100 tons for "Others", 12,500 tons to USA, as requested, and by pro-rating the remainder among countries with 1976 allocations. The delegate of Bulgaria proposed that the "Others" category be increased to 1,000 tons, but, if this could not be done, he requested an allocation of 1,000 tons for his country. The delegates of Spain and USSR supported the proposal of the delegate of Bulgaria to increase the "Others" allocation. The delegate of Poland requested an allocation of 1,000 tons. The delegate of USA stated that an allocation of 1,000 tons for "Others" went beyond the symbolism intended by keeping that category. The delegate of Spain then requested an allocation of 1,000 tons, and the delegate of Italy requested an allocation of 200-300 tons.

(d) Subdiv. 5Ze red hake. The Panel tentatively agreed to allocations of 1,000 tons to Canada, 1,500 tons to USA, and 50 tons to "Others". The 13,450 tons remaining from the 1977 TAC would be pro-rated among

those countries having 1976 allocations.

(e) Subdiv. 5Zw + Statistical Area 6 red hake. At the request of the delegate of GDR, discussion on the allocation of this stock was postponed after the delegate of USA proposed allocations of 7,000 tons for USA and 100 tons for "Others", the delegates of Canada, Poland, and Spain each asked for allocations of 1,000 tons, the delegate of Bulgaria requested an allocation of 1,500 tons, and the delegate of Italy reserved his position until some of the by-catch regulations were discussed.

(f) Other finfish in Subarea 5 and Statistical Area 6. The delegate of USSR reiterated his position that it would not be possible to accept allocations to those countries which had not previously conducted a fishery if such allocations had the result that those countries which previously had allocations would be forced to reduce their share. The delegate of Cuba agreed with this position and noted that, if the new requests for allocations were agreed to, the result would be a reduction for those countries which had allocations in 1976. The delegate of FRG requested an allocation of 2,000 tons if the "Others" quota were reduced below 5,000 tons, and the delegate of Japan requested an allocation of 5,000 tons based on past fishing performance. The delegate of USA proposed allocations of 78,000 tons for USA and 500 tons for "Others". The delegates of Canada, FRG, and Spain each requested allocations of 2,000 tons, and the delegate of Italy requested an allocation of 1,000 tons.

(g) Subarea 5 + Statistical Area 6 squid (Illex). The delegate of Japan opened the discussion by proposing that the TAC for both species of squid (*Illex* and *Loligo*) be raised by an amount equivalent to the increase in the allocations proposed for the coastal state over their 1976 level, in the case of *Illex* - 5,000 tons. This could be done without damage to the stocks and, if done, Japan would request the same allocation as it had in 1976. The delegates of Spain, Italy, and USSR supported this proposal. The delegate of FRG emphasized the logic of the Japanese proposal that unfounded coastal state requests for allocations would lead to a desire to increase the TAC so that the resources would be fully utilized. Specific requests for allocations were made by the delegate of USA who proposed allocations of 12,500 tons for the coastal states and 500 tons for "Others", the delegate of Bulgaria requested 500 tons, the delegate of Italy requested 2,000 tons, and the delegate of Japan requested 3,500 tons. The delegates of Canada, GDR, and Spain stated that they would make their requests at a later session. The delegate of Cuba stated that Cuba would like to begin a fishery for squid to make up for reductions in Cuba's allocations for other species, but Cuba would not request an allocation. This would be consistent with the position his country had taken on the hake and other finfish stocks in that Cuba had not previously participated in the squid fishery.

(h) Subarea 5 + Statistical Area 6 squid (Loligo). The delegate of USA proposed allocations of 25,000 tons for the United States and 300 tons for "Others". The delegates of Japan and Spain took the same positions on this stock as they had for *Illex*, and requested that their allocations from 1976 of 15,700 tons and 8,000 tons, respectively, be considered should the TAC be increased by the amount of the increase in the proposed coastal state allocation. The delegate of Italy requested an allocation of 6,000 tons. The delegate of USA advised the Panel that she could be no more enthusiastic about the increases suggested for *Loligo* than she was for *Illex*, but the USA would consider whether there was any possibility of increasing the TACs, keeping in mind the by-catch problem attendant to the squid fishery.

17. In response to questions raised during earlier discussions, the delegate of USA supported large increases in US allocations by noting that the US fishery policy called both for the conservation of fishery resources and the development of the US fishing industry. Prospects for that development were very good, and were reflected in the US position on allocations.

18. Panel 5 recessed at 1745 hrs, 15 June.

19. Panel 5 reconvened at 0945 hrs, 18 June.

20. Consideration of International Regulation of the Fishery for River Herring in Subarea 5 and Adjacent Areas to the West and South in Statistical Area 6 (Comm.Doc. 76/VI/19 - Revised). After brief discussion, the Panel

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (4) for the international regulation of the fishery for river herring in Subarea 5 and adjacent areas to the west and south in Statistical Area 6 (Appendix I).

21. Consideration of Proposal Relating to Taking of Menhaden by Contracting Governments (Comm.Doc. 76/VI/26 - Revised). After brief discussion, the Panel

agreed to recommend

that the Commission adopt Resolution (1) relating to the taking of menhaden by Contracting Governments (Appendix II).

22. Consideration of Individual TACs and their Allocations

(a) Subdiv. 5Ze silver hake. The delegate of USA proposed the following allocations: Bulgaria - 760, Canada - 2,500, Cuba - 5,395, USSR - 46,195, USA - 15,000, and "Others" - 150 tons. The delegate of Cuba, noting that this stock was important to Cuba because of the species involved and the proximity of the fishing areas for Cuban trawlers, stated that his delegation would support pro-rating the TAC based on the 1976 silver hake allocations. The delegate of USSR voiced his support for the Cuban delegate's position and suggested that his delegation would have to reconsider its allocations of other stocks in other areas if Panel 5 adopted the new principle that increases in TACs were to be shared among new entrants into a fishery. It might even be necessary to calculate the changes in each country's allocations for the entire Convention Area and propose allocations which would ensure that each country had equal percentage reductions. The delegate of Poland reaffirmed his request for an allocation of 2,000 tons for Poland, noting that his country had caught silver hake in Subdiv. 5Ze since 1968. The delegate of Spain reminded the Panel of the position his delegation had taken on silver hake at earlier meetings of the Panel. The delegate of Bulgaria sought an allocation for Bulgaria based on pro-rating the 1976 quotas after the coastal state and "Others" shares were deducted from the TAC. He reiterated the argument that it was not appropriate for new entrants into a fishery to share in the increased TAC if the "traditional" fishing countries would receive no benefits. The delegate of Japan proposed that the allocation of "Others" be increased on a pro-rated basis from the 1976 "Others" allocation. The delegate of USSR agreed with this proposal. The delegate of Italy pointed out that this was a unique situation, where the scientists themselves had recommended the increase in TAC and where a consistent surplus existed after complying with coastal states requirements. There thus existed the possibility of sharing the increase among countries which were suffering reductions in other fisheries in the same area. In the past, when the Commission was faced with the necessity of accommodating Cuba's position, even in the face of general TAC reductions, solutions were found. In view of this the delegate of Italy proposed two alternate solutions, derived respectively from 1975 and from 1976 allocations. Both of them, while granting to USSR a significant reintegration of its quota which was strongly reduced in 1976, provided small quotas (respectively 765 or 650 tons) to each of the countries already engaged in other fisheries in this area. The delegate of Cuba re-emphasized his country's position as an underdeveloped country with a need for protein. He recalled that when Cuba had entered the ICNAF Area to fish, his delegation sought allocations in those fisheries where they would cause the least disruption to other countries. There were principles maintained in the context of the Law of the Sea Conference which upheld Cuba's position, he continued, but it would be most appropriate in the Panel only to recall Cuba's proposal that the surplus available in the silver hake stocks be pro-rated among those countries with 1976 quotas. The delegate of USA said that, although pro-rating had some weak points, it was an appropriate way to determine allocations. By-catch problems could be solved by reserving specific amounts for by-catch, but small amounts of fish allocated to individual countries for either by-catch or directed fishery were unsatisfactory from both a management and economic point of view. It was not an appropriate time for the initiation of new fisheries. USA could accept pro-rating "Others" if the largest part of the "Others" thus established would be set aside for by-catch rather than small directed fisheries. The delegate of Canada stated that he shared the US position and supported the US proposal.

In view of the fact that some of the countries, to which a small quota was granted according to the two Italian proposals, were not actually interested in this species, the Chairman proposed a re-arrangement of the Italian proposals as follows: Bulgaria - 750 tons, Canada - 2,500 tons, Cuba - 5,000 tons, Italy - 800 tons, Poland - 800 tons, Spain - 800 tons, USSR - 44,000 tons, USA - 15,000 tons, and "Others" - 350 tons. An indicative vote was taken on this proposal, with the following results: 4 - Yes, 3 - No, 5 - Abstain, and 1 - absent. Vote of all Commission Members present at the Meeting of Panel 5 was 4 - Yes, 4 - No, and 6 - Abstain. An indicative vote was then taken on the following allocations: Bulgaria - 760 tons, Canada - 2,500 tons, Cuba - 5,375 tons, USSR - 46,050 tons, USA - 15,000 tons, and "Others" - 315 tons. The result of this vote among Panel Members was 8 - Yes, 2 - No, 2 - Abstain, and 1 - absent. Among all Commission Members present the vote tallied 9 - Yes, 2 - No, and 3 - Abstain. The delegate of USA noted that USA had voted favourably in the latter case with the understanding that 15 tons would be for "Others" and 300 tons be specifically allocated for by-catch. The Panel agreed to reconsider the second proposal at a later session.

(b) Subdiv. 5Zw + Statistical Area 6 silver hake. The US proposal in Comm.Doc. 76/VI/51 called for the following allocations: Cuba - 4,160 tons, USSR - 33,240 tons, USA - 12,500 tons, and "Others" - 100 tons. The delegate of Japan proposed that there be a pro-rated increase in the allocation to "Others". The delegate of Bulgaria called the other Panel Members' attention to the inability of Bulgaria to attend the Special Commission Meeting in September 1975, which resulted in the loss of a silver hake quota in Subdiv. 5Zw + Statistical Area 6 for 1976. He stated that Bulgaria had a silver hake quota in previous years and reminded the Panel of his request for an allocation of 1,000 tons for 1977. The delegate of USSR supported the Japanese proposal and Bulgaria's request. The delegate of Spain suggested that it would not be fair to grant an allocation to one country which had no allocation in 1976 and deny it to others. The delegate of USA agreed to consider submitting a revised allocation for consideration of this stock at a later session.

(c) Subdiv. 5Zw + Statistical Area 6 red hake. As several countries reiterated the position they had taken on the Subdiv. 5Ze silver hake allocations, allocation of this stock was postponed until the silver hake issue was settled.

(d) Div. 5Y herring. After noting that 10 tons was proposed for "Others", the Panel agreed to recommend

that the 1977 national allocations for Div. 5Y herring be set at the levels given in Table 1.

(e) Div. 5Z + Statistical Area 6 herring for July-December 1976. The delegate of USA introduced Comm.Doc. 76/VI/43 (Revised) proposing allocations for herring in Div. 5Z + Statistical Area 6 for the whole year 1976. The delegate of Canada noted that his country's allocation had been left at 1,000 tons, the level set for the first half of 1976, so that additional herring would be available for allocation among the distant-water nations. The Panel

agreed to recommend

that the 1976 national allocations for Div. 5Z + Statistical Area 6 herring be set at the levels given in Table 1.

It was noted that the allocation to FRG was based in part on the principle that each country should have enough individual species quotas to allow them to catch their second-tier allocation.

(f) Div. 5Z + Statistical Area 6 herring for 1977. The Chairman noted the US proposal that the 1977 TAC be set at 30,000 tons (60,000 tons for 1976) and requested comments on this item. The delegate of FRG reminded the Panel that the Commission had made commitments, first, to rebuild the herring stocks and, second, not to deplete the stock below a minimum stock size, but had set no time frame for the recovery of the stock. The Report of the Assessments Subcommittee (Redbook 1976, Part C, Appendix I) had stated that a TAC of 50,000 tons might rebuild the stocks, but the Commission's constraints allowed a greater catch than that. The delegate of USA stated that even if the TAC were set at 30,000 tons, the best result would be an increase of 10% of the minimum stock size. Higher TACs would have the potential of further stock declines, especially if recruitment were poor. The best chance for recovery in 1977 was at a TAC level of 30,000 tons. The delegate of GDR pointed out his country's fisheries in Subarea 5 relied on herring and mackerel. It had been proposed that the TACs for both of these species be reduced to levels which would preclude his country's vessels from fishing in Subarea 5 and Statistical Area 6 in 1977. He hoped that such economic concerns could be taken into account by establishing a TAC of 50,000 tons, a level which could do little harm to the stocks. He realized the concern for the quick rebuilding of the stocks but felt it should be delayed in the face of the economic hardships it would impose. The delegate of USA appreciated the economic hardships imposed by the proposed 30,000-ton TAC but suggested that the countries fishing in Subarea 5 must face the fact that it was time to begin rebuilding the stocks. A TAC higher than 30,000 tons would not only put off the recovery of the herring stock, but postponed the decisions on how each fishing fleet would adjust to reduced allocations. She suggested that the second half of 1976 is the time to make such adjustments. Further consideration of this TAC was postponed.

(g) Other finfish in Subarea 5 and Statistical Area 6. The delegate of USA confirmed that it was not proposed to allocate on a national basis the amount of 150,000 tons reserved in Comm.Doc. 76/VI/51 for by-catch. The delegate of USSR proposed that the 1977 allocations be pro-rated from the 1976 allocations. The delegate of USA said that a proposal on gear restrictions and on closures which was about to be circulated would explain the decision not to allocate other finfish. Further discussion was, therefore, postponed.

23. Consideration of Regulation of Fishery for Sea Scallops in Div. 5Z of Subarea 5 of the Convention Area. After brief discussion, the Panel

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (5) for the international regulation respecting the fishery for sea scallops in Division 5Z of Subarea 5 of the Convention Area (Appendix III); and

that the Commission adopt Resolution (2) relating to the implementation of the proposal for the international regulation respecting the fishery for sea scallops in Division 5Z of Subarea 5 of the Convention Area (Appendix IV).

24. Panel 5 recessed at 1220 hrs, 18 June.

25. Panel 5 reconvened at 1130 hrs, 19 June.

26. Consideration of Seasonal Closures and Gear Restrictions in Subarea 5 and Statistical Area 6. The delegate of USA introduced Comm.Doc. 76/VI/50 and explained that the proposal represented the culmination of a number of regulations designed to control by-catch. The concept of "windows" (areas) open to fishing has been proposed to ensure both a high catch per unit of effort in directed fisheries for squid (*Illex* and *Loligo*), hakes and mackerel, and to reduce by-catches in those fisheries. The only gear restriction in the proposal is a prohibition on the use of demersal gear in the area open to mackerel fishing. The proposal was not intended to place obstacles in the way of countries trying to catch their allocations in Subarea 5 and Statistical Area 6, and it would be possible to make adjustments in the proposal as other delegations made their views known. The proposal would replace the current regulations prohibiting the use of demersal gear in portions of Subarea 5 and Statistical Area 6, but would not replace other regulations such as those establishing closed areas to protect spawning haddock. In response to a question from the delegate of Spain, the delegate of USA stated that US fishermen's gear, particularly lobster traps, would be present in some of the areas included in the proposal. The delegate of Italy pointed out that the two-month gap between the periods open for squid fishing would create difficulties for vessels fishing only squid and suggested that this be corrected in future revisions to the proposal. Discussion then centered on the new concepts advanced by the proposal. The delegate of Cuba suggested that a working group be formed to examine the impact of the proposal on the fisheries in Subarea 5 and Statistical Area 6. The delegate of Canada stated that his delegation had not had time to consider the details of the proposal as they related to the conduct of fisheries in Subarea 5 and offered to cooperate in a working group. The delegate of Japan noted that USA had circulated documents which related to new gear and area regulations in Comm.Doc. 76/VI/27 and 76/VI/28 prior to the Annual Meeting as required, but had not supplied any details of the proposals. He was astounded at the comprehensive new system in Comm.Doc. 76/VI/50. He reported that a preliminary examination of the areas which would be open to squid fishing, should the proposal be adopted, had yielded only 2.1% of Japan's *Loligo* catch and 2.5% of its *Illex* catch in 1975. Because of the complex issues at stake, it would be impossible for Japan to accept the proposal at the current meeting. The delegate of GDR said that the midwater trawls used in the mackerel fishery reduced by-catch and made further restrictions in that fishery unnecessary. If the area proposed for mackerel fishing was adopted, it would not be possible for GDR to take its mackerel quota. Specifically, the proposed area should be expanded to the east, west, and southwest to accommodate the needs of the fishermen. The delegate of USSR questioned whether a working group would be able to examine adequately this question. Because the specific proposal was introduced at such a late stage of the meetings, the USSR delegation was not in a position to give a decision on the proposal at this meeting; additionally, STACRES had not addressed the questions raised by the proposal. Adoption of this regulation would prevent the USSR from catching all of its quotas. Squid, silver hake, red hake, and mackerel constituted 75% of the USSR's catch in Subarea 5. The impact of the proposed regulation was so great that it could not be adequately considered at the present time. The delegate of Italy pointed out that the proposed regulation appeared to rule out all fisheries in Statistical Area 6, where Italy catches most of its squid. The delegates of Poland and Bulgaria both stated that it would be impossible for them to accept the proposal at the present meeting. The delegate of Cuba said that the working group could be useful in examining the impact the proposed regulation could have on the fish and various fisheries. For example, if all of the fishing effort was concentrated in a very small area, there might not only be a great impact on the fish stocks, but the catch per unit effort may be reduced to the point where the fisheries were uneconomical. Additionally, the areas and the periods that they would be open did not appear to meet Cuban needs. For the future, the proposed regulation indicated the importance of international consultations concerning regulatory measures before states having jurisdiction over fishing issued their regulations. Panel Members agreed that Canada, Cuba, Italy, Japan, Spain, USSR, and USA should participate in a working group to consider possible modifications to the proposal.

