



Serial No. N407

THIRD ANNUAL MEETING - SEPTEMBER 1981

NAFO/FC Doc 81/IX/11

Cuban Delegation considerations concerning
NAFO/FC Doc. 81/IX/8 Conservation and Enforcement
Measures in the NAFO Regulatory Area

In relation to the title of the document we feel that as it used to be in the past, all conservation and enforcement measures to be approved should be gathered in a document titled NAFO Fishery Regulations. In our understanding although every regulation is a measure, it is not so in the opposite, and a Contracting Party should be only compelled to comply with regulations in force.

This is also valid in all cases throughout the text where the word measure has been used in clear reference to the words regulations in force, where it should be replaced.

PART I - MANAGEMENT

A. Quotas

1. To draw the attention to the fact that the way not to exceed neither the quota allocated to a Contracting Party, nor the amount allocated to "Others" for any Contracting Party to which no quota has been allocated, the beginning of this paragraph should read

"A Contracting Party shall limit, by following the procedure outlined in paragraph 2 and 3(a), in the period...."

C. Recording of Catch

2. (a)(i) In the way it is expressed, it can be understood that Schedule II constitutes a format or pattern for fishing logs, when it actually is nothing more than a series of items requested to appear in all fishing logs.

Thus, it should better read as follows:

(i)"their catches on a daily basis. The list of items in Schedule II shall be completed in all log books placed on board fishing vessels."

PART III - NOTIFICATION

A. Notification of Research Vessels

6. To be consistent with what is expressed in paragraph 2, paragraph 6 should read either:

"...limit to those procedures necessary to ascertain that the vessel is conducting its fishing operations according with the information submitted to the Executive Secretary."

"...limit to those procedures necessary to ascertain that the vessel is in possession of the notification explaining the experiment."

PART IV - SCHEME OF JOINT INTERNATIONAL ENFORCEMENT

5. (i) As it used to appear in the Scheme under ICNAF, the following should be added at the end of the sentence stating that the inspector shall sign the report:

...in the presence of the master who shall also sign "without prejudice to future proceedings."

11. The project still eliminates what the Scheme under ICNAF expressed about the possibility of non-agreement between two Contracting Parties. We insist that this possibility should remain.

PART IV-ANNEX V - INSPECTION QUESTIONNAIRE

40. Maintain the possibility that masters and witnesses had of expressing their observations in their own language.