NOT TO BE CITED WITHOUT PRIOR
REFERENCE TO THE SECRETARIAT

Serial No. N2163

NAFO/GC Doc. 92/3

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Report of the General Council

14th Annual Meeting, 14-18 September 1992
Dartmouth, N.S., Canada

NAFO
Dartmouth, N.S., Canada
1992

Members of the General Council:

Bulgaria
Canada
Cuba
Denmark (in respect of the Faroe Islands and Greenland)
Estonia
European Economic Community
Iceland
Japan
Latvia
Lithuania
Norway
Poland
Romania
Russia

Northwest Atlantic Fisheries Organization

Report of the General Council

14th Annual Meeting, 14-18 September 1992
Dartmouth, N.S., Canada

K. Yonezawa
Chairman
September 1992

NAFO
192 Wyse Road
Dartmouth, N.S.

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

List of decisions and actions by
the General Council
(14th Annual Meeting; 14-18 September 1992)

Substantive issue (propositions/motions)	Decision/Action (GC Doc. 92/3; item)
1. Report of the 13th Annual Meeting, Sept 1991; GC Doc. 91/7	adopted (item 2.1)
2. Report of the fourth Meeting of STACFAC; April 1992; GC Doc. 92/1	adopted (item 4.1)
3. Rules of Procedure for the General Council; seconding of motions (by Executive Secretary)	discussed (at STACFAD); deferred - no commitment (item 2.3)
4. Provision of fisheries data (request from the Scientific Council)	discussed (at STACFAD); accepted - commitment to abide by Rules (item 2.4)
5. Amendment of the NAFO Convention; Article XII (by Canada)	discussed; deferred (item 2.2)
6. New Membership: Estonia, Latvia, Lithuania	reviewed; determined (item 2.5)
7. NAFO Headquarters Accommodations for the Scientific Council Meetings	discussed (at STACFAD);
- to hold the June 1993 Scientific Council Meeting at NAFO Headquarters	approved (item 2.6; item 5.1)
8. Report of STACFAC at the 14th Meeting	adopted;
- interim STACFAC Meeting	to call in March-April, 1993 (item 4.6)
9. Report of STACFAD at the 14th Meeting	adopted; (item 5.1)
- Auditor's Report	adopted;
- Accumulated Surplus Account	$75,000.00;
- Romania's uncollectible debt for 1993	to write off and send a letter to Romanian authorities
- Hiring of an additional staff member for the NAFO Secretariat (Hail System)	should not be considered at this time due to budgetary concerns
- Meeting dates for 1994	to consider at the Annual Meeting in 1993
10. Budget for 1993	adopted (item 5.1)
- addition to the budget for "external expertise"	$ 5,000.00 (item 5.3)
- catches for Estonia, Latvia, and Lithuania to calculate budget for 1993	agreed: no catches in 1990 (item 5.4)

Report of the General Council

14th Annual Meeting, 14-18 September 1992
Dartmouth, N.S., Canada

Contents

PART I

14th Annual Meeting, 14-18 September 1992
Holiday Inn, Dartmouth, N. S., Canada

Report of the Meeting of the General Council

Tuesday, September 15
Wednesday, September 16
Friday, September 18

1. Opening of the Meeting (items 1-5 of the Agenda)

1.1 The meeting was opened by the Chairman of the General Council, Mr. K. Yonezawa (Japan) at 1020 on September 15, 1992.

1.2 The Representatives of the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Community, Japan, Latvia, Lithuania, Norway, Poland, and Russia. (Annex 1) The Contracting Parties absent were Bulgaria, Iceland, and Romania.

1.3 In the opening address (Annex 2) the Chairman welcomed the delegates of Estonia, Latvia, and Lithuania as new Contracting Parties to the NAFO Convention and expressed his hopes for the success of the Meeting along the path of cooperation. He noted that we now have one change of name of a Contracting Party - Russia replaces former USSR and the quorum of nine (9) Contracting Parties for decision-making was available as eleven (11) Contracting Parties were present.

1.4 The Representatives of Estonia, Latvia, and Lithuania addressed to the Meeting in their opening statements. (Annexes 3 to 5)

The Representatives of the European Economic Community (EEC) and Canada welcomed accession of the new member states to NAFO.

1.5 The meeting accepted the proposal by the Chairman to designate the Executive Secretary as Rapporteur of this Meeting.

1.6 The Provisional Agenda was adopted with incorporation of a new item 9 "Provision of fisheries data" proposed by Denmark (in respect of the Faroe Islands and Greenland). (Annex 6)

1.7 Under item 4 of the Agenda "Admission of Observers" the Chairman welcomed observers from the Republic of Korea and United States of America. The observer of Korea addressed the Meeting with an opening statement. (Annex 7)

1.8 The meeting considered an application from Greenpeace International for observer status in the Organization and decided not to grant such requested status. The Executive Secretary was instructed to convey this decision of the General Council to Greenpeace International.

1.9 On the question of Publicity (item 5 of the Agenda), it was decided to handle this in the traditional manner, ie at the end of the Meeting (Friday, September 18) a Press Release would be developed and then presented to the Heads of Delegations for approval.

At the end of the closing session on September 18, the Press Release was reviewed by the Meeting and approved. (Annex 8)

2. Supervision and Coordination of the Organizational, Administrative and other Internal Affairs (items 6-12 of Agenda)

2.1 The report of the 13th Annual Meeting, September 1991 (GC Doc. 91/7) was adopted as circulated.

2.2 Agenda item 7, "Proposal for Amendment to the NAFO Convention (proposed by Canada)" after brief deliberation at the Meeting was deferred for consideration at a later stage.

i) At the second session of the General Council on September 16, the Representative of Canada reviewed and explained in detail the Canadian Proposal for amendment to Article XII of the NAFO Convention underlining the following points:

First, under the proposal Contracting Parties still have the right to file an objection, and Canada fully recognizes these rights and agrees with well established principles of international Conventions with respect to this; Second point, is that the proposed mechanism is rational and not arbitrary; Third point is that an objection could be challenged by Contracting Parties and a fast mechanism of settlement could be pursued and a fast realistic settlement within an appropriate time frame could be established. The Representative of Canada further explained the rationale of all new paragraphs of the amendment.

ii) The Representative of Denmark (in respect of the Faroe Islands and Greenland) stated that this is a far reaching proposal for our Organization, and it should be considered in context of sovereignty. With respect to this issue, the Delegation of Denmark has no such authority. At the same time, NAFO should consider if this proposal would be appropriate with respect to new membership; if this would encourage or discourage them as this was not the traditional scheme constituted by the NAFO Convention. However, the dispute settlement mechanism could be a useful tool. One important question we should consider is if we create a situation to complicate the decision making process at the Fisheries Commission which could cause Contracting Parties to come to Meetings with very strong instructions.

iii) The Representative of Japan commented while we see good intentions of such proposal, it is difficult to subscribe for the proposal for different reasons. The objection is an internationally recognized practice to give protection for the rights of minorities. And if the proposal adopted, it will run the risk of infringing such rights. It could have an adverse effect on other Conventions.

iv) The Representative of Cuba commented that modification of objection procedure is a substantial matter which could be difficult for Contracting Parties to decide at this meeting. More time should be given for such consideration and Canada could discuss this issue with Contracting Parties on a bilateral level. Then further consideration would be appropriate at NAFO.

v) The Representative of European Community commented that he associated himself with previous speakers. This proposal has deep consequences but not only for international organizations as well, in other cases. The negative effect could be on other members of the Organization with respect of rights of minorities. For other specific elements, a very important rationale is in a delay of decision-making mechanism to give time for acceptance and internal procedure. Then there will be a lot of extra burden for the NAFO Secretariat in such very delicate matter. He underlined that EEC is not hostile to this proposal but EEC is not that far yet. It should not be a step back but a later system which should be more flexible and not mandatory binding at its beginning, when decisions are evident in advance.

vi) The Representative of Poland commented that he joined the voices of other Representatives. This proposal is deep and profound for the Organization. However, Polish delegation has no authority at this time for decision on the proposal.

vii) The Representative of Canada thanked Representatives for the comments provided and noted that Canada does not seek a decision for today. The Canadian delegation would resolve to continue discussions with delegations bilaterally and then come back for discussion at NAFO Meetings. He noted that seemingly there is a way as the EEC delegate indicated above on a more flexible system, and there could be a step forward to develop a more mature system.

viii) The Chairman concluded the discussions with final comments that this is as far as the Meeting can go this time. However, if Canada would like to open discussions some other time, the floor would be open for the discussions.

ix) The Representative of Canada took the floor at the closing session on September 18 and reported to the Meeting that the Canadian delegation had a number of bilateral discussions with delegations and listened carefully to what had been suggested by the Contracting Parties. In the discussions, there was an indication of support of the basic elements of the proposal, and what is behind the motive of achieving a settlement, if possible to find such method, which would help conservation overall in the Regulatory Area. Canada will be following up after the Meeting to discuss the matter with NAFO members who are interested with Canada in developing these ideas and the Honourable Minister J. Crosbie will be writing to the Ministers of delegations present at this Meeting.

2.3 Agenda item 8, "Rules of Procedure for the General Council (seconding of motions)", was referred for consideration at STACFAD and further report to the General Council. The Chairman questioned whether there will be enough time at this Meeting to discuss this issue.

i) The Chairperson of STACFAD, D. Gill (Canada), reporting back to the Meeting noted that STACFAD is not the appropriate body to advise the General Council on the Rules of Procedure considering the terms of reference of STACFAD. However, STACFAD recommends a working group could be set up to deliberate Rules of Procedure, and at this time any further deliberation of the Rules should be deferred.

ii) The Chairman of the General Council ruled that the terms of reference for STACFAD in the Rules of Procedure (Rule 5 of the Rules of Procedure for the General Council) do not authorize STACFAD to review the Rules of constituent body. However, the terms of reference could be changed accordingly if Contracting Parties wish so, as well as a setting up of a working group.

There were no comments or further proposals to this item and the Chairman concluded to follow the recommendation of STACFAD and to defer this matter without definite commitment.

2.4 Under item 9 of Agenda, "Provision of fisheries data", the Chairman explained that it was the request from the Scientific Council. This item should be directed to STACFAD.

i) The Chairperson of STACFAD in her report to the Meeting again emphasized similar to the previous items STACFAD is not the body to review the Scientific Council Rules of Procedure. The Scientific Council has its own jurisdiction for this business.

ii) The Representative of Denmark (in respect of the Faroe Islands and Greenland) commented that the problem is with deadlines of receiving STATLANT 21A, 21B catch statistics by the Scientific Council which does not receive the statistics in due time. The Scientific Council needs some kind of endorsement from the General Council and the Fisheries Commission to provide such statistics. There should be commitment from all Contracting Parties to transmit the statistics in due time to the Scientific Council.

iii) The Chairman ruled that the Meeting might take a decision and stress the importance that all Contracting Parties should do their best to abide with proposed amendment to Rules of Procedure for the Scientific Council (Annex 9).

This was accepted by the General Council.

2.5 Under Agenda item 10, "Review of Membership", the Chairman welcomed again three new members of NAFO which should be members of the Fisheries Commission as those Countries (Estonia, Latvia, Lithuania) have already notified their intention to fish in the NAFO Regulatory Area. He recommended the Contracting Parties - Russia, Estonia, Latvia, Lithuania - to consider on a bilateral level the question of distribution of quotas. The Canadian Representative informed on behalf of the Depositary that the new member states have deposited their instruments of accession with the Government of Canada. He recommended the four Contracting Parties should come together to decide on catches and quotas and then should advise the Fisheries Commission accordingly including financial contributions.

i) The Representative of Russia commented that there is an impression everything was decided without Russia and noted that Russia is ready to discuss the distribution of quotas with any Contracting Party including Estonia, Latvia, Lithuania. At the same time, Russia wishes to discuss this issue regarding an entire matter which NAFO deals with.

2.6 Agenda items 11-12, "NAFO Headquarters Accommodations" and "Administrative Report" were referred to STACFAD.

i) The Chairperson of STACFAD reported to the Meeting the various options to accommodate the request by the Scientific Council to accommodate the meeting room space for the meetings. Some possible options will be pursued further. However, at this time, STACFAD recommended that the meeting of the June 1993 Scientific Council will remain at NAFO Headquarters.

2.7 The Administrative Report (item 12) was approved in principle by the meeting pending further deliberations at STACFAD.

i) Upon the presentation by the Chairperson of STACFAD, the Report was adopted by the General Council with a note that:

> the new Contracting Parties (Estonia, Latvia, Lithuania) would be assessed for their contributions for the period September through December, 1992 and the other Contracting Parties would receive a credit on their assessments for 1993 accordingly. Annex 3 of the STACFAD report would be amended accordingly.

3. Coordination of the External Relations

3.1 The Chairman noted that re UN Resolution 46/215 of 20 December 1991 which was circulated to all Contracting Parties, a letter was dispatched on behalf of NAFO (GF/92-234 of 20 May 1992) stating that the Contracting Parties of NAFO are not presently practising large scale pelagic driftnet fishing in the NAFO Regulatory Area.

