

Northwest Atlantic



Fisheries Organization

Serial No. N1267

NAFO/FC Doc. 86/14
(Rev.) (Corrigendum)

EIGHTH ANNUAL MEETING - SEPTEMBER 1986

Report of the Fisheries Commission

During the Ninth Annual Meeting of the Fisheries Commission, September 1987, the following amendments to FC Doc. 86/14 (revised) were adopted:

Page 6, item 24, last sentence should read: The amended Canadian proposal was accepted as no one objected and read "the TAC would remain at 150,000 tons subject to adjustment where warranted by scientific advice".

Page 10, item 29, last paragraph should read: Under Agenda item 17(g), Squid in Subareas 3+4, the earlier proposal put forth by Canada, as amended by the EEC and Canada, to maintain the 1986 allocations in 1987 was carried with five votes in favour (Canada, Cuba, Japan, Poland, USSR), three against (EEC, Portugal, Spain) and two abstentions (Denmark, Norway).

Northwest Atlantic



Fisheries Organization

Serial No. N1267

NAFO/FC Doc. 86/14

(Revised)

EIGHTH ANNUAL MEETING - SEPTEMBER 1986

Report of the Fisheries Commission

Tuesday, 09 September - 1445 - 1715
Wednesday, 10 September - 0950 - 1230, 1435 - 1725
Thursday, 11 September - 1025 - 1230, 1450 - 1830
Friday, 12 September - 0930 - 1200

1. The Eighth Annual Meeting of the Fisheries Commission was called to order by the Chairman, Dr. J. A. Varea (Cuba), at 1445 hours, 9 September 1986 in the Lord Nelson Hotel, Halifax, Nova Scotia, with the presence of representatives from all members with the exception of Bulgaria, the German Democratic Republic (GDR) and Romania. (See Appendix I)
2. Under Agenda item 2, Appointment of Rapporteur, C. J. Allen (Canada) was appointed Rapporteur.
3. Under Agenda item 3, Adoption of Agenda, the Agenda was adopted as circulated. (See Appendix II).
4. Under Agenda item 4, Admission of Observers, the Chairman was pleased to welcome observers from Mexico and the United States of America, and noted that these observers were also permitted to attend subsidiary bodies of the Fisheries Commission such as STACTIC. The Chairman noted that a Canadian citizen who was not a member of the Canadian delegation had requested observer status at the meeting and referring to Rule 1.2 of the Rules of Procedure of the Fisheries Commission, asked for advice from the Commission members as to whether or not such a person could be admitted as an observer. It was agreed that NAFO Fisheries Commission meetings were meetings between representatives of governments and not between mere individuals and it would not be appropriate then to invite individual observers. The Chairman then requested that the Executive Secretary advise the individual that attendance would not be permitted.
5. Under Agenda item 5, Publicity, it was agreed that the usual practice be followed whereby the Chairmen of the Fisheries Commission, of the General Council, of the Scientific Council and the Executive Secretary would agree upon a press release for issuance at the close of the meeting. (See Appendix III)
6. Under Agenda item 6, Approval of the Report of the Seventh Annual Meeting, (FC Doc. 85/8, Revised) no errors or omissions were noted and the report was approved.
7. Under Agenda item 7, Review of Commission Membership, the Chairman noted that the issue had been addressed by the General Council. There were no changes in the membership and there was the necessary quorum for the Fisheries Commission to address its agenda.
8. Under Agenda 8, Procedural Rules for Decision Taking in Voting by Mail or Telex, it was noted that the same agenda item was discussed by the General Council earlier that day and that a working group was being formed to discuss the item for all bodies of NAFO and as such the item would be deferred until later in the meeting.
9. Under Agenda item 9, Status of Proposals, the Executive Secretary noted that Circular Letter 86/54 contained the up-to-date listing of the proposals by NAFO and confirmed that such a document would be prepared each year for the annual meeting.
10. Under Agenda item 10, Conservation and Enforcement Measures, the Chairman noted that a working group called earlier and chaired by the Chairman of STACTIC, would be reporting later on in the meeting on the issue of conversion factors. The Chairman also noted that a questionnaire had been circulated to all Contracting Parties regarding the types of chafers and measurement of their meshes and that the Executive Secretary had reported that not all Contracting Parties had replied to that questionnaire. He therefore requested that those Contracting Parties, that had not yet responded to the questionnaire, do so as soon as possible.

11. Under Agenda item 11, Scheme of Joint International Enforcement, the Chairman referred to Explanatory Memorandum 1 attached to the agenda which advised the Fisheries Commission that the European Economic Community (EEC) intended not to be bound by the Scheme of Joint International Enforcement as of 1 July 1987. In discussing that item, the delegate of the EEC proposed that a technical working group be formed to design amendments to or re-design the existing program for international control. In discussing such a proposal, he noted that they wanted to overcome past difficulties with the existing program of International Scheme of Joint Enforcement. He noted that in ICNAF there was a control program but that the northwest Atlantic fishery was now different and that there was no longer the same level of exploitation outside the extended jurisdictions of coastal states as there had been under the ICNAF regime. The delegate of the EEC suggested that a working group be formed to design controls and ways of implementing such controls. The delegate of Canada noted that the Scheme of Joint International Enforcement had been in place for a number of years and Canada had contributed a great deal to that program and that it would be useful to know more precisely what the shortcomings of the existing program were before the Commission could decide on whether or not a working group to re-design the program would be the way to proceed. The delegate of Denmark supported the idea of a working group thus giving the opportunity for a discussion of substance. He envisaged that a more specified mandate had to be drawn up by a drafting group. The delegate of the USSR noted that in his view while the Convention was in force no Party could get out of the enforcement scheme. The enforcement scheme, as described in Article 18 of the Convention, was an integral part of the Convention and he believed that if a Contracting Party were to leave the enforcement scheme, it should explain why. He further noted that a withdrawal from the enforcement scheme could lead to a chaotic situation of enforcement in the Regulatory Area and that all Contracting Parties had exerted considerable effort to create the existing Scheme which until recently had operated quite satisfactorily. He also noted that all Parties would be prepared to improve the scheme but they would like to receive specific proposals from the delegate of the EEC as to what the Commission should be considering as an alternative to the existing Scheme.

The Chairman noted that for a working group to be formed the Commission would have to elaborate the precise terms of reference for such a group. The delegate of Denmark suggested that if there was a real problem with the existing Scheme, the Commission should discuss it. However, it was his belief that if there were Contracting Parties concerned with the existing Scheme, they should let the other members of the Fisheries Commission know of their specific concerns. The delegate of the EEC stated that the Community did not wish to refer to specific cases relating to control involving certain Contracting Parties. That was not the objective. The objective, to which the Community was fully committed, was to strengthen international control in the Regulatory Area. The Community would circulate concrete suggestions later on during the meeting relating to the Working Group.

The delegate of Canada noted that it would be useful to do what the EEC delegation proposed and that when that delegation would put forth terms of reference or amendments to the Scheme, other Contracting Parties would then be in a position to decide how to proceed on that issue.

The delegate of Cuba noted that the Scheme in existence might not be the most perfect method of international control, but that most Contracting Parties could live with it the way it stood. He further questioned as to how a Contracting Party could withdraw from the Scheme. He further agreed with an earlier position of the USSR that the present Scheme was binding on all Contracting Parties until changed and also that to approve and participate in a working group would depend on any specific proposals put forth by the EEC for such a working group.

The delegate of the EEC reiterated its position that it would not be bound by the existing Scheme as of 1 July 1987 but that it would still be bound until that time. He further noted that there was sufficient time between now and that date in order to come up with an alternative Scheme. The delegate of Canada asked the EEC delegation when it would be ready to bring forward specific proposals regarding a new scheme for joint international enforcement noting that if such proposals were given too late during the meeting, then the Commission would not have enough time to decide them during the annual meeting. The delegate of the EEC noted that the paper with its proposals would be circulated as soon as possible. The item was then deferred until later in the meeting.

12. Under Agenda items 12, 13 and 14, the Chairman noted that those items would be covered by the report of STACTIC, to be presented later on in the meeting.
13. Under Agenda item 15, Summary of scientific advice proffered by the Scientific Council, the Chairman of the Scientific Council presented a brief synopsis of the scientific advice for stocks covered in Agenda item 16 and Agenda item 17. He further noted that under Agenda item 17(b)(i) the questions put to the Scientific Council by the Fisheries Commission at the last annual meeting regarding Cod in Divs. 2J+3KL and Greenland halibut in Div. 2+3KL were being revised in light of the answers presented in SCS Doc. 86/24 and would be reported later on in the meeting.

Regarding Cod in Div. 3M, the Scientific Council advised that the average biomass at age 3+ was in the range of 30,000 to 35,000 tons in the 1978-80 period. There was no evidence to indicate the current average biomass at that age class was greater than that level. Furthermore, the Scientific Council advised that a cessation of fishing would be the most appropriate management action for the stock.

For Redfish in Div. 3M, the Scientific Council noted that last year the recruitment of the year-classes of the early 1980's to the fishery might not have been as great as previously anticipated on the basis of Canadian research data, but that no such data were available for 1986. Because the CPUE had been relatively constant since 1977 and catches had been stable around 27,000 tons, the Scientific Council advised that the TAC for 1987 should remain at 20,000 tons. The Council further noted that there were insufficient data for the stock in order to provide answers to the questions posed by the Fisheries Commission at the last Annual Meeting.

Regarding American plaice in Div. 3M, based on relative stock stability from surveys, long-term stability of catches, and the lack of new information, the Scientific Council advised that the TAC for the stock should remain at the previously fixed level of 2,000 tons.

The Chairman of the Scientific Council declared that a revised draft for Cod in Div. 3NO would be provided later on in the meeting.

Regarding Redfish in Div. 3LN, the Scientific Council advised that the TAC should remain at 25,000 tons for 1987.

For American plaice in Div. 3LNO, the scientific advice was that a catch of 48,000 tons in 1987 would correspond to fishing at FO.1 for that stock.

For Yellowtail flounder in Div. 3LNO, the Scientific Council recommended that the total removals from the stock in 1987 should not exceed the current TAC of 15,000 tons.

For Witch flounder in Div. 3NO, the Scientific Council was not in a position to recommend any change in the TAC for 1987 from the 5,000 ton level in effect since 1985. The Scientific Council also expressed concern over the great increase in catch in 1985 and the belief that the stock most probably would not sustain such catch levels without a decline in stock abundance.

Regarding Capelin in Div. 3LNO, the Scientific Council advised that a catch of 10,000 tons from Div. 3NO in 1987 would probably not be detrimental to the stock.

Regarding Squid (*Illex*) in Subareas 3 and 4, the Scientific Council noted that there was no new information available for prediction of squid biomass in 1987 and that therefore the Scientific Council recommended that the TAC for 1986 should remain at 150,000 tons.

14. Regarding Agenda item 17(h)(i), the Chairman of the Scientific Council noted that there were insufficient data for the 3M Redfish and 3LNO Yellowtail flounder stocks to provide answers to the questions posed by the Fisheries Commission at the last Annual Meeting. Answers to questions posed at the last Annual Meeting for other stocks were presented as found in SCS Doc. 86/24. The Chairman noted that the Chairman of the Scientific Council, during his presentation, made a number of references to the lack of information available on a number of stocks and noted that such a fact should be of concern to all Contracting Parties and all Parties should do their utmost to provide the Scientific Council in the future with more data in order for the Council to be able to provide accurate scientific assessment of stocks.

The delegate of the EEC stated that the Community was concerned by the lack of scientific advice contained in the report of the Scientific Council. No information was forthcoming on the range of management options for each stock as requested by the Fisheries Commission. It was difficult to assess conservation measures for the stocks for 1987 in that situation. The Community was worried also about the accuracy and validity of the catch reporting and statistics and, for its part, it was reviewing its own historical catch data. Some errors in imputing the catches of certain stocks seemed to have occurred. Undoubtedly, other Contracting Parties had the same problem as regards their past reports. To appreciate the real status of each stock accurate catch data was required. The Chairman of the Scientific Council confirmed, in reply to a question from the delegate of the EEC, that "wrong catch reports" had as much weight as "research deficiencies" in determining the lack of advice.

The Chairman then adjourned the meeting at 1715 hrs.

