

NOT TO BE CITED WITHOUT PRIOR
REFERENCE TO THE SECRETARIAT

Serial No. N2143

NAFO/FC Doc. 92/3

NORTHWEST ATLANTIC FISHERIES ORGANIZATION



Report of the Special Meeting of the Fisheries Commission

Dartmouth, N.S., Canada
11-14 May 1992

NAFO
Dartmouth, N.S., Canada
1992

Members of the Fisheries Commission:

Bulgaria

Canada

Cuba

Denmark (in respect of the Faroe Islands and Greenland)

European Economic Community

Japan

Norway

Poland

Russia

Northwest Atlantic Fisheries Organization



Report of the Special Meeting of the Fisheries Commission

Dartmouth, Nova Scotia, Canada
11-14 May 1992

B. W. J.

NAFO
192 Wyse Road
Dartmouth, N.S.
Canada

E. Wiseman
Chairman
June 1992

Tel. (902) 469-9105
Fax (902) 469-5729

Report of the Special Meeting of the
Fisheries Commission of NAFO

11-14 May 1992, Dartmouth, N.S., Canada

Contents

	<u>Page</u>
1. Opening of the Meeting	6
2. International Observer Program	8
3. Incorporation of a Catch Reporting Feature into the Hail System ...	12
4. Production Logbooks	14
5. Action by Contracting Parties to Prevent Infringements of the Measures by their Vessels	14
6. Development of Fishing Plans for Vessels Operating in the Regulatory Area	15
7. Incidental Catch Limits	16
8. Recording of Catches	17
9. Modification to Forms	18
10. Inspection Party and Identification of Inspectors	18
11. Operation of the Hail System	18
12. Implementation of the Hail System by the NAFO Secretariat	19
13. Use of Electronic Tracking (Monitoring system)	20
14. Financing Inspection Vessel Activities in the Regulatory Area	20
15. Other Measures to Improve the Effectiveness of NAFO	21
16. Competence to call Intersessional STACTIC Meetings	22
17. Minimum Cod Size, Minimum Mesh Size in the Regulatory Area, and Minimum Flatfish Size	22
18. Financing of the NAFO Scientific Work in the Regulatory Area	22
19. Special Meeting of STACTIC and the Terms of Reference	23
20. Concluding Remarks	25
21. Adjournment	25
Annex 1. List of Participants	26
Annex 2. Letter of Lithuanian Prime Minister	30
Annex 3. Agenda	31
Annex 4. Opening Remarks of Representative of Canada	32
Annex 5. Working Paper on a Pilot Project for a NAFO Observer Scheme	34
Annex 6. Working Paper on amendments to the NAFO Conservation and Enforcement Measures to incorporate a catch reporting feature into the hail system	36
Annex 7. Working Paper on amendments to the NAFO Conservation and Enforcement Measures referring to production logbooks and stowage plans	37

	<u>Page</u>
Annex 8. Working Paper regarding action by Contracting Parties to prevent infringements of the Measures by their vessels	38
Annex 9. Working Paper to amend the NAFO Conservation and Enforcement Measures to require Contracting Parties to Develop Effort Plans for their vessels operating in the Regulatory Area	39
Annex 10. Working Paper on amendments to the NAFO Conservation and Enforcement Measures regarding observations by inspectors of incidental by-catches in excess of prescribed limits	40
Annex 11. Request for Scientific Advice from the Scientific Council	41
Annex 12. Working Paper on Amendments to STACTIC Form 1 (09/83), STACTIC Form 2A (09/83), and STACTIC Form 2B 909/83, used for annual reports by Contracting Parties of inspections, apparent infringements and their disposition	42
Annex 13. Working Paper for Amendments to the NAFO Conservation and Enforcement Measures regarding definition of an inspection party	46
Annex 14. Working Paper on amendments to the NAFO Conservation and Enforcement Measures to incorporate a catch reporting feature into the hail system	47
Annex 15. Coordination and Financing of Inspection Activities in the Regulatory Area	48
Annex 16. Competence to call intersessional STACTIC meetings	49
Annex 17. Request to STACTIC	51
Annex 18. Press Release	53

REPORT OF THE SPECIAL MEETING
OF THE FISHERIES COMMISSION OF NAFO

Dartmouth, Nova Scotia
11-14 May 1992

1. OPENING OF THE MEETING (Agenda items 1 to 5)

- 1.1 The Chairman of the Fisheries Commission, Mr. E. Wiseman (Canada) welcomed the delegates to the Special Meeting of the Fisheries Commission. Representatives of the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), European Community (EEC), Japan, Norway, Poland, and Russia. (Annex 1)
- 1.2 Ms. E. Mundell (Canada) was appointed rapporteur.
- 1.3 The Chairman noted that the USA's application for observer status at the Special Meeting had been agreed by a mail vote and welcomed the USA observers to the table.
- 1.4 The applications of Estonia, Latvia and Lithuania for observer status were approved unanimously and their representatives were also welcomed to the table. The representative of Lithuania made an opening statement (Annex 2), and the representative of Estonia and Latvia also spoke, indicating the intention of the Estonian and Latvian Governments to join NAFO and to comply fully with NAFO decisions.
- 1.5 It was agreed that NAFO's normal practice would be followed in relation to publicity and that no statements would be made to the media until after the conclusion of the meeting.
- 1.6 The Chairman noted that the EEC had requested two additional Agenda items (minimum cod size and minimum mesh size in the Regulatory Area), to which no objections were made. The representative of the EEC responded that a minimum size for flatfish should also be added. Russia proposed a new item under Agenda Item 15, namely, Financing scientific research in the Regulatory Area. The Agenda, as amended, was adopted. (Annex 3)
- 1.7 The Representative of Canada made an opening statement (Annex 4).
- 1.8 The Representative of Russia indicated that Russia, as the successor in NAFO to the USSR, continues to adhere to the principles of the NAFO Convention and to the provisions of the U.N. Law of the Sea Convention. He noted, however, that the rights and duties of coastal states had to be balanced with the rights and duties of other coastal states. Russia was prepared to take steps to improve surveillance and control in the Regulatory Area to facilitate conservation of stocks but had concerns about funding for some of the proposals. He noted that some of the proposals go beyond established legal principles in the NAFO Convention.
- 1.9 The Representative of Denmark (in respect of the Faroe Islands and Greenland) reminded delegates that the impetus for surveillance and control improvements in the Regulatory Area originated in NAFO's sorry experience with the 3M cod moratorium. Despite the moratorium, vessels had continued to fish 3M cod and it was now fished out. The aim of surveillance and control measures is to prevent repeating that experience when new recruitment comes again to the 3M cod stock. The delegate of Denmark (in respect of the

Faroe Islands and Greenland) indicated that some of the proposals to be tabled were acceptable while others were more difficult. He hoped that the meeting would be able to reach consensus on a system which would prevent depletion of stocks.

- 1.10 It was agreed that the Representative of Canada would introduce briefly all of Canada's proposals under Agenda Items 6 through 11 and that substantive discussion of the proposals would be delayed until Tuesday morning May 12 after other delegates had been able to review them. The Representative of Canada spoke briefly to each agenda item and the relevant Canadian proposal. The Representative of Russia asked if the Canadian proposals pertained to areas or to stocks. The Representative of Canada responded that they pertained to the Regulatory Area but that Canada's regulations applicable to fisheries inside the Canadian zone for NAFO-managed stocks were more stringent than the proposals for the Regulatory Area. The Representative of the EEC indicated that the EC proposals for a minimum cod size, a minimum flatfish size and a standardized mesh size for groundfish fisheries had been tabled at the Annual Meeting in September 1991 as part of the Fisheries Commission request to the Scientific Council.
- 1.11 The meeting was disrupted by intrusion of demonstrating individuals into the meeting room and adjourned abruptly at 11:45 hours.

The meeting resumed at 15:15 hours.
- 1.12 The Representative of Canada regretted that a demonstration not in keeping with the objectives of the Special Meeting of the Fisheries Commission had abruptly ended the morning session. He informed the meeting that steps would be taken to prevent such disruptions of NAFO meetings in future. The Executive Secretary confirmed that he too would take steps to prevent disruption of future meetings.
- 1.13 The Representative of Russia noted that the demonstration that morning had nothing to do with Russia, whose fleet fishes in accordance with the NAFO Convention and regulations. The Representative of the EEC regretted that certain representatives of the fishing industry were able to interrupt the Special Meeting of the Fisheries Commission by a demonstration in the meeting area. He noted with satisfaction that the necessary measures would be taken to ensure that future meetings of the Fisheries Commission and other NAFO bodies would not be interrupted in that way.
- 1.14 Returning to the morning's discussions, the Representative of Russia explained that he had requested a discussion of financing of inspection activities in the Regulatory Area to focus on the increasing costs of such activities and the need to determine inspection requirements to ensure adequate coverage and sufficient funds. Russia intended to table a proposal for sharing of inspection costs.
- 1.15 The Representative of Poland thanked Canada for its proposals which were very important for NAFO and deserved careful consideration. There had been insufficient time, however, for Poland to study the proposals and to submit them to the Polish coordination process. Poland would therefore be unable to take a final position on any of the proposals at this meeting and reserved the right to review and comment later.

- 1.16 The Representative of Denmark (in respect of the Faroe Islands and Greenland) noted that the revised agenda was acceptable but that connections between some agenda items should be noted. He added that although some delegations had announced that they would be unable to take final positions at this meeting every effort should be made to get as close as possible to agreed texts for final decisions later.
- 1.17 The Representative of the EEC agreed but noted that Agenda Item 11 is no longer correctly named, as Canada had submitted a revised proposal, and that no proposal had yet been tabled under Agenda Item 16. Canada had called for the Special Meeting of the Fisheries Commission and had tabled a number of proposals. Other delegations needed time to study the proposals and to consider carefully the political, legal and economic implications. Decisions should be left for the Annual Meeting in September, along with other important decisions on TACs and quotas and consideration of the advice from the Scientific Council. It might be possible to take decisions on the more technical items, eg Agenda Item 11, but review is still required. The delegate of the EEC proposed that STACTIC be instructed to meet to prepare for final decisions on the major agenda items at the Annual Meeting in September. The terms of reference for such a STACTIC meeting could be prepared at this meeting. He proposed developing new texts for evaluation and decision at the Annual Meeting in September. He noted that other delegations are in a similar position and are not authorized to take final positions this week.
- 1.18 The Representative of Canada responded that Canada was ready to decide and to negotiate texts. The Canadian proposals were modest in nature and could be proceeded with. The Representative of Denmark (in respect of the Faroe Islands and Greenland) observed that the meeting should decide texts and policy questions. STACTIC is competent to consider technical matters, not policy issues. STACTIC has already discussed these matters. We should not go in circles. Policy decisions are needed this week.
- 1.19 The Representative of Cuba agreed with Denmark, noting that STACTIC had been unable to decide proposals on the agenda items in February and that Canada had requested this meeting to get decisions. The proposals can be analyzed and policies decided. Endless discussions in NAFO on this topic are not useful. He noted that he had authority from the Government of Cuba to take final decisions.
- 1.20 The Representative of Norway agreed with Denmark and Cuba. He thought it should be possible to iron out principal matters here. He agreed with the EEC that some texts need further work and that a STACTIC meeting between now and September would be useful. STACTIC should be given a concrete mandate to overcome its recent immobilization.
- 1.21 The Representative of the EEC noted that the proposals had been shown to delegates just before the meeting and their implications had to be carefully considered. He thought that STACTIC could be given a clear mandate.

2. INTERNATIONAL OBSERVER PROGRAM (Agenda item 6)

- 2.1 The Representative of Canada introduced the Canadian proposal, noting that the idea of an observer program was not new. Observer programs had been used in both national and international waters. An extensive observer program is in effect in the Canadian fishing

zone. The Canadian proposal provided that observers would send reports to Contracting Party authorities and to the NAFO Secretariat and they could perform technical sampling and recording of measurements to support scientific research. Canada proposed that the pilot project be assessed after 12 months.