The request has been sent to UN on behalf of NAFO asking for more explanation on the definition of "large-scale pelagic driftnet fishing", and to-date the reply from the UN has not been received.

4. Fishing activities in the Regulatory Area adverse to the objectives of the NAFO Convention (Items 14-15 of Agenda)

4.1 The meeting adopted the Report of the 4th Meeting of STACFAC (GC Doc. 92/1).

4.2 Report of STACFAC at this Annual Meeting was presented by the Chairman of STACFAC (Mr. C. C. Southgate, EEC) at the closing session on September 18. (Part III of the General Council Report)

The following major points were outlined:

- STACFAC's major task at this stage was to obtain reliable statistical information of non-Contracting Parties activity in the Regulatory Area. Information was provided by Canada and some other Contracting Parties. However STACFAC requires more definite statistical information.

- The catches by non-Contracting Parties remained very high in 1991; for Cod up to 11,600-12,000 tons (approximately 44% of NAFO TAC); for Redfish, 17,000 tons (approximately 30% of NAFO TAC), and for flatfishes, 12,000 (approximately 30% of NAFO TAC); this fishery is not regulated by the NAFO Conservation and Enforcement Measures.

- The major catches of non-Contracting Parties were destined for the market of Contracting Parties. As an example, Korean flag vessels fish for the Japanese market and Panamanian flag vessels fish for the European Community market.

- The recommendations of STACFAC for the following year are to continue joint diplomatic demarches, as well as contacts on a bilateral level, to introduce an alternative for landing declaration mechanism, and to discourage reflagging of vessels, as well as export of fish caught in the Regulatory Area by non-Contracting Parties in conformity with GATT regulations.

4.3 The Representative of Canada informed that catch levels by non-Contracting Parties continue to be very high and this is at the level of 47,300 tons of fish caught by 34 non-member vessels in 1991. As of today Canada has sighted 32 non-member vessels. He emphasized that urgent measures must be found for a speedy success to eliminate unregulated fishing by non-Contracting Parties.

4.4 The European Community Representative aligned his position with the concern expressed by Canada and urged to continue STACFAC's effort to control fishing activities of non-Contracting Parties.

4.5 The Chairman concluded the consensus of the General Council to continue active STACFAC work and pursue diplomatic demarches and other proposed measures.

4.6 The Report of STACFAC was adopted. (see Part III of the General Council Report)

5. Finance (items 16-19)

All items of this part of the Agenda were referred to STACFAD for presentation to the General Council at a later stage.

5.1 The Chairperson of STACFAD reported to the Meeting major elements of the Organization's finance. The STACFAD Report was adopted by the General Council (see Part II) emphasizing on the following points:

- the Auditor's Report was adopted as presented;

- the Pension Society report was adopted as presented;

- the meeting dates for 1993-1994 were recommended as presented in the Annual Report for 1991 (GC Doc. 91/7; 6-10 September 1993 and 19-23 September 1994 for General Council and Fisheries Commission) and recommendation for 1995 was the period 6-15 September for the Scientific Council and 11-15 September for the General Council and the Fisheries Commission;

- the budget for 1993 was adopted as amended (+$5,000.00 for external expertise) in amount of 943,000 Cdn; salary increases in 1993 should be 3% and in accordance with increases to Canadian public civil service (Rule 6.1 of the Financial Regulations);

- an Accumulated Surplus Account should be maintained at $75,000 and the balance used to reduce contributions of Contracting Parties for 1993;

- to write off Romania's outstanding debt and send a letter by the Chairman to the Romanian authorities asking if Romania wishes to continue its participation in NAFO;

- the hiring of an additional staff member with respect of improvements to inspection and control in the Regulatory Area and the Hail System should not be considered at this time due to budgetary concerns raised by Contracting Parties;

- the General Council decided to consider the subject of upgraded termination benefits (to conform with Rule 10.4 of the Staff Rules) at the 15th Annual Meeting in September 1993.

5.2 The Representative of the European Community questioned the rationale and appropriateness for NAFO meeting dates and proposed that there be a practice of holding NAFO meetings in the second week of September. This is very important for the EC as this Party has many commitments starting from the third week of September. Therefore, the dates for 1993 are acceptable for the EC but not for 1994. These dates should be adjusted at the 15th Annual Meeting in 1993.

The Meeting agreed that the dates should be reviewed at the 1993 meeting.

5.3 The Representative of the European Community pointed out the inconsistency between the budget and the computer program for implementation of the hail system by the Secretariat which requires some allocation of funds. This should be responsibility of NAFO and included in the budget.

The Representative of Canada responded that Canada is willing to allocate some resources and provide technical/human assistance which could be required at the request of the Executive Secretary for a transitional period. Then, if the General Council decides, a permanent staffing will be considered.

The General Council decided to amend the budget adding $5,000.00 for a new line in the budget "external expertise".

5.4 The Chairman of the General Council questioned Russia about Russia's catches for 1990 for the purpose of budget calculation for 1993 and possible amendment of catches for 1993-1994 re Baltic countries question. The Russian Representative responded that Russia's catches for 1990 should be the catches of the former USSR.

The Chairman concluded that there will be no nominal catches for Estonia, Latvia, Lithuania to calculate the budget for 1993 and asked the above-mentioned countries their opinion. This was agreed.

The Chairman further stated that the Executive Secretary should calculate the budget for 1993 in accordance with the above explanation.

6. Closing Procedure (items 20-23)

6.1 Time and Place of Next Meeting was decided upon the presentation from STACFAD. The dates for the 15th Annual Meeting will be 1-10 September 1993 for the Scientific Council and 6-10 September 1993 for the General Council and the Fisheries Commission. The place of the Meeting will be in the Halifax-Dartmouth Area unless any invitation is extended by a Contracting Party and accepted by the Organization.

6.2 There was no other business under item 21 of the Agenda.

6.3 The Press Release was circulated to the Meeting and approved with a minor technical correction. (Annex 8)

6.4 The Chairman closed the Fourteenth Annual Meeting of the General Council at 14:00 on September 18, 1992.

Annex 1

LIST OF PARTICIPANTS

14-18 September 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

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
B. Applebaum, Director-General, Dept. of Fisheries and Oceans, International Directorate, 200 Kent Street, Ottawa, Ontario K1A 0E6
J. S. Beckett, Dept of Fisheries and Oceans, Biological Sciences, 200 Kent St., 12th Floor, Ottawa, Ontario K1A 0E6
A. Bishop, Department of External Affairs, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
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. C. Carter, Minister of Fisheries, Government of Newfoundland, P. O. Box 8700, St. John's, Newfoundland A1B 4J6
B. Chapman, P. O. Box 8900, St. John's, Newfoundland, A1B 3R9
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
S. M. Duff, Office of the Ambassador of Fisheries, Dept of External Affairs, 125 Sussex Drive, Ottawa, Ontario K1A 0G2
E. B. Dunne, Dept. of Fisheries and Oceans, P. O. Box 5667, St. John's, Newfoundland A1C 5X1
E. Dussault, Dept of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
V. Edgar, Dept of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
L. Forand, 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 Affirs (NEX), 125 Sussex Drive, Ottawa, Ontario K1A 0G2
D. L. Gill, International Directorate, Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
J. E. Haché, Fisheries Operations, Dept. of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
D. R. Jennings, Dept of Fisheries and Oceans, P. O. Box 550, Halifax, N.S. B3J 2S7
A. A. Longard, Marine Resources, N. S. Dept. of Fisheries, P. O. Box 2223, Halifax, Nova Scotia B3J 3C4
S. B. MacPhee, Regional Science Director, Scotia-Fundy Region, Dept of Fisheries and Oceans, BIO, P. O. Box 1006, Dartmouth, N.S. B2Y 4A2
C. F. MacKinnnon, Nova Scotia Dept. of Fisheries, P. O. Box 2223, Halifax, Nova Scotia B3J 3C4
P. McGuinness, Vice-President, Fisheries Council of Canada, #806-141 Laurier Avenue West, Ottawa, Ontario K1P 5J3
N. Melanson, Dept of Fisheries and Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6
B. Mewdell, Dept of Fisheries and Oceans, 200 Kent St., Room 1412, 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, 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
J. Quintal-McGrath, Dept of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6
G. Reid, Executive Assistant to Minister of Fisheries, Government of Newfoundland & Labrador, P. O. Box 8700, St. John's, Newfoundland A1B 4J6
M. Rowe, Dept of Fisheries and Oceans, 200 Kent St., 15th Floor, Ottawa, Ontario K1A 0E6
W. Sanford, Office of the Ambassador for Fisheries Conservation, Dept of External Affairs, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

M. Short, Director, Inshore Fishery, Fishermen Food and Allied Workers, Box 10, 2 Steer Cove, St. John's, Newfoundland
R. Stirling, Seafood Producers Association of Nova Scotia, P. O. Box 991, Dartmouth, N.S. B2Y 326
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, 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

E. Fraxedas, *Flota Cubana* de Pesca, Desampardos Esq Mercado, Habana Vieta, Havana

Advisers

R. Dominguez, Cuban Fishing Fleet Representative, 1881 Brunswick St., Apt. 302, Halifax, Nova Scotia, Canada
B. Garcia Moreno, International Organizations Specialist, Direccion de Relaciones Internacionales, Ministerio de la Industria Pesquera, Barlovento, Sta Fe, Playa, La Habana

DENMARK (in respect of Faroes and Greenland)

Head of Delegation: E. Lemche
Director
Gronlands Hjemmestyre
Pilestraede 52
Box 2151
Copenhagen, Denmark

Alternate

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

Representative

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

Advisers

O. Loewe, Embassy of the Kingdom of Denmark, 8 Range Rd., Suite 702, Ottawa, Ontario K1N 8J6
M. Weihe, 1791 Barrington St., Suite 1002, Halifax, N. S., Canada

ESTONIA

Head of Delegation: L. Vaarja, General Director
National Estonian Board of Fisheries
Liivalaia 14, Tallinn
Estonia

Representative

L. Vaarja (see address above)

Adviser

T. Annikve, National Estonia Board of Fisheries, Liivalaia 14, Tallinn, Estonia
R. Dambergs, Representative in Canada for Estonia, Latvia, Lithuania, 1967 Woodlawn Terrace, Halifax, N.S., Canada B3H 4G5

EUROPEAN ECONOMIC COMMUNITY (EEC)

Head of Delegation: M. Arnal
Commission of the European Communities
Rue Joseph II 99, 3rd Fl., Rm 10
B1049 Brussels
Belgium

Alternate

H. Schmiegelow, Commission of the European Communities, Rue Joseph II 99, 1049 Brussels
H. Koster, Administrator, Commission of the European Communities, Rue Joseph II 99, 1049 Brussels

Representative

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

Advisers

T. Abadia, Commission of the European Communities, Rue Bouiard 28, 5th Floor, Room 22, 1049 Brussels
A. Astudillo, Commission of the European Communities, DGXIV, Rue Joseph II 99, 1049 Brussels
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
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
N. P. F. Bollen, Ministry of Agriculture Nature Management and Fisheries, Fihseries Dept., Bezuidenhoutsweg 73, P. O. Box 20401, 2500 EK The Hague, Netherlands
B. Buch, Repr. Permanente du Danemark, Rue D'Arlon 73, 1040 Brussels, Belgium
H. Pott, Bundesministerium fur Ernahrung, Landwirtschaft und Forsten, Rochusstr. 7, D-5300 Bonn, Germany
J. F. Gilon, Secretariat d'Etat a la Mer, 3 Place de Fontenay, 75007 Paris, France
R. Conde, Director General of Fisheries, Jose Ortega y Gasset 57, Madrid, Spain
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. Fontan, c/o Jacinto Benavente 18-2°, Vigo, Spain
J. R. Fuertes Gamundi, "Anamer-Agarba", Puerto Pesquero S/N, Vigo (Pontevedra), Spain
M. Iriondo, Apartado de Correos mum. 88, Pasajes, Spain
F. J. Rodriguez, Cno Jolastokieta 5, Herrera - San Sebastian 20017, Spain
J. T. Santos, Secretaria General de Pesca Maritime, Ortega y Gasset, 57, Madrid, Spain
A. Torres, Ministerio de Asuntos Exteriores, D. Gral de Relaciones Economicas Intnales., Pza. de La Provincia 1, 28071 Madrid, Spain
E. P. deBrito, Director General for Fisheries, Direccao-Geral Pescas, Av. Brasilia, 1400 Lisboa, Portugal
V. Ribau, ILHAVO, 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
C. A. Reis, Instituto Nacional de Investigacao das Pescas (INIP), Ministerio do Mar, Av. Brasilia, 1400 Lisboa, Portugal
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)

Alternate

K. Hanafusa, Deputy Director, International Affairs Div., Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo

Advisers

T. Haseqawa, Japan Fisheries Association, Suite 1101, Duke Tower, 5251 Duke Street, Halifax, Nova Scotia, Canada B3J 1P6
A. Umezawa, Fishery Division, Ministry of Foreign Affairs, 2-2-1 Kasumigaseki, Chiyoda-ku, Tokyo
M. Yoshida, Japan Deep Sea Trawlers Association, 601 Yasuda Bldg., 3-6 Kanda, Ogawa-cho, Chiyoda-ku, Tokyo

