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NORTHWEST ATLANTIC FISHERIES ORGANIZATION



Report of the Second Meeting of the
Standing Committee on Fishing Activities
of Non-Contracting Parties in the Regulatory Area
(STACFAC)

Dartmouth, N. S., Canada
3-4 June 1991

NAFO
Dartmouth, N. S., Canada
1991

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Standing Committee on Fishing Activities
of Non-Contracting Parties in the Regulatory Area
(STACFAC)

Dartmouth, N.S., Canada
3-4 June 1991

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Chairman of the Committee
June 1991

Abstract

After the First Meeting of STACFAC held on 30-31 January 1991 (Dartmouth, Canada), the Second Meeting was proposed for the main purpose of further elaboration on the three following items: handling of the Aide Memoire to non-Contracting Parties; a Certificate of Harvest Origin for statistical purposes; Trade related measures concerning fish harvested inconsistent with NAFO conservation measures. All those topics were discussed during the Second Meeting, and the results are presented in this Report.

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1. OPENING OF THE MEETING

- 1.1 The Second Meeting of the Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) was held in Dartmouth, N.S., Canada on 3-4 June 1991 under the chairmanship of Mr. C. C. Southgate (European Community).
- 1.2 The following Contracting Parties were present: Canada, Denmark (on behalf of the Faroes and Greenland), European Economic Community (EEC), Japan, Poland, and USSR.
- 1.3 A list of participants is at Appendix 1. A list of documents presented and discussed at the meeting is at Appendices 2-8. Some documents are left unappended and listed as Working Papers in NAFO general files in accordance with the meeting's decision.
- 1.4 The Chairman, Mr. Southgate, welcomed the Delegates to the Second Meeting of STACFAC and indicated major items to be discussed at this meeting. Those items are the Aide Memoire (for joint diplomatic demarches) and the Certificate of Harvest Origin for statistical purposes. He requested the panel for nomination and election of a rapporteur.
- 1.5 Mr. R. Prier (Canada) was appointed as the rapporteur.
- 1.6 The agenda was adopted as presented after amendment to item 4 to read "Amendment of the Rules of Procedure". (Appendix 2)

2. AMENDMENT OF THE RULES OF PROCEDURE

- 2.1 The Executive Secretary presented his draft proposal for the amendment of the Rules of Procedure of STACFAC adopted at the previous meeting (30-31 January 1991). He explained that these Rules should reflect the Rules of Procedure for the General Council which is the parent body to STACFAC. Answering the question of the delegates (Japan, Canada), the Executive Secretary stated the subparagraphs (a), (b), (c) and (d) of the Rules were the same as in the previous Rules, and all major provisions of former paragraphs 1, 2 and 3 will be covered under the Rules of Procedure for the General Council.
- 2.2 After postponement for further consideration, the amended Rules of Procedure were adopted. (Appendix 3)

3. **REVIEW OF SUPPLEMENTARY INFORMATION ON ACTIVITIES OF NON-CONTRACTING PARTIES VESSELS IN THE REGULATORY AREA**

- 3.1 The Japanese representative informed on its vessel Takachiho-maru (3,608 t and 27 years old) which was exported to Somalia on brokerage in February 1991 with preconditions to fish only in the 200 mile Somalian zone. However, the Japanese Government was informed in late May 1991 that this vessel was operating in the Regulatory Area (NAFO). The Japanese Government is now investigating this case as well as urging the broker to strongly request current owner to withdraw from such activities. The results of this investigation will be reported to NAFO.

According to the reports of the Japanese fishing vessels, the non-Contracting Parties' vessels fishing in the Regulatory Area in 1991 are as follows:

5 Korean vessels in division 3M - Marsopla, Pukyang II, Golden Venture, Hao Quang No. 3, Great Splendor;
5 unidentified countries' vessels (possibly longliners) in division 3.

Japan, in bilateral talks with the Republic of Korea in March, stressed the need for Korea to cooperate with the conservation measures of NAFO, and advised them to send observers to NAFO's annual meeting of this year as a first step to join NAFO. The Korean side expressed its willingness to cooperate and as a response reduced their effort in the Regulatory Area from 7 to 5 vessels.

- 3.2 Canada tabled a slightly revised version of the paper discussed at the last meeting of STACFAC (see NAFO/GC Doc. 91/1, Appendix IV), which is attached as Appendix 4. The Canadian representative pointed out that the above-reported formerly Japanese vessel had been sighted flying the Honduran flag and renamed the "Danica". After the last meeting Canada contacted Panama, Korea and the USA. Panama has passed a resolution prohibiting their vessels from harvesting salmon in the North Atlantic, and it may be worthwhile to see if a similar resolution could be passed by Panama regarding the Regulatory Area of NAFO. Korea claimed to have reduced its licensed vessels operating in the Regulatory Area from 7 to 5 in 1990 and had submitted its catch and effort statistics for 1989 and 1990 to NAFO. Korean effort and catches are not estimated to have decreased, however. In response to other Contracting Parties, the Canadian representative stated that the Korean vessels listed in the Canadian paper as having been sighted in the Regulatory Area were flying the Korean flag; the USA has not expressed strong

interest in joining NAFO nor indicated any intention to curtail its activity in the Regulatory Area, despite their efforts to prevent similar problems in the Bering Sea off the coast of Alaska.

- 3.3 The EEC representative informed that there is not, at present, a detailed EEC report on activities of non-Contracting Parties which occurred after their January report. There might be some information available later in the year, the EEC having sent an inspection vessel to the NAFO Regulatory Area which will stay for seven months in 1991. EEC import statistics will be separated by countries but there is no method at present to identify where the fish of non-Contracting Parties comes from. The EEC unilateral presentations to non-Contracting Parties had the following positive effects:

Cayman Islands are willing to cooperate, and to provide information on catches and to remove any such vessels (fishing in the Regulatory Area) from their registry; Korea agreed to send catch statistics to NAFO; Malta has equally agreed to cooperate and for this purpose to investigate any activities of their vessels in the Regulatory Area, as they have not been aware of such activities; the USA indicated their intention to review their position regarding NAFO, with a view to a possible accession at a later stage and they would in that case like to receive some small historic allocations as the USA indicated in their reply earlier to the Executive Secretary; Panama has room to take similar steps in cooperation with NAFO after adoption of the resolution on the catch of salmon, as reported by Canada, and should cooperate with the regional International Organizations in accordance with the International Law.

- 3.4 The Executive Secretary drew attention to STACFAC Working Paper 91/11 presented to the meeting which summarizes all correspondence between the NAFO Secretariat and the non-Contracting Parties fishing in the Regulatory Area. In accordance with the Resolution of the General Council (NAFO/GC Doc. 90/8), the Executive Secretary had drawn to the attention of all non-Contracting Parties, involved in activities in the Regulatory Area, the negative impact of such fishing. The appropriate catch statistics were requested to the end of 1990. To-date, the USA, Mexico and Korea had replied to NAFO. Only two countries, USA and Korea, had presented their fishing statistics in the form of STATLANT 21A and 21B for the Regulatory Area before this meeting. The delegates expressed their recommendation that the Executive Secretary follow up further on this item.