- 2.2 The Representative of Denmark (in respect of the Faroe Islands and Greenland) agreed in principle with the Canadian proposal. It seemed illogical, however, to provide for continuation of an observer program before assessment of the pilot project. The delegate of Canada responded that the latest version of the Canadian proposal took Denmark's comment into account, providing for 10 per cent coverage followed by a review.
- 2.3 The Representative of the EEC indicated that he could accept the principle of a 12-month pilot project starting January 1, 1993. A final decision at the Annual Meeting in September would permit such timing. The question of principle, that is, whether there should be an observer program in the Regulatory Area, had to remain open and criteria for assessment of the pilot project had to be developed. It might be possible to combine the Canadian proposal and the STACTIC recommendations. For instance, reciprocal placing of observers on vessels of other Contracting Parties could be limited to 1-3 per cent to reduce practical problems. Criteria for management of observer exchanges would have to be developed. More than one observer on board at a time would not be necessary. It would be necessary to define the role of observers compared to that of inspectors. Finally, the observer program should be a NAFO system, financed out of the NAFO budget in accordance with the established formula for setting Contracting Party contributions.
- 2.4 The Representative of Japan wished to correct some of the estimated costs of the program outlined in the attachment to the Canadian proposal. Japanese vessels fishing in the Regulatory Area would number four rather than ten and the cost estimates failed to take account of significant transportation costs, including the costs of transporting observers between the fishing grounds and the nearest port. The probable cost to Japan was closer to \$150,000, which raised the question of cost/effectiveness. Japan was not opposed to the scheme in principle but it might be too expensive given Japan's minimal presence in the northwest Atlantic fisheries and there should be an exemption for Contracting Parties with small fisheries, at least from participation in the proposed pilot project. The scheme should not be financed out of the NAFO budget.
- 2.5 The Representative of Russia indicated that he was still studying the Canadian proposal and would comment later. In response to the EEC comments, the delegate of Canada agreed that the cost and effectiveness of the pilot scheme should be assessed. He also proposed that Contracting Parties could agree bilaterally on exchanges of observers. Training of observers should be paid by Contracting Parties although Canada could prepare a training manual and draft operational guidelines and bilateral cooperation on training might be possible.
- 2.6 The Representative of the EEC observed that two proposals were on the table: Canada's proposal (FC W.P. 92/6) and the STACTIC recommendation (FC W.P. 92/4). He noted that the Canadian provision for scientific work by the observers was neither feasible nor desirable. The Representative of Canada inquired whether FC W.P. 92/4 was a Danish proposal or a report by the STACTIC Chairman on the discussions of this subject at the STACTIC meeting in February.

The STACTIC Chairman, Mr. E. Lemche (Denmark), replied that FC W.P. 92/4 summarized discussion and was not a Danish proposal. He noted that the report of the STACTIC meeting (FC Doc. 92/1) recommended asking the Scientific Council for advice on sampling work by observers. The Representative of Cuba asked about funding of the observer program, expressing a preference for option (a) in the Canadian proposal. It was agreed to come back to the question of funding and to proceed with examination of the text of the Canadian proposal.

2.7 Detailed discussion of the text of the Canadian proposal raised the following points:

- the proposal should not prejudge the decision of the Fisheries Commission on an observer program in the Regulatory Area after conclusion of the pilot project;
- defining the role and responsibilities of the observers and disposition of the observer reports was of key importance and required further consideration;
- the observer program should cover the whole range of the stocks and fisheries, not merely the portion in the Regulatory Area;
- observers should not perform technical/scientific functions unless approved by the Contracting Party authorities of the vessel concerned or agreed bilaterally;
- proposed technical/scientific functions are secondary to that of monitoring compliance with Conservation and Enforcement Measures;
- fishing effort could be measured as: days on ground; number of fishing vessels; fishing power;
- Contracting Parties sending observers should pay all costs unless other arrangements are agreed bilaterally (similar to funding of inspection activities);
- costs of observers should be funded from the NAFO budget;
- reciprocal or bilateral exchanges of observers should be undertaken in accordance with bilateral agreements;
- observers should report at bi-monthly intervals rather than weekly which would be too frequent; and
- deadlines for conclusion of the pilot project and its evaluation need further consideration.

2.8 The Representative of Canada undertook to revise the Canadian proposal to reflect the comments of other Contracting Parties and to provide direction to STACTIC for its consideration of technical aspects of the proposal.

2.9 The Representative of the EEC noted that the proposal (Working Paper 92/6) had undergone major changes and more time was needed to study it. He also objected to the change in its status, from a Canadian proposal to a Fisheries Commission Working Paper. He thought it should remain a Canadian proposal, in accordance with NAFO custom. The Representative of Denmark (in respect of the Faroe Islands and Greenland) disagreed, stating that the proposal was now a common product resulting from discussion by all delegates for presentation

and final decision in September. The Representative of Canada indicated that he would rather not have made many of the changes. The current working paper was not a consensus necessarily but was definitely the result of Fisheries Commission discussions. The Representative of the EEC continued to disagree, arguing that more time was needed for discussion and that Contracting Party positions in September should not be prejudiced. He asked if this approach was being taken with other Canadian proposals. The Representative of Canada replied "yes", which he did not believe would prejudice any final position. The resulting proposals would be ad referendum and there might still be changes to the text in September, although hopefully not many. In the view of Canada, the Special Meeting was engaged in a process, producing a composite common product for final determination at the Annual Meeting in September.

- 2.10 The Representative of Japan observed that the working paper was simply an anonymous proposal, to which not even Canada would be bound in September. An alternative approach would be to title the document a joint proposal, naming all Contracting Parties which support. He noted that some changes had been made that had not been discussed, eg, an 18 month pilot project rather than 12 months. The Representative of Russia added that another such change was the attached annex, which had not been discussed at all and which should be an entirely separate document. The Representative of Denmark (in respect of the Faroe Islands and Greenland) argued forcefully in favour of a composite text to narrow down discussion and to focus further discussion in September. The Representative of Norway agreed that the proposal was no longer a purely Canadian proposal and noted that precise instructions would have to be given to STACTIC. After further discussion, it was agreed that the texts would be called working papers without identifying either those who support or those who disagree. It was also agreed that the annex would be detached from the working paper, which the delegate of Canada stated was meant for discussion by STACTIC.
- 2.11 The Representative of Canada spoke on the working paper, highlighting changes made in response to comments by other delegations. He indicated that the 18 month period for the pilot project was meant to avoid a gap in coverage between January 1, 1994, when the 12 months would be up and assessment of the pilot project at the Annual Meeting in September 1994. To meet Japan's point, 300 fishing days had been set as the minimum for participation in the pilot project. Whether the observers should do scientific work had been made subject to Contracting Party approval. To reflect Russia's concern, the requirement for weekly radio reports had been dropped.
- 2.12 The Representative of the EEC agreed with "Working Paper on a Pilot Project for a NAFO Observer Scheme" as the revised title of the document. He had some preliminary comments to make on the substance of the paper: a) an 18 month period for the pilot project was sensible; b) no Contracting Parties should be excluded from participation in the pilot project; c) the phrase "NAFO management decisions" should be deleted since compliance was a Contracting Party competence; d) funding should be from the NAFO budget; e) assessment of the pilot project should be performed by STACTIC and the decision on establishing an observer program would fall to the Fisheries Commission; f) options for expanding the scheme should follow a decision to continue it after conclusion of the pilot project; and g) the attached annex should be removed, since implementation was a Contracting Party competence and design of the

pilot project should be effected in accordance with the proposal by Denmark (FC Working Paper 92/4).

- 2.13 The Representative of Canada responded that the 300 day minimum should remain but that all Contracting Parties, whatever the level of their fishing presence in the Regulatory Area, could participate voluntarily in the pilot project. Otherwise, he agreed with the comments of the EEC. The Representative of Russia stated that it was necessary to define clearly the role of the observer, to distinguish between observers and inspectors. Russian law would require a clear distinction. He also disagreed with the reference to Canada's observer program, noting that various criteria would be used for assessment of the pilot project. In Russia's view, the pilot project should cover the whole range of the stocks, not merely the Regulatory Area and all Contracting Parties should participate equally or on a voluntary basis as there would be no benefits otherwise. Finally, costs should be paid by the Contracting Party sending the observer.
- 2.14 The Representative of Canada indicated that STACTIC should be able to resolve differences on the role of observers compared to that of inspectors. The Representative of Russia responded that the working paper should refer to the Convention Area rather than the Regulatory Area. The Representative of Canada disagreed on grounds that Canada as a coastal state had certain rights and responsibilities, which the Russia proposal would begin to erode. He suggested that Russia might want to raise the point again in September. The Representative of Russia agreed.
- 2.15 The Representative of the EEC stated that the question of 300 days as the minimum level for participation in the pilot project was a point of principle. He argued that the principle of participation by all Contracting Parties should be established and then ways found to deal with practical problems such as those mentioned earlier by Japan. He also indicated that the role of observer had to be clearly distinguished from that of inspectors and wanted this aspect discussed in STACTIC. The Representative of Canada agreed. The Representative of Japan suggested that the text of the working paper should be left as it was as a basis for discussion in September. The Representative of Russia countered that the working document should have an author. The Representative of Canada noted that three fundamental issues remained to be discussed and resolved in September: a) the role of observers; b) funding; and c) participation in the pilot project by Contracting Parties of minimal fishing presence. The Representative of the EEC reserved his final position and agreed to accept the document as it was for the time being. The Representative of Russia requested that his disagreement be noted in the record. The proposal on the "Pilot Project of NAFO Observer Scheme" as agreed by the meeting to refer to the Fisheries Commission for final determination in September, 1992 is attached in Annex 5 (FC Working Paper 92/6-3rd Revision).

3. INCORPORATION OF A CATCH REPORTING FEATURE INTO THE HAIL SYSTEM (Agenda item 7)

- 3.1 The Representative of Canada introduced the Canadian proposal, indicating that the proposed addition to the hail system would be a cost/effective way for Contracting Parties to monitor catches by their vessels. Daily hail reports of catches were required of vessels fishing inside the Canadian zone and Canada was encouraged by the early results of the positional hail system. The Representative of Denmark (in respect of the Faroe Islands and

Greenland) agreed with the proposal, which was similar to the program in place in Faroese waters, and had no changes to propose.