LATVIA

Head of Delegation: A. Ukis, Vice-Minister
Ministry of Maritime Affairs
Republic of Latvia
63, Kr. Valdemara str.
Riga, 226492

Representative

A. Ukis (see address above)

Adviser

R. Dambergs, Representative in Canada for Estonia, Latvia, Lithuania, 1967 Woodlawn Terrace, Halifax, N.S., Canada B3H 4G5
J. Kanels, Ministry of Foreign Affairs-Republic of Latvia, 36 Brivibas Boul., Riga, Latvia

LITHUANIA

Head of Delegation: A. Rusakevicius
Deputy Minister-Director of Fisheries Dept
Ministry of Agriculture
Republic of Lithuania
9, Juozapavichiaus str
Vilnius 2600
Lithuania

Representatives

A. Rusakevicius (see address above)

Adviser

A. Norvaisas, 32 Nemuno Str., Klaipeda, Lithuania
R. Dambergs, Representative in Canada for Estonia, Latvia, Lithuania, 1967 Woodlawn Terrace, Halifax, N.S., Canada B3H 4G5
A. Vinchiunas, Embassy of the Republic of Lithuania, Elizabetes isle 2, Riga, Republic of Latvia

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)

Advisers

L. Dybiec, Ministry of Transport and Maritime Economy, Sea Fishery Dept., Chalubinskiego Str. 416, Warsaw

RUSSIA

Head of Delegation: A. Rodin, First Deputy Chairman
Fisheries Committee of the
Russian Federation
12 Rozhdestvensky Boul.
Moscow K-31, 103045

Representatives

A. Rodin (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

N. T. Belozerskikh, Kaliningrad Trawl Fleet Corporation
A. A. Mikhailov, Representative of the Russian Federation in Canada on Fisheries, 2074 Robie St., Halifax, Nova Scotia, Canada B3K 5L3
Y. Riazantsev, Russian Federal Research Institute of Fisheries and Oceanography (VNIRO), 17 V. Krasnoselskaya, Moscow B-140
I. G. Shestakova, Fisheries Committee of Russian Federation, 12 Rozhdestvensky Boul., Moscow K-31
V. N. Solodovnik, First Secretary (Fisheries Affairs) Embassy of the Russian Federation, 1609 Decatur St. N.W., Washington, D.C. 20011 USA
F. M. Troyanovsky, Director, Doctor of Biology, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St. 183763, Murmansh
Y. Videneev, Assistant Representative of the Russian Federation in Canada on Fisheries, 2074 Robie St., Halifax, N.S., Canada B3K 5L3

OBSERVERS

KOREA

H. S. Ahn, Korean Embassy, 151 Slater St., 5th Floor, Ottawa, Ontario K1P 5H3
S. M. Noh, Deputy Director, Deep Sea Production Div., National Fisheries Administration, 19th F. DaeWoo Bldg., Namdaemoon-Ro, Joong-Gu, Seoul, Republic of Korea
K. S. Park, Korean Embassy, 2450 Mass Ave. N.W., Washington, D.C. USA

UNITED STATES OF AMERICA

S. Alexander, Consul, 910 Cogswell Tower, Scotia Square, Halifax, Nova Scotia, Canada B3J 3K1
J. L. Bailey, Office of International Affairs F/IA1, National Marine Fisheries Service-NOAA, 1335 East-West Highway, Silver Spring, MD 20910
P. N. De Cola, US Dept. of State (OES/OFA) Rm. 5806, 2201 C St. N.W., Washington, D.C. 20520-7818
H. S. Tinkham, OES/OFA Room 5806, US Department of State, Washington, D.C. 20520-7818

SECRETARIAT

Dr. L. I. Chepel, Executive Secretary
T. Amaratunga, Assistant Executive Secretary
W. H. Champion, Administrative Assistant
F. D. Keating, Finance and Publications Clerk-Steno
B. J. Cruikshank, Senior Secretary
F. E. Perry, Documents and Mailing Clerk-Steno
D. C. A. Auby, Clerk-Typist
G. Moulton, Senior Statistical Clerk
R. A. Myers, Clerk-Duplicator Operator
B. T. Crawford, Clerk-Duplicator Operator

Annex 2

Opening Statement

by

K. Yonezawa, Chairman General Council

I declare open the 14th Session of the General Council.

Fellow commissioners, delegates, Ladies and Gentlemen, I wish to extend my cordial welcome to all of you. My special welcome goes to the delegates of Estonia, Latvia and Lithuania, the newest members of this Organization.

This meeting, as in every past one, is laden with heavy agenda. Obviously there is no need for me to stress the gravity and severity of the problems confronting this Organization. The statements by the heads of Canadian and EC delegations yesterday at the opening session of the Fisheries Commission are just indicative of abysmal depth of the problems both in terms of our efforts in resource conservation and sharing and our respective basic legal positions.

With your support, I should certainly do my best to achieve what we could possible achieve during this week further along the path of cooperation as my predecessor Mr. Hoydal noted in his opening speech last year.

Annex 3

Statement to the General Council by
the Representative of Estonia

Thank you Mr. Chairman.

On behalf of the Estonian Delegation I would like to express my greatest pleasure to participate in the 14th Annual Meeting of NAFO.

We are very happy over the possibility to represent Estonia fishing in this prestigious international forum.

It is important to emphasize that after a tremendously long period of time Estonia can freely negotiate with the Members of this Organization as an equal partner and directly claim for fishing rights in the Area of NAFO Convention.

Therefore we would from the bottom of our hearts like to thank all those Member States of NAFO which have offered and so generously given their moral and practical support during our difficult transition to the restoration of independence within the context of our autonomous membership in NAFO.

Estonia wishes to express its intention of continuing its long standing fishing presence in the NAFO Regulatory Zone. Estonia will continue to fish there right now, next year and in future years.

And so we hope that our desire to continue our historic fishing in that area will be met with the same support and understanding we got and experienced on our way here.

Thank-you.

Annex 4

Statement to the General Council by the Representative of Latvia

Mr. Chairman, honoured NAFO Members, Ladies and Gentlemen

It is with great pleasure that Latvia assumes its seat here as a full, independent member in this august Organization.

Latvia looks forward to continuing its long standing, historical presence in the Northwest Atlantic Fishery, but finally under its own flag, and as an independent Country.

Latvian fishermen wish it to be known that they will continue in their tradition of good international citizenship, by continuing to observe all NAFO regulations and agreements, and to continue to fish with full respect for, the provisions of the Law of the Sea.

Latvia has fished from the beginning of NAFO in the NAFO zone, it is fishing there today and intends to continue fishing there next year, and the following years.

We thank all of our friends within NAFO for their great help and advice as we re-emerge into the international community. Latvia looks forward to your continued assistance in the matter of Latvia continuing to receive their historic quotas. These quotas we undertake to fish in a civilized manner fully mindful of the changing (difficult) stocks situation in the NAFO zone. We look forward to productive and friendly cooperation with all NAFO Member States.

Annex 5

Statement to the General Council by the
Representative of Lithuania

It is with the greatest pleasure that in the name of Lithuania, I am able to finally address you here directly.

As you know, Lithuanian fishing vessels and Lithuanian fishermen have for many years fished in NAFO waters.

Now with the dissolution of the Soviet Union, we are still there right beside you, and this time we are flying our own gold, green and red Lithuanian flag.

Lithuania thanks all of our friends here for their concern, and care for our fate and welfare, and for your invaluable help in formalizing our independent presence in NAFO.

Lithuania is very aware that the Baltic re-emergence has caused concern among certain Parties within NAFO, as well as certain Parties which were also masked by the Soviet flag, just as we were, but now to sit here as independent members.

One such concern is that three new nations now have joined NAFO, have sent their vessels to the NAFO zone, and are fishing as non-Contracting Parties. But this is clearly not so. We were always there in the NAFO zone, just as you have been. The only change is that we now can fly our own flag, and we do so with pride. Our continued presence in the NAFO zone is logical, and rightful. The vessels are Lithuanian, and registered in Lithuania.

Any complaint about our presence in the NAFO zone, we are sure, has been as a result of a forgivable lack of understanding of how we come to be there. And any measures formulated to restrict what some may perceive as illegal fishing by us in the NAFO zone are unwarranted. We have always been, and I assure you we shall continue to be good international citizens. The monstrous harm that the illegal activities of one nation can inflict upon another, we can guarantee you, is not lost upon us.

We also are keenly aware of the tremendous pressure that fish stocks in the NAFO zone are experiencing. We would like to assure you that we have no intention of increasing our demands for quotas. We will be satisfied to continue to receive proportionally the same allocations that we have received all of these many years through former Soviet Union.

But in this matter we ask for your support. Now that the Soviet Union hurricane has subsided, let us work together to repair blown out doors and windows, and knocked down fences. We have no intention of taking advantage of the moment of after-the-storm-confusion to loot our NAFO neighbours. We ask that we, and our property, be shown the same respect. We ask for your assistance in making sure this takes place.

In closing I wish to thank you all again for your great support so far, and to assure you that Lithuania will strive to continue to be a good, law-abiding NAFO citizen.

Thank-you.

Annex 6

14th Annual Meeting of NAFO
Holiday Inn, Dartmouth, Nova Scotia, Canada
14-18 September 1992

General Council

Agenda

Opening Procedures

1. Opening by Chairman, K. Yonezawa (Japan)

2. Appointment of Rapporteur

3. Adoption of Agenda

4. Admission of Observers

5. Publicity

Supervision and Coordination of the Organizational, Administrative and other Internal Affairs

6. Approval of the Report of the 13th Annual Meeting, September 1991 (NAFO/GC Doc. 91/7)

7. Proposal for Amendment of the NAFO Convention (GC Working Paper 92/6)

8. Rules of Procedure for the General Council (seconding of motions)

9. Provision of fisheries data

10. Review of Membership

    a) General Council
    b) Fisheries Commission

11. NAFO Headquarters accommodations for conduction of NAFO meetings

12. Administrative Report

Coordination of the External Relations

13. Request from the United Nations for information on the large-scale pelagic driftnet fishing (UN General Assembly Resolution 46/215 of 20 December 1991; NAFO GF/92-185 of 13 April 1992 and GF/92-234 of 20 May 1992)

Fishing activities in the Regulatory Area adverse to the objectives of the NAFO Convention

14. Approval of the Report of the 4th Meeting of STACFAC (GC Doc. 92/1)

15. Report of STACFAC

Finance

16. Auditor's Report

17. Meeting of the Pension Society

18. Review of Meeting Dates and Date of Annual Meeting

19. Report of STACFAD and Adoption of Budget for 1993

Closing Procedures

20. Time and Place of Next Meeting

21. Other Business

22. Press Statement

23. Adjournment

Annex 7

Remarks by the Korean Delegation
to the 14th Annual Meeting of NAFO

September 15, 1992

Mr Chairman,

On behalf of my delegation, I would like to express a sincere appreciation to NAFO for their decision to invite the Republic of Korea to participate in this 14th Annual Meeting as Observers.

Korea shares the concerns of NAFO member countries about the preservation and expansion of fish stocks, and desires to take a more active part in these goals through mutual cooperation and understanding. I am sure that my delegations' experience here will prove invaluable in improving cooperation with NAFO member countries.

My delegation will be following the progress of this Annual Meeting closely and we are confident that the discussions that take place here at this meeting shall prove both very informative and productive.

Thank you.

Annex 8

Northwest Atlantic Fisheries Organization
Fourteenth Annual Meeting - September 1992

Press Release

1. The Fourteenth Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Dartmouth, Nova Scotia, Canada through 14-18 September 1992, under the chairmanship of Mr. K. Yonezawa (Japan), President of NAFO. The sessions of the constituent bodies of NAFO - the General Council, Scientific Council, Fisheries Commission, and subsidiary bodies - Standing Committee for finance (STACFAD), for non-Contracting Parties activities (STACFAC), for international control (STACTIC) were held at the Holiday Inn.

2. The delegations attending the meeting were from the following Contracting Parties: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Economic Community (EEC), Japan, Latvia, Lithuania, Norway, Poland, and Russia. Observers from the United States of America and the Republic of Korea were present.

3. This 1992 year Meeting was notable by accession of three new countries to the NAFO Convention - Estonia, Latvia, and Lithuania, which deposited their documents of accession to the Convention with the Government of Canada, and from the following dates have become members of NAFO: Estonia-August 31, 1992; Latvia-August 28, 1992; Lithuania-August 18, 1992.

4. The Annual Meeting was preceded by the following eight meetings of the NAFO bodies: STACTIC (Copenhagen, Denmark, February), Scientific Council (St. John's, Newfoundland, March), STACFAC (NAFO Headquarters, April), STACTIC Working Group (NAFO Headquarters, April), Special Fisheries Commission Meeting (Dartmouth, Canada, May), Special Meeting and Regular Meeting of the Scientific Council (NAFO Headquarters, June), and Special STACTIC Meeting (Copenhagen, Denmark, July).

