

International Commission for



the Northwest Atlantic Fisheries

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ANNUAL MEETING - JUNE 1979

Proceedings
of the
Tenth Special Commission Meeting - March 1979

Montreal, Canada
7-9 March 1979

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Serial No. 5371

Proceedings No. 1

TENTH SPECIAL COMMISSION MEETING - MARCH 1979Report of the First Plenary Session

Wednesday, 7 March, 1030 hrs

1. The First Plenary Session of the Tenth Special Meeting of the Commission was convened in the Mackenzie Room of the Queen Elizabeth Hotel, Montreal, Canada, at 1030 hrs on 7 March 1979. The meeting was called to order by the Chairman, Mr S. Ohkuchi (Japan), who welcomed the representatives of all the ICNAF Member Countries, except Romania, and the observers from Denmark (Faroe Islands), the European Economic Community (EEC), the Food and Agriculture Organization of the United Nations (FAO), and the Government of the United States of America (USA) (Appendix I) as follows:

"Commissioners, Ladies, and Gentlemen:

"Most probably this year will be the last year for ICNAF which has been playing a very leading role since 1950, in the conservation and management of the Northwest Atlantic fishery resources, and I have been honoured to attend ICNAF meetings as Commissioner since 1971. This Commission, to which I feel, and I am quite sure that all of us feel, so attached, will cease to function before long. Let us make this meeting most fruitful to keep alive the good and old tradition of friendship and cooperation of ICNAF to be passed on with pride to the NAFO meeting scheduled to be held just after this meeting.

"Now let us get down to business."

2. The provisional Plenary Agenda (Appendix II) was adopted. The Chairman announced that the Depositary Government for NAFO (the Government of Canada) was planning the official opening of the Organization at 1430 hrs on Thursday, 8 March, not on Friday, 9 March, as shown on the provisional timetable. The Agenda for the Inaugural Meeting of NAFO was being distributed later in the day. The delegate of Canada announced that the Canadian Government would host a reception, from 1800 to 2000 hrs, on Thursday evening. The Plenary agreed that the Executive Secretary should act as Rapporteur.

3. Under Plenary Item 3, Publicity, the Plenary agreed that the Chairman of the Commission, the Chairman of STACFAD, and the Executive Secretary would comprise a committee to prepare a press statement.

4. Under Plenary Item 4, Status of ICNAF and NAFO, the Chairman reviewed the present membership of ICNAF. Following the withdrawal on 31 December 1978 of the following countries: Denmark, France, Federal Republic of Germany, Italy, and UK, and the withdrawal on 31 December 1977 of the USA, the Members of ICNAF are: Bulgaria, Canada, Cuba, German Democratic Republic, Iceland, Japan, Norway, Poland, Portugal, Romania, Spain, and the USSR. Depositary Government (Canada) advised that the following Contracting Parties are Members of NAFO: Canada, Cuba, the European Economic Community (EEC), German Democratic Republic, Iceland, Norway, Romania, and the USSR.

5. Under Plenary Item 5, Arrangements re Termination of ICNAF, and 6. Financial Arrangements, the Chairman referred to a paper prepared by Canada regarding the termination of ICNAF (see Appendix I to the Report of STACFAD) and suggested that, since this paper and Item 6 of the Agenda were very closely related, they should be considered together. The Plenary agreed to refer the Canadian paper and Items 5 and 6 to STACFAD to consider and to report back to the Plenary.

The Chairman drew attention to the membership of STACFAD which, with the withdrawal of the Federal Republic of Germany and the UK, required two new members. The Plenary, with the concurrence of Japan and Norway, was pleased to accept these Member Countries as the new members of STACFAD.

6. Under Plenary Item 7, Conservation of Capelin and Squid Stocks in Subareas 3 and 4, the Chairman drew attention to the past procedure of having Canada arrange Informal Intergovernmental Consultations to determine the TAC and national allocations for the fish stocks which lie partly inside and partly outside national fishing limits in Subareas 3 and 4. The results of these consultations would then be considered for adoption in ICNAF by a joint meeting of Panels 3 and 4. The stocks to be considered were capelin in Div. 3LNO, and squid in Subareas 3 and 4. The Plenary agreed to this procedure.

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7. Under Plenary Item 9, Report of STACRES on Seals and Shrimp, the Chairman drew attention to the Report which was distributed as Sum. Doc. 79/VI/1. He pointed out that the meeting had been convened to provide advice to Canada on the management of harp and hooded seals on the Front and in the Gulf in the Convention Area, and to Canada and the EEC on shrimp in Subarea 1 and Statistical Area 0. The advice contained in the Report had been passed to Canada and the EEC. The Plenary adopted the Report.

8. Under Plenary Item 10, Report of STACRES on Capelin and Squid, the Chairman drew attention to the Report distributed as Sum. Doc. 79/VI/5, and requested the Chairman of STACRES, Dr G. H. Winters (Canada), to present the Report to the Plenary. Following the presentation, the delegate of Canada advised that proposals for the TACs and allocations would be elaborated during Informal Intergovernmental Consultations convened by Canada and presented to the Joint Meeting of Panels 3 and 4 for consideration. He also drew attention to the strong plea recorded by STACRES for Member Countries to ensure the presentation of timely statistics to the Secretariat for use at the March meeting of the Assessments Subcommittee. Such information was vital to ensure the best possible scientific stock assessments and advice for management. The Plenary adopted the Report and thanked the scientists for their continued good efforts.

9. Under Plenary Item 8, Report of STACTIC, the Chairman reported that the STACTIC Working Group on Improvements to the International Inspection Scheme had completed its work during the past two days and a report would be available for consideration by STACTIC this afternoon.

10. Under Plenary Item 14, Canadian Request for Changes in Statistical Reporting Areas for Baffin Bay and the Davis Strait, the Chairman noted that Com. Doc. 79/III/5 contained the Canadian request. The delegate of Canada requested that this item be deferred to a later Plenary session. The Plenary agreed.

11. The Plenary agreed that the Plenary Agenda Items 11, 12, and 13 would be considered at a later Plenary session.

12. There being no other business, the Plenary adjourned at 1115 hrs, 7 March.

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

List of Participants

(Head of Delegation underlined>

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TENTH SPECIAL COMMISSION MEETING - MARCH 1979

Plenary Sessions

Agenda

PROCEDURES

1. Opening
2. Agenda
3. Publicity

ICNAF/NAFO TRANSITIONAL ARRANGEMENTS

4. Review of present status of ICNAF and NAFO
5. Arrangements re termination of ICNAF
6. Financial arrangements

CONSERVATION MEASURES

7. Conservation of fish stocks lying partly inside and partly outside national fishing limits in Subareas 3 and 4 (*Sum. Doc. 79/III/5*)
 - (a) Capelin in Div. 3LNO of Subarea 3 (*1978 Annu. Mtg. Proc. 7*)
 - (b) Squid in Subareas 3 and 4 (*1978 Annu. Mtg. Proc. 7*)

ENFORCEMENT

8. Consideration of proposals for improvements to the ICNAF Joint International Enforcement Scheme (*1978 Annu. Mtg. Proc. 7*)