15. The meeting reconvened 10 September at 0950 hours and began discussion of Agenda item 16, Management Measures for fish stocks in the Regulatory Area. Under Agenda item 16(a), Cod in Div. 3M, the delegate of Denmark noted that the Commission was in the same position with regard to that stock as it had been in previous years and that last year the Fisheries Commission had agreed that the TAC would be maintained at 12,965 tons until a certain level of biomass had been reached and he proposed, supported by the delegate of the USSR, that the 1987 TAC be maintained at that level. The delegate of the EEC noted that the catch data being used by the Scientific Council in assessing the stock were relatively meaningless as catch statistics for non-member countries fishing Cod in Div. 3M had not been taken

into account. As a result, he proposed that, rather than set a TAC, each Party should agree not to increase their current fishing effort so that the total fishing effort would remain constant. The delegate of Japan noted that while the Danish proposal limited catches to 12,965 tons, the EEC proposal could allow catch limits to increase using the same effort. The delegate of Norway requested the Canadian delegation to explain the reference on page 67 of the Scientific Council Report to Canadian estimations of overfishing of the stock. The delegate of Canada replied that in 1985 the only non-member countries fishing the stock were Mexico and Chile, and that although the TAC for that year was 12,965 tons, Canadian estimates put the catch at 27,354 tons. He declared that the overfishing was carried out according to Canadian estimations by Portugal, Spain, Mexico and Chile. He therefore noted that if the Commission were to agree to set no TAC and follow the EEC proposal then at the existing effort levels the catch in 1987 would be much higher than 12,965 tons and the stock would be depleted even further.

Poland and Cuba supported the Danish proposal.

The Chairman of the Scientific Council noted that lacking good catch data the scientific advice had been based primarily on research surveys carried out by Canada and the USSR, the results of which indicated very clearly that the stock was in bad shape. The delegate of Canada then proposed that the Fisheries Commission follow the scientific advice that a cessation of fishing would be the most appropriate management action. After a brief coffee break, the delegate of Canada explained that his proposal was put forth in order to underline the deep Canadian concern with overfishing. However, after discussing his proposal with other delegations, the delegate of Canada wished to withdraw the Canadian proposal. The delegate of Spain and the delegate of Portugal supported the EEC proposal. The delegate of Denmark noted that for several years his delegation had supported a TAC higher than advised by the Scientific Council and that there were reasons for deviating from the scientific advice. He further noted that the real problem was not the TAC but rather problems in controlling overfishing. To a question put by the Chairman as to what method would be used to control fishing under the EEC proposal, the delegate of the EEC noted that the problem of control remained the same whether management was by quantity or by effort. He further questioned the basis of the Canadian data regarding their estimation of catches in 3M Cod. The delegate of Canada referred to a document entitled "Methodology for the calculation of catch estimates for NAFO Regulated stocks", which would be distributed to the delegates later in the day and would explain how Canadian authorities arrived at estimates of catches. He further pointed out that on page 31 of the Scientific Council Report, in discussing the continued removals of fish from that stock, the report stated verbatim: "this situation is even more serious if the 1985 catch is as high as implied by the Canadian surveillance estimate". The delegate of the EEC noted that he could not support a TAC on a quantity basis because of the presence of non-member country vessels fishing the stock which would make the number meaningless. Upon request, the delegate of the EEC provided precise wording for his proposal as "each Contracting Party adopt the necessary measures to prevent any increase in fishing effort over the 1986 level". The delegate of the USSR noted that the tradition of the Organization was that if a stock was threatened then each Contracting Party ought to make sacrifices. The present TAC of 12,965 tons had been determined for the last few years from scientific and economic considerations and he noted that such a limitation had been ignored by some Parties. It was his belief that the Scientific Council Report contained objective figures and that even under the cautious recommendation of the scientists the agreed upon TAC had been doubled in actual catches. He noted that the fleet of the USSR could quite easily take the entire TAC and his country needed fish just as much as other countries. However, the USSR was making sacrifices by sticking to the decision that was made by the Organization. He further noted that he could not support the principle that stated that each country should catch as much as it could as such a possibility violated the principles of conservation.

The EEC proposal was voted on and it was defeated with 7 votes against (Canada, Cuba, Denmark, Japan, Norway, Poland, USSR) and 3 votes in favour (EEC, Portugal, Spain). The Danish proposal for a TAC of 12,965 tons was accepted with 6 votes in favour (Cuba, Denmark, Japan, Norway, Poland, USSR), three votes against (EEC, Portugal, Spain) and one abstention (Canada). The delegate of the EEC advised that the EEC would lodge an objection to that decision.

The observer from Mexico made a statement regarding the Canadian reference to overfishing by Mexican flag vessels and he noted that he was surprised at the Canadian estimate of Mexican catches at a 2,000 ton level. (See Appendix IV)

16. Under Agenda item 16(b), Redfish in Div. 3M, the delegate of Canada, supported by the USSR and Cuba, proposed that the TAC be set in line with the scientific advice which was to maintain the level at 20,000 tons. The delegate of the EEC noted that at the last annual meeting the Scientific Council had been requested to provide management options between FO.1 and Fmax which would have provided the basis for evaluating the effects that a rational exploitation would have on the development of the stock biomass and spawning stock biomass of the stock. Those options were not forthcoming. Therefore, the Community could not adopt a conservation policy based on inadequate scientific advice. The Canadian proposal was adopted by 6 votes in favour (Canada, Cuba, Denmark, Japan, Poland, USSR) and 3 votes against (EEC, Portugal, Spain). Norway did not participate in the voting.

17. Under Agenda item 16(c), American plaice in Div. 3M, the delegate of Canada, supported by Poland, proposed that the scientific advice to maintain the TAC at 2,000 tons be accepted. The proposal was carried with 6 votes in favour (Canada, Cuba, Denmark, Japan, Poland, USSR) and 3 abstentions (EEC, Portugal, Spain). Norway did not participate in the voting.
18. Under Agenda item 17(b), Redfish in Div. 3LN, the delegate of Canada, supported by the delegates of Cuba and USSR, proposed that the Commission accept scientific advice to maintain the TAC at 25,000 tons. The delegate of the EEC noted that once again management options had been requested at the last Annual Meeting and that they had not been forthcoming. Therefore the EEC could not support the Canadian proposal. The proposal was adopted with 7 votes in favour (Canada, Cuba, Denmark, Japan, Norway, Poland, USSR) and 3 votes against (EEC, Portugal, Spain).
19. Under Agenda item 17(c), American plaice in Div. 3LNO, the delegate of Canada, supported by the delegate of Poland, proposed that the Commission accept the scientific advice, which stated that a catch of 48,000 tons in 1987 would correspond to fishing at FO.1 for the stock. The delegate of the EEC requested that the Chairman of the Scientific Council be asked for more information on options between FO.1 and Fmax for the stock as he did not believe that the TAC of 48,000 tons represented the best possible option for management of the stock. He further noted that a TAC should be set at a level that, without threatening the stock, would still provide opportunities for fishermen.

The meeting adjourned for lunch at 1230 hours.

20. The meeting reconvened at 1435 hrs with the Chairman of the Scientific Council introducing the Chairman of STACFIS to handle discussions on American plaice in Div. 3LNO. In response to questions posed by the delegate of the EEC primarily regarding the figures found on pages 46 and 47 of the Scientific Council Report, the Chairman of STACFIS informed that in figure 5 the graphs did not go beyond 1976. However the top graph referred to age 6 at the year (t+6) and therefore its last point referred to the population size at age 6 in 1982. Furthermore the line was not brought beyond that point as the more recent analysis was not considered stable enough to be reliable. Regarding questions on figure 6, the Chairman of STACFIS noted that it was not realistic to provide a number for Fmax because it would be a value that would lead to a 95% exploitation of the resource in a single year. The delegate of the EEC agreed that Fmax would be too high but that perhaps FO.1 might be too low. Referring to figure 7, he noted that for a TAC of 48,000 tons, the spawning stock biomass would be at 250,000 tons and that, if a decision were reached for another level of TAC such as 65,000 tons, the spawning stock biomass would be approximately 245,000, i.e. double the 1975 level of 120,000 tons. Thus one was continuing the process of improving the stocks and with a TAC of 65,000 tons one would have a slightly slower increase in the spawning stock biomass than at a TAC of 48,000 tons whilst allowing increased fishing possibilities. The Chairman of STACFIS noted that at such a moment he could only speculate on what would happen if the TAC went up as he was unable to give accurate figures on the spawning stock biomass at such a TAC level. The delegate of Canada then noted that the American plaice and Yellowtail flounder in Div. 3LNO were generally caught together and asked what would be the implication of a higher TAC for American plaice on the Yellowtail flounder stock. The Chairman of STACFIS noted that the scientists had strong concerns over the status of Yellowtail flounder stock and that the 1985 catches had been double the TAC. At that rate of exploitation the stock would not be able to maintain itself indefinitely. He advised that a higher TAC for American plaice would have an effect on the Yellowtail flounder stock, a stock that would probably be more sensitive to over exploitation. The delegate of the EEC noted that if we were to begin to discuss the interdependence of those two stocks, then we should do a similar type of discussion for other stocks. He then proposed that the TAC for American plaice in Div. 3LNO be set somewhere between 65-70,000 tons. The delegate of Spain supported the EEC proposal and suggested that the TAC be set at 70,000 tons. The Commission then took a short break after which the delegate of Portugal noted his support for the EEC proposal. The delegate of Canada reiterated the Canadian proposal that the TAC be set at 48,000 tons which would correspond to fishing mortality at FO.1. He further noted that Canada fully supported the FO.1 management concept for four primary reasons: (1) fishing at FO.1 promoted the presence of larger numbers of mature fish of a variety of ages over a wider area; (2) a larger stock with more year-classes would be better able to withstand unexpected shocks; (3) fishing at FO.1 would give yields-per-recruit close to those of Fmax-but one would get that return for proportionately less effort. As the biomass went up so did catch rates-and the cost of catching went down; (4) the average size fish in the catch would be larger-so you would have fewer fish to handle and processing costs would be less and the product more valuable. Therefore the Canadian position was that the Scientific Council advice should be adopted. The EEC proposal was not accepted with 6 votes against (Canada, Cuba, Denmark, Norway, Poland, USSR), 3 votes in favour (EEC, Portugal, Spain) and one abstention (Japan). The Canadian proposal was adopted with 7 votes in favour (Canada, Cuba, Denmark, Japan, Norway, Poland, USSR) and 3 votes against (EEC, Portugal, Spain).

21. Under Agenda item 17(d), Yellowtail flounder in Div. 3LNO, the delegate of Canada, supported by the delegate of Cuba, proposed that the scientific advice for a TAC of 15,000 tons be followed. The delegate of the EEC noted that STACFIS had concluded that there were insufficient data to answer the questions posed by the Fisheries Commission on the stock at the last Annual Meeting and therefore the EEC could not support the Canadian position and would lodge an objection. The Canadian proposal was accepted with 7 votes in favour (Canada, Cuba, Denmark, Japan, Norway, Poland, USSR) and 3 votes against (EEC, Portugal, Spain).
22. Under Agenda item 17(e), Witch flounder in Div. 3NO, the delegate of Canada, supported by the delegate of Japan, proposed that the scientific advice be accepted to maintain the TAC at 5,000 tons. The proposal was accepted with 7 votes in favour (Canada, Cuba, Denmark, Japan, Norway, Poland, USSR) and 3 votes against (EEC, Portugal, Spain).
23. Under Agenda item 17(f), Capelin in Div. 3LNO, the Chairman noted that STACFIS advised that a catch of 10,000 tons from Div. 3NO in 1987 would probably not be detrimental to the stock. The delegate of Canada noted that the Scientific Council Report showed that the fishery had been closed for some time. He proposed, with the support of the delegates from Japan, Norway and the USSR, that in accordance with the scientific advice the TAC in 3NO be set at 10,000 tons. The proposal was carried with 7 vote in favour (Canada, Cuba, Denmark, Japan, Norway, Poland, USSR) and 3 votes against (EEC, Portugal, Spain).
24. Under Agenda item 17(g), Squid (*Illex*) in Subareas 3 and 4, the delegate of Canada, supported by the delegate of Cuba, proposed that the TAC remain at 150,000 tons as advised by the Scientific Council. The delegate of the EEC asked for an explanation as to why the TAC would be set at 150,000 tons when recent catches were only 600 tons and he suggested that that might attribute to the Organization a certain lack of credibility. The Chairman of the Scientific Council noted that squid was a short-lived species and therefore it was harder to predict how many squid there were likely to be in any given area. He further pointed out that in 1982 STACFIS advised that the TAC for 1983 should be maintained at 150,000 tons subject to adjustment on the basis of any new information forthcoming from the 1982 fishery. The delegate of the EEC suggested that as long as there was no squid in the water it might not be appropriate to fix the limit at 150,000 tons. If one knew that there would probably be no catch in 1987, then as a matter of principle he questioned the appropriateness to set a TAC at such a level. He further asked what the effect of a TAC of 160,000 tons would be. The Chairman of the Scientific Council noted that whether the TAC would be at 150,000 or 160,000 tons it would probably make little difference at all. The Scientific Council did not set TAC's, only provided advice. He further noted that the TAC advice of 150,000 tons was a precautionary level and if abundance of squid was found to be very high then the TAC could be adjusted upwards. The delegate of the EEC then suggested an amendment to the Canadian proposal with the addition of the proviso: "subject to adjustment when appropriate". The delegate of the USSR requested clarification on how the TAC in 1987 could be adjusted upwards as he could only see one way of doing it and that would be for the Scientific Council to provide the advice and then for the Fisheries Commission to vote on the TAC. The delegate of the EEC noted that voting on that issue could be done by mail or telex and there would not necessarily be the need to hold a special meeting. The delegate of Canada agreed with the procedure proposed by the delegate of the EEC and further proposed an additional amendment to the EEC amendment so that the amendment would read "subject to adjustment where warranted by scientific advice". The delegate of the EEC noted that such a suggestion would only apply to squid and not to other stocks in general terms. He further stated that he agreed with the Canadian amendment to his own amendment. The Chairman of the Fisheries Commission noted that in practical terms without assembling the scientists at a Scientific Council meeting it might not be possible to get scientific advice by mail as the scientists generally worked by discussing issues and not by mail. The amended Canadian proposal was accepted by consensus and read "the TAC would remain at 150,000 tons subject to adjustment where warranted by scientific advice".