5. The Scientific Council, under the chairmanship of H. Lassen (EEC), provided the scientific assessment and recommendations pursuant to the provisions of the Convention on the management of the fishing stocks in the Convention Area. The scientific findings and recommendations were reported to the Fisheries Commission which utilized those as the scientific basis for the management and conservation of fishery resources within the Regulatory Area.

6. The Scientific Council Meeting was preceded by the Scientific Council Special Meeting on "State-of-the-Art in Fish Stock Assessment: a Tutorial/Workshop on Calibration Methods and their Practical use", which was held at NAFO Headquarters in Dartmouth through 9-11 September. Scientists from a majority of NAFO Contracting Parties attended, as well as some from other international organizations. The scientists assessed this meeting to be very valuable to expand the knowledge and improve the stock assessment methods performed by the scientific community.

7. The Fisheries Commission, under the chairmanship of Mr. E. Wiseman (Canada), considered and took decisions on some substantial issues pertaining to the management and conservation of the fisheries resources in the Regulatory Area.

   Following the scientific advice from the Scientific Council, the Contracting Parties agreed on the Total Allowable Catches and allocations in 1993 for the fish stocks which are either entirely in the Regulatory Area or associated with the stocks within the 200-mile fishing zones. This information is attached in the Quota Table.

The Commission reached a consensus on substantive issues and adopted new proposals for international measures of control and enforcement within the Regulatory Area. The following new measures for improvements to inspection and control in the NAFO Regulatory Area will be incorporated in the NAFO Conservation and Enforcement Measures in accordance with the provisions of the NAFO Convention:

A pilot project to test operation of an NAFO Observer Scheme in the NAFO Regulatory Area by 1 January 1993 for the purpose to monitor a vessel's compliance with the NAFO Conservation and Enforcement Measures; a prompt action by the Contracting Party in the case of apparent infringement of its vessel; introduction of production logbooks on board of vessels or stowage plans for recording and control of catches by inspectors assigned for the NAFO Scheme of Joint International Inspection and Surveillance (the NAFO Scheme); prohibition for vessels fishing in the NAFO Regulatory Area to have on board ready for use nets with a mesh size smaller than that authorized; effective control of the incidental catch limits by inspectors assigned to the NAFO Scheme; introduction of minimum mesh and fish sizes for groundfish fisheries in the Regulatory Area.

8. Upon the joint proposal by Canada and the European Community, the Contracting Parties agreed that taking into account the available scientific advice, directed fisheries for Cod in Div. 3L in the Regulatory Area shall not be permitted in 1993. This measure is consistent with the current moratorium that is being applied by Canada to the fishery of this stock.

9. Upon the presentation of the Standing Committee on Finance and Administration (STACFAD), the General Council adopted the Organization's budget and accounts for 1993.

10. The Standing Committee on Fishing Activities by non-Contracting Parties in the Regulatory Area (STACFAC), under the chairmanship of Mr. C. C. Southgate (EEC), presented its Report to the General Council, which adopted further recommended actions to curtail unregulated fishing activities by non-Contracting Parties in the NAFO Regulatory Area. The General Council emphasized that such activity is very harmful to the depleted resources and is against the provisions of the Law of the Sea. In view of the real threat to the resources, it was recommended that NAFO should continue its full scale diplomatic actions against such unregulated fishing.

11. The General Council considered the UN Resolution 46/215 on large-scale pelagic driftnet fishing and again confirmed that such fishing is not presently practised by NAFO Contracting Parties in the Convention Area.

12. The following elections took place:

Chairman of STACFAC	-	C. C. Southgate (EEC) for a second term (1993-1994)
Vice-Chairman of STACFAC	-	B. Garcia Moreno (Cuba) for a second term (1993-1994)
Chairman of Standing Committee on Fisheries Science (STACFIS)	-	H. P. Cornus (EEC)

NAFO Secretariat
Canada
18 September 1992

SCHEDULE I

Quota Table[1] for 1993

Column I	II	III	IV	V	VI	VII	VIII	IX	X	XI
Contracting Party	Cod	Cod	Redfish	Redfish	American plaice	American plaice	Yellowtail	Witch	Capelin	Squid (Illex)
	Div. 3M	Div. 3NO	Div. 3M	Div.3LN	Div. 3M	Div. 3LNO	Div. 3LNO	Div. 3NO	Div. 3NO	Subareas 3+4[3,4]
1. Bulgaria	-	-	450	-	-	-	-	-	-	500
2. Canada	100	4,863	750	5,964	150	10,347	6,825	3,000	-	N.S.[5]
3. Cuba	480	-	2,625	1,372	-	-	-	-	-	2,250
4. Denmark (Faroes and Greenland)	2,900	-	-	-	-	-	-	-	-	-
5. European Economic Community	6,465	3,762	4,650	476	350	133	140	-	-	N.S.[5]
6. Japan	-	-	600	-	-	-	-	-	-	2,250
7. Norway	1,200	-	-	-	-	-	-	-	-	-
8. Poland	500	-	-	-	-	-	-	-	-	1,000
9. Estonia 10. Latvia 11. Lithuania 12. Russia	1,270[2]	1,218[2]	20,775[2]	6,104[2]	1,000[2]	-	-	1,950[2]	-	5,000[2]
13. Others	50	357	150	84	500	20	35	50	-	5,000
14. Total Allowable Catch	12,965	10,200	30,000	14,000	2,000	10,500	7,000	5,000	0	150,000[6]

[1] Quotas are in metric tons.

[2] Quotas to be fished by vessels from Estonia, Latvia, Lithuania and the Russian Federation. The provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply.

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

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

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

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

Annex 9

Draft

SCIENTIFIC COUNCIL MEETING - JUNE 1992

In accordance with the request of Scientific Council with respect to the inclusion of a new Rule in the Scientific Council Rules of Procedure for the submission of STATLANT 21A and 21B data, the following text was prepared by the Executive Secretary for consideration:

SCIENTIFIC COUNCIL RULES OF PROCEDURE

Order of Business

4.1 Same

4.2 Same

4.3 For the purpose of Article VII and VIII the appropriate statistical information should be furnished to the Scientific Council in advance of meetings and with respect of STATLANT 21A and 21B not later than on 15 May and 30 June respectively.

4.4 Same as former 4.3.

PART II

Report of the Standing Committee on Finance and Administration (STACFAD)

Monday, 14 September 1992 (1615-1730 hours)
Tuesday, 15 September 1992 (1155-1235 hours)
Tuesday, 15 September 1992 (1545-1715 hours)
Wednesday, 16 September 1992 (0930-1230 hours)
Wednesday, 16 September 1992 (1600-1700 hours)
Thursday, 17 September 1992 (1030-1145 hours)

1. Opening

The Chairperson of STACFAD, Ms. D. Gill (Canada), opened the meeting and welcomed all participants (Annex 1). A special welcome was extended to the Representative on behalf of Estonia, Latvia and Lithuania (Mr. R. Dambergs).

2. Appointment of Rapporteur

Mr. H. Champion of the NAFO Secretariat was appointed rapporteur.

3. Adoption of Agenda

The provisional agenda was adopted as circulated to Contracting Parties (Annex 2).

4. Auditors Report for 1991

The Executive Secretary informed STACFAD that the Auditors Report had been circulated to the Heads of Delegations and no comments had been received on the Report.

STACFAD recommended to the General Council that the Auditors Report for 1991 be adopted.

5. Meeting of the Pension Society

The Executive Secretary introduced STACFAD Working Paper 92/3, Report on the Meeting of the Pension Society and following a discussion on the paper advised STACFAD that there were no additional cost implications for NAFO as a result of this meeting.

6. Review of Accumulated Surplus Account

The Executive Secretary advised STACFAD that the estimated Accumulated Surplus at the end of 1992 would be $195,458.00 (NAFO GC Doc. 92/2, Statement IV, p. 8). However, this amount may have to be adjusted depending on unforeseen expenses.

STACFAD recommended that the Accumulated Surplus should be maintained at $ 75,000 and the balance used to reduce contributions of Contracting Parties for 1993. The decision to write off Romania's debt each year was discussed and STACFAD recommended that the Chairman of the General Council should write the appropriate foreign ministry authorities in Romania requesting whether Romania wished to continue its membership in NAFO.

7. Review of Cost Implications of the NAFO Secretariat of Long-Term and Short-Term Measures for International Control in the Regulatory Area Including Increase in Secretariat Staff

The Executive Secretary summarized STACFAD Working Paper 92/2 and indicated that Heads of Delegations had received copies of the correspondence contained in the Working Paper.

The Chairperson asked the Executive Secretary to provide an explanation of the estimated costs for 1993 shown on page 4 of the Working Paper.

Technical Resources:

The Executive Secretary stated that it might be possible to reduce the estimated amount of $40,000.00 as there was a possibility that Canada would provide some technical resources.

The Representative of Canada agreed that the estimated amount of $40,000.00 could be decreased as Canada would be able to provide a computer modem and computer software assistance.

STACFAD recommended that, where possible, technical resources provided from Contracting Parties should be utilized.

Communication from NAFO Headquarters to Contracting Parties

The Executive Secretary advised STACFAD that the estimated annual cost of sending messages was based on 1992 projected costs. He explained that most messages to Contracting Parties in 1992 were sent by fax machine, however, some messages were sent by telex which is more costly than a fax.
The Representative of Estonia, Latvia and Lithuania suggested that the Executive Secretary should pursue other possibilities such as electronic mailing and STACFAD recommended that the STACTIC Working Group should investigate the most practical and economical means of dispatching hail messages.

Human Resources

The Executive Secretary explained that he followed the guidelines set out for him by the General Council and the provisions of the NAFO Convention and Rules of Procedure in the staffing of the Resource Management Coordinator position and referred STACFAD to pages 1 to 3 in STACFAD Working Paper 92/2.

The Representative of the Russian Federation stated that it was his understanding that an employee had already been hired to fill the position and inquired about the legality of the later intervention of Canada into this situation. He also wondered why Canada suggested the salary for this position should be increased to at least $60,000.00 from the proposed $35-38,000.00, as the latter figure is the most appropriate due to budgetary reasons. Canada stated that for a position requiring this much expertise the starting salary should be raised to reflect Canadian Government guidelines on classifications and wages.

However, Canada stated that at this time it could not support the addition of a staff member because of the implications it would have to increase the budget. The Representative of Canada further stated that it would be premature to hire a staff member until all details of the new measures for inspection and enforcement in the Regulatory Area were finalized.

The Representative of Estonia, Latvia and Lithuania stated that because it is unclear of what is required at this time and for budgetary reasons, he could not support the addition of a staff member.

The Representatives of Cuba and Japan expressed an understanding of the Canadian position and agreed that because of cost implications we should not proceed with additional staffing at this time.

The Representative of the Russian Federation expressed concern about who was going to carry out the responsibilities of this position.

The Chairperson explained that implementation of an automated hail system has been delayed and some Contracting Parties are concerned that all duties listed in the job description may not be necessary.

The Representative of Canada explained that a member of the Department of Fisheries and Oceans could provide assistance and work with a present member of the NAFO Secretariat to assist in all aspects of the implementation of the hail system.

The Executive Secretary expressed concern that if a person from outside the NAFO Secretariat is involved with the hail system, he will have no authority over this person but that this is a decision for Contracting Parties to take.

The Representative of the Russian Federation stated the selection by the Executive Secretary of a new staff member position - Research Management Coordinator - should be upheld by STACFAD in order to eliminate any confusion caused by the initial Canadian proposal.

STACFAD recommended that, solely on the basis of budgetary concerns raised by various Contracting Parties, the addition of a staff member not be considered at this time.

8. NAFO Headquarters Accommodations for Conduction of NAFO Meetings

The Chairperson requested the Executive Secretary to elaborate on STACFAD Working Paper 92/1, actual and projected costs of NAFO Meetings for 1991-1997. The Executive Secretary referred to the request of the Scientific Council that the meeting room space available in the NAFO Secretariat is not sufficient to properly conduct the business of the Scientific Council. During the 13th Annual Meeting the Executive Secretary was requested to provide costs for holding the Scientific Council Meeting outside NAFO Headquarters. The Executive Secretary also reported that he had contacted the Halifax Office, Department of Fisheries and Oceans (DFO) regarding the possible expansion of the existing NAFO Headquarters and that no commitment for this project had been received from this department. He pointed out that representatives of three additional Contracting Parties would be attending the next meeting of the Scientific Council.

The Representative of Canada provided cost estimate on expansion of the present facilities which totalled $30,000.00 for initial refit and a yearly rental cost of $ 60,000.00. If expansion of the present facilities did take place then this cost would have to be shared amongst all Contracting Parties. The Representative for Estonia, Latvia and Lithuania suggested that the Executive Secretary should investigate the possibilities of renting space in one of the universities in the Halifax-Dartmouth area which could be a more economical alternative. The Representative of Canada suggested that possibly space could be found in a government building presently under construction in the Halifax area to conduct the Scientific Council Meeting. The Representative to Canada will undertake to pursue this further and report to the Executive Secretary.