REPORTS OF COMMITTEES AND PANELS

9. Report of Special STACRES Meeting on Seals and Shrimp, Bergen, Norway, 14-17 November 1978 (*Sum. Doc. 79/VI/1*)
10. Report of Special STACRES Meeting on Capelin and Squid, Tokyo, Japan, 14-21 February 1979 (*Sum. Doc. 79/VI/5*)
11. Report of Meeting of STACFAD
12. Report of Joint Meeting of Panels 3 and 4
13. Report of Meeting of STACTIC

OTHER MATTERS

14. Other Business
 - (a) Canadian request for changes in statistical reporting areas for Baffin Bay and the Davis Strait (*Ccm. Doc. 79/III/5*)
15. Date and Location of Future Meetings
16. Press Statement
17. Adjournment



Serial No. 5372

Proceedings No. 2

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

Report of Meeting of the Standing Committee on International Control (STACTIC)

Wednesday, 7 March, 1440 hrs

1. Opening. The Executive Secretary opened the meeting. Representatives from all Member Countries, except Romania, and observers from the European Economic Community (EEC), the Food and Agriculture Organization of the United Nations (FAO), and USA were present.
2. Election of Chairman. STACTIC unanimously agreed that Captain A. S. Gaspar (Portugal) should act as Chairman of the meeting.
3. Improvements to the Scheme of Joint International Enforcement. The Chairman drew attention to the Report of the STACTIC Working Group on Improvements to the Scheme (Appendix I). Following detailed discussion of the amendments proposed by the Working Group and by the members of STACTIC, STACTIC
agreed to recommend
 that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (1) for amendments to paragraphs 4 and 5 of the Scheme of Joint International Enforcement (Appendix II).
4. The Chairman requested comment on the Working Group proposal for actions to be taken by the Executive Secretary following information on Member Countries reaching their catch allocations. Taking account of minor editorial changes, STACTIC
agreed to recommend
 that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (2) regarding actions to be taken by the Executive Secretary following information on Member Countries reaching their catch quotas (Appendix III).
5. The Chairman drew attention to the recommendation of the Working Group regarding a Canadian proposal for an International Observer Program and, after some discussion, STACTIC
agreed to recommend for adoption by the Commission
 that STACRES consider such further steps which might be desirable to implement the scientific observer scheme as adopted in 1975, and that the STACRES report on this subject be further discussed in a joint meeting of STACRES and STACTIC at the time of the 1979 Annual Meeting.
6. The Chairman drew attention to the Working Group recommendation regarding the EEC proposal to substitute the following for the sixth sentence of paragraph 5(i) of the Scheme for Joint International Enforcement:
 "The master must sign such observations and he must also sign the report. The latter signature shall be preceded by the following text which shall be printed in the report:
 " I, the undersigned master of the vessel..... hereby confirm that a copy of this report has been delivered to me on this date. My signature does not constitute acceptance of any part of the contents of the report.

Date:

Signature:

"

STACTIC agreed to accept the recommendation of the Working Group and to defer the proposal for further discussion at a STACTIC Working Group meeting in June 1979.

7. There being no other business, the Chairman declared the meeting of STACTIC adjourned at 1600 hrs.

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TENTH SPECIAL COMMISSION MEETING - MARCH 1979Report of Meetings of the STACTIC Working Group

Monday, 5 March, 1000 hrs

Tuesday, 6 March, 1000 hrs

1. Opening. The meeting was called to order by the Chairman, Mr L. G. Riche (Canada).
2. Rapporteur. Mr D. W. Kulka (Canada) was designated Rapporteur.
3. Participants. Representatives from Bulgaria, Canada, Cuba, Japan, Norway, Poland, Portugal, Spain, and USSR were present. Observers were also present from Denmark (Faroe Islands), the European Economic Community (EEC), and USA.
4. Adoption of Agenda. The Chairman welcomed the participants and advised that the meeting was a continuation of the meeting of the STACTIC Working Group held in Bonn to consider improvements to the Scheme of Joint International Enforcement (June 1978 Mtg. Proc. 2, Appendix I, p. 7-9). The Agenda as circulated, covering Com. Docs. 79/III/2, 3, and 4, was adopted.
5. Proposals for Improvements to the Scheme (Com. Doc. 78/VI/1, 79/III/2, 3, and 4)
 - (a) Norway. Re paragraph 4(i)(a) of the Scheme of Joint International Enforcement (Com. Doc. 78/VI/1, p. 42-53), a proposal by Norway (Com. Doc. 79/III/2) stated that

"within waters under its fishery jurisdiction, all fishing vessels shall use a pilot ladder enabling inspectors or other officials to embark and disembark safely. The ladder shall be used in accordance with our national rules which impose adequate handholds, necessary lighting, etc. Our national rules for the use of pilot ladders are in accordance with Regulation 17 of Chapter V in the International Convention for the Safety of Life at Sea (SOLAS), 1974.

"Bearing in mind the concern expressed by Canada (at the June 1978 Meeting of the Working Group) about the safety of inspection officers when boarding fishing vessels at sea, I propose that pilot ladders should be used as laid down in SOLAS and that paragraph 4(i)(a) should read:

"A pilot ladder which shall be used in accordance with Regulation 17 of Chapter V in the International Convention for the Safety of Life at Sea (SOLAS), 1974;"

After an exchange of views, the Working Group

agreed to recommend

that paragraph 4(i)(a) of the Scheme should be changed to read as follows:

"A boarding ladder constructed and used as described in Annex C to this Scheme; or" (Annex 1).

- (b) Canada. A Canadian proposal (Com. Doc. 79/III/3) suggested that
 - (i) paragraph 4(iii) of the Scheme be amended to read as follows:

"Fishery support vessels in transit which have not engaged in any fishing or transfer operations while in the Convention Area are not subject to boarding under the Scheme."

The delegate of Cuba felt that inspection of support vessels should be carried out only as required under the present Scheme, i.e., only when these vessels are actually engaged in fishing support activities. To stop support vessels under other circumstances would bring delays, disrupt schedules, and bring about economic loss. After some discussion, the observer from the EEC proposed rewording the proposal to clarify the meaning of support vessel. Other proposals from the observer from the EEC and from the delegates of Poland and Spain received considerable discussion. Finally, the Working Group agreed that two alternative proposals as detailed in Annex 2 (a) and (b) would be presented to STACTIC for consideration and choice of which to recommend to the Commission for adoption.

- (ii) Regarding paragraph 4 of the Scheme, the Canadian proposal to add the following as paragraph 4(vi) was accepted:

"The vessel in charge of a pair trawling operation shall be required to identify itself by flying a pennant or flag on the approach of an inspector."

- (iii) Further, regarding paragraph 4 of the Scheme, the Canadian proposal to add the following as paragraph 4(vii):

"Flag states shall be required to inform the Executive Secretary when an inspection vessel of that state is operating in the Convention Area."

was discussed at length. The observer from the EEC suggested that the wording of the text be changed to reflect the fact that the amended Enforcement Scheme would be adopted for use in NAFO in the near future and that the terms "flag state", "Contracting Government", and "Convention Area" used in ICNAF might be replaced by the terms "Contracting Party" and "Regulatory Area". The Working Group agreed that it would use the ICNAF terminology and that NAFO terminology would be footnoted.

