

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3374
(A. a. 4)

ICNAF Comm. Doc. 74/10

ANNUAL MEETING - JUNE 1974

Summary of Inspections, Infringements, and Disposition of Infringements for 1973

by

Executive Secretary

1. In accordance with recommendation of STACTIC at the 1973 Annual Meeting that the Secretariat request the reporting of national and international inspections and infringements separately in future submissions from Member Countries, the Secretariat by Circular Letter 74/8 (dated 15 February 1974) requested Member Countries to report for the calendar year 1973 as follows:
 - (a) Use STACTIC Form 1 (02/74) to report national inspections, apparent infringements and disposition of infringements;
 - (b) Use STACTIC Form 2A (02/74) to report international inspections and apparent infringements of other countries' fishing vessels;
 - (c) Use STACTIC Form 2B (02/74) to report on the disposition of infringements observed as a result of inspections carried out by inspectors of other countries.

Member Countries were requested to airmail the completed forms to reach the Secretariat by 30 April 1974 for consideration at the 1974 Annual Meeting. The status of reporting is as follows:

Bulgaria	1 April 1974
Canada	17 May 1974
France	30 May 1974
Japan	7 May 1974
Norway	21 May 1974
Poland	9 May 1974
Portugal	22 May 1974
USSR	7 May 1974
UK	16 April 1974
USA	6 May 1974

2. Returns on national inspections and infringements (STACTIC Form 1) were received (as on 3 June 1974) from the countries listed above. Collations of these returns covering the various types of inspections are given in Table 1.
3. Returns on international inspections and infringements by inspecting countries (STACTIC Form 2A) were received from three countries (Canada, USSR and USA), four countries (Bulgaria, Norway, Poland and UK) indicated that no inspections had been carried out, and Japan indicated that no infringements had been observed by inspectors during the year. The results are summarized in Table 2A with details of infringements in Appendix I.
4. Returns on STACTIC Form 2B on disposition of infringements, observed by inspectors of other countries, were received from several countries with no infringements and from one country with disposition of infringements to report. The results are summarized in Table 2B and details are given in Appendix II.
5. Copies of the forms used to report information on inspections, infringement, etc., are in Appendix III.

Table 1. National inspections, infringements and disposition of infringements, 1973.

Regulation Country ^a	At sea ^b	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)			(10)
										Inspections	Apparent infringements	Percent of (4) on (3)	
Mesh size ^b		1	418	419	10	2.39	7	3	21	\$250	200	50	1 One prosecution lost due to insufficient evidence
France	3	3	6	0	-	-	-	-	-	-	-	-	2 Codends replaced before vessels sailed
Poland	15	19	34	0	-	-	-	-	-	-	-	-	3 More than one officer prosecuted for same infringement
Portugal	-	101	101	10	9.90	10 ²	-	-	-	-	-	-	4 No licence on board vessel
USSR	80	663	743	4	0.54	-	-	6	6 ³	R290	50	40	5 More than one officer prosecuted for same infringement
USA	21	1294	1315	3	0.02	3 ⁴	-	-	-	-	-	-	
Mesh obstructions		1	418	419	1	0.24	-	1	1	\$50	50	50	
France	-	-	-	-	-	-	-	-	-	-	-	-	
Poland	15	19	34	0	-	-	-	-	-	-	-	-	
Portugal	-	101	101	0	-	-	-	-	-	-	-	-	
USSR	80	663	743	1	0.13	-	-	2	2 ⁵	R80	40	40	
USA	-	-	-	-	-	-	-	-	-	-	-	-	
Excess landings ^d		-	270	270	3	1.11	2	1	1	\$200	200	200	
Canada	-	-	-	-	-	-	-	-	-	-	-	-	
France	-	-	-	-	-	-	-	-	-	-	-	-	
Poland	52	29	81	0	-	-	-	-	-	-	-	-	
Portugal	-	-	-	-	-	-	-	-	-	-	-	-	
USSR	64	394	458	5	1.09	-	-	6	6 ⁶	R300	50	50	
USA	21	1535	1556	1	0.06	-	-	1 ⁷	-	-	-	-	
Closed areas		2	4	6	6	100.00	-	6	2 ⁸	\$50	25	25	
Canada	-	-	-	-	-	-	-	-	-	-	-	-	
France	-	-	-	-	-	-	-	-	-	-	-	-	
Poland	-	-	-	-	-	-	-	-	-	-	-	-	
Portugal	-	-	-	-	-	-	-	-	-	-	-	-	
USSR	23	663	686	-	-	-	-	-	-	-	-	-	
USA	3	-	-	-	3 ⁹	-	-	-	-	
Fish size ^f		-	576	576	0	-	-	-	-	-	-	-	
Canada	-	-	-	-	-	-	-	-	-	-	-	-	
France	-	-	-	-	-	-	-	-	-	-	-	-	
Poland	66	23	89	0	-	-	-	-	-	-	-	-	
Portugal	-	-	-	-	-	-	-	-	-	-	-	-	
USSR	-	37	37	0	-	-	-	-	-	-	-	-	
USA	-	5	5	0	-	-	-	-	-	-	-	-	