4. REVIEW OF SUPPLEMENTARY INFORMATION ON LANDINGS AND
TRANSSHIPMENTS OF FISH CAUGHT IN THE REGULATORY AREA BY NON-
CONTRACTING PARTIES

- 4.1 The Canadian representative noted the increased transshipments in the area of St. Pierre-Miquelon predominantly by Korean vessels, and stated it would be very helpful to obtain the statistics on transshipment or any available information for this purpose. There are some indications that in the late 1980's the port activities in that area increased substantially but concrete statistics are unavailable.
- 4.2 The EEC representative informed that the area of St. Pierre-Miquelon does not come under European Community jurisdiction, therefore, there is no way to provide confirmation of Canada's report. And, without information the Committee should not come to conclusions that all increased activity in St. Pierre-Miquelon is related to fish transshipments. In relation to the statistics of non-members' activity, it will be summarized at a later date and then be forwarded to NAFO for distribution. The statistics will differentiate between non-members and member states but not indicate where fish is caught. This might be another reason to introduce a landing declaration for statistical purposes.
- 4.3 The Japanese representative informed that the fishing companies, members of the Japan Deep Sea Trawlers Association, have restricted themselves from purchasing and transshipping fish caught by non-member countries at St. Pierre-Miquelon to discourage fishing activities by non-member countries. At this stage, Japan has no reports available to consider transshipments at St. Pierre-Miquelon.

5. APPROVAL OF THE TEXT OF THE AIDE MEMOIRE (FOR JOINT DIPLOMATIC
DEMARCHES) AND DECISION ON THE DELIVERY OF THE AIDE MEMOIRE TO
THE NON-CONTRACTING PARTIES

- 5.1 The Executive Secretary reported to the meeting that in accordance with the decision of the first STACFAC Meeting the text of the Aide Memoire was distributed twice to the Contracting Parties for their comments and approval. The comment(s) received was only one from Canada - to change the word "zone" to "200 mile limit" in the third paragraph. As no objections were received from the Contracting Parties, the text of the Aide Memoire should be regarded as approved.

- 5.2 Taking into account the cooperative response of the Non-Contracting Parties addressed and the time left before a possible introduction of a landing declaration for statistical purposes, the EEC representative, with the concurrence of other delegations, proposed that a new paragraph be added to the text requesting non-Contracting Parties to provide statistics on fish caught in the Regulatory Area using the forms established by FAO and used by NAFO. Canada suggested the addition of a reference to "to the end of 1990", consistent with the text of the Resolution adopted by the General Council in September 1990 (GC Doc. 90/8). The revised text was approved and inserted as the second paragraph from the end of the Aide Memoire.

- 5.3 The delegations also agreed on further changes:

In paragraph 3 to change a phrase in the first sentence to read:"... occur both within the 200-mile zone of the principal coastal state, Canada, and in the area beyond and adjacent to that zone". This language is consistent with the UNCLOS.

In paragraph 6, under heading "Panama" in first sentence to delete phrase "... as shown on the attached table."

Note to 5.3: After the meeting some delegations (Canada, USSR, Denmark on behalf of the Faroes and Greenland) drew to attention that the last paragraph of the draft Aide Memoire should be presented without the phrase "... represented at their request by the Government(s) of _____..." as this phrase is inconsistent with the decision of STACFAC. The Executive Secretary sent NAFO letter GF/91-239 to all heads of delegations of STACFAC for this purpose.

- 5.4 On the point of the delivery of the Aide Memoire to non-Contracting Parties the delegations expressed several options. The representatives of the EEC and Japan recommended to delay distribution until after the NAFO annual meeting in September, and to use the time before the meeting to obtain new information and assessments through unilateral contacts. Some time space should be left between the unilateral contacts and the joint NAFO approach, in order not to spoil the effect of the former. Japan specifically proposed that the Chairmen and Vice-Chairmen of the General Council and Fisheries Commission should deliver the Aide Memoire to the Embassies of non-member countries in Ottawa, after the Annual Meeting, accompanied by the Canadian representative. The EEC recommended that, as previously agreed, the demarches should be delivered by different Contracting Parties to

different non-Contracting Parties and, wherever possible, the Chairman of the General Council should be involved. The Canadian, USSR and Denmark (on behalf of the Faroes and Greenland) representatives were in favour of delivery of the Aide Memoire before the annual meeting. Canada recommended the note be delivered as early as possible. The USSR stressed that expeditious action was needed consistent with the last Resolution adopted by the General Council in 1990.

- 5.5 After productive debates, the consensus was reached on the subject of the Aide Memoire delivery to non-Contracting Parties as follows:

The Executive Secretary shall send the Aide Memoire to all Contracting Parties to confirm approval of the minor changes to the text and to request Contracting Parties to volunteer to deliver the notes to specific non-Contracting Parties;

The Aide Memoire shall be signed by the Chairman of the General Council, the President of NAFO;

The Aide Memoire shall be delivered to non-Contracting Parties as soon as possible before the 13th Annual Meeting;

The Executive Secretary should coordinate all demarches to the Chairman of the General Council and the Contracting Parties.

The delegations agreed in principle that in this context there should be follow-up to individual non-Contracting Parties reaction to previous and expected notes. The EEC indicated its willingness to deliver the Aide Memoire to Panama, Venezuela and possibly the Cayman Islands.

6. DISCUSSION OF THE CERTIFICATE OF HARVEST ORIGIN FOR STATISTICAL PURPOSES

- 6.1 The Canadian representative presented to the meeting a proposal for the Certificate of Harvest Origin (Appendix 5), and explained that Canada had tried to address the concerns of all Contracting Parties in formulating its proposals. A system for a mark of equivalence has been outlined to facilitate compliance by NAFO members. Two groups of countries could avail themselves of the right to use the mark of equivalence: NAFO members, and countries that a) do not fish in the Regulatory Area for species listed in Annex A of the proposal and b) require a NAFO certificate to accompany relevant imports into their own markets. The mark of equivalence could be just

a NAFO logo stamp.

- 6.2 The USSR representative raised the question on a necessity for a non-member to have a certificate of origin and for a member to have a mark of equivalence on the landing invoice. The USSR would like to have more explanations and consideration for this issue.
- 6.3 The Japanese representative reiterated that the measure should be simple, technically feasible, non-discriminatory, and not unilateral one. The Japanese delegation presented their proposal (Appendix 6) and explained that this is a very simple system for the purpose of avoiding the legal justification of international regulations and technical difficulty in implementation. Practicality of the proposed system by Canada and the EEC and credibility of information collected by this system would be in question. Taking the point of cost-benefit into consideration, Contracting Parties should first make every effort to collect information by using its own domestic regulations, and then review the results for improving the method.
- 6.4 The EEC representative presented their proposal (Appendix 7) and outlined the following principal points: the proposal is based upon the provisions of the UN Convention of the Law of the Sea, the 1990 NAFO Resolution and the terms of reference for the Standing Committee (STACFAC); it is called not a "certificate of harvest origin" but a "statistical landing declaration" and the footnotes do not mention imports to avoid any allusion to a possible trade measure against a nation; the declaration is left to the skipper of the vessel since he is in fact the only one to know where the fish was caught; the declaration should accompany the fish to its final landing destination; the declaration is limited only to fish caught inside the Regulatory Area because NAFO is only interested in such catches and this is a limit of really NAFO's concern and responsibility; the declaration should be limited to a few product forms, in order to present a reliable paper; the importation of fish which does not have a declaration would not be prevented but administrative follow-up action would be taken; the declaration applies only to non-Contracting Parties fishing in the Regulatory Area.