- 3.2 The Representative of the EEC expressed the view that adding a catch reporting feature to the hail system was contrary to the quota monitoring responsibility of Contracting Parties. He questioned the value of the proposal as all vessels maintain catch logbooks which, together with the positional hail system, provided sufficient information to inspectors. He indicated that he would nevertheless participate in the exploratory discussions but would not make a final decision on the proposal at this meeting.
- 3.3 The Representative of Russia reported no change in the Russian objection to the hail system. He nevertheless noted that: catch monitoring was a Contracting Party responsibility; catch information was confidential; hailing of catches would distract fishermen from their primary business; and the costs would be significant especially for a large fleet.
- 3.4 The Representative of Denmark (in respect of the Faroe Islands and Greenland) responded that the Canadian proposal did not violate the Contracting Party responsibility to monitor catches. The question rather was effective and efficient inspections in the Regulatory Area. The Representative of Norway agreed with Denmark. The Norwegian experience indicated a need for logbooks and a catch hail system. He raised wondered however in what unit of measurement catches should be reported and whether weekly reports should be cumulative. The Representative of Russia raised further questions regarding nomenclature, costs and units of measurements for reporting catches in relation to catch reporting practices elsewhere. The Representative of Canada suggested that these technicalities be discussed by STACTIC. The Representative of Norway agreed, noting that vessels should be given the option of sending their hail report messages directly to the NAFO Secretariat. The Representative of Canada suggested that STACTIC be asked to consider ways to shorten communication routes and to reduce costs.
- 3.5 Commenting on the proposal, the Representative of Norway repeated his earlier comments on the proposed amendment (units of measurement for catch reports and cumulative versus weekly reports) and pointed again to the time-lag problems associated with long lines of communication, which could be reduced if vessels were authorized to send their hail messages directly to the NAFO Secretariat. The Representative of Canada proposed that the working paper be amended to allow direct reports to the NAFO Secretariat if so desired by a Contracting Party. The Representative of the EEC thought such an amendment might prejudice STACTIC discussions on routing of messages. This was why catch reporting and hail reports should be kept separate. The Representative of Denmark (in respect of the Faroe Islands and Greenland) observed that if Contracting Parties wanted their vessels to report directly to the NAFO Secretariat they should be able to do that. The principle of Contracting Party competence would not be violated. The Executive Secretary noted that at the request of the EEC the Secretariat was sending hail messages from other Contracting Party vessels directly to the EEC patrol vessel. After further discussion on this point, it was agreed to focus on the other points raised by Norway. The Representative of Russia suggested weekly catch reports in units of tonnes. The Representative of Canada suggested a minimum of one tonne for catch reports. The Representative of Russia noted that it was possible to report partial tonnes, and the Representative of the EEC reserved his position until September. It was eventually agreed

to refer the working paper to the Fisheries Commission for final determination in September. (Annex 6, FC Working Paper 92/7, 3rd Revision)

4. PRODUCTION LOGBOOKS (Agenda item 8)

- 4.1 The Representative of Canada introduced the Canadian proposal. The Representative of Russia indicated that Russian captains were responsible for deciding how to stow their product and for safety of the vessel. The Representative of Canada responded that there would be no derogation of the master's responsibilities. The Representative of Denmark (in respect of the Faroe Islands and Greenland) observed that the proposal was designed to improve the efficiency of inspections and appreciated the element of choice. The Representative of Japan agreed with the proposal but suggested changing the text to make clear that vessel masters could select either one option or the other. In response to a question by the Representative of Russia, it was confirmed that inspectors now have the right to inspect vessel holds. The Representative of the EEC expressed concern about disclosing confidential commercial information on vessel production. He thought it would be useful to refer the proposal to STACTIC. The Representative of Canada agreed that STACTIC might usefully discuss experience and design questions.
- 4.2 The Representative of Canada introduced their amended proposal (Working Paper 92/8, 2nd Revision), indicating the comments of other Contracting Parties were reflected in the text, in particular making clear the option to choose between production logbooks and stowage plans. The Representative of Russia reserved his position for September. The Representative of the EEC suggested that the working paper be referred to STACTIC. The Representative of Denmark (in respect of the Faroe Islands and Greenland) argued that STACTIC should be asked to discuss technical matters only after the Fisheries Commission had decided policy issues. The Chairman noted that questions to STACTIC would be dealt with later.
- 4.3 The Representative of Russia noted that we wanted to ensure that a vessel master was not put under an obligation to re-shuffle his hold during an inspection. Agreement was reached on amendments to the proposal (Annex 7, Working Paper 92/8-4th Revision). The proposal was referred for final determination in September 1992.

5. ACTION BY CONTRACTING PARTIES TO PREVENT INFRINGEMENTS OF THE MEASURES BY THEIR VESSELS (Agenda item 9)

- 5.1 The Representative of Canada introduced the Canadian proposal, describing it as modest in nature and designed to prevent delays in action to prevent further infringements of the NAFO rules. The Representative of the EEC expressed appreciation that the previous Canadian proposal under this agenda item had been dropped. He considered, however, that the present proposal needed careful consideration especially in relation to existing provisions of the NAFO Conservation and Enforcement Measures. The Representative of Denmark (in respect of the Faroe Islands and Greenland) agreed but thought the new Canadian proposal had merit. He noted, however, that in the Danish system prevention of infringement was a judicial function. The Representative of Japan agreed. The Representative of Canada requested drafting suggestions to reflect the Danish point and undertook to table a revised proposal.
- 5.2 Considering the revised proposal, the Representative of Denmark (in respect of the Faroe Islands and Greenland) noted that the text

should distinguish between judicial process and administrative actions. The Representative of Canada agreed to revise the text accordingly. It was agreed to refer the amended working paper to the Fisheries Commission for final determination in September, 1992. (Annex 8, FC Working Paper 92/21, Revised)

6. DEVELOPMENT OF FISHING PLANS FOR VESSELS OPERATING IN THE REGULATORY AREA
(Agenda item 10)

- 6.1 The Representative of Canada introduced the Canadian proposal indicating that the previous proposal had been changed in response to comments from other Contracting Parties. The current proposal was modest and requested merely a forecast of fishing activity possibly at the beginning of the year and again six months later to reflect inevitable changes. In response to a question from the Representative of Russia, the Representative of Canada noted that no sanctions were contemplated if a Contracting Party failed to forward its fishing plans. It was anticipated that Contracting Parties would want to cooperate.
- 6.2 The Representative of Denmark (in respect of the Faroe Islands and Greenland) stressed the importance of this proposal as a step toward calibrating fishing effort to available quotas. He asked if the fishing plans would be for regulated stocks only or to all fisheries. The Representative of Canada responded that plans should be submitted for all significant fisheries, whether regulated or not. The Representative of Russia noted that Russian fishing patterns would make it difficult to prepare fishing plans. The Representative of Canada replied that a fishing plan indicating by-catches and in-transit catches would be acceptable. The point of the proposal was to initiate the habit of fishing plans without curtailing flexibility.
- 6.3 The Chairman of STACTIC (E. Lemche, Denmark) referred to the report of the STACTIC meeting in February which had noted the need to limit fishing effort in line with available quotas and requesting papers on how to accomplish this objective from Contracting Parties by July 15, 1992. The Canadian proposal outlined one way to achieve this but excluded others.
- 6.4 The Representative of the EEC agreed and suggested adhering to the recommendation in the STACTIC report for papers by July 15. The Representative of Canada asked if STACTIC would design a way to relate fishing capacity to resource availability in time for submission to the Fisheries Commission at the Annual Meeting in September. The Representative of the EEC noted the responsibility of Contracting Parties for managing its fishing effort. The Representative of Denmark (in respect of the Faroe Islands and Greenland) proposed that the language of the Canadian proposal should be modified for consistency with the STACTIC recommendation. The Representative of Canada agreed to present a revised proposal.
- 6.5 The Representative of Canada noted that Working Paper 92/19 reflecting comments of other Contracting Parties had replaced 92/10 which Canada had withdrawn. Canada would also submit a paper by July 15 as recommended by STACTIC. The Representative of Denmark (in respect of the Faroe Islands and Greenland) objected to reverting to a general resolution which would be weaker than other working papers being referred to the Fisheries Commission. In Denmark's view, a precise proposal on effort management should be developed for the Fisheries Commission to decide in September. The Representative of the EEC disagreed, arguing that the principle of

Contracting Party competence for management of fishing effort had to be respected. The Representative of Russia agreed with the EEC. The Representative of Denmark (in respect of the Faroe Islands and Greenland) stated that a proposal to match effort to quotas was a fundamental element of the package of proposals being developed for reference to the Fisheries Commission in September. If the July 15 papers were awaited, there would be no decision in September. He requested a delay in discussion in order to present a new proposal. The Representative of Canada agreed with Denmark that this issue was of fundamental importance. The Representative of the EEC observed that the STACTIC recommendation had not mentioned discussion of the papers at the Annual Meeting in September. He advised that the EEC would table a paper by July 15 as recommended by STACTIC.

- 6.6 No conclusion was reached on whether the July 15 papers should be sent to STACTIC or to the Fisheries Commission. It was agreed that further discussion would await a new proposal from Denmark.
- 6.7 The Representative of Denmark (in respect of the Faroe Islands and Greenland) introduced Working Paper 92/23, which proposed an amendment on managing effort in relation to quotas to the Conservation and Enforcement Measures. The Representative of the EEC claimed that the Danish proposal was not necessary as Contracting Parties would distribute papers by July 15 as recommended by STACTIC. Moreover, the proposal infringed the principle of Contracting Party competence and was not practical. He proposed adding the phrase: "...and other legitimate fishing opportunities" to paragraph b. The Representative of Russia argued that it would be impossible to enforce, given the many inevitable changes during the year. The Representative of Canada expressed strong support for the proposal which complemented the Canadian proposal. The EEC amendment was accepted. The Representative of Japan observed that Japanese fleet operations changed depending on the outcome of earlier fisheries and suggested that effort management plans could be provided by Contracting Parties semi-annually, on January 1 and by July 1, because it would be too onerous to report all changes. He indicated he would raise this point in September. The Representative of Denmark (in respect of the Faroe Islands and Greenland) requested that Japan's comment be recorded in the report and undertook to table a revised proposal to reflect agreed amendments. (Annex 9, FC Working Paper 92/23, Revised)

INCIDENTAL CATCH LIMITS (Agenda item 11(a))

- 7.1 The Representative of Canada noted that the Scientific Council had been asked for advice on a minimum mesh size in groundfish fisheries and minimum sizes for cod and flatfish. He suggested that if affected proposals were close to agreement in principle they could be left for final decision by the Fisheries Commission at the Annual Meeting in September. The Representative of Denmark (in respect of the Faroe Islands and Greenland) stressed the need to agree on a single mesh size, without any variation for nets of different materials. The Representative of Russia expressed concern about the mesh size for redfish. The Representative of the EEC noted that fishermen continued to use nets of different materials and there was no reason to change the present system. The Representative of Canada considered that such questions would have to await the advice of the Scientific Council in September.
- 7.2 Regarding the second draft amendment in the Canadian proposal, discussion ensued on which provision of the Conservation and

Enforcement Measures should be amended, Part I. A. 4 (Recording of Catches) or Part I. B. (Mesh Size). The Representative of the EEC noted that one net haul would not necessarily violate the incidental by-catch limits and suggested further reflection before a final decision in September. The Representative of Canada responded that the comments would be considered.

- 7.3 The Representative of Canada noted that Working Paper 92/11 (2nd Revision) reflected input from other Contracting Parties and proposed an amendment to the mesh size provisions of the Conservation and Enforcement Measures rather than the catch recording section. Following a review of the Measures and the inspection forms, Canada continued to think that it would be useful for the inspector to highlight instances of high by-catches of regulated species in small mesh fisheries for unregulated species. It would be easier for Contracting Parties if such observations were not buried in the body of the inspection reports.
- 7.4 The Representative of the EEC disagreed. It was not possible for an inspection to infer anything about high by-catches on the basis of one net haul. The matter should perhaps be considered by STACTIC. The Representative of Canada responded that inspectors, limited in their time on board a vessel, would never be able to observe more than one net haul. The proposal was minimal and would not violate the principle of Contracting Party competence. Following the 3rd revision the paper was referred for further deliberations at STACTIC and the Fisheries Commission (Annex 10).
- 7.5 The Representative of Denmark (in respect of the Faroe Islands and Greenland) tabled its proposal and noted that the request to the Scientific Council for advice on minimum mesh size should stipulate no differential in mesh size for nets of difference materials. The Representative of Russia said that a different mesh size for redfish would be necessary. The Representative of Canada agreed with Denmark but observed that working paper 92/11 did not depend on advice from the Scientific Council regarding minimum mesh size. The Representative of the EEC agreed that the question of different net materials could not be decided here and directed to the Fisheries Commission meeting in September. The Representative of Canada suggested that a request on net materials could be formulated immediately for discussion by the Scientific Council at its June meeting, subject to waiving of agenda notification rules. It was agreed that a request would be drafted to send to the Scientific Council and that the issue would also be left in the draft request to STACTIC. (Annex 11, FC Working Paper 92/22)

8. RECORDING OF CATCHES (Agenda item 11(b))

- 8.1 The Representative of the EEC suggested that the Scientific Council be requested to advise on whether Contracting Parties should report all catches, noting that the EEC was already reporting all its catches to NAFO. The Representative of Canada replied that the proposal had nothing to do with the Scientific Council. Discussion ensued on the technical feasibility of reporting catches by division and by all species.
- 8.2 The Chairman of STACTIC (E. Lemche, Denmark) wondered whether the Canadian proposal was necessary, since the Conservation and Enforcement Measures already required Contracting Parties to report all catches. The Representative of Canada noted that not all Contracting Parties agreed. It was then agreed that Contracting Parties should report all catches and that the Executive Secretary

should revise the present cumulative monthly catch reports to provide the catch information to all Contracting Parties.