^a Nil returns received from Bulgaria, Japan, Norway and UK.
^b Mesh size: inspections should include only those made on gears inspected which are used to fish primarily for regulated species.
^c Mesh obstruction (chafing gear, liners, etc.): returns should relate only to gears used to fish primarily for regulated species.
^d Excess landings: returns should record only those inspections on gears used to fish primarily for regulated species.
^e Closed areas: returns should record incidents of fishing in seasonally closed areas with gear capable of catching demersal species, and incidents of fishing for quota-regulated species in areas closed to such fishing following notification that a specialized fishery has ceased.
^f Fish size: returns of inspections relate to herring size limitation regulations in part of Subarea 4 and in Subarea 5.

Table 2A. Summary of returns by inspecting countries on international inspections carried out and infringements observed during 1973. (Asterisks pertain to national inspections in Table 1).

Inspecting country ¹	Type of inspection	Country inspected (No. of inspections/No. of infringements)										Total
		Bulgaria	Canada	Fed. Rep. Germany	France	Japan	Poland	Romania	Spain	USSR	USA	
Canada	Mesh size	-	*	-	-	-	2/0	-	2/0	22/0	-	26/0
	Fish size	-	*	2/0	-	3/0	7/0	-	-	8/0	-	20/0
	Quota closure	-	*	-	-	-	-	-	-	11/8 ²	-	11/8
	Refused boarding	-	*	-	-	-	-	-	-	1/1 ²	-	1/1
USSR	Mesh size	-	-	-	-	-	-	-	-	*	12/0	12/0
	Mesh obstruction	-	-	-	-	-	-	-	-	*	12/0	12/0
USA	Mesh size	1/0	1/0	2/0	1/0	3/0	21/0	2/0	1/0	32/0	*	64/0
TOTAL		1/0	1/0	4/0	1/0	6/0	30/0	2/0	3/0	74/9	24/0	146/9

¹Bulgaria, Norway, Poland and United Kingdom reported that no inspections were carried out; Japan reported that no infringements were observed by inspectors during the year but did not indicate the number of international inspections carried out.

²See Appendix I for details.

1 3 1

Table 2B. Summary of returns by inspected countries on disposition of infringements which were observed by inspecting countries in 1973.