- (iv) Regarding paragraph 5(i) of the Scheme, the Canadian proposal recommended that the last sentence be amended to read as follows:

"A copy of the report shall be given to the master of the vessel and the original shall be transmitted, within 30 days whenever possible, to the appropriate authority of the flag state of the inspected vessel. A copy shall be forwarded to the Commission."

After only brief discussion, the Working Group accepted this recommended change.

- (v) Concerning paragraph 5(ii) of the Scheme, the Canadian proposal to change the words "near the working deck" to "on or below decks" was not accepted by the Working Group because it was felt that including "on or below decks" could lead to inspection of gear stored below decks for use outside the Convention Area.
- (vi) Regarding paragraph 5(iii) of the Scheme, the Canadian proposal suggested that after the word "catch" in the first sentence, the words "and withdraw samples" be added. This proposal was rejected and the original regulation remains the same.
- (vii) Further, regarding paragraph 5(iii) of the Scheme, the Canadian proposal recommended that the last sentence be deleted to avoid ambiguity. This proposal was accepted by the Working Group.
- (viii) Regarding paragraph 5(iv) of the Scheme, the Canadian recommendation adding the words "processing log or processing records" after the words "fishing log" on line 3 was withdrawn by the delegate of Canada.
- (ix) Regarding paragraph 5(iv) of the Scheme, the Canadian proposal to insert "and shall sign such notations" after the word "observed" was accepted by the Working Group. Further, regarding paragraph 5(iv), the Working Group considered the Canadian proposal to add a section which would include the definition of the terms "catch" and "sea fish". After considerable discussion, the observer from the EEC proposed that the words "fishing for sea fish" be replaced by "fishing" and "the treatment of sea fish" be replaced with the words "the treatment of catch". The Working Group agreed that the Executive Secretary should review the Scheme of Joint International Enforcement to note for later discussion where such wording might be inappropriate.

- (c) Canada. A Canadian proposal to authorize the Executive Secretary to close a fishery in special circumstances was presented as proposal (1) in Com. Doc. 79/III/4 as follows:

"When information satisfactory to the Executive Secretary indicates that a national quota has been taken in the Convention Area which lies beyond the areas in which coastal states exercise fisheries jurisdiction, he shall immediately inform authorities of the Member Country, requesting that action be taken to close the fishery for the species in question. If no action is taken by the notified country within seven days, the Executive Secretary shall be authorized to close that country's fishery for the species for which its national allocation has been taken."

The Working Group discussed the proposal and several amendments at great length and finally

agreed to recommend to STACTIC

that the amended proposal at Annex 3 be adopted.

- (d) Canada. A second Canadian proposal included in Com. Doc. 79/III/4 to establish an International Observer Program read as follows:

"In order to improve the level of compliance with ICNAF regulations and the acquisition of technical data, the Commission will adopt an International Observer Scheme to apply in the

Convention Area which lies beyond the areas in which coastal states exercise fisheries jurisdiction authorizing Member Nations to place observers on board vessels of other Member Countries for the purpose of collecting technical data on fishing gear and methods, catches, etc."

After considerable discussion which included the legal and practical problems regarding acceptance of such a proposal, the Executive Secretary drew attention to the resolution relating to the adoption of a scientific observer scheme which the Commission had adopted at the Annual Meeting in June 1975 (1975 ICNAF Mtg. Proc. No. 4, Appendix VI). The delegate of Canada proposed and the Working Group

agreed to recommend

that STACRES consider the June 1975 resolution in the light of the proposed International Observer Program at its March 1979 meeting in preparation for the development of a proposed International Observer Program at a joint meeting of STACTIC and STACRES at the time of the June 1979 Annual Meeting.

The delegate of Canada requested that written proposals in this regard be submitted for consideration.

- (e) EEC. An EEC proposal to amend paragraph 5 of the Scheme by substituting the sixth sentence of paragraph 5(1) with the following:

"The master must sign such observations and he must also sign the report. The latter signature shall be preceded by the following text which shall be printed on the report:

"I, the undersigned master of the vessel..... hereby confirm that a copy of this report has been delivered to me on this date. My signature does not constitute acceptance of any part of the contents of the report.

Date: _____
Signature: _____

received considerable support from the members of the Working Group which agreed to defer a decision on the proposal to a meeting of the Working Group in June 1979.

6. Adjournment. There being no other business, the Chairman thanked all participants for their contributions to the discussions and declared the meeting adjourned at 1700 hrs.

TENTH SPECIAL COMMISSION MEETING - MARCH 1979Proposed addendum to the ICNAF¹ Scheme of Joint International Enforcement
regarding the description and use of a boarding ladder on fishing and support vessels

Annex C. Integral part of the ICNAF¹ Scheme of Joint International Enforcement to describe the boarding ladder and its use by fishing vessels and support vessels conducting fishing operations within the Convention Area.

Boarding Ladders

Fishing vessels with an overall length greater than 30 m (100 feet) and support vessels subject to inspections under the Scheme of Joint International Enforcement shall comply with the following requirements.

- I. The boarding ladders shall be efficient for the purpose of enabling inspectors to embark and disembark at sea safely. The boarding ladders are to be kept clean and in good order.
- II. The ladder shall be secured in a position so that it is clear from any possible discharges from the ship, that each step rests firmly against the ship's side, that it is clear so far as practicable of the finer lines of the ship and that the inspector can gain safe and convenient access to the ship.
- III. The steps of the boarding ladder shall be:
 - (a) of hardwood or other material of equivalent properties, made in one piece free of knots, having an efficient non-slip surface; the four lowest steps may be made of rubber of sufficient strength and stiffness or of other suitable material of equivalent characteristics;
 - (b) not less than 480 mm (19 inches) long, 115 mm (4-1/2 inches) wide, and 25 mm (1 inch) in depth, excluding any non-slip device; and
 - (c) equally spaced not less than 300 mm (12 inches) nor more than 380 mm (15 inches) apart and may be secured in a manner that they will remain horizontal.
- IV. No boarding ladder shall have more than two replacement steps which are secured in position by a method different from that used in the original construction of the ladder and any steps so secured shall be replaced, as soon as reasonably practicable, by steps secured in position by the method used in the original construction of the ladder.
- V. The side ropes of the ladder shall consist of two uncovered manila or equivalent ropes not less than 60 mm (2-1/2 inches) in circumference on each side; each rope shall be continuous with no joints below the top step; two man ropes properly secured to the ship and not less than 65 mm (2-1/2 inches) in circumference and a safety line shall be kept at hand ready for use if required.
- VI. Battens made of hardwood, or other material of equivalent properties, in one piece and not less than 1.80 m (5 feet 10 inches) long, shall be provided at such intervals as will prevent the boarding ladder from twisting. The lowest batten shall be on the fifth step from the bottom of the ladder and the interval between any batten and the next shall not exceed 9 steps.
- VII. Means shall be provided to ensure safe and convenient passage onto or into and off the ship between the head of the pilot ladder or of any accommodation ladder or other appliance provided. Where such passage is by means of a gateway in the rails or bulwark, adequate handholds shall be provided. Where such passage is by means of a bulwark ladder, such ladder shall be securely attached to the bulwark rail or platform and two handhold stanchions shall be fitted at the point of boarding or leaving the ship not less than 0.70 m (2 feet 3 inches) nor more than 0.80 m (2 feet 7 inches) apart. Each stanchion shall be rigidly secured to the ship's structure at or near its base and also at a higher point, shall be not less than 40 mm (1-1/2 inches) in diameter and shall extend not less than 1.20 m (3 feet 11 inches) above the stop of the bulwark.
- VIII. Lighting shall be provided at night such that both the boarding ladder overside and also the position where the inspector boards the ship shall be adequately lit. A lifebuoy equipped with a self-igniting light shall be kept at hand ready for use. A heaving line shall be kept at hand ready for use if required.