27. Panel 5 recessed at 1230 hrs, 19 June.

28. Panel 5 reconvened at 1445 hrs, 22 June.

29. Consideration of Conservation Measures for All Finfish and Squid in Subarea 5 and Statistical Area 6. The delegate of USA reminded the Panel of the decision taken by Joint Panels 3, 4, and 5 (Proc. 12) to defer setting the TAC for mackerel until a Special Meeting of the Commission in early December 1976. Noting the relationship of Div. 52 + Statistical Area 6 herring to mackerel as by-catch, she proposed that the TAC for herring be set after the TAC for mackerel was decided. Similarly, the second-tier TAC should also be postponed until after the Commission decided the herring and mackerel TACs. Finally, the allocations of other finfish and squid in Subarea 5 and Statistical Area 6 were dependent on the allocations of mackerel and herring and so should likewise be determined at the Special Meeting. Such postponement is conditional upon acceptance of the correlation between the mackerel TAC and the second-tier TAC outlined by the Scientific Advisers to Panel 5 in the Report of the Scientific Advisers to Panel 5 (Redbook 1976, Part D.5). The delegate of USSR agreed with this proposal, as did the delegate of Japan. The delegates of Canada and FRG each noted the scientists' agreement on the correlation between the mackerel and overall TACs in the proposal put forward by the delegate of USA. Panel 5

agreed to recommend

that the 1977 TACs and national allocations for Subarea 5 + Statistical Area 6 mackerel, for Subdiv. 5Z + Statistical Area 6 herring and for Subarea 5 and Statistical Area 6 all finfish and squid (second-tier) and the 1977 national allocations for Subarea 5 and Statistical Area 6 other finfish be deferred until the Special Meeting of the Commission to be held in December 1976.

30. Consideration of Individual TACs and their Allocations for Further Stocks

(a) Subdiv. 5Ze silver hake. The Panel

agreed to recommend

that the 1977 national allocations for Subdiv. 5Ze silver hake be set at the levels given in Table 1 and that the record should state that 315 tons of the allocation to "Others" should be reserved for by-catch.

(b) Subdiv. 5Zw + Statistical Area 6 silver hake. The delegate of Spain reminded the Panel that his delegation had requested an allocation of this stock, but the request had been refused by the Panel. He asked whether USA had set a standard to determine when a stock was rebuilt to a level which would allow new entrants into a fishery. The delegate of USA replied that the current status of stocks, taken collectively, allowed no new entrants into any fishery. It was not possible to allocate portions of stock which have improved to new small fisheries at the present time. The Panel

agreed to recommend

that the 1977 national allocations for Subdiv. 5Zw + Statistical Area 6 silver hake be set at the levels given in Table 1.

(c) Div. 5Z + Statistical Area 6 herring. The delegate of FRG stated that his delegation's acceptance of the decision to defer consideration of the 1977 TAC and allocations for herring did not affect his view that the main decisions for this species were not related to by-catch but to directed fisheries.

(d) Other finfish in Subarea 5 and Statistical Area 6. The delegate of Japan stated that Japanese fishermen conduct some directed fisheries on stocks included in this category so that the Japanese allocation would not be used exclusively for by-catch.

(e) Subarea 5 + Statistical Area 6 squid (*Illex* and *Loligo*). The delegates of Japan, Spain, and USA reminded the Panel of the positions they had taken on the allocations of these stocks at previous sessions of the Panel. The delegate of Italy noted that the proposals by USA and Japan established allocations for countries which had no allocations in 1976, in apparent contradiction to the principles previously applied by the Panel. The delegate of USA stated that USA could countenance an increase in the TAC for *Illex*, but noted that the burden of proof was on those who wished to raise the TAC for *Loligo* to some figure greater than the 44,000 tons recommended by the scientists. There must be proof that the *Loligo* stock could sustain the fishing pressure. The delegate of USSR supported the Japanese proposal to increase the *Illex* TAC to 35,000 tons. The delegate of Japan defended his proposal to increase the TAC of *Loligo* by stating that there was no evidence that a TAC greater than the 44,000 tons recommended by the scientists would incur a greater risk to the stock. Because the coastal state request was for such a sharp increase, it was difficult to understand how the coastal state could catch all of the *Loligo* it had requested. Therefore, increasing the TAC by the amount of increase requested by the coastal state would not result in great damage to the stock. The delegate of USA stated that there was little scientific evidence to support the position that the *Loligo* stock could withstand the increased fishing pressure which would result from a higher TAC. However, because the argument that the coastal state may not have the capacity to take its requested allocation had some merit, USA would be willing to return the unused portion of its *Loligo* allocation to the Commission during 1977 for re-allocation among other countries interested in fishing on that stock. The delegate of Bulgaria stated that his country's 200- to 500-ton *Illex* catch had been taken from the "Others" category in recent years. Because that category had been removed from the 1977 allocations for all practical purposes, Bulgaria would have to seek a specific allocation to meet anticipated 1977 needs. The delegate of Italy pointed out that the allocations of *Illex* approved by the Panel (Table 1) added allocations totalling 3,840 tons for countries which had no allocations in 1976 at the expense of countries which had maintained fisheries in the area. He noted that this was contrary to the principles employed by the Panel in determining other allocations, and expressed the hope that Panel 5 would take this into consideration with regard to Italy when determining allocations of mackerel later in the year. The delegate of GDR recalled the request his delegation had made for 1,000 tons of squid during a previous session of Panel 5. In view of the fact that great difficulties would result for the Panel if his delegation pressed for such allocations, he would not insist further on seeking allocations of squid. The delegate of USSR stated that, if remarks concerning the application of principles were to be made at the time of each allocation, he would have to make a statement for each allocation decided during the Commission Meeting. It was preferable, from his point of view, to deal with concrete figures, on concrete issues, for concrete stock. The Panel

agreed to recommend

that the 1977 TACs and national allocations for *Illex* and *Loligo* squids in Subarea 5 + Statistical Area 6 be set at the levels given in Table 1.

The delegates of USA and Canada stated that their intent to return unused allocations of squid to the Commission for redistribution during 1977 applied to *Loligo* alone, not *Illex*.

(f) Subdiv. 5Zw + Statistical Area 6 red hake. The delegate of USA pointed out that the proposed allocation of 8,000 tons of this stock to USA represented USA's best estimate of its needs. The other allocations proposed in Comm.Doc. 76/VI/51 were based on proportional increases or decreases depending on changes in the TAC for 1977. USA was not prepared to entertain reconsideration of the TAC, its estimates of US needs, or using proportional changes to 1976 allocations for determining 1977 country allocations. The Panel

agreed to recommend

that the 1977 national allocations for Subdiv. 5Zw + Statistical Area 6 red hake be set at the levels given in Table 1.

The delegates of Italy, Poland, and Spain registered disappointment that their requests for individual allocations were not accommodated. The delegate of USA expressed appreciation for the solution reached by the Panel.

31. Consideration of Seasonal Closures and Gear Regulations in Subarea 5 and Statistical Area 6. The delegate of USA introduced a revision of Comm.Doc. 76/VI/50 which the US delegation had prepared to include the view of Panel 5 Members and Report of the Working Group (Appendix V) set up by the Panel earlier (see Section 25). He noted that the revised proposal allowed greater opportunity for the countries with quotas in Subarea 5 and Statistical Area 6 to catch their allocations. The delegate of Spain proposed deferring the question of the closed areas to the Special Meeting of the Commission to allow individual countries to consider fully the proposal's great impact on their fisheries. The delegate of Italy also thought it would be appropriate to consult with ship operators before taking a final decision on the proposal. After a number of other delegations concurred, in principle, with the proposal and its intended function of reducing by-catch, the Panel agreed to consider the proposal at the Special Meeting of the Commission in December. The Chairman requested the Chairman of STACRES, together with participants from interested countries, to prepare a preliminary plan for evaluating the impact of the closed areas and gear restrictions on the fish stocks and the fisheries affected by the proposal. The delegate of FRG reported that his scientists had already submitted the relevant data to the Commission. The Panel agreed that members of STACRES and STACREM and other interested parties should establish an *ad hoc* Working Group on a Subarea 5 Regulatory Regime which would meet at 0900 hrs, 23 June, to study the proposal (Comm.Doc. 76/VI/50, Revised) and determine the technical requirements necessary to evaluate it.

32. Amendment of By-Catch Regulation for Haddock in Subarea 5. The Panel, recognizing that the by-catch regulation for haddock in Subarea 5 which entered into force on 16 January 1976 for the year 1976 should be retained in subsequent years,

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (6) for amending the international regulation of the fishery for haddock in Subarea 5 of the Convention Area (Appendix VI).

33. Panel 5 recessed at 2215 hrs, 22 June.

34. Panel 5 reconvened at 1200 hrs, 23 June, to consider the Report of the *ad hoc* Working Group on a Subarea 5 Regulatory Regime (Appendix VII). The Chairman of the *ad hoc* Working Group, Dr A.W. May (Canada), presented the Report which set out the data requirements and deadlines necessary to obtain a fuller understanding and analysis of by-catch problems. A description of fisheries conducted by each country in Subarea 5 and Statistical Area 6 and an analysis of by-catches in these fisheries should be received in the Secretariat by 1 November 1976 for circulation to Panel Members. An *ad hoc* group of experts including scientists and those familiar with fishing patterns, practices, and areas fished by their countries should meet at the time of the proposed Special Commission Meeting in December 1976. Panel Members including Spain, Cuba, USA, Poland, Japan, USSR, GDR, Bulgaria and Canada expressed approval of the Report and their willingness to undertake to comply with its recommendations as far as possible.

35. Election of Chairman. Dr J.A. Storer (USA) was elected Chairman of Panel 5 for the period 1976/77 and 1977/78. The delegate of Italy thanked Mr E. Gillett (UK), on behalf of the Panel Members, for carrying out so effectively and efficiently, the duties of Chairman of the Panel.

36. There being no other business, Panel 5 adjourned at 1225 hrs, 23 June 1976.

Table 1. Summary of TACs and national allocations for stocks in Subarea 5 and Statistical Area 6 for 1977 and revised 1976 allocations for herring in Div. 5Z + Statistical Area 6.

	Cod		Haddock	Redfish	Pollock	Silver hake			Red hake		Yellowtail	
	5Y	5Z				5Y	5Ze	5Zwt+6	5Ze	5Zwt+6	5(E69°)	5(W69°)
TAC recommended by Scientific Advisers	3,200	15,000	0	9,000	5	5,000	70,000	50,000	16,000	28,000	7,000	0
Bulgaria	-	-	-	-	-	-	760	1,000	-	-	-	-
Canada	80	3,350	1,260	90	-	-	2,500	-	1,000	1,000	90	-
Cuba	-	-	-	-	-	-	5,375	4,140	920	1,810	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-
France	-	-	-	-	-	-	-	-	-	-	-	-
FRG	-	-	-	-	-	-	-	-	-	-	-	-
GDR	-	-	-	-	-	-	-	-	-	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	-	-	-
Norway	-	-	-	-	-	-	-	-	-	-	-	-
Poland	-	-	-	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	-	-	-	-
USSR	-	-	-	-	-	-	46,050	32,090	12,350	18,090	-	-
UK	-	-	-	-	-	-	-	-	-	-	-	-
USA	4,915	16,630	4,735	8,900	-	8,990	15,000	12,500	1,500	7,000	9,900	3,995
Others	5	20	5	10	-	10	315 ¹	270 ²	50	100	10	5
Total allocated catches	5,000	20,000	6,000 ³	9,000	10,000	9,000	70,000	50,000	16,000	28,000	10,000	4,000

1 300 tons reserved for by-catch.

2 250 tons reserved for by-catch.

3 By-catch only, no directed fishery.

DECIDED IN JOINT PANELS 3, 4, & 5

Table 1. Continued

	Flounders		Herring		Mackerel	Other finfish	Squid		2nd Tier	Revised 1976 Herring
	5+6	5Y	5Z+6	...			<i>Illex</i>	<i>Loligo</i>		
TAC recommended by Scientific Advisers	20,000	0	150,000	30,000	44,000	500,000 ¹	60,000	
Bulgaria	-	-	-	-	-	400	-	-	900	
Canada	200	990	-	-	-	1,000	2,000	-	1,000	
Cuba	-	-	-	-	-	-	500	-	1,000	
Denmark	-	-	-	-	-	-	-	-	-	
France	-	-	-	-	-	-	-	-	1,100	
FRG	-	-	-	-	-	-	500	-	9,200	
GDR	-	-	-	-	-	-	-	-	9,300	
Iceland	-	-	-	-	-	-	-	-	-	
Italy	-	-	-	-	-	980	1,640	-	-	
Japan	-	-	-	-	-	3,440	7,820	-	1,100	
Norway	-	-	-	-	-	-	-	-	-	
Poland	-	-	-	-	-	4,910	850	-	11,000	
Portugal	-	-	-	-	-	-	-	-	-	
Romania	-	-	-	-	-	-	-	-	800	
Spain	-	-	-	-	-	4,910	4,390	-	-	
USSR	-	-	-	-	-	7,370	1,000	-	12,190	
UK	-	-	-	-	-	-	-	-	-	
USA	19,790	6,000	-	-	-	11,500	25,000	-	12,400	
Others	10	10	-	-	-	490	300	-	10	
Total allocated catches	20,000	7,000	-	-	150,000	35,000	45,000	-	60,000	

¹ TAC is 500,000 tons if mackerel TAC is zero.

ANNUAL MEETING - JUNE 1976

(4) Proposal for the International Regulation of the Fishery for River Herring in Subarea 5 and Adjacent Areas to the West and South in Statistical Area 6

Panel 5 recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

"1. That each Contracting Government take appropriate action to prohibit the taking of river herring (*Alosa aestivalis* and *A. pseudoharengus*) by persons under its jurisdiction except as provided for in the following paragraph.

"2. That, in order to avoid impairment of fisheries for other species which take small quantities of river herring (*Alosa aestivalis* and *A. pseudoharengus*) incidentally, Contracting Governments may permit persons under their jurisdiction to have in possession on board a vessel fishing for other species (either at sea or at the time of off-loading) river herring caught in Subarea 5 or in the area adjacent to the west and south in Statistical Area 6 in amounts not exceeding 5,510 pounds or 2,500 kilograms, or 1 percent by weight, of all other fish on board, whichever is greater."

ANNUAL MEETING - JUNE 1976

- (1) Resolution Relating to the Taking of Menhaden in Subarea 5 and Adjacent Waters to the West and South within Statistical Area 6

Panel 5 recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that it was not the intent of the Commission to include the menhaden fishery within the conservation regime of the International Commission for the Northwest Atlantic Fisheries;

Noting that the Commission has excluded menhaden (*Brevoortia tyrannus* (Latrobe)) from all catch quota regulations and other conservation measures;

1. Requests that all Contracting Governments take expeditious steps to ensure that nationals or vessels under their jurisdiction refrain from engaging in directed fisheries for menhaden and to limit the by-catch;
2. Stipulates that each Contracting Government take appropriate action to prohibit the taking of menhaden by vessels over 130 feet (39.6 m) in length by persons under its jurisdiction within Subarea 5 and adjacent waters to the west and south within Statistical Area 6;
3. Suggests that STACRES review this situation and provide advice to the Commission on means of minimizing by-catches of menhaden without interference with fisheries conducted for regulated species.

ANNUAL MEETING - JUNE 1976

(5) Proposal for International Regulation Respecting the Fishery for Sea Scallops in Division 5Z of Subarea 5 of the Convention Area

Panel 5 recommends that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

That Proposal (23) from the June 1972 Annual Meeting for International Regulation Respecting the Fishery for Sea Scallops in Division 5Z of Subarea 5 (June 1972 Meeting Proceedings No. 7, Appendix IV, page 51) and entered into force on 29 March 1973 (except Canada and USA) be replaced by the following:

"That the Contracting Governments take appropriate action in Division 5Z of Subarea 5 to prohibit the retention and landing of sea scallops, *Placopecten magellanicus* (Gmelin), by persons under their jurisdiction,

- (a) of a shell size of less than 95 mm, measured from the hinge to the opposite margin, provided, however, that 10 percent of the quantity of sea scallops retained on board a vessel at sea or at the time of off-loading may be below this limit; and
- (b) the meats of which provide an average count of more than 40 units per pound, provided, however, that such average count of sea scallops in possession on board a vessel at sea or at the time of off-loading may exceed this limit by up to 10 percent."

ANNUAL MEETING - JUNE 1976

(2) Resolution Relating to the Implementation of the Proposal for International Regulation Respecting the Fishery for Sea Scallops in Division 5Z of Subarea 5 of the Convention Area

Panel 5 recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that a proposal designed to achieve the conservation and optimum utilization of stocks of sea scallops in Division 5Z of Subarea 5 of the Convention Area through the international regulation respecting the fishery for sea scallops has been adopted at the June 1976 Annual Commission Meeting;

Taking into Account that under Article VIII of the Convention, as amended, this proposal would not enter into force until six months after the date on the notification from the Depository Government transmitting the proposals to the Contracting Governments, which could not occur before January 1977 at the earliest;

Having Considered that the purpose of the Convention is to promote the conservation and optimum utilization of fish stocks on the basis of scientific investigation, and economic and technical considerations, and that this purpose would be better served if implementation of the proposal referred to above is effected as early as possible, but in any event no later than 1 September 1976;

Recognizing that, in order to achieve the purposes and objectives of the Convention, fishing activity in the area must be conducted in accordance with this proposal as early as possible in 1976;

1. Invites the attention of Governments to the above matters;
2. Stipulates that the proposal referred to above should apply as early as possible in 1976, but in any event no later than 1 September 1976;
3. Requests Governments whose vessels conduct fishing operations in the area to implement the proposal no later than 1 September 1976;
4. Expects that all Members of the Commission will conduct their fishing operations in accordance with the proposal no later than 1 September 1976 unless any of the Members of Panel 5 to which the proposal refers notifies an objection to the Depository Government prior to that date.