At this time, STACFAD recommended that the meeting of the June 1993 Scientific Council remain at NAFO Headquarters.

9. Administrative and Financial Statements for 1992 (to 31 July 1992)

The Administrative Report (NAFO/GC Doc. 92/2) was reviewed in detail. The Executive Secretary pointed out that the estimated over expenditure of $14,496.00 was due mainly to the additional increase in the number of meetings held during 1992 that were not included in the budget calculations.

The Executive Secretary drew attention to the amount of unpaid member contributions (Statement III, page 7). The amount shown of $228,104.00 has been reduced to $205,349.00 as one Contracting Party's contribution was received after this Statement was prepared by the Secretariat. The Executive Secretary agreed to continue to remind Contracting Parties with outstanding payments of their obligations.

The Executive Secretary explained that Estonia, Latvia and Lithuania would be assessed as Contracting Parties for September, October, November and December, 1992 and that other Contracting Parties would receive a credit on their 1993 assessment resulting from the addition of three new Contracting Parties. This preliminary assessment for Estonia, Latvia and Lithuania would be based on the 30% portion of the billing assessed to all Contracting Parties (see Annex 3). A revised billing may be necessary at a later date based on revisions to the nominal catches for 1990.

The Representative of the Russian Federation pointed out that the nominal catches shown for Russia in Annex 3 of the report include catches from joint ventures and charters with Canada. He requested revised statistics be incorporated into Annex 3 and the preliminary calculation of the billing be revised.

The Chairperson stated that as it was not possible for Canada and the Russian Federation to resolve this problem without further consultation that this matter would be reviewed after the conclusion of the meeting.

10. Preliminary Budget Estimate for the Fiscal Year Ending 31 December 1993

STACFAD reviewed the preliminary budget estimate of $ 962,000 for 1993, a 6.53% increase over the approved budget for 1992.

The Representative of Canada indicated that due to severe reduction to Canadian Government budget, Canada could not consider a budget in excess of a 3% increase for salaries with no increase in all other items in the budget for 1993.

The Representative of Estonia, Latvia and Lithuania agreed with the Canadian proposal and noted that a 66.67% increase in Annual and Mid-Year Meeting was the result of inserting an amount for the meeting of the Scientific Council outside NAFO headquarters. In addition, he noted that it would be very useful to have any special projects affecting the NAFO budget separated from the regular budget for the purpose of analyzing future budgetary requirements and agreed to present a working paper on the subject.

The Executive Secretary pointed out that personal services items (b), (d), (e), (f) are related to salaries and years of service and therefore could not be set at 0% increase.

The Representative of Estonia, Latvia and Lithuania stated that he could agree with the Executive Secretary as long as those items were only increased to reflect the allowable increase to correspond with the 3% salary increase STACFAD agreed that the items (b), (d), (e) and (f) should reflect the 3% salary increase.

STACFAD recommended to the General Council that a budget increase of 3% for salaries in accordance with increases to Canadian public servants and the budget for the Organization be adopted as presented in Annex 4.

11. Preliminary Budget Forecast for the Fiscal Year Ending 31 December 1994

STACFAD noted that the preliminary budget forecast of $ 1,027,000 for 1994 (Annex 5) would be reviewed in detail during the 15th Annual Meeting.

12. Time and Place of 1993, 1994, and 1995 Annual Meeting

The location of the 1993, 1994 and 1995 Annual Meetings was to be in the area of Halifax-Dartmouth if no invitations to host the Annual Meetings were extended by a Contracting Party and accepted by the Organization.

1993	-	Scientific Council	- 1-10 September
	-	Fisheries Commission	- 6-10 September
	-	General Council	- 6-10 September
1994	-	Scientific Council	- 14-23 September
	-	Fisheries Commission	- 19-23 September
	-	General Council	- 19-23 September
1995	-	Scientific Council	- 6-15 September
	-	Fisheries Commission	- 11-15 September
	-	General Council	- 11-15 September

13. Other Business

a) Rules of Procedure for the General Council (referred to STACFAD by the General Council

The Executive Secretary introduced GC Working Paper 92/1 concerning Rules of Procedure for the General Council.

The Representative of the Russian Federation referred to Rule 5.1 of the Rules of Procedure for the General Council (NAFO Handbook, pg. 60) and expressed concern that STACFAD was not the appropriate body to advise the General Council of Rules of Procedure. STACFAD agreed with these concerns.

STACFAD recommended that if the General Council so desired, a working group could be set up to consider amendments to the Rules of Procedure but in light of the heavy agenda of the General Council at this time, further discussion of this issue be deferred.

b) Rules of Procedure for Scientific Council

The Chairperson introduced GC Working Paper 92/7.

Following statements by Contracting Parties it was agreed that the Scientific Council has the authority to establish its own Rules of Procedure under item 5.5 of the Scientific Council Rules and STACFAD was not the appropriate body to discuss this item.

c) Scientific Council Recommendation

The Chairperson introduced STACFAD Working Paper 92/4 noting that the Scientific Council had requested STACFAD to consider a recommendation that $ 2,000.00 be allocated for travel and daily subsistence allowance for a co-convenor for the Special Session of the Scientific Council in September 1993.

Following a discussion of this item STACFAD recommended to the General Council that the NAFO budget would not be able to accommodate this request and that other sources of funding should be pursued. The Chairperson of STACFAD will pursue this and report further to the Executive Secretary as soon as possible.

14. Adjournment

The meeting adjourned at 0930 hours, 18 September 1992.

Annex 1

List of Participants

Name	Delegation
D. Gill (Chairperson)	Canada
J. Quintal-McGrath	Canada
B. Garcia-Moreno	Cuba
R. Dambergs	Estonia, Latvia and Lithuania
G. F. Kingston	EEC
H. Köster	EEC
A. Umezawa	Japan
V. N. Solodovnik	Russian Federation
L. Dybiec	Poland
L. Chepel	NAFO Secretariat
T. Amaratunga	NAFO Secretariat
H. Champion	NAFO Secretariat
F. Keating	NAFO Secretariat

Annex 2

14th Annual Meeting of NAFO
Holiday Inn, Dartmouth, Nova Scotia, Canada
14-18 September 1992

Standing Committee of Finance and Administration (STACFAD)

Agenda

1. Opening by the Chairperson, Ms. D. Gill (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Auditor's Report
5. Meeting of the Pension Society
6. Review of Accumulated Surplus Account
7. Review of Cost Implications for the NAFO Secretariat of long-term and short-term measures for international control in the Regulatory Area including increase in Secretariat staff
8. NAFO Headquarters accommodations for conduction of NAFO meetings
9. Administrative and Financial Statements for 1992 (to July)
10. Preliminary Budget Estimate for the fiscal year ending 31 December 1993
11. Preliminary Budget Forecast for the fiscal year ending 31 December 1994
12. Time and Place of 1993, 1994, and 1995 Annual Meetings
13. Other Business
    a) Rules of Procedure for the General Council (referred to STACFAD by the General Council)
    b) Rules of Procedure for the Scientific Council (referred to STACFAD by the General Council.
    c) Request from Scientific Council
14. Adjournment

Annex 3

Preliminary calculation of billing for Contracting Parties against the proposed estimate of $938,000.00 for the 1993 financial year (based on 14 Contracting Parties to NAFO).

Budget Estimate	$938,000.00
Deduct: Amount from Accumulated Surplus Account	120,458.00
Funds required to meet 1992 Budget	$817,542.00

60% of funds required = $490,525.20
10% of funds required = 81,754.20
30% of funds required = 245,262.60

Contracting Parties	Nominal Catches for 1990	% of Total Catch in the Convention Area	10%	30%	60%	Amount Billed
Bulgaria	1,928	0.12	–	17,518.76	588.63	$ 18,107.39
Canada	1,023,001	66.23	71,992.75	17,518.76	324,874.84	414,386.35
Cuba	27,576	1.79	–	17,518.76	8,780.40	26,299.16
Denmark (Faroes and Greenland)[1]	138,683	8.98	9,761.45	17,518.76	44,049.16	71,329.37
Estonia	–	–	–	17,518.76	–	17,518.76
European Economic Community[2]	98,455	6.37	–	17,518.76	31,246.46	48,765.22
Iceland	–	–	–	17,518.76	–	17,518.76
Japan	11,862	0.77	–	17,518.76	3,777.04	21,295.80
Latvia	–	–	–	17,518.76	–	17,518.76
Lithuania	–	–	–	17,518.76	–	17,518.76
Norway[2]	12,609	0.82	–	17,518.76	4,022.31	21,541.07
Poland	509	0.03	–	17,518.76	147.16	17,665.92
Romania	–	–	–	17,518.76	–	17,518.76
Russia	229,955	14.89	–	17,518.76	73,039.20	90,557.96
	1,544,578	100.00	81,754.20	245,262.60	490,525.20	$817,542.00
Funds required to meet 1 January - 31 December 1993 Administrative Budget						$817,542.00

[1] Faroes = 7,784; Greenland = 130,899

[2] Provisional Statistics used when calculating 1990 nominal catches.

Annex 4

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Preliminary Budget Estimate for 1993

	Approved Budget for 1992	Preliminary Budget Forecast for 1993	Preliminary Budget Estimate for 1993
1. Personal Services			
a) Salaries	$ 562,000 (570,018)[a]	$ 595,000	$ 596,000
b) Superannuation and Annuities	71,000	73,000	74,000
c) Additional Help	1,000	1,000	1,000
d) Group Medical and Insurance Plans	30,000	32,000	32,000
e) Termination Benefits	15,000	18,000	20,000[c]
f) Accrued Vacation Pay	6,000	6,000	8,000
2. Travel	17,000	8,000	8,000[d]
3. Transportation	1,000	1,000	1,000
4. Communications	51,000	53,000	51,000
5. Publications	22,000	24,000	22,000
6. Other Contractual Services	47,000	49,000	45,000
7. Materials and Supplies	30,000	32,000	30,000
8. Equipment	5,000	5,000	5,000
9. Annual and Mid-Year Meetings	30,000 (54,800)[b]	30,000	30,000
10. Computer Services	15,000	17,000	15,000
Total	903,000 (935,818)[a+b]	944,000	938,000

[a] Estimated over expenditure due to an increase in the REM-2 classification of the Public Service of Canada and was not included in the budget calculation for 1992.

[b] Estimated over expenditure due to additional meetings held during 1992 that were not included in the budget calculations for 1992.

[c] This figure is for 1993 credits. An amount of $154,665.00 is required to upgrade termination benefits to the end of 1993 to conform with NAFO Staff Rules 10.4(a) adopted by the General Council in September 1991. See the Report of the General Council (GC Doc. 91/7, p. 35, item 14.5) and the Auditor's Report for the year ended 1991 (notes to the Financial Statements, item 9).

[d] Assistant Executive Secretary attendance at the *ad hoc* Interagency Consultations of the CWP, Dublin, Ireland, September 1993. Two persons to meeting of Directors and Executive Secretaries of the six International Commissions located in North America, re discussion of pension scheme for employees, May 1993.

Annex 5

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

Preliminary Budget Forecast 1994

1.	Personal Services	
	a) Salaries	$ 630,000
	b) Superannuation and Annuities	75,000
	c) Additional Help	1,000
	d) Group Medical and Insurance Plans	34,000
	e) Termination Benefits	22,000
	f) Accrued Vacation Pay	10,000
2.	Travel	23,000[a]
3.	Transportation	1,000
4.	Communications	55,000
5.	Publications	25,000
6.	Other Contractual Services	47,000
7.	Materials and Supplies	32,000
8.	Equipment	5,000
9.	Annual and Mid-Year Meetings	50,000
10.	Computer Services	17,000
		1,027,000

[a] Includes home leave to Russia for Executive Secretary and his family; two persons to meeting of Directors and Executive Secretaries of the six International Commissions located in North America, re discussion of pension scheme for employees, May 1994, Ann Arbor, USA; Assistant Executive Secretary attendance at 16th Session of the CWP, Madrid, Spain, July 1994.

PART III

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

14th Annual Meeting, 14-18 September 1992
Dartmouth, N.S., Canada

1. OPENING OF THE MEETING (items 1-3 of the Agenda)

1.1 The Standing Committee on Fishing Activities of non-Contracting Parties in the Regulatory Area (STACFAC) met in Dartmouth, N.S., Canada, 14-18 September 1992 under the chairmanship of Mr. C. C. Southgate (EEC).

1.2 The following Contracting Parties were present: Canada, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Economic Community (EEC), Japan, Latvia, Lithuania, Russia.

1.3 The Chairman welcomed delegates extending a particular welcome to new members: Estonia, Latvia, Lithuania and to the observers from the United States and Korea.