¹ In NAFO = NAFO

- IX. Means shall be provided to enable the boarding ladder to be used on either side of the ship.
- X. The rigging of the ladder and the embarkation and disembarkation of an inspector shall be supervised by a responsible officer of the ship.
- XI. Where on any ship constructional features such as rubbing bands would prevent the implementation of any of these provisions, special arrangements shall be made to the satisfaction of the Commission to ensure that persons are able to embark and disembark safely.

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

Alternate proposals for amendment of paragraph 4(i) of the
Scheme of Joint International Enforcement

Alternate (a)

"4. (i) Inspection and control under this Scheme shall apply to:

- (a) fishing vessels which are or have been engaged during their present voyage in fishing in that part of the Convention Area where the Scheme applies¹;
- (b) vessels equipped for processing of fish on board which are or have been engaged during their present voyage in transfer of fish operations in that part of the Convention Area where the Scheme applies¹; and
- (c) transport vessels which are actually engaged in the transfer of fish in that part of the Convention Area where the Scheme applies¹."

Alternate (b)

"4. (i) Inspection and control under this Scheme shall apply to the following types of vessels in relation to the following operations only when they are carried out in that part of the Convention Area to which this Scheme applies¹:

- (a) fishing vessels which are or have been engaged during their present voyage in fishing operations;
- (b) vessels equipped for processing fish on board which are or have been engaged during their present voyage in transfer of fish operations; and
- (c) transport vessels which are actually engaged in transfer of fish operations."

¹ In NAFO "in that part of the Convention Area where the Scheme applies" = "in the Regulatory Area".

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

Proposal relating to actions to be taken by the Executive Secretary following
information on Member Countries reaching their catch quotas

1. When information satisfactory to the Executive Secretary indicates that there are reasonable grounds for believing that the national¹ quota of a Contracting Government² has been taken in a fishery which lies beyond the areas in which coastal states exercise fisheries jurisdiction, or in a fishery that takes place on a stock which occurs both inside a coastal state's fisheries jurisdiction and in the area beyond the coastal state's fisheries jurisdiction, he shall immediately inform the authorities of that Contracting Government². If, within 15 days, no action is taken by that Contracting Government², nor satisfactory information given that the national¹ quota has not been taken, the Executive Secretary shall so report to the Commission.

¹ In NAFO, delete "national".

² In NAFO = Contracting Party or Parties

TENTH SPECIAL COMMISSION MEETING - MARCH 1979(1) Proposal for Amendment of the Scheme of Joint International Enforcement of the Fishery Regulations in the Convention Area and in Statistical Areas 0 and 6

STACTIC recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That, pursuant to paragraph 3 of Article VIII of the Convention, paragraphs 4 and 5 of the Scheme of Joint International Enforcement, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973/74, pages 87-88), the Eighth Special Meeting (Annual Report Vol. 26, 1975/76, page 61), and the Twenty-Sixth Annual Meeting (Annual Report Vol. 26, 1975/76, page 105), be replaced by the following:

- "4. (i) Inspection and control under this Scheme shall apply to the following types of vessels in relation to the following operations only when they are carried out in that part of the Convention Area and of Statistical Areas 0 and 6¹ to which this Scheme applies:
- (a) fishing vessels which are or have been engaged during their present voyage in fishing operations;
 - (b) vessels equipped for processing fish on board which are or have been engaged during their present voyage in fish transferring operations; and
 - (c) transport vessels which are actually engaged in fish transferring operations.
- (ii) The master of a vessel to which inspection and control apply shall facilitate boarding when given the appropriate signal in the International Code of Signals by a vessel or a helicopter carrying an inspector. The vessel to be boarded shall not be required to stop or manoeuvre when fishing, shooting, or hauling. The master shall nonetheless provide:
- (a) a boarding ladder constructed and used as described in Annex C to this Scheme; or
 - (b) such assistance to boardings from helicopters as specified in Annex A to this Scheme.
- In either case, the master shall observe the ordinary practice of good seamanship to enable an inspection party to board as soon as practicable. With respect to personnel helicopter hoist transfers, in certain circumstances such as those cited in paragraph 7 of Annex A, a boarding, using the helicopter hoist transfer procedure, will not be attempted.
- (iii) The procedures established for personnel helicopter hoist transfers are not intended to place a higher duty of care upon the master of a fishing vessel than would otherwise be the case under International Law.
- (iv) An inspection party will consist of one inspector in charge of making the inspection who may be accompanied by additional inspectors appointed under this Scheme and not more than two witnesses. The word "inspector" hereafter refers only to the inspector in charge unless it is clear that all inspectors appointed under this Scheme and included in the inspection party are referred to.
- (v) The master shall enable the inspector to examine and photograph catch, nets, or other gear and any relevant documents as the inspector deems necessary to verify the observance of the Commission's regulations in force in relation to the flag state² of the vessel concerned.
- (vi) The vessel in charge of a pair trawling operation shall be required to identify itself by flying a pennant or flag on the approach of an inspector.
- (vii) Flag states² shall be required to inform the Executive Secretary when an inspection vessel of that state² is operating in the Convention Area¹.
- "5. (i) Inspections shall be made so that the vessel suffers the minimum interference and inconvenience. The inspector shall limit his inquiries to the ascertainment of the facts in relation to the observance of the Commission's regulations in force in

¹ In NAFO = Regulatory Area

² In NAFO = Contracting Party or Parties

relation to the flag state² of the vessel concerned. In making his examination, the inspector may ask the master for any assistance he may require. He shall draw up a report of the inspection on a form approved by the Commission. The inspector shall sign the report in the presence of the master who shall be entitled to add or have added to the report any observations which he may think suitable. The master must sign such observations, and he must sign the report without prejudice to future proceedings. A copy of the report shall be given to the master of the vessel and the original shall be transmitted, within 30 days whenever possible, to the appropriate authority of the flag state² of the inspected vessel. A copy shall be forwarded to the Commission.