MODIFICATION TO FORMS (Agenda item 11(c))

- 9.1 The Representative of Canada indicated that the proposal was designed to bring the inspection forms into line with the provisions of Part IV of the Conservation and Enforcement Measures. The Representative of Denmark (in respect of the Faroe Islands and Greenland) welcomed the Canadian proposal enthusiastically, having never understood the existing inspection forms. At the request of the EEC, it was agreed to return to the proposal later.
- 9.2 The Representative of the EEC indicated agreement with Working Paper 92/13 (Revised). It was noted the Contracting Parties unanimously agreed that the working paper would be formally adopted in September. (Annex 12, FC Working Paper 92/13, Revised)

INSPECTION PARTY AND IDENTIFICATION OF INSPECTORS (Agenda item 11(c))

- 10.1 The Representative of Canada introduced the proposal, indicating that it was merely a small clarification of existing procedures and stressing that trainees would be allowed only to observe the inspection. The Representative of Russia questioned the introduction of a new concept - trainee - which had nothing to do with inspection. The Representative of the EEC suggested an amendment to indicate that trainees would be acceptable if they were identified to the master immediately on boarding the vessel. The Representative of Russia indicated that he could agree to an inspection party of three inspectors but not a party of two inspectors and one trainee. It was agreed to return to this item.
- 10.2 The Representative of Canada presented Working Paper 92/14 (Revised). The Representative of Russia indicated continuing difficulties: a) the trainees should be called "NAFO inspection trainee"; b) a NAFO identification card would be necessary; c) trainees would be allowed on board a vessel only with the consent of the master; and d) trainees would have no right to interfere with the inspection nor with the vessel activities. Further discussion was postponed pending consultations between the Russian and Canadian delegations.
- 10.3 Commenting on Working Paper 92/14 (Revised), the Representative of Russia thanked Canada for its efforts on the document, which was now nearly acceptable. The Representative of Canada acceptable editorial amendments proposed by Russia and the working paper was agreed for final determination by the Fisheries Commission in September. (Annex 13, FC Working Paper 92/14, 2nd Revision)

OPERATION OF THE HAIL SYSTEM (Agenda item 12)

- 11.1 The Representative of Denmark (in respect of the Faroe Islands and Greenland) suggested it might be desirable to ask a smaller body to assess the operation of the hail system and to report to the Fisheries Commission. The Danish experience to date was that the system was difficult to operate with such long communications links. Messages were often not received or received too late. The Representative of Norway suggested that ways should be found to reduce the length of the present communications lines. As an option at least, consideration should be given to vessels of sending hail messages directly to the NAFO Secretariat. The Representative of Cuba noted that Cuban vessels were sending their messages to the

NAFO Secretariat through the Cuban Fishing Fleet Representative in Halifax.

- 11.2 The Representative of Norway reiterated his earlier comments on routing of hail messages directly to the Secretariat and also what the Secretariat should do with the messages. He requested deferral of the item. This was agreed.
- 11.3 The Representative of Russia reserved his position on references to Russian fleet operations in tables included in proposals presented by Canada.
- 11.4 The Representative of Norway indicated that his earlier point on routing of hail messages from the Secretariat to inspection vessels would be covered in the request to STACTIC. His other point regarding direct hailing from vessels to the Secretariat was included in Working Paper 92/7 (2nd Revision). Some editorial changes put forward by Denmark were agreed. The Representative of the EEC, without prejudice to his final position, pointed out that it had been agreed previously to make no changes to the hail system until after it had operated for a time and been evaluated. STACTIC had agreed to keep the hail system and catch reporting separate. The Representative of Canada responded that the matter under discussion was an integrated hail/catch system. The virtues of such integration had been clearly stated by Norway. The proposal was important and deserved careful consideration. It was agreed to refer the working paper for final determination in September. (Annex 14, FC Working Paper 92/7, 3rd Revision)

12. IMPLEMENTATION OF THE HAIL SYSTEM BY THE NAFO SECRETARIAT (Agenda item 13)

- 12.1 The Representative of the EEC asked if a report was available on the recent meeting of the technical working group. The Executive Secretary reported that the technical working group had recommended a two-phase approach, comprising a pilot project to test a computer communications system involving at least two Contracting Parties, for instance the EEC and Canada, followed by a Request for Proposals for the design of a generic computer system for all hail messages. Existing message systems would be maintained meanwhile. Canada and the EEC had expressed willingness to contribute resources to help implement the system. The current lack of an automated system was causing some practical problems, eg, transmission of messages over long weekends. The report of the technical working group would be submitted to the Fisheries Commission for approval. The Executive Secretary reported that a new Secretariat position, Resource Management Coordinator, was now established and staffed.
- 12.2 The Representative of the EEC indicated that the EEC and Canada would participate in the pilot project as major users of the hail system. Other Contracting Parties would not be excluded if they wished to participate. The Representative of Norway supported the pilot project. It was agreed that more time was needed to consider the working group report and that it would be reviewed and voted on at the Annual Meeting in September. The Representative of Canada reported that work was underway to computerize the Canadian system for coordinating hail messages from the Executive Secretary with Canadian aerial surveillance information.

13. USE OF ELECTRONIC TRACKING (MONITORING SYSTEM) (Agenda item 14)

- 13.1 The Representative of the EEC noted that a report on an electronic tracking pilot project underway in the EEC had been tabled at the STACTIC meeting in February. Work was continuing to assess the merits of electronic tracking, in particular its cost/effectiveness. He asked if other Contracting Parties were experimenting in this area.
- 13.2 The Representative of Norway replied that three Norwegian research vessels had been equipped with "black boxes". The equipment was working technically but the overall value needed evaluation. It is not just a toy. One question was whether the vessel position would be computed by satellite or calculated and reported by the vessel. Fishermen still had to be convinced that electronic tracking systems would be of value to them and would improve their safety at sea. The Representative of Canada agreed that electronic tracking had to be looked at carefully. There would be no safety value if the signal of vessel position were wrong. Canada was continuing to study various systems. There were no further reports.
- 13.3 It was agreed that discussion on agenda items 13 and 14 had been concluded.

14. FINANCING INSPECTION VESSEL ACTIVITIES IN THE REGULATORY AREA (Agenda item 15)

- 14.1 The Representative of Russia introduced its proposal pointing to reduced number of inspection vessels operating in the Regulatory Area recently due to increased costs. The Russian proposal was aimed at a yearly plan being prepared for inspection in the Regulatory Area to be funded from the NAFO budget and the costs to be shared equally by all Contracting Parties. The Representative of Canada advised that equal sharing would create a heavy burden on other Contracting Parties if Canadian inspection costs were added. These amounted to almost \$26 million annually, including aircraft and about \$11 million annually, excluding aircraft. The Representative of Japan noted that Article XVI of the NAFO Convention provided a formula for contributions to the NAFO budget by Contracting Parties and suggested that the Russian proposal would require an amendment to the Convention. In Japan's view, costs should be shared in proportion to the benefits. The Representative of Denmark (in respect of the Faroe Islands and Greenland), supported by Canada, observed that STACTIC could gather information on financial aspects but the sharing of costs among Contracting Parties would be for another body to discuss.
- 14.2 The Representative of Russia indicated that his proposal was aimed at having a patrol vessel in the Regulatory Area all year, which he thought would reduce costs and increase efficiency. Regarding cost sharing, he indicated that he had envisaged a special arrangement by Contracting Parties that would not be contrary to Article XVI of the Convention. The Representative of Denmark (in respect of the Faroe Islands and Greenland) suggested the specific questions be prepared for discussion by STACTIC, leaving cost sharing aspects for later. The Representative of the EEC agreed that arrangements for some joint funding might be appropriate but he disagreed with Russia that inspection activities had been reduced in recent years. EEC contributions had in fact increased during the past two years and expenditures by the EEC on inspection in the Regulatory Area amounted to about \$2.5 million Cdn. The Representative of Canada clarified that the figures he had given earlier pertained to

inspection activities in fisheries for NAFO stocks rather than the Regulatory Area. Canada's estimated inspection expenditures in the Regulatory Area would be about \$15 million on surface patrols and \$11 million on air surveillance. The Representative of Russia advised that Russian expenditures in 1989 and 1990 had been US\$3.0-\$3.5 million but had been reduced in 1991 because of the domestic situation in Russia. He undertook to draft some specific questions on this subject for STACTIC.

- 14.3 The Representative of Russia presented its revised proposal (FC Working Paper 92/17, Revised). The Representative of the EEC objected to the reference in the covering document to lower control and inspection effort. It was agreed to record the EEC's position in the report and to concluded discussion on this point. Agreement was reached on editorial amendments proposed by Canada, Denmark and Cuba. It was also agreed after some discussion that STACTIC would be requested to assess the costs, following which STACFAD could be asked to determine Contracting Party contributions. It was agreed that this proposal would be included in the request being prepared for STACTIC. The title of the proposal was changed to: "Coordination and Financing of Inspection Activities in the Regulatory Area". The proposal was then agreed. (Annex 15)

15. OTHER MEASURES TO IMPROVE THE EFFECTIVENESS OF NAFO (Agenda item 16)

- 15.1 The Representative of Canada advised that he would not be tabling a proposal under this agenda item. He advised, however, that Canada intended to prepare a proposal for discussion in September dealing with dispute settlement procedures and NAFO's ability to enact comprehensive measures. Canada would circulate a discussion paper shortly prior to submission of a formal proposal. The matter is very important to Canada and he requested all delegates to consider the proposal attentively. The Representative of Russia asked if Canada's proposal would involve an amendment to the Convention. The Representative of Canada replied that the forthcoming proposal would involve either an amendment or an addition to the Convention.
- 15.2 The Representative of Russia noted that the effectiveness of NAFO depends on timely receipt of documents before meetings. Lately, documents had been received at the last minute or even during the meeting. Procedural rules required agendas to be distributed 60 days in advance and it would be useful if major proposals, that is, those dealing with matters of principle or policy or those which are complex, also be submitted in advance, at least 30 days if not 60 days. He proposed that the Executive Secretary be asked to prepare a draft rule of procedure for discussion at the next meeting. The Representative of Poland agreed. The Representative of Canada observed that major proposals often require bilateral and multilateral consultations and a fixed procedural rule would hinder the consultation process. He preferred to retain flexibility. Since last September, for instance, Canada had met at least once with each other Contracting Party and their comments had resulted in stronger and more acceptable proposals being tabled at this meeting. He suggested discussing the matter at the next meeting.
- 15.3 The Representative of Denmark (in respect of the Faroe Islands and Greenland) noted the need for finalized proposals early enough for delegations to get instructions and to get a final decision at the meeting. A balance was required, however. He agreed that the topic should be discussed at the next meeting. The Representative of Russia agreed. The Representative of Cuba also agreed, adding that Cuba had asked the Executive Secretary to analyze the procedures for

NAFO meetings and that this work was underway. The Representative of Canada requested time to consider the issue between now and the Annual Meeting in September. The Chairman noted that rules of procedure were already on the agenda for September. The Representative of Canada agreed with Cuba that analysis by the Executive Secretary would be useful. The Representative of the EEC observed that proposals were needed well in advance of meetings to ensure internal discussion. It was agreed that the matter would be placed on the agenda for the Annual Meeting in September, with appropriate documentation from the Executive Secretary.

