

PART I (A)

REPORT

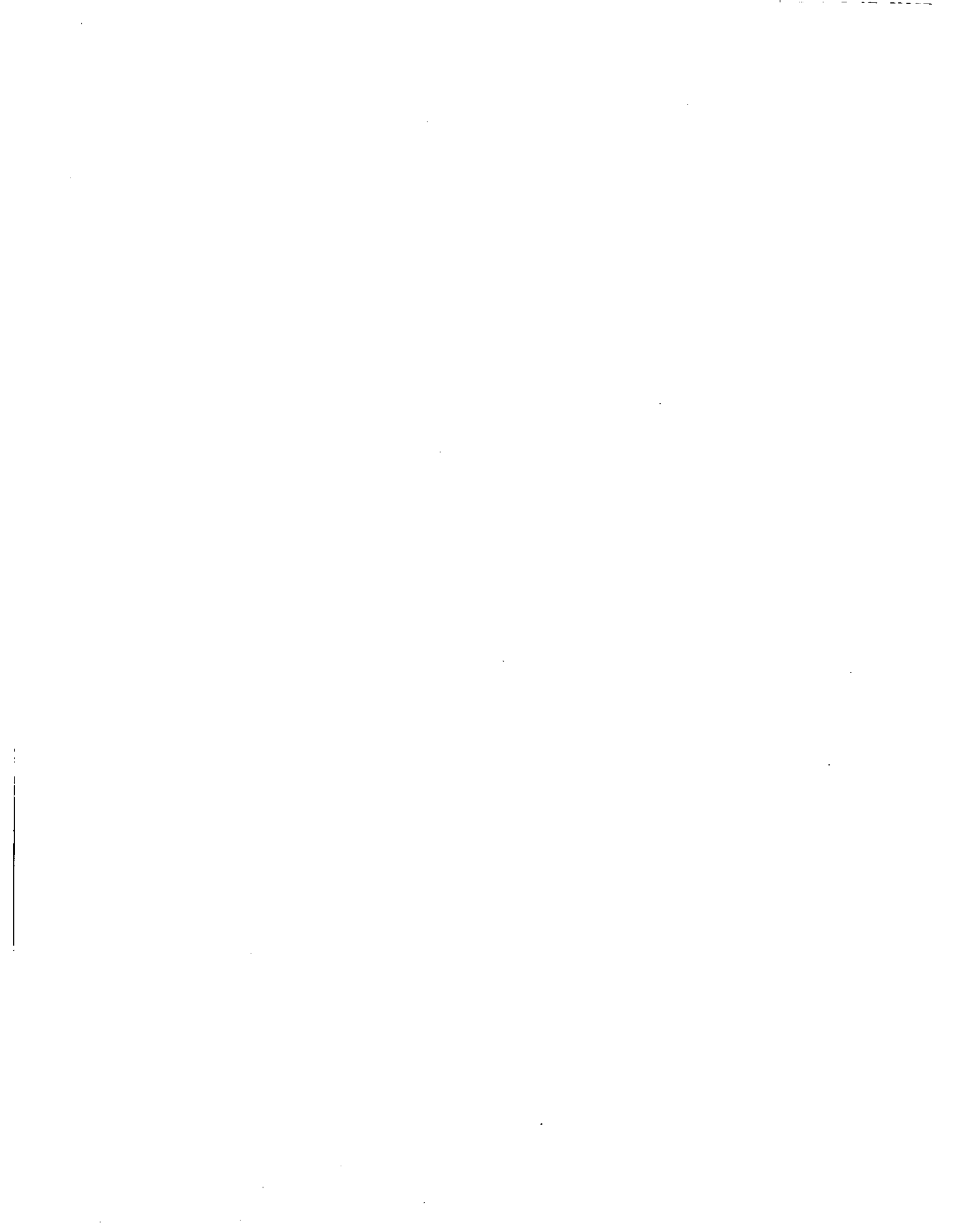
OF THE

GENERAL COUNCIL

OF NAFO

INAUGURAL MEETING

MARCH 1979



Northwest Atlantic



Fisheries Organization

INAUGURAL MEETING - MARCH 1979

Report of the General Council of NAFO

Thursday, 8 March, 1445 hrs
Friday, 9 March, 1502 hrs and 1645 hrs

1. The Inaugural Meeting of the General Council of the Northwest Atlantic Fisheries Organization (NAFO) was called to order by the temporary Chairman, Dr A. W. May of the Depositary Government, who welcomed representatives from Bulgaria, Canada, Cuba, the European Economic Community (EEC), the Faroe Islands (Denmark), the German Democratic Republic (GDR), Iceland, Japan, Norway, Poland, Portugal, Romania, Spain, USSR, USA, and the Food and Agriculture Organization of the United Nations (FAO) as follows:

"On behalf of the Government of Canada, I welcome you to the Inaugural Meeting of the Northwest Atlantic Fisheries Organization.

"NAFO has been called the son of ICNAF, and without wanting to open up a discussion on the relative impacts of heredity and environment, I think I can say, without fear of dispute, that good parentage counts for something. ICNAF probably did better than we had any right to expect, given the circumstances which applied at the time. I think it behooves us, as NAFO, to honour our parent, and to express the hope that we will be able to do our best in the circumstances which will apply in the future.