The meeting was adjourned at 1725 hours.

The meeting reconvened on 11 September at 1025 hours.

25. Under Agenda item 17(a), Cod in Div. 3NO, the Chairman referred to a paper entitled "Extracts from Report of Scientific Council, September 1986", noting that the paper would form part of the annual report of the Scientific Council. The Chairman of the Scientific Council noted that the paper discussed certain items that were deferred to the Scientific Council from their June meeting. Regarding 3NO Cod, he noted that the June Report was incomplete because of a lack of data. He also noted that STACFIS had advised in 1985 that the 1986 mean 3+ biomass would be 271,000 tons and it had no basis to consider that the 1987 biomass would be significantly different from that level. The delegate of the USSR proposed that the 1987 TAC be the same as 1986 at 33,000 tons. The delegate of the EEC expressed concern about the lack of advice from the scientists on that stock. He further made reference to information contained in SC Working Paper 85/65 which was appended to NAFO/FC Doc. 86/1. To a question put by the delegate of Canada regarding the status of that Working Paper the Chairman of the Scientific Council noted that the Working Paper was prepared for the June 1985 Council Meeting but was not adopted by the Scientific Council. The delegate of Canada then noted that he could not

accept the introduction of papers as scientific advice which had not been endorsed by the Scientific Council itself and noted that the scientific advice for that stock was essentially the same as last year and therefore supported the USSR proposal. The delegate of Denmark shared the concern expressed by the delegate of the EEC that there was no clear advice from the Scientific Council and requested what their advice had been on that stock in 1985. The Chairman of the Scientific Council noted that the advice had been for a yield in 1986 at the F0.1 level of 33,000 tons. The delegate of the EEC, supported by the delegates of Spain and Portugal, proposed that the Fisheries Commission request more scientific investigation and that no TAC be set but that the Commission agree to limit the fishing effort immediately. Explaining his proposal, the delegate of the EEC suggested that the Fisheries Commission request the Scientific Council to do its best to improve its advice and in the meantime the recommendation be not to increase the fishing effort and to vote on a possible TAC during the year if further evidence would be available. The delegate of Canada asked the Scientific Council Chairman what the likelihood would be of gathering further evidence in time for the start of the 1987 fishery, to which the Scientific Council Chairman replied that that would depend on the research activity that was being carried out in the area but added, however, that the necessary information on commercial catches should be improved. The delegate of Canada noted that the proposal from the USSR was a prudent one and while the Commission should ask the Scientific Council to improve the data, it should not defer a decision on the TAC as such a deferral would be detrimental to the 1987 fishery. The EEC proposal was not carried with 7 votes against (Canada, Cuba, Denmark, Japan, Norway, Poland, USSR) and 3 in favour (EEC, Portugal, Spain). The USSR proposal was then accepted with 5 in favour (Canada, Cuba, Japan, Poland, USSR), 3 against (EEC, Portugal, Spain) and 2 abstentions (Denmark, Norway).

26. Regarding Agenda item 17(h)i), the Chairman of the Scientific Council referred to the paper entitled, "Extracts from Report of the Scientific Council, September 1986", which would be incorporated into the 1986 Scientific Council Report. That paper stated that currently STACFIS concluded that it was advisable to assess Div. 2J+3KL cod as one stock complex as it had been the practice in the past. Furthermore, STACFIS was not able to precisely assess the effects of exploitation on any one of the spawning components because biomass estimates of those components were not available. Unfortunately the Scientific Council was not presently able to provide advice on the relative distribution of the resource among divisions but it could provide some general guidance on the matter at a future meeting if requested to do so. Furthermore, although STACFIS would not be in a position immediately to assess the effects of seasonal ice cover and/or extreme environmental conditions on cod distribution, it recommended that the action of such factors on the cod distribution be examined as soon as possible. Regarding question (b), as indicated on page 59 of the Scientific Council Report, the Chairman of the Scientific Council noted that the response as indicated in that report was still valid. He also noted that the response to questions (c), (d) and (e) on the same page were also still valid.

On the same agenda item, and referring to Greenland halibut in Subareas 2+3, the Chairman of the Scientific Council noted that question (a), as found on page 60 of the Scientific Council Report of June 1985, had been deferred to the September 1986 Meeting and as a result STACFIS agreed that the weight of the available evidence supported the conclusion that there was a single continuous stock extending from the Davis Strait to the northern Grand Bank i.e. there was no stock division in NAFO Subarea 2 and Div. 3K+L. Regarding the answer to question (d) on that stock, the Chairman of the Scientific Council reiterated the response found on page 60 of the Scientific Council Report of the June 1986 Meeting. The Chairman of the Scientific Council also presented the answers on page 61 for questions (c), (d) and (e). The delegate of Denmark declared that he was worried about some of the statements made by the Chairman of the Scientific Council that research on some of those stocks, required to provide the necessary answers on some of the questions asked at the last Fisheries Commission Meeting, would be too costly and suggested that there should be more scientific monitoring in some areas. He also felt that estimates provided by the scientists seemed not to warrant any changes on the current management of the stocks.

27. The Chairman asked if the Commission would be then in a position to accept a fishery in the Regulatory Area for the species. If the answer to that first question would be positive, then what level of effort should the Commission admit. If the Commission would not have enough evidence to change the pattern of the fishery for those stocks in previous years, then should the Commission maintain the existing status quo? He further noted that if there were no proposals for a TAC for cod in the Regulatory Area in 2J+3KL or Greenland halibut in 2+3KL then the Commission would keep the existing management strategy for the stocks.

The delegate of Canada asked that the Commission return to that item later the same day.

The Chairman of the Fisheries Commission noted that Roundnose grenadier in Subarea 2+3 was being considered as well and, as there were no comments on the subject, it could be assumed that the same management strategies as in the past for that stock would be followed as well and that the Commission would return to agenda item 17(h)ii)a), Cod in Div. 3L, later the same day.

28. Returning to Agenda item 11, Scheme of Joint International Enforcement, and referring to FC Doc. 86/7, the delegate of Canada stated that he supported the general outline of the EEC document but had problems with the first two objectives set out in the proposal.

Regarding the second of those two objectives, he declared that while Canada had no problem with the idea of impartiality, he could not think that to be impartial it would mean that an inspecting authority must dedicate vessels, people, time and money to inspections in non-problem areas in order to appear impartial. Inspectors should be free to concentrate on problem areas in order to achieve the purposes of the Joint Enforcement Scheme. As regards the first of the objections presented in the EEC's paper, the delegate of Canada assumed it referred to the "two hats" problem described by the EEC the previous day. He indicated that all delegates now had the affidavit from the Canadian fisheries officer and there was no basis for the argument that Canada had misused the Joint Inspection Scheme. Nonetheless, Canada was ready to look at any constructive proposals to minimize the possibility of confusion in the future.

He suggested a drafting group be formed immediately, under the chairmanship of the EEC, to review the terms of reference proposed by the EEC and provide amendments, as necessary, acceptable to all Parties. Canada would have a number of amendments to propose. He further noted that one of the amendments should include a timetable for commencement of the new working group and for the completion of its work. Provision should be made for a report to be made to the next NAFO meeting, and he stressed that all participating Contracting Parties must continue within the existing Joint Enforcement Scheme until that time.

The delegate of Denmark noted that he would like to discuss the issue in the Fisheries Commission and was concerned with the timing of the proposal. The delegate of the EEC felt that it was not necessary to have a drafting Working Group and that if other Contracting Parties wanted to propose amendments to the paper then they should do it within the Fisheries Commission. He further noted that he had nothing against the timing recommended by the delegate of Canada but to review the issue at the next NAFO meeting might be too late. The timing would depend on the members of the Working Group and on when such a group would be set up. He further reiterated that in the meantime the EEC was not bound by the present Joint Enforcement Scheme as of 1 July 1987. He felt that a Working Group, once set up, should be able to come up with a report within six months. A lengthy discussion ensued on the subject and the delegate of Canada noted that any resolution of the working group was far too important to be decided on by a mail or telex vote. He noted that it would be necessary for either a special meeting or a regular meeting of NAFO and that a special meeting would be expensive for many Contracting Parties. He insisted that any recommendations provided by the working group would be too important to be agreed upon in a mail vote, the same being true of any amendments to the Joint Enforcement Scheme and he reemphasized the position that such issues should be discussed at an Annual Meeting. The delegate of Cuba stated that he did not have a clear view of the legal implications of the EEC withdrawal from the Joint Enforcement Scheme. He further questioned whether or not a Contracting Party, once having signed or approved a binding agreement, could withdraw from it by declaring it did not feel bound and still continue to be a member of the Convention. He further suggested that the EEC produce in written form its views on how to improve the existing Joint International Enforcement Scheme and noted that any changes to the existing Scheme would have to be agreed to by the highest level of his Government. He further agreed with the delegate of Canada that a vote by mail or telex on any amendment to the Scheme would be a complex problem. The delegate of the USSR agreed with the Cuban interpretation of the Convention and noted that the Joint Enforcement Scheme was an integral part of the Convention and agreed that any decisions on amendments to the existing Scheme should not be done by mail. The delegate of the EEC referred to the Conservation and Enforcement Measures (NAFO/FC Doc. 82/IX/13) and noted that the Community had given notice of its intention not to be bound by the measures relating to Part IV of that document on the Scheme of Joint International Enforcement. It was not withdrawing from the Convention and he noted that up until now no other Contracting Party had formally provided any comment on their withdrawal. He also stated that the EEC delegation would circulate its views of amendments to the existing Scheme. The Chairman suggested that the Vice-Chairman of the Fisheries Commission should convene a working group to meet immediately after the end of the current meeting of the Commission to discuss the possible timetable and procedures for the establishment of a working group to report back to the Fisheries Commission the following morning. A lengthy discussion took place immediately and then the delegate of Cuba suggested that, instead of agreeing to the setting up of a working or drafting group, the Heads of Delegations have a meeting to try and reach a consensus on how to proceed. He further suggested that the Commission should not continue the discussion and it should drop the item for a few hours in order that all delegates have time to consider the issue calmly. The delegate of Canada and the delegate of Japan agreed with the Cuban suggestion.

The meeting was adjourned at 1230 for lunch!

The meeting reconvened at 1450 hours.

29. Under Agenda items 16 and 17, National allocations, the Chairman noted that the TAC for Cod in Div. 3M had been decided at 12,965 tons. The delegate of Denmark, supported by Cuba and Poland, proposed that the allocations be the same as in 1986. The proposal was accepted with 7 votes in favour (Canada, Cuba, Denmark, Japan, Norway, Poland, USSR) and 3 against (EEC, Portugal, Spain).

Regarding Redfish in Div. 3M, with an agreed TAC of 20,000 tons, the delegate of Cuba, supported by the delegate of Japan, proposed that allocations be the same as in 1986. The proposal was carried out with five votes in favour (Canada, Cuba, Japan, Poland, USSR), three against (EEC, Portugal, Spain) and two abstentions (Denmark, Norway).

Regarding American plaice in Div. 3M at an agreed TAC of 2,000 tons the delegate of Canada proposed that the same allocations apply as in 1986 which was supported by Poland. The proposal was carried with five votes in favour (Canada, Cuba, Japan, Poland, USSR), three against (EEC, Portugal, Spain) and two abstentions (Denmark, Norway).

Regarding Cod in Div. 3NO at a TAC of 33,000 tons, the delegate of Canada supported by the USSR, proposed that the same allocations apply as in 1986. The proposal was carried with five votes in favour (Canada, Cuba, Japan, Poland, USSR), three against (EEC, Portugal, Spain) and two abstentions (Denmark, Norway).

Under Redfish in Div. 3LN, at a recommended TAC of 25,000 tons, the delegate of Canada, supported by the delegates of Cuba and USSR, proposed that the same allocations apply in 1987 as in 1986. The proposal was carried with 5 votes in favour (Canada, Cuba, Japan, Poland, USSR), three against (EEC, Portugal, Spain) and two abstentions (Denmark, Norway).