- (ii) Inspectors shall have authority to inspect all fishing gear on or near the working deck and readily available for use, and the catch on and below decks. Fishing gear shall be inspected in accordance with the regulations in force for the Subarea in which the inspection takes place. The number of undersized meshes and the width of each mesh in the nets examined shall be entered in the inspector's report together with the average width of the meshes examined.
- (iii) The inspector shall have authority, subject to any limitations by the Commission, to carry out such examination and measurement of the catch as he deems necessary to establish whether the Commission's regulations are being complied with.
- (iv) Where an apparent infringement of the regulations is observed, the inspector shall examine the bridge log, fishing log, or other pertinent documents which contain information relevant to the apparent infringement. The inspector shall enter a notation in the fishing logbook or other relevant document stating the date, location, and type of apparent infringement observed and shall sign such notations. The inspector may make a true copy of any relevant entry in such a document, and shall require the master of the vessel to certify in writing on each page of the copy that it is a true copy of such entry. The inspector shall have full opportunity to document evidence of the apparent infringement with photographs of the relevant fishing vessel, gear, catch, and logs or other documents, in which case copies of the photographs shall be attached to the copy of the report to the flag state².
- (v) Where an inspecting officer observes an apparent infringement of the regulations prohibiting:
 - (a) fishing in a closed area or with gear prohibited in a specific area;
 - (b) fishing for stocks or species in a region after the date on which the Contracting Government² having jurisdiction over the inspected vessel has notified the Executive Secretary that persons under its jurisdiction will cease a directed fishery for those stocks or species;
 - (c) fishing in an "Others" quota without prior notification to the ICNAF³ Secretariat, or more than 10 days after the "Others" quota for that stock or species has been taken and Contracting Governments² have been so informed by the Executive Secretary; or
 - (d) fishing without proper flag state² registration documents for the area where the vessel is found fishing;

the inspector shall, with a view toward facilitating flag state² action on the apparent infringement, immediately attempt to communicate with an inspector of the inspected vessel's flag state² known to be in the vicinity, or the authority of the inspected vessel's flag state² designated in accordance with paragraph 1 above. The master of the inspected vessel shall arrange for messages to be sent and received by using his radio equipment and operator for this purpose. At the request of the inspector, a master shall cease all fishing which appears to the inspector to be in contravention of regulations cited above. During this time, the inspector shall complete the inspection and, if he is unable to communicate with an inspector or designated authority of the flag state² within a reasonable period of time, he shall leave the inspected vessel and communicate as soon as possible with an inspector or designated authority of the flag state². However, if he succeeds in establishing communications while on board the inspected vessel, and provided that the inspector or designated authority of the flag state² agrees, the inspector may remain aboard the inspected vessel. So long as the inspector remains aboard, the master may not resume fishing until the inspector is reasonably satisfied either with the action taken by the vessel's master, or as a result of his communication with an inspector or designated authority of the flag state², that the vessel will not repeat the apparent infringement for which it has been cited.

² In NAFO = Contracting Party or Parties

³ In NAFO = NAFO

- (vi) The inspector may request that the master remove any part of the fishing gear which appears to the inspector to have been used in contravention of the Commission's regulations in force in relation to the flag state² of the vessel concerned. An identification mark approved by the Commission shall be affixed to any part of the fishing gear which appears to the inspector to have been so used, whether removed or not, and the inspector shall record these facts on his report. The mark shall be so affixed as to ensure that this part of the gear will be preserved with the mark attached, and it shall be so preserved until it has been viewed by an inspector or designated authority of the inspected vessel's flag state² who shall determine the subsequent disposition of the gear.
- (vii) The inspector may photograph the fishing gear in such a way that the identification mark and measurements of the fishing gear are visible, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag state²."

NOTE: Attached is Annex C which forms an integral part of this proposal.

² In NAFO = Contracting Party or Parties

"Annex C. Integral part of the ICNAF³ Scheme of Joint International Enforcement to describe the boarding ladder and its use by vessels to which inspection and control apply.

Boarding Ladders

Fishing vessels with an overall length greater than 30 m (100 feet) and support vessels subject to inspection under the Scheme of Joint International Enforcement shall comply with the following requirements.

- I. The boarding ladders shall be efficient for the purpose of enabling inspectors to embark and disembark at sea safely. The boarding ladders are to be kept clean and in good order.
- II. The ladder shall be secured in a position so that it is clear from any possible discharges from the ship, that each step rests firmly against the ship's side, that it is clear so far as practicable of the finer lines of the ship and that the inspector can gain safe and convenient access to the ship.
- III. The steps of the boarding ladder shall be:
 - (a) of hardwood or other material of equivalent properties, made in one piece free of knots, having an efficient non-slip surface; the four lowest steps may be made of rubber of sufficient strength and stiffness or of other suitable material of equivalent characteristics;
 - (b) not less than 480 mm (19 inches) long, 115 mm (4-1/2 inches) wide, and 25 mm (1 inch) in depth, excluding any non-slip device; and
 - (c) equally spaced not less than 300 mm (12 inches) nor more than 380 mm (15 inches) apart and may be secured in a manner that they will remain horizontal.
- IV. No boarding ladder shall have more than two replacement steps which are secured in position by a method different from that used in the original construction of the ladder and any steps so secured shall be replaced, as soon as reasonably practicable, by steps secured in position by the method used in the original construction of the ladder.
- V. The side ropes of the ladder shall consist of two uncovered manila or equivalent ropes not less than 60 mm (2-1/2 inches) in circumference on each side; each rope shall be continuous with no joints below the top step; two man ropes properly secured to the ship and not less than 65 mm (2-1/2 inches) in circumference and a safety line shall be kept at hand ready for use if required.
- VI. Battens made of hardwood, or other material of equivalent properties, in one piece and not less than 1.80 m (5 feet 10 inches) long, shall be provided at such intervals as will prevent the boarding ladder from twisting. The lowest batten shall be on the fifth step from the bottom of the ladder and the interval between any batten and the next shall not exceed 9 steps.
- VII. Means shall be provided to ensure safe and convenient passage onto or into and off the ship between the head of the pilot ladder or of any accommodation ladder or other appliance provided. Where such passage is by means of a gateway in the rails or bulwark, adequate handholds shall be provided. Where such passage is by means of a bulwark ladder, such ladder shall be securely attached to the bulwark rail or platform and two handhold stanchions shall be fitted at the point of boarding or leaving the ship not less than 0.70 m (2 feet 3 inches) nor more than 0.80 m (2 feet 7 inches) apart. Each stanchion shall be rigidly secured to the ship's structure at or near its base and also at a higher point, shall be not less than 40 mm (1-1/2 inches) in diameter and shall extend not less than 1.20 m (3 feet 11 inches) above the stop of the bulwark.
- VIII. Lighting shall be provided at night such that both the boarding ladder overside and also the position where the inspector boards the ship shall be adequately lit. A lifebuoy equipped with a self-igniting light shall be kept at hand ready for use. A heaving line shall be kept at hand ready for use if required.
- IX. Means shall be provided to enable the boarding ladder to be used on either side of the ship.
- X. The rigging of the ladder and the embarkation and disembarkation of an inspector shall be supervised by a responsible officer of the ship.
- XI. Where on any ship constructional features such as rubbing bands would prevent the implementation of any of these provisions, special arrangements shall be made to the satisfaction of the Commission to ensure that persons are able to embark and disembark safely."

³ In NAFO = NAFO

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

- (2) Proposal Relating to Actions to be Taken by the Executive Secretary Following Information on Member Countries Reaching their Catch Quotas

STACTIC recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

"When information satisfactory to the Executive Secretary indicates that there are reasonable grounds for believing that the national¹ quota of a Contracting Government² has been taken in a fishery which lies beyond the areas in which coastal states exercise fisheries jurisdiction, or in a fishery that takes place on a stock which occurs both inside a coastal state's fisheries jurisdiction and in the area beyond the coastal state's fisheries jurisdiction, he shall immediately inform the authorities of that Contracting Government². If, within 15 days, no action is taken by that Contracting Government², nor satisfactory information given that the national¹ quota has not been taken, the Executive Secretary shall so report to the Commission."

¹ In NAFO, delete "national".