The European Community commented on the Canadian proposal as follows: a term other than "certificate" should be found for the reasons outlined; the proposed system should be limited to non-Contracting countries whose vessels fish inside the NAFO area only; the phrase "may permit imports..." in the first sentence in the section

on the mark of equivalence gave the impression that imports might be forbidden and it should, therefore, be changed; para 2 in this section appeared to cover "intermediary nations" and should, therefore, be formulated in a way which avoids this impression; the requirement for "written assurances" is actually an added burden; the NAFO Executive Secretary, rather than the Contracting Parties, should collect and compile the statistics from the certificates; the list of product forms in Annex B is too lengthy and should be limited to a few product forms.

On the Japanese proposal, the delegate of the EEC observed that it was very tempting because of its simplicity, but doubted that it would satisfy the obligations of Contracting Parties under the 1990 Resolution and the terms of reference for STACFAC.

The EEC delegate proposed that STACFAC might consider NAFO asking the non-Contracting Parties that they oblige their vessels to provide declarations to NAFO, especially in view of the positive results that seemed to be emerging from the EEC's diplomatic initiatives. Once the effect of this approach could be assessed, the establishing of a statistical landing declaration programme by the Contracting Parties could be further elaborated.

- 6.5 The delegate of Canada stated that Canada shared the desire of other Contracting Parties to simplify and ease the administrative burden of the system but noted that reducing requirements also reduces the effectiveness of a proposed system. The amount of information available without a certification system has been disappointing. Canada is of course willing to look again at the title of the program or name of the certificate, although one problem with a "landing declaration" is that it might apply to all fishermen and could be a significant burden in Canada, with 57,000 fishermen in the Atlantic region. A new term, such as "Statement of Harvest Area", might avoid use of the words "certificate" and "origin". On the question of both inside and outside of the Regulatory Area, Canada had chosen to be comprehensive in order to cover all the fish caught, since there was otherwise no incentive for an exporter to make a declaration voluntarily. The language in the Canadian paper could be amended to avoid the impression of an import ban. Product forms could perhaps be more limited than currently proposed in Annex B of the proposal. However, limiting the product forms to round fish might not be sufficient since most of the non-member vessels process on board to a certain extent before the initial landing

or transshipment. As for the competent authority to make the certification, the Master of the harvesting vessel was an option in the Canadian paper and this might in fact be the best option. A system which does not address the problems of re-exports and transshipments would result in significant losses of information and evidence.

On the Japanese proposal, the delegate of Canada agreed with the EEC that its simplicity was very attractive. However, one element of the basic mandate of STACFAC was to get statistics and information which had not been forthcoming to date. It might be possible to design a combination approach, which would share the administrative burdens between both members and non-members.

- 6.6 The delegate of Japan noted that Japan is the world's biggest importer of fish, 2.4 million tonnes and US \$11 billion a year. Both the EEC and Canadian proposals are very complicated and it is impossible for Japan to implement such a system in the existing Japanese import system. Japan questioned the necessity to have such a complicated, world-wide system just to collect information.

On the Canadian proposal, the delegate of Japan commented that to request specified countries to attach a certificate of harvest origin when importing fish would be for Japan a discriminatory measure. Japanese custom officers cannot identify fish species listed in the proposal. When export fish products according to the Canadian proposal, even Japanese coastal fish which are the same species as listed in the proposal are required to put mark of equivalence; Japan seemed it would be extra-territorial approach.

On the EEC proposal, the delegate of Japan commented as follows: for import, non-member countries vary often and the administrative burden to change Japanese import regulation to keep up with the evasions would be tremendous; when export, exporters cannot identify the skipper for signature of landing declaration because some imported fish are processed and re-exported mixed with Japanese domestic catch.

Contracting Parties to NAFO should avoid unilateral measures to get information, but it is their responsibility to obtain the required information as a first step.

- 6.7 The delegate of the USSR noted that the cornerstone question was whether the proposed systems should apply to

NAFO Contracting Parties. In his view, the answer was "no". The terms of reference for STACFAC stated clearly that the objective was to get non-members to withdraw from fishing activities contrary to NAFO Conservation Measures. It should also be remembered that the terms of reference mention only the NAFO Regulatory Area and do not suggest that other harvesting areas should be included in a NAFO system of harvest certification.

- 6.8 In this context, the EEC delegate took the view that a limitation of the proposed statistical landing declaration to non-Contracting Parties was not to be regarded as being discriminatory, since Contracting Parties had already to deliver detailed equivalent catch information under the NAFO scheme.
- 6.9 The Chairman proposed for these debates that it would be necessary to consider not only what is possible under GATT but also what is desirable for Contracting Parties.
- 6.10 The representative of Denmark (on behalf of the Faroes and Greenland) stated that he in principle was positively inclined towards the idea of a certificate provided that it would not imply heavy burdens on the administrative system.

Of the three proposals which should still be subject to deliberation the EEC proposal in Working Paper 91/17 could be interpreted as a compromise model which might prove useful, possible with a few modifications, as a basis for a mutual agreement

- 6.11 The representatives, seeking compromise, further exchanged ideas as follows: Canada drew attention to the implications of volume of imports, number of countries, impact on domestic fishermen, legal and regulatory measures, specific international agreements and cost. All those items could be put into a technical paper by the Contracting Parties for further discussion at the next meeting of STACFAC. After discussion, the Canadian draft of such a technical paper was set aside in view of disagreement of some delegations on technical issues and points of principle.

The Japanese and EEC delegations indicated that technical and questions of principle could not be separated. The basic approach must be stated and reported to the General Council. The EEC emphasized on restrictions of such an approach to the Regulatory Area and non-member countries.

The USSR supported this idea based on the terms of reference noting on a containment of fundamental concerns of all delegations in the previous records.

- 6.12 All delegations agreed that this issue shall be considered at the next STACFAC meeting (in September) based on proposals and fundamental questions discussed during this meeting.

7. **TRADE RELATED MEASURES CONCERNING FISH HARVESTED INCONSISTENT WITH NAFO CONSERVATION MEASURES**

- 7.1 The Canadian representative stated that their paper tabled in the January meeting still stands. (GC Doc. 91/1, Appendix VIII).
- 7.2 The Japanese representative reconfirmed its opinion on this paper as at previous meeting (January 30-31, 1991).
- 7.3 All delegations agreed that at this stage the discussions on this issue would be premature and should be postponed.

8. **CONSIDERATION ON THE REPORT, INCLUDING CONCRETE RECOMMENDATIONS TO THE GENERAL COUNCIL**

- 8.1 According to the decision of the General Council (NAFO GC Doc. 90/9), the delegations agreed that the Standing Committee shall report back to the General Council on progress achieved and develop its recommendations.
- 8.2 The delegations reviewed a paper presented by the European Community delegation to develop the recommendations (Appendix 8). Canada and Denmark (on behalf of the Faroes and Greenland) supported this idea in principle but emphasized the need for more concrete recommendations on such issues as a "harvesting certificate" and others. The Canadian representative also pointed out that it would be premature to draft a report to the General Council when the single concrete initiative agreed upon by the Committee, the joint delivery of the NAFO Aide Memoire, had not yet been finalized or undertaken. The EEC recommended to keep their paper as a working paper and as a starting point for any possible recommendations.
- 8.3 After extensive discussions, the delegations agreed that at this stage the Standing Committee cannot report back to the General Council with specific recommendations to resolve the problem of fishing of non-Contracting Parties. The time is needed to have the results of unilateral actions and to receive reactions on the Aide Memoire. Therefore, the recommendations of the Standing

Committee to the General Council will be elaborated at the annual meeting in September.