For American plaice in Div. 3LNO at a TAC of 48,000 tons the delegate of Canada, noting that the TAC had decreased from the previous year, recommended that on the basis of a proportional allocation, the allocations be 47,300 to Canada, 610 tons to the EEC and 90 tons to "Others" which was supported by the USSR. The proposal was accepted with five votes in favour (Canada, Cuba, Japan, Poland, USSR), three against (EEC, Portugal, Spain) and two abstentions (Denmark, Norway).

Regarding Yellowtail flounder in Div. 3LNO, at a TAC of 15,000 tons, the delegate of Canada supported by the delegate of Poland, proposed that the same allocations apply in 1987 as in 1986. The proposal was accepted with five votes in favour (Canada, Cuba, Japan, Poland, USSR), three against (EEC, Portugal, Spain) and two abstentions (Denmark, Norway).

Regarding Witch flounder in Div. 3NO, at a TAC of 5,000 tons, the delegate of Canada, supported by the delegate of the USSR, proposed that the same allocations apply in 1987 as in 1986. The proposal was accepted with five votes in favour (Canada, Cuba, Japan, Poland, USSR), three against (EEC, Portugal, Spain) and two abstentions (Denmark, Norway).

Regarding Capelin in Div. 3NO, at a TAC of 10,000 tons, the delegate of Cuba expressed an interest in fishing for that stock and noted that in the ICNAF regime the capelin population was decreasing at the same time the Cuban fishing industry was beginning to become interested in the stock. He further requested an allocation for Cuba of 2,000 tons. The delegate of Norway proposed national allocations for Canada 400 tons, Japan 800 tons, Norway 3,000 tons, Poland 300 tons, USSR 5,000 tons and Others 500 tons. He further noted that Cuban fishing interests could fish in the "Others" quota. The delegate of Cuba noted that his country was a young country and had only recently developed a modern fishing fleet and therefore did not have a traditional presence in the fishery. However, Cuba could not be measured by the same past performances as older countries and he insisted on a quota of 2,000 tons. The delegate of the EEC requested an allocation of approximately 3,000 tons. The delegate of the USSR noted that the TAC was rather limited at the present time and was certainly less than the level that all countries would want as allocations in order to satisfy their requirements. He noted that in the last three years of a directed fishery the USSR had caught 50% of the overall catch and therefore agreed with the proposal of the delegate of Norway. The delegate of Cuba proposed the following allocations: Canada 100 tons, Cuba 1500 tons, EEC 500 tons, Japan 700 tons, Norway 2500 tons, Poland 300 tons, USSR 4200 tons and Others 200 tons. The delegate of the EEC, supported by the delegate of Portugal, proposed: Canada 280 tons, Cuba 1000 tons, EEC 2500 tons, Japan 560 tons, Norway 2100 tons, Poland 210 tons, USSR 3350 tons and Others 0. The delegate of Japan noted that the Norwegian proposal gives Japan 800 tons and although the Japanese historical performance was not as large as the USSR and Norway, Japan would still like to participate in this fishery in a large way and noted that the proposed allocations for Japan in the various proposals were not acceptable. The delegate of Spain supported the EEC proposal. At the request of the delegate of Canada, supported by the delegate of Japan, it was agreed to defer the item until the next day.

Regarding Squid (Follower) in Subarea 3+4, the delegate of Canada proposed that in 1987 the same allocations apply as in 1986, which was supported by the delegate of Japan. The delegate of the EEC requested that the item be deferred until the next morning or perhaps later the same day.

Under Agenda item 17(h)ii) Management measures for Cod in Div. 3L, if available in the Regulatory Area in 1987, the delegate of Canada noted that during the morning session Commission Members had not indicated any reason to change the existing management practice for Cod in Div. 3L and he proposed a continuation of the moratorium on fishing for Cod in Div. 3L and further proposed the following wording to be inserted in "Part I-Management" of the Conservation and Enforcement Measures under Item "D-Other Measures" which would read "Based on the information provided by the Scientific Council concerning Cod in Div. 3L in the Regulatory Area, directed fisheries for the species in the area shall not be permitted in 1987". The delegate of the EEC questioned where in the Scientific Report was there the justification to ban such fishing to which the delegate of Canada referred to page 59 of the Scientific Council Report which indicated that the 2J3KL stock was a single stock and on average less than 5% of it might occur outside the Canadian zone and as such the TAC was fully subscribed within the Canadian zone. The delegate of the EEC agreed with the first comment by the delegate of Canada regarding the stock being a single stock but noted that the scientists said that 10% of the stock was found outside in the winter and did not understand how Canada could propose banning fishing

outside the zone. The Community could not as a fundamental matter of principle accept the Canadian approach that a stock occurring in the international waters of the Regulatory Area can be "fully subscribed in the Canadian zone". There was no scientific advice or recommendation to close directed cod fishing on the 2J+3KL cod stocks in division 3L outside 200 miles in the Regulatory Area in 1987. The delegate of Poland supported the Canadian proposal which was carried with six votes in favour (Canada, Cuba, Denmark, Norway, Poland, USSR), three against (EEC, Portugal, Spain) and one abstention (Japan).

Under Agenda item 17(h)iii) the Chairman referred delegates to NAFO/FC Doc. 86/9, and NAFO/FC Doc. 86/10, which were separate proposals put forth by the EEC and Canada respectively. The delegate of the EEC noted that the two proposals were quite similar with two differences: in the Canadian proposal, Canada did not request scientific advice for the 2J3KL cod stock and also did not request advice on various management options for any of the stocks. He further noted that as long as the EEC delegation did not get any relevant information from the Scientific Council in order to evaluate the various management options, it was obvious the EEC would be obliged in the future years to object to the measures adopted by the Fisheries Commission. The Fisheries Commission was obliged to appreciate the conditions of exploitation of the stocks and that was not currently being undertaken. The delegate of Denmark reiterated his earlier position that he would support having various management options presented for the various stocks under consideration and in that respect he could support the proposal of the EEC. However he had also earlier made an observation on the 2J3KL stock noting that the scientific information provided had not resulted in any change in the existing management status of that stock. Since no other delegations had commented on that issue earlier he suggested that the EEC request for scientific information on Cod in Div. 2J3KL be removed from its proposal. He also emphasized that he was able to support the remainder of the EEC proposal. The delegate of Cuba noted that his position was similar to Denmark and that all Parties should be entitled to get as much scientific information as possible when deciding on management measures to stocks under consideration and that the 2J3KL cod item should be removed from the EEC proposal. The delegate of the EEC emphasized that his delegation could not comply with this request to remove 2J3KL cod from its proposal as it would mean in fact that an international body was transferring its responsibility to a coastal state as the cod stock was also found partially in international waters. The delegate of Canada requested that the item be deferred until the next day when Canada would be putting forth a revised proposal.

Under Agenda item 17(g), Squid in Subareas 3+4, the earlier proposal put forth by Canada to maintain the 1986 allocations in 1987 was carried with five votes in favour (Canada, Cuba, Japan, Poland, USSR), three against (EEC, Portugal, Spain) and two abstentions (Denmark, Norway).

Returning to Agenda item 11, Scheme of Joint International Enforcement, a lengthy discussion took place concerning the proposal put forth earlier in the meeting by the delegate of the EEC. The delegate of the EEC explained that its proposal was to have a working group set up in order to have the opportunity to listen to appropriate experts from all Contracting Parties. The working group would have the technical mandate to consider what kinds of methods, elements, etc. might be taken into account in order to facilitate control in the Regulatory Area and to ensure that a regime would be put in place that would avoid any possible dispute in the future. After such technical discussions had taken place there would be two possible cases for handling the results of the working group. In the first case, using the information provided by the working group, each Contracting Party would draw its conclusions and make recommendations for appropriate elements of a new Joint Enforcement Scheme. If the final report would be ready by February, then there would be enough time for the delegations to decide on their various proposals and to disseminate them to other Contracting Parties in order to form a consensus. He noted that the Fisheries Commission might then request a special meeting although this might not be convenient for some Contracting Parties. In the second case, if the working group was unable to complete its task in time, then the EEC would draw its own conclusions on the best way to proceed for a new Scheme and would pursue its own suggestions for control on a unilateral basis. A lengthy discussion ensued regarding the need and desirability of setting up such a working group. The Chairman then requested that all Contracting Parties present their views on the issue after which he noted that there was no general consensus to agree with the EEC proposal to set up such a working group.

The meeting adjourned at 1830 hours.

The meeting reconvened on 12 September at 0930 hours.

Under Agenda item 17(h)iii), the Chairman noted that a revised Canadian proposal found in NAFO/FC Doc. 86/10 (Rev.) had been handed out. The delegate of Canada noted that as a result of the comments by some Contracting Parties earlier in the meeting the revised proposal had been put together and it now included various management options. The delegate of the EEC noted that the Canadian proposal still did not contain any reference to cod 2J+3KL in paragraph 1 and as such, the EEC could not agree with the revised proposal since the stock was an overlapping one. As an international stock, it was the responsibility of the Fisheries Commission to manage the 2J+3KL stocks and the Community rejected any implication that the stocks were under Canadian management. If Canada were to add Cod in Div. 2J3KL to paragraph 1 then the EEC would agree with the revised Canadian proposal. The delegate of Canada

stated that he would have great difficulty in complying with the EEC request as the management of the stock had been confirmed earlier in the meeting. Furthermore, as the coastal state, Canada did not concur that 2J3KL cod be included. The delegate of the EEC proposed an amendment to the Canadian proposal adding 2J3KL cod to the first paragraph. That proposal was supported by the delegates of Spain and Portugal. It was agreed to return to the item at a later time.

32. Under Agenda item 17(f), Capelin in Div. 3LNO, the delegate of Norway proposed an amendment to his earlier proposal for allocation of the stock as follows: Canada 400 tons, Cuba 250 tons, EEC 250 tons, Japan 800 tons, Norway 3,000 tons, Poland 300 tons, USSR 5,000 tons and Others 0. The proposal was supported by USSR and Canada. The proposal was adopted with five votes in favour (Canada, Japan, Norway, Poland, USSR), three opposed (EEC, Portugal, Spain) and two abstentions (Cuba, Denmark).
33. Under Agenda item 21, Changes to NAFO Conservation and Enforcement Measures regarding by-catch limits, the Chairman noted a Canadian proposal circulating as NAFO/FC Doc. 86/11. The delegate of Canada suggested that the item in question should be left for the next Annual Meeting, which was agreed.
34. Under Agenda item 11, Scheme of Joint International Enforcement, the Chairman referred to a Canadian proposal found in NAFO/FC Doc. 86/13. The delegate of the EEC observed that in general the Community could agree to the Canadian proposal, however, it wished to state that its understanding of the term "corresponding" in the final paragraph, fourth line of the proposal, signified that a Contracting Party would have in place until 15 November 1987 a control regime equivalent to the Scheme of Joint International Enforcement with regard to the pursuit of its objectives but not necessarily by the same means. This could signify a Contracting Party having in force an autonomous regime. After some discussion on the amendments the proposal was adopted as revised.

Under Agenda item 22, Improving Scientific Knowledge on the Status of Fish Stocks in the Regulatory Area and review of the International Scientific Observer Program, the delegate of the EEC recalling the intervention he had made in the Council, noted that whilst he had no specific proposal to make on the matter, the Community confirmed its readiness to proceed along the same lines as the decision to set up a Working Group on the Joint Enforcement Scheme. The Community had outlined its views to all Contracting Parties and was ready to consider proposals from other Parties. As there were no further comments by other delegates, the Chairman suggested that the item be deferred to the next Annual Meeting, which was agreed.

35. The Chairman then referred to NAFO/FC Doc. 86/6 (Rev.) entitled "Scientific Council request for advice from the Fisheries Commission", and noted that the paper would form part of the STACTIC Report.
36. After a brief coffee break, under Agenda item 24, the Observer from Mexico, presented a brief statement to the Commission (see Appendix V). Also, under the same agenda item, the delegate of Spain expressed his deep concern over a newspaper article contained in that day's edition of the Halifax Chronicle-Herald. He noted that a specific NAFO document had been quoted and the subject had sensitive overtones and furthermore the article could lead to a negative public opinion in Canada. He further suggested that perhaps the Commission needed stricter control of documents and meeting security in general.

The delegate of Canada agreed with the Spanish position and noted that his concerns were justified. He further suggested that the question of overall security should be considered and that perhaps for future meetings the Secretariat should give thought to changing the existing system. The delegate of Portugal fully endorsed the Spanish statement and added that Portuguese fishing vessels had exercised their right of fishing in the Regulatory Area in total compliance with EEC self-binding fishing rules based on sound scientific basis and he further stressed that such a fishery had been carried out without any harm to the conservation of the fishing stocks.