"Cooperation through ICNAF has been the cornerstone of Canadian fisheries policy in the Northwest Atlantic. The central position of ICNAF was reflected in Canada's approach to extension of fisheries jurisdiction, working through ICNAF and through bilateral agreements with ICNAF Members. Following extension of jurisdiction, we have continued our active engagement in international cooperation through ICNAF. The surveillance load we carry outside the 200-mile zone, under the ICNAF Scheme of Joint Enforcement, helps protect the resource for all countries fishing that area. We have set quotas to allow rebuilding of stocks, and, with the cooperation of ICNAF Members, this includes the stocks that cross the 200-mile line. Within the 200-mile zone, when stocks are surplus to our industry's requirements, we allocate them to other nations in accordance with the terms of our bilateral agreements and the developing consensus on the Law of the Sea.

"Within the framework provided by NAFO, we hope to continue this process and we hope to receive the cooperation of all Members of the Organization. We have learned that anything less than responsible cooperation leads inevitably to a reduction in the sea's production and brings a net loss to the world.

"The competition of the late 1960's and early 1970's resulted in overfishing that hurt everyone. Quotas restrained the overfishing, and since 1976 have allowed rebuilding. But meanwhile, the price to us in Canada was at least \$200 million allocated by the Government to help a crippled industry, not to mention the greater price that coastal communities paid in lost fishing, lost jobs, and, at times, lost hopes. All other ICNAF Members were affected in similar ways. We surely can learn from that experience as NAFO picks up where ICNAF left off.

"Surely, also, we will continue to bear in mind the need for consistency of management objectives and regulations inside and outside the 200-mile zone. Looking from either side, we can see that neither fish stocks nor our collective interest in them stops at the line. It is impossible for the line to completely separate the fish, the management, or the knowledge behind fishery management.

"As a scientist, I can take particular satisfaction from the fact that, in NAFO, we have avoided jurisdictional questions in science through the establishment of a Scientific Council which provides a forum for scientific cooperation inside and outside coastal zones, over the whole Northwest Atlantic. Scientific cooperation in ICNAF was the foundation for management cooperation; may it be the same in NAFO.

"We all know that fishery management is at the mercy of its data. In Canada, we are taking pains to impress on our fishermen the need for reliable log reports. Omissions can confuse the managers and the scientists but can't confuse the fish; instead of faulty log reports, they will follow their own statistics, and, in the end, it's the fishermen who will suffer an unexpected drop in catches.

"Our collective experience has made clear our ability to affect production in the oceans, and our concerns must go beyond management of the fisheries themselves, to protection of the ocean environment. As the oceans become used more and more for activities which can be detrimental to fishing and the well-being of fish stocks, we must be increasingly aware of such activities, and be prepared to take cooperative action to minimize negative impacts. My country will do its part, and so I am sure will the Northwest Atlantic Fisheries Organization.

"On behalf of Canada, may I wish this venture by all our nations 'Bon voyage'."

2. The temporary Chairman then recessed the meeting to prepare for the first working session of the General Council.

3. Under Agenda Item 6, Election of Chairman and Vice-Chairman, the temporary Chairman opened the meeting with representatives of the Contracting Parties (Canada, Cuba, EEC, GDR, Iceland, Norway, Romania, and USSR) present. He called for nominations for Chairman of the General Council. Dr A. W. May (Canada) was elected unanimously. The General Council agreed to defer election of a Vice-Chairman until the Annual Meeting of the Organization in June 1979.

4. Under Agenda Item 7, Rapporteur, Mr L. R. Day was appointed Rapporteur.

5. Under Agenda Item 4, Procedural Proposals, the Chairman suggested that proceedings would be conducted informally until Rules of Procedure for the General Council would be adopted. He suggested that the Organization nominate representatives of Observer countries and organizations in the establishment of the working groups.

6. Under Agenda Item 5, Adoption of Agenda (Appendix I), the delegate of Canada drew attention to a Canadian proposal for changes in the boundary between Subarea 0 and 1. The General Council agreed that the proposal would be referred to the Scientific Council.

7. Under Agenda Item 8, Admission of Observers, the delegate of Canada moved that the Member Countries of ICNAF, who were not yet Members of NAFO, and also Faroe Islands (Denmark), FAO, and USA, be admitted to the General Council meeting as Observers. The General Council agreed. The meeting was recessed in order to allow the Observers to enter and participate in the General Council's meeting.

8. The Chairman reconvened the General Council meeting and welcomed the Observers. He urged them to participate in the working groups when nominated and to feel free to enter the discussions.

9. Under Agenda Item 9, Appointment of Credentials Committee, the General Council agreed that a representative of Cuba should convene the first meeting of the Committee.

10. Under Agenda Item 11, Establishment of Working Groups,

- (a) The General Council agreed that the Rules of Procedure for the General Council and the Fisheries Commission should be examined by a single Working Group to be convened by Capt J. C. E. Cardoso (Portugal). All interested were invited to participate.
- (b) The General Council agreed that the Working Group on Finance and Administration should be convened by Miss D. E. Pethick (Canada), the Chairman of the ICNAF Standing Committee on Finance and Administration (STACFAD). All interested were welcome, particularly the ICNAF STACFAD members and the ICNAF Executive Secretary.
- (c) The General Council, in accordance with Convention Article III, declared Canada, Cuba, EEC, GDR, Norway, Romania, and USSR Members of the Fisheries Commission, pursuant to Article XIII. The delegate of Iceland stated that his country would not be participating. The Chairman pointed out that the membership would be reviewed at the 1979 Annual Meeting of NAFO.
- (d) Privileges and Immunities. The General Council agreed to refer this item for consideration and advice to the Working Group on Finance and Administration.