9. **OTHER MATTERS AND NEXT MEETING**

- 9.1 The Japanese representative stated in context of previous discussions that NAFO should provide non-Contracting Parties with precise information and invite them to the annual meeting to give them a choice of either withdrawing from the Regulatory Area or joining NAFO. The EEC supported this idea in principal. Canada reminded that STACFAC does not have the authority or duty to invite non-Contracting Parties. The Japanese representative stated that, in accordance with the terms of reference for STACFAC, Contracting Parties are asked to examine and assess all options, and in this context STACFAC should consider other matters than trade restriction.

The representative of Denmark (on behalf of the Faroes and Greenland) supported the idea to include in the recommendation which will be elaborated at the annual meeting in September.

- 9.2 The Executive Secretary reminded the Committee that in his communications to all non-Contracting Parties there is information that those Parties may attend the NAFO meetings, and definitely, non-Contracting Parties are well aware of such possibilities.

- 9.3 The delegations resolved that the next STACFAC meeting will be held on 9-13 September during the annual meeting. The agenda should be similar to that of the second meeting except for items 7 and 4 which were resolved.

The Chairman, Mr. C. Southgate (EEC) adjourned the meeting at 1810 on June 4, 1991.

Appendix 1

Second Meeting of the Standing Committee on Fishing Activities
by non-Contracting Parties in the Regulatory Area (STACFAC)

LIST OF PARTICIPANTS

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Appendix 2

Second Meeting of the Standing Committee on Fishing Activities
of Non-Contracting Parties in the Regulatory Area (STACFAC)

NAFO Headquarters, Dartmouth, N. S., Canada

Agenda

1. Opening by Chairman, C. C. Southgate (EEC)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Amendment of the Rules of Procedure
5. Review of supplementary information on activities of non-Contracting Parties' vessels in the Regulatory Area (national reports)
6. Review of supplementary information on landings and transshipments of fish caught in the Regulatory Area by non-Contracting Parties (national reports)
7. Approval of the text of the AIDE MEMOIRE (for joint diplomatic demarches): decision on the delivery of the AIDE MEMOIRE to the non-Contracting Parties
8. Discussion of the Certificate of Harvest Origin (submitted by Canada, Appendix VII, Report of First Meeting of STACFAC)
9. Discussion of the Trade Related Measures Concerning Fish Harvested Inconsistent with NAFO Conservation Measures (submitted by Canada, Appendix VIII, Report of First Meeting of STACFAC)
10. Elaboration of the Report, including concrete recommendations, to the General Council
11. Time and Place of Next Meeting
12. Other Matters
13. Adjournment

Appendix 3Standing Committee on Fishing Activities of non-Contracting
Parties in the Regulatory Area (STACFAC)

Rules of Procedure

1. There shall be a Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC) including one representative from each Contracting Party that wishes to participate, who may be assisted by experts and advisers, and which shall:
 - a) obtain and compile all available information on the fishing activities of non-Contracting Parties in the Regulatory Area, including details on the type, flag and name of vessels and reported or estimated catches by species and area;
 - b) obtain and compile all available information on landings, and transshipments of fish caught in the Regulatory Area by non-Contracting Parties, including details on the name and flag of the vessels; the quantities by species landed, transshipped; and the countries and ports through which the product was shipped;
 - c) examine and assess all options open to NAFO Contracting Parties including measures to control imports of fish caught by non-Contracting Party vessels in the Regulatory Area and to prevent the reflagging of fishing vessels to fish under the flags of non-Contracting Parties;
 - d) recommend to the General Council measures to resolve the problem;
 - e) elect from among its members, to serve for two years, a chairperson and a vice-chairperson, who shall be allowed a vote. The Executive Secretary shall be an *ex officio* member, without vote.

Appendix 4

(STACFAC Working Paper 91/14)

**Second Meeting of the Standing Committee
On Fishing Activity by Non-Contracting
Parties in the Regulatory Area (STACFAC)**

**Non-Member Fishing Activity in the
Regulatory Area - 1990**

by

Canadian Delegation

1.0 INTRODUCTION

This report examines the activities of NAFO non-member vessels that fish groundfish species in the NAFO Regulatory Area. The report attempts to distinguish between "non-member vessels", such as those from Korea or the USA and re-flagged vessels, generally crewed by western Europeans.

The information sources for this report are Canadian air surveillance and courtesy boardings¹ conducted by Canadian officials on non-member vessels. Catch reports to NAFO are used in the case of USA vessels.

2.0 FLEET PROFILE

During the 1984-90 period, approximately 190 NAFO member vessels fished groundfish in the Regulatory Area on an annual basis. By comparison, non-member vessels have steadily increased from 11 in 1984 to 47 in 1989 and 44 in 1990. Table I provides a full summary of groundfish vessels for the 1984-90 period.

TABLE I - GROUNDFISH VESSELS 1984 - 90							
	1984	1985	1986	1987	1988	1989	1990 ²
Member Nations	159	191	196	182	179	198	222 ³
Caymen Islands	0	1	1	1	1	1	1
Korea	1	1	1	1	3	5	6*
Mauritania	0	0	1	0	1	1	0
Malta	0	0	0	0	0	1	1
Panama (Korean-crewed)	--	4	3	4	5	5	2
(European-crewed)	4	4	5	8	15	19	22
St. Vincents	0	0	0	0	1	1	1
USA	0	14	15	9	11	14	9
Mexico/Chile	6	6	4	6	4	0	0
Venezuela	0	0	0	0	0	0	2
Non-Member Nations	11	30	30	29	41	47	44
Total	170	221	226	211	220	245	266

* May include a squid fishing vessel registered in Taiwan (Hes Wen No. I).

¹ Non-member vessels are not subject to NAFO Conservation and Enforcement Measures and, therefore, are not required to permit NAFO inspectors onboard.

² Preliminary data.

³ Thirteen (13) Norwegian vessels fished exclusively for capelin.

The 1990 non-member fleet included 24 crewed by Western Europeans (7 pair trawlers, 10 single trawlers), 11 crewed by Koreans and 9 crewed by Americans⁴.