37. Returning to Agenda item 17(h)iii), and referring to FC Doc. 86/10 (Rev.), the Chairman noted that the Canadian delegation had provided a further amendment to the document with an addition of a third paragraph. The delegate of the EEC suggested a minor amendment to the Canadian amendment which was supported by some delegates but was not acceptable to Canada. The delegate of Cuba proposed a compromise wording for paragraph 3 as follows: "The Fisheries Commission with the concurrence of the coastal state requests that the Scientific Council continues to provide information, if available, on the stock separation in Div. 2J3KL and the proportion of the biomass of the cod stock in Div. 3L in the Regulatory Area." The delegate of Canada noted his acceptance of the Cuban compromise and requested a vote be called, which was supported by the USSR. The proposal was carried with seven votes in favour (Canada, Cuba, Denmark, Japan, Norway, Poland, USSR) and three against (EEC, Portugal, Spain). A discussion then ensued as to whether the Commission had voted only on the Cuban amendment to the Canadian proposal or on the entire Canadian proposal as amended by the Cuban amendment. The Chairman explained that the entire document including the Cuban amendment was what had been voted upon.

38. Under Agenda item 14, Report of STACTIC, the Chairman of STACTIC presented the report which also included Agenda items 12 and 13 (see Appendix VI). The delegate of Spain requested that the Report of the Fisheries Commission reflect the importance of the issues that had been raised in STACTIC. The STACTIC Report was adopted.

The Chairman noted that at the last annual meeting a working group had been set up to study conversion factors under the chairmanship of the Chairman of STACTIC. The Report of the Working Group including its recommendations, was adopted.

It was also noted that the Working Group on Chafers had been unable to meet due to the protracted meetings of STACTIC that had taken place. That Working Group would have to meet and report at the next annual meeting.

39. Under Agenda item 8, Procedural Rules for decision-taking in voting by mail or telex, it was agreed that the Fisheries Commission would adopt the same decision as would be taken by the General Council.
40. Under Agenda item 23, Time and Place of Next Meeting, the Chairman noted that the Commission would abide by the decision of the General Council on the issue.

The meeting was adjourned at 1200.

LIST OF PARTICIPANTS

President of NAFO: H. Schmiegelow
Directorate General for Fisheries
Commission of the European Communities
200 Rue de la Loi
Brussels 1049, Belgium

CANADA

Head of Delegation: Dr. P. Meyboom, Deputy Minister
Department of Fisheries and Oceans
200 Kent Street
Ottawa, Ontario K1A 0E6

Representatives

Dr. P. Meyboom (see address above)
W. M. Murphy, Mersey Sea Foods, P. O. Box 1290, Liverpool, Nova Scotia BOT 1K0
E. McCurdy, Fishermen's Union - Local 1252, P. O. Box 880, St. John's, Newfoundland A1C 5L9
V. Rabinovitch, Assistant Deputy Minister-International, Dept. of Fisheries and Oceans, 200 Kent St.,
Ottawa, Ontario

Advisers

C. J. Allen, Dept. of Fisheries and Oceans, International Directorate, 200 Kent Street, Ottawa, Ontario
K1A 0E6
R. F. Andrigo, Dept. of External Affairs, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
B. I. Applebaum, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
M. F. Belliveau, Maritime Fishermen's Union, P. O. Box 1418, Shediac, New Brunswick E0A 3G0
A. Best, I.F.P.A., Box 70, Southern Harbour, P. Bay, Newfoundland
A. R. Billard, Executive Director, Eastern Fishermen's Federation, P. O. Box 746, Dartmouth, Nova Scotia
B2Y 3Z3
B. Chapman, President, Fisheries Assoc. of Newfoundland & Labrador Ltd., P. O. Box 8900, St. John's,
Newfoundland A1B 3R9
L. J. Dean, Dept. of Fisheries, Government of Nfld.-Labrador, P. O. Box 4750, St. John's, Newfoundland
A1C 5T7
P. Delorme, Dept. of External Affairs, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
E. B. Dunne, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland A1C 5X1
A. A. Etchegary, Fishery Products International, 70 O'Leary Avenue, St. John's, Newfoundland
F. P. H. Flewelling, Department of Fisheries and Oceans, Surveillance and Enforcement, 200 Kent Street,
Ottawa, Ontario K1A 0E6
G. Codin, Secrétaire général, Association des pêcheurs professionnels Acadiens, C. P. 3000, Shippegan,
New Brunswick E0B 2P0
J. G. Hearn, President, Independent Fish Producers Nfld. & Labrador, 10 Pippy Place, St. John's,
Newfoundland
C. Jones, Dept. of Fisheries and Oceans, P. O. Box 550, Halifax, Nova Scotia B3J 2S7
J. E. H. Legare, Assistant Deputy Minister, N. B. Dept. of Fisheries, P. O. Box 6000, Fredericton, New
Brunswick E3B 5H3
W. Lever, Director-Communications, Dept. of Fisheries and Oceans, P. O. Box 550, Halifax, Nova Scotia
B3J 2S7
H. Lindblad, Presidnet, Maritime Fishermen Union, P. O. Box 1418, Shediac, New Brunswick
A. A. Longard, Director, Marine Resources, N. S. Dept. of Fisheries, P. O. Box 2223, Halifax, Nova Scotia,
B3J 3C4
P. J. McGuinness, Vice-President, Fisheries Council of Canada, 77 Metcalfe St., Suite 505, Ottawa, Ontario,
K1P 5L6
J. McD. Meaney, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland A1C 5X1
W. M. Murphy, Mersey Sea Foods, P. O. Box 1290, Liverpool, Nova Scotia BOT 1K0
M. C. O'Connor, 128 Irving Avenue, Ottawa, Ontario K1Y 1Z4
D. E. Pethick, International Directorate, 200 Kent Street, Ottawa, Ontario K1A 0E6
R. J. Prier, Dept. of Fisheries and Oceans, P. O. Box 550, Halifax, Nova Scotia B3J 2S7
W. Rowat, Assistant Deputy Minister-Atlantic Fisheries, Dept. of Fisheries and Oceans, 200 Kent Street,
Ottawa, Ontario K1A 0E6
R. L. Shaw, Vice-President, National Sea Products, P. O. Box 2130, Halifax, Nova Scotia B3J 3B7
R. Steinbock, International Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario
K1A 0E6
R. C. Stirling, Executive Director, Seafood Producers Assoc. of N.S., P. O. Box 991, Dartmouth, Nova
Scotia B2Y 3Z6
L. E. Stowbridge, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland A1C 5X1

APPENDIX I
(cont'd)

G. R. Traverse, Chief, Resource Management, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland A1C 5X1
F. Way, Assistant Deputy Minister-Intergovernmental Affairs, Govt. of Newfoundland and Labrador, Confederation Bldg., P. O. Box 4750, St. John's, Newfoundland A1C 5T7
B. White, Director, Fisheries and Fish Products Div., Dept. of External Affairs, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
M. Yeadon, National Sea Products, P. O. Box 2130, Halifax, Nova Scotia

CUBA

Head of Delegation: E. Oltuski
Ministerio de la Industria Pesquera
Barlovento, Sta Fe
Havana
Cuba

Representatives

O. Muniz, c/o Pickford and Black, P. O. Box 1117, Halifax, Nova Scotia, Canada B3J 2X1
E. Oltuski (see address above)
J. A. Varea, Ministerio de la Industria Pesquera, Barlovento, Sta Fe, Havana, Cuba

Advisers

R. Dominguez, Flota Cubana de Pesca, Desamparados Esq Mercado, Habana Vieta, Habana, Cuba
E. Fabregas, Ministerio de la Industria Pesquera, Barlovento, Sta Fe, Havana, Cuba

DENMARK (IN RESPECT OF FAROE ISLANDS AND GREENLAND)

Head of Delegation: K. Hoydal
Director of Fisheries
Foroya Landsstyri
Tinganes
DK-3800 Torshavn
Faroe Islands

Representatives

H. S. Hornbech, Greenland Home Rule Government, P. O. Box 269, DK-3900 Nuuk, Greenland
K. Hoydal (see address above)
O. Samsing, Asiatisk Plads 2, 1441 Copenhagen, Denmark

Advisers

S. Abrahamsen, Greenland Home Rule, Strandgade 100, P. O. Box 2209, DK-1018, Copenhagen, Denmark
P. M. H. Kass, Eystari Ringvegur 9, Troshavn, Faroe Islands
K. Lokkegaard, Bredland 16, DK-2850 Nierum, Denmark
J. M. D. Paulsen, Greenland Home Rule, Box 269, DK-3900 Nuuk, Greenland

EUROPEAN ECONOMIC COMMUNITY (EEC)

Head of Delegation: R. Simonnet
Director of Fisheries Directorate
of European Communities
Commission of the European Communities
200 Rue de la Loi
Brussels 1049, Belgium

Representatives

R. Simonnet (see address above)
R. de Miguel, Director-International Fisheries, Commission of the European Communities, 200 Rue de la Loi, Brussels 1049, Belgium
H. Schmiegelow, Directorate General for Fisheries, Commission of the European Communities, 200 Rue de la Loi, Brussels 1049, Belgium

Advisers

J. Spencer
M. Doran
P. Gilsdorf
R. Noe
M. J. Ibbotson
A. S. Meckmann
B. Amoroso
A. Beauvalot
M. Christiansen
C. Clancy
K. H. Feilhauer
N. Kleeschulte
W. J. Muschkeit
J. Messtorff
A. J. Parres
D. Piney
J. C. Poulard
M. Stein
A. Schumacher
M. Vaes

JAPAN

Head of Delegation: K. Yonezawa
c/o Ministry of Foreign Affairs
1-2-1 Kasumigaseki
Chiyoda-ku
Tokyo, Japan

Representatives

K. Yonezawa (see address above)

Advisers

N. Higashiguchi, Taiyo Fishery Co. Ltd., 1-2, 1-Chome, Otemachi, Chiyoda-ku, Tokyo, 100, Japan
K. Hobara, President, Nippon Suisan (Halifax) Ltd., Suite 509, Purdy's Wharf, 1959 Upper Water St.,
Halifax, Nova Scotia, Canada B3J 3N2
T. Isayama, Nippon Suisan Kaisha Ltd., 6-2 Otemachi, 2-Chome, Chiyoda-ku, Tokyo, 100 Japan
M. Ito, Japan Fisheries Association, 5161 George Street, Halifax, Nova Scotia B3J 1M7
K. Matsumoto, Fisheries Agency, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo, Japan
M. Yoshida, Japan Deep Sea Trawlers Association, 2-13-16 Ogawa-Cho Kanda, Chiyoda-ku, Tokyo, Japan

NORWAY

Head of Delegation: P. Gullestad
Directorate of Fisheries
Box 185
5001 Bergen
Norway

Representatives

P. Gullestad (see address above)

POLAND

Head of Delegation: J. Zygmanski
Consul, Trade Commissioners Office of Poland
3501 Ave du Musee
Montreal, Quebec
Canada H3G 2C8

Representatives

J. Zygmanski (see address above)

APPENDIX I
(cont'd)

PORTUGAL

Head of Delegation: E. R. Brito
Director General
Secretaria da Estado das Pescas
Av. 24 Julho 80
1200 Lisbon
Portugal

Representatives

E. R. Brito (see address above)
J. G. Boavida, Secretaria da Estado das Pescas, Av. 24 Julho 80, 1200 Lisbon, Portugal

Advisers

A. Almeida, Chairman of ADAPLA, Av. Duque de Loule, nr. 36-1° Esq., 1000 Lisbon, Portugal
M. Cunha, P. O. Box 5249, St. John's, Newfoundland, Canada A1C 5W1
A. Pontes, General Secretary of ADAPLA, Praca Duque da Terceira 24-1, 1200 Lisbon, Portugal

SPAIN

Head of Delegation: P. Garcia Donoro
General Director of Fisheries
Secretaria General de Pesca
Jose Ortega y Gasset, 57
Madrid, Spain

Representatives

M. I. Aragon, Secretaria General de Pesca, Jose Ortega y Gasset, 57, 28006-Madrid, Spain
R. Conde de Saro, Director de Asuntos Generales, Ministerio de Asuntos Exteriores, Plaza de la Provincia
1, Madrid, Spain
P. Garcia Donoro (see address above)
J. Montealegre, Embassy of Spain, 350 Sparks St., Suite 802, Ottawa, Ontario, Canada K1R 7S8

Advisers

J. R. Fuertes Gamundi, "AGARBA", Cooperativa Armadores Pesca, Puerto Pesquero, Vigo, Spain
M. Iriondo, Arguiba, Renteria, 5 San Sebastian, Spain
A. Vazquez, Instituto Investigaciones Pesqueras, Muelle de Bouzas, Vigo, Spain
E. C. Lopez-Veiga, S. Cooperativa de Armadores Ruques Pesca, Puerto Pesques, Apartado 1078, Vigo, Spain

UNION OF SOVIET SOCIALIST REPUBLICS (USSR)

Head of Delegation: Dr. V. K. Zilanov
Ministry of Fisheries
12 Rozhdestvensky Boul.
Moscow K-45, 103045
USSR