16. COMPETENCE TO CALL INTERSESSIONAL STACTIC MEETINGS (Agenda item 17(a))

- 16.1 The Chairman of STACTIC explained that he wanted to avoid the situation that left in doubt whether a STACTIC meeting would be called this week or not. Delegates discussed briefly whether STACTIC meetings could be called by the Chairman of the Fisheries Commission alone or by a decision of the Fisheries Commission.
- 16.2 It was agreed that the Chairmen of NAFO and the Fisheries Commission and the Executive Secretary would discuss the question and report further. (Annex 16, FC Working Paper 92/18)

17. AGENDA ITEMS 17 (b) - MINIMUM COD SIZE, (c) - MINIMUM MESH SIZE IN THE REGULATORY AREA, AND (e) - MINIMUM FLATFISH SIZE

- 17.1 Delegates agreed to await the advice of the Scientific Council on these items. There was no further discussion.
- 17.2 The meeting noted its agreement on the Danish proposal for a Fisheries Commission request to the Scientific Council on a uniform mesh size irrespective of the material. (see Annex 11)

18. FINANCING OF THE NAFO SCIENTIFIC WORK IN THE REGULATORY AREA (Agenda item 17(d))

- 18.1 The Representative of Russia, introducing FC Working Paper 92/16, reminded delegates that it was difficult to determine the optimum level of scientific research in the Regulatory Area and research projects are often short of funds. The Russian proposal therefore requested the Scientific Council to advise on the volume of scientific work necessary to set the TAC and STACFAD to establish a special scientific research fund. The Representative of Denmark (in respect of the Faroe Islands and Greenland) noted that the Scientific Council already recommends future and continuing research. The real problem was not scientific research but the lack of accurate information on catches and fishing effort etc. The Representative of Canada expressed support for the Russian proposal. The costs of scientific research in the Regulatory Area should be known and it would be appropriate to ask the General Council to approve a plan to determine costs and how to optimize research work. He offered to prepare a proposal for September, drawing on the Russian proposal, to seek advice on the optimum level of scientific work by division and the costs of current research. The Representative of Russia agreed, indicating that the elements for consideration would be: (a) the optimum level of scientific research; (b) the costs of getting the data; and (c) establishment of a research fund.
- 18.2 The Representative of the EEC agreed with the proposal, as the EEC always favoured increasing scientific work and had expressed dissatisfaction at the last Annual Meeting on the scientific advice

and gaps in the knowledge base. Like Canada, however, he thought it would be useful to know current costs and the level of the special research fund. The Representative of Canada undertook to take account of the interventions in preparing its proposal for the Annual Meeting in September.

19. SPECIAL MEETING OF STACTIC AND THE TERMS OF REFERENCE

- 19.1 The floor was opened for preliminary comment on Working Paper 92/20, the Representative of Japan suggested that STACTIC should meet just before the Annual Meeting in September. The Representative of Denmark (in respect of the Faroe Islands and Greenland) advised that the format of 92/20 did not conform to his view that the terms of reference for STACTIC should comprise very precise questions and should thus be drafted in a way similar to the Fisheries Commission requests to the Scientific Council.
- 19.2 Discussion resumed on the Danish proposal under agenda item 10 but was interrupted because of a demonstration outside the meeting area. Discussion ensued on security arrangements and whether the Executive Secretary and/or the Chairman of the Fisheries Commission should meet with the demonstrators. It was eventually decided to ignore the demonstration and to proceed with discussion.
- 19.3 It was agreed that the meeting of STACTIC would take place in Copenhagen July 21-24 inclusive. The Chairman of STACTIC, E. Lemche (Denmark), noted the suggestion by Japan that the meeting occur just before the Annual Meeting but advised that timing would prevent delegates from assessing adequately the STACTIC report and recommendations and from obtaining the necessary instructions for the Annual Meeting. The dates proposed by the Chairman of STACTIC were accepted unanimously.
- 19.4 Regarding the Terms of Reference for the STACTIC Special Meeting, delegates discussed the Working Papers 92/20 and 92/24. The Representative of Denmark (in respect of the Faroe Islands and Greenland) reiterated that neither paper comprised the specific technical questions characteristic of the Fisheries Commission request to the Scientific Council. It was agreed that a series of questions combining the content of both working papers and other items for STACTIC consideration would be prepared.
- 19.5 The Representative of the EEC introduced the unreferenced EEC draft Request to STACTIC, commenting on the various questions and pointing to changes from Working Papers 92/24 and 92/25. He pointed in particular to "a sufficient period" in Question 1 which was meant to allow an evaluation period of 2-6 months after operation of the pilot project. He also pointed to questions on "the practical problems and the cost effectiveness" as a key element. The Representative of Denmark (in respect of the Faroe Islands and Greenland) stated that the EEC draft was seriously problematic because it contained policy questions that were beyond the competence of STACTIC. The EEC draft essentially asked STACTIC to repeat the discussions of this week. As for the final sub-section of Question 1, it would be possible for STACTIC to consider a working paper or an alternative proposal of the same detail as the present proposals. Otherwise, the question was out of order. He noted that the agreed question on effort management control had not been included.
- 19.6 The Representative of Canada agreed entirely with the points made by Denmark, noting that "cost/effectiveness" for instance was a policy

question, as was the question on an alternative pilot scheme. Debate ensued on the differences between assessing cost/effectiveness and calculating costs. The delegate of Canada observed that STACTIC could estimate costs but benefits and effects are policy issues beyond the competence of STACTIC. STACTIC's responsibility was to carry out the instructions of the Fisheries Commission. Some of the questions in the EEC draft simply asked STACTIC to repeat the debates of this week. The Representative of Norway agreed with Canada on the political nature of effectiveness but thought it would be useful for STACTIC to estimate costs for consideration at the Annual Meeting in September. The Representative of the EEC noted that STACTIC could anticipate problems that might come up in September. Agreement was reached on "What would be other technical problems and solutions and the estimated costs?" to replace the "practical problems and cost effectiveness" language.

- 19.7 Regarding the reference in Question 1 in the EEC draft to an "alternative pilot scheme", the Representative of Canada asked whether STACTIC should be asked to review proposals not discussed first by the Fisheries Commission. He invited the EEC to table an alternative proposal at the Annual Meeting in September, following which STACTIC could be asked for technical information as necessary. The Representative of the EEC indicated that he reserved the possibility to present a proposal in writing to the Executive Secretary for evaluation by STACTIC. The Representative of Canada observed that it was clear that the EEC had a proposal that it wanted considered at STACTIC along with other proposals discussed this week. An important principle would be waived in this case. He thought that in future it should be a rule that serious proposals come through "the front door", that is, the Fisheries Commission, before being referred as necessary to STACTIC or the Scientific Council or any other subsidiary body. Following further discussion, agreement was reached on language to allow consideration by STACTIC of the EEC proposal, including a deadline of July 1, 1992 so that other delegations would have sufficient time to study it before going to STACTIC.
- 19.8 Delegates continued debate on sub-section 2 of Question 2 in the EEC draft on incorporating catch reporting into the hail system. The Representatives of Canada, Denmark (in respect of the Faroe Islands and Greenland), and Norway argued that the question was neither valid nor intelligible. Agreement was eventually reached on language to amend the question.
- 19.9 As the result of the discussions, the meeting adopted Terms of Reference for the upcoming Special Meeting of STACTIC (21-24 July, Copenhagen). The Terms of Reference are presented in Annex 17 as Request to STACTIC.
- 19.10 For the next Meeting of the Fisheries Commission, it was agreed that because of the additional workload at the 14th Annual Meeting, the Fisheries Commission would begin its next meeting a day earlier than usual, that is, on Monday, September 14, 1992 and that that day would be dedicated to determination of the proposals from this meeting. It was agreed that the provisional agendas for the Annual Meeting, including the agendas for the Standing Committees, would be prepared accordingly.

20. Concluding Remarks

- 20.1 The Representative of Denmark (in respect of the Faroe Islands and Greenland), in concluding remarks, noted that he had come to the Special Meeting ready to make decisions. NAFO needs an adequate control system in place as soon as possible to avoid repeating the tragic overfishing of 3M cod and other flatfish and cod stocks. Although no decisions had been made, he was personally not pessimistic, as the tone of the Special Meeting had been constructive and cooperative. Several sensible proposals had been made for improving surveillance and control in the Regulatory Area and that would facilitate consultations at home and final decisions in September. If the proposals were accepted, NAFO would set a standard for management of resources on the high seas comparable to systems in place in national waters and for international cooperation. He believed that all delegates ultimately had the same objective: rational exploitation of resources on a sustainable basis.
- 20.2 The Representative of Canada thanked the Chairman, the Rapporteur, the Executive Secretary and the staff in the Secretariat and also his colleagues for their efforts and their wisdom and looked forward to seeing all again at the Annual Meeting in September.
- 20.3 The Representatives agreed on the text of a Press Release (Annex 17).

21. ADJOURNMENT

The Special Meeting was adjourned at 1830 on May 14, 1992.

Annex 1

LIST OF PARTICIPANTS-SPECIAL MEETING OF THE FISHERIES COMMISSION

11-14 May 1992, Dartmouth, N. S., Canada

CANADA

Head of Delegation: B. Rawson
Deputy Minister
Fisheries and Oceans
200 Kent Street
Ottawa, Ontario K1A 0E6

Representatives

B. Rawson (see address above)
M. Yeadon, Vice-President, Fleet Operations and Government Relations, National Sea Products, P. O. Box 2130, Halifax, Nova Scotia B3L 4R7
R. Cashin, Fishermen Food and Allied Workers, P. O. Box 10, St. John's, Newfoundland A1C 5H5

Alternate

V. Rabinovitch, Assistant Deputy Minister, International Relations, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6

Advisers

C. J. Allen, Resource Allocation Br., Fisheries Operations, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
J. R. Angel, Regional Director, Fisheries and Habitat Management, Scotia Fundy, Dept. of Fisheries and Oceans, P. O. Box 550, Halifax, Nova Scotia B3J 2S7
B. Applebaum, Director-General, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
B. E. Armstrong, Deputy Co-ordinator, Office of Ambassador for Fisheries Conservation, NEX/Dept. of External Affairs, 125 Sussex Dr., Ottawa, Ontario K1A 0G2
B. E. Blades, Sablefish Packers Ltd., P. O. Box 69, South Side, Shelburne Co., Nova Scotia
W. R. Bowering, Fishery Products International, 70 O'Leary Avenue, P. O. Box 550, John's, Newfoundland A1C 5X1
D. A. Cameron, Deputy Minister, Province of P.E.I., Dept. of Fisheries and Aquaculture, P. O. Box 2000, Charlottetown, P.E.I.
W. Carter, Minister of Fisheries, Government of Newfoundland, P. O. Box 8700, St. John's, Newfoundland
B. Chapman, President, Fisheries Association of Newfoundland and Labrador Ltd., P. O. Box 8900, St. John's, Newfoundland A1B 3R9
J. Cheeseman, Director of Public Relations, Dept. of Fisheries, Government of Newfoundland, P. O. Box 8700, St. John's, Newfoundland A1B 4J6
L. J. Dean, Assistant Deputy Minister Policy and Planning, Dept. of Fisheries, Gov't of Nfld-Labrador, P. O. Box 8700, St. John's, Newfoundland A1B 4J6
L. Forand, Director, International Fisheries, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
A. R. A. Gherson, Ambassador for Fisheries Conservation, Dept. of External Affairs (NEX), 125 Sussex Drive, Ottawa, Ontario K1A 0G2
D. L. Gill, International Fisheries Officer, International Directorate, Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
J. E. Haché, Assistant Deputy Minister, Fisheries Operations, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
C. F. MacKinnon, Marine Advisor, Province of Nova Scotia, P. O. Box 2223, Halifax, Nova Scotia B3J 3C4
P. McGuinness, Vice President, Fisheries Council of Canada, #806-141 Laurier Ave. West, Ottawa, Ontario K1P 5S3
B. Mewdell, Manager, Communications, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
A. D. Moores, President, Moorfish Ltd., Box 808, Bay Roberts, Newfoundland A0A 1G0
E. Mundell, International Directorate, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
A. F. Noseworthy, Senior Analyst, Intergovernmental Affairs, Government of Newfoundland, 5th Floor, West Block, Confederation Bldg., St. John's, Newfoundland
R. J. Prier, Director, Conservation and Protection, Dept. of Fisheries and Oceans, P. O. Box 550, Halifax, Nova Scotia B3J 2S7
G. Reid, Executive Assistant to the Minister, Dept. of Fisheries and Oceans, Government of Newfoundland, P. O. Box 8700, St. John's, Newfoundland
G. R. Richard, Deputy Minister, Nova Scotia Dept. of Fisheries, P. O. Box 2223, Halifax, N.S. B3J 3C4
M. Rowe, Policy Advisor, Fisheries and Oceans, 200 Kent St., 15th Floor, Ottawa, Ontario K1A 0E6
M. Short, Director, Inshore Fishery, Fishermen Food and Allied Workers, Box 10, 2 Steer Cove, St. John's, Newfoundland

