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Report of Mid-Term Meeting of Standing Committee on Regulatory Measures
London, 27-29 January 1969



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Time, Place and Participants

1. A mid-term meeting of the Standing Committee on Regulatory Measures was held in West Block, Whitehall Place, London, from 27 to 29 January 1969 through the kindness of the Ministry of Agriculture, Fisheries and Food. Delegates from 12 member countries, with advisers and experts, and observers from FAO (Appendix I) were welcomed by Mr J. Graham (UK), Chairman of the Committee.

Agenda

2. A provisional agenda was circulated and after a short discussion was adopted (Appendix II).

Working Papers

3. The Chairman drew attention to the working papers, the USSR proposal presented to the 1968 Annual Meeting of ICNAF (1968 Meeting Proceedings No. 16, para. 5), the US paper "Note by the United States Commissioners on Catch Quota Regulatory Systems", circulated by the ICNAF Secretariat in mid-December 1968, and a paper by Mr J. Gulland "Some considerations of the Problems of Controlling Effort in the ICNAF Area" which was also circulated in mid-December 1968. He pointed out that the ICNAF Assessments Subcommittee had just completed a meeting, under its Chairman, Mr B.B. Parrish (UK), at which provisional estimates of catch quotas for Subarea 1 cod and Subarea 5 haddock had been made. He proposed that the USSR and US papers be presented and examined in accordance with the guidelines set out at the 1968 June meeting of the Committee in London (Appendix II) and in the light of those points raised in Mr Gulland's paper.

USSR and US Proposals

4. The USSR delegation, in introducing their proposals, said that fishing intensity was rather high. Much research work would be necessary before a precise assessment of all stocks in the ICNAF Area could be made, but this could be done for particular stocks. Until this research had been completed, their scientists considered it would be appropriate for countries to agree not to increase the scale of their fishing activities. In the meantime, the ICNAF Standing Committee on Research and Statistics could elaborate a program of research covering all species, which would take three or four years.

5. In presenting their paper, the US delegation drew attention to a change in their thinking since they made their original proposals in June 1968. They then proposed that where a species was regulated, 20% of the catch should be unallocated and remain free for fishing by all member states. Their present view was that this proportion should be used to make a second phase allocation to individual countries, taking into account special circumstances such as those of coastal states.

6. After some discussion of these proposals, the Committee agreed that it would be preferable for it to concentrate its attention onto problems of a general character, so as to provide guidelines for the negotiations of catch limitation schemes; the total catch for each scheme would depend on the particular conditions of the relevant stocks in the areas concerned. The Committee then proceeded to consider the problems involved.

Establishing a Catch Limitation Scheme

7. A scheme of catch limitation involves the establishment of (a) the total allowable catch, and (b) the proportions in which this total catch is to be shared between the participating countries.

Total Allowable Catch

8. It is for the Commission to decide whether a catch limitation should be introduced, to which areas it should apply, and to which species. The objective would be one of the following:

- (a) to maintain the stocks in question at, or near to, the level producing the maximum sustainable yield;
- (b) if the stocks in question are already overfished, to restore them to the level referred to in (a) or to take a step towards doing so; or
- (c) to stabilize the position and prevent it getting worse.

The Commission would decide between these objectives which means, in effect, determining the mortality rates on the stock in question to be aimed at. The catch limit (total catch) needed to achieve the Commission's choice on mortality rates can be objectively assessed on the basis of scientific evidence; scientific evidence can also assist the Commission in choosing between the alternatives open to it.

9. The statement giving the conclusions of the Assessments Subcommittee gave figures illustrating the effect of various degrees of restriction on fish take for cod in Subarea 1 and haddock in Subarea 5. The Committee did not feel that there was any general guidance which it could usefully give on these questions which would have to be decided by the Commission in the light of the relevant scientific evidence and the state of the stocks in question. The Committee, therefore, concentrated its attention on (b) of paragraph 7 - the method of apportioning among participating countries the total catch determined by the Commission.

Apportionment of Quotas

10. The Committee first considered the various factors that would need to be taken into account determining each country's share. The majority of countries agreed that a small proportion of the total should be set aside to provide for new entrants and non-members. The remainder would then be allocated between countries participating in the fisheries. The Committee generally agreed that shares should be based mainly on historical performance, but that they should also take account of other factors. It was suggested that such factors might include, without any implication as to the order of priority, provision for states with developing fisheries, coastal states and states with fleets which were incapable of being diverted to other fisheries. It was also agreed that schemes should be flexible, in the sense that the shares initially fixed could not continue in force indefinitely but would be capable of adjustment in the light of experience.