Inspected country	Inspecting country	No. of infringements	Remarks (re type of infringement, etc.)
Bulgaria	USA	0	
Canada	USA	0	No return; see Table 2B
France	USA	0	No return; see Table 2B
Fed. Rep. Germany	Canada USA	0 0	No return; see Table 2B
Japan	Canada USA	0 0	No return; see Table 2B
Poland	Canada USA	0 0	
Romania	USA	0	No return; see Table 2B
Spain	Canada USA	0 0	No return; see Table 2B
USSR	Canada USA	2 0	Quota closure (see App. II)
USA	USSR	0	

INTERNATIONAL COMMISSION FOR THE NORTHWEST ATLANTIC FISHERIES
ANNUAL RETURN OF INSPECTIONS AND INFRINGEMENTS (INTERNATIONAL)
 (to be used by countries inspecting vessels of other countries)

Country Inspected: U.S.S.R.	Year: 1973
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SUMMARY OF INSPECTIONS AND INFRINGEMENTS

Type	No. of inspections	No. of infringements	Remarks
Mesh size	22		Mainly engaged in Silver Hake Fishery
Mesh obstruction			
Fish size	8		Engaged in 4X Herring Fishery
Seasonal closure			
Quota closure	11	8	Mainly engaged in 5Z Herring Fishery after quota reached in July.
Others			
Refused Boarding	1	1	

DETAILS OF INFRINGEMENTS (list individually)

Type of infringement	Date	Location	Remarks (e.g. date reported)
Quota Closure	Sept. 5	42°10'N 67°31'W	Sept. 27
Quota Closure	Sept. 20	42°12'N 67°03'W	Sept. 27
Quota Closure	Sept. 25	42°06'N 67°21.6'W	Sept. 27
Quota Closure	Sept. 25	42°09'N 67°22'W	Sept. 27
Quota Closure	Sept. 26	42°15'N 67°08.5'W	Sept. 27
Quota Closure	Sept. 26	42°03'N 67°11'W	Sept. 27
Quota Closure	Oct. 3	41°59.5'N 66°54.8'W	Oct. 5
Refused Boarding	Oct. 5	42°07'N 66°57'W	Oct. 5
			These infringements relate to fishing for Herring in Division 5Z of Subarea 5 following U.S.S.R. Herring Quota reached in July.
			NOTE: These dates refer to when flag state was first advised of infringements. Full report of infringements was forwarded at a later date.

Date of Return: May 6, 1974

Reported by: D.R. Bollivar
Address: Conservation & Protection Branch
Fisheries & Marine Service
Environment Canada
P.O. Box 550, Halifax, N.S.

EXPLANATORY NOTES

Countries that carried out inspections of vessels of other countries should use this form (STACTIC 2A, 02/74) to report on inspections carried out and infringements observed during the calendar year (upper part) and details of each infringement (lower part). A separate form should be used for each country whose vessels were inspected.

Several types of infringements may occur as follows:

1. Mesh size - use of trawl containing a codend or other part of the net whose average mesh size is below the minimum prescribed in the ICNAF Trawl Regulations for certain species in certain areas.
2. Mesh obstruction - use of net attachments (e.g. chafing gear, liners, etc.) other than those authorized by the Commission.
3. Fish size - the taking or possession of species, regulated by size limit, below the minimum prescribed size, except as specified in the Fishery Regulations (e.g. herring size limitation in part of Subarea 4 and in Subarea 5).
4. Seasonal closure - use, during certain periods in certain areas, of fishing gear in a manner that is capable of catching species to which the seasonal closure applies.
5. Quota closure - use of fishing gear to take quota-regulated species in an area closed to such fishing following notification that a specialized fishery for such species has ceased.
6. Others - such incidents as refusal of the captain of a fishing vessel to permit boarding by an authorized inspector, refusal to permit inspection of gear, catch, fishing log, etc.

EXPLANATORY NOTES

Countries, whose vessels were inspected by other countries and to whom infringements of the ICNAF Fishery Regulations were reported, should use this form (STACTIC 2B, 02/74) to report on the disposition of those infringements observed by inspectors of other countries during the calendar year.