11. Under Agenda Item 14, Time and Place of 1979 Annual Meeting of NAFO, the General Council agreed that the 1979 Annual Meeting would be held conjointly with the 1979 Annual Meeting of ICNAF in Halifax, Nova Scotia, during the period 30 May to 9 June 1979.

12. Under Agenda Item 16, Press Statement, the General Council agreed that the Chairman, in consultation with the Executive Secretary of NAFO, would prepare a statement.

13. The Chairman recessed the meeting at 1615 hrs, 8 March.

14. The General Council reconvened at 1500 hrs, 9 March. The Chairman noted that Items 1-9 of the General Council's agenda had been completed.

15. Under Agenda Item 10, Report of Credentials Committee, the General Council noted that the Committee had met and examined the credentials of the eight Members of NAFO (Canada, Cuba, EEC, GDR, Iceland, Norway, Romania, and USSR). The credentials of all Members were in order. The Report was adopted.

16. Other Reports. The General Council noted that the Working Groups on Rules of Procedure for the General Council and the Fisheries Commission convened by Capt J. C. E. Cardoso (Portugal), and for the Scientific Council convened by Mr R. H. Letaconnoux (EEC), and the Working Group on Finance and Administration convened by Miss D. E. Pethick (Canada) had met and reports were in preparation.

17. Other Matters. The Chairman drew attention to the matter of the amendments to the Scheme of Joint International Enforcement and the matter of the TACs and allocations for capelin and squid which had been adopted by ICNAF. The General Council agreed that these matters would be considered by the Fisheries Commission.

18. The General Council recessed at 1510 hrs, 9 March.

19. Under Agenda Item 12, Report of Working Groups, the General Council reconvened at 1645 hrs, 9 March. Under Agenda Item 12, the Chairman of the Working Group on Rules of Procedure for the General Council and the Fisheries Commission reported that the Group had prepared provisional Rules of Procedure for the General Council (Appendix II) and for the Fisheries Commission (Appendix III) and suggested that the Group review the provisional Rules during two days before the 1979 Annual Meeting of NAFO. He further suggested that the Rules developed by the Group before the Annual Meeting be used during a provisional year to the 1980 Annual Meeting. The General Council agreed. The General Council further agreed that the Working Group on the Rules of Procedure for the General Council and for the Fisheries Commission might look at the Rules of Procedure for the Scientific Council and suggest where parallelisms might be adopted, if so desired.

20. Under Agenda Item 15, Proposal for Boundary Changes between Subareas 0 and 1, the Chairman noted that the General Council had referred the Canadian proposal for adjustment of the boundaries between Subareas 0 and 1 to the Scientific Council and called on the Chairman of the Scientific Council, Mr R. H. Letaconnoux (EEC) to present the advice of the Scientific Council which is included in the resolution at Appendix IV. At the request of the delegate of Canada, the General Council agreed to defer action on this item until the 1979 Annual Meeting so that the coastal states involved (Canada and EEC) could study the problem further.

21. Under Agenda Item 12, Report of Working Groups, and 13, Appointment of Standing Committee on Finance and Administration, the Chairman asked the Chairman of the Working Group on Finance and Administration, Miss D. E. Pethick (Canada) to present the Group's report (Appendix V). She reported that the Group had been unable, due to lack of time, to review the draft of the Financial Regulations for the Organization or recommend the composition of the General Council's Standing Committee on Finance and Administration. She reported, in detail, on the Group's consideration of the personnel and financial arrangements proposed for NAFO and recommended to the General Council, the following Resolution Relating to Administrative and Financial Arrangements for NAFO:

The General Council,

Noting the need for administrative and financial arrangements for NAFO, and

Having Considered the Report of the Working Group on Finance and Administration,

Adopts the following arrangements:

- (1) that the Executive Secretary of ICNAF be appointed with effect from today as the Executive Secretary of NAFO on the understanding that he will continue to act at the same time as Executive Secretary of ICNAF at least until 31 December 1979 and that as Executive Secretary of NAFO he receive no remuneration for 1979;
- (2) that the Executive Secretary be authorized to appoint the staff of the ICNAF Secretariat as staff of NAFO's Secretariat on the understanding that this staff will continue to act at the same time as staff of ICNAF's Secretariat at least until 31 December 1979 and that as NAFO's Secretariat they receive no remuneration for 1979;

- (3) that pending the adoption of financial regulations the Executive Secretary of NAFO be authorized to receive into a NAFO account all contributions in respect of NAFO and to pay any expenses of NAFO including an administrative fee for any services provided to NAFO by the ICNAF Secretariat;
- (4) that all assets and liabilities of ICNAF as of 31 December 1979 shall be assumed by NAFO effective 1 January 1980;
- (5) that the Executive Secretary of NAFO be instructed to prepare and circulate for consideration at the Annual Meeting of NAFO a budget estimate for the financial year 1980;
- (6) that the President of the Organization be requested to approach the Government of Canada for the purpose of appointing the Auditor General of Canada, who is the present auditor for ICNAF, to be the external auditor for NAFO; and
- (7) that the President of the Organization be requested to approach the Government of Canada for the purpose of obtaining the same privileges and immunities as granted to ICNAF for the new Organization (NAFO) in order that NAFO may enjoy the maximum benefits permissible under existing domestic laws and regulations.