² In NAFO = Contracting Party or Parties.



Serial No. 5373

Proceedings No. 3

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

Report of Joint Meetings of Panels 3 and 4

Thursday, 8 March, 1030 hrs

Friday, 9 March, 0930 hrs

1. Opening. Dr J. A. Varea (Cuba) was elected Chairman and called the meeting to order.
2. Appointment of Rapporteur. Dr J. E. Carscadden (Canada) was appointed Rapporteur.
3. Adoption of Agenda. The provisional Agenda, as circulated, was adopted.
4. Review of Panel Membership. With the withdrawal of the EEC countries from ICNAF, 12 countries remain as members of Panels 3 and 4: Bulgaria, Canada, Cuba, German Democratic Republic, Iceland, Japan, Norway, Poland, Portugal, Romania, Spain, and the USSR. All Member Countries were represented, except Romania and Spain. Observers from Denmark (Faroe Islands), the European Economic Community (EEC), the Food and Agriculture Organization of the United Nations (FAO), and the USA were present.
5. Conservation Requirements. The Chairman drew attention of the Panels to the Report of STACRES (Sum. Doc. 79/VI/5) concerning conservation measures for capelin stocks in Subarea 2 and Div. 3K and in Div. 3LNO and for the squid (*Illex*) stock in Subareas 3 and 4. The delegate of Canada reported that the Informal Intergovernmental Consultations convened by Canada had considered possible measures for these stocks based primarily on advice from STACRES. He noted that the stocks overlapped the fishing zones of the coastal state and ICNAF and he hoped that the decisions of Informal Intergovernmental Consultations would be recommended by the Panels for adoption by the Commission.

- (a) Capelin in Div. 3LNO. The Panels reviewed the quota proposals as agreed for capelin in Div. 3LNO in the Informal Intergovernmental Consultations, and

agreed to recommend

that the quotas from the 1979 TAC of 10,000 metric tons for the capelin stock in Div. 3LNO be set at the levels shown in Table 1.

- (b) Squid (*Illex*) in Subareas 3 and 4. The delegate of Canada proposed that, from the TAC of 120,000 metric tons, Canada would retain 86,500 metric tons for her own use. The remaining 33,500 metric tons would be allocated as in Table 1. The delegate of Canada indicated that Canada's allocation was firm. However, he had no objection to any discussion relating to changes in the allocations to other parties. The delegate of GDR requested an allocation of 500 tons, noting that GDR was one of the first countries to sign a bilateral agreement with Canada and that GDR has always respected and obeyed the rules and regulations of both ICNAF and Canada. The observer from the EEC noted that the Community has coastal state status in Subarea 3 and that the Canadian proposal does not take account of this fact. However, taking into account that no agreement has yet been reached between France and Canada on the delimitation of their respective zones, the EEC would accept the Canadian proposal, it being understood that, in the future, once a solution has been found on the delimitation problem, the EEC will request an allocation taking due account of the existence of this zone. The delegate of Canada observed that the question of coastal state status for the Community in any area had not yet received the attention of the Law of the Sea Conference. He added that the question of coastal state status for the Community or any member of it can arise only with respect to the area under the fisheries jurisdiction of the coastal state concerned and stated that the Canadian proposal had taken into account the existence of an area around St. Pierre and Miquelon which is under the fisheries jurisdiction of the Community. The delegate of Portugal pointed out that Portugal's fishery for squid in 1978 was small because the Portuguese fishery started late in the season. However, in 1979, Portugal would be capable of catching more squid and, therefore, requested an increase of its allocation from 1,000 to 2,000 tons. Portugal would respect Canada's request that at least 10% of the catch be taken in Subarea 3. He suggested further that Canada reconsider its position and allow the 1,500 tons requested by GDR and Portugal to be allocated from the Canadian quota. The delegate

of Canada replied that he could not alter his proposal with respect to the Canadian requirement. The observer from the EEC suggested that a provision be added that any country not able to take its allocation could give its allocation to another country during the year. The delegate of GDR noted that, in the past, any country wishing to develop a fishery was accommodated and repeated his request for an allocation of 500 tons. He submitted a proposal suggesting that this allocation could be provided by reducing the allocation to each country, except Canada, by an amount proportional to its allocation in the Canadian proposal. The Joint Panels' members defeated the GDR proposal, with only Canada and GDR registering positive votes.

Panels 3 and 4, in joint session, with only GDR registering a negative vote and Romania and Spain absent,

agreed to recommend

that the quotas for 1979 from the TAC of 120,000 metric tons for squid (*Illex*) in Subareas 3 and 4 be set at the levels shown in Table 1.

At this point, the delegate of Canada presented three further proposals in relation to the squid (*Illex*) fishery in Subareas 3 and 4. He proposed

- i) that the former split of the squid TAC between Subareas 3 and 4, advised by STACRES, was not necessary but that each Member Country would take at least 10% of its quota in Subarea 3 to ensure distribution of fishing effort throughout the area, in order to yield scientific information about the distribution and biology of squid. Vessels fishing squid within the Canadian fishery zone would also have this requirement written into their licence;
- ii) that, as advised by STACRES, the fishing season for squid in Subareas 3 and 4 should not start until 1 July; and
- iii) that a regulation establishing 60 mm as a minimum mesh size will be imposed by Canada on vessels fishing for squid within the Canadian fishery zone, and that the Panels should consider recommending to the Commission the same minimum mesh size requirement for squid outside the Canadian fishery zone in Subareas 3 and 4.

In response to an inquiry from the delegate of Japan, the delegate of Canada said that the 60-day notice of the proposal, as required by the Convention, had not been given and that, therefore, unanimous agreement would be needed to take a decision regarding the proposal in ICNAF. However, he reminded the members that Canada would be imposing the 60-mm minimum mesh size regulation for squid within the Canadian fishery zone and hoped that the same measure would be adopted for the ICNAF fishery zone as well.

7. Following considerable discussion, the delegate of Canada requested a recess in order to revise its proposal regarding the proposal for the 60-mm minimum mesh size. The meeting of Joint Panels was recessed at 1315 hrs, 8 March.

8. The joint session of Panels 3 and 4 was reconvened at 0930 hrs, 9 March. The Chairman drew attention to the revised Canadian proposal regarding the 60-mm minimum mesh size (Appendix I) and the need for a decision regarding the Canadian proposals regarding the splitting of the TAC between Subareas 3 and 4 and the opening date for the squid fishery.

9. At the suggestion of the delegate of Canada, the Panels

agreed to recommend

that the matter of a minimum mesh size for squid (*Illex*) outside the Canadian fishery zone in Subareas 3 and 4 be deferred until the 1979 Annual Meeting, with the understanding that Canada will introduce, in 1979, a minimum mesh size of 60 mm for bottom trawls fishing for squid within the Canadian fishery zone in Subareas 3 and 4.

10. Panels 3 and 4, in joint session,

agreed to recommend

- i) that each Contracting Government should take a minimum of 10% of its quota for 1979 for squid (*Illex*) in Subareas 3 and 4 in Subarea 3, and
- ii) that the opening date for the squid (*Illex*) fishery be 1 July

11. Future Research Requirements. The Chairman drew attention to the recommendations of STACRES for future

research on capelin and squid (Sum. Doc. 79/VI/5). The Panels endorsed the plans and agreed that they should be given every support.