Representatives

A. A. Volkov, Ministry of Fisheries, 12 Rozhdestvensky Boul., Moscow K-45, 103045 USSR
V. K. Zilanov (see address above)

Advisers

V. Fedozenko, Welsford Place, 2074 Robie Street, Suite 2202-3, Halifax, Nova Scotia, Canada B3K 5L3
Y. Riazantsev, All-Union Research Institute of Marine Fisheries and Oceanography (VNIRO), 17 V. Krasnosel-
skaya, Moscow B-140, USSR
L. Shepel, Welsford Place, Suite 2202-3, 2074 Robie Street, Halifax, Nova Scotia, Canada B3K 5L3

OBSERVERS

MEXICO

- F. Castro y Castro, Vice-Minister for Fisheries of Mexico, Secretaria de Pesca, Alvaro Obregon 269-8° ASO, Mexico D.F. 06700, Mexico
C. Gomez, Adviser to the Minister for Fisheries, Secretaria de Pesca, Alvaro Obregon 269-8°, ASO, Mexico D.F. 06700, Mexico

UNITED STATES OF AMERICA

- A. Peterson, Director, Northeast Fisheries Center, U.S. Dept. of Commerce/NMFS, Woods Hole, MA 02543
D. A. Reifsnnyder, OES/OFA-Rm. 5806, Dept. of State, Washington, D.C. 20520
D. A. Wickham, Office of International Fisheries, NOAA, NMFS, 1825 Connecticut Ave. N.W., Universal Bldg., Washington, D.C. 20235

SECRETARIAT

- Capt. J. C. E. Cardoso, Executive Secretary, NAFO
V. M. Hodder, Assistant Executive Secretary, NAFO
W. H. Champion, Administrative Assistant, NAFO
F. D. Keating, Finance and Publications Clerk-Steno, NAFO
B. J. Cruikshank, Senior Clerk-Secretary, NAFO
D. C. A. Auby, Clerk-Typist, NAFO
R. A. Myers, Clerk-Duplicator Operator, NAFO
B. T. Crawford, Clerk-Duplicator Operator, NAFO
G. M. Moulton, Senior Statistical Clerk, NAFO

SECRETARIAT ASSISTANCE

- J. Antonescul, Dept. of Fisheries and Oceans, P. O. Box 550, Halifax, Nova Scotia B3J 2S7
D. Appleby, Dept. of Fisheries and Oceans, P. O. Box 550, Halifax, Nova Scotia B3J 2S7

APPENDIX II

8th Annual Meeting of NAFO
Lord Nelson Hotel, Halifax, N. S., Canada, 8-12 Sep 86

Fisheries Commission

OPENING PROCEDURES

1. Opening by the Chairman, Dr. J. A. Varea (Cuba)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

ADMINISTRATION

6. Approval of the Report of the Seventh Annual Meeting, September 1985 (See FC Doc. 85/8, Rev.)
7. Review of Commission Membership
8. Procedural rules for decision taking in voting by mail or telex

COMMISSION PROPOSALS

9. Status of Proposals (See Circular Letter 86/54)
10. Conservation and Enforcement Measures

INTERNATIONAL CONTROL

11. Scheme of Joint International Enforcement
12. Annual Return of Infringements
13. Fishing Vessel Registration
14. Report of STACTIC

CONSERVATION

15. Summary of scientific advice proffered by the Scientific Council
16. Management Measures for fish stocks in the Regulatory Area
 - (a) Cod in Div. 3M
 - (b) Redfish in Div. 3M
 - (c) American plaice in Div. 3M
17. Management Measures for fish stocks overlapping national fishing limits
 - (a) Cod in Div. 3NO
 - (b) Redfish in Div. 3LN
 - (c) American plaice in Div. 3LNO
 - (d) Yellowtail flounder in Div. 3LNO
 - (e) Witch flounder in Div. 3NO
 - (f) Capelin in Div. 3LNO
 - (g) Squid (*Illex*) in Subareas 3 and 4
 - (h) i) Analysis of the answers given by the Scientific Council to the request of the Fisheries Commission concerning various stocks which might be fished in the Regulatory Area in 1987 (See FC Doc. 85/8, Rev., items 80 and 83 on page 13 and SCS Doc. 86/23).
 - ii) Management measures for the following stocks, if available in the Regulatory Area in 1987:
 - a) Cod in Div. 3L
 - b) Greenland halibut in Subarea 2 and Div. 3KL
 - c) Roundnose grenadier in Subareas 2 and 3
 - iii) Definition of the terms of reference for a request to the Scientific Council on management of fisheries resources in the Regulatory Area in 1988.
18. Minimum mesh size for groundfish in the Regulatory Area (See FC Doc. 85/8, Rev., Item 72, page 12)
19. Underfishing of quotas (See FC Doc. 85/8, Rev., Item 73, page 12 and attachment 1 to appendix 6 of Circular Letter 85/62)

20. Changes in Regulations to Improve Conservation in NAFO Regulatory Area
21. Changes to NAFO Conservation and Enforcement Measures regarding by-catch limits

OTHER MATTERS

22. Improving Scientific Knowledge on the Status of Fish Stocks in the Regulatory Area and review of the International Scientific Observer Program

ADJOURNMENT

23. Time and Place of Next Meeting
24. Other Business
25. Adjournment

Northwest Atlantic



Fisheries Organization

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

EIGHTH ANNUAL MEETING - SEPTEMBER 1986

PRESS RELEASE

1. The Eighth Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Halifax, N. S., Canada, during 8-12 September 1986, under the chairmanship of Mr. H. Schmiegelow (European Economic Community), President of NAFO. The Sessions of the Scientific Council, the General Council and the Fisheries Commission and their Committees were all held in the Lord Nelson Hotel in Halifax.

Previously a Symposium on Recruitment Studies was held in the Bedford Institute of Oceanography, Dartmouth, from 3-5 September 1986.

2. Attending the meeting were delegates from the following Contracting Parties: Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), European Economic Community (EEC), Japan, Norway, Poland, Portugal, Spain and the Union of Soviet Socialist Republics (USSR).

Observers from Mexico and the United States of America were present at the meeting.

3. The Scientific Council, under the chairmanship of Dr. J. Messtorff (EEC), gave additional advice on matters deferred from the June 1986 Meeting, requested by the Fisheries Commission on resources and on special questions affecting those resources.
4. The Scientific Council adopted several recommendations aiming at improving statistics and the policy regarding publications.
5. On the basis of the scientific advice provided by the Scientific Council, from its meeting in June 1986 and at the present meeting, agreement was reached in the Fisheries Commission, under the Chairmanship of Dr. J. A. Varea (Cuba) on conservation and management measures for 1987, regarding total allowable catches (TACs) and allocations for certain stocks, which are either entirely outside the 200-mile fishing zones, or occur within and without. In some cases total agreement was not possible and some Contracting Parties declared their intention to lodge an objection.

In one of those cases the Fisheries Commission adopted a one-year moratorium for 1987 on cod fishing by Contracting Parties in Division 3L outside the Canadian zone to allow scientific information to be generated prior to any NAFO management decision for cod in that area.

The Quota Table for stocks in Division 3M and those occurring in and out of the Regulatory Area, during the year 1987, was discussed and adopted and it is attached to this release.

6. The Fisheries Commission with the concurrence of the Coastal State requested that the Scientific Council, at a meeting in advance of the 1987 Annual Meeting, provide advice on the scientific basis for the management of various fish stocks in the Regulatory Area in 1988 and to consider different management options.
7. The Fisheries Commission took the decision to establish a Working Group on Joint International Enforcement in the Regulatory Area in order to ensure the comprehensive application of the international control measures on fisheries in accordance with the spirit and provisions of the Convention, in the Regulatory Area.
8. The General Council considered the present functioning of NAFO. A number of delegations used this opportunity to confirm their support of international cooperation in the field of fisheries, and, in particular, of the aims of the Organization. They indicated they were prepared to contemplate improvements aiming at facilitating the attainment of the basic aims of NAFO.
9. The General Council agreed to modifications to Annex III of the NAFO Convention affecting the present NAFO statistical boundary between Subareas 4 and 5 reflecting the agreement reached on the maritime boundary between Canada and the United States of America in this area.

10. The General Council reviewed and approved the Organization's budget and accounts.
11. The delegations of Portugal and Spain declared that this would be the last Annual Meeting in which they would be represented as Contracting Parties. From 1987, Portugal and Spain would participate from within the delegation of the European Economic Community (EEC).

Both delegations expressed their thanks to the other delegations for their spirit of cooperation and the support of the officials and staff of the Organization during the past years.

APPENDIX III
(cont'd)

SCHEDULE I
Quota Table ¹ for 1987

| Column I | II | III | IV | V | VI | VII | VIII | IX | X | XI |
|--------------------------------------|---------------------|-----------------|--------------------|---------------------|-------------------------------|---------------------------------|-------------------------|-------------------|---------------------|--|
| Contracting Party | Cod Div. 3M | Cod Div. 3NO | Redfish Div. 3M | Redfish Div. 3LN | American plaice Div. 3M | American plaice Div. 3LNO | Yellowtail Div. 3LNO | Witch Div. 3NO | Capelin Div. 3NO | Squid (Illex) Subareas 3 + 4 ^{3,4} |
| 1. Bulgaria | - | - | 300 | - | - | - | - | - | - | 500 |
| 2. Canada | 100 | 15,955 | 500 | 10,650 | 150 | 47,300 | 14,630 | 3,000 | 400 | N.S. ⁶ |
| 3. Cuba | 480 | - | 1,750 | 2,450 | - | - | - | - | 250 | 2,250 |
| 4. European Economic Community | 2,405 | 250 | 1,200 | - | - | 610 | 300 | - | 250 | N.S. ⁶ |
| 5. Faroe Islands (Denmark) | 2,900 | - | - | - | - | - | - | - | - | - |
| 6. German Democratic Republic | - | - | - | 850 | - | - | - | - | - | - |
| 7. Iceland | - | - | - | - | - | - | - | - | - | - |
| 8. Japan | - | - | 400 | - | - | - | - | - | 800 | 2,250 |
| 9. Norway | 1,200 | - | - | - | - | - | - | - | 3,000 | - |
| 10. Poland | 500 | - | - | - | - | - | - | - | 300 | 1,000 |
| 11. Portugal | 3,500 | 1,315 | 1,900 | - | 350 | - | - | - | - | 500 |
| 12. Romania | - | - | - | - | - | - | - | - | - | 500 |
| 13. Spain | 560 | 10,780 | - | - | - | - | - | - | - | 2,250 |
| 14. USSR | 1,270 | 4,000 | 13,850 | 10,900 | 1,000 | - | - | 1,950 | 5,000 | 5,000 |
| 15. Others | 50 | 700 | 100 | 150 | 500 | 90 | 70 | 50 | 0 | - |
| 16. Special Reservation ² | - | - | - | - | - | - | - | - | - | - |
| 17. Total Allowable Catch | 12,965 ⁵ | 33,000 | 20,000 | 25,000 | 2,000 | 48,000 | 15,000 | 5,000 | 10,000 | 150,000 ⁷ |

¹ Quotas are in metric tons.

² There are no Special Reservations for 1987.

³ The opening date for the squid (Illex) fishery is 1 July.

⁴ Any quota listed for squid may be increased by a transfer from any "coastal state" as defined in Article 1, para 3 of the NAFO Convention, provided that the TAC for squid is not exceeded. Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.

⁵ The TAC for Cod in Div. 3M will not be increased beyond 12,965 mt until the Scientific Council advises that the age 3+ mean biomass has reached a level approximately equal to one-half the mean age 3+ equilibrium biomass associated with fishing at F_{max} and assuming long term average recruitment levels.

⁶ Not specified because the allocations to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC.

⁷ The TAC would remain at 150,000 tons subject to adjustment where warranted by scientific advice.

Statement by the Mexican Observer Delegation
before the 8th Annual Meeting of the
Northwest Atlantic Fisheries Organization (NAFO)

The Mexican Delegation, in its observer capacity, has followed with full attention the debates of the distinguished delegate members of NAFO.

With surprise, we have taken note of the statements establishing the catches of Mexican flag vessels and that such catches could account for up to 2,000 tons.

In other sessions, we have requested complementary technical information because it is not easy to believe that fishing vessels with a carrying capacity no greater than 180 to 200 tons are able to efficiently accomplish so abundant catches, particularly when their home ports are located thousands of miles away.

Already, on other occasions, we have requested evidence in this respect and to date such information has not come to our hands, so we are again requesting such technical reports so that we can accept or comment on such information.

The Mexican Delegation cannot accept that its limited fishing effort on the high seas is promoting the presence of overfishing.

On the other hand, the Mexican Delegation takes this opportunity to state that it has been in official contact with the Executive Secretary of NAFO and has provided a response to his inquiries in which, by the way, in his letter of November 1985, a clarification was provided in that there were not four but two Mexican flag fishing vessels sighted.