22. Under Agenda Item 15, Other Business, the Chairman acknowledged the Observers from Spain (Appendix VI), FAO (Appendix VII), and Japan (Appendix VIII).

23. Under Agenda Item 17, Adjournment, the Chairman noted the remarkable progress which had been made in such a short time and in dealing with such complex problems. He congratulated the representatives of Members and non-Members for their cooperation and hard work and hoped they would agree that NAFO had gotten off to a good start. There being no other business, the General Council of NAFO adjourned at 1725 hrs, 8 March 1979.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

General Council

Agenda

1. Call to Order by temporary Chairman (representative of Depositary Government)
2. Address of Welcome (Canada)
3. Statements by Representative of Participating States
4. Procedural Proposals by Representative of Depositary Government
5. Adoption of Agenda
6. Election of Chairman and Vice-Chairman
7. Selection of Rapporteur
8. Admission of Observers
9. Appointment of Credentials Committee for the Organization
10. Report of Credentials Committee
11. Establishment of Working Groups
 - (a) Rules of Procedure including organization of Committees and Subcommittees
 - (b) Finance and Administration to advise on:
 - (i) appointment of Executive Secretary and establishment of rules and procedures related to appointment by the Executive Secretary of the staff of the Secretariat, pursuant to Article XV, paragraph 3
 - (ii) interim 1979 budget and authorization of disbursements of funds
 - (iii) financial regulations
 - (iv) coordination of ICNAF/NAFO matters
 - (v) appointment of external auditors, pursuant to Article XVI, paragraph 10
 - (vi) privileges and immunities for the Organization
 - (c) Determination of membership of the Fisheries Commission
12. Report of Working Groups; action arising
13. Appointment of Standing Committee on Finance and Administration
14. Time and Place of First Annual Meeting of NAFO
15. Other Business
 - (a) Canadian proposal for adjustment of the boundaries between Subareas 0 and 1
16. Press Statement
17. Adjournment

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Draft Rules of Procedure for the General Council of NAFO

REPRESENTATION

Rule 1

- 1.1 Each Contracting Party shall notify the Executive Secretary as far as possible in advance of any meeting the names of its representatives, alternates, experts, and advisers who will attend the relevant meetings.
- 1.2 The General Council may invite any Government not party to the Convention and any international organization to be represented at meetings of the General Council or its committees or subcommittees by an observer or observers.

VOTING

Rule 2

- 2.1 Observers, experts, and advisers may address plenary or committee or subcommittee meetings of the General Council, but shall not be entitled to vote.
- 2.2 At meetings of the committees and subcommittees established by the General Council, decisions shall be taken by a majority of votes of all members of the committee or subcommittee present and casting affirmative or negative votes, provided that no vote shall be taken unless there is a quorum of at least two-thirds of all members of the committee or subcommittee.
- 2.3 Votes shall be taken by show of hands, by roll call in the English alphabetical order of the names of the Contracting Parties, or by ballot, as in the opinion of the Chairman appears to be most suitable.
- 2.4 Between meetings of the General Council in the case of an emergency, a vote of the representatives may be taken by mail, or other means of communication.

CHAIRMAN OR VICE-CHAIRMAN

Rule 3

- 3.1 The Chairman and Vice-Chairman shall take office at the conclusion of the annual meeting at which they are elected.
- 3.2 The powers and duties of the Chairman shall be:
 - (a) to declare the opening and closing of each meeting of the General Council;
 - (b) to preside at all meetings of the General Council;
 - (c) to decide all questions of order raised at meetings of the General Council, subject to the right of any representative to request that any ruling of the Chairman shall be submitted to the General Council for decision by vote;
 - (d) to call for votes and to announce the results of the vote to the General Council;
 - (e) to determine, after consultation with the Chairmen of the Scientific Council and Fisheries Commission, a schedule of meetings for annual or special meetings of the Organization;
 - (f) to determine, after consultation with the Executive Secretary, the provisional agenda for annual or special meetings of the General Council;
 - (g) to arrange for the appointment of the members of committees established in accordance with provisions of Article IV, paragraph 6;
 - (h) to sign, on behalf of the General Council, a report of the proceedings of each meeting of the General Council, for transmission to Contracting Parties, representatives, and others concerned, as an authoritative record of what took place;
 - (i) generally, to make such decisions and give such directions to the Executive Secretary as will ensure, especially in the interval between the meetings of the General Council, that the business of the Organization is carried out efficiently and in accordance with its decisions.
- 3.3 Whenever the Chairman of the General Council is unable to act, the Vice-Chairman shall exercise the powers and duties prescribed by the Chairman.