12. Approval of Report. Members of the Panels agreed that the Report of the Joint Meetings of Panels 3 and 4 would be presented directly to the Plenary for approval.

13. Adjournment. The meeting participants congratulated Dr Varea (Cuba) on his efficient conduct of the meeting. The Joint Meeting of Panels 3 and 4 adjourned at 0945 hrs, 9 March.

Table 1. Canadian proposal for TACs and quotas for 1979 for the overlapping stocks of capelin in Div. 3LNO and of squid in Subareas 3 and 4.

	CAPELIN Div. 3LNO	SQUID (<i>Illex</i>) Subareas 3 + 4
TAC advised by STACRES	10,000	120,000
Bulgaria	-	1,000
Canada	10,000	86,500
Cuba	-	4,500
European Economic Community (EEC)	-	5,000
Japan	-	4,500
Poland	-	2,000
Portugal	-	1,000
Romania	-	1,000
Spain	-	4,500
USSR	-	10,000
Total	10,000	120,000

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

Draft Canadian proposal for the regulation of minimum mesh size for the fishing of
squid (*Illex*) within Subareas 3 and 4 of the Convention Area

Noting the scientific results of mesh selection experiments for squid in Sum. Doc. 79/VI/5 and the practical advantages of having a standard minimum mesh size for small-mesh fisheries in Subareas 3 and 4, and

Noting that the Government of Canada intends to introduce a minimum mesh size of 60 mm for fishing for squid within the Canadian zone in 1979,

To provide consistency of regulation,

The Commission

recommends

1. That Contracting Governments take appropriate action to prohibit the taking of squid, *Illex illecebrosus*, outside areas under national fisheries jurisdiction in Subareas 3 and 4 of the Convention Area by persons under their jurisdiction with trawl nets having in any part of the net, meshes of dimensions of less than 60 mm or 2-3/8 inches as measured by the ICNAF gauge. These mesh sizes relate to netting when measured wet after use irrespective of material, or the equivalent thereof when measured dry before use.
2. That Contracting Governments prohibit the use, by any person to whom this proposal would apply, of any means or device, other than those described in paragraph 3, which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the nets, provided that strengthening ropes may be attached to the codend in such a manner that they will not obstruct the meshes of the codend.
3. That Contracting Governments permit any canvas, netting, or other material to be attached to the underside of the codend of a net to reduce and prevent damage.



Serial No. 5374

Proceedings No. 4

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

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

Wednesday, 7 March, 1145 hrs
Wednesday, 7 March, 1345 hrs
Wednesday, 7 March, 1730 hrs

1. The meeting of STACFAD was called to order by the Chairman, Miss Diana Pethick (Canada).
2. The Executive Secretary was appointed Rapporteur.
3. Membership. Representatives were present from Canada, Japan, Norway, Portugal, and USSR. Observers were present from the European Economic Community (EEC) and the Food and Agriculture Organization of the United Nations (FAO).
4. Agenda. The provisional Agenda, as circulated, was adopted.
5. Consideration of Financial Arrangements Relating to the Transition from ICNAF to NAFO. STACFAD reviewed a paper concerning the options for the termination of ICNAF proposed by Canada and referred from Plenary (Appendix I). STACFAD recommends the following resolution for adoption by the Commission:

The Commission

Noting the coming into force of NAFO and the need to give consideration to the termination of ICNAF as part of an orderly transition to management by the successor organization,

- Resolves
- (1) that Contracting Governments be called upon to serve, on or before 30 June 1979, notice of withdrawal from the Convention effective 31 December 1979, in accordance with Convention Article XVI; and
 - (2) that Contracting Governments agree that, if requested by NAFO, the Executive Secretary of ICNAF be authorized to receive into its accounts all contributions in respect of NAFO, and to pay any expenses of NAFO until 31 December 1979.

STACFAD discussed, further, the financial arrangements necessary in ICNAF for an orderly transition from ICNAF to NAFO, and

agreed to recommend

that ICNAF establish a budget for the period 1 July 1979 to 31 December 1979.

6. Other Business. The Chairman distributed copies of a letter from the Fisheries Ministry of Denmark concerning their payment to ICNAF for the financial year 1978-1979. Because of their withdrawal from ICNAF on 31 December 1978 and their anticipated contribution, on behalf of Denmark (Greenland) and Denmark (Mainland), through EEC to NAFO beginning 1 January 1979, Denmark would pay a double contribution for the first six months of 1979 on. STACFAD reviewed the letter in relation to the financial regulations of ICNAF. After discussion, STACFAD

recommends

that one-half of Denmark's contribution to ICNAF for the fiscal year 1978/79 (\$12,296.16) be credited to the NAFO accounts for application against the annual contributions which would be required from Denmark (Faroe Islands) on her becoming a member of NAFO.

7. Adjournment. There being no other business, the meeting adjourned at 1745 hrs.

TENTH SPECIAL COMMISSION MEETING - MARCH 1979Options for Termination of ICNAF

With the coming into force of NAFO, ICNAF Members will wish to give consideration to the termination of ICNAF as part of an orderly transition to management by the successor organization.

Two questions appear immediately relevant: timing and procedure.

As to timing, ICNAF Members will presumably wish to bear in mind the number of ICNAF Members who have become Party to the NAFO Convention. On the basis of indications received by the Depositary Government, most ICNAF Members will have become Parties to the NAFO Convention by the time of the Annual ICNAF Meeting in June. This suggests that the June meeting will provide an appropriate opportunity to consider this question further.

As to procedure, there would appear to be two options:

- A. Adoption of an amendment to the Convention, in accordance with Article XVII, terminating it on an agreed date;
- B. Withdrawal from the Convention by all Contracting Governments, in accordance with Article XVI.

Option A

This procedure requires 90 days notice in advance of the relevant ICNAF meeting, adoption by a three-fourths majority of the votes of all Contracting Governments, and subsequent approval by three-fourths of all Contracting Governments. It can be blocked by the objection of one Contracting Government.

Option B

This procedure could be initiated by a resolution of the Commission, calling upon all Members to serve, on or before 30 June of the year in which it is decided the ICNAF Convention should terminate, notice of withdrawal from the Convention on the following 31 December.

Comments

Option A offers perhaps the most orderly procedure, terminating the Convention in the most direct manner, effective automatically for all parties. The primary difficulty is that it requires a form of action by Governments, approval of an amendment, which can result in considerable delays.

Option B offers a more indirect procedure: if all ICNAF Members withdraw, the Convention is not legally terminated, but ceases to have any legal or practical effect. However, if any Contracting Governments do not withdraw, the Convention remains in force for those Governments, who thus remain the only parties to ICNAF.

Option B offers a degree of flexibility in that it will be known immediately after the relevant 30 June which Contracting Governments have served notice of withdrawal and, if there is any potential problem, those Governments are free to withdraw their notice before it becomes effective on the following 31 December.

A combination of Options A and B might be considered. This combination could, however, cause complications. Some ICNAF Members might encounter difficulty in taking both actions: approving amendment of the ICNAF Convention and serving notice of withdrawal. Some Members might, for internal reasons, have to opt for the former rather than the latter, "locking" themselves into a procedure which could result in a long delay in terminating their ICNAF membership, as they waited for the requisite three-fourths majority approval. The effect could be that ICNAF could continue in force for a few Members beyond the date of termination for most, raising questions about continuation of the ICNAF Secretariat, financing, etc.