11. The Committee considered that it would be impracticable to lay down hard and fast rules to determine the weight that should be given to the various factors mentioned above. This would have to be settled by negotiation between the member countries participating in any particular scheme. Nevertheless, the Committee agree on the following guidelines which indicate in general terms how the various factors might be taken into account.

Initial Determination of Quotas

12. Historical performance would be measured by average catches of the relevant species over a datum period. A long datum period could tend to favour countries traditionally fishing in an area, whereas a short datum period would tend to favour recent participants in the fishery and countries whose scale of activity was expanding. A possible compromise might be to distribute one half of the historical part of the shares on the basis of catches during a datum period of ten years or longer and the other half on the basis of catches during the last three years. Many countries thought that the portion of the shares to be allocated on a historic basis might be about 80% leaving a balance of about 20% to cover both new entrants and non-members, and any special claims by participants on the grounds such as are mentioned in paragraph 10, though these percentages might differ from scheme to scheme. Insofar as provision for development was concerned, several countries suggested that of this balance a proportion should be allocated for general developments and that it should be shared equally by all the participants and not restricted to countries with special claims as had been suggested by other countries.

Adjustment of Initial Quotas

13. The initial quota for each country would be decided by applying the sharing system, agreed in negotiation, to the total catch for the area and stock in question. The permissible total catch would be reviewed annually by the R&S Committee and consequential changes in the quotas for each country would then be made. The Committee considered that the shares would be subject to review periodically, the periods being determined in the original agreement. The Committee hoped that after schemes had been in operation for some time the reviews would be needed less frequently, say at intervals of five years. Provision should then be made for minor adjustments between reviews, these adjustments being automatic so far as possible.

Catches in Excess of Quotas

14. It was generally agreed that if a country exceeded its quota in any year, its share for the subsequent year should be reduced. Some countries thought that it would be sufficient to reduce the quota for subsequent years by the amount of the excess, but others considered that the reduction should be at least twice as great.

Under-utilization of Quotas

15. The Committee considered whether countries not utilizing their quotas in full should have their shares reduced. In a situation where reduction in fishing mortality is required, under-utilization is beneficial. On the other hand, it was thought by some that if a country deliberately failed to make full use of its quota, this should lead to some re-allocation. If, for this reason, some reduction in a country's share was made, most countries agreed that it should be on a much lower scale than for over-utilization, and that it should perhaps not be invoked unless the under-utilization was persistent over, say, at least three years. There was, however, a general consensus that it would be sufficient to take account of under-utilization in the general review.

Enforcement and Monitoring of the Regulations

16. The Committee attached great importance to proper enforcement. All countries were in a position to check the catches of their vessels on landing, but it was not so clear that the areas in which catches were taken could be checked so effectively, and this would be material if quotas applied to only part of the Convention Area, or if different quotas applied to different parts. It was agreed, therefore, that any help on checks made at landing ports which could be given by inspection at sea would be helpful, and that to facilitate this, vessels should be required to keep a log book in a standard form, indicating the time and place of each catch. It was also suggested that it would be helpful if fishing vessels reported their arrival and departure from a controlled area by radio. The Committee felt that observance of the regulations would be encouraged if the member countries were seen to be cooperating in their enforcement, especially by inspections at sea, and that arrangements to this effect should be made pending the coming into force of any more general joint inspection scheme.

17. The Committee did not feel able to deal with this problem in detail. They considered that when a scheme was negotiated for any area, the countries concerned should inform each other of the specific arrangements they proposed to make for monitoring and enforcement, so that the Commission and the other countries concerned could satisfy themselves that the arrangements would be effective.

Technical details

18. Since catch quotas would be in terms of landed equivalent whole fish, it would be necessary to establish conversion factors where the fish underwent processing at sea, and also the method of treatment of discards. These matters would need to be settled by experts at the time a scheme was formulated in the light of the particular circumstances, and the FAO/ICES/ICNAF Coordinating Working Party on Atlantic Fisheries Statistics (CWP) could advise.

Diversión of Fishing Effort

19. The Committee recognized that regulation of catching in one area would lead to diversion of effort from that area to others. If the diversion was to an area where the stocks were already at the maximum yield position, diversion would be undesirable and should be prevented by quota regulations in that area. On the other hand, diversion to areas in which the stocks were not yet fully exploited, was beneficial.