1.4 Ms. S. Duff (Canada) was appointed Rapporteur.

1.5 The agenda was adopted as previously circulated (Annex 1).

2. REVIEW OF 1992 INFORMATION ON ACTIVITIES OF NON-CONTRACTING PARTY VESSELS IN THE REGULATORY AREA (item 4 of the Agenda)

2.1 The Canadian representative tabled a report on vessel sightings and catch estimates by species for non-Contracting Party vessels in 1992 (Annex 2). She explained that as catch estimates are based upon surveillance and inspection data, the estimates for the six month period in 1992 represent a rougher estimate than could be derived from inspection data for a twelve month period; as no catch data had been compiled for the corresponding six month period of 1991, it would be difficult to make comparative observations based upon the 1992 figures.

2.2 The Chairman noted that there had been no recorded fishing of NAFO regulated species by US vessels in 1991 or 1992.

2.3 The report indicated that of the 32 non-Contracting Party vessels sighted in the Regulatory Area in the first half of 1992, 25 were crewed by nationals of European countries and 7 were crewed by nationals of the Republic of Korea. It was noted that although there were far fewer Korean vessels than European vessels in the Area, estimated Korean catches of 8,500 t for this period were considerably higher than the 5,900 t estimated EEC catch for the same period. The Canadian Representative confirmed that the Korean vessels were estimated to have obtained higher catch rates.

2.4 The Chairman pointed out that although the total projected 1992 catch for non-Contracting Party vessels, 23,000 t, represented an approximate 50% reduction from the 47,050 t caught in 1991, NAFO quotas for 1992 had not been reduced by 50%. The Canadian Representative undertook to ascertain the method by which the Canadian estimate for 1992 had been derived.

2.5 The Russian Representative noted that the 1992 fishing activities of Estonia, Latvia, and Lithuania were not included in the Canadian report, and expressed the view that as these countries were fishing without quotas in 1992, their activities should be included.

2.6 The EEC Representative commented that the dissolution of the USSR presented a special situation, and although the Baltic States had technically been non-Contracting Parties for a period in 1992, they had fished for many years in the NAFO Area under the NAFO quotas of the former USSR. Now that the Baltic States were Contracting Parties, he expressed the view that it would not be necessary to include Baltic fishing activity in the report.

2.7 The Canadian Representative agreed with the position taken by the EEC Representative.

2.8 The Danish Representative added that although he recognized that Baltic fishing activity in the NAFO Regulatory Area, after the dissolution of the USSR, did constitute non-member fishing, he accepted the view of the Canadian and EEC Representatives, and suggested that as these countries are now Contracting Parties, fishing by Baltic vessels was now probably outside the scope of STACFAC committee work.

2.9 The Russian Representative accepted that it would not be necessary to make specific mention of Baltic fishing in the data report but suggested that it might be useful to examine catches over this period.

2.10 The Canadian Representative informed the Committee that Canadian catch estimates for Baltic vessels in 1992 were 8,400 t of groundfish, thought to be mostly redfish.

2.11 It was agreed that no formal reference to Baltic vessel activity in the NAFO Regulatory Area would be included in the report of the General Council and that reference in the minutes would be appropriate.

2.12 The Lithuanian Representative stated that he had no problem with a reference to Baltic vessel activity in the minutes, but stressed that there had been an undetermined situation in the Regulatory Area and that fishing by Baltic States during that period had been inadvertent, and driven by political events which have now passed. He assured the Committee of the intention of the Baltic States to fish in accordance with NAFO decisions.

3. REVIEW OF AVAILABLE INFORMATION ON LANDINGS AND TRANSSHIPMENT OF FISH CAUGHT IN THE REGULATORY AREA BY NON-CONTRACTING PARTIES (item 5 of the Agenda)

3.1 In reviewing the landing data the Chairman pointed out that the EEC data did not include salt cod which, particularly in the case of fish products from Panama, would represent a significant portion of landings. He suggested that to be useful, landing declarations should cover most of the product.

3.2 The EEC Representative responded that in his view, the system should be kept as simple as possible and should not therefore include processed or semi-processed products. He suggested that statistics on imports of unprocessed fish could be easily cross-referenced with the statistics we now compile on non-Contracting Party catches.

3.3 It was agreed that the reports on landings should be limited to unprocessed fish products.

3.4 With respect to transshipments, the Canadian representative informed the Committee that the Korean vessels, the "Golden Venture" had been sighted in the Regulatory Area in the process of transshipping fish at sea to the Japanese cargo vessel the "Daiku". She also remarked that some vessels were taking advantage of the port at Saint Pierre and Miquelon for transshipment of fish caught in the NAFO Area.

3.5 The EEC Representative reminded the Committee that Saint Pierre and Miquelon was outside of Community territory and that the EEC would not therefore have any information on this activity. He also cautioned that the measures taken by NAFO should in no way limit the freedom of transshipment.

3.6 The Danish Representative remarked that the terms of reference for the Committee did include the task of gathering information on transshipment as well as imports.

3.7 The EEC Representative acknowledged the Committee mandate in this regard but added that it was important to consider the GATT perspective.

4. CONSIDERATION OF STATISTICS SUBMITTED BY CONTRACTING PARTIES ON THEIR IMPORTS OF GROUNDFISH SPECIES REGULATED BY NAFO FROM NON-CONTRACTING PARTIES (item 6 of the Agenda)

4.1 The Chairman commented that this information was intended to permit an assessment of the relationship between non-Contracting Party catches and the imports of these species from non-Contracting Parties into Contracting Party markets. Import statistics were provided by Japan (Annex 3); Canada and the EEC (GC Doc. 92/1); Cuba, Russia, the Faroes and Greenland have reported to the Executive Secretary that they do not import NAFO regulated species from non-Contracting Parties and have not therefore provided import statistics. The Chairman pointed out that the import figures did not appear to coincide with catch estimates.

4.2 The Canadian Representative stated that she recognized the concerns of the EEC representative with respect to providing data on processed and semi-processed fish, but that as Canada had undertaken a comprehensive assessment of import data for 1991, it would be helpful if the EEC could provide data for salt fish, for 1991 only.

4.3 The EEC Representative undertook to provide this data.

5. NATIONAL REPORTS OF THE AIDE-MEMOIRE (FOR JOINT DIPLOMATIC DEMARCHES) DISPATCHES TO NON-CONTRACTING PARTIES (item 7 of the Agenda)

5.1 The EEC Representative reported on its Joint Diplomatic Demarches on Panama and Venezuela.

Panama

The EEC led a NAFO Joint Diplomatic Demarche on Panama on August 22, 1992, in Brussels. Canada, Denmark, Norway, Poland and Russia also participated in this Demarche. The Community stressed that despite the assurances of support and goodwill in addressing the problem of Panamanian flagged vessels in the Regulatory Area, there had been no reduction in Panamanian vessels, and catches remained significant. The Panamanian Ambassador to the EEC acknowledged the problem and advised the Community that further action would be taken. She did not indicate whether specific measures were being contemplated.

Venezuela

The Joint Diplomatic Demarche on Venezuela was also conducted on August 22, 1992. In response to the Demarche, the Venezuelan Ambassador to the EEC advised the Community that his Government considers the fishing activity of Venezuelan vessels in the NAFO Area to be a violation of national law, which could result in withdrawal of license. He informed the Community that the two vessels recently sighted in the NAFO Area - "Bacnova" and "Pescagel" - had been asked not to fish in the Area and he requested evidence on these vessels for follow up by Venezuelan authorities.

5.2 The Japanese Representative reported on the Japanese demarche on Korea.

Korea

Japan led the Joint Diplomatic Demarche on Korea on September 2, 1992. Canada, Denmark, the EEC, Norway, and Russia participated in the Demarche. Korean officials acknowledged the presence of Korean interest vessels in the NAFO Area and advised the Contracting Parties that Korea was in the process of gradually withdrawing its vessels from the NAFO Area, emphasizing the economic implications of an immediate withdrawal. It was noted that one vessel had been withdrawn this year and that another would be withdrawn by March 31, 1993. In response to concerns regarding Korean crews aboard third party vessels in the NAFO Area, the Contracting Parties were advised that after March 31, 1993, the Korean government would not allow contracts for Korean crews on vessels which fish in the NAFO Area.

5.3 The Canadian Representative reported on Joint Diplomatic Demarches on Sierra Leone, Morocco and Honduras.

Sierra Leone

The Canadian Ambassador to Ghana delivered the Aide-Memoire to the Minister of Foreign Affairs in Sierra Leone in late July, 1992. Canada was advised that the registration of the Sierra Leonese vessel the "Great Splendor" would be withdrawn upon the written request of the Ambassador. Evidentiary material on this vessel has been forwarded to the Canadian Ambassador for follow up with Sierra Leonese authorities.

Morocco

On September 15, 1992 Canada, accompanied by Russia and the EEC, led the Joint Diplomatic Demarche on Morocco. Canada was advised by the Moroccan Fisheries officials that on August 4, 1992 the Moroccan Minister of Fisheries had written to the owners of the "Ain Chanech", the Moroccan vessel that has been sighted in the NAFO Area, requesting that the vessel be withdrawn from the Area immediately. As the vessel continues to fish in the NAFO Area, Canada will follow up with Moroccan authorities.

Honduras

Honduran authorities have indicated that they are prepared to impose sanctions against their flag vessels fishing in the NAFO Regulatory Area, on the basis of evidence provided by Canada. Canada is preparing evidentiary material on the activity of the Honduran vessel the "Danica" and will proceed with a Joint Diplomatic Demarche on Honduras once this has been compiled.

The Canadian Representative also reported on the April 1992 visit to Panama by the Canadian Minister of Fisheries and Oceans. The Minister met with the Panamanian Minister of Finance and Treasury to discuss the problem of fishing by Panamanian flagged vessels in the NAFO Regulatory Area. A Joint Communique was signed at that meeting which recorded Panama's undertaking, upon receipt of evidence of fishing by Panamanian registered vessels in the NAFO Area, to impose severe sanctions on these vessels including, fines or removal from the registry. Canada continues to provide evidentiary material on the activity of Panamanian flagged vessels in the NAFO Area for follow up by Panamanian authorities.

The Canadian Representative also informed the Committee that Canada continues to provide evidentiary material on Venezuelan vessel sightings to Venezuelan authorities.

The Russian Representative reported that Russia had informed Latvia and Lithuania of its concern about their vessels' fishing activity in the NAFO Regulatory Area prior to their joining NAFO and obtaining allocations.

The EEC Representative commented that although the diplomatic initiatives by the Contracting Parties had not been entirely effective, they had produced some positive results. He noted the cooperative attitude demonstrated by the authorities in non-Contracting Parties but cautioned that goodwill has not always materialized into an effective administrative response, and that it remained to be seen how Governments would follow up on these initiatives with their nationals.

It was agreed that Panama continued to represent a significant portion of the problem of non-Contracting Party fishing, and would require follow up.

The Canadian Representative informed the Committee that Canada continued to monitor action taken by Panama against Panamanian flagged vessels, on the basis of evidentiary material provided by Canada. She reported that Panamanian authorities had imposed fines of approximately $2,000 ($Cdn) against 11 Panamanian flagged vessels that had been sighted in the NAFO Area. Another package of evidentiary material has been prepared and will be forwarded to the Panamanian authorities. Canada will continue to monitor the response of Panamanian authorities to this material.

ATION OF METHODOLOGY OF IMPROVING THE REPORTING OF CATCHES, HIPMENTS AND LANDINGS FROM THE REGULATORY AREA BY NON-CONTRACTING S (item 8 of the Agenda)

The Chairman noted the importance of improving the sharing of information relating to non-member catches in the Regulatory Area. He pointed out that many non-Contracting Parties do not have data on the activities of their vessels in the Regulatory Area.

The Canadian Representative informed the Committee that Canada had asked France for information on landing and transshipment of fish caught in the Regulatory Area. She pointed out that the NAFO Aide-Memoire also requested that this information on non-Contracting Party catches be reported.

7. EXAMINATION OF OPTIONS OPEN TO CONTRACTING PARTIES TO DISSUADE THEIR NATIONALS FROM FISHING IN THE REGULATORY AREA UNDER NON-CONTRACTING PARTY FLAGS AND TO DISCOURAGE SUCH ACTIVITIES WHERE THEY ARE CURRENTLY TAKING PLACE (item 9 of the Agenda)

7.1 It was agreed that as the issue of reflagging was being considered in other fora, including the FAO, future meetings of STACFAC should focus on this important issue and should take into account the work of these organizations.

8. EXAMINATION OF LANDING DECLARATION SYSTEM TO COLLECT DATA ON LANDING OF CATCHES BY NON-CONTRACTING PARTIES IN THE REGULATORY AREA (item 10 of the Agenda)

8.1 The Canadian Representative introduced a paper outlining proposed Canadian implementation of a Landing Declaration (Annex 4). The paper had been prepared in light of discussions of the EEC draft Landing Declaration that was tabled at the April meeting of STACFAC (GC Doc. 92/1). She stressed that the Canadian paper proposed a possible approach to implementation of the Landing Declaration, which might not be appropriate for all countries but would provide a basis for discussion considering the following essential principles:

Under the Canadian proposal,

- the Landing Declaration would apply to fish caught in the Regulatory Area by non-Contracting Parties who do not report their catches;
- product coverage would include raw fish and processed products to the frozen fillet stage;
- the Landing Declaration would be completed by the vessel master, to ensure the closest connection between the fishing activity and the declaration;
- Landing Declaration forms would be provided to the master by the Contracting Party, as the link between these vessels and the flag state authorities is often tenuous;
- customs officials would be responsible for the administration of the Landing Declaration System;
- while completion of the Landing Declaration would not be a condition of entry for the product, failure to do so would result in an administrative penalty.