Table II provides a list of non-member vessels and crew nationalities that fished in the NAFO Regulatory Area in 1990:

Table II - Non-Member Vessels 1990		
Western European	Korean	American
Columbo III - Panama Columbo IV - Panama	Marsopla - Caymen Is. Hao Quang #3 - Korea Golden Venture - Korea	Constellation Helenic Spirit Mr. Simon
Columbo V - Panama Columbo VI - Panama	Puk Yang II - Korea Sam Won Ho - Korea Cesped - Korea	Miss Lori Lou Northern Venture Unidentified (4)
Columbo VII - Panama Columbo VIII - Panama	Rainbow - Malta Hes Wen No. 1 - Korea*	
Anita I - Panama Elly I - Panama	Peonia #7 - Panama Peonia #9 - Panama	
Pescamex III - Panama Pescamex IV - Panama	Great Splendor - St. Vincent's	
Acuario Uno - Panama Acuario Dos - Panama		
Pescagel - Venezuela Bacanova - Venezuela		
Alpes II - Panama Alpes III - Panama Santa Joana - Panama Maria de Lourdes Verde - Panama	*May have been squid vessel of Taiwan registry.	
Espadarte - Panama Porto Santo - Panama Amazones - Panama Classic Belair - Panama Rio Gabril - Panama Leone III - Panama		

⁴Prior to 1985, there were no observations of USA groundfish vessels in the NAFO Regulatory Area. Since 1985, an average of 12 USA vessels have frequented the NRA annually. This average is believed accurate. However, due to the nature of trips (4-6 days in the NRA) and infrequent air surveillance, it is conceivable that the average could be higher.

3.0 CATCH STATISTICS

3.1 Method of Determining Catch Statistics

In the absence of catch reports to NAFO, the catch statistics for each non-member nation are obtained primarily from logbooks/verbal conversations with masters during courtesy boardings combined with an estimate for non-boarded periods. Estimated statistics represent a "best estimate" of vessel activity and catches. A brief step by step method to determine catches for non-member vessels follows:

1. Courtesy boarding and sighting data are obtained.
2. Sighting information which is covered by courtesy boardings is omitted.
3. Days on ground are counted between sightings that are less than 30 days apart and totalled. Where a vessel is sighted greater than 30 days apart, seven days is attributed to the vessel for each sighting.
4. The known days when vessels are not in the Regulatory Area (e.g. port visits, etc.) are counted and subtracted from days on ground.
5. The final figure obtained is then reduced by 15% to account for bad weather, steaming, mechanical breakdown, etc.
6. The final days on ground are totalled for each nation.
7. Courtesy boarding data for each nation is analyzed to determine the major fisheries engaged in, as well as to determine catch rates.
8. The percentage of time (based on courtesy boarding) spent engaging in each fishery is applied to the total estimated days for each nation.
9. As a result, an estimate of catch by species for each nation is obtained.
10. This estimated catch and effort is added to the courtesy boarding data to obtain a combined total catch for each nation/fishery.

3.2 Overview - 1990

During 1990, 266 groundfish vessels from fifteen nations fished in the NAFO Regulatory Area.⁵ Eight of these nations are NAFO members and accounted for 222 vessels. Seven (7) non-member nations accounted for the remaining 44 groundfish vessels.

In 1990, it is estimated that non-member nations caught 48,800 mts of groundfish consisting of 15,400 mts of cod, 19,400 mts of redfish, 7,300 mts of flounder, 3,300 mts of Greenland Halibut and 3,400 mts of various other species. Table 3 and 4 gives a breakdown of catch for each non-member nation which fished in the NAFO Regulatory Area in 1990.

Table 3: Breakdown by Nation of the 1990 NAFO Regulatory Area Groundfish Catches				
NATION	Vessels	Effort	Catch	C/R
Caymen Is.	1	250	2,500	10.0
Korea	6	1,000	17,200	17.1
Malta	1	200	1,500	7.5
Panama	24	2,700	21,700	8.0
St. Vincents	1	200	3,300	16.5
Venezuela	2	50	600	12.0
USA	9	225	2,000	8.8
Total	44	4,625	48,800	10.6

⁵ Thirteen (13) Norwegian vessels fished exclusively for capelin.

Table 4: Breakdown of the 1990 Groundfish Catches For Each Nation

NATION	Estimated Catch (Mts)				
	Cod	Redfish	Flounder	Other	Total
Caymen Is.		600	1,900		2,500
Korea	5,900	7,700	3,400	200	17,200
Malta		1,500			1,500
Panama	8,900	6,300		3,200	18,400 ⁽⁶⁾
St. Vincent's		3,300			3,300
Venezuela	600				600
USA			2,000		2,000
TOTAL	15,400	19,400	7,300	3,400	45,500 ⁽⁶⁾

⁽⁶⁾ Excludes 3,300t of Greenland Halibut

Explanatory Notes:

Catch information is generally provided verbally by master(s) and, therefore, the separation of catches on a divisional basis cannot be completed accurately. In 1990, it is believed that all (95%) flounder catches were taken in 3NO, cod catches were primarily (60 - 70%) from 3NO/3M, Greenland Halibut catches were primarily (90%) from Division 3L and redfish catches were split between 3O/3N/3M.

The catch estimate procedure is completed on the basis of registered nation/vessels not crew nationality; therefore, the division of catches by crew nationality cannot be completed accurately. In 1990, it is believed that most cod (60%) catches, all Greenland Halibut catches and a portion (33%) of redfish catches were taken by vessels crewed from Western Europe with the remaining catches taken by vessels crewed from Korea or USA.

3.3 Catch Overview - 1984-1990

Since 1984, there has been an increase in the amount of effort by all nations fishing in the NAFO Regulatory Area. In 1984, the total effort by all nations was 8,820 days, whereas the seven year average (1984 - 1990) stands at 16,809 days per year.

Non-member activity has increased dramatically from 840 days in 1984 to 4,625 days in 1990. This is reflected by an increase in Korean-crewed vessels and registry transfers by Western European vessels.

The average yearly total of groundfish catch of all species by all nations fishing in the NAFO Regulatory Area during the 1984 - 90 period was approximately 187,500⁷.

Non-member catches have increased dramatically from 12,000 tonnes in 1984 to 30,000 tonnes in 1987 and 48,800 tonnes in 1990.

From 1984 to 1990 Non-members used an average of 33 fishing vessels per year in the NAFO Regulatory Area. These vessels fished for an average of 2,612 days catching approximately 29,000t of groundfish, an average catch per day of 11 mts (Table 5). The fishing effort for non-members has increased significantly in every year since 1984. Except for 1986 the estimated groundfish catches have also increased.

The yearly average of 29,000 mts of groundfish caught by non-members consisted of a yearly average of 7,114 mts of cod, 12,624 mts of redfish, 7,985 mts of flounder, 472 mts of Greenland Halibut, 857 mts of various "other" species. Cod and redfish catches for non-members have increased since 1986. Estimated catches of flounder have decreased since 1986. Greenland Halibut was taken in significant quantities for the first time in 1990.

⁽⁷⁾ Excludes 27,300t of capelin taken in 1990.

Table 5 - Non-Member Nations Fishing Activity in
The NAFO Regulatory Area for 1984 to 1990

Year	# of Different Vessels	Estimated Effort (Days)	Estimated Catch (Mts)
1984	11	840	12,000
1985	30	1,730	23,500
1986	30	2,030	19,300
1987	29	2,640	29,400
1988	41	3,130	35,200
1989	47	3,290	34,900
1990	44	4,625	48,800

Table 6 - Breakdown of Non-Member Nations
Groundfish Catches for 1984 to 1990

Year	Estimated Catch (Mts)				
	Cod	Redfish	Flounder	Other	Total
1984	3,800	0	8,200	0	12,000
1985	7,100	500	15,300	600	23,500
1986	4,500	0	14,600	200	19,300
1987	5,400	20,900	3,100	0	29,400
1988	7,800	23,500	3,000	900	35,200
1989	5,800	24,000	4,200	900	34,900
1990	15,400	19,400	7,300	3,400	45,500 ⁽⁸⁾

⁽⁸⁾ Excludes 3,300t of Greenland Halibut taken in 1990.