Several types of infringements may be observed as follows:

1. Mesh size - use of trawl containing a codend or other part of the net whose average mesh size is below the minimum prescribed in the ICNAF Trawl Regulations for certain species in certain areas.
2. Mesh obstruction - use of net attachments (e.g. chafing gear, liners, etc.) other than those authorized by the Commission.
3. Fish size - the taking or possession of species, regulated by size limit, below the minimum prescribed size, except as specified in the Fishery Regulations (e.g. herring size limitation in part of Subarea 4 and in Subarea 5).
4. Seasonal closure - use, during certain periods in certain areas, of fishing gear in a manner that is capable of catching species to which the seasonal closure applies.
5. Quota closure - use of fishing gear to take quota-regulated species in an area closed to such fishing following notification that a specialized fishery for such species has ceased.
6. Others - such incidents as refusal of the captain of a fishing vessel to permit boarding by an authorized inspector, refusal to permit inspection of gear, catch, fishing log, etc.

INTERNATIONAL COMMISSION FOR THE NORTHWEST ATLANTIC FISHERIES

FISHERY REGULATIONS

ANNUAL RETURNS OF INFRINGEMENTS AND THEIR DISPOSITION (NATIONAL)

Country Reporting _____ Year _____

Items		Returns relating to:				
		Mesh Size ¹	Mesh Obstruction ²	Excess Landings ³	Closed Areas ⁴	Fish Size ⁵
Inspections	At sea (1)					
	In harbour (2)					
	Total (3)					
Apparent Infringements (4)						
Percentage of (4) on (3) (5)						
Warnings given (6)						
Prosecutions (4) - (6) (7)						
Successful prosecutions (8)						
Penalties imposed (in currency of reporting country)	Total					
	Highest					
	Lowest					
Remarks: (e.g. re cases pending, illegal nets, etc.)						

- 1 Mesh size: inspections should include only those made on gears inspected which are used to fish primarily for regulated species.
- 2 Mesh obstruction (chafing gear, liners, etc): returns should relate only to gears used to fish primarily for regulated species.
- 3 Excess landings: returns should record only those inspections on gears used to fish primarily for species not regulated by mesh size but which take species regulated by mesh size as incidental catches.
- 4 Closed areas: returns should record incidents of fishing in seasonally closed areas with gear capable of catching demersal species, and incidents of fishing for quota-regulated species in areas closed to such fishing following notification that a specialized fishery has ceased.
- 5 Fish size: returns of inspections relate to herring size limitation regulations in part of Subarea 4 and in Subarea 5.

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3374
(A.a.4)

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ADDENDUM I

ANNUAL MEETING - JUNE 1974

Annual return of disposition of infringements and
alleged infringements (international) 1973