8.2 With respect to the practical implementation of the Landing Declaration, the following discussions developed:

- The Representative from Japan suggested that given the distance of many Contracting Parties from the fishing grounds, the Landing Declaration forms should be distributed by the NAFO Secretariat to the appropriate authorities in the non-Contracting Party. He felt that these would be in the best position to distribute the forms to vessels registered under their flags.

- The Danish Representative expressed the concern that to distribute the forms to the non-Contracting Party authorities could be perceived as tacit acceptance of fishing by non-Contracting Party vessels. He suggested that the forms should therefore be distributed at the point of landing or transshipment.

- The Chairman commented that he appreciated the practical difficulties presented by the distance between the fishing grounds and many Contracting Parties and added that in that in many cases, the importer in the Contracting Party may not have the product information sought. He also noted that in cases where the flag state is not cooperating with NAFO, it could be difficult to ensure the consistent and efficient distribution of forms by these states.

- The Canadian Representative stated that the Canadian proposal envisaged a network of transmissions of Landing Declarations to address the problems posed by transshipments of the product.

- The Chairman also noted that the list of countries to which the Landing Declaration would apply was subject to regular change, which could present difficulties for the authorities responsible for implementing the Landing Declaration.

On the administrative penalty,

- The Japanese Representative expressed the view that the decision to impose such a penalty should be left to the individual Contracting Parties, as domestic legislation in many states restricts the use of this kind of sanction.

- The Canadian Representative pointed out that as indicated in section 4 of the Canadian proposal, each Contracting Party would determine the amount and appropriateness of an administrative penalty.

- The EEC Representative pointed out that an administrative penalty that was proportionate to the value of the imported product, could be inconsistent with Article VIII.3 of the GATT, which restricts the power of customs authorities to impose penalties for minor breaches of customs regulations or procedural requirements (ie. failure to complete the Landing Declaration).

8.3 It was decided that the Contracting Parties should review the Canadian paper on implementation of the Landing Declaration, in light of the discussion at this meeting, and should be prepared to comment, at the next STACFAC meeting, on the desirability of proceeding with the Landing Declaration proposal.

8.4 The Canadian Representative stated that in Canada's view STACFAC should be prepared, at its next meeting, to recommend implementation of the Landing Declaration or to remove the item from the agenda. Canada is of the view that further discussion of the subject would be fruitless. In the absence of any decision by STACFAC to proceed with implementation, Canada will be prepared to consider unilateral action of a similar nature.

ELABORATION OF REPORT TO THE GENERAL COUNCIL AND RECOMMENDATIONS ON MEASURES TO RESOLVE THE PROBLEM (item 11 of the Agenda)

9.1 The Committee discussed the text of the Chairman's draft report to the General Council and agreed upon revisions to be incorporated into the final report. The report identifies the data currently available to the Committee with respect to the activities and catches of non-Contracting Party vessels, and notes the inadequacy of this data. It reviews the diplomatic initiatives that have been

undertaken by the Contracting Parties to address this problem. Finally, the report considers other measures which could be implemented to resolve the problem (Annex 5).

10. ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

The current Chairman, C. C. Southgate (EEC) was elected for a second term; the current Vice-Chairman, B. Garcia Moreno (Cuba) was elected for a second term.

11. OTHER MATTERS

It was agreed that an intercessional meeting of STACFAC should be held in late March or early April, 1993. The Chairman will contact the Executive Secretary of NAFO to set a specific date.

12. ADJOURNMENT

The meeting was adjourned at 12:30 on September 18, 1992.

Annex 1

14th Annual Meeting of NAFO
Holiday Inn, Dartmouth, Nova Scotia, Canada
14-18 September 1992

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

Agenda

1. Opening by the Chairman, C.C. Southgate (EEC)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of 1992 information on activities of non-Contracting Parties' vessels in the Regulatory Area
5. Review of available information on landings and transshipment of fish caught in the Regulatory Area by non-Contracting Parties
6. Consideration of statistics submitted by Contracting Parties on their imports of groundfish species regulated by NAFO from non-Contracting Parties fishing in the Regulatory Area
7. National reports on the results of the Aide-Memoire (for joint diplomatic demarches) dispatches to non-Contracting Parties
8. Examination of methodology of improving the reporting of catches, transshipments, and landings from the Regulatory Area by non-Contracting Parties
9. Examination of options open to Contracting Parties to dissuade their nationals from fishing in the Regulatory Area under non-Contracting Party flags and to discourage such activities where they are currently taking place
10. Examination of Landing Declaration System to collect data on landing of catches by non-Contracting Parties in the Regulatory Area
11. Elaboration of a Comprehensive Report to the General Council and recommendations on measures to resolve the problem
12. Election of Chairman and Vice-Chairman
13. Other Matters
14. Adjournment

Annex 2

(STACFAC Working Paper 92/9)

14TH ANNUAL MEETING - SEPTEMBER 1992

Non-Contracting Party Fishing Activity in the Regulatory Area - 1992 (mid-year)

by

Canadian Delegation

1.0 Fleet Profile

During the 1985-91 period, an average of 37 non-Contracting Party vessels were observed in the Regulatory Area on an annual basis. This non-Contracting Party activity included, on an annual average, 18 vessels crewed by Europeans, 10 vessels crewed by Koreans, and 9 vessels registered in the USA[1]. To August 31, 1992 a total of 32 non-Contracting Party vessels have been sighted in the Regulatory Area, comprised of 25 (5 pairs, 15 singles) crewed by Europeans and 7 crewed by Koreans.

The following is a list of non-Contracting Party vessels[2] sighted to August 31, 1992:

European	Korean
ANITA I	DANICA
ELLY	GOLDEN VENTURE
COLOMBO V	PUK YANG II
COLOMBO VI	MARSOPLA
COLOMBO VII	PEONIA NO 9
COLOMBO VIII	GREAT SPLENDOR
PESCAMEX I	AIN CHANECH
PESCAMEX II	
PESCAMEX III	
PESCAMEX IV	
ALPES II	
ALPES III	
AMAZONES	
CIDADE DE AVEIRO	
CLASSIC BELAIR	
ESPADARTE	
GAFANHO DO CARMO	
IZARRA	
LEONE	
LEONE III	
PABLO I	
PORTO DE AVEIRO	
PORTO SANTO	
SANTA JOANA	
TERRA DE LEMOS	

Three European crewed vessels (Pablo I, Gafanho do Carmo, Porto de Aveiro) have initiated fisheries in the Regulatory Area since the last annual NAFO meeting.

[1] One USA registered groundfish vessel may have fished in 1991.
[2] All data preliminary.

In 1992, it has been reported that four European crewed vessels (Izarra, Pescamex III, Classic Belair, and Alpes III) have sunk, although Canadian surveillance confirmed only the loss of the Izarra.

2.0 Catch and Effort

During the 1985-1991 period, an average of 37 non-Contracting Party vessels fished 3,000 days annually, catching approximately 33,850 t of groundfish. This 33,850 t was comprised, on average, of 8,250 t of cod, 15,050 t of redfish, 8,200 t of flounder species, 1,350 t of Greenland halibut, and 1,000 t of other species.

During the 1990-1991 period, an average of 39 non-Contracting Party vessels fished 4,200 days annually, catching approximately 47,050 t of groundfish or 11.2 t per day. This 47,050 t was comprised, on average, of 13,500 t of cod, 18,225 t of redfish, 8,450 t of flounder species, 4,750 t of Greenland halibut, and 2,125 t of other species.

To August 31, 1992, it is estimated that 32 non-Contracting Party vessels fished approximately 1,700 days catching 14,400 t or 8.4 t per day. This 14,400 t includes 8,300 t of redfish, 2,500 t of cod, 2,000 t of flounder species, and 1,600 t of Greenland halibut. Of the 14,400 t, it is estimated that European crewed vessels caught 5,900 t and Korean crewed vessels caught 8,500 t.

If current fishing patterns and catch rates continue, it is estimated that non-Contracting Party vessels will fish approximately 2,500-3,000 days and catch in excess of 23,000 t.

Annex 3

(STACFAC Working Paper 92/10)

14TH ANNUAL MEETING - SEPTEMBER 1992

Japanese import of the groundfish regulated by NAFO from non-Contracting Parties, in 1991.

Nation	Amount of import (t)				
	Redfish	Cod	Greenland halibut	American plaice	Others*
Caymen Islands	-	-	-	-	-
Honduras	-	-	-	-	22
Korea	1,689	11	1,183	9	9,209
Mauritania	-	-	-	-	-
Malta	-	-	-	-	580
Morroco	-	-	-	5	527
Panama	188	-	41	-	338
St. Vincents	-	-	-	-	-
USA	8,937	24,627	4,440	1	43,663
Mexico	-	-	-	-	-
Chile	26	-	-	-	10
Venezuela	-	-	-	-	-
Sierra Leone	-	-	-	-	-

*Witch flounder, Yellowtail flounder

NOTE: The above figure may include fish caught outside the NAFO Area. It is confirmed by the Government of the United States that no U.S. vessels engaged in the NAFO Regulatory Area in 1991.

Annex 4

(STACFAC Working Paper 92/8)

14TH ANNUAL MEETING - SEPTEMBER 1992

PROPOSED NAFO LANDING DECLARATION SYSTEM

BY

CANADIAN DELEGATION

PURPOSE

1. To provide Canada's views regarding implementation of the proposed landing declaration system in respect of the five fish species caught in the NAFO Regulatory Area and landed in NAFO countries by vessels of non-Contracting Parties.

BACKGROUND

2. In response to the problem of declining fish stocks in the Northwest Atlantic, one of the measures examined by the NAFO Standing Committee on Fishing by non-Members (STACFAC) is the introduction of a statistical landing declaration system to monitor trade in NAFO species by non-members of NAFO. At the April 7-9 STACFAC meeting, it was agreed that NAFO Contracting Parties would consult domestic authorities on how to implement such a system. The European Community tabled a draft document (copy attached) which Canada believes can be used as a basis for an agreed landing declaration form.

FEATURES OF SYSTEM

3. As envisaged by Canada, the landing declaration system could document the linkage between non-Contracting Party fishing in the NAFO Regulatory Area and the species being caught. It would also provide information as to the point of landing and quantities of NAFO Regulatory Area fish entering the territories of Contracting Parties.

4. The landing declaration system would have the following features:

- it would apply only to the five species managed by NAFO in the NAFO Regulatory Area;
- product coverage would range from raw fish to processed products up to the frozen fillet stage, as described in Chapter 03 of the Harmonized System of Tariff Nomenclature;
- only the vessels of non-Contracting Parties that do **not** report their NAFO Regulatory Area catches to NAFO in a timely manner would be asked to submit a declaration form;
- submission of a signed declaration form would **not** be a condition of entry for the fish being imported by a NAFO Contracting Party or allowed entry "in transit". However, vessels of the non-Contracting Parties mentioned above that fail to submit a declaration form would be subject to an **administrative penalty** imposed by the NAFO Contracting Party concerned. The penalty could consist of a fine based on a percentage of the customs valuation of the fish or a fixed amount. It would be individually set by each NAFO Contracting Party.

OPERATION OF SYSTEM

5. The landing declaration system would operate as follows:

- the declaration form would be issued by the Contracting Party in whose port the fish is being landed or into which the fish is being imported;

- the procedure to be followed for the issuance of the declaration form would be determined by the Contracting Party;

- the declaration form would be filled out and signed by the captain of the vessel that was used to catch, ship or transship the fish;

- the declaration form would be submitted to the customs or fisheries inspection officials at the port of entry of the NAFO Contracting Party concerned;

- in the case of fish arriving at a port of entry by air or overland transport, the fish would also have to be accompanied by a declaration form signed by the captain of the vessel that was used to catch, ship or transship the fish prior to its loading on a plane or motor vehicle;

- failure to produce a signed declaration form at the port of entry would result in an **administrative penalty**, in the form of a fine, being levied against the exporter by the NAFO Contracting Party importing the fish or allowing it to enter "in transit";

- the fine would be payable at the port of entry and collected by the customs or fisheries inspection officials of the NAFO Contracting Party concerned;

- the statistical information gathered under the above system would be transmitted on a monthly basis to the NAFO Secretariat.