3.3.1 St. Vincents (Korean crew)

A St. Vincent's registered fishing vessel fished in the NAFO Regulatory Area in 1988, 1989, 1990 catching 400 tonnes (16 days), 3,525 tonnes (187 days) and 3,300 tonnes (200 days) of groundfish respectively.

3.3.2 USA

From 1984 to 1990 an average of ten USA vessels per year fished in the Regulatory Area. These vessels averaged 349 fishing days and 3,000 tonnes of groundfish (primarily flounder species) per year over the seven years. Appendix I outlines USA fishing activity for 1984 - 1990.

3.3.3 Mauritania (European crew)

One Mauritanian vessel operated in the NAFO Regulatory Area during 1986, 1988 and 1989. Appendix II outlines Mauritanian fishing activity since 1984.

3.3.4 Cayman Islands (Korean crew)

From 1984 to 1990 one vessel (Marsopla) fished in the Regulatory Area. Appendix III outlines Caymen Islands fishing activity for the 1984 to 1990 period.

3.3.5 Korea

During the years 1984 to 1987 one Korean vessel fished the NAFO Regulatory Area while in 1988 three vessels participated and in 1989 and 1990 Korean activity increased to 5 and 6 vessels respectively. Appendix IV outlines the Korean fishing activity for 1984 to 1990.

3.3.6 Panama (West European and Korean crews)

During the years 1984 to 1990 an average of eighteen Panamanian registered vessels per year fished in the NAFO Regulatory Area. The number of vessels has risen from a low of ten in 1984 to a high of twenty-four in 1988, 1989 and 1990. Panamanian flag vessels averaged 16,342 tonnes of groundfish in almost 1600 fishing days for each of the past seven years. Appendix V outlines Panamanian fishing activity for 1984 to 1990.

3.3.7 Malta (Korean Crew)

In 1989 and 1990, one Maltese vessel was observed fishing in the NAFO Regulatory Area. It is estimated that this vessel caught 711 tonnes of groundfish in 45 days during 1989 and 1,500 tonnes of groundfish during 200 days in 1990.

3.3.8 Venezuela (Western European)

In 1990, one Venezuelan pair trawler (Bascanova/Pescagel) was observed fishing in the NAFO Regulatory Area. It is estimated that this vessel caught 600 tonnes of cod in 50 days.

APPENDIX I

USA Fishing Activity For 1984 - 1990			
Year	# of Different Vessels	Estimated Effort (Days)	Catch Reported to NAFO (Mts.)
1984	0	0	0
1985	14	370	5,531
1986	15	380	5,770
1987	9	580	3,345
1988	11	560	2,868
1989	14	330	1,500 ⁽⁹⁾
1990	9	225	2,000 ⁽⁹⁾

⁽⁹⁾ Estimated

Breakdown of Reported USA Groundfish					
Year	Estimated Catch (Mts.)				
	Cod	Redfish	Flounder	Other	Total
1984	0	0	0	0	
1985	84	85	5,362	0	5,531
1986	315	4	5,451	0	5,770
1987	217	0	3,128	0	3,345
1988	266	0	2,602	0	2,868
1989	---	---	1,500 ⁽¹⁰⁾	0	1,500
1990	---	---	2,000	0	2,000

⁽¹⁰⁾ Estimated

APPENDIX II

Mauritania Fishing Activity for 1984 - 1990			
Year	# of Different Vessels	Estimated Effort (Days)	Estimated Catch (Mts.)
1984	0	0	0
1985	0	0	0
1986	1	10	0 ⁽¹²⁾
1987	0	0	0
1988	1	60	200
1989	1	50	212
1990	0	0	0

⁽¹²⁾ Estimated catch was 44 mts.

Breakdown of Estimated Mauritania Groundfish Catches for 1984 - 1990					
Year	Estimated Catch (Mts)				
	Cod	Redfish	Flounder	Other	Total
1984	0	0	0	0	0
1985	0	0	0	0	0
1986	0	0	0 ⁽¹¹⁾	0	0
1987	0	0	0	0	0
1988	0	0	200	0	200
1989	0	0	212	0	212
1990	0	0	0	0	0

⁽¹¹⁾ Estimated catch was 44 mts.

APPENDIX III

Caymen Islands Fishing Activity For 1984 - 1990			
Year	# of Different Vessels	Estimated Effort (Days)	Estimated Catch (Mts.)
1984	0	0	0
1985	1	90	2,000
1986	1	200	2,400
1987	1	270	5,300
1988	1	170	3,500
1989	1	210	3,000
1990	1	250	2,500

Breakdown of Estimated Caymen Islands Groundfish Catches for 1984 - 1990					
Year	Estimated Catch (Mts.)				
	Cod	Redfish	Flounder	Other	Total
1984	0	0	0	0	0
1985	100	0	1,600	300	2,000
1986	100	0	2,300	0	2,400
1987	0	5,300	0	0	5,300
1988	0	3,500	0	0	3,500
1989	0	2,500	500	0	3,000
1990	0	600	1,900	0	2,500

APPENDIX IV

Korean Fishing Activity For 1984 - 1990			
Year	# of Different Vessels	Estimated Effort (Days)	Estimated Catch (Mts.)
1984	1	240	4,900
1985	1	220	3,400
1986	1	210	3,200
1987	1	220	3,000
1988	3	130	2,100
1989	5	620	11,800
1990	6	1,000	17,200

Breakdown of Estimated Korean Groundfish Catches for 1984 - 1990					
Year	Estimated Catch (Mts.)				
	Cod	Redfish	Flounder	Other	Total
1984	300	0	4,600	0	4,900
1985	0	0	3,300	100	3,400
1986	100	0	3,100	0	3,200
1987	0	2,000	1,000	0	3,000
1988	0	1,800	200	0	2,000
1989	0	10,800	1,000	0	11,800
1990	5,900	7,700	3,400	200	17,200

APPENDIX V

Panamanian Fishing Activity For 1984 - 1990 ⁽¹²⁾			
Year	# of Different Vessels	Estimated Effort (Days)	Estimated Catch (Mts.)
1984	10	600	7,100
1985	14	1,050	15,700
1986	12	1,230	12,000
1987	16	1,570	18,900
1988	24	2,150	24,500
1989	24	1,850	14,500
1990	24	2,700	21,700

⁽¹²⁾ Includes four (4) trawler vessels formerly registered in Mexico/Chile.

Breakdown of Estimated Panamanian Groundfish Catches for 1984 - 1990 ⁽¹³⁾					
Year	Estimated Catch (Mts.)				
	Cod	Redfish	Flounder	Other	Total
1984	3,500	0	3,600	0	7,100
1985	7,000	400	8,100	200	15,700
1986	4,200	0	7,800	0	12,000
1987	5,300	13,600	0	0	18,900
1988	7,500	16,100	0	900	24,500
1989	5,700	6,500	1,400	900	14,500
1990	8,900	6,300	0	3,200	18,400 ⁽¹⁴⁾

⁽¹³⁾ Includes estimated catches of four (4) pair trawler vessels formerly registered in Mexico/Chile.

⁽¹⁴⁾ Excludes 3,300 tonnes of Greenland Halibut taken in 1990.