We equally take note of the statistics given by the distinguished Canadian Delegation in the sense that the cod catches in Div. 3M (Flemish Cap) obtained by NAFO members double the global quota authorized.

APPENDIX V

Statement by the Mexican Observer Delegation
before the 8th Annual Meeting of the
Northwest Atlantic Fisheries Organization (NAFO)

Mr. President
Members of NAFO

According to the Rules of Procedure embroidered in the NAFO Convention, the Mexican Observer Delegation wishes to express that it has followed with attention the deliberations in which several distinguished delegates, Parties to this Organization, have become engaged in. From the observations made, the Mexican Delegation has been able to notice the different positions that exists within the Organization regarding scientific, management, surveillance and control issues as well as to the imperative necessity that the decisions that will be needed in the future be in strict accordance with the norms and principles of international law, particularly with those established in the United Nation Convention on the Law of the Sea.

The Mexican Delegation would wish to state that in its observer capacity, it will continue to participate in the ordinary, and should the case arise, extraordinary sessions of this Organization and to reiterate the disposition of Mexico to exchange viewpoints, whether at bilateral or multilateral levels and with coastal states on matters of mutual concern.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Eighth Annual Meeting - September 1986

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

The Standing Committee on International Control (STACTIC) met on six occasions during the week of 8-12 September 1986.

The initial meeting of STACTIC convened at 1030 on 8 September 1986.

1. Introduction by Chairman

The Chairman of STACTIC, Mr. R. J. Prier (Canada), welcomed all delegations to the Eighth Annual NAFO Meeting. STACTIC delegations included Canada, Cuba, Denmark (in respect of Faroe Islands and Greenland), European Economic Community (EEC), Japan, Norway, Poland, Portugal, Spain, and USSR. Observers were present from Mexico and U.S.A.

2. Appointment of Rapporteur

Mr. L. Strowbridge (Canada) was appointed as Rapporteur.

3. Adoption of Agenda

The provisional agenda was reviewed by all delegations. The Spanish delegation requested that Item 6 (Enforcement in the Regulatory Area) be expanded to include a statement by Spain regarding a 1986 incident. The Canadian delegation requested that the full agenda remain open for possible discussion on additional matters, if required.

The agenda, as amended, was adopted. (See attachment)

4&5. Review of Annual Return of Infringements, Review of the Registration of Vessels fishing in the NAFO Regulatory Area

Agenda items 4 and 5 were deferred to a later STACTIC meeting.

6. Enforcement in the Regulatory Area

The Canadian delegation reviewed their 1986 report on enforcement in the Regulatory Area (see NAFO/FC Doc. 86/4). In addition to a general review of enforcement activities (i.e. patrol sea-days, air hours, apparent infringements, etc.), the Canadian report noted possible overfishing of quotas by NAFO members. Comments on the Canadian report were deferred by other delegations until copies of the report could be distributed and reviewed.

The USSR report on enforcement in the Regulatory Area would be reviewed once the report had been distributed to all delegations.

The EEC filed a nil report.

7. Time and Place of Next Meeting

It was agreed that subsequent STACTIC meetings would be held throughout the week of 8-12 September 1986, at a time designated by the Chairman.

8. Other matters

At the Seventh Annual NAFO Meeting, STACTIC recommended to the Fisheries Commission that conversion factors be developed for NAFO and that the task be referred to the Scientific Council. The Fisheries Commission recommended that a working group be formed under the chairmanship of the Chairman of STACTIC. Since the members, proposed by the various Contracting Parties, who wished to participate on the working group were not all members of STACTIC, the Chairman advised STACTIC that he would hold a meeting of the working group outside of STACTIC - the time and place to be posted on the notice board.

STACTIC adjourned at 1100 on 8 September 1986.

STACTIC reconvened at 0930 on 9 September 1986.

APPENDIX VI
(cont'd)

9. Review of Annual Return of Infringements

All delegations reviewed NAFO/FC Doc. 86/3 (which provided a list of apparent infringements, and the status of their disposition for 1985). The Spanish and Cuban delegations noted that their reports had been forwarded to the Executive Secretary; however, they were not included in the document. As well, the USSR delegation advised that their report included information on world-wide fishing activity and would require amendments to reflect only information on activity in the NAFO Regulatory Area. The Chairman noted that the NAFO document would require revisions and redistribution. The EEC delegation requested that the agenda item remain open for possible comments at a later meeting.

10. Review of the Registration of Vessels fishing in the NAFO Regulatory Area

The Chairman noted that reports were forwarded to the Executive Secretary by Contracting Parties providing lists of anticipated fishing activity in the Regulatory Area. These reports were subsequently distributed by the Executive Secretary to all Contracting Parties.

11. Enforcement in the Regulatory Area

The EEC delegation and Mexico observer reserved comments on the Canadian enforcement report (FC Doc. 86/4) and requested that the agenda item remain open for possible comments at a later meeting. The EEC delegation did, however, request clarification of a statement in the report indicating that a document on overfishing by NAFO members may be referred to STACTIC. The Canadian delegation advised that such a document had been prepared in response to a Scientific Council recommendation to the Fisheries Commission. The Canadian delegation felt that it would be inappropriate to table the document at STACTIC unless it were officially referred to STACTIC by the Fisheries Commission.

The Spanish delegation presented a statement on the alleged misuse of NAFO credentials by Canadian fishery officers during a 1986 boarding of the Spanish pair trawler "Amelia Meirama-Julio Molina". The full text of the statement was given as follows:

"On May 22nd of this year, the Spanish pair trawler "Amelia Meirama-Julio Molina" were boarded by personnel from the Canadian patrol boat "Cape Roger".

According to the Spanish captains, the aforementioned personnel were allowed to board, outside the Canadian 200-mile EEZ, because the captains were informed at that time that a NAFO inspection was going to be carried out.

In compliance with the obligations deriving from the NAFO Scheme of Joint International Enforcement, the said personnel were allowed on board. However, once aboard, they identified themselves as Canadian fisheries Inspectors and ordered the Spanish ships to head for St. John's Harbour, and the captains were told they would be facing charges under Canadian legislation.

After approximately eleven hours, during which the vessels remained in international waters, the Spanish captains continually requested that the Canadian fisheries Inspectors leave the ships, since they considered that any possible obligations under the NAFO Enforcement Scheme had been satisfied.

The Canadian fisheries Inspectors refused and remained on board. The Spanish ships sailed eastwards until, nearly two days later, they were boarded by force by armed Canadian personnel some 700 miles from the Canadian coast. The ships were then taken into custody and the captains jailed.

Without going into the legal aspects or implications of this incident at this moment, the Spanish Delegation wishes to point out that, once again, incorrect use of the NAFO Scheme of Joint International Enforcement has taken place. In this situation, the Spanish Delegation wishes to stress, as stated by the EEC Delegation at the 1985 STACTIC Meeting that "fundamental problems of principle regarding the continuation and proper functioning of the NAFO Scheme of Joint International Enforcement have been raised."

The Canadian delegation advised that they would be prepared to respond to the Spanish statement at a later meeting.

12. Other Matters

The Portuguese delegation wished to bring to the attention of STACTIC what it felt was a serious threat to fishing in the Regulatory Area; the closing of coastal state ports to fishing fleets. The Portuguese delegation advised that the full statement would be distributed to all committee delegations.

The Canadian delegation advised that they would be prepared to respond to the statement at a later meeting. The Portuguese delegation reserved the right to provide additional comments on the matter at a later meeting.

STACTIC adjourned at 1000 on 9 September 1986.

STACTIC reconvened at 0915 on 10 September 1986.

13. Other Matters

The Portuguese delegation referred to their previous statement regarding port closures by the coastal state to vessels fishing in the Regulatory Area. After reviewing the mandate of STACTIC (as outlined in Item 5 of the Rules of Procedure of NAFO), the Portuguese delegation felt that it would be more appropriate to submit their statement to the General Council. Accordingly, the statement was withdrawn from STACTIC.

The Spanish delegation noted that their statement regarding the 22 May 1986 boarding of the "Amelia Meirama-Julio Molina" might also be submitted to the Fisheries Commission.

14. Review of the Annual Return of Apparent Infringements

The Cuban and Polish delegations noted that no citations for apparent infringements of the NAFO Conservation and Enforcement Measures were issued in 1985 or 1986 to-date. No other delegations commented on the agenda item.

15. Enforcement in the Regulatory Area

The EEC delegation stated that they fully supported the declarations of the EEC member nations - Portugal and Spain. As well, the EEC delegation wished to note the abnormal concentration of 1985 inspections on EEC vessels by Canadian NAFO Inspectors. The EEC delegation felt that the disproportion of inspections brought the objectivity of the enforcement scheme into question. The Canadian delegation responded that the number of EEC vessels and the lengths of voyages in the Regulatory Area in relation to total inspections equated to approximately one inspection per 30 day fishing period. The Canadian delegation felt that that did not constitute an abnormal concentration of inspections.

The Canadian delegation responded to the Spanish statement regarding the 22 May 1986 boarding of the "Amelia Meirama/Julio Molino" in two parts:

Firstly, the Spanish statement used the phrase "once again" to describe the possible misuse of NAFO credentials. The Canadian delegation assumed that the phrase referred to NAFO/FC Doc. 86/2 (1985 boarding of the Spanish pair trawlers Uralde/Urizar). In response, the Canadian delegation presented an affidavit (see NAFO/FC Doc. 86/5) from the Canadian Fishery Officer involved in the Uralde/Urizar incident swearing that at no time were NAFO credentials displayed or used nor was NAFO authority claimed by Canadian fisheries personnel during the boarding procedure.

Secondly, the Canadian delegation responded to the Spanish statement regarding the 22 May 1986 boarding of the "Amelia Meirama/Julio Molina" as follows:

"The incident occurring on 22 May 1986 is considered as an exercise of sovereign rights within Canadian fisheries waters and application of the principle of hot pursuit. Notwithstanding this, the Canadian delegation stresses that, at no time, during the 22 May 1986 incident were NAFO credentials displayed or used.

The Canadian delegation states that since this matter is before Canadian courts, further comment is inappropriate."

The Spanish delegation took notice of the Canadian delegation's response and reserved comments for a later meeting.

The USSR delegation, requested, through the Chairman, that the Spanish delegation clarify the following points on the 1985 Uralde/Urizar incident:

1. Are Spanish authorities stating that the NAFO pennant was displayed by the HMCS Athabaskan?
2. Are Spanish authorities stating that Canadian Fisheries Officers identified themselves as NAFO Inspectors?

The Spanish delegation replied that they would be prepared to respond to the questions of the USSR delegation at a later meeting.

STACTIC adjourned at 0935 on 10 September 1986.

STACTIC reconvened at 0915 on 11 September 1986.

APPENDIX VI
(cont'd)

16. Enforcement in the Regulatory Area

The Spanish delegation responded to the Canadian statement regarding the 22 May 1986 boarding of the "Amelia Meirama/Julio Molina" in a written statement as follows:

- "1. The words "once again", used in the first Spanish statement, do not constitute an exclusive reference to the "URALDE-URIZAR" incident. On other occasions, less dramatic perhaps, and in other aspects, other misuses of the Scheme of Joint International Enforcement have taken place in the opinion of the Spanish delegation. This situation is a matter of concern to other Contracting Parties, as is shown by the fact that at this year's meeting the necessity of ensuring an application of the Scheme of Joint International Enforcement, in accordance with the spirit and provisions of the Convention, is a vital issue.
2. However, since specific reference has been made to the "URALDE-URIZAR" incident, the Spanish delegation wishes to refer to last year's STACTIC report (NAFO/FC Doc. 86/8, Rev., Appendix IV, paragraphs 8, 9, 10 and 12), as well as NAFO/FC Doc. 86/2. In these documents, the position of the Spanish delegation was made quite clear. The use of the Scheme of Joint International Enforcement to stop and board the Spanish ships in international waters, in order to then proceed to take over the ships by force, acting "under Canadian legislation", is a clear misuse of the said Scheme.

Up to the present, the Canadian Authorities have given no satisfactory explanation to the fact that the Spanish vessels in question, while being in international waters, voluntarily stopped and allowed the "announced NAFO inspection" and therefore the purported NAFO inspectors to board, without the Canadian patrol boat having to resort to any show of force. Such being the case, the Spanish delegation considers that its own version fits the facts more satisfactorily.
3. As far as the Canadian delegation's reply regarding the "AMELIA MEIRAMA-JULIO MOLINA" incident is concerned, it appears that NAFO has no competence to go into matters like "hot pursuit" or the exercise of sovereign rights by any Contracting Party in that context. Notwithstanding, the problems raised in this context by the improper use of the NAFO Scheme of Joint International Enforcement may be relevant in other competent fora. In any case, the Spanish position on this matter is quite clear and has been stated officially to the appropriate Canadian authorities.
4. With respect to the misuse of NAFO credentials in this incident, the previous remarks on the "URALDE-URIZAR" are, "mutatis mutandi", applicable."