USSR

1 Name of Soviet fishing vessel inspected by the Canadian inspectors	2 Conclusions of the Canadian inspectors	3 Results of investigations, proofs, evidence and conclusions of the competent Soviet authorities
<p>1. BMRT-319 <u>Roodolf Blaumanis</u> 25.IX.1973</p>	<p>First haul - 2 tons of red hake; second haul - red hake - 10%; mackerel - 20% (weight not indicated) third haul - herring 300-400 kg, including herring - 95% undersized and silver hake - 5%. The Canadian inspector reported that the last haul brought mainly herring, although the Soviet fleet has already taken its quota in Div. 5Z. The master's explanation embodied into the report indicates that those were the only herrings aboard and they were taken while testing experimentally some electronic equipment.</p>	<p>On 25 September the vessel started for Halifax. On the way the master decided to check device for controlling trawl parameters after repairs, and the mid-water trawl was shot. In two hauls there were red hake, mackerel and silver hake, there was no herring in the catch. During the third haul in the point with coordinates of 42°06'N and 67°21'6"W the trawl incidentally brought 300-400 kg of herring (95%) and silver hake (5%). The inspection having been done the vessel continued on its way to Halifax. There were no infringement of fishery regulations.</p>
<p>2. BMPT-490 <u>Ian Berzin</u> 25.IX.1973</p>	<p>During the mackerel fishery 4 tons of herring were hauled. Both in the previous and subsequent hauls silver hake and mackerel were caught. The inspector reported as an infraction the catch of 4 tons of herring in that single haul. It's written in the report that previous to that trawl, hauls consisted of silver hake and mackerel (28 tons during 2 days).</p>	<p>During the haul on the spot 3-4 tons of herring were caught incidentally. Not making another haul there the vessel left Subdiv. 5Ze. Taking into account that the master intended to fish for mackerel and caught 4 tons of herring incidentally, and the catch was inconsiderable in comparison with the amount of other species aboard, as well as that the vessel having found herring in the haul left Subdiv. 5Ze, no basis for the penalty is observed.</p>
<p>3. BMRT-361 <u>Theodor Nette</u> 26.IX.1973</p>	<p>The Canadian inspector reported mackerel with herring (less than 1/2 tons) in a haul. When checking the holds several incidental specimens of herring were found. On this basis the inspector concluded that the vessel allegedly conducted the herring fishery in the closed area though it is refuted by his own finding in the report.</p>	<p>While awaiting reloading the vessel made a haul, the catch comprised of silver hake, mackerel and small amount of herring. During hauling of the trawl aboard, a boat with a Canadian inspector of ICNAF approached the vessel. Instead of sending inspectors to the fishing deck to check the catch hauled, the master invited them to his cabin. That act was interpreted by the inspector as unwillingness to show the haul. For the wrong actions during the inspection the master of the vessel, Jurkevitch I.V., was punished by administrative measures by the chief of the fleet base. There were no infractions of fishing regulations.</p>

1	2	3
<p>4. <u>Al-436</u> <u>Zarnitsa</u> 26.IX.1973</p>	<p>The trawl was hauled and the catch inspected; it comprised of 3.5 tons of herring. The vessel had instructions from the Polar Research Fisheries Institute (PINRO) to conduct fishing operations in Subdiv. 5Ze for length and age measurements and maturity determination, for future possible assessments of stocks.</p>	<p>Al-436 <u>Zarnitsa</u> had no permission from <u>Glavrybvod</u> to conduct research fishery in the ICNAF Area. The permission aboard the vessel for research fishing issued by PINRO has no legal value, since in the USSR permissions to carry out such type of fishery are issued only by the fish protection service authorities. For the violation of Article 9, paragraph 2 of the Fishery Regulations for Soviet vessels operating in the Convention Area the master was fined and the herring, caught with infraction of the regulations, was confiscated.</p>
<p>5. <u>BMRT</u> <u>Grigoryi Schelihof</u> 26.IX.1973</p>	<p>Aboard the vessel a haul was inspected which consisted of 100% herring (the weight is not indicated in the Canadian inspector's report). The first haul on the spot brought 3 tons of mackerel and 7 tons of herring.</p>	<p>The investigation in the Soviet port indicated that the vessel was engaged in the specialized herring fishery after the prohibition had been established. The master was fined 50 roubles; the fish, caught under infraction, was confiscated. Besides, the master was punished by administrative measures.</p>
<p>6. <u>BMRT-312</u> <u>K. Pozhela</u> 5.IX.1973</p>	<p>The Canadian inspector found 500 kg herring aboard. The trawler was engaged in scouting operations for the Soviet fishing vessels operating in the area. The report does not specify any infractions.</p>	<p>The vessel was engaged in scouting operations in Subdiv. 5Ze from 28 August onward. Daily reports indicated the catch of 121 tons of mackerel, cod, flounders and red hake as of 5.IX.1973. During the day of inspection, i.e. 5 September, three hauls were made. The catch consisted of mackerel and red hake, and, in one of the hauls, of 0.5 tons of herring. This is not observed as the specialized herring fishery. It also does not follow from the report of the Canadian inspector that the vessel was conducting fishing with infractions.</p>
<p>7. <u>RTM-7015</u> <u>Goorzoof</u> 20.IX.1973</p>	<p>The registered catch in the last haul was of 1 ton of silver hake. The vessel came from the Sable area where it was fishing for hakes. There were 3 tons of herring aboard; the report did not indicate when it was caught.</p>	<p>The vessel was fishing for hakes in the Sable area. In Subdiv. 5Ze the vessel made only one haul (1 tons of silver hake and 3 tons of herring caught) and immediately left the area. There are no violations of the regulations, and that fact is also supported by the Canadian inspector's report.</p>
<p>8. <u>BMRT-0308</u> <u>Turgenev</u> 03.X.1973</p>	<p>The catch of 20 tons of herring was registered during the first haul. The Canadian inspector considered that to be an infraction.</p>	<p>On 3 October 1973 the vessel went to the mother-ship <u>Ostrov Atlasova</u>. On the way in Subdiv. 5Ze a school of mackerel was detected by echo-sounder and a 'trawl'-haul made. When the trawl was hauled aboard the catch happened to be of herring. At that time the vessel was checked by the Canadian inspector. After the inspection was made the vessel went to the mother-ship, and no more fishing in Subdiv. 5Ze was done. The catch of herring was considered as an incidental one, and no specialized herring fishery was observed.</p>