Appendix 5

(STACFAC Working Paper 91/16)

Second Meeting of the Standing Committee on Fishing
Activities of non-Contracting Parties in the
Regulatory Area (STACFAC)

Dartmouth, N. S., 3-4 June 1991

Presented by Canada for consideration by STACFAC

CERTIFICATE OF HARVEST ORIGIN**Purpose**

To gather information on catches of groundfish species regulated by NAFO and caught within the NAFO Regulatory Area by countries that are not members of NAFO and to identify those countries.

Process

The General Council of NAFO would pass a resolution which would record the agreement of all Contracting Parties to require that imports of specified fish and fish products derived from groundfish species regulated by NAFO (listed in Annex A) be accompanied by either a certificate of harvest origin in the format appended to the resolution or a mark of equivalence in the format appended to the resolution.

Certificate of Harvest Origin

The Certificate of Harvest Origin shall state the following:

1. The fish was harvested:
 - a) outside the NAFO Regulatory Area; or
 - b) inside the NAFO Regulatory Area.

2. The flag state of the harvesting vessel(s);

A sample certificate of harvest origin is attached as Annex B.

Mark of Equivalence

A NAFO Contracting Party may permit imports of fish and fish products of species listed in Annex A to be accompanied or identified by a mark of equivalence (to be affixed to the Master Shipping Container), in lieu of a certificate of harvest origin, if the exporting country has provided written assurances that:

1.
 - a) Its vessels do not fish in the NAFO Regulatory Area for the species listed in Annex A; or
 - b) Its vessels fish in the NAFO Regulatory Area for the species listed in Annex A and it is a NAFO member; and
2. Its imports of fish and fish products of the species listed in Annex A have been accompanied by either a certificate of harvest origin or a mark of equivalence, a record of which is forwarded annually to the Executive Secretary of NAFO.

Contracting Parties which have provided for a mark of equivalence shall forward copies of written assurances received from countries which export fish or fish products of the species listed in Annex A to the Executive Secretary of NAFO. A summary of the information shall be distributed to all Contracting Parties annually by the Executive Secretary of NAFO.

Contracting Parties shall collect and compile statistics, in a format to be decided, on their imports of fish and fish products of the species listed in Annex A which were accompanied by a certificate of harvest origin indicating that the fish was harvested in the NAFO Regulatory Area. Contracting Parties shall send these statistics to the Executive Secretary not later than March 31 of each year. The Executive Secretary shall distribute these statistics to all Contracting Parties.

ANNEX A

GROUND FISH SPECIES MANAGED BY NAFOSPECIESSCIENTIFIC NAME

Atlantic Cod

Gadus morhua

Atlantic Redfishes

Sebastes sp.

American Plaice

Hippoglossoides platessoides

Witch Flounder

Glyptocephalus cynoglossus

Yellowtail Flounder

Limanda ferruginea

ANNEX B

SPECIFIED FISH AND FISH PRODUCTS

Imports of specified fish and fish products derived from groundfish species regulated by NAFO shall include the following (from the Tariff Schedule of Canada, January 1, 1990):

03.02	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No. 03.04
0302.29.10	Flounder
0302.29.90	Other
0302.50.10	Cod (<i>Gadus morhua</i>), Atlantic
0302.69.11	Ocean perch
03.03	Fish, frozen, excluding fish fillets and other fish meat of heading No. 03.04
0303.39.10	Flounder
0303.60.10	Cod (<i>Gadus morhua</i>), Atlantic
0303.79.15	Ocean perch
03.04	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen
0304.10	Fresh or chilled
	Fillets of flatfish
0304.10.12	Plaice
0304.10.13	Flounder
0304.10.21	Fillets of cod, Atlantic
0304.20	Frozen fillets
0304.20.24	Flounder
0304.20.26	Other, Atlantic
0304.20.41	Cod, Atlantic
0304.20.51	Ocean perch
0304.90	Other
0304.90.11	Cod, blocks and slabs: minced
0304.90.12	Cod, blocks and slabs: not minced
0304.90.70	Ocean perch, blocks and slabs
0304.90.91	Other, sea fish
03.05	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; fish meal fit for human consumption
0305.30	Fish fillets, dried, salted or in brine, but not smoked
0305.30.30	Cod
0305.30.90	Other
	Dried fish, whether or not salted but not smoked
0305.51.00	Cod (<i>Gadus morhua</i>)
0305.59.00	Other
	Fish, Salted but not dried or smoked and fish in brine
0305.62.	Cod (<i>Gadus morhua</i>)
0305.62.10	Green salted, wet salted
	Light salted
0305.62.21	Over 43% moisture content

0305.62.22	43% or less moisture content
	Heavy salted
0305.62.31	Over 45% but not over 50% moisture content
0305.62.32	Over 43% but not over 45% moisture content
0305.62.33	43% or less moisture content
0305.62.90	Other

CERTIFICATE OF HARVEST ORIGIN

Exporter (Name, full address, country)

Consignee (Name, full address, country)

Place and date of shipment - Means of transport

Country of origin

Country of destination

Area of Harvest:

A. Outside the Regulatory Area of the Northwest Atlantic Fisheries Organization (NAFO); or

B. Inside the Regulatory Area of the Northwest Atlantic Fisheries Organization (NAFO).

(Description in coordinates available on request.)

Name and flag state of the vessel(s) that caught the fish, and the date(s) of the fishing trip on which the fish was caught.

DETAILED DESCRIPTION OF GOODS:

Quantity in tonnes

Product form

DECLARATION

To be signed by either a responsible government official from the harvesting nation or the master of the vessel(s) and stating: "I certify that the above information is complete, true and correct to the best of my knowledge and belief."

Appendix 6

(STACFAC Working Paper 91/18)

Second Meeting of the Standing Committee on Fishing Activities
of non-Contracting Parties in the Regulatory Area (STACFAC)

Japanese Proposal on Agenda item 8

Each Contracting Party shall make every effort in conformity with its domestic rules and regulations to obtain information on the area of harvest whether the fish listed below was harvested inside or outside of NAFO Regulatory Area and on the country of origin as well as volume and value of fish import, and shall report collected information to the Executive Secretary of NAFO. The Executive Secretary shall distribute the information to all Contracting Parties.

cod, redfish, flatfish

Note: Information on fish (whether fish species or fish group, type of product) is under the discretion of each Contracting Party due to its import performance.