- R. Stirling, President, Seafood Producers Association of Nova Scotia, P. O. Box 991, Dartmouth, Nova Scotia B2Y 3Z6
- L. Strowbridge, Head, Offshore Surveillance, Nfld. Region, Dept. of Fisheries and Oceans, P.O. Box 5667, St. John's, Newfoundland A1C 5X1
- G. Traverse, Director, Resource Management Div., Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland A1C 5X1
- D. Vardy, Deputy Minister of Fisheries, Government of Newfoundland, P. O. Box 8700, Confederation Bldg., St. John's, Newfoundland A1B 4J6
- E. Wiseman, Fisheries Counsellor, Mission of Canada to the European Communities, 2 Avenue de Tervuren, 1040 Brussels, Belgium

CUBA

Head of Delegation: J. M. Benjamin
Deputy Minister of Fisheries
Ministerio de la Industria Pesquera
Barlovento, Jaimanitas
Municipio Playa
Ciudad de la Havana

Alternate

B. Garcia, International Organizations Specialist, Direccion de Relaciones Internacionales, Ministerio de la Industria Pesquera, Barlovento, Sta Fe, Playa, La Habana

Advisers

R. Dominguez, Cuban Fishing Fleet Representative, 1881 Brunswick St., Apt. 302, Halifax, Nova Scotia, Canada

DENMARK (in respect of Faroes and Greenland)

Head of Delegation: K. Hoydal
Director of Fisheries
Foroya Landsstyri
P. O. Box 87
FR-110 Torshavn
Faroe Islands

Alternate

E. Lemche, Director, Groenlands Hjemmestyre, Pilestraede 52, Box 2151, DK 1016 Copenhagen Denmark

Representatives

K. P. Mortensen, Foroya Landsstyri, P. O. Box 87, FR-110 Torshavn, Faroe Islands

EUROPEAN ECONOMIC COMMUNITY (EEC)

Head of Delegation: P. Hillenkamp
Head of Unit
Commission of the European Communities
Rue Joseph II 99
B1049 Brussels
Belgium

Alternate

P. A. Curran, Directorate General for Fisheries, Commission of the European Communities, Rue Joseph II 99, 7/20, B-1049 Brussels, Belgium

Advisers

- H. Koster, Administrator, Commission of the European Communities, Rue Joseph II 99, 1049 Brussels
- D. J. Dunkley, Inspection and Control DG XIV, Commission of the European Communities, Rue Joseph II 99, 7/24, 1049 Brussels
- A. H. Thomson, Commission of the European Communities, Directorate-General for External Relations (I-A-2), 200 Rue de la Loi (B28/b/44), 1049 Brussels, Belgium
- G. F. Kingston, Senior Assistant (Economic and Commercial Affairs), Delegation of the Commission of the EC, 1110-350 Sparks St., Ottawa, Ontario K1R 7S8
- S. B. Kristensen, Principal Administrator, Council of the European Communities, rue de la Loi 170, B-1048 Brussels, Belgium
- J. Carbery, Legal Adviser, Council of the European Communities, Rue de la Loi 170, 1048 Brussels
- B. Buch, Repr. Permanente du Danemark, Rue D'Arlon 73, 1040 Brussels, Belgium
- G. T. Conrad, Bundesministerium fur Ernährung, Landwirtschaft und Forsten, Rochusstr. 1, 53 Bonn 1, Germany

M. I. Aragon, Jefe de Seccion, Jose Ortega y Gasset 57, Madrid-28006, Spain
 J. Herrero, Secretaria General de Pesca Maritime, Ortega y Gasset, 57, Madrid, Spain
 J. Navarro, Secretaria General de Pesca Maritime, Ortega y Gasset, 57, Madrid, Spain
 E. P. deBrito, Director General for Fisheries, Direccao-Geral Pescas, Av. Brasilia, 1400 Lisboa, Portugal
 L. M. C. A. Pinheiro, Director of Inspector Department, Inspeccao Geral das Pescas, Ave Brasilia, 1400 Lisboa, Portugal
 C. R. Gomes, Direccao-Geral das Comunidades Europeia, Av. Viseonde Valmor 76, 1200 Lisboa, Portugal
 A. I. Pereira, First Secretary, Embassy of Portugal, 645 Island Park Drive, Ottawa, Ontario K1Y 0B8
 I. Kydd, First Secretary, British High Commission, 80 Elgin Street, Ottawa, Ontario K1P 5K7
 C. C. Southgate, Room 428, Nobel House, Ministry of Agriculture, Fisheries and Food, Smith Square, London SW1P 3HX
 P. J. Ogden, Ministry of Agriculture, Fisheries and Food, Nobel House, 17 Smith Square, London SW1P 2JR

JAPAN

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

Representatives

K. Yonezawa (see address above)

Advisers

Y. Aeba, First Secretary, Embassy of Japan, 255 Sussex Drive, Ottawa, Ontario K1N 9E6
 K. Hanafusa, Deputy Director, International Affairs Div., Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo
 T. Hasegawa, Japan Fisheries Association, Suite 1101, Duke Tower, 5251 Duke Street, Halifax, Nova Scotia, Canada B3J 1P6
 M. Yoshida, Japan Deep Sea Trawlers Association, 601 Yasuda Bldg., 3-6 Kanda, Ogawa-cho, Chiyoda-ku, Tokyo

NORWAY

Head of Delegation: P. Gullestad
 Directorate of Fisheries
 P. O. Box 185
 5002 Bergen

Representatives

P. Gullestad (see address above)

POLAND

Head of Delegation: J. Stremlau, Consul
 Polish Trade Commissioner's Office
 3501 Avenue du Musee
 Montreal, Quebec
 Canada H3G 2C8

Representatives

J. Stremlau (see address above)
 P. Remin, Ministry of Transport and Maritime Economy, Chatubinskiego Str. 4/6, Warsaw

RUSSIA

Head of Delegation: V. K. Zilanov
 Deputy Chairman
 Committee for Fisheries of the
 Russian Federation
 12 Rozhdestvensky Boul.
 Moscow K-31, 103045

Representatives

V. K. Zilanov (see address above)

Alternates

- V. Fedorenko, Deputy Chief, Department of International Cooperation, Fisheries Committee of Russian Federation, 12 Rozhdestvensky Boul., Moscow K-31
 V. Tsoukalov, Chief, Department of Fisheries Resources, Fisheries Committee of Russian Federation, 12 Rozhdestvensky Boul., Moscow K-31

Advisers

- A. A. Mikhailov, Representative of the Russian Federation in Canada on Fisheries, 2074 Robie St., Halifax, Nova Scotia, Canada B3K 5L3
 Y. Riazantsev, All-Union Research Institute of Marine Fisheries and Oceanography (VNIRO), 17 V. Krasnoselskaya, Moscow B-140
 Y. N. Subbotin, Expert, Fisheries Committee of the Russian Federation, 12 Rozhdestvensky Blvd., Moscow
 F. M. Troyanovsky, Deputy General Director, Scientific-Industrial Association "Sevzybpoisk", 7 Papanina Str., P. O. Box 183012, Murmansk
 Y. Videneev, Assistant Representative of the Russian Federation in Canada on Fisheries, 2074 Robie St., Halifax, N.S., Canada B3K 5L3

OBSERVERSUNITED STATES OF AMERICA

- S. Alexander, Consul, 910 Cogswell Tower, Scotia Square, Halifax, Nova Scotia, Canada B3J 3K1
 P. N. De Cola, Maritime Law Enforcement Officer, US Dept. of State (OES/OFA) Rm. 5806, 2201 C St. N.W., Washington, D.C. 20520-7818

LATVIA, ESTONIA

- G. E. Chamberlain, Adviser, 961 South Bland St., Apt. 204, Halifax, Nova Scotia, B3H 4M6
 R. P. Dambergs, Representative: Latvia, Estonia, 1967 Woodlawn Terrace, Halifax, N. S., Canada B3H 4G5

LITHUANIA

- B. Krishtanavichious, General Manager, 32 Nemuno St., Klaipeda, Lithuania
 A. Rusakevichius, Deputy Minister-Director, Republic of Lithuania, Ministry of Agriculture/Fisheries Dept., 9 Juozapavichiaus Str., 2600 Vilnius, Lithuania

SECRETARIAT

- Dr. L. I. Chepel, Executive Secretary
 T. Amaratunga, Assistant Executive Secretary
 W. H. Champion, Administrative Assistant
 B. J. Cruikshank, Senior Secretary
 F. E. Perry, Documents and Mailing Clerk-Steno

SECRETARIAT ASSISTANCE

- L. Pineo, Dept of Fisheries and Oceans, Conservation and Protection, P. O. Box 550, Halifax, Nova Scotia B3J 2S7

Annex 2



LIETUVOS RESPUBLIKOS VYRIAUSYBĖ
THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA

Dear Sirs:

Since 1959 the fishing fleet of Lithuania has been successfully fishing in the Canadian zone. Since 1977, we have been fishing in the NAF 'O controlled zone under the agreement on fishing quotas between Canada, NAF 'O and the former USSR.

As you are aware, Lithuania restored its independence on March 11th., 1990. Following the assumption of responsibility for the Lithuanian Fishing Fleet by the Republic of Lithuania, its vessels were re-registered. As a result of the declaration of Lithuania's independence Lithuania was no longer party to arrangements made under treaties with the former Soviet Union. Hence, Lithuania has been deprived of the right to fish in the economic zones of other countries. The situation in the Lithuanian fishing industry has reached a critical stage. The loss of great amounts of fish products and fodder is a severe blow to economic reform in Lithuania. Hence, our country is pursuing the opportunity to fish in the North West Atlantic zone.

We wish to reconfirm Lithuania's intention to join NAFO and to comply with all NAFO conservation regulations.

I also wish to express our desire to receive permission from NAFO authorities for fishing quotas in NAFO controlled areas for an average 15-20 thousand tons a year of a variety of fish.

Your consideration of our request will be highly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be 'Gediminas Vagnorius'.

Gediminas Vagnorius
Prime Minister

1992. 05. 09
Vilnius, Lithuania

Northwest Atlantic Fisheries Organization
P.O. Box 638
Dartmouth, Nova Scotia
Canada

SPECIAL MEETING OF THE FISHERIES COMMISSION

Holiday Inn, Dartmouth, Nova Scotia, Canada
11-14 May 1992

AGENDA

1. Opening by Chairman, E. Wiseman (Canada)
2. Appointment of Rapporteur
3. Admission of Observers
4. Publicity
5. Adoption of Agenda
6. International Observer Program
7. Incorporation of a catch reporting feature into the hail system
8. Production logbooks
9. Action by Contracting Parties to prevent infringements of the Measures by their vessels
10. Development of Fishing Plans for vessels operating in the Regulatory Area
11. Amendments to the NAFO Conservation and Enforcement Measures
 - a) incidental catch limits
 - b) recording of catches
 - c) modifications to forms
 - d) Inspection Party and identification of inspectors
12. Operation of the hail system
13. Implementation of the hail system by the NAFO Secretariat - administration and costs
14. Use of electronic tracking (monitoring system)
15. Financing the inspection vessels activities in the Regulatory Area
16. Other measures to improve effectiveness of NAFO
17. Other matters
 - a) Competence to call intersessional STACTIC meetings
 - b) minimum cod size
 - c) minimum mesh size in the Regulatory Area
 - d) financing of NAFO scientific work in the Regulatory Area
 - e) minimum flatfish size
18. Adjournment

Annex 4

Opening Remarks of Representative of Canada

Thank you Mr. Chairman. I would like to begin by welcoming all NAFO delegations to Canada, and to Dartmouth, for this very important special meeting of the NAFO Fisheries Commission. On behalf of my delegation, I would like to express my appreciation to you all for attending in such numbers.