EEC Draft
Projet CEE
Landing Declaration/Declaration de Debarquement (1)

1. Exporter (Name, full address, country
Exportateur (Nom, adresse complète, pays)

2. Number 000
Numéro

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)

3. Consignee (Name, full address, country)
Destinataire (Nom, adresse complète, pays)

Issued with a view to obtaining statistical information on harvest origin (1)

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 (1)

4. Country of origin
Pays d'origine

5. Country of destination
Pays de destination

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

7. Marks and numbers-Number and kind of packages-DETAILED DESCRIPTION OF GOODS (3)
Marques et numéros-nombre et nature des colis-DESIGNATION DETAILIEE DES MARCHANDISES (3)

8. Quantity in tonnes
Quantité en tonnes

9. DECLARATION BY THE CAPTAIN

I the undersigned, declare that in accordance with the entries in the logbook the consignment described above contains Atlantic Cod (Gadus Morhua), Atlantic Redfish (Sebastes spp), American Plaice (Hippoglossoides Platessoides), Yellowtail Floudner (Limanda Ferruginea), Witch Flounder (Glyptocephalus cynoglossus) from the stocks of the North-West Atlantic Ocean fished in the Regulatory Area of the Northwest 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 de 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) provenant des stocks de l'ocean de l'Atlantique Nord-Ouest et capturée dans la Zone de Réglementation de l'Organisation de Pêche de l'Atlantique du nord-Ouest - OPANO. (3)

10. CAPTAIN (Name, full address, country)
CAPITAINE (Nom, adresse complète, pays)

At/A..... on le.....

(Signature)

(1) This Landing Declaration for statistical purposes has to be presented to the competent authorities upon landing
Cette Declaration Débarquement pour de statisque doit atre présentée aux autorité compétentes lors du débarquement
(2) Delete as appropriate
Biffer la mention inutile
(3) - Fresh/Frozen (Harmonized System 0302-0303) Frais/Congelé (Système harmonizé 0302-0303)
- Fillets/Filets
- Meat/chair
- Salted/Salé

Annex 5

Report on fishing activities by vessels flying the flag of non-NAFO Contracting Parties in the NAFO Regulatory Area

The 12th meeting of the NAFO General Council established the Standing Committee on Fishing Activities of Non-Contracting Parties (STACFAC), the terms of reference of which are attached (Attachment 1).

At the 13th meeting of the NAFO General Council a Recommendation was adopted by consensus (NAFO/GC Doc. 91/6) according to which, inter alia, STACFAC shall submit a comprehensive report.

STACFAC agreed to report as follows:

I Statistical Database
II Efforts at Diplomatic persuasion
III Other measures such as:

- consideration of a Landing Declaration system to improve the statistical database
- consideration of measures to discourage reflagging of vessels to Non-Contracting Parties for fishing in the Regulatory Area

I Database

Information is sought on the level of catches in the Regulatory Area by non-Contracting Party vessels.

The statistical information available to STACFAC consists of:

- sightings of non-Contracting Party vessels in the Regulatory Area and information obtained from courtesy boardings
- Contracting Party statistics on imports of certain groundfish species from non-Contracting Parties
- information obtained from some non-Contracting Parties on their catches in the Regulatory Area

In relation to the information required from non-Contracting Parties this information is insufficient. STACFAC does not have at its disposal complete information on catches by non-Contracting Parties.

In order to assess the impact of non-Contracting Party fishing activities estimates have been made on the basis of assumed catch rates and of the period of time during which these vessels have been sighted in the Regulatory Area. Information on the destination of these catches (including whether NAFO Contracting Parties were the main destinations) was sought by comparing these estimates with statistics on groundfish imports from non-Contracting Parties (Attachment II). Although in some cases it was clear that the bulk of the catches was destined for Contracting Party markets, it was not generally possible to use import data either to establish final destinations of catches by non-Contracting Parties or to corroborate the Canadian catch estimates.

The following conclusions can, however, be drawn on the basis of the above information:

- estimations on catches of Non-Contracting Party fishing activities in the Regulatory Area could well amount to more than a third of the total NAFO groundfish quotas.

- Non-Contracting Party catches in the Regulatory Area may not be primarily intended for non-Contracting Party markets but seem to be exported mainly to Contracting Party markets such as the European Community, and Japan.

Obviously, non-Contracting Party fishing activities in the Regulatory Area impede the conservation and rational management of fish stocks by NAFO, especially since fishing vessels flying non-Contracting Party flags are not bound by NAFO rules and do not respect NAFO decisions or the obligations of conservation, cooperation and flag state responsibility as provided for in UNCLOS. The Scientific Council has confirmed the use of small meshed nets by at least some of these vessels in some fisheries.

STACFAC considered possible ways of improving the database on non-Contracting Party fishing activities bearing in mind that this information is required for conservation and rational management decisions. It was agreed that non-Contracting Parties whose vessels have been sighted in the NAFO Regulatory Area should be requested to withdraw from the Area and to supply information on amounts already taken, in accordance with their obligations under the relevant provisions of the UN Law of the Sea Convention. Furthermore, it was agreed that uncontrolled transshipments complicate any scheme for the collection of such data. In that respect, Contracting Parties agreed to do everything possible to obtain better information including transshipment information, from their own and non-Contracting Parties authorities.

For the above reasons, it was agreed that the current information sources on non-Contracting Party fishing activities would be explored in detail and expanded where possible in order to obtain as much information as possible.

II Diplomatic Persuasion Efforts

NAFO, together with its Contracting Parties, has made diplomatic demarches to eight (8) non-Contracting Parties, namely: Cayman Islands, Korea, Malta, Panama, St. Vincent and Grenadines, Venezuela, Morocco and USA.

STACFAC concluded that the results of certain demarches have been satisfactory whilst others have not yet produced the results desired.

- Malta and Cayman Islands had withdrawn their flags from their vessels sighted in the Regulatory Area. Morocco has responded positively but a definitive response is awaited.

- Panama and Venezuela responded positively but vessels flying their flag continue to be sighted in the Regulatory Area.

- USA vessels have not been sighted in the Regulatory Area and US authorities have said that the US relationship with NAFO is under review.

- Korea continues to operate in the Regulatory Area and continues to undermine NAFO conservation measures.

Despite NAFO's diplomatic initiatives the overall level of non-Contracting Party fishing activities has not been reduced and certain vessels de-registered in one flag state have re-registered in another non-Contracting Party (eg. from Cayman Islands to Panama). This fact reflects the difficulties of addressing this problem..

For the above reasons STACFAC has arranged for further joint diplomatic demarches to Korea, Panama and Venezuela as well as joint demarches to Sierra Leone, Honduras and Morocco.

III Other Measures

STACFAC considered further measures that could be implemented to resolve the problem.

Taking full account of the obligations of States with respect to the conservation of marine living resources as provided for in the relevant provisions of UNCLOS, STACFAC explored options along two lines. These are a possible landing declaration system to collect statistical data, and the possibility of action by Contracting Parties to discourage their nationals from operating reflagged vessels in the Regulatory Area in contravention of NAFO rules.

To the extent that non-Contracting Parties do not respond to diplomatic approaches STACFAC has considered the following specific measures:

a) Landing Declaration - in order to improve the information on non-Contracting Party fishing activities STACFAC has been considering the implementation of a system of landing declarations, which would be required for landing and transshipment of NAFO-managed species of fish caught by non-Contracting Parties' vessels which were sighted in the Regulatory Area and which cannot or do not cooperate in providing catch data to NAFO. The landing declarations would indicate the quantities of fish imported caught in the NAFO Regulatory Area and would provide suitable supplementary data on non-Contracting Party catches in the NAFO Regulatory Area.

   The details of implementation of a system of landing declarations and its implications for the administrative systems of the Contracting Parties are currently under discussion and will be carefully analysed in the intersessional meeting expected to take place in March or April 1993.

b) Measures to discourage reflagging - Discussions within STACFAC have concluded that measures to dissuade commercial interests of Contracting Parties from reflagging their vessels to non-Contracting Party flag states for use within the NAFO Regulatory Area are essential. Such measures, however, depend upon an in-depth consideration of the national legislation of Contracting Parties and the need for any such measures to respect the principles of international law and an open international system of trade. Consideration of such measures has therefore to date been largely confined to internal debate within Contracting Parties but STACFAC members expressed their support for efforts being made to address this problem and their hope that solutions would be forthcoming.

   Discussions on possible measures to address this problem are already commencing in a number of other international fora such as ICCAT, NASCO and the United Nations.

Attachment 1

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

TERMS OF REFERENCE

The Committee will examine, on the basis of the best available information, options to cause non-Contracting Parties to withdraw from fishing activities contrary to NAFO Conservation Measures in the Regulatory Area. The Committee will make recommendations to that effect to the General Council.

In particular, 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 and to prevent the reflagging of fishing vessels to fish under the flags of non-Contracting Parties;

- recommend to the General Council measures to resolve the problem.

The Committee will include one representative from each Contracting Party that wishes to participate. The chairperson will be elected for a term of two years. The initial chairperson will be _____.

The Committee will report to the General Council once a year, at the Annual Meeting of NAFO, and as otherwise requested by the General Council.

Attachment II

SUMMARY OF DATA CONCERNING FISHING BY NON-CONTRACTING PARTIES IN THE REGULATORY AREA

1. Nature of Information

1.1 At the 12th and 13th Annual Meetings of NAFO, Contracting Parties agreed that STACFAC should obtain and compile all available information on the fishing activities of non-Contracting Parties in the Regulatory Area and on landings and transshipment of fish caught in the Regulatory Area by non-Contracting Parties.

1.2 Two annual reports of activities, estimated effort and catches were provided by Canada. Sightings information was also provided by Japan, the EEC, and the USSR (Russia).

1.3 Import data for 1991 were provided by Japan, the EEC and Canada. While no conclusive links could be established, indications are that as Panama does not have a national cod fishing fleet, EEC imports of cod from Panama must come from reflagged community vessels. Japanese statistics showed significant imports of relevant species from Korea but it was not possible to determine how much was harvested in the Regulatory Area. Similarly, the small quantities of Canadian imports of groundfish from Korea could not be linked direct to Korean fishing in the Regulatory area.

2. Summary of Data by Country

2.1 Vessels from the following non-Contracting Parties have been sighted fishing in the Regulatory Area in 1991 and first quarter of 1992:

Panama
Korea
Venezuela
Honduras
Sierra Leone
Morocco
St. Vincent and the Grenadines

2.2 Panama

Twenty five Panamanian flag vessels were sighted fishing in the Regulatory Area in 1991. Of these, 10 were pair trawlers and 3 were gillnetters. Twenty-three of these vessels had EEC nationality crews and two, the Peonia No. 9 and the Marsopla had crews of Korean nationality. These two vessels were also licensed by Korea to fish in the Regulatory Area. The 23 EEC crewed Panamanian vessels caught an estimated 22,000t (round weight) of groundfish over 2,200 effort days, at an average catch rate of 10t per day. The 2 Panamanian flag but Korean licensed and crewed vessels fished 7,000t of groundfish over 400 days at a rate of 17.5t/day.

The EEC imported 4,749t (product weight) of groundfish from Panama, not including salted cod. Japan imported 201t. There were no Canadian imports.

2.3 Korea

Three Korean flag vessels were sighted fishing in the Regulatory Area in 1991. These Korean flag vessels were estimated to have caught 7,400 round weight of groundfish over 550 days at an average of 13.4t per vessel day. Two Panamanian flagged Korean crewed vessels have been licensed by Korea to fish in the Regulatory Area. These two Korean licensed vessels were estimated to have harvested 7,000t of groundfish over 100 days at an average of 10t per vessel day. Vessels under flag of Sierra Leone, St. Vincent's, Honduras and Morocco also had Korean crews. Total catches for Korean licensed and crewed vessels were approximately 24,000t round weight.

The EEC imported 1,828t product weight of NAFO-managed groundfish species from Korea, Canada 158t product weight, and Japan 9,195t product weight.

2.4 Venezuela

Two Venezuelan flag pair trawlers were sighted in the Regulatory Area in 1991. These vessels had EEC nationality crews. They were estimated to have fished 1,150t round weight of groundfish over 125 days at an average rate of 9.2t per vessel day.

The EEC imported 33t product weight of groundfish from Venezuela. There were no Canadian or Japanese imports.

2.5 Honduras

One Korean crewed Honduran flag vessel (Danica) fished in the Regulatory Area in 1991. It was estimated to have caught 4,000t round weight of groundfish over 225 days at an average rate of 17.7t per day. There were no EEC statistics for imports from Honduras. Japan imported 22t product weight of flounder from Honduras. There were no Canadian imports.

2.6 Sierra Leone

One Sierra Leone flag vessel (Great Splendour) fished in the Regulatory Area in 1991. It had a Korean crew and was estimated to have caught 3,200t round weight of groundfish over 225 days at a rate of 14.2t per day. There were no EEC or Japanese statistics for imports from Sierra Leone. There were no Canadian imports.

2.7 Morocco

One Moroccan vessel (Ein Chanech) fished in the Regulatory Area in 1991. It had some Korean crew and fished an estimated 600t round weight of groundfish over 60 days at a rate of 10t per day. There were no EEC statistics for imports from Morocco. Japan imported 527t of flounder from Morocco. There were no Canadian imports.

2.8 St. Vincent and the Grenadines

One Korean crewed vessel (Hao Quang III) fished in the Regulatory Area in 1991. It caught an estimated 2,000t round weight of groundfish over 200 days at a rate of 10t per day. The EEC imported 697t of flatfish from St. Vincent. There were no Japanese or Canadian imports.