Statement by the Assessments Subcommittee

20. The Committee turned its attention again to the statement of the Assessments Subcommittee and noted that it stressed

- a) the desirability of introducing regulations controlling fishing mortality rate on the cod stock in Subarea 1 and the haddock stock in Subarea 5, additional to the mesh-size regulations currently in force;
- b) the provisional estimates of the total catch quotas which would have to be such at the present time for Subarea 1 cod and Subarea 5 haddock fisheries respectively to achieve specified reductions in fishing mortality;
- c) the fact that the introduction of any catch restrictions would not make mesh regulations any the less necessary and there would still be a gain in the long term yield per recruit of cod at West Greenland, and in some other areas, by a further increase in mesh size above that in force at the present time.

Recommendations

21. The Committee recommended that, if the Commission approved their conclusions, they should be drawn to the attention of the Panels for consideration of the possible quota schemes for which areas and species would be desirable.

22. The Committee agreed that an item should be added to the agenda of its June 1969 meeting in Warsaw which would provide for discussion of the Commission's resources in relation to the administrative aspects of controlling fishing.

Adjournment

23. The Committee expressed its gratitude for the facilities and hospitality provided by Her Majesty's Government. There being no other business, the Committee adjourned at 16.30 hours, 29 January.

Mid-Term Meeting of Standing Committee on Regulatory Measures
London, 27-29 January 1969

List of Participants

Canada

Dr A.W.H. Needler
Mr E.B. Young
Dr F.D. McCracken
Dr A.W. May
Dr G.F.M. Smith
Mr L.H. Legault

Denmark

Mr K. Løkkegaard
Mr Sv. Aa. Horsted

France

Mr R. Lagarde
Mme G. Rossignol

Federal Republic of Germany

Dr U. Schmidt
Dr A. Meyer
Mr A. Schumacher
Mr D. Booss

Iceland

Dr J. Jonsson

Norway

Mr O. Lund
Mr E. Kvammen
Mr A. Holm
Mr S. Remoy
Mr A. Hylen

Poland

Dr F. Chrzan
Mr M. Fila
Mr Z. Pietniewicz

Portugal

Captain Tavares de Almeida

Spain

Mr J. Barcelo
Mr V. Bermejo

USSR

Dr A.S. Bogdanov
Mr A.A. Volkov
Mr L.M. Zheltov

UK

Mr J. Graham
Mr A.J. Aglen
Dr H.A. Cole
Mr A. Laing
Mr P. Parkhouse
Mr B.B. Parrish
Mrs S.P. Pollitt

USA

Mr W.M. Terry
Mr W.L. Sullivan, Jr.
Mr H. Beasley
Mr R.C. Hennemuth
Mr F. Popper
Mr J.A. Gulland

ICNAF

Executive Secretary - Mr L.R. Day

Mid-Term Meeting of Standing Committee on Regulatory Measures
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Agenda

1. Welcome by Chairman, Mr J. Graham (UK)
2. Adoption of Agenda
3. Oral statement by Chairman of ICNAF Assessments Subcommittee (Mr B.B.Parrish)
4. Consideration of USSR Proposals (ICNAF Meeting Proceedings No.16, para.5)
5. Consideration of US Paper ("Note by United States Commissioners on Catch Quota Regulatory Systems" being Contribution No.2 distributed with ICNAF Circular Letter 68/20 dated 17 December 1968)
6. Other Matters
7. Adjournment

NOTE:

The presentations referred to under Agenda Items 4 and 5 above will be examined in accordance with the guidelines set out in paragraph 7 of 1968 ICNAF Meeting Proceedings No.16, which were as follows:

- (a) the choice of fish stocks which should be protected;
- (b) the allocation of quotas between countries, including -
 - (i) the period of years for past catches to be taken as a basis for allocation;
 - (ii) the provision of an unallocated proportion of the global quota;
 - (iii) special provisions for coastal states with immobile fleets, and whose economies are heavily dependent on fishing;
- (c) the enforcement and monitoring of the regulation;
- (d) problems regarding the diversion of fishing effort following regulation,

and in the light of those points raised in Mr J.A.Gulland's paper "Some Considerations of the Problems of Controlling Effort in the ICNAF Area" (Contribution No.1 distributed with ICNAF Circular Letter 68/20 dated 17 December 1968).