With regard to the questions posed by the USSR delegation, the Spanish delegation pointed out that no mention of use of the NAFO pennant had been made with regard to that incident. As mentioned in the relevant documents, the Spanish captains informed that notification of the NAFO inspection was done through the radio.

With respect to the second question, and as reflected in last years STACTIC report and in NAFO/FC Doc. 86/2, the inspectors, who boarded to effect the announced NAFO inspections, identified themselves as Canadian fisheries officers once they were aboard. Subsequently, the ships were boarded and arrested by personnel from the Canadian patrol boat. In both instances the Spanish ships were in international waters. The misuse of the NAFO Scheme of Joint International Enforcement in order to stop and board the ships in international waters, leading to subsequent arrest, was precisely the reason why allegations of incorrect use had been presented by the Spanish delegation.

The EEC delegation stated that they fully supported the statement of the Spanish delegation. The Canadian delegation advised that they would be prepared to respond to the statement at a later meeting.

The Canadian delegation wished to amend a previous statement regarding the frequency of inspections conducted on vessels of the EEC by Canadian NAFO Inspectors. Initially, the Canadian delegation had stated that vessels of the EEC were inspected, on average, once per 30 day fishing period. After reviewing all inspection data, the Canadian delegation stated that the frequencies of inspections per 100 days on ground were:

| | |
|----------------------|------|
| EEC | 1.17 |
| Other Member Nations | 1.58 |
| Overall Average | 1.26 |

The Canadian delegation noted that Spanish pair trawlers were considered as one fishing unit in the derivations of the above frequencies. The Canadian delegation also noted that the frequency of inspections on vessels of the EEC (1.17) was lower than the overall average (1.26).

With regard to the level of inspections in the Regulatory Area the EEC delegation stated the principle that control and inspections should be applied to all Contracting Parties in an even-handed manner. He requested clarification on the numbers of Canadian vessels that fished in the Regulatory Area in 1985, noting that the list notified by Canada of vessels intending to fish in that Area referred to 185 vessels.

The Canadian delegation stated that the list submitted to the Executive Secretary represented vessels that were permitted (i.e. licensed by Canada) to fish in the Regulatory Area during 1985. The Canadian delegation noted that no Canadian effort in the Regulatory Area was reported for Division 3L (moratorium) or Division 3M (uneconomical) and only minimal effort was reported for Divisions 3NO.

The EEC delegation noted that according to Appendix I, page 5 of NAFO/FC Doc. 86/4, no Canadian vessels were inspected in the Regulatory Area in 1985.

The EEC delegation stated that the Community had no objection to the control (even 100% control) on its vessels operating in the Regulatory Area on the condition that the same diligence would be applied by inspecting parties on vessels of all Contracting Parties. The Canadian report on Enforcement in the Regulatory Area clearly showed a disproportionate number of inspections on Community vessels:

| | Total Canadian inspections | Proportion of inspections on Community vessels |
|---------------------|----------------------------|--|
| 1984 | 210 | 63% |
| 1985 | 213 | 80% |
| 1986 (January-July) | 115 | 91% |

He noted that the increasing disproportion was unacceptable to the Community and inconsistent with the non-discriminatory application of the NAFO Scheme of Joint International Enforcement.

The EEC delegation then expressed its concern with three known incidents of multiple inspections on one vessel within a short time period. He pointed out that if any vessels were suspected of infringements serious enough to warrant multiple inspections, the Contracting Party concerned should have been informed by the inspecting party. In that context he noted the long time lapse between inspections and the subsequent forwarding of inspection reports to the Contracting Party, and indeed the non-receipt of the reports of certain inspections.

The Canadian delegation noted that the disproportion of inspections reflected a greater presence of vessels from the EEC in the Regulatory Area. In 1985, the total days on ground estimated for Contracting Parties was 14,000 of which 11,000 or 80% were estimated for vessels of the EEC. On the point of multiple inspections, the Canadian delegation stated that a response could be provided if the exact vessels were identified.

The EEC delegation stated that, notwithstanding the greater percentage of total estimated days on ground by its vessels, all Contracting Parties should be subjected to a weighted level of control. It furthermore noted that the vessels of some Contracting Parties were not subject to any Canadian inspections in 1985 and 1986. With respect to the multiple inspection incidents, the EEC delegation advised that the vessels involved were from Portugal.

The Canadian delegation stated that inspections in the Regulatory Area were limited by the amount of resources that could be dedicated to the Area. Inspections were completed on an opportunity or general basis and were required to update catch data. As well, limited resources must be targeted to known problem areas as well as to overfishing and to activities by non-Contracting Parties in the Regulatory Area.

The EEC delegation stated that the NAFO Scheme of Joint International Enforcement did not provide for the collecting and updating of catch data by inspecting parties, and noted that there had been a concentration of Canadian inspections on Community vessels conducting a completely legal cod fishery in 3L in 1986. He pointed out that the collection and transmission to NAFO of catch data was solely the responsibility of the Contracting Party of the fishing vessels concerned, and requested confirmation from the Canadian delegation of its agreement with that interpretation of the NAFO Scheme of Joint International Enforcement.

With regard to the Canadian delegation's reference to "known problem areas" the EEC delegation commented that a concentration of inspections on the vessels of one Contracting Party would, in accordance with the law of averages, reveal more infringements than sparse or non-existent inspections on vessels

APPENDIX VI
(cont'd)

of other Contracting Parties.

The EEC delegation further requested clarification of the term "overfishing" as used by the Canadian delegation in their 1985 report on enforcement in the Regulatory Area.

The EEC delegation stated that the underlying consequence of disproportionate or multiple inspections was economic damage due to the loss of valuable fishing time and that that was incompatible with the objectives of the Scheme of Joint International Enforcement.

The Canadian delegation agreed to review these statements and respond at a later meeting.

The Spanish delegation, through the Chairman, asked the Canadian delegation if all Canadian Patrol Vessels and Fishery Officers involved in the incident with the Spanish vessels were designated as NAFO Inspection Vessels and Inspectors. The Canadian delegation replied that all vessels and officers were designated under Canadian legislation and the NAFO Conservation and Enforcement Measures; however, each designation was limited by area (i.e. Canadian Fisheries Waters and NAFO Regulatory Area).

STACTIC adjourned at 1000 on 11 September 1986.

STACTIC reconvened at 1850 on 11 September 1986.

17. Enforcement in the Regulatory Area

The Canadian delegation had reviewed the statements of the EEC delegation regarding enforcement (surveillance) by Canada in the Regulatory Area and responded with a statement as follows:

"The Canadian delegation refers to Article XI(4) of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries wherein the Convention recognizes the special status of coastal states and it quotes:

4. Commission members shall give special consideration to the Contracting Party whose coastal communities are primarily dependent on fishing for stocks related to these fishing banks and which has undertaken extensive efforts to ensure the conservation of such stocks through international action, in particular, by providing surveillance and inspection of international fisheries on these banks under an international scheme of joint enforcement.

The Canadian delegation interprets this Article as giving Contracting Parties, especially Canada, a role and a duty to provide for the surveillance and inspection of international fisheries on the Grand Banks.

Further, Part IV, Scheme of Joint International Enforcement, particularly under Articles 4(v), 5(i), 5(ii) and 5(iii), provides the authority of a Contracting Party to inspect vessels to verify observance of the Commission's measures, including the gathering of catch data.

Also of note is the requirement of a NAFO inspector to complete a NAFO report of inspection (Part IV, Annex VI) which under Section 14 requires the inspector to report catches from logbooks of Contracting Parties.

The Canadian delegation also refers to the Conservation and Enforcement Measures, NAFO/FC Doc. 82/IX/13, Section B, Paragraph 1 (p. 3) which states:

B. Quota Adjustments

1. When information satisfactory to the Executive Secretary indicates that there are reasonable grounds for believing that a quota of a Contracting Party has been taken, he shall immediately inform that Contracting Party. Should that Contracting Party fail within 15 days either to cease fishing or to demonstrate that the quota has not been taken, the Executive Secretary shall so report without delay to the Fisheries Commission.

The Canadian delegation interprets this paragraph as authority of any Contracting Party to provide information, including catch data, so as to aid the Executive Secretary in his decision-making on quota and quota adjustments.

The Canadian delegation considers that one of the primary and fundamental objectives of NAFO is to promote conservation of the fishery resources in the Regulatory Area. The Canadian delegation maintains that its enforcement activities in the Regulatory Area are guided by this objective, and should not be detracted or reduced by a requirement to conduct its activities on a weighted or proportional basis. The Canadian delegation considers that any Scheme of Joint International Enforcement that is based primarily on a proportional basis is contrary to established principles of international resource conservation and management."

In response to the statement made by the Observer from Mexico in the Fisheries Commission that one pair would have difficulty catching the 2200 tons 3M cod, the Canadian delegation wished to clarify that there were three pairs of Mexican/Chile vessels fishing in the NAFO Regulatory Area in 1985 and from inspections 1500 tons 3M cod were taken.

The Canadian delegation tabled the paper entitled "Methodology for the Calculation of Catch Estimates for NAFO Regulated Stocks" and noted that Contracting Parties might wish to review the document prior to comment. Canada suggested comments be deferred until the next STACTIC meeting.

The Canadian delegation briefly explained the rationale for presenting that document as follows:

It was the Canadian belief that the Scientific Council would have great difficulty in providing accurate stock assessments if it did not have in its possession all data available on stock removals. That would include catch reports to the NAFO Secretariat and any other data provided from other sources including surveillance.

It was recognized that those data must be substantiated to be acceptable for use in stock assessments. Canada believed that surveillance data might assist in clarifying or reducing misreporting of areas of capture, catches or discards. Canada believed that data derived from those sources were vital to the future conservation and rational management of the stocks.

The Canadian delegation also noted that there was a dramatic increase in non-member activity in the NAFO Regulatory Area whose removals were not all reported to NAFO and therefore not used in stock assessments.

The EEC and Mexican delegations reserved comments on the Canadian response for a later meeting.

18. Review of Annual Return of Infringements

The USSR delegation noted that the information reflected in NAFO/FC Doc. 86/3 represented the correct version of the annual return of infringements for the USSR.

STACTIC adjourned at 1910 on 11 September 1986.

STACTIC reconvened at 0810 on 12 September 1986.

The EEC delegation stated that the Community remained dissatisfied with the replies furnished regarding the apparently disproportionate number of controls by Canada on the vessels of the Community. It was not contested that one of the functions of inspection was to check the conformity between the catch noted in the logbook and that present in the hold, and that such information should appear in the inspection report which should be communicated to the Contracting Party concerned.

However, especially in the context of the disproportionate controls applied to Community vessels, the Community was forced to the conclusion that there was a clear divergence of views between Canada and the Community regarding the nature and functions of the Joint International Enforcement Scheme. The Canadian interpretation regarding the "gathering and updating of catch data" through inspections appeared to imply a substitution by Canada of the responsibilities and obligations of Contracting Parties in relation to collection and transmission of catch data for their own vessels. Such an interpretation appeared to threaten the very basis of international fishery conservation organizations, that basis being the voluntary respect of mutually agreed measures.

The EEC delegation repeated that these comments were made in the context of disproportionate controls on the vessels of one Contracting Party, and sparse or no controls on the vessels of other Contracting Parties.

The Mexican delegation wished to reserve comment on the statements of the Canadian delegation regarding the number of Mexican vessels operating in the Regulatory Area due to differences in Canadian statements and correspondence (Nov. 85) from the Executive Secretary. Once a review of fishing data had been completed in Mexico, the delegation would pronounce itself on the number of Mexican vessels that fished in the Regulatory Area.

APPENDIX VI
(cont'd)

The Japanese delegation requested clarification, through the Chairman, from the Canadian delegation regarding the number of Japanese vessels identified in the Regulatory Area. Specifically, clarification was requested to ascertain how many of the 44 Japanese vessels identified were tuna longliners (ICCAT). The Canadian delegation replied that 39 of 44 vessels were tuna longliners and that only limited effort (20 days) was observed in the Regulatory Area by the remaining five trawlers.

The Spanish delegation noted that, in future meetings, Spain would be represented by the delegation from the EEC. The Spanish delegation wished to extend its appreciation and thanks to other delegations for their support.

The Chairman noted that the discussions between the Canadian and EEC delegations had not been resolved to the satisfaction of the delegations. It was suggested that further discussions would not resolve the matter and that the Committee would report the fact to the Fisheries Commission.

STACTIC adjourned its final 1986 meeting at 0820 on 12 September 1986.

8th Annual Meeting of NAFO
Lord Nelson Hotel, Halifax, N. S., 8-12 Sep 86

Standing Committee on International Control (STACTIC)

Agenda

1. Introduction
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Annual Return of Infringements
5. Review of Registration Vessels fishing in the Regulatory Area.
6. Enforcement in the Regulatory Area
7. Time and Place of Next Meeting
8. Other Matters
9. Adjournment