

Northwest Atlantic



Fisheries Organization

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NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Recommendation to the General Council

**13th Annual NAFO Meeting
9-13 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 of the Standing Committee (STACFAC), established by the General Council "to examine options to cause non-Contracting Parties to withdraw from fishing activities contrary to NAFO Conservation Measures";

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea (UNCLOS) on the obligations of states with respect to conservation of the living resources of the high seas;

Recalling the provisions of the General Agreement on Tariffs and Trade (GATT), in particular the principles of non-discrimination, proportionality and transparency;

Considering that the Northwest Atlantic Fisheries Organization is the competent regional fisheries organization for the conservation and rational management of the fish resources in the NAFO Regulatory Area;

Expressing concern at the serious threat to conservation and rational stock management posed by increasing fishing activities of vessels flying the flag of countries that are not Contracting Parties of NAFO and to whom quotas in the NAFO Regulatory Area have not been assigned, and convinced that such non-Contracting Parties should cooperate in accordance with the principles contained in UNCLOS;

Bearing in mind the adverse effect of high levels of unreported catches by non-Contracting Parties for the assessment of stocks and the provision of management advice;

Noting with satisfaction the individual and joint diplomatic demarches to the aforementioned non-Contracting Parties engaged in fishing activities in the NAFO Regulatory Area undertaken by NAFO Contracting Parties and bearing in mind the positive responses received to date;

Taking into account the views expressed in STACFAC discussions;

Recommends to the General Council at its 13th Annual Meeting that:

1. Contracting Parties follow-up on the successive diplomatic initiatives undertaken individually and jointly with non-Contracting Parties seeking the necessary measures to prevent fishing contrary to NAFO Conservation Measures and shall report the results to STACFAC for consideration of possible further action;
2. The Executive Secretary shall continue his efforts to draw to the attention of non-Contracting Parties the negative impact of the fishing activities of their vessels in the Regulatory Area and the importance of providing NAFO with complete and accurate statistical catch reports;
3. Contracting Parties seek to collect data on fishing activities of vessels flying the flags of non-Contracting Parties in the NAFO Regulatory Area including catches and landings;

Contracting Parties provide regular reports of these activities to the NAFO Executive Secretary; and

The Executive Secretary shall distribute these reports to all Contracting Parties.

4. Contracting Parties provide the NAFO Executive Secretary on annual basis as of first January 1992 statistics available to them on their imports of groundfish species regulated by NAFO from non-Contracting Parties whose vessels fish in the NAFO Regulatory Area;
5. STACFAC shall examine where possible methods of improving the reporting of catches and landings from the NAFO Regulatory Area by non-Contracting Parties.
6. Contracting Parties shall investigate options open to them, in accordance with their legislation, to dissuade their nationals from engaging in fishing activities, in contravention of NAFO conservation decisions, in the NAFO Regulatory Area under non-Contracting Party flags and to discourage such activities where they are presently taking place.
7. STACFAC shall continue examination of a Landing Declaration system to collect data on landings of catches by non-Contracting Party vessels in the NAFO Regulatory Area and provide a report on possible implementation to the General Council in 1992.
8. STACFAC shall submit a comprehensive report to the General Council at the 14th Annual Meeting on the above provisions and on possible additional measures consistent with STACFAC's Terms of Reference for consideration.