- 3.4 The Chairman, or Vice-Chairman when acting as Chairman, shall not vote and another representative of their delegation shall exercise the function.
- 3.5 If the office of the Chairman is vacated, the Vice-Chairman shall become Chairman for the balance of the term.
- 3.6 If the offices of the Chairman and Vice-Chairman are vacated, the Chairman of the Standing Committee on Finance and Administration shall exercise the powers and duties prescribed for the Chairman, and the first order of business at the next meeting of the General Council shall be election of a Chairman and Vice-Chairman for the balance of the term.

SECRETARIAT

Rule 4

- 4.1 The General Council will designate staff positions to be filled through appointments made by the Executive Secretary. The General Council shall fix the tenure, rate of remuneration, and traveling expenses for the members of the Secretariat.
- 4.2 The Executive Secretary shall:
 - (a) have full power and authority over the Secretariat subject to the general supervision of the General Council; make all arrangements necessary for the General Council, Scientific Council, and Fisheries Commission meetings, and perform such other functions as may be assigned to him by the General Council, its Chairman, or the Chairman of a committee;
 - (b) transmit the provisional agenda for the annual or special meetings of the General Council to all Contracting Parties and representatives not less than 60 days in advance of the meeting;
 - (c) address communications to the Depository Government, pursuant to the provisions of Article XXI, paragraph 2;
 - (d) receive the credentials of the representatives at annual and special meetings and report thereon to the General Council as required.

ORDER OF BUSINESS

Rule 5

- 5.1 Except as provided in paragraph 5.2, no order of business which involves amendment of these Rules of Procedure, budget or related financial matters, Fisheries Commission membership modifications under Article XIII, or boundary modifications under Article XX, shall be the subject of a decision by the General Council unless the subject matter has been included in the provisional agenda and explained in a memorandum, both of which have been circulated by the Executive Secretary to all representatives at least 60 days in advance of the meeting at which the matter is to be discussed.
- 5.2 The General Council, by a majority of the votes of all General Council members present and casting affirmative or negative votes, may take decisions involving amendment of these Rules of Procedure, provided that no vote shall be taken unless there is a quorum of at least two-thirds of the General Council members.

COMMITTEES

Rule 6

- 6.1 The General Council may establish such *ad hoc* committees as it considers to be required.
- 6.2 There shall be a Standing Committee on Finance and Administration consisting of one representative from each of five of the Contracting Parties who may be assisted by experts and advisers and which will advise the General Council on:
 - (a) matters relating to the Secretariat;
 - (b) the budget of the Organization;
 - (c) the time and place of meetings of the Organization;
 - (d) publications of the Organization.

The Committee shall choose its own Chairman, who shall be allowed a vote, from among the representatives. The Executive Secretary shall be an *ex officio* member of this Committee without vote.

LANGUAGE OF THE GENERAL COUNCIL

but, if desired, any other language may be used, it being understood that persons doing so at meetings will provide their own interpreters. All official publications and communications of the General Council shall be in English.

RECORD OF PROCEEDINGS OF THE GENERAL COUNCIL AND OF ITS COMMITTEES

Rule 8

- 8.1 Summary records shall be made of each plenary session and each committee session and shall be distributed by the Executive Secretary as soon as possible to the participants.
- 8.2 Summary minutes of proceedings of all meetings of its committees shall be furnished to the General Council.
- 8.3 As soon as possible after each meeting of the General Council, copies of all summary records and reports, and copies of all resolutions, proposals, and other formal decisions adopted by the General Council shall be transmitted by the Executive Secretary to the General Council members and observer Governments and organizations.

REPORTS

Rule 9

- 9.1 The General Council shall publish annually, following its regular annual meeting, a report of its activities during the preceding year. Such reports should include a summary of its findings and statistical, scientific, and other information gathered pertaining to fisheries of the Convention Area, the Chairman's report of the annual meeting, and a financial statement.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Draft Rules of Procedure for the Fisheries Commission of NAFO

REPRESENTATION

Rule 1

- 1.1 Each Commission member shall notify the Executive Secretary as far in advance of any meeting as possible, the names of its representatives, alternates, experts, and advisers who will attend the relevant meeting.
- 1.2 The Commission may invite any Government not a party to the Convention and any international organization to be represented at meetings of the Commission or its committees or subcommittees by an observer or observers.

VOTING

Rule 2

- 2.1 Observers, experts, and advisers may address plenary or committee or subcommittee meetings of the Commission, but shall not be entitled to vote.
- 2.2 At meetings of the committees and subcommittees established by the Commission, decisions shall be taken by a majority of votes of all members of the committee or subcommittee present and casting affirmative or negative votes, provided that no vote shall be taken unless there is a quorum of at least two-thirds of all members of the committee or subcommittee.
- 2.3 Votes shall be taken by show of hands, by roll call in the English alphabetical order of the names of the Contracting Parties, or by ballot, as in the opinion of the Chairman appears to be most suitable.
- 2.4 Between meetings of the Commission or in the case of an emergency, a vote of the representatives may be taken by mail, or other means of communication.