ANNUAL MEETING - JUNE 1976

Report of the Working Group on Seasonal Closures and Gear Regulations
in Subarea 5 and Statistical Area 6

1. The Working Group met on 19 June at the request of the Chairman of Panel 5 to explore the US proposal for reducing by-catch and controlling catches of protected species by area, gear, and seasonal restrictions (Comm.Doc. 76/VI/50) and associated views. The proposal's intent of limiting the by-catch of yellowtail, haddock, and other species in short supply was reviewed. According to the USA, the establishment of the "windows" was based upon scientific opinion, coupled with data obtained from inspections conducted under the Scheme of Joint International Enforcement, data from US statistics on catch and effort as well as survey data, present understanding of fishing technology, and other factors.
2. Concern was expressed that the proposal had not been raised in STACRES. Scientific Advisers indicated that such an issue had been on their agenda but that, due to unavailability of data on national fisheries relating to specific geographic locations, they could only refer a paper to the Commission. Data as collected and disseminated by the Executive Secretary of ICNAF was seen as being both too general and inadequate to provide insight into this aspect of fisheries and fishery practices. Specific data held by several nations and additional information on fishing practices may unfold the information required to make decisions on the matter.
3. It was pointed out that, although the groundfish stocks were reduced below levels of the early 1960's, the status of some stocks has improved during recent years. Concern was also raised over the effects of hydrological and other conditions on migratory patterns. Disagreement concerning fishing seasonality for particular species was also noted.
4. The lack of time to adequately study the proposal was noted. Concern was also expressed that, while the intent of the proposal was to control by-catch to the benefit of all, it may, due to the smallness of the windows, short seasons, etc., in effect, make it difficult for directed fisheries to catch a nation's allocation of a species. Many expressed the view that the "window" approach was presently not a feasible concept for management of major fisheries due in part to lack of data. Precedent for the exclusion of coastal states from such a regime was noted (effort limitation). It was also noted that the adoption of such a seasonality concept might eliminate the need for "second-tier quotas".
5. Two countries expressed a desire, without prejudice to their national positions, to discuss the criteria for and ideal nature of a "window". The various discussions mentioned above made it difficult to do this at the present meeting.
6. Consensus was reached that this matter should be examined further in the Standing Committees of the Commission, including the desirability of such a concept.

ANNUAL MEETING - JUNE 1976

(6) Proposal for Amending the International Regulation of the Fishery for Haddock in Subarea 5 of the Convention Area

Panel 5 recommends that the Commission transmit the following proposal to Depositary Government for joint action by the Contracting Governments:

That paragraphs 1 and 3 of Proposal (8), adopted at the June 1975 Annual Meeting for International Regulation of the Fishery for Haddock in Subarea 5 of the Convention Area and entered into force on 16 January 1976, be replaced by the following:

"1. That, in order to avoid impairment of fisheries for other species and which take small quantities of haddock incidentally, Contracting Governments not mentioned by name in the national allocations for haddock in Subarea 5 may permit persons under their jurisdiction to have in possession on board a vessel fishing for other species (either at sea or at the time of off-loading) haddock caught in Subarea 5 in amounts not exceeding 5,510 pounds or 2,500 kilograms, or 1 percent by weight, of all other fish on board caught in Subarea 5, whichever is greater.

"3. For Contracting Governments not mentioned by name in national allocations for haddock in Subarea 5, the provisions of paragraph 2 of the Trawl Regulations for Subarea 5 regarding the incidental catch of haddock shall be suspended in Subarea 5 during the period that this proposal is in effect."

ANNUAL MEETING - JUNE 1976

Report of ad hoc Working Group on Subarea 5 Regulatory Regime

1. The *ad hoc* Working Group met at 0900 hrs, 23 June, to discuss the technical considerations which might be necessary in order to address effectively the proposal on seasonal closures and gear regulations in Subarea 5 and Statistical Area 6 in order to reduce the by-catch problem (Comm.Doc. 76/VI/50 - Revised) at a future special meeting.
2. Dr A.W. May (Canada) acted as Chairman.
3. The Working Group agreed that it was desirable, in principle, to minimize the quantities of by-catch in directed fisheries, while not unduly interfering with such directed fisheries to the point where quota allocations could not be taken. One consideration in this respect was the appropriate level to which by-catch should be reduced in percentage or ratio terms, and it was noted that by-catch in some directed fisheries was already at a low level. It was pointed out that it was necessary to distinguish between true incidental catches, where quantities of other species were taken in fisheries directed at a specific target species, as opposed to situations where different target species might be fished from day to day or at different times during the day so that in summarized data the catches of some species appeared to be by-catches.
4. The data currently available to ICNAF are not sufficient to define patterns of fishing mortality in a precise manner, making it difficult to design appropriate regulatory mechanisms for specific objectives. The Working Group noted that the Commission required catch and effort data for the Subarea to be reported by 30 x 30 minute squares and bi-weekly time periods, but that complete coverage of the fisheries has not yet been achieved. Such data are necessary for a fuller understanding and analysis of by-catch problems.
5. Countries are requested to provide to the Secretariat as soon as possible, if they have not already done so, catch and effort as described above for Subarea 5 and Statistical Area 6 for 1975 and insofar as possible for 1976.
6. The Working Group agreed that each country fishing in Subarea 5 and Statistical Area 6 should provide to the proposed Special Meeting later this year a description of its fisheries in these areas, and an analysis of by-catches in those fisheries. These analyses should be conducted with specific reference to the proposals contained in Comm.Doc. 76/VI/50 (Revised), and should contain specific comment on the proposals. In cases where implementation of the proposals would cause problems in conducting directed fisheries, these problems should be outlined and suggestions for solving them put forward. These analyses should be sent to the Secretariat to arrive by 1 November, for circulation to Panel Members.
7. At the time of the proposed Special Meeting, an *ad hoc* group of experts should meet to consider ways and means of reducing by-catch, where necessary, and controlling catches of protected species. As well as scientists, the group should include individuals who are familiar in some detail with the fishing patterns, practices and areas fished by their national fleets.

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3970
(B.e.76)

Proceedings No. 10

ANNUAL MEETING - JUNE 1976

Report of Meeting of Panel A (Seals)

Wednesday, 9 June, 1450 hrs

1. Opening. The meeting was called to order by Mr K. Raasok (Norway) in the absence of the Chairman of the Panel, Mr K. Vartdal (Norway). All Panel Member Countries were present, with an Observer from FAO (Appendix I).
2. Mr E.B. Young (Canada) was appointed Rapporteur.
3. The Agenda (Appendix II) was adopted as circulated.
4. Review of Panel Membership (Canada, Denmark, Norway). No change in Panel membership was recommended.
5. Reports of Meetings of Scientific Advisers. 6. Conservation Requirements. 7. Future Research Requirements. These items were postponed for consideration at a later meeting of Panel A. Under Item 5, the following reports were tabled: Reports of Meetings of Scientific Advisers, Ottawa, 17-19 November 1975 (Redbook 1976, Part D.6) and Bergen, 9-10 December 1975 (Redbook 1976, Part D.7); Reports of Meetings of Panel A, Bergen, 12 December 1975, and FAO, Rome, 22 January 1976 (January 1976 Meeting Proceedings No. 6).
8. Date and Place of Next Meeting. The Panel agreed that the next meeting should be held after the proposed Meeting of Scientific Advisers in Copenhagen in October, the date to be determined, but likely during the week following the ICES meeting.
9. Approval of Panel Report. Panel Members agreed that this would be done by circulating the draft, before submission to the Commission.
10. Election of Chairman for 1976/77 and 1977/78. Mr E. Lemche (Denmark) was elected Chairman for 1976/77 and 1977/78.
11. Other Business
 - (a) The delegate of Denmark requested information for the record of how control was exercised over the TACs and allocations of seals in the Convention Area. The delegate of Canada advised that there was an estimated take by landsmen from Canada of 30,000 harp seals, that this was an estimate only and was in some years exceeded and in others not reached, but in a general six-year average, would be a sound estimate. He stated that the vessels harvesting seals agreed voluntarily to divide the catch and that there is a fishery officer aboard each vessel to ensure adherence to the numbers. The Government has agreed to cooperate in this voluntary allocation and the numbers are carefully monitored. The delegate of Norway advised that the maximum catch for each vessel is stipulated by the Norwegian authorities. Each vessel is checked on return to port. If there is even one pelt over the allocation, the money for the sale of it goes to the Government; thus, there is no incentive to harvest more than the number allocated. Beside the above-mentioned control, there also are Norwegian inspectors on the ground during the catch season.
 - (b) Panel A
agreed to recommend
that Scientific Advisers to Panel A conduct an assessment of the relationship between seal and fish populations, particularly with respect to the quantity of fish consumed by seals, and that such a report be presented at the October meeting of Panel A.
12. Adjournment. The meeting of Panel A adjourned at 1500 hrs, 9 June 1976.

ANNUAL MEETING - JUNE 1976

Meeting of Panel A (Seals)
Montreal, 9 June 1976

List of Participants

(Head of Delegation underlined)

CANADA

Commissioner:

Mr K. Henriksen, H.B. Nickerson & Sons Ltd., P.O. Box 130, North Sydney, N.S.

Advisers:

Dr A.W. May, Resource Services Directorate, Fisheries and Marine Service, Environment Canada, 580 Booth Street, Ottawa, Ont. K1A 0H3
Dr M.P. Shepard, International Fisheries and Marine Directorate, Fisheries and Marine Service, Environment Canada, 580 Booth Street, Ottawa, Ont. K1A 0H3
Mr E.B. Young, International Fisheries and Marine Directorate, Fisheries and Marine Service, Environment Canada, 580 Booth Street, Ottawa, Ont. K1A 0H3

DENMARK

Commissioner:

Mr E. Lemche, Ministry for Greenland, Hausergade 3, DK-1128 Copenhagen K

Advisers:

Mr Sv.Aa. Horsted, Grønlands Fiskeriundersøgelser, Jaegersborg Allé 1B, 2920 Charlottenlund
Mr G. Martens, Greenland Provincial Council, Ministry for Greenland, Hausergade 3, DK-1128 Copenhagen K

NORWAY

Commissioner:

Mr H. Rasmussen, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen

Advisers:

Mr A. Aasbø, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen
Mr P. Kibsgaard-Petersen, Association of Norwegian Fishing Vessel Owners, Keiser Wilhgt 60, 6000 Aalesund
Mr P.L. Mietle, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen
Mr K. Raasok, Ministry of Fisheries, Oslo

OBSERVER

Dr W.G. Clark, Department of Fisheries, FAO, Via delle Terme di Caracalla, 00100 Rome, Italy

ANNUAL MEETING - JUNE 1976

Panel A (Seals)

Agenda

1. Opening by Chairman, Mr K. Vartdal (Norway)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Panel Membership
5. Reports of Meetings of Scientific Advisers, Ottawa, 17-19 November 1975 (Redbook 1976, Part D.6) and Bergen, 9-10 December 1975 (Redbook 1976, Part D.7), and of Panel A, Bergen, 12 December 1975, and FAO, Rome, 22 January 1976 (January 1976 Meeting Proceedings No. 6)
6. Conservation Requirements
 - (a) harp seals
 - (b) hooded seals
7. Future Research Requirements
8. Date and Place of Next Meeting
9. Approval of Panel Report
10. Election of Chairman for 1976/77 and 1977/78
11. Other Business
12. Adjournment

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3978
(B.e.76)

Proceedings No. 11

ANNUAL MEETING - JUNE 1976

Report of Joint Meetings of Panels 2 and 3

Friday, 11 June, 0915 and 1600 hrs
Thursday, 17 June, 0945 hrs
Saturday, 19 June, 0945 hrs

1. Opening. The Panels agreed unanimously that the Chairman of the Commission, Mr E. Gillett (UK), should be Chairman of the Joint Meeting. Representatives of all Member Countries, except Romania, were present. Observers were present from the Republic of Korea and from EEC.
2. Rapporteur. Dr T.K. Pitt (Canada) was appointed Rapporteur.
3. Plenary Agenda Item 47. Further Consideration of 1976 Allocations of Redfish and Capelin in Subareas 2 and 3 (Comm.Doc. 76/VI/31). The delegate of Canada expanded on the intent of Comm.Doc. 76/VI/31 which only gave a very general outline of the proposed redfish-capelin transfer.

(a) Re-allocation of redfish in Subareas 2 and 3 for 1976

Because the Canadian fishery was faced with a serious shortage in its fish requirements for 1976 and the possibility of having to tie up a sizable part of its fishing fleet, Canada had discussions with USSR and Cuba, both of whom agreed to transfer parts of their 1976 redfish allocations to Canada in 1976 as follows: Subarea 2 + Div. 3K - from USSR 1,000 tons, and from Cuba 1,000 tons; Div. 3M - from USSR 5,000 tons; Div. 3LN - from USSR 3,000 tons, and from Cuba 500 tons; Div. 30 - from USSR 2,000 tons; and Div. 3P - from USSR 3,000 tons. Subsequently, Panels 2 and 3

agreed to recommend

that the 1976 re-allocations for redfish stocks in Subarea 2 + Div. 3K, Div. 3M, Div. 3LN, Div. 30, and Div. 3P be set at the levels given in Table 1.

The delegate of USSR indicated that he could support these transfers of redfish allocations and would be willing to accept in return an increase in the 1976 USSR allocation of capelin in Subarea 2 + Div. 3K from 160,000 tons to 197,500 tons. The delegate of Canada pointed out that, in these changes of allocation, there would be no increase in the TAC of redfish or capelin. The delegate of Portugal objected, in principle, to this procedure but appreciated the Canadian problem. However, he pointed out that several countries were pressing for larger than necessary quotas and then used them to barter. Portugal, however, would not oppose the transfer. The delegate of Cuba stated that he agreed with the transfer because technical problems prevented the Cuban fleet from being able to catch their redfish allocations in Subarea 2 + Div. 3K and in Div. 3LN in 1976. He emphasized that this transfer would not affect Cuba's future requirements. The delegate of FRG, though not opposing the proposed transfers, objected to the principle of changing allocations at the expense of others as might be the case with capelin if the TAC was exceeded by an additional allocation for the USSR. In this connection, he mentioned the desirability of developing a simplified procedure for genuine exchanges of quotas between two or more states. Several other delegates agreed with the delegate of Portugal and, while they objected, in principle, said that they would not oppose the transfers. The delegate of USSR pointed out that USSR had the capacity to take all its allocations. The delegate of Italy drew attention to the statement of the delegate of Cuba that indicated that Cuba had been allocated a catch quota for 1976 despite the lack of necessary ships. The delegate of Cuba stated that he now realized that the transfer should have been made through the Commission and not by direct negotiation with another Member.

(b) Re-allocation of capelin in Subarea 2 + Div. 3K for 1976. The delegate of Canada pointed out that, at the 1975 Annual Meeting, Joint Panels 2 and 3 had recommended that at the 1976 Annual Meeting the Commission "should review the status of the (capelin) fisheries by those countries fishing without a specific 1976 quota and should consider possible catch adjustments, should some of those countries report that they anticipated not using their allocations". The following Member Countries reported that they would not take their 1976 allocations: Denmark, FRG, France, Japan, Portugal, Spain, UK, and USA, while Canada and Cuba

would not take the whole of their allotments. Poland requested an allocation of 20,000 tons in 1976. Iceland requested 20,000 tons in 1976. Panels 2 and 3

agreed to recommend

that the 1976 TAC re-allocations for Subarea 2 + Div. 3K capelin be set at the levels given in Table 1.

The Joint Panels agreed that these allocations would not prejudice future negotiated allocations.

4. The Joint Panels 2 and 3 recessed at 1115 hrs, 11 June.

5. The Joint Panels 2 and 3 reconvened at 1600 hrs, 11 June.

6. Rapporteur. Mr J.S. Beckett (Canada) was appointed Rapporteur.

7. Agenda. The Agenda, as circulated for Joint Panels 2, 3, and 4 was adopted, excluding items to be referred to a joint meeting of the three Panels.

8. Conservation Requirements for 1977. The Chairman of the Scientific Advisers to Panel 2, Mr B.B. Parrish (UK), reviewed the Reports of the Advisers to Panel 2 (Redbook 1976, Part D.2) and Panel 3 (Redbook 1976, Part D.3) and noted that the TACs recommended for cod and flatfish were determined at the $F_{0.1}$ level. He stated that this was necessary to halt the decline in stock strength and to initiate recovery. Referring to capelin in Subareas 2 and 3, Mr Parrish drew attention to the Advisers' call for detailed, up-to-date information on the fishery and on its biology and population dynamics, for consideration at the next mid-term meeting of the Assessments Subcommittee.

(a) Catch limitations. The Joint Panels 2 and 3 reviewed the TACs recommended by the Scientific Advisers and

agreed to recommend

that the 1977 TACs for Div. 2J-3KL cod, Div. 2J-3KL witch, Subarea 2 + Div. 3KL Greenland halibut, Div. 2J-3K redfish, Subarea 2 + Div. 3K American plaice, and Subarea 2 + 3 roundnose grenadier be set at the levels given in Table 2.

Turning to the national allocations of these TACs, the Panels considered each stock in turn.

(i) Div. 2J-3KL cod. The delegate of Canada requested an allocation of 70,000 tons, noting that this catch level had not been attained in 1975, but that catches to the end of May 1976 were 50% higher than the previous year. The delegate of France noted that his country's allocation had been disproportionately reduced in 1975 and that, since catches amounted to 7,000 tons by the end of April, he was seeking 12,000 tons for 1977. The delegate of Canada, responding to a question from the delegate of Denmark, noted that the reduction in the TAC was largely the result of moving from F_{max} to $F_{0.1}$, so that similar allocations in 1975 and 1977 would require little difference in effort. The delegate of Portugal drew attention to the transfer of cod allocations that occurred at the September 1975 Special Commission Meeting (September 1975 Meeting Proceedings) and requested that allocations for 1977 be on a pro-rated basis using the allocations agreed to prior to the transfers. He presented the relevant calculations. The delegate of USSR pointed out that gains as a result of such transfers were compensation for losses sustained elsewhere and, consequently, should the suggestion of the delegate of Portugal be adopted, it should apply for all stocks where transfers had occurred. The delegate of Norway proposed that allocations in 1977 should be 70,000 tons for Canada and pro-rated for all other countries on the basis of the final 1976 allocations. This was supported by the delegate of Cuba who noted that such final allocations were those with which the fishing industry was familiar. The delegate of FRG presented the calculations based on the Norwegian proposal but questioned the realism of the Canadian request. The delegate of Canada noted that the Canadian inshore fisheries in the area were developing vigorously so that an estimate of 70,000 tons might prove conservative. The delegate of Italy requested sufficient allocation to the "Others" category to cover his country's requirement of 1,000 tons. The delegate of Portugal suggested a set of allocation figures between his original suggestion and that of the Norwegian delegate. The delegate of Spain stated that his country was being proportionately more adversely affected than other countries by the reductions in TACs in the entire ICNAF Area, and requested a delay in consideration of the matter to allow further consultations between delegations. The Chairman agreed to such a delay and requested that all delegates reconsider their requirements, and make complete proposals when requesting any specific allocations.