1	2	3
<p>9. <u>BMRT-319</u> <u>Roodolf Blaumanis</u> 05.X.1973</p>	<p>The vessel has not stopped in response to the inspector's signal.</p>	<p>The fact of the deliberate insubordination of the master to the request of the Canadian inspector is not observed, since the inspection vessel did not give a signal to stop by the International Signal Code. The signal raised by the inspector when the vessel was moving was not understood, furthermore due to the fact that the inspector had no right to stop the vessel in the process of actual fishing.</p>
<p>10. <u>SRTM-8013</u> <u>Betergeuse</u> 23.I.1973</p>	<p>In the Canadian inspector's report it's indicated that there were 25 tons of haddock and 500 lb of other species aboard the vessel. It was also reported that the master stated the vessel to be engaged in research survey. The report mentions no infractions. However, a "Report on boarding of Soviet trawler <u>Betergeuse</u> N8013", which was not signed by anybody and was evidently prepared at a later stage in an arbitrary form, was attached to the inspector's report. That paper, prepared in violation of the Scheme of Joint International Control, maintains that the vessel allegedly conducted no research survey, there were no Soviet scientists aboard, etc.</p>	<p>The investigation indicated that the vessel had official permission of <u>Glavrybvod</u> N165 for fishing for research purposes. There was a scientific group aboard the vessel, which consisted of Goldyn D.A., and ichtyologists Mordashev M.A., Schaschkov N.A. and Bezooglov N.N. The group was collecting research data to improve the methods of short-term forecasting of fishing conditions and for stock assessments purposes, in particular data on age composition and the state of haddock stocks, since such data were unobtainable from commercial fishing vessels, for which fishing for haddock was not allowed. In the report of the Canadian inspector, signed by the master, the existence of infractions was not indicated. The attached "report" has no legal value, since, in accordance with item 5 of the Scheme of Joint International Control, an inspector can prepare a report on inspection only in the form approved by the Commission and such a report shall be signed by the inspector and shown to the master for his remarks.</p>

The Soviet fish protection service inspection draws attention to the inadmissible delay in the presentation by the Canadian side of the reports on allegedly discovered infractions of the ICNAF recommendations by its inspectors.

In 9 out of the 10 above-mentioned cases the reports were submitted to the Soviet side through diplomatic channels 4 and more months after the inspections were conducted, i.e. when all the crews of the inspected vessels left the Northwest Atlantic area. That created great difficulties in carrying out additional investigations, necessary to check the information contained in the Canadian inspector's reports and to confiscate illegally caught fish. Such practice is difficult to explain in the light of the repeated statements by the Canadian side on its desire to increase the effectiveness of the Scheme of Joint International Control.