CHAIRMAN AND VICE-CHAIRMAN

Rule 3

- 3.1 The Chairman and Vice-Chairman shall take office at the conclusion of the annual meeting at which they are elected.
- 3.2 The powers and duties of the Chairman shall be:
 - (a) to declare the opening and closing of each meeting of the Commission;
 - (b) to preside at all meetings of the Commission;
 - (c) to decide all questions of order raised at meetings of the Commission, subject to the right of the representatives of any member of the Commission to request that any ruling by the Chairman shall be submitted to the Commission for decision by vote;
 - (d) to call for votes and to announce the result of the vote to the Commission;
 - (e) to determine, after consultation with the representatives of the members of the Commission and the Executive Secretary, the provisional agenda for the annual Commission meeting;
 - (f) to arrange for the appointment of the members of committees established in accordance with the provisions of Rule 6;
 - (g) to sign, on behalf of the Commission, a report of the proceedings of each meeting of the Commission, for transmission to Contracting Parties, their representatives, and others concerned, as an authoritative record of what took place;
 - (h) generally, to make such decisions and give such directions to the Executive Secretary as will ensure, especially in the interval between the meetings of the Commission, that the business of the Commission is carried out efficiently and in accordance with its decisions.
- 3.3 Whenever the Chairman is unable to act, the Vice-Chairman shall exercise the powers and duties prescribed for the Chairman.
- 3.4 The Chairman, or Vice-Chairman when acting as Chairman, shall not vote and another representative of their delegation shall exercise the function.

- 3.5 If the office of the Chairman is vacated, the Vice-Chairman shall become Chairman for the balance of the term.
- 3.6 If the offices of the Chairman and Vice-Chairman are vacated, the Chairman of the Standing Committee on Regulatory Measures shall exercise the powers and duties prescribed for the Chairman, and the first order of business at the next meeting of the Commission shall be election of a Chairman and Vice-Chairman for the balance of the term.

SECRETARIAT

Rule 4

- 4.1 The Commission and its committees shall, in the exercise of their functions and duties, use the services of the Executive Secretary and the staff of the Organization.
- 4.2 The Executive Secretary, in consultation with the Chairman of the Commission, shall transmit the provisional agenda for the annual and special Commission meetings to all Commission members and their representatives not less than 60 days in advance of the meetings.
- 4.3 The Executive Secretary shall receive the credentials of the representatives of members of the Commission and of observers at annual and special meetings and report thereon to the Commission from time to time.

ORDER OF BUSINESS

Rule 5

- 5.1 Except as provided in paragraph 5.2, no order of business which involves amendment of these Rules of Procedure shall be the subject of a decision by the Commission unless the subject matter has been included in the provisional agenda and explained in a memorandum, both of which have been circulated by the Executive Secretary to all the representatives of members of the Commission at least 60 days in advance of the meeting at which the matter is to be discussed.
- 5.2 The Commission, by a majority of the votes of all Commission members present and casting affirmative or negative votes, may take decisions involving amendment of these Rules of Procedure, provided that no vote shall be taken unless there is a quorum of at least two-thirds of the Commission members.

COMMITTEES

Rule 6

- 6.1 The Commission may establish such *ad hoc* committees as it considers to be required.
- 6.2 There shall be a Standing Committee on Regulatory Measures consisting of one representative from each Commission member who may be assisted by experts or advisers. The Committee shall:
 - (a) consider possible measures for the regulation of fishing in relation to the stocks of fish, or of any particular species of fish in the Convention Area, or any part thereof;
 - (b) consider the economic and administrative problems involved in the application of such measures and, in consultation with the Scientific Council, the scientific and statistical information required for their solution; and
 - (c) make appropriate recommendations to the Commission.

The Committee shall choose its own Chairman. The Executive Secretary shall be an *ex officio* member of this Committee without vote.

- 6.3 There shall be a Standing Committee on International Control consisting of one representative from each Commission member who may be assisted by experts or advisers. The Committee shall:
 - (a) review the results of national and international measures of control;
 - (b) develop inspection methodologies;
 - (c) consider the practical problems of international measures of control;
 - (d) review reports of inspections and violations;
 - (e) promote exchanges and cooperative efforts of inspectors in international inspection; and
 - (f) make appropriate recommendations to the Commission.

The Committee shall choose its own Chairman. The Executive Secretary shall be an *ex officio* member of this Committee without vote.

LANGUAGE OF THE COMMISSION

Rule 7

English shall be the official and working language of the Commission and its subsidiary bodies but, if desired, any other language may be used, it being understood that persons doing so at meetings will provide their own interpreters. All official publications and communications of the Commission shall be in English.

RECORDS OF PROCEEDINGS OF THE COMMISSION AND OF ITS COMMITTEES

Rule 8

- 8.1 Summary records shall be made of each plenary session and each committee session and shall be distributed by the Executive Secretary as soon as possible to the participants.
- 8.2 Summary minutes of the proceedings of all meetings of its committees shall be furnished to the Commission.
- 8.3 As soon as possible after each meeting of the Commission, copies of all summary records and reports, and copies of all resolutions, proposals, and other formal decisions adopted by the Commission shall be transmitted by the Executive Secretary to the Commission members and observer Governments and organizations.

REPORTS

Rule 9

The Commission shall present to the General Council following its regular annual meeting, a report of its activities during the preceding year.