Appendix 7

(STACFAC Working Paper 91/17)

Working Paper
presented by EEC for consideration by STACFAC

DRAFT

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Recommendation to the General Council

13th Annual NAFO Meeting
9-13th September 1991

THE STANDING COMMITTEE ON FISHING ACTIVITIES OF NON-CONTRACTING PARTIES IN THE
NAFO REGULATORY AREA - STACFAC

- Recalling the Resolution on Non-NAFO Fishing activities adopted by the General Council at the 12th Annual Meeting of the Northwest Atlantic Fisheries Organization, resolving i.a. that
 - in full respect of the international obligations of Contracting Parties, further measures should be developed for consideration by the General Council at its 1991 annual meeting;
- Recalling the Terms of Reference for the Standing Committee, established by the General Council, resolving i.a. that the Committee will
 - obtain and compile all available information on the fishing activities of non-Contracting Parties in the Regulatory Area, including details on the type, flag and name of vessels and reported or estimated catches by species and area;
 - obtain and compile all available information on landings, and transshipments of fish caught in the Regulatory Area by non-Contracting Parties, including details on the name and flag of the vessels; the quantities by species landed, transshipped; and the countries and ports through which the product was shipped;
 - examine and assess all such options open to NAFO Contracting Parties including measures to control imports of fish caught by non-Contracting Party vessels in the Regulatory Area;
 - recommend to the General Council measures to resolve the problem,
- Recalling that according to Article 119.2 of the United Nations Convention on the Law of the Sea available catch and fishing effort statistics, and other data relevant to the conservation of fish stocks shall be contributed and exchanged on a regular basis through competent international organizations, whether subregional, regional or global, where appropriate and with participation of all States concerned;
- Considering that the Northwest Atlantic Fisheries Organization is the competent regional fisheries organization for the conservation and rational management of fish resources in the NAFO Regulatory Area,
- Recalling the GATT principles of non-discrimination, transparency and proportionality,

herewith, therefore, recommends to the General Council to consider for adoption, at the 1991 annual meeting of the Northwest Atlantic Fisheries Organization, the Landing Declaration issued with a view to obtaining statistical information on harvest origin, as set out in the Annex, to be transferred to the NAFO Executive Secretary.

EEC DRAFT
PROJET CEE
STATISTICAL LANDING DECLARATION/DECLARATION STATISTIQUE DE DEBARQUEMENT (1)

1. Exporter (Name, full address, country) Exportateur (Nom, adresse complète, pays)	2. Number Numéro	000
3. Consignee (Name, full address, country) Destinataire (Nom, adresse complète, pays)	DECLARATION IN REGARD TO Atlantic Cod (Gadus Morhua) Atlantic Redfish (sebastes spp) American Plaice (Hippoglossoides platessoides) Yellowtail Flounder (Limanda ferruginea) Witch Flounder (Glyptocephalus cynoglossus) (2) Issued with a view to obtaining statistical information on harvest origin DECLARATION CONCERNANT La Morue Fraiche (Atlantique) (Gadus Morhua) Sébaste (Atlantique Nord) (Sebastes spp) Plie canadienne (Hippoglossoides platessoides) Limande à quene jaune (Limanda ferruginea) Plie grise (Glyptocephalus cynoglossus) (2) Délivrée en vue de l'obtention d'information statistique concernant l'origine de pêche	
	4. Country of origin Pays d'origine	5. Country of destination Pays de destination
	7. supplementary details Données supplémentaires	
6. Place and date of catch/shipment/transshipment/ - name and flag of catch-/transport vessel(s) lieu et date de pêche/d'embarquement/-de transbordement/ - nom et pavillon du (des) navire(s) de pêche/de transport	8. Marks and numbers - Number and kind of packages - DETAILED DESCRIPTION OF GOODS (3) Marques et numéros - nombre et nature des colis - DESIGNATION DETAILLEE DES (3) MARCHANDISES	
9. Quantity in tonnes Quantité en tonnes		10. DECLARATION BY THE SKIPPER I the undersigned, declare that in accordance with the entries in the logbook the consignment described above contains only Atlantic Cod, (Gadus Morhua) Atlantic Redfish, (Sebastes spp) American Plaice, (Hippoglossoides Platessoides) Yellowtail Flounder, (Limanda Ferruginea) Witch Flounder (Glyptocephalus cynoglossus) from the stocks of the North-West Atlantic Ocean fished in the Regulatory Area of the North West Atlantic Fisheries Organization - NAFO. (2) DECLARATION DU CAPITAINE Je soussigné déclare qu'en accord avec les inscriptions dans le livre de bord l'envoi décrit ci-dessus contient exclusivement de la Morue Fraiche, (Atlantique) (Gadus Morhua) Sébaste, (Atlantique Nord) (sebastes spp) Plie canadienne, (Hippoglossoides platessoides) Limande à quene jaune, (Limanda ferruginea) Witch Flounder, (Glyptocephalus cynoglossus) provenant des stocks de l'océan de l'Atlantique Nord-Ouest et capturée dans la Zone de Réglementation de l'Organisation de Pêche de l'Atlantique du Nord-Ouest - OPANO. (2)
11. SKIPPER (Name, full address, country) CAPITAINE (Nom, adresse complète, pays)	At/A on le (Signature)	

- (1) This Landing Declaration has to be presented to the competent authorities upon landing
 Cette Declaration Débarquement doit être présentée aux autorités compétentes lors du débarquement
- (2) Delete as appropriate
 Biffer la mention inutile
- (3) - Fresh/Frozen (Harmonized System 0302-0303) Frais/Congelé (Système harmonisé 0302-0303)
 - Fillets/Filets
 - Meat/Chair
 - Salted/Salé

Appendix 8

(STACFAC Working Paper 91/21)

Working Paper
presented by EEC for consideration by STACFAC

DRAFT

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Recommendation to the General Council

13th Annual NAFO Meeting
9-13th September 1991

THE STANDING COMMITTEE ON FISHING ACTIVITIES OF NON-CONTRACTING PARTIES IN THE
NAFO REGULATORY AREA - STACFAC

- Recalling the Resolution on Non-NAFO Fishing activities adopted by the General Council at the 12th Annual Meeting of the Northwest Atlantic Fisheries Organization, resolving i.a. that
 - in full respect of the international obligations of Contracting Parties, further measures should be developed for consideration by the General Council at its 1991 annual meeting;
- Recalling the Terms of Reference for the Standing Committee, established by the General Council, resolving i.a. that the Committee will
 - obtain and compile all available information on the fishing activities of non-Contracting Parties in the Regulatory Area, including details on the type, flag and name of vessels and reported or estimated catches by species and area;
 - obtain and compile all available information on landings, and transshipments of fish caught in the Regulatory Area by non-Contracting Parties, including details on the name and flag of the vessels; the quantities by species landed, transshipped; and the countries and ports through which the product was shipped;
 - examine and assess all such options open to NAFO Contracting Parties including measures to control imports of fish caught by non-Contracting Party vessels in the Regulatory Area;
 - recommend to the General Council measures to resolve the problem,
- Recalling that according to Article 119.2 of the United Nations Convention on the Law of the Sea available catch and fishing effort statistics, and other data relevant to the conservation of fish stocks shall be contributed and exchanged on a regular basis through competent international organizations, whether subregional, regional or global, where appropriate and with participation of all States concerned;
- Considering that the Northwest Atlantic Fisheries Organization is the competent regional fisheries organization for the conservation and rational management of fish resources in the NAFO Regulatory Area,
- Recalling the GATT principles of non-discrimination, transparency and proportionality,

herewith, therefore, recommends to the General Council at its 13th Annual Meeting to give further consideration to methods of improving the provision of information on catches and landings of certain groundfish species by non-Contracting Parties in the NAFO Regulatory Area.

In so doing, the Council is also called upon to note the serious difficulties surrounding the adoption and the implementation of part of the measures and under consideration, as evidenced during the sessions of the STACFAC Working Group, taking into account in particular the international obligations which bind the Contracting Parties.

In the light of the successive diplomatic initiatives undertaken individually and jointly by NAFO Contracting Parties and the positive if partial results obtained therefrom, the Council will no doubt wish to assess whether further measures should be contemplated at this juncture.