My opening remarks will be brief, Mr. Chairman, as there is important work to be done and a lengthy agenda before us.

It will come as no surprise to anyone in this room that Canada sees surveillance and control in the NAFO area, and this special meeting of the Fisheries Commission, as crucial to the future of effective conservation in the northwest Atlantic.

At the last annual meeting of NAFO, our delegation clearly stated that effective international control in the NAFO area was a priority for Canada, and we sought the support of other Contracting Parties for new measures like an international observer program. We also sought to focus the attention of the Fisheries Commission on the problems of control in the NAFO area.

We have continued to develop proposals on these issues since then. Canada put forward a number of proposals at the intersessional meeting of STACTIC in Copenhagen in February. There were useful suggestions made by some Contracting Parties at the STACTIC meeting which have been taken into account in preparation for this special session of the Fisheries Commission.

What was especially evident at the STACTIC meeting was that the establishment of substantive new elements for the control of fishing in the NAFO Regulatory Area requires leadership from the senior representatives of Contracting Parties. The proposals to be considered are not merely technical in nature. Hence, the need for this special meeting of the Fisheries Commission.

We are all here this week for a very simple reason: in 1986, total NAFO TACs were 168,000 tonnes and growing. Today, they are only 123,000 tonnes and declining, and the Scientific Council has told us that it cannot assess the stocks because the data are insufficiently available. National quotas have dropped -- in Canada's case by 50 percent from 100,000 tonnes in 1986 to 50,000 tonnes in 1992. And finally the quotas NAFO members do receive are more difficult to catch because the catch rates are low and the fish are small.

We are here because we agree that effective surveillance and control will help arrest the decline by ensuring that catches do not exceed quotas. Other efforts will also have to be made -- to end fishing by non-members and reflagging, for example -- and we will be addressing those in September and at other NAFO meetings. But this week our focus will be on improving our ability as fisheries managers to know what is happening on the fishing grounds, and to control our fleets so that we can meet the conservation objectives that NAFO sets for itself.

Canada's objective here this week is to strengthen NAFO's capacity to fulfil its mandate. We see this as a process of reform: to put in place modern, effective international controls so that NAFO can do what it was created to do, and so that it can benefit from what we have all learned since its creation in 1979.

The Canadian delegation has received many positive reactions in preliminary consultations with other Contracting Parties, and we have modified our proposals to take into account the concerns and suggestions of other NAFO members. I am therefore confident that we will be able to make progress this week -- and to make progress early. We are all busy people. With the work that has already been done, and constructive efforts on all sides over the next couple of days, I would hope that we would be able to come to a conclusion by about noon on Thursday. If we need more time, we'll take it, but I am hopeful we are close enough to real progress to be able to finish our work in less time than was originally planned.

I will not elaborate now on the initiatives Canada is putting forward this week -- the agenda will give us all ample opportunity to present our ideas, to discuss their merits and to consider alternatives. I would simply like to close by expressing, on behalf of the Canadian delegation, the sincere hope that we will be able to work together to make substantive progress on reforms. Success here is crucial both to our fisheries in the northwest Atlantic and to the very future of this Organization.

Annex 5

(FC Working Paper 92/6)
(3rd Revision)

SPECIAL MEETING OF THE FISHERIES COMMISSION

11-14 May 1992, Dartmouth, N.S., Canada

Working Paper on a pilot project for a NAFO Observer Scheme

The Fisheries Commission

Noting that Canada has a program under which there is extensive observer coverage on board vessels fishing in its waters;

Considering that the placement of fisheries observers on board Contracting Party vessels fishing in the Regulatory Area may be a useful and cost effective method of monitoring compliance with the provisions of the NAFO Conservation and Enforcement Measures and that the observers might also provide sampling information for use by the Scientific Council;

Therefore:

1. Endorses implementation of an 18-month pilot project to test operation of a NAFO Observer Scheme in the NAFO Regulatory Area by January 1, 1993.
2. Requests that the Scientific Council recommend a work plan for fisheries observers that are authorized to obtain biological sampling data from Contracting Party vessels fishing in the Regulatory Area.
3. Calls on all Contracting Parties that anticipate their fishing operations to exceed 300 fishing days on ground in 1993 to:
 - (a) Deploy on their vessels fishing in the Regulatory Area trained individuals from their own countries, or from other NAFO members where agreed bilaterally, to monitor compliance with the provisions of the NAFO Conservation and Enforcement Measures in accordance with criteria agreed by STACTIC and approved by the Fisheries Commission;
 - (b) Deploy those observers appropriately to ensure that a minimum of 10 percent of the Contracting Party's total estimated fishing days on ground for 1993 are subject to observation across as many fisheries in the NAFO Regulatory Area as possible;
 - (c) Pay all costs associated with their observers;
 - (d) Advise the Executive Secretary of the vessels on which observers are deployed for subsequent transmission to Contracting Parties with an inspection presence in the Regulatory Area;
 - (e) Table at a special Fisheries Commission meeting to be held in 1994 at the conclusion of 12 months of the pilot program a report assessing the effectiveness and costs of the program and outlining administrative and operational problems while also considering the continuation and possible future expansion of the program.

5. Requests all Contracting Parties to authorize observers on board their vessels fishing in the Regulatory Area:
- (a) To monitor their assigned vessel's compliance with the provisions of the NAFO Conservation and Enforcement Measures and, if approved by the Contracting Party which receives the observer, to conduct sampling in accordance with technical guidelines and a work plan developed in accordance with paragraph 2.
 - (b) To provide to the vessel's authorities and to the NAFO Executive Secretary, at the termination of the observer's assignment to a vessel, a written report for onward transmission by the Executive Secretary to Contracting Parties with an inspection presence in the Regulatory Area.

Annex 6

(FC Working Paper 92/7)
(2nd Revision)

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Working Paper on amendments to the NAFO Conservation and Enforcement Measures to incorporate a catch reporting feature into the hail system

Part III. E.

1. A Contracting Party shall ensure that vessels of that Party to which the Scheme of Joint International Inspection applies shall report to their competent authorities or to the NAFO Secretariat:
 - a) each entry into the Regulatory Area. This report shall be made at least six (6) hours in advance of the vessel's entry and shall include the date, the time, the geographical position of the vessel and the total round weight of catch by species on board in metric tonnes.
 - b) following entry into the Regulatory Area, within forty-eight hours (48) following the week (Sunday to Saturday) in which the catches were made, and weekly thereafter until its departure from the Regulatory Area, the total round weight of catch taken by the vessel during that week (Sunday to Saturday) or since the last report by species and by division in metric tonnes.
 - c) each exit from the Regulatory Area and except as provided in (c), each movement from one NAFO division to another NAFO division. This report shall be made prior to the vessel's exit from the Regulatory Area or entry into a NAFO division and shall include the date, time and geographical position of the vessel. The report made on exit from the Regulatory Area shall also include the total round weight of catch since the last catch report by species and by division in metric tonnes.
 - d) present text

Without prejudice to Schedule II of Part V of the NAFO Conservation and Enforcement Measures, after each radio or fax transmission of information the following details are to be immediately entered in the logbook:

- Date and time of transmission
- In cases of radio transmission, name of radio station through which the transmission is made

2. present text
3. present text

(FC Working Paper 92/8)
(4th Revision)

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Working Paper on Amendments to the NAFO Conservation and Enforcement Measures referring to production logbooks and stowage plans

Part I. C. Recording of Catch

Add new paragraph:

2. (c) For all fish taken under paragraph 2 (a), Contracting Parties shall ensure that all vessels of that Party fishing in the Regulatory Area shall either:

i) record their cumulative production by species and product form in a production logbook

or

ii) stow in the hold all processed catch in such a way that each species is stowed separately. A stowage plan shall be maintained showing the location of the products in the hold. Products of the same species may be stowed in several places in the hold but only when visibly separated from products of other species. Product of species that constitute less than 5 per cent by weight of catch on board may be stowed together in the same location in the hold.

Part IV Scheme of Joint International Inspection and Surveillance

Add new paragraph:

6. (ii) (d) Inspectors shall be given access to production logbooks or stowage plans in accordance with the NAFO Conservation and Enforcement Measures, Part I.C.2 (a) and (c) and in the latter case shall be given such assistance as is possible and reasonable and necessary to ascertain that the stowage conforms to the stowage plan, no interference being allowed in the stowage of product or in the technological process on the vessel.

Annex 8

(FC Working Paper 92/21)
(Revised)

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Working Paper Regarding Action by Contracting Parties to Prevent
Infringements of the Measures by Their Vessels

Part IV. 7 (new text is underlined)

An appropriate authority of a Contracting Party notified of an apparent infringement committed by a vessel of that Party shall take prompt action to conduct the investigations necessary to obtain the evidence required and, whenever possible, board the vessel involved. The authority shall take immediate judicial or administrative action as would be the case when dealing with apparent infringements of fisheries regulations in national waters. Administrative actions may also be taken such as placing an enforcement official or an observer on board the vessel, restricting the area in which the vessel is permitted to operate or excluding the vessel from the NAFO Regulatory Area. An appropriate authority of the Contracting Party for the vessel concerned shall cooperate fully with the appropriate authority of the Contracting Party that designated the inspector to ensure that the evidence of the apparent infringement is prepared and preserved in a form which facilitates judicial action. The appropriate authorities in the flag state of the vessels concerned shall take prompt action as necessary to receive and consider the evidence and shall conduct any further investigation necessary for disposition of the apparent infringement.

Text of second paragraph in Part IV. 7 remains as is.

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Working Paper to Amend the NAFO Conservation and Enforcement Measures
to Require Contracting Parties to Develop Effort Plans for their
Vessels Operating in the Regulatory Area

Part I. A

Paragraph 1:

- (a) as present paragraph 1
- (b) Each Contracting Party shall notify the Executive Secretary of the way it will manage its fishing effort in establishing a balance between on the one hand its quotas and other legitimate fishing possibilities, and on the other hand its fishing effort in the Regulatory Area (effort plans):
 - (i) prior to 1 January of each year, if possible, or before its vessels begin any fishery in the Regulatory Area; and
 - (ii) in a timely manner thereafter should there be any changes in the effort plans.

The Executive Secretary shall provide all Contracting Parties with a listing of all effort plans.

Annex 10

(FC Working Paper 92/11)
(3rd Revision)

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Working Paper on amendments to the NAFO Conservation and Enforcement Measures regarding observations by inspectors of incidental by-catches in excess of prescribed limits

Part II.B.3. Mesh Size

New sub-paragraph 3 (c)

- (c) If, in fisheries conducted with nets having mesh sizes less than those specified in paragraph 2, an inspector observes in nets hauled in his/her presence incidental catches in excess of 10 per cent for each species listed in Schedule I, he/she shall record this fact in the Inspection Report and shall remind the Master of the vessel not to continue fishing in the area after the fish on board exceeds the incidental catch limits specified in Part II.B.3 (a) the inspector may also recommend in the Inspection Report an investigation by the vessel's Contracting Party authorities.

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Request for Scientific Advice from the Scientific Council

In addition to the request in paragraph 9 of NAFO/FC Doc. 91/10 on a standard 130 mm mesh size, the Scientific Council is asked to evaluate the effect of introducing one uniform mesh size, irrespective of material, thus deleting note 2 in Part V - Schedule IV of the NAFO Conservation and Enforcement Measures.