FINANCIAL

Rule 10

The Commission shall not incur any expenditure except in accordance with directions given by the General Council.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Resolution Regarding Adjustment of the Boundaries between Subareas 0 and 1, adopted by the Scientific Council of the Northwest Atlantic Fisheries Organization on 9 March 1979

The Scientific Council

Noting that the external limits of the Canadian and Danish fishing zones, respectively, in the area between Canada and Greenland up to 75° North latitude coincide;

Noting that the western boundary of NAFO Subarea 1 approximates to, but does not follow, the coinciding limits in the area;

Noting that the difference between the western boundary of NAFO Subarea 1 and the coinciding limits creates difficulties for the coastal states concerned in the assignment of catches to their respective areas of jurisdiction; and

Noting that the western boundary of NAFO Subarea 1 was determined arbitrarily and does not conform to any stock boundary;

Resolves that the General Council be requested to act, pursuant to Article XX, paragraph 2, of the Convention to modify the western boundary of Subarea 1 to conform to the coinciding limits in the area, and to modify subdivision lines correspondingly.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Report of Working Group on Finance and Administration for the Organization

1. The Working Group on Finance and Administration for the Organization met on 8-9 March 1979, at Montreal, Canada. The following representatives of Contracting Parties and Observers participated in the meeting:

Canada	- Miss D. E. Pethick (Convener)	Norway	- Mr F. Bergesen
Cuba	- Mr R. Cabrera	Portugal	- Capt A. S. Caspar
	- Mr G. Utrera		- Dr A. Pontes
EEC	- Mr M. Marcussen	USSR	- Mr A. A. Volkov
Iceland	- Mr S. H. Gunnlaugsson	USA	- Mr L. L. Snead
Japan	- Mr K. Shimizu	Secretariat	- Mr L. R. Day
	- Mr K. Seki		- Mr W. H. Champion

2. The Working Group elected Miss D. E. Pethick (Canada) as Chairman.

3. The Working Group considered the financial items referred to it from the agenda of the General Council and recommends that the General Council of the Organization adopt the following resolution:

- Resolves
- (1) that the Executive Secretary of ICNAF be appointed with effect from today as the Executive Secretary of NAFO on the understanding that he will continue to act at the same time as Executive Secretary of ICNAF at least until 31 December 1979 and that as Executive Secretary of NAFO he receive no remuneration for 1979;
 - (2) that the Executive Secretary be authorized to appoint the staff of the ICNAF Secretariat as staff of NAFO's Secretariat on the understanding that this staff will continue to act at the same time as staff of ICNAF's Secretariat at least until 31 December 1979 and that as NAFO's Secretariat they receive no remuneration for 1979;
 - (3) that, pending the adoption of financial regulations, the Executive Secretary of NAFO be authorized to receive into a NAFO account all contributions in respect of NAFO and to pay expenses of NAFO including an administrative fee for any services provided to NAFO by the ICNAF Secretariat;
 - (4) that all assets and liabilities of ICNAF as of 31 December 1979 shall be assumed by NAFO effective 1 January 1980;
 - (5) that the Executive Secretary of NAFO be instructed to prepare and circulate for consideration at the Annual Meeting of NAFO a budget estimate for the financial year 1980;
 - (6) that the President of the Organization be requested to approach the Government of Canada for the purpose of appointing the Auditor General of Canada, who is the present auditor for ICNAF, to be the external auditor for NAFO; and
 - (7) that the President of the Organization be requested to approach the Government of Canada for the purpose of obtaining the same privileges and immunities as granted to ICNAF for the new Organization (NAFO) in order that NAFO may enjoy the maximum benefits permissible under existing domestic laws and regulations.

4. The Working Group on Finance and Administration considered the items which had to be resolved before the conclusion of the meeting. However, it was not able to review the draft financial regulations and proposed to meet for two days prior to the Annual Meeting of the Organization in June to review these regulations and prepare them in draft form for consideration at the First Annual Meeting.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Statement of the Observer from Spain

The Spanish delegation would be grateful if, in the final Report of the Meeting of the General Council, the text of the following statement be inserted.

"Spain, as a Member of ICNAF which has not signed the NAFO Convention, reserves her rights to put under consideration at the next meeting of ICNAF all the aspects connected with the possible transfer of competences, rights, and obligations from one international organization to the other.

"At the same time, the Spanish delegation expresses its protest, which could be exercised according to the ICNAF Convention, for the different proposals regarding the transfer accepted by the different bodies of NAFO before the actual dissolution of ICNAF by the withdrawal of all its members."

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Statement of the Observer from FAO

During the last ten or fifteen years, the Northwest Atlantic fisheries presented nearly the full range of problems and issues that could confront an international organization, including the scientific problems of assessing a multiplicity of stocks with numerous biological and fishery interactions, and the political problems of negotiating and enforcing management measures among a variety of participants. ICNAF dealt with these problems in various ways. In some cases, its regulations were timely and effective, in others not, but at this point, the importance of the ICNAF experience lies not in the success or failure of particular measures, but in the example of ICNAF as an organization that finally faced the problems and acted on them, that tried new measures and learned from them, and thereby became a leader in international fishery research and management.

This example will serve well in the future, for just as they did under the old regime, the Northwest Atlantic fisheries present nearly all the problems that can possibly arise under the new regime, including every kind and combination of national and international fisheries, stocks and management systems. The coastal states and other countries fishing in the region have already developed new mechanisms and principles to deal with some of these issues, and in the years ahead, acting both within and outside NAFO, they will complete and refine a new regional fisheries order, the first of its kind in the world.