Serial No. 5375

Proceedings No. 5

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

Report of the Final Plenary Session

Friday, 9 March, 1210 hrs

1. The Chairman, Mr S. Ohkuchi (Japan) opened the meeting.
2. The Report of the First Plenary Session (Proc. No. 1) was adopted.
3. The Report of STACFAD (Proc. No. 4) was reviewed by its Chairman, Miss D. E. Pethick (Canada). The Report, with its resolution regarding proposed arrangements for the termination of ICNAF and recommendation for disposal of the full year's payment by Denmark to ICNAF, was adopted.
4. The Report of a Joint Meeting of Panels 3 and 4 (Proc. No. 3) was reviewed by its Chairman, Dr J. A. Varea (Cuba) and, with minor editorial changes, adopted with its summary table of recommended 1979 TACs and quotas for the two fish stocks overlapping national fishery limits in Subarea 3. The Plenary, noting that the TACs and quotas also constituted a proposal for international regulation in Subareas 3 and 4, with the June 1974 proposal (4), as amended, providing the management procedure

agreed

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (3) for international regulation of the fisheries in Subareas 3 and 4 of the Convention Area (Appendix I).
5. The Report of STACTIC (Proc. No. 2) was presented by Capt A. S. Gaspar (Portugal). Regarding the recommendation by STACTIC for amendment of paragraphs 4 and 5 of the Scheme of Joint International Enforcement, the observer from the EEC pointed out that, if the Commission adopted the proposal, there could be two Schemes operative in 1979, one for NAFO which required that the Scheme as in effect for 1 January 1979 be binding, and one for ICNAF which contained the new amendments. Following various suggestions and proposals in an effort to resolve any difficulty, the Plenary agreed to adopt the Report including Proposals (1) for amendment to paragraphs 4 and 5 of the Scheme of Joint International Enforcement (Proc. No. 2, Appendix II), and (2) regarding actions to be taken by the Executive Secretary following information on Member Countries reaching their catch quotas (Proc. No. 2, Appendix III).
6. Canadian Proposal Regarding Changes to the Statistical Boundary between Subarea 1 and Statistical Area 0 (Com. Doc. 79/III/5). At the request of the delegate of Canada, the Plenary agreed that this item would be deleted from the Plenary Agenda. The delegate of Canada pointed out that the item had already been referred to the Scientific Council of NAFO for consideration and report to the General Council of NAFO.
7. Timely Statistical Reporting. The Chairman drew attention to the Report of the Special Meeting of STACRES on Capelin and Squid (Sum. Doc. 79/VI/5) and the recommendation that the non-reporting of statistics by certain Member Countries should be brought to the attention of the Commission. It was pointed out that all Member Countries should make a special effort to provide adequate and timely statistics to the Secretariat in order that the stock assessments and subsequent advice for management would be as accurate and up-to-date as possible.
8. Adjournment. The Chairman advised that a press notice covering the decisions of the Tenth Special Meeting of ICNAF would be available later in the day (Appendix II). There being no other business, the Chairman thanked the delegates and the Secretariat for their contributions and declared the meeting adjourned at 1326 hrs, 9 March, to reconvene at the 29th Annual Meeting of ICNAF, 30 May-9 June 1979, at the Lord Nelson Hotel, Halifax, Nova Scotia, Canada.

TENTH SPECIAL COMMISSION MEETING - MARCH 1979

- (3) Proposal for International Regulation of the Fisheries in Subareas 3 and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 9 March 1979

That the Contracting Governments conduct their fisheries outside areas under national fisheries jurisdiction in such a manner that catches shall not exceed the total allowable catch for each stock and the quotas for each stock set out in the following Table:

Table - Integral Part of Proposal (3) for the International Regulation of the Fisheries in Subareas 3 and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 9 March 1979. Total allowable catches and quotas (metric tons) for 1979 of particular stocks or species in Subareas 3 and 4 of the Convention Area.

Country	CAPELIN Div. 3LNO	SQUID (<i>Illex</i>) Subareas 3 + 4 ^{2,3}
Bulgaria	-	1,000
Canada ⁴	10,000 ¹	86,500
Cuba ⁴	-	4,500
Japan	-	4,500
Poland	-	2,000
Portugal	-	1,000
Romania ⁴	-	1,000
Spain	-	4,500
USSR ⁴	-	10,000
Reserved for the Members of the Northwest Atlantic Fisheries Organization which are Non-Members of the International Commission for the Northwest Atlantic Fisheries (European Economic Community)	-	5,000
Total	10,000	120,000

¹ Reserved for the Canadian inshore fishery in Div. 3L.

² A minimum of 10% of each quota must be taken in Subarea 3.

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

⁴ The amount(s) allocated to this country includes the amount(s) allocated for quota regulation of the same stock in the proposal adopted by the Fisheries Commission of the Northwest Atlantic Fisheries Organization on 9 March 1979.

TENTH SPECIAL COMMISSION MEETING - MARCH 1979Press Notice

1. The Tenth Special Meeting of the International Commission for the Northwest Atlantic Fisheries (ICNAF) was held in Montreal, Canada, during 7-9 March 1979. Representatives from Bulgaria, Canada, Cuba, German Democratic Republic, Iceland, Japan, Norway, Poland, Portugal, Romania, Spain, and the USSR attended the meeting as participants together with Observers from the European Economic Community (EEC), the Food and Agriculture Organization of the United Nations (FAO), Denmark (Faroe Islands), and the USA.

2. Scientific Advice

The Commission's Standing Committee on Research and Statistics (STACRES), which met at Tokyo, Japan, in February 1979, provided advice on the conservation of the capelin stocks in Subareas 2 and 3 and the squid (*Illex*) stock in Subareas 3 and 4 for 1979.

3. Conservation Measures

The Commission agreed to Total Allowable Catches (TAC) and national allocations for 1979 in respect of the capelin stocks in ICNAF Divisions 3LNO and the squid stock in Subareas 3 and 4. The Commission agreed to a TAC of 10,000 metric tons of capelin, all of which was allocated to Canada for inshore fishing. The Commission also agreed to a TAC of 120,000 metric tons of squid, which was allocated as follows: Bulgaria (1,000), Canada (86,500), Cuba (4,500), EEC (5,000), Japan (4,500), Poland (2,000), Portugal (1,000), Romania (1,000), Spain (4,500), and USSR (10,000).

4. Enforcement of Fishery Regulations

The Commission's Standing Committee on International Control (STACTIC) reviewed present procedures for international control of fishing activities outside the 200-mile fisheries zones of coastal states and proposed a number of improvements which were agreed to by the Commission.

5. Transitional Arrangements

The Commission, noting that organizational arrangements had been initiated for the Northwest Atlantic Fisheries Organization (NAFO), agreed to administrative arrangements for the smooth transition during 1979 from ICNAF to its successor organization.

6. Future Meeting

The 29th Annual Meeting of ICNAF will be held concurrently with the First Annual Meeting of NAFO during 30 May-9 June 1979 in Halifax, Nova Scotia, Canada.

20 March 1979

Office of the Secretariat
Dartmouth, Nova Scotia, Canada