Annex 12

(FC Working Paper 92/13)
(Revised)

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Working Paper on Amendments to STACTIC Form 1 (09/83), STACTIC Form 2A (09/83), and STACTIC Form 2B (09/83), used for annual reports by Contracting Parties of inspections, apparent infringements and their disposition

STACTIC Form 1 - Annual Return of Inspections, Apparent Infringements and their Disposition (National); STACTIC Form 2A - Annual Return of Inspections and Apparent Infringements (International); and STACTIC Form 2B - Annual Return of Disposition of Infringements (International) should be replaced by STACTIC Form A - Annual Return of Inspections, Catch Record Discrepancies and/or apparent infringements and STACTIC Form B - Annual Return of Disposition of Catch Record Discrepancies and/or apparent infringements

Annex 13

(FC Working Paper 92/14)
(2nd Revision)

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Working Paper for Amendments to the NAFO Conservation and Enforcement
Measures regarding definition of an inspection party

1. Amend Part IV.1.(ii)

The appropriate authorities of Contracting Parties shall notify the Executive Secretary by November 1 each year of the name of Inspectors, NAFO Inspection trainees and special inspection vessels.

2. Amend Part IV.1.(iv)

On receipt of the notification of assignment to the Scheme from the Contracting Party, the Executive Secretary shall issue a document of identity, as shown in Annex 1, to the respective authority for each inspector or NAFO Inspection trainee of that Party.

3. Amend Part IV.5.(iv)

An inspection party shall consist of, at maximum, two inspectors assigned to the Scheme. Occasionally, vessel conditions permitting, a NAFO Inspection trainee may accompany the inspection party for training purposes only. In such circumstances the inspection party shall, upon arrival on board, identify the trainee to the Master of the vessel being inspected. This trainee shall simply observe the inspection and shall in no way interfere with the activities of the fishing vessel and with the inspection.

4. Amend Annex I, Document of Identity, as appropriate.

(FC Working Paper 92/7)
(3rd Revision)

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Working Paper on amendments to the NAFO Conservation and Enforcement
Measures to incorporate a catch reporting feature
into the hail system

Part III. E.

1. A Contracting Party shall ensure that vessels of that Party to which the Scheme of Joint International Inspection applies shall report to their competent authorities or to the NAFO Secretariat if the Contracting Party so desires:
 - a) each entry into the Regulatory Area. This report shall be made at least six (6) hours in advance of the vessel's entry and shall include the date, the time, the geographical position of the vessel and the total round weight of catch by species on board in metric tonnes.
 - b) following entry into the Regulatory Area, within forty-eight hours (48) following the week (Sunday to Saturday) in which the catches were made, and weekly thereafter until its departure from the Regulatory Area, the total round weight of catch taken by the vessel during that week (Sunday to Saturday) or since the last report by species and by division in metric tonnes.
 - c) each exit from the Regulatory Area and except as provided in (c), each movement from one NAFO division to another NAFO division. This report shall be made prior to the vessel's exit from the Regulatory Area or entry into a NAFO division and shall include the date, time and geographical position of the vessel. The report made on exit from the Regulatory Area shall also include the total round weight of catch since the last catch report by species and by division in metric tonnes.
 - d) present text

Without prejudice to Schedule II of Part V of the NAFO Conservation and Enforcement Measures, after each radio or fax transmission of information the following details are to be immediately entered in the logbook:

- Date and time of transmission
- In cases of radio transmission, name of radio station through which the transmission is made

2. present text
3. present text

Annex 15

(FC Working Paper 92/17)
(2nd Revision)

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Coordination and Financing of Inspection Activities in the Regulatory Area

The Fisheries Commission,

Noting the importance of ensuring appropriate control and inspection of implementation of conservation measures in the NAFO Regulatory Area,

Taking into account that control and inspection in the NAFO Regulatory Area are international, and are exercised in the interest of all Contracting Parties,

Recognizing the need to coordinate effort of all Contracting Parties,

Directs STACTIC to consider at its next meeting the following issues:

- Data analysis on the volume and expenses that the Contracting Parties exercise control and inspection in the NAFO Regulatory Area;
- Determination of the optimum number of inspectors, vessels, helicopters, other aircraft and other means of control needed for permanent control in the Regulatory Area during a year and, to the extent possible, the cost involved;
- Prepare proposals for coordination of effort of the Contracting Parties to ensure control and inspection in the Regulatory Area on an adequate level, in view of the provisions of Part IV, para. 13 of the NAFO Conservation and Enforcement Measures, and for assessing cost for that purpose.

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Competence to call intersessional STACTIC meetings (request by Denmark)
(Item 17. Other matters)

by

Executive Secretary

Legislative Note:

In accordance with provisions of Article XIII.6 of the NAFO Convention:

"The Commission may establish such Committees and Subcommittees as it considers desirable for the exercise of its duties and functions."

and in respect of this -

The Standing Committee on International Control (STACTIC) was established by provisions of terms of reference in Rule 5 of the Rules of Procedure for the Fisheries Commission which provide:

- 5.1 There shall be a **Standing Committee on International Control** which shall:
- a) review of the results of national and international measures of control;
 - b) develop inspection methodologies;
 - c) consider the practical problems of international measures of control;
 - d) review reports of inspections and violations;
 - e) promote exchanges and cooperative efforts of inspectors in international inspection; and
 - f) make appropriate recommendations to the Fisheries Commission.
- 5.2 The Committee shall consist of representatives, one from each Commission member, who may be assisted by experts and advisers and shall elect, from among those representatives, to serve for two years, its own Chairman; who shall be allowed a vote. The Executive Secretary shall be an *ex officio* member, without vote.

Conclusion

According to the provisions of the NAFO Convention and Rules of Procedure for the Fisheries Commission, STACTIC is a subsidiary body of the constituent body - Fisheries Commission - and in such status STACTIC does not have an independent existence and is directly responsible to the Fisheries Commission; and,

This responsibility is discharged by the following actions and activities:

- Any meeting of STACTIC is subject to a decision and competence of the Fisheries Commission which includes: Terms of reference (tasks), dates, and place;
- Reports of STACTIC are presented to the parent body for its approval (adoption, acceptance, rejection, or returning)

Note:

Bearing in mind the following provisions of Rule 9 of the Rules of Procedure for the Fisheries Commission that:

"The Fisheries Commission shall not incur any expenditure except in accordance with a budget approved by the General Council",

any decision of the Fisheries Commission for a STACTIC meeting (except the meeting at the NAFO regular annual meeting in September) should be taken in consultation with the General Council.

Special Meeting of the Fisheries Commission

11-14 May 1992, Dartmouth, N.S., Canada

Request to STACTIC

The Fisheries Commission requests STACTIC to address the following questions at a special meeting to be called in advance of the 14th Annual Meeting of NAFO and to report the results to the Fisheries Commission:

1. If the Fisheries Commission were to adopt a pilot project for a NAFO observer scheme for a sufficient period starting on 1 January 1993,

What would be the role and duties of observers within the scheme?

What would be the operational procedures for deploying and removing observers from the fishing vessels?

What training and equipment would be required for the observers?

What would be the rights and obligations of the master of the fishing vessel?

What would be the format, contents and frequency of reports and to whom should such reports be addressed?

What would be the technical problems and solutions associated with implementation of such a scheme?

What would be the estimated costs of such a scheme?

The questions above should be answered with respect to a pilot observer scheme. If any other proposal addressing the same concerns is forwarded to the Executive Secretary by 01 July 1992, the relevant questions should be answered in respect of such a proposal.
2. If the Fisheries Commission were to decide to incorporate a catch reporting feature into the hail system,

Would the technical effectiveness of the hail system be improved by the incorporation of catch reports?

Taking into account the particular communication problems of long-distance fleets and with a view to minimize costs and time, what would be the form and content of messages to be sent?

What would be the appropriate timing and frequency of catch reports?

What is the least costly and expedient way for the NAFO Secretariat to make the hail information available to inspection vessels present in the Regulatory Area?

What would be the technical problems and solutions associated with implementation of such a decision?

What would be the estimated costs of such a decision?

3. If the Fisheries Commission were to approve the introduction and inspection of production logbooks or stowage plans,

In particular, what guidelines would be needed to maintain safety on production decks and in the hold of the fishing vessel?

What would be the technical problems and solutions associated with implementation of such a decision?

What would be the estimated costs of such a decision?

4. If the Fisheries Commission were to introduce one uniform mesh size, irrespective of material,

What practical and economic effect would this have for the fishing fleets in the Regulatory Area?

How would this affect the work of the inspectors?

5. If the Fisheries Commission were to permit inspection trainees to accompany inspection parties,

What guidelines should be established for the conduct of the trainee while he or she is on board the vessel?

6. If the Fisheries Commission were to approve a program to coordinate and fund inspection activities in the NAFO Regulatory Area,

What is the extent and what are the costs currently incurred by the Contracting Parties for control and inspection in the Regulatory Area?

What would be the appropriate number of inspectors, vessels, helicopters, other aircraft and other means needed for rational and effective control and inspection in the Regulatory Area in a given year, and what would be the estimated cost of these activities?

What would be the design of a coordinated plan for control and inspection by Contracting Parties in the Regulatory Area, taking into account the provisions of Part IV, para 13 of the NAFO Conservation and Enforcement Measures?

What would be the costs of this program?

The Fisheries Commission also requests STACTIC to summarize and comment on papers to be provided by Contracting Parties by 15 July 1992 setting out the methodology, benefits and other implications of effort management systems in order to match fishing effort with available fishing opportunities.

STACTIC will submit its findings and recommendations to the Fisheries Commission no less than thirty days prior to the 14th Annual Meeting of NAFO.

Northwest Atlantic Fisheries Organization
Special Meeting of the Fisheries Commission
11-14 May 1992, Dartmouth, N.S., Canada

Press Release

1. The Special Meeting of the Fisheries Commission (the Commission) of the Northwest Atlantic Fisheries Organization (NAFO) was held at Holiday Inn, in Dartmouth, Nova Scotia, Canada under the chairmanship of Mr. E. Wiseman (Canada). The Meeting was called by the Chairman at the request of Canada in accordance with provisions of Article XIII.5 of the NAFO Convention.
2. The following members of the Commission took part in the meeting: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), European Economic Community (EEC), Japan, Norway, Poland, and Russia. Observers from the United States of America, Estonia, Latvia, and Lithuania were admitted to the meeting.
3. The meeting was called to consider a number of proposals initiated by Canada. During the last two years there have been considerable activities within NAFO focusing on improvements to inspection and control in the Regulatory Area. Amendments have been adopted and incorporated in the NAFO Conservation and Enforcement Measures with respect to rules for marking vessels, implementation of the hail system, air surveillance, and the adoption of guidelines for the Coordination and Optimization of Inspection and Control in the Regulatory Area. While the adopted measures are of great value and importance to inspection and control in the Regulatory Area, additional measures should be considered in order to achieve the objectives of NAFO.
4. The deliberations of the Special Meeting of the Fisheries Commission (Agenda attached) concentrated on certain measures to reinforce control and enforcement in the Regulatory Area to refer specific questions to STACTIC for a Special Meeting in July 1992 and to resume its deliberations in September 1992 on these measures on the basis of working papers prepared at the meeting. The most important draft proposals are: to initiate a NAFO pilot observer project; to incorporate a catch reporting feature into the hail system; to introduce production logbooks or stowage plans for fishing vessels; to develop systems for better balance fishing effort to legitimate fishing possibilities in the Regulatory Area; to amend the NAFO Conservation and Enforcement Measures with respect to incidental catch limits, recording of catches, modifications to forms, composition of inspection party.
5. The Fisheries Commission agreed in principle to consider further possibilities with respect to financing the inspection vessels' activities in the Regulatory Area, and financing of NAFO scientific work in the Regulatory Area. While the objectives of those proposals will be pursued no firm commitments were drawn at this time as such measures require further reflection by Contracting Parties.
6. On other measures to improve effectiveness of NAFO management of fish stocks in the Regulatory Area, the Commission decided to further study effective mesh size and minimum commercial cod and flatfish size in the Regulatory Area, subject to future advice of the Scientific Council of NAFO.

NAFO Secretariat
Dartmouth, N.S., Canada