As in the past, the rest of the world is closely following developments in this area, because the necessary will and goodwill are here to face the problems and act on them, to try new measures and learn from them. With this spirit, NAFO will provide a needed example of how international cooperation in sound research and sound management can obtain maximum benefits from the fishery resources of the sea.

I should also like to say a few words about the relation of FAO to regional activities in the Northwest Atlantic. FAO has been actively involved in the work of ICNAF from the time of its establishment. FAO staff served as members of various working groups, several meetings were held at FAO Headquarters in Rome, and FAO and ICNAF co-sponsored scientific meetings on topics of general concern. In recent years, FAO has continued to follow the work of ICNAF and to cooperate with it, particularly through the Coordinating Working Party on Atlantic Fishery Statistics (CWP), but on the whole, there has been less collaboration, partly because ICNAF had an ample supply of experts from its own Member Countries and partly because these experts were heavily engaged in current assessments that left little time for consideration of basic questions in research and management. Extended jurisdiction has now taken some of the pressure off the regional organization and, at the same time, created a number of new and basic questions about management, so there will again be a number of areas where NAFO and FAO will find it advantageous to work together for the benefit of fisheries in the Northwest Atlantic and elsewhere. An important part of this work, in which we hope for your help, will be the transfer of useful elements of the NAFO experience to other regional fishery organizations, particularly the FAO regional bodies in developing areas.

FAO looks forward to an active and productive association with NAFO, and on this occasion offers its support and best wishes for the work of NAFO in the years ahead.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Statement of the Observer from Japan

Mr Chairman, Ladies, and Gentlemen.

It is my great pleasure to say a few words here at this initial meeting of the Northwest Atlantic Fisheries Organization, which will replace the International Commission for the Northwest Atlantic Fisheries.

Since 1950 ICNAF has contributed, to a great extent, to the conservation and rational utilization of Northwest Atlantic fishery resources and ICNAF's way of handling affairs has been an example for other international fishery commissions such as ICSEAF and ICCAT. The NAFO will be another example for others, being one of the first international fishery organizations established under the new regime of 200-mile fishery jurisdiction now recognized by the international community. Other organizations, I am certain, are watching how NAFO functions and we should show them a good example.

A spirit of cooperation is especially necessary between the coastal states and other states fishing in the Convention Area, which includes both within and outside the 200-mile fishing jurisdiction waters of coastal states.

In order to achieve the objective of sound management and rational utilization of fishery resources in maintaining the level of optimum sustainable yield, close cooperation and mutual understanding among all the Contracting Parties are indispensable.

Until the end of this year, ICNAF and NAFO will co-exist. I believe that, being Chairman of ICNAF, my responsibility consists of transplanting ICNAF's sense of cooperation and friendship, as well as its valuable experiences, to our new Organization. I will do my best and sincerely wish to obtain your cooperation.

I would like to add that my Government is working very hard for the early acceptance of the NAFO Convention. At this meeting I am speaking as an observer, but, by the time of the next meeting, I hope that Japan will be a member country of NAFO.

Thank you.

PART I (B)

REPORT

OF THE

FISHERIES COMMISSION

OF NAFO

INAUGURAL MEETING

MARCH 1979

Northwest Atlantic



Fisheries Organization

INAUGURAL MEETING - MARCH 1979

Report of the Fisheries Commission of NAFO

Thursday, 8 March, 1615 hrs

Friday, 9 March, 1526 hrs

1. The Inaugural Meeting of the Fisheries Commission of NAFO was convened at Montreal, Canada, during 8-9 March 1979 by the President of the Organization, Dr A. W. May (Canada).
2. Under Agenda Item 2, Agenda, the provisional Agenda (Appendix I) was adopted.
3. Under Agenda Item 3, Election of Chairman and Vice-Chairman, Mr H. Rasmussen (Norway) was elected as temporary Chairman of the Fisheries Commission for the current meeting. The Commission agreed that the election of a permanent Chairman and Vice-Chairman should be deferred until the Annual Meeting, at which time it was expected there would be more Parties to the Convention.
4. Under Agenda Item 4, Rapporteur, Mr B. Applebaum (Canada) was selected as Rapporteur.
5. Under Agenda Item 5, Observers, the Commission agreed that Members of ICNAF which were not Parties to NAFO and, in addition, Denmark (Faroe Islands), FAO, and the USA should be admitted to the meeting as observers.
6. Under Agenda Item 6, Membership of Fisheries Commission, the Chairman noted that the General Council, in accordance with the Convention, had determined the Commission membership to be Canada, Cuba, the European Economic Community (EEC), German Democratic Republic (GDR), Norway, Romania, and the USSR.
7. Under Agenda Item 7, Working Group on Rules of Procedure, the Chairman noted that it had been agreed at the meeting of the General Council that the Working Group established to prepare draft rules of procedure for the General Council should also prepare rules of procedure for the Fisheries Commission (PART I(A), Appendix III, this volume, page 17).
8. Under Agenda Item 8, Standing Committees, the Chairman noted the need for establishing Standing Committees on