(ii) Div. 2J-3KL witch. The delegate of Canada presented the Canadian estimated requirement of 9,000 tons, whereupon the delegate of FRG proposed that the "Others" category not be reduced below the 1976 level and provided the corresponding pro-rated figures. The delegate of Poland stated that the resultant allocation for his country would not be adequate since this was the only area where Poland conducted a directed fishery for witch. He requested postponement of a decision on this stock.

(iii) Subarea 2 + Div. 3K redfish. Consideration of this item was deferred to allow for further discussion between delegations.

(iv) Subarea 2 + Div. 3K American plaice. The delegate of Canada, in requesting an allocation of 6,900 tons, noted that Canadian catches were likely to be very much higher than in recent years as a result of a directed fishery developing as compensation for losses in allocations of southern Grand Bank flatfish species. The delegate of USSR drew attention to the principle of optimum utilization emphasized in the address by the Canadian Minister of State for Fisheries and stated it was necessary to consider the interests of all states, not only those of the coastal state. He noted that the history of national quotas showed a systematic under-utilization of allocations by the coastal states. Further consideration of the allocations of this stock were postponed.

(v) Subarea 2 + 3 roundnose grenadier. The delegate of Canada requested a small allocation of 2,000 tons to cover development of a fishery and, after the delegate of Denmark had proposed no reduction in the "Others" allocation of 4,000 tons, Panels 2 and 3 looked at national allocations resulting from pro-rating of the slightly increased TAC on this basis and

agreed to recommend

that the 1977 national allocations for Subarea 2 + 3 roundnose grenadier be set at the levels given in Table 2.

(vi) Subarea 2 + Div. 3KL Greenland halibut. The delegate of Canada referred to the development of the Canadian inshore fisheries in the area and requested 13,000 tons. The delegate of USSR proposed pro-rating the remainder of the TAC, while the delegate of GDR suggested that the Canadian request be covered by transfers from the "Others" category. The delegate of Denmark supported the USSR proposal and noted that the "Others" category could include new entrants or countries with small allocations in the past. Failure to catch the "Others" quota could, he suggested, result from temporary marketing problems or other difficulties. The delegate of Portugal drew attention to catches of Greenland halibut by Portugal and then supported the USSR proposal. The Panels then agreed to allocations for 1977 which would be provisional.

9. The Joint Meeting of Panels 2 and 3 recessed at 1800 hrs, 11 June.

10. The Joint Panels reconvened at 0945 hrs, Thursday, 17 June, with the Chairman, Mr E. Gillett (UK), expressing the gratitude of all to the Spanish delegation for their hospitality of the previous evening.

11. Further Consideration of Conservation Requirements for 1977 (see Section 8 for previous discussion)

(a) Subarea 2 + Div. 3K redfish. The delegate of Canada referred to the increased dispersal of the Canadian fleet in 1976 and stated his country's estimated requirement for 1977 as 14,000 tons. The delegate of USSR noted that he could accept the Canadian proposal on a provisional basis pending discussion of capelin TACs and allocations.

(b) Subarea 2 + Div. 3K capelin, and Div. 3LNOPs capelin which had been referred to the Joint Panels by Panel 3, were discussed and the Panels agreed to endorse the 1977 TACs recommended by STACRES (300,000 and 200,000 tons, respectively) (Table 2). The delegate of Canada noted, however, that some modification of the sub-component TACs in Div. 3L, 3NO, and Subdiv. 3Ps might be necessary following discussion of national allocation.

(c) Div. 2J + 3KL cod. The delegate of Italy referred to proposals for the allocation of this stock put forward at the previous meeting of the Panels, and proposed an alternative set of allocations that would increase that for "Others" to 1,400 tons. The delegate of France referred to his statement at the 25th Annual Meeting (Comm.Doc. 75/37) in which he had stated that the low allocation for France for 1976 could not be accepted as a basis for negotiation of quotas for subsequent years. He illustrated the adverse treatment received by France by stating that pro-rating of the 1977 TAC on the basis of national allocations in the years 1973-76 would give France 9,160, 8,400, 7,335, and 5,575 tons, respectively. Giving his country's requirements for 1977 as 12,000 tons, the delegate of France stated that in view of the resource status the lowest allocation he could accept would be the 10-year average catch of 6,580 tons, particularly in view of the 1976 catch of 6,347 tons to the end of April. The delegate of Spain referred to the status of the cod stocks in other Subareas and stated that he was forced to reserve his position with regard to the present stock. The delegate of Portugal suggested that the aims of all countries should be to minimize the adverse effects rather than maximize the benefits, particularly in view of the multiple pressures - coastal state, historical rights, and "Others".

(d) Div. 2J-3KL witch. The Panels reconsidered the national allocations for this stock, and

agreed to recommend

that the 1977 national allocations for Div. 2J-3KL witch be set at the levels given in Table 2.

(e) Subarea 2 + Div. 3KL Greenland halibut. The delegate of GDR reminded the Panels of the proposal made by him at the earlier meeting. The Panels then decided to reverse their earlier provisional agreement and to accommodate the increase in Canadian requirements by reducing the allocation to "Others". The idea was expressed generally that the resulting 2,500 tons was still an adequate provision for "Others". Panels 2 and 3

agreed to recommend

that the 1977 national allocations for Subarea 2 + Div. 3KL Greenland halibut be set at the levels given in Table 2.

(f) Subarea 2 + Div. 3K American plaice. The Panels acceded to the request of the delegate of USSR to postpone further the consideration of this stock.

(g) Subarea 2 + Div. 3K capelin. The delegate of Canada opened discussion of the 1977 national allocations of this stock by estimating the Canadian requirements at 15,000 tons and proposing 197,500 tons for USSR and 10,000 tons for any other country. He also proposed that in June 1977 there should be a review of national plans, and possible reallocation at that time should some countries report that they would not be using their allocations. The Panels agreed provisionally to recommend this proposal to the Commission and the delegate of Japan stated an intention to enter the fishery in 1977, while the delegate of Denmark noted a possibility of so doing. The delegate of Poland later requested a specific allocation of 25,000 tons from this stock, but subsequently withdrew the request in the light of the review process incorporated in the proposal, and the Panels confirmed their decision.

(h) Div. 3LNO-Subdiv. 3Ps capelin. The delegate of Canada estimated Canadian requirements at 40,000 tons and proposed pro-rating of the rest of the TAC with 18,800 tons available for "Others". He presented a proposed breakdown of the overall figures by Subdiv. 3Ps, Div. 3L and 3NO separately with any amount not taken in the first two areas transferable to Div. 3NO, and further proposed the continuation of the closed area in Div. 3L. The delegates of Norway and Japan expressed support and recorded plans to catch 10,000 tons in 1977. The delegate of Iceland stated that his country could recognize the concepts of TACs and coastal state sovereignty but could not accept historical rights based on a 2- or 3-year basis. He stated that Iceland had sought a quota for the previous two years but had not received any allocations so that he could not now accept past quotas as a basis for the present allocation discussions. Referring to the Icelandic objection to the capelin quotas, he noted that the subsequent withdrawal of that objection had been made in expectation of better treatment in the form of a specific allocation for Iceland. He presented a set of proposed additional allocations which included 15,000 tons for Iceland. The delegate of USSR stated that the Icelandic proposal included an unacceptable reduction for USSR below the 1976 allocation. The delegate of Japan, referring to plans to develop a food fishery, stated that the "Others" category must be larger than that implied by the Icelandic proposal, otherwise Japan would require a specific allocation of 10,000 tons. The delegate of Bulgaria supported the view of the delegate of Japan with regard to "Others", and recorded an intention to develop a food fishery since domestic market acceptability for capelin had been demonstrated, and particularly since fishing opportunities were being reduced elsewhere. The delegate of Poland made the same point about the "Others" allocation and noted a requirement for 4,500 tons in 1977, while the delegate of Cuba also expressed an intention to develop a food fishery. The delegate of Canada emphasized his proposal to review national plans and unused allocations in June 1977, including possible under-utilization of specific allocations. He agreed with the desirability of using the resource for food and noted that Canada was increasing the percentage of the capelin catch to be used for food. The delegate of Spain pointed out that his country had taken over 4,000 tons of capelin in 1975 and that, without a large "Others" category, Spain would require a specific allocation. In similar vein, the delegate of Portugal drew attention to the 3,500 tons taken by Portugal in 1974, which had not been repeated in 1975 only because of unfortunate circumstances. He questioned whether a country should be able to use catches made in excess of an allocation as a basis for future allocations, whether or not that excess was taken legally in accordance with the Commission's objection procedure. The delegate of FRG considered that a large "Others" category would protect those nations who had recently entered the fishery. He stated that, if it was decided that such protection was to be afforded by specific national allocations and that these allocations resulted in reductions in the allocations to the USSR and Norway, then the specific allocations should be set below the 1975 catch levels in the same proportion as the reductions incurred by these two countries. The delegates of Japan and Denmark recalled the original decision taken at the January 1973 Special Commission Meeting in Rome, whereby the catch restrictions were designed so as not to exclude countries who could not immediately enter the fishery. They considered that it was not yet the time to change this policy. The delegate of Norway referred to the January 1973 Special Commission Meeting in Rome when Norway was the only Member Country that opposed a system of allocating the TAC on a basis of historical performance when the fishery had been under way for only one or two years. The Norwegian delegation had, therefore, voted against the adoption of the system both in Joint Panels and in Plenary. Now that the system had been in force for four years and the industry had now adjusted itself to the system, the Norwegian delegate stated that he could not now accept any one basis for allocating the TAC. The delegate of Iceland stressed the justification for his country's catch of 15,000 tons and its legality under the Commission's procedures. An indicative vote on the Icelandic proposal indicated insufficient support. The delegate of Cuba noted that the existing system was a good one and proposed an indicative vote on retention of the 1976 system of allocations except

that Canada should receive 40,000 tons. The delegate of Canada noted that, in view of the plans expressed by many countries, the open system would result in the catch in 1977 exceeding the TAC, and that this would be unacceptable to Canada. The delegate of FRG proposed a set of allocations that gave Iceland, Spain, and Poland specific quotas somewhat below their 1975 catch levels and similarly reduced the quotas for Norway and USSR. The delegate of USSR strongly rejected this resultant greater reduction in the proposed quota for his country and proposed a modification of the 1976 system that accommodated Iceland. The delegate of Canada reiterated his opposition to any system of allocations that contained a possibility of the catches exceeding the TAC.

12. The Panels recessed at 1245 hrs, 17 June.

13. The Panels reconvened at 1455 hrs, 17 June.

14. Further Consideration of Conservation Requirements for 1977 (see Section 11 for previous discussion)

(a) Div. 3LNO-Subdiv. 3Ps capelin. After the Chairman had ruled that all countries, not just Panel Members, could take part in indicative votes, the Panels took indicative votes on the USSR, FRG, and Canadian proposals with only the latter indicating sufficient support. The delegate of Cuba withdrew his proposal after the indicative vote on the USSR proposal, and noted his opposition to a specific quota being allocated to Iceland, a reaction shared by the delegate of Spain. The Panels then took a formal vote resulting in 14 in favour of the Canadian proposal, with Iceland against and Romania absent. Panel 3, in joint session with Panel 2,

agreed to recommend

that the 1977 TAC and national allocations for the capelin stocks in Div. 3L, Div. 3NO, and Subdiv. 3Ps be set at the levels given in Table 2, and that the closed area in Div. 3L be retained.

(b) Div. 2J-3KL cod. The delegate of Spain referred to the Revised Single Negotiating Text of the Law of the Sea Conference and the concepts contained therein of historic practices and the need to avoid disruption in non-coastal states. He noted the long and honourable fishing history of Spain and requested that the coastal states should re-assess their requirements in order to achieve a just and equitable solution to the problems being faced. He noted that the countries with the longest history in the area were being affected more adversely than more recent fisheries, and suggested that allocations should reflect the overall reductions in the different stocks of one species. He proposed that the individual TACs for all the stocks of cod should be summed, the total requirements of the coastal states deducted and the balance distributed according to participation in 1976. The delegate of Portugal sympathized with the Spanish situation but doubted whether there would be sufficient time to consider the implications of the proposal. He stated that such a drastic change in the allocation procedure would require thorough discussion in Portugal and he had no instructions on the matter. He also wondered whether the proposal might not result in suffering as a result of stock changes in Subareas in which no Portuguese vessels fished. The delegate of USSR considered the proposal worthy of serious consideration, but that it could not be properly considered at the present meeting. He also suggested that catches over a period of years might prove a useful basis for implementation of the proposal. The delegate of Norway also felt that there was not enough time to consider the proposal to which the delegate of UK concurred and noted that the proposal might penalize countries that had abstained from fishing in the southern areas of ICNAF. The delegate of FRG expressed his sympathy for Spain, but stated that he was not able to accept the Spanish proposal, since the position of Spain was a result of the emerging new Law of the Sea which had not been supported by his own country. In any event, the proposal should be based on a longer time period and should apply to all species. He then proposed a further set of possible allocations that accommodated Italy by raising the "Others" allocation of 1,200 tons. The delegate of France stated that all the proposals before the Panels were based on the 1975 decisions and were therefore unacceptable. He indicated that he would not be making any specific proposal as it was a matter for the countries who had voted for the inequitable 1976 allocation pattern. The Panels then began indicative voting on the five proposals, but after adequate support had been demonstrated for the FRG proposal, the delegates of Norway and Italy withdrew theirs and the delegate of Portugal withdrew his second proposal. An indicative vote on the first Portuguese proposal then indicated inadequate support and a formal vote was taken on the FRG proposal. The result was 12 affirmative votes to 3 negative (France, Portugal, and Spain) with 2 absent (Iceland and Romania). Panels 2 and 3

agreed to recommend

that the 1977 national allocations for the Div. 2J-3KL cod be set at the levels given in Table 2.

(c) Subarea 2 + Div. 3K redfish. The delegate of Canada estimated his country's requirements as 14,000 tons and presented suggested allocations which the delegate of USSR could accept provided there was no change in the capelin decision, and to which the delegate of Bulgaria was also amenable. Panels 2 and 3

agreed to recommend

that the 1977 national allocations for Subarea 2 + Div. 3K redfish be set at the levels given in Table 2.

15. The Panels recessed at 1800 hrs, 17 June.
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16. The Panels reconvened at 0945 hrs, Saturday, 19 June.

17. Further Consideration of Conservation Measures

(a) Subarea 2 + Div. 3K American plaice. The delegate of Canada stated that after considerably study and with some trepidation, he could adjust his estimated requirements to 5,800 tons, despite the much higher rate of catches in 1976 and the active development of the inshore fishing. The delegate of Portugal questioned the by-catch allowance for "Others" but agreed with the delegate of Canada that the allowance might be adequate in view of the greatly reduced cod quotas in the area. The delegate of USSR indicated provisional acceptance pending decisions on other stocks and referred to the great losses in quotas elsewhere. Panels 2 and 3, in joint session,

agreed to recommend

that the 1977 national allocations for Subarea 2 + Div. 3K American plaice be set at the levels given in Table 2.

18. There being no other business, the Joint Panels 2 and 3 adjourned at 0950 hrs, 19 June.

Table 1. Re-allocation of total allowable catches for stocks of redfish and capelin in Subareas 2 and 3 for 1976.

	Redfish					Capelin
	2+3K	3M	3LN	30	3P	2+3K
TAC recommended by Scientific Advisers	30,000	16,000	20,000	16,000	20,000	300,000
Bulgaria	-	-	-	-	-	-
Canada	2,500	6,000	4,800	2,500	15,500	-
Cuba	500	2,200	2,200	1,000	-	-
Denmark	-	-	-	-	-	-
France	-	-	-	-	1,500	-
FRG	-	-	-	-	-	-
GDR	2,500	-	1,000	-	-	-
Iceland	-	-	-	-	-	20,000
Italy	-	-	-	-	-	-
Japan	-	-	-	-	-	-
Norway	-	-	-	-	-	-
Poland	4,000	-	-	-	-	20,000
Portugal	2,500	-	1,000	-	-	-
Romania	-	-	-	-	-	-
Spain	-	-	-	-	-	-
USSR	14,000	7,600	10,800	12,300	800	197,500
UK	-	-	-	-	-	-
USA	750	-	-	-	-	-
Others	3,250	200	200	200	200	10,000 ¹
Total allocated catches	30,000	16,000	20,000	16,000	18,000	237,000+

¹ Countries not having a specific allocation of capelin may take up to 10,000 tons each in 1976.

Table 2. Summary of TACs and national allocations for stocks overlapping in Subareas 2 and 3 for 1977.

	Cod	Witch	Greenland halibut	Redfish	American plaice	Roundnose grenadier	Capelin			
							2+3K	3L	3NO	3Ps
TAC recommended by Scientific Advisers	2J+3KL	2J+3KL	2+3KL	2+3K	2+3K	2+3	2+3K	3L	3NO	3Ps
	160,000	17,000	30,000	30,000	8,000	35,000	300,000	50,000	141,000	9,000
Bulgaria	-	-	-	-	-	-	-	-	-	-
Canada	70,000	9,000	13,000	14,000	5,800	2,000	15,000	14,800 ²	16,300	8,900 ²
Cuba	1,810	-	-	850	-	-	-	-	-	-
Denmark	1,690	-	-	-	-	-	-	-	-	-
France	5,630	-	-	-	-	-	-	-	-	-
FRG	8,030	-	-	-	-	-	-	-	-	-
GDR	5,020	300	2,100	1,425	-	4,250	-	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	-
Norway	1,610	-	-	-	-	-	-	6,600 ²	49,900	-
Poland	7,430	3,500	6,000	2,275	-	-	-	-	-	-
Portugal	21,100	-	-	1,425	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-
Spain	16,270	-	-	-	-	-	-	-	-	-
USSR	18,880	3,700	6,400	8,600	2,000	24,750	197,500	26,400 ²	58,300	-
UK	1,330	-	-	-	-	-	-	-	-	-
USA	-	-	-	425	-	-	-	-	-	-
Others	1,200	500	2,500	1,000	200	4,000	10,000 ¹	2,200	16,500	100
Total allocated catches	160,000	17,000	30,000	30,000	8,000	35,000	212,500 ⁺	50,000	141,000	9,000

1 Countries without specific allocations may take up to 10,000 tons each from this stock.

2 Any part of these allocations may be added to allocations for Div. 3NO.

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3984
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Proceedings No. 12

ANNUAL MEETING - JUNE 1976

Report of Joint Meetings of Panels 3, 4, and 5

Tuesday, 15 June, 0930 hrs
Friday, 18 June, 1515 hrs
Saturday, 19 June, 1440 hrs
Monday, 21 June, 1130 hrs

1. Opening. The meeting was opened by the Chairman of the Commission, Mr E. Gillett (UK). Representatives of the Members of each Panel were present with the exception of Romania. Observers from the Republic of Korea and FAO were also present.
2. Rapporteur. LT T.R. McHugh (USA) was appointed Rapporteur.
3. Agenda. The Joint Panels agreed to consider: (a) conservation requirements for mackerel in Subareas 3, 4, and 5 and Statistical Area 6; (b) the TAC and allocations for squid (*Illex*) in Subareas 3 and 4; and (c) the TAC and allocations for pollock in Subareas 4 and 5.
4. Consideration of Conservation Requirements for Mackerel (see also Proceedings No. 9, Section 28). The Chairman began the discussion by noting that the overall second-tier TAC for Subarea 5 could not be set without some agreement on a TAC for mackerel by the Joint Panels. The Chairman of STACRES reviewed the results of his Committee's deliberations and pointed out that it was possible to bring the divergent opinions together only to the point where one group of scientists could agree that fishing at a level of $F_{0.1}$ in 1977 would generate a catch of as much as 55,000 tons, while another group of scientists could agree that fishing at $F_{0.1}$ would generate a catch of as little as 115,000 tons. It was also not possible to reconcile differences of opinion on (a) the 1975 fishing mortality on ages 3+, (b) the partial recruitment of age 2 fish in 1975, and (c) the sizes of the 1975 and 1976 year-classes. The delegate of USSR introduced Comm. Doc. 76/VI/39, Note of the People's Republic of Bulgaria, the German Democratic Republic, the People's Republic of Poland and the USSR Commissioners in relation to the estimation of the 1977 TAC for mackerel in the ICNAF Convention Area. His remarks focused on the opinion presented in that document that groundfish surveys, which produced the data supporting a zero TAC, were unacceptable for the assessment of a pelagic species such as mackerel. Random samples in such surveys depend on the equal random distribution of the species; mackerel schooled in large quantities, so samples could only indicate trends in the stocks. Analysis of catch data, on the other hand, has been the traditional method for assessment of the mackerel stock and, from recent years, has given no cause for concern. The catch per unit of effort for vessels fishing for mackerel has not declined as would be expected if the stock were decreasing in size, and the commercial catches will reach the TAC again in 1976 as they did in 1975. No increase in effort was required to reach the TACs in 1976, contrary to the expected result from the trawl survey data. Commercial catch data analysis for recent years indicated that year-class abundance, critical for stock assessment and TAC for 1977, was several times higher than estimates based on groundfish trawl surveys. Provisional data on the mackerel fishery in 1976 supported the assumption that the mackerel stock was strong and denied the assessment indicating a severe reduction of mackerel abundance. The delegate of USSR cited examples showing that estimates of year-class abundance from groundfish trawl data had no sound scientific evidence. He emphasized that commercial catch data allowed a recommended TAC for 1977 of 250,000 tons. The delegate of Bulgaria agreed with the USSR position adding that the 1973 and 1974 year-classes were very strong and, in addition, catches showed good distribution of year-classes back to 1969. He presented two other points: (a) because of mackerel's short life cycle and relatively high reproductive capacity, large recruitment could result from a small spawning stock; and (b) the size limit regulation adopted for mackerel at the January 1976 Special Commission Meeting will provide additional protection for the stocks. Bulgaria also could support a TAC of 250,000 tons. The delegate of USA, reiterating her country's desire to rebuild depleted stocks quickly, recommended a TAC of zero based on the groundfish surveys. It would be possible for USA, she noted, to agree to a TAC as high as 50,000 tons, in the spirit of accommodation, within the limits of the principles guiding the USA at this negotiation. The delegate of USSR noted again the two points of view held by the scientists, and observed that, in the case of herring in Div. 5Z + Statistical Area 6, the groundfish surveys did not contradict the commercial catch data on the decrease of the stock. Appropriate conservation measures, including establishing a 225,000-ton minimum stock size, were established as a result. The Commission had taken the appropriate steps for conservation when the evidence gave rise to concern. He noted that, although the mackerel TACs had not been taken in recent years, it was not because

of a declining stock, but because of the failure by some countries having allocations to develop their fisheries. The delegate of Cuba supported the scientific evidence compiled by those countries who actually participate in the fishery, and pointed out that the coastal states have as great a responsibility to ensure full utilization of the resources, and take into account the needs of other countries, as they do to conserve the stocks. The delegate of GDR also supported those countries which relied on the commercial catch data for the assessment. As mackerel and herring comprised all of the GDR fisheries in Subarea 5 and Statistical Area 6, it would be extremely difficult to accept severe reductions in both species, especially because the GDR fished only to supply its own population. He stated it would be impossible for the GDR to accept a TAC less than the upper limit of 250,000 tons, referred to in the STACRES Report. The delegate of Poland also supported the results from data gathered from the commercial catches and reported that the catch per unit of effort for Polish trawlers fishing for mackerel had not changed in recent years. Other factors, primarily environmental, had affected the mackerel stock when there was no fishing for mackerel, and the interrelationship of the stocks in the ecosystem also should enter into the considerations. The Chairman, noting there was only one move in the direction of accommodation at this session, called on the Chairman of Scientific Advisers to Panel 5 to prepare four suggested overall TACs for Subarea 5, using 0, 55,000, 115,000, and 250,000 tons as possible TACs for mackerel.

5. Consideration of TAC for Pollock in Subareas 4 + 5. Panels 4 and 5, in joint session with Panel 3, agreed to recommend

that the 1977 TAC for pollock in Div. 4VWX and Subarea 5 be set at a level of 30,000 tons, a decrease of 25,000 tons from 1976, and

that two-thirds of this TAC be allocated in Subarea 4 and one-third in Subarea 5 (Table 1).

6. The Joint Panels 3, 4, and 5 recessed at 1130 hrs, 15 June.

7. The Joint Panels reconvened at 1515 hrs, 18 June.

8. Further Consideration of Conservation Requirements for Mackerel in Subareas 3, 4, 5, and Statistical Area 6 (continued from Section 4 above). The Chairman of the Assessments Subcommittee pointed out that STACRES agreed it would be desirable to rebuild the mackerel spawning biomass to a level in the range of 500,000 to 1,000,000 tons, although there was no agreement on the rate at which that rebuilding should be done (Redbook 1976, Part C, Appendix VII). The delegate of USSR reiterated his view that the TAC should be set at 250,000 tons. The delegate of USA restated the US position that the TAC for mackerel should be set at 55,000 tons. The delegate of Canada remarked that the scientists normally recommend a range of values for a TAC, but in this case, a no-man's land existed between 55,000 and 115,000 tons. The Chairman suggested, as a compromise, that the TAC be set at the lowest level which the scientists of those countries having the major current share of the fishery could agree as representing $F_{0.1}$, namely, 115,000 tons. The delegate of USSR said that he esteemed the advice of the Scientific Advisers, but the advice given by scientists of the four countries most interested in a viable mackerel fishery conflicted with the opinion of the scientists of one other country. He could not accept a TAC lower than 250,000 tons. The Commission, he noted, had already raised the TACs for a number of species to take into account the special economic needs of some fishermen. He asked why this should be done for some species, while the scientific evidence supporting a large TAC for other species was disregarded. The delegate of Canada suggested that it might be possible to agree on a TAC if the Joint Panels obtained additional information from the 1976 mackerel catch. This data might be available by the first week of December. The delegate of USSR agreed that more complete 1976 catch data, in addition to the early 1976 data already submitted to STACRES, would be available by early December, as well as more comprehensive length/age samples from the 1976 catch. He pointed out the inconsistencies reported in the STACRES Report (Redbook 1976, Part C, Appendix VII), and suggested that some of these inconsistencies could also be resolved with better, more up-to-date information. The delegate of USA noted that it did not seem possible to reach agreement as long as the scientific assessments were so different. It would be best, she suggested, to return the question to the scientists asking them to advise the Joint Panels on what influence, if any, additional 1976 catch data would have on the assessment if the decision on the TAC were deferred until December 1976. The delegate of Canada proposed that a working group of scientists from those countries interested in mackerel should meet to decide what better basis there might be in December for reaching a decision on the mackerel TAC. The Joint Panels agreed to request the assessment scientists to consider this matter and to report back to the Joint Panels on 19 June.

9. Conservation Requirements for Squid (*Illex*) in Subareas 3 and 4. The delegate of Canada stated that there was no reason to change the precautionary TAC established in 1976. He recommended that the TAC and allocations in effect for 1976 remain in force for 1977. He estimated Canada's requirements at 10,000 tons. In response to a question from the delegate of Spain, he replied that each country not specifically allocated squid in this stock could catch up to 3,000 tons of *Illex* in these Subareas as in 1976. Panels 3 and 4, in joint session with Panel 5, then

agreed to recommend

that the 1977 TAC and national allocations for squid (*Illex*) in Subareas 3 + 4 be set at the levels shown in Table 1.

10. The Joint Panels recessed at 1830 hrs, 18 June.

11. The Joint Panels reconvened at 1440 hrs, 19 June.

12. Further Consideration of Conservation Requirements for Mackerel in Subareas 3, 4, 5, and Statistical Area 6 (see Section 8 for previous discussion). The Chairman of the Assessments Subcommittee introduced Addendum II to Summ.Doc. 76/VI/22 and outlined the conclusion of the scientists that, if certain data including first and second quarter 1976 length/age samples, catch and effort data for all of 1976, results from observer programs proposed for the third quarter of 1976 and analyses of survey data were provided to the Secretariat by mid-October 1976, these would provide a sufficient basis for reconsideration of the mackerel stock status in 1977 at a meeting in early December 1976. After the delegate of Cuba moved that the Report be adopted, the delegate of GDR said that he regretted that there would be no generally satisfactory solution to the present meeting and that his delegation would support the scientists in their future deliberations. The delegate of USA advised the Joint Panels that the Report did not, in the view of the USA, conclusively demonstrate a case for postponement and that it would be difficult for the USA to agree with delaying the decision on the mackerel TAC until early December. The delegate of USSR expressed his delegation's interest in a solution at the present meeting and felt that it was important to continue the discussion. At the same time, the USSR would be willing to consider the question at a later time should that be the decision of the Joint Panels. USSR scientists' opinion had been taken into consideration at the Working Group meeting; they would be prepared to participate in reconsidering the matter at a later time. The delegate of Canada remarked that any decision to postpone a decision on the size of the TAC should not be taken without the concurrence of the coastal state. He said it was regrettable that the scientists could reach no decision and that the alternative of postponing the decision until December 1976 was not fully acceptable to all the Panel Members. He suggested that the Members of the Joint Panels deliberate further and that the issue of a mackerel TAC be reconsidered at a later time during the Annual Meeting.

13. Consideration of Allocations of Pollock in Subarea 4 + 5 (see Section 5 for previous discussion). The delegate of Canada recalled that his fishermen had taken 36,000 tons of pollock in 1975. Declines in other stocks made it necessary for Canadian and US fishermen to rely more on pollock, so the entire proposed TAC of 30,000 tons would have to be reserved to the coastal states. He proposed the following allocations: Canada - 20,975 tons; USA - 9,000 tons; and "Others" - 25 tons. The delegate of USSR recited his country's long-term fishery for pollock in the area and said he could agree to the proposed allocations if they were treated as a first reading until other allocations were determined. The delegate of Spain took the same position. The delegate of Cuba pointed out that the 25 tons for "Others" could not possibly account for the pollock by-catch expected from other fisheries in the area. Panels 4 and 5, in joint session with Panel 3,

agreed to recommend

that the 1977 national allocations for Subarea 4 + 5 pollock be set at the levels given in Table 1.

14. The Joint Panels recessed at 1600 hrs, 19 June.

15. The Joint Panels reconvened at 1130 hrs, 21 June.

16. Conservation Requirements for Mackerel in Subareas 3, 4, 5, and Statistical Area 6 (continued from Section 12 above). After a long discussion of procedural questions relating to the adoption of a TAC for mackerel, during which it became apparent that the majority of delegations favoured postponement, the Joint Panels

agreed to recommend

that setting the 1977 TAC and national allocations for mackerel in Subareas 3, 4, 5, and Statistical Area 6 be deferred to a Special Commission Meeting in early December 1976, subject to a commitment by those Member Governments interested in mackerel to provide the following data and analyses required and the formats and timetable for their provision as requested by the assessments scientists:

- 1) Submission of individual mackerel length samples and individual age samples (to the extent possible) for the first and second quarters of 1976 obtained from catches of commercial, scouting and research vessels, fishing in Subareas 3 to 5 and Statistical Area 6, to arrive at the Secretariat by mid-October. These samples should each include weight at age or sample weight where possible;

- ii) Submission of mackerel catch and effort data for the first and second quarters for the commercial fleets by Division and month to arrive at the Secretariat by mid-October on standard STATLANT 21B forms, together with the sampling data;
- iii) Mackerel catch and effort data for the commercial fleets by month and Division for all of 1976 (i.e., including estimates for December) to be made available at the time of the meeting in early December on standard STATLANT 21B forms;
- iv) Due to technical difficulties, commercial sampling data from third quarter catches cannot be submitted to the Secretariat in time for the meeting in the normal way. Some arrangement similar to the International Observer Program whereby scientists from interested countries could be placed on board vessels of other countries engaged in the mackerel fishery to sample the catches and submit these samples directly to the Secretariat would ensure that samples from the third quarter fishery would be available by mid-October;
- v) Additional analyses of research vessel data for abundance estimates, particularly for recruiting year-classes, and tow by tow catch data from research vessel surveys should be made available to the meeting.

Bulgaria, Canada, Cuba, GDR, Poland, USSR, and USA each made a specific commitment to provide the required data so far as it lay in their power to obtain it, in adequate time for it to be considered by the scientists prior to the Special Meeting in December.

17. There being no other business, the Joint Panels adjourned at 1700 hrs, 21 June.

Table 1. Summary of TACs and national allocations for stocks overlapping in Subareas 3, 4, 5, and Statistical Area 6 for 1977.

	Squid (<i>Illex</i>)	Pollock	Mackerel	
	3+4	4VWX+5	3+4	5+6
TAC recommended by Scientific Advisers	25,000	20,000
Bulgaria	-	-		
Canada	10,000	20,975		
Cuba	-	-		
Denmark	-	-		
France	-	-		
FRG	-	-		
GDR	-	-		
Iceland	-	-		
Italy	-	-		
Japan	-	-		
Norway	-	-		
Poland	-	-		
Portugal	-	-		
Romania	-	-		
Spain	-	-		
USSR	15,000	-		
UK	-	-		
USA	-	9,000		
Others	3,000 ¹	25		
Total allocated catches	25,000+	30,000		

DEFERRED TO SPECIAL MEETING

DEFERRED TO SPECIAL MEETING

¹ Countries without specific allocations may take up to 3,000 tons each in 1977.

International Commission for



the Northwest Atlantic Fisheries

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ANNUAL MEETING - JUNE 1976

Report of the Meeting of Joint Panels 1-5

Saturday, 18 June, 1000 hrs

1. Opening. The Chairman of the Commission, Mr E. Gillett (UK), opened the meeting at 1000 hrs. All Member Countries, except Iceland and Romania, were present with Observers from EEC and the Republic of Korea.
2. Rapporteur. Mr J.S. Beckett (Canada) acted as Rapporteur.
3. Agenda. The meeting of Joint Panels had been called to consider a proposal by the delegate of Spain concerning a change in the method of allocating national quotas as proposed by Spain at the Joint Meeting of Panels 2 and 3 (Proceedings No. 11, Section 14(b)).
4. Procedure for Allocation of National Catch Quotas. The delegate of Spain introduced Comm.Doc. 76/VI/52 in which it was proposed that national allocations for cod should be made on the basis of the species as a whole, rather than stock by stock, and then divided amongst the various stocks according to national interest in the different Subareas. He stated that the allocations for 1977 should be based on the summed 1976 quotas as any larger base period would adversely affect recent entries into the fisheries. The delegate of Spain stressed that such a change in allocation procedure was essential to protect Spain from a much greater proportional reduction in allocations of cod than any other country, since, on a stock by stock basis, Spanish allotments for 1977 would probably total only 30,000 tons in comparison to 90,000 tons for 1976. He stated that some measure to redress this situation was essential to the internal economy of Spain which, despite its importance as a fishing nation, was still an importer of fish for domestic consumption. The Chairman solicited the views of the Member Countries with regard to the proposal, pointing out that if adopted it would be referred back to the respective Panels in order to revise their recommendations. The delegate of Portugal expressed his sympathy for the Spanish predicament but felt that the proposal could not be considered at the present time and should first be discussed in a meeting of STACREM. He noted that the concept of regionality was basic to the ICNAF management system and that the proposal, if adopted, might result in allotments being received by countries in areas in which they did not want them, or at least in the magnitude or season desired. He questioned why cod was the only species considered, and asked whether the situation in areas outside ICNAF should not also be included in the procedure. The delegate of Spain distributed a specific proposal (Comm.Doc. 76/VI/52 Addendum) for cod allocations in Subareas 2 and 3. This did not reflect the full application of the proposed scheme but sought to ease the disproportionate Spanish reductions and yet minimize the resulting reductions for other countries. The delegate of Denmark expressed his sympathy for the Spanish situation but said that he found it difficult to consider new principles at the present time. He noted that the proposal as presented would force changes in the patterns of Danish fisheries, and that there might be a danger of expanding the principle to include other regions. The delegate of USSR stated that it would be inconsistent with the principle of equal sacrifice if the proposed changes in allocations were made to compensate for unequal treatment in one species and not in others. He considered that the proposal needed detailed study in order to determine its effects and the evaluation of various options. The delegate of Bulgaria considered that a proposal of such a basic nature should be introduced at the beginning of a Commission Meeting and not late in the Meeting. He expressed concern about the proposed assignment of a country's overall allocation to various Subareas without that country's participation. He noted that the "Others" category under the proposed scheme would be substantially reduced. The delegate of UK expressed his appreciation of the Spanish effort in preparing a full set of proposed allocations, and offered his sympathy for the Spanish situation. He stated that the proposal set out in the Addendum to Comm.Doc. 76/VI/52 was acceptable from the UK's point of view, and was worth considering as a practical proposal for allocations. The delegate of Poland, without repeating the arguments already expressed by others, stated that he could not accept the proposal. The delegate of Spain emphasized that his proposal was an attempt to compensate for the adverse effects of the existing allocation scheme. He stated that Spain was willing to accept necessary reductions in allocations but only when these were on the basis of equality with others. The Joint Panels concluded that the proposal for changes in the scheme of national allocations should not be adopted at the present time, but agreed that Delegations were not precluded from submitting such a proposal at future meetings.
5. The meeting of Joint Panels 1-5 adjourned at 1100 hrs, 18 June.

International Commission for  the Northwest Atlantic Fisheries

Serial No. 3996
(B.b.26)

Proceedings No. 14

ANNUAL MEETING - JUNE 1976

Report of the Final Plenary Session

Wednesday, 23 June, 1000 hrs

1. The Chairman, Mr E. Gillett (UK), opened the meeting. Representatives of all Member Countries, except Romania, were present. Observers were present from the EEC, FAO, ICES, and the Republic of Korea.
 2. The Report of STACRES (Redbook 1976, Part C) was adopted with the Plenary noting that STACRES, in the light of stated intentions by Canada and USA to extend jurisdiction for fisheries management to 200 miles, stressed the need for continued international cooperation in statistical reporting, data base implementation and coordination of research activities. The Plenary agreed that the reports of the Scientific Advisers to the Panels should be published in the ICNAF Redbook, rather than in the Meeting Proceedings. The Plenary approved workshops on ageing of silver and red hakes at Woods Hole, Massachusetts, USA in October 1976, and on ageing of cod at St. John's, Newfoundland in January 1977, meeting of Scientific Advisers to Panel A at Copenhagen, Denmark on 11-12 October 1976 and of the Assessments Subcommittee for 10 days at ICNAF Headquarters, Dartmouth, Nova Scotia during the last half of April 1977. The Chairman, on behalf of the Plenary, thanked the scientists for their continued excellent efforts and Dr May (Canada) for his able chairmanship of STACRES over the past three years.
 3. The Report of STACTIC (Proceedings No. 2) with Proposal (1) for amendment to the ICNAF Scheme of Joint International Enforcement to permit inspections by helicopter hoist procedure (Proceedings No. 2, Appendix II) was adopted with minor editorial changes in paragraph 4 of the proposal and with Poland wishing to have recorded in the Proceedings its reservation to the helicopter hoist procedure as there had been no opportunity to consult or discuss the proposal with experts.
 4. The Report of the First Plenary Session (Proceedings No. 3) with its Appendix "Report of the *ad hoc* Working Group on the Group of Experts to Consider Future of ICNAF" was adopted.
 5. The Report of STACFAD (Proceedings No. 4) was adopted. The attention of the Plenary was directed to the status of the June 1973 Protocol Relating to Basic Annual Fee Structure which had not yet entered into force due to the lack of approval by three quarters of all Contracting Governments. Commissioners were requested to remind their Governments of the need for early approval.
 6. The Report of Panel 1 (Proceedings No. 5) was adopted.
 7. The Report of Panel 2 (Proceedings No. 6) was adopted, with the delegate of Spain advising that he would not be able to accept the allocation for cod in Subarea 2.
 8. The Report of Panel 3 (Proceedings No. 7) was adopted with the delegate of Spain repeating his advice that he expected his Government would not be able to accept the allocations for cod in Subarea 3.
 9. The Report of Panel 4 (Proceedings No. 8) with Proposals (2) regarding trawl net mesh size for silver hake in Subarea 4 (Proceedings No. 8, Appendix I) and (3) regarding haddock exemption in Divisions 4V and 4W of Subarea 4 (Proceedings No. 8, Appendix II) were adopted.
 10. The Plenary recessed at 1200 hrs to allow a meeting of Panel 5 to consider the Report of the *ad hoc* Working Group on a Subarea 5 Regulatory Regime (see Proceedings No. 9, Section 33).
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11. The Plenary reconvened at 1225 hrs and adopted the Report of Panel 5 (Proceedings No. 9) with Proposals (4) regarding the taking of river herring in Subarea 5 and Statistical Area 6 (Proceedings No. 9, Appendix I), (5) regarding sea scallops in Division 5Z of Subarea 5 (Proceedings No. 9, Appendix III), and (6) regarding haddock exemption in Subarea 5 (Proceedings No. 9, Appendix VI) and with Resolutions (1) relating to the taking of menhaden in Subarea 5 and Statistical Area 6 (Proceedings No. 9, Appendix II) and (2) relating to

the implementation of regulations for sea scallops in Division 5Z of Subarea 5 (Proceedings No. 9, Appendix IV). The Plenary also approved the Report of the *ad hoc* Working Group on a Subarea 5 Regulatory Regime (Proceedings No. 9, Appendix VIII) and noted that Member Countries would undertake to comply with the recommendations for data requirements and deadlines.

12. The Report of Panel A (Seals) (Proceedings No. 10) was adopted.

13. The Report of Joint Panels 2 and 3 (Proceedings No. 11) was adopted with the delegate of Iceland requesting that his vote against the capelin allocation in Div. 3LNO and Subdiv. 3Ps be recorded in the Proceedings, with the delegate of Spain repeating his earlier advice that his Government might be unable to accept the cod allocations in Panels 2 and 3, and with the delegate of France wishing it recorded that his delegation had voted against the allocations for cod in Div. 2J and 3KL.

14. The Report of Joint Panels 3, 4, and 5 (Proceedings No. 12) was adopted.

15. The Report of Joint Panels 1-5 (Proceedings No. 13) was adopted.

16. The Chairman drew attention to the Table at Appendix I which contained the TACs and national re-allocations for redfish stocks in Subarea 2 + Div. 3K, Div. 3M, Div. 3LN, Div. 3O, and Div. 3P, the capelin stock in Subarea 2 + Div. 3K, and the herring stocks in Div. 4XW(b) and in Div. 5Z + Statistical Area 6 recommended by the Panels and adopted by the Plenary for 1976. He pointed out that the re-allocations were in accordance with the requirements of the 1975 Annual Meeting and the September 1975 and January 1976 Special Commission Meetings and that they comprised a proposal for international quota regulation of the above-mentioned stocks in Subareas 2, 3, 4, 5 and Statistical Area 6 and that the Proposal (14) for Management of the International Quota Regulations, adopted 14 June 1974 and amended 26 January 1976, would provide the administrative requirements for management of those proposed re-allocations. The Plenary agreed

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, Proposal (7) for international quota regulation of the fisheries in Subareas 2, 3, 4, and 5 of the Convention Area and adjacent waters to the west and south in Statistical Area 6 (Appendix I).

17. The Chairman drew attention to the Table at Appendix II which contained the TACs or the TACs and national allocations for 32 stocks or species recommended by the Panels and adopted by the Plenary for 1977. These TACs and/or national allocations also constituted a proposal for international quota regulation in the Convention Area and Statistical Areas 0 and 6 with the June 1974 Proposal (14) as amended providing the management procedure. The Plenary agreed

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, Proposal (8) for international quota regulation of the fisheries in the Convention Area and Statistical Areas 0 and 6 (Appendix II).

18. The Chairman drew attention to the need for a resolution by the Commission to implement for 1977 the decisions of a later Commission meeting with regard to those stocks or species for which the TACs and/or allocations had been deferred by this Commission meeting. The deferred stocks or species except for the seals are listed in Appendix II. Also deferred was a US proposal for establishing closed areas and gear restrictions in Subarea 5 and Statistical Area 6. The Plenary agreed to adopt

Resolution (3) relating to the implementation of proposals concerning fishing activity in Subareas 1, 3, 4, and 5 of the Convention Area and Statistical Area 6, and the Gulf and Front Areas of the Convention Area (Appendix III).

The Plenary noted that Contracting Governments were to notify the Executive Secretary by 31 December 1976 that they would implement the deferred decisions for the entire year 1977 and not register objections, subject to a similar undertaking by all other Contracting Governments.

19. Election of Vice-Chairman. The Plenary noted with regret that a new assignment would prevent Mr D.H. Wallace's future participation at the Commission's meetings and agreed unanimously that Dr D. Booss (FRG) should complete Mr Wallace's term of office and serve as Vice-Chairman for the 1976/77 period.

20. Time and Place of Future Meetings. The Plenary was pleased to accept the invitation of the delegate of Spain to hold its Ninth Special Commission Meeting in the Canary Islands from 1-9 December 1976 inclusive, to consider the items deferred from the present meeting and to continue deliberations on the future of the Commission. It was also agreed that STACRES should meet from 24-29 November inclusive and the *ad hoc* Working Group on a Subarea 5 Regulatory Regime on 30 November and following days as necessary.

21. Other Business. The Chairman recognized the delegate of Italy who read a prepared statement to the Plenary. The statement is recorded at Appendix IV.

The delegate of Canada thought it appropriate to say that the Canadian delegation's assessment of the meeting was favourable enough to lead him to recommend to the Government of Canada that she remain a Member

of the Commission through 1977, however, the Government of Canada would be giving notice of withdrawal from the Commission as required by the Convention in case there was need for withdrawal at the end of December 1976. He thanked the delegates of all Member Countries for the sympathetic and cooperative manner in which they had met Canada's needs.

22. Adjournment. The delegate of Portugal, speaking on behalf of his delegation and the meeting participants, thanked the Chairman, Mr Gillett, for the efficient and effective manner in which he had handled the many duties thrust upon him. He also thanked the Secretariat for their continuing good services to the Commission. There being no other business, the Twenty-Sixth Annual Meeting of the Commission was adjourned at 1345 hrs, 23 June 1976. A press notice covering the Proceedings is at Appendix V.

ANNUAL MEETING - JUNE 1976

- (7) Proposal for International Quota Regulation of the Fisheries in Subareas 2, 3, 4, and 5 of the Convention Area and Adjacent Waters to the West and South within Statistical Area 6, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 23 June 1976

"That the national quota allocations for 1976 of the four redfish stocks in Subarea 2 and Division 3K, Division 3M, Divisions 3LN, and Division 3O, the capelin stock in Subarea 2 and Division 3K, and the herring stock in Divisions 4XW(b), adopted at the 1975 Annual Meeting (Proposal (11)), and the redfish stock in Division 3P, adopted at the September 1975 Commission Meeting (Proposal (7)), and the herring stock in Division 5Z and Statistical Area 6, adopted at the January 1976 Commission Meeting (Proposal (5)), shall be revised in accordance with the following table:

Table - Integral part of Proposal (7) for International Quota Regulation of the Fisheries in Subareas 2, 3, 4, and 5 of the Convention Area and Adjacent Waters to the West and South within Statistical Area 6, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 23 June 1976

National re-allocations (in metric tons) for 1976 of particular stocks or species in Subareas 2, 3, 4, and 5 of the Convention Area and Statistical Area 6 (Total = Total Allowable Catches (TAC)).

Species or stock	REDFISH					CAPELIN	HERRING	
	2+3K	3M	3LN	3O	3P	2+3K	4XW(b)	5Z+6
Bulgaria	-	-	-	-	-	-	-	900
Canada	2,500	6,000	4,800	2,500	15,500	-	76,700 ²	1,000
Cuba	500	2,200	2,200	1,000	-	-	-	1,000
Denmark	-	-	-	-	-	-	-	-
France	-	-	-	-	1,500	-	-	1,100
Federal Republic of Germany	-	-	-	-	-	-	-	9,200
German Democratic Republic	2,500	-	1,000	-	-	-	-	9,300
Iceland	-	-	-	-	-	20,000	-	-
Italy	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	1,100
Norway	-	-	-	-	-	-	-	-
Poland	4,000	-	-	-	-	20,000	-	11,000
Portugal	2,500	-	1,000	-	-	-	-	-
Romania	-	-	-	-	-	-	-	800
Spain	-	-	-	-	-	-	-	-
USSR	14,000	7,600	10,800	12,300	800	197,500	11,000	12,190
UK	-	-	-	-	-	-	-	-
USA	750	-	-	-	-	-	500	12,400
Others	3,250	200	200	200	200	10,000 ¹	1,000	10
Total	30,000	16,000	20,000	16,000	18,000	237,000+	89,200	60,000

¹ Countries without specific allocations may each take up to 10,000 tons from this stock.

² Allocation includes 15,000 tons estimated for inshore catches.

ANNUAL MEETING - JUNE 1976

- (8) Proposal for International Quota Regulation of the Fisheries in the Convention Area and in Statistical Areas 0 and 6, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 23 June 1976

"That the total allowable catch and/or national quota allocation for 1977 of particular stocks or species in the Convention Area and in Statistical Areas 0 and 6 shall be in accordance with the attached table."

Table - Integral part of Proposal (8) for International Quota Regulation of the Fisheries in the Convention Area and in Statistical Areas 0 and 6, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 23 June 1976.

Total allowable catch (TAC) and/or national quota allocation for 1977 of particular stocks or species in the Convention Area and in Statistical Areas 0 and 6.

Species or stock	COD											
	1	2GH	2J+3KL	3M	3NO	3Ps	4TWn ¹	4Vn ²	4VsW	4X(off-shore) ³	5Y	5Z
Bulgaria	-	-	-	-	-	-	-	-	-	-	-	-
Canada	3,000	70,000	2,100	8,000	26,900	-	3,250	6,550	3,600	80	3,350	
Cuba	-	1,810	1,150	1,250	-	-	-	-	-	-	-	
Denmark	-	1,690	4,050	-	-	-	-	-	-	-	-	
France	450	5,630	3,950	310	5,000	-	150	250	-	-	-	
Federal Republic of Germany	3,600	8,030	300	-	-	-	-	-	-	-	-	
German Democratic Republic	900	5,020	-	-	-	-	-	-	-	-	-	
Iceland	-	-	-	-	-	-	-	-	-	-	-	
Italy	-	-	-	-	-	-	-	-	-	-	-	
Japan	-	-	-	-	-	-	-	-	-	-	-	
Norway	800	1,610	800	-	-	-	-	-	-	-	-	
Poland	4,000	7,430	850	-	-	-	-	-	-	-	-	
Portugal	2,900	21,100	5,950	1,620	-	-	-	-	-	-	-	
Romania	400	-	-	-	-	-	-	-	-	-	-	
Spain	450	16,270	1,250	11,460	-	-	-	-	-	-	-	
USSR	2,300	18,880	2,950	6,360	-	-	-	-	-	-	-	
UK	700	1,330	1,250	-	-	-	-	-	-	-	-	
USA	-	-	-	-	-	-	-	-	-	-	-	
Others	500	1,200	400	1,000	100	-	100	100	100	300	4,915	
Total	31,000	20,000	160,000	25,000	30,000	32,000	15,000	3,500	7,000	4,000	5,000	20,000

Table (continued)

Species or stock region	HADDOCK		REDFISH						RED HAKE			
	4W	4X	5	2+3K	3M	3LN	30	3P	4VWX	5	5Ze	5Zw+6
Bulgaria	-	-	-	-	-	-	-	-	-	-	-	-
Canada	1,700	13,400	1,260	14,000	4,450	8,000	8,000	15,500	13,000	90	1,000	1,000
Cuba	-	-	-	850	1,600	1,150	500	-	-	-	920	1,810
Denmark	-	-	-	-	-	-	-	-	-	-	-	-
France	-	-	-	-	-	-	-	1,900	250	-	-	-
Federal Republic of Germany	-	-	-	-	-	-	-	-	-	-	-	-
German Democratic Republic	-	-	-	1,425	-	425	-	-	-	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	-	-	-
Norway	-	-	-	-	-	-	-	-	-	-	-	-
Poland	-	-	-	2,275	-	-	-	-	-	-	-	-
Portugal	-	-	-	1,425	500	425	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	-	-	-	-
USSR	-	-	-	8,600	9,250	5,900	7,400	500	500	-	12,530	18,090
UK	-	-	-	-	-	-	-	-	-	-	-	-
USA	200	1,500	4,735	425	-	-	-	-	6,000	8,900	1,500	7,000
Others	100	100	5	1,000	200	100	100	100	250	10	50	100
Total	2,000 ⁴	15,000 ⁴	6,000 ⁴	30,000	16,000	16,000	16,000	18,000	20,000	9,000	16,000	28,000

Table (continued)

Species or stock	SILVER HAKE			POLLOCK	AMERICAN PLAICE			WITCH					
	4VMX	5Y	5Ze		5Zw+6	4VMX+5	2+3K	3M	3LNO	3Ps	2J+3KL	3NO	3Ps
Bulgaria	-	-	760	1,000	-	-	-	-	-	-	-	-	-
Canada	-	-	2,500	-	20,975	5,800	500	44,800	5,300	9,000	7,000	2,500	2,500
Cuba	-	-	5,375	4,140	-	-	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-	-	-	-	-
France	-	-	-	-	-	-	-	700	600	-	-	400	400
Federal Republic of Germany	-	-	-	-	-	-	-	-	-	-	-	-	-
German Democratic Republic	-	-	-	-	-	-	-	-	-	300	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	-	-	-	-
Norway	-	-	-	-	-	-	-	-	-	-	-	-	-
Poland	-	-	-	-	-	-	-	-	-	3,500	-	-	-
Portugal	-	-	-	-	-	-	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	-	-	-	-	-
JSSR	-	-	46,050	32,090	-	2,000	1,000	1,000	-	3,700	2,900	-	-
UK	-	-	-	-	-	-	-	-	-	-	-	-	-
USA	8,990	15,000	15,000	12,500	9,000	-	-	-	-	-	-	-	-
Others	10	315 ⁵	270 ⁶	270 ⁶	25	200	500	500	100	500	100	100	100
Total	9,000	70,000	50,000	50,000	30,000	8,000	2,000	47,000	6,000	17,000	10,000	3,000	3,000

DEFERRED TO SPECIAL MEETING

Table (continued)

Species or stock region	YELLOWTAIL		GREENLAND HALIBUT		FLOUNDERS		ROUNDNOSE GRENADE		ARGENTINE		MACKEREL	
	3LNO	5(E69°)	5(W69°)	0+1	2+3KL	4VWX ⁷	5+6 ⁸	0+1	2+3	4VWX	3+4	5+6
Bulgaria	-	-	-	-	-	-	-	-	-	-	-	-
Canada	11,200	90	-	-	13,000	200	-	-	2,000	1,000	-	-
Cuba	-	-	-	-	-	-	-	-	-	1,925	-	-
Denmark	-	-	-	7,200	-	-	-	2,000	-	-	-	-
France	300	-	-	-	-	-	-	-	-	-	-	-
Federal Republic of Germany	-	-	-	-	-	-	-	-	-	-	-	-
German Democratic Republic	-	-	-	-	2,100	-	-	1,100	4,250	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	4,250	-	-
Norway	-	-	-	-	-	-	-	-	-	-	-	-
Poland	-	-	-	-	6,000	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	-	-	-	-
USSR	-	-	-	10,000	6,400	-	-	3,800	24,750	12,725	-	-
UK	-	-	-	-	-	-	-	-	-	-	-	-
USA	-	9,900	3,995	-	-	19,790	-	-	-	-	-	-
Others	500	10	5	2,800	2,500	10	10	1,100	4,000	100	-	-
Total	12,000	10,000	4,000	20,000	30,000	28,000	20,000	8,000	35,000	20,000	-	-

DEFERRED TO SPECIAL MEETING

DEFERRED TO SPECIAL MEETING

DEFERRED TO SPECIAL MEETING

Table (continued)

Species or stock region	HERRING			CAPELIN			SQUID (<i>Illex</i>)		SQUID (<i>Loligo</i>)	SHRIMP ¹⁵
	4VW(a) ⁹	4XW(b) ¹⁰	5Y ¹⁰ 5Z+6	2+3K	3L	3NO	3Ps	3+4	5+6	1
Bulgaria	-	-	-	-	-	-	-	-	400	-
Canada	33,400	990	-	15,000	14,800 ¹²	16,300	8,900 ¹²	10,000	1,000	2,000
Cuba	-	-	-	-	-	-	-	-	-	500
Denmark	-	-	-	-	-	-	-	-	-	-
France	-	-	-	-	-	-	-	-	-	-
Federal Republic of Germany	-	-	-	-	-	-	-	-	-	500
German Democratic Republic	-	-	-	-	-	-	-	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	980	1,640
Japan	-	-	-	-	-	-	-	-	3,440	7,820
Norway	-	-	-	-	6,600 ¹²	49,900	-	-	4,910	850
Poland	-	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	4,910	4,390
USSR	-	-	-	197,500	26,400 ¹²	58,300	-	15,000	7,370	1,000
UK	-	-	-	-	-	-	-	-	-	-
USA	-	6,000	-	-	-	-	-	-	11,500	25,000
Others	100	10	-	10,000 ¹¹	2,200	16,500	100	3,000 ¹³	490 ¹⁴	300
Total	33,500	84,000	7,000	212,500+	50,000	141,000	9,000	25,000+	35,000	44,000

DEFERRED TO SPECIAL MEETING

DEFERRED TO SPECIAL MEETING

DEFERRED TO SPECIAL MEETING

Table (continued)

Species or stock region	OTHER FINFISH ¹⁶	ALL FINFISH ¹⁷ AND SQUIDS
	5+6	5+6
Bulgaria		
Canada		
Cuba		
Denmark		
France		
Federal Republic of Germany		
German Democratic Republic		
Iceland		
Italy		
Japan		
Norway		
Poland		
Portugal		
Romania		
Spain		
USSR		
UK		
USA		
Others		
Total		

NOTES TO PRECEDING TACs AND ALLOCATIONS

- 1 Div. 4T(Jan-Dec) and Subdiv. 4Vn(Jan-Apr).
- 2 Subdiv. 4Vn(May-Dec).
- 3 Div. 4X (offshore) is that part of Div. 4X south and east of the straight lines joining coordinates in the order listed: 44°20'N, 63°20'W; 43°00'N, 65°40'N, 43°00'N, 67°40'W.
- 4 By-catch only, no directed fishery.
- 5 300 tons reserved for by-catch.
- 6 250 tons reserved for by-catch
- 7 American plaice, witch and yellowtail
- 8 Flounders except yellowtail
- 9 TACs and allocations pertain to the period 1 July 1977 - 30 June 1978.
- 10 Fisheries for adult herring.
- 11 Countries without specific allocations may each take up to 10,000 tons from this stock.
- 12 Any part of this allocation not taken may be added to the allocation in Div. 3NO.
- 13 Countries without specific allocations may each take up to 3,000 tons from this stock.
- 14 Reserved for by-catch only.
- 15 *Pandalus borealis*
- 16 Except TAC species and also menhaden, billfishes, tunas and large sharks other than dogfish.
- 17 Except menhaden, billfishes, tunas and large sharks other than dogfish.

DEFERRED TO SPECIAL MEETING

DEFERRED TO SPECIAL MEETING

ANNUAL MEETING - JUNE 1976

- (3) Resolution Relating to the Implementation of Proposals Concerning Fishing Activity in Subareas 1, 3, 4, and 5 of the Convention Area and Statistical Area 6 and the Gulf and Front Areas of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 23 June 1976

The Commission

Recognizing that proposals designed to achieve the conservation and optimum utilization of the stocks of:

- (a) cod (*Gadus morhua*) in Subarea 1 through the setting of national allocations,
- (b) shrimp (*Pandalus borealis*) in Subarea 1 through the setting of a total allowable catch and national allocations,
- (c) silver hake (*Merluccius bilinearis*) in Subarea 4 through the setting of a total allowable catch and national allocations and by establishing closed areas and fishing gear restrictions,
- (d) Flounder (American plaice (*Hippoglossoides platessoides*), witch (*Glyptocephalus cynoglossus*), and yellowtail (*Limanda ferruginea*)) in Division 4VWX of Subarea 4 through the setting of national allocations,
- (e) herring (*Clupea harengus*) in Division 4XWB of Subarea 4 through the setting of national allocations,
- (f) mackerel (*Scomber scombrus*) in Subareas 3, 4, and 5 and Statistical Area 6 through the setting of a total allowable catch and national allocations,
- (g) herring (*Clupea harengus*) in Division 5Z of Subarea 5 and Statistical Area 6 through the setting of a total allowable catch and national allocations,
- (h) other finfish, except menhaden, billfishes, tunas, and large sharks in Subarea 5 and Statistical Area 6 through the setting of a total allowable catch and national allocations,
- (i) all species, except menhaden, billfishes, tunas, and large sharks in Subarea 5 and Statistical Area 6 through the setting of the second-tier total allowable catch and national allocations,
- (j) protected species in Subarea 5 and Statistical Area 6 by establishing closed areas and gear restrictions, and
- (k) seals in the Gulf¹ and Front² Areas of the Convention Area through the setting of total allowable catches and national allocations and such other regulations considered appropriate;

will be discussed at a Special Meeting of the Commission later in 1976;

Taking into Account that under Article VIII of the Convention, as amended, these proposals would not enter into force until six months after the date on the notification from the Depositary Government transmitting the proposals to the Contracting Governments, which would not occur before May 1977, at the earliest;

Bearing in Mind that, in these circumstances, no Commission regulations to ensure conservation and optimum utilization of these stocks would be effective for approximately one half of 1977;

Having Considered that the purpose of the Convention is to promote the conservation and optimum utilization of the fish stocks on the basis of scientific investigation, and economic and technical considerations and that this purpose cannot be successfully achieved unless the proposals referred to above are applied throughout 1977;

Recognizing that, in order to achieve the purposes and objectives of the Convention, fishing activity in the area must be conducted in accordance with these proposals throughout 1977;

1. Invites the attention of Governments to the above matters;
2. Stipulates that the proposals referred to above should apply throughout 1977;
3. Requests delegations to draw the immediate attention of their Governments to proposals agreed by the Commission at its meeting later in 1976;

¹ All the waters of the Strait of Belle Isle and the Atlantic Ocean east of a straight line between the lighthouse at Amour Point on the east coast of Labrador and the lighthouse on Flowers Island in Flowers Cove, Newfoundland.

² All the waters and territories west of a straight line between the lighthouse at Amour Point on the coast of Labrador and the lighthouse on Flowers Island in Flowers Cove, Newfoundland.

4. Expects Contracting Governments to notify the Executive Secretary by 31 December 1976, that, subject to a similar undertaking by all other Members of the respective Panel or Panels, they will implement such proposals for the entire year 1977 and will not invoke paragraph 7(b) of Article VIII of the Convention as amended.

ANNUAL MEETING - JUNE 1976

Statement to the Final Plenary by the Delegate of Italy

Before leaving this Meeting, I want to point out that I have informed my Government authorities of the results reached at this session. On their behalf, I want to make the following statement:

Before coming here and in many occasions during the meeting, we indicated our need to develop or to resume some fisheries in the ICNAF Area: a vital need, indeed, in view of the particular economic situation Italy is facing, described by our financial authorities as "state of siege" and which imposes to us to find all means to get directly more alimentary resources. But our requests were not consistent with the new situation. We have shared with all other fishing states severe reductions of fisheries. In the case of Italy, this is due also to the disappearance of the quotas "Others" in the region where we are operating, namely Subarea 5 and Statistical Area 6.

In our own case, this has taken us to an overall fishing possibility beyond the minimum size a fishing industry can afford.

It was my hope that, at least in the every rare cases where the TACs were increased, a small compensation could be granted to my country. But this has not been the case.

In several issues, it has been recognized in this meeting that, apart from scientific considerations, other kinds of considerations have to be taken into account, such as the economic ones. And indeed, sometimes, in determining the TACs, the recommendations of scientific advisers have been disregarded: I only want to recollect the cases of cod, silver hake, yellowtail and herring in Subarea 5 and Statistical Area 6. But nothing was made, despite my appeals, to give me even the smallest satisfaction.

Moreover, in determining the *Illex* quota, a new principle has been introduced in the very last hours of our last meeting: to allow new national quotas to two countries which were fishing on the "Others"; and I cannot but recall to your attention, Mr Chairman, on the fact that in the re-allocation of the surplus those two countries have been given more than their actual catches: double in the case of Bulgaria, 203 tons more in the case of Japan. Twenty tons have been taken out of our quota.

Mr Chairman, my English is very poor and I do not want to risk using definitions which might irritate our coastal friends; but indeed I cannot find any one complying with the Latin concept of "*aequitas*".

ANNUAL MEETING - JUNE 1976Press Notice

1. The 26th Annual Meeting of the International Commission for the Northwest Atlantic Fisheries (ICNAF) was held in Montreal, Canada, from 8-23 June 1976. About 175 representatives attended from all Member Countries (except Romania) as follows: Bulgaria, Canada, Cuba, Denmark, France, Federal Republic of Germany, German Democratic Republic, Iceland, Italy, Japan, Norway, Poland, Portugal, Spain, Union of Soviet Socialist Republics, United Kingdom, and the United States of America. Observers were present from the European Economic Community (EEC), Food and Agriculture Organization of the United Nations (FAO), International Council for the Exploration of the Sea (ICES), International Commission for the Southeast Atlantic Fisheries (ICSEAF), and the Republic of Korea.

The Meeting was held under the Chairmanship of Mr E. Gillett, Fisheries Secretary for Scotland.

2. Purpose of the Meeting

One of the most important items for discussion was the future of the Commission and its potential role under extended jurisdiction to 200 miles by the coastal states, Canada and the United States of America. In addition, the allocation of national catch quotas for 1977 for over 60 stocks of the principal commercial species fished in the Northwest Atlantic were to be negotiated. Discussions aimed at strengthening the Commission's scheme for enforcement of its international fishing regulations were scheduled.

3. Scientific Advice to the Commission

The Commission's Standing Committee on Research and Statistics (STACRES) met at the Commission's headquarters in Dartmouth, Nova Scotia, from 31 March to 10 April 1976 and again at Montreal, Canada, during 31 May to 3 June, and submitted authoritative advice on the state of the fish stocks, the total allowable catch for each, and other measures of control.

In past years, with few exceptions, the Commission has based its fisheries management decisions on the concept of maximum sustainable yield, on the premise that each fish stock should be harvested at a level which produces the absolute maximum yield in the long term. At the current meeting, the Commission was informed that this concept has recently been questioned by ICNAF scientists, that total allowable catches based on the maximum sustainable yield concept are difficult to calculate precisely, and that greater year to year stability in catches could be assured by adopting a different management objective. As a result, the Commission has agreed, for virtually all fish stocks, that total allowable catches in 1977 will be set at levels below the theoretical maximum. In doing so, the Commission anticipates increases in fish abundance, and improvements in total catch and catch rates after 1977.

4. Catch Quotas

The Commission agreed to total allowable catches (TACs) for 1977 in respect of 55 stocks, with decisions on 7 stocks (shrimp in Subarea 1, silver hake in Subarea 4, both mackerel stocks in Subarea 3 to Statistical Area 6, and herring, other finfish and all finfish plus squids in Subarea 5 and Statistical Area 6) being deferred to a Special Meeting later in 1976 (Table 1). The Commission also agreed to the national allocations for 1977 in respect of 51 stocks, with decisions on 10 stocks being deferred to the proposed Special Meeting (Table 2). It was further agreed that a decision on quotas for harp and hooded seals in the northern part of the Convention Area be deferred to the Special Meeting. In order to improve the scientific advice for achievement of its management objectives for those stocks requiring further consideration of TACs, the Commission adopted the recommendations of its scientific advisers in respect to the specific data requirements and other information necessary for STACRES to undertake further assessments of these stocks prior to the Special Meeting.

The Commission reviewed the 1976 national allocations of 8 stocks and agreed to the re-allocation for these stocks as set out in Table 3.

5. Enforcement of Fishery Regulations

The Standing Committee on International Control (STACTIC) reviewed present methods of international control of fishing activities and recommended changes in enforcement procedures. These changes will make it possible to carry out inspections of fishing vessels by transfer of inspection officers from helicopters

to the fishing vessels operating in the Northwest Atlantic within the Convention Area. STACTIC also reviewed enforcement proposals contemplated for the future fishery regime but in view of the fact that the coastal states claim to take all enforcement measures in the extended zone requires consideration by other Member Governments, the Commission referred these proposals, without recommendations, to Member Governments.

6. Future of the Commission

Although the delegations of Canada and the United States of America could not commit their governments to remaining in the Commission, except possibly for a transitional period, and the delegations of most other countries were not authorized to commit their governments on the extension of fishing limits to 200 miles, there was agreement to appoint a working group whose members, on a personal basis, will recommend possible future arrangements for international fisheries cooperation in the Northwest Atlantic. The position will be clearer if the next session of the United Nations Law of the Sea Conference (August-September 1976) supports the extension of fishing limits, and the Special Meeting of the Commission will consider the matter in December, on the basis either of a revised ICNAF Convention or of a new international agreement.

7. Election of Vice-Chairman

Dr D. Booss, Commissioner for the Federal Republic of Germany to ICNAF was elected Vice-Chairman of the Commission replacing Mr D.H. Wallace, Commissioner for the United States of America to ICNAF, for the period 1976/77.

8. Special Commission Meeting

The Ninth Special Meeting of the Commission will be held from 1 to 9 December 1976 in the Canary Islands. The Meeting will be preceded by associated meetings of the Commission's Standing Committee on Research and Statistics from 24-29 November 1976 and of an *ad hoc* Working Group on a Subarea 5 Regulatory Regime on 30 November and following days as necessary.

20 July 1976

Office of the Secretariat
Dartmouth, Nova Scotia

SUBAREAS AND DIVISIONS
OF THE
ICNAF CONVENTION AREA

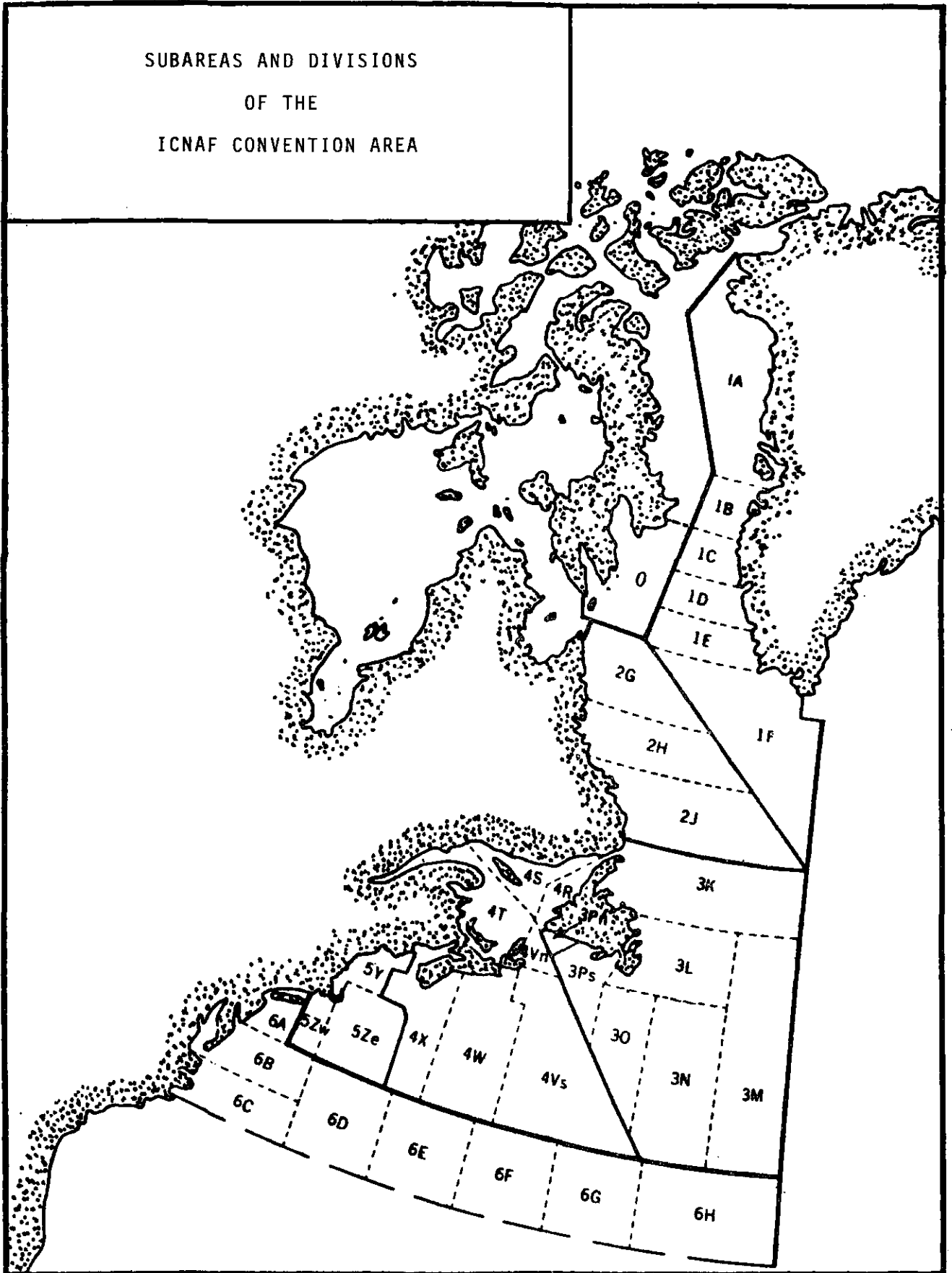


Table 1. Nominal catches (1973-75) and TACs (1975-77) for stocks under quota regulation in the Northwest Atlantic.

Species	Stock Area	Catches (000 tons)			TACs (000 tons) ²		
		1973	1974	1975 ¹	1975	1976	1977
Cod	1	63	48	48	60	45	31
	2GH	-	4	7	20	20	20
	2J+3KL	355	373	288	554	300	160
	3M	23	25	22	40	40	25
	3NO	80	73	44	88	43	30
	3Ps	53	47	36	62	48	32
	4Vn(Jan-Apr)+4T	51	49	39	50	30	15
	4Vn(May-Dec)	6	6	4	10	10	3.5
	4VsW	54	44	32	60	30	7
	4X(offshore)	7	6	5	5	4	4
	5Y	6	8	9	10	8	5
5Z	29	27	24	35	35	20	
Haddock	4VW	4	2	2	0	2 ³	3 ³
	4X	13	13	18	15	15 ³	15 ³
	5	6	5	7	0	6 ³	6 ³
Redfish	2+3K	39	30	26	30	30	30
	3M	22	35	16	16	16	16
	3LN	33	22	18	20	20	16
	3O	9	13	15	16	16	16
	3P	18	22	28	25	18	18
	4VWX	40	33	28	30	20	20
	5	17	10	11	25	17	9
Silver hake	4VWX	299	96	116	120	100	... ⁴
	5Y	9	5	9	15	10	9
	5Ze	62	66	63	80	50	70
	5Zw+6	65	58	42	80	43	28
Red hake	5Ze	25	10	15	20	26	16
	5Zw+6	41	24	13	45	16	28
Pollock	4VWX+5	43	38	39	55	55	30
Amer. plaice	2+3K	5	6	6	8	8	8
	3M	1	2	2	2	2	2
	3LNO	53	46	43	60	47	47
	3Ps	15	7	4	11	8	6
Witch	2J+3KL	24	16	12	17	17	17
	3NO	7	8	6	10	10	10
	3Ps	3	2	1	3	3	3
Yellowtail	3LNO	33	24	23	35	9	12
	5(E69°)	16	15	14	16	16	10
	5(W69°)+6	10	9	6	4 ³	4 ³	4 ³
G. halibut	0+1	10	14	25	-	20	20
	2+3KL	29	27	28	40	30	30
Flounders	4VWX ⁵	28	25	22	32	28	28
	5+6 ⁶	22	21	27	25	20	20
R. grenadier	0+1	5	12	5	10	13	8
	2+3	18	28	27	32	32	35
Argentine	4VWX	1	17	15	25	25	20

Table 1. (Continued)

Species	Stock Area	Catches (000 tons)			TACs (000 tons) ²		
		1973	1974	1975 ¹	1975	1976	1977
Herring	4VW(a)	30	44	33	45 ⁷	36 ⁷	33.5 ⁷
	4XW(b) (adults)	91	97	95	90	89	84
	5Y (adults)	16	18	21	16	7	7
	5Z+6	202	150	1	150	60	... ⁴
Mackerel	3+4	38	45	36	70	56	... ⁴
	5+6	381	295	251	285	254	... ⁴
Capelin	2+3K	136	127	199	160+ ⁸	237+ ⁸	212+ ⁸
	3L	4	58	34	45	45	50
	3NO	127	101	130	126 ⁹	126 ⁹	141
	3Ps	1	2	2	9	9	9
O. finfish ¹⁰	5+6	157	132	120	150	150	... ⁴
Shrimp	1	13	18	39	-	-	... ⁴
Squid- <i>Illex</i>	3+4	10	-	17	25+ ¹¹	25+ ¹¹	25+ ¹¹
	5+6	59	56	47	71	30	35
Squid- <i>Loligo</i>	5+6					44	44
All finfish ¹² and squids	5+6	1159	942	852	850	650	... ⁴

- 1 Provisional statistics compiled for 1976 Annual Meeting.
- 2 TACs include quantities estimated to be taken outside the Convention Area.
- 3 By-catch only, no directed fishery.
- 4 Deferred to a Special Commission Meeting.
- 5 American plaice, witch and yellowtail.
- 6 All flounders except yellowtail.
- 7 TACs pertain to seasonal fishery in 1 July-30 June of 1975-76, 1976-77 and 1977-78, respectively.
- 8 In addition, countries without specific allocations may each take up to 10,000 tons.
- 9 In addition, countries without specific allocations may each take up to 5,000 tons in 3LNOPs.
- 10 Excludes all TAC species and also menhaden, billfishes, tunas, and large sharks other than dogfish.
- 11 In addition, countries without specific allocations may each take up to 3,000 tons.
- 12 All finfish except menhaden, billfishes, tunas, and large sharks other than dogfish.

Table 2. Total allowable catches (TAC) and/or national quota allocation for 1977 of particular stocks or species in the Convention Area and in Statistical Areas 0 and 6 (Total = Total Allowable Catches (TAC)).

Species or stock	COD												
	1	2GH	2J+3KL	3M	3NO	3Ps	4TVn ¹	4Vn ²	4Vsw	4X(off-shore) ³	5Y	5Z	
Bulgaria	-	-	-	-	-	-	-	-	-	-	-	-	
Canada	3,000	70,000	2,100	8,000	26,900	-	3,250	6,550	3,600	80	3,350		
Cuba	-	1,810	1,150	1,250	-	-	-	-	-	-	-		
Denmark	-	1,690	4,050	-	-	-	-	-	-	-	-		
France	450	5,630	3,950	310	5,000	-	150	250	-	-	-		
Federal Republic of Germany	3,600	8,030	300	-	-	-	-	-	-	-	-		
German Democratic Republic	900	5,020	-	-	-	-	-	-	-	-	-		
Iceland	-	-	-	-	-	-	-	-	-	-	-		
Italy	-	-	-	-	-	-	-	-	-	-	-		
Japan	-	-	-	-	-	-	-	-	-	-	-		
Norway	800	1,610	800	-	-	-	-	-	-	-	-		
Poland	4,000	7,430	850	-	-	-	-	-	-	-	-		
Portugal	2,900	21,100	5,950	1,620	-	-	-	-	-	-	-		
Romania	400	-	-	-	-	-	-	-	-	-	-		
Spain	450	16,270	1,250	11,460	-	-	-	-	-	-	-		
USSR	2,300	18,880	2,950	6,360	-	-	-	-	-	-	-		
UK	700	1,330	1,250	-	-	-	-	-	-	-	-		
USA	-	-	-	-	-	-	-	100	300	4,915	16,630		
Others	500	1,200	400	1,000	100	100	100	100	100	5	20		
Total	31,000	20,000	160,000	25,000	30,000	32,000	15,000	3,500	7,000	4,000	5,000	20,000	

DEFERRED TO SPECIAL MEETING

UNALLOCATED

Table 2. (Continued)

Species or stock region	HADDOCK			REDFISH						RED HAKE		
	4W	4X	5	2+3K	3M	3LN	30	3P	4VWX	5	5Ze	5Zw+6
Bulgaria	-	-	-	-	-	-	-	-	-	-	-	-
Canada	1,700	13,400	1,260	14,000	4,450	8,000	8,000	15,500	13,000	90	1,000	1,000
Cuba	-	-	-	850	1,600	1,150	500	-	-	-	920	1,810
Denmark	-	-	-	-	-	-	-	-	-	-	-	-
France	-	-	-	-	-	-	-	1,900	250	-	-	-
Federal Republic of Germany	-	-	-	-	-	-	-	-	-	-	-	-
German Democratic Republic	-	-	-	1,425	-	425	-	-	-	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-	-	-	-	-
Norway	-	-	-	-	-	-	-	-	-	-	-	-
Poland	-	-	-	2,275	-	-	-	-	-	-	-	-
Portugal	-	-	-	1,425	500	425	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	-	-	-	-
USSR	-	-	-	8,600	9,250	5,900	7,400	500	500	-	12,530	18,090
UK	-	-	-	-	-	-	-	-	-	-	-	-
USA	200	1,500	4,735	425	-	-	-	-	6,000	8,900	1,500	7,000
Others	100	100	5	1,000	200	100	100	100	250	10	50	100
Total	2,000 ^h	15,000 ^h	6,000 ^h	30,000	16,000	16,000	16,000	18,000	20,000	9,000	16,000	28,000

Table 2. (Continued)

Species or stock region	SILVER HAKE				POLLOCK	AMERICAN PLAICE				WITCH		
	4VMX	5Y	5Ze	5Zw+6		4VMX+5	2+3K	3M	3LNO	3Ps	2J+3KL	3NO
Bulgaria			760	1,000	-	-	-	-	-	-	-	-
Canada			2,500	-	20,975	5,800	500	44,800	5,300	9,000	7,000	2,500
Cuba			5,375	4,140	-	-	-	-	-	-	-	-
Denmark			-	-	-	-	-	-	-	-	-	-
France			-	-	-	-	-	700	600	-	-	400
Federal Republic of Germany			-	-	-	-	-	-	-	-	-	-
German Democratic Republic			-	-	-	-	-	-	-	300	-	-
Iceland			-	-	-	-	-	-	-	-	-	-
Italy			-	-	-	-	-	-	-	-	-	-
Japan			-	-	-	-	-	-	-	-	-	-
Norway			-	-	-	-	-	-	-	-	-	-
Poland			-	-	-	-	-	-	-	3,500	-	-
Portugal			-	-	-	-	-	-	-	-	-	-
Romania			-	-	-	-	-	-	-	-	-	-
Spain			-	-	-	-	-	-	-	-	-	-
USSR			46,050	32,090	-	2,000	1,000	1,000	-	3,700	2,900	-
UK			-	-	-	-	-	-	-	-	-	-
USA	8,990		15,000	12,500	9,000	-	-	-	-	-	-	-
Others	10		3155	2706	25	200	500	500	100	500	100	100
Total	9,000		70,000	50,000	30,000	8,000	2,000	47,000	6,000	17,000	10,000	3,000

DEFERRED TO SPECIAL MEETING

Table 2. (Continued)

Species or stock region	YELLOWTAIL		GREENLAND HALIBUT	FLOUNDERS	ROUNDNOSE GRENADIER	ARGENTINE	MACKEREL
	3LNO	5(E69*)	5(W69*)	5+6 ⁸	0+1	2+3	3+4
				4VMX ⁷	0+1	2+3	5+6
Bulgaria	-	-	-	-	-	-	-
Canada	11,200	90	13,000	200	-	2,000	1,000
Cuba	-	-	-	-	-	-	1,925
Denmark	-	-	7,200	-	2,000	-	-
France	300	-	-	-	-	-	-
Federal Republic of Germany	-	-	-	-	-	-	-
German Democratic Republic	-	-	2,100	-	1,100	4,250	-
Iceland	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	4,250
Norway	-	-	-	-	-	-	-
Poland	-	-	6,000	-	-	-	-
Portugal	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-
USSR	-	-	10,000	-	3,800	24,750	12,725
UK	-	-	-	-	-	-	-
USA	-	9,900	-	19,790	-	-	-
Others	500	10	2,800	10	1,100	4,000	100
Total	12,000	10,060	20,000	28,000	8,000	35,000	20,000

DEFERRED TO SPECIAL MEETING

DEFERRED TO SPECIAL MEETING

DEFERRED TO SPECIAL MEETING

Table 2. (Continued)

Species or stock region	HERRING			CAPELIN			SQUID (Illex)		SQUID (Loligo)	SHRIMP ¹⁵
	4VW(a) ⁹	4XW(b) ¹⁰	5Y ¹⁰	2+3K	3L	3NO	3Ps	3+4		
Bulgaria	-	-	-	-	-	-	-	-	-	-
Canada	33,400	-	990	15,000	14,800 ¹²	16,300	8,900 ¹²	10,000	1,000	2,000
Cuba	-	-	-	-	-	-	-	-	-	500
Denmark	-	-	-	-	-	-	-	-	-	-
France	-	-	-	-	-	-	-	-	-	-
Federal Republic of Germany	-	-	-	-	-	-	-	-	-	500
German Democratic Republic	-	DEFERRED TO SPECIAL MEETING	-	-	-	-	-	-	-	-
Iceland	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	980	1,640
Japan	-	-	-	-	-	-	-	-	3,440	7,820
Norway	-	-	-	-	6,600 ¹²	49,900	-	-	-	-
Poland	-	-	-	-	-	-	-	-	4,910	850
Portugal	-	-	-	-	-	-	-	-	-	-
Romania	-	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	4,910	4,390
USSR	-	-	-	197,500	26,400 ¹²	58,300	-	15,000	7,370	1,000
UK	-	-	-	-	-	-	-	-	-	-
USA	-	-	6,000	-	-	-	-	-	11,500	25,000
Others	100	-	10	10,000 ¹¹	2,200	16,500	100	3,000 ¹³	490 ¹⁴	300
Total	33,500	84,000	7,000	212,500+	50,000	141,000	9,000	25,000+	35,000	44,000

DEFERRED TO SPECIAL MEETING

Table 2. (Continued)

Species or stock region	OTHER FINFISH ¹⁶	ALL FINFISH ¹⁷ AND SQUIDS
	5+6	5+6
Bulgaria		
Canada		
Cuba		
Denmark		
France		
Federal Republic of Germany		
German Democratic Republic		
Iceland		
Italy		
Japan		
Norway		
Poland		
Portugal		
Romania		
Spain		
USSR		
UK		
USA		
Others		
Total		

NOTES TO PRECEDING TACs AND ALLOCATIONS

- 1 Div. 4T (Jan-Dec) and Subdiv. 4Vn (Jan-Apr).
- 2 Subdiv. 4Vn (May-Dec).
- 3 Div. 4X (offshore) is that part of Div. 4X south and east of the straight lines joining coordinates in the order listed: 44°20'N, 63°20'W; 43°00'N, 65°40'N, 43°00'N, 67°40'W.
- 4 By-catch only, no directed fishery.
- 5 300 tons reserved for by-catch.
- 6 250 tons reserved for by-catch.
- 7 American plaice, witch and yellowtail
- 8 Flounders except yellowtail
- 9 TACs and allocations pertain to the period 1 July 1977 - 30 June 1978.
- 10 Fisheries for adult herring.
- 11 Countries without specific allocations may each take up to 10,000 tons from this stock.
- 12 Any part of this allocation not taken may be added to the allocation in Div. 3NO.
- 13 Countries without specific allocations may each take up to 3,000 tons from this stock.
- 14 Reserved for by-catch only.
- 15 *Pandalus borealis*
- 16 Except TAC species and also menhaden, billfishes, tunas and large sharks other than dogfish.
- 17 Except menhaden, billfishes, tunas and large sharks other than dogfish.

Table 3. National re-allocation (in metric tons) for 1976 of particular stocks or species in Subareas 2, 3, 4, and 5 of the Convention and Statistical Area 6 (Total = Total Allowable Catches (TAC)).

Species or stock	REDFISH					CAPELIN	HERRING	
	2+3K	3M	3LN	3O	3P	2+3K	4XW(b)	5Z+6
Bulgaria	-	-	-	-	-	-	-	900
Canada	2,500	6,000	4,800	2,500	15,500	-	76,700 ²	1,000
Cuba	500	2,200	2,200	1,000	-	-	-	1,000
Denmark	-	-	-	-	-	-	-	-
France	-	-	-	-	1,500	-	-	1,100
Federal Republic of Germany	-	-	-	-	-	-	-	9,200
German Democratic Republic	2,500	-	1,000	-	-	-	-	9,300
Iceland	-	-	-	-	-	20,000	-	-
Italy	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	1,100
Norway	-	-	-	-	-	-	-	-
Poland	4,000	-	-	-	-	20,000	-	11,000
Portugal	2,500	-	1,000	-	-	-	-	-
Romania	-	-	-	-	-	-	-	800
Spain	-	-	-	-	-	-	-	-
USSR	14,000	7,600	10,800	12,300	800	197,500	11,000	12,190
UK	-	-	-	-	-	-	-	-
USA	750	-	-	-	-	-	500	12,400
Others	3,250	200	200	200	200	10,000 ¹	1,000	10
Total	30,000	16,000	20,000	16,000	18,000	237,000+	89,200	60,000

¹ Countries without specific allocations may each take up to 10,000 tons from this stock.
² Allocation includes 15,000 tons estimated for inshore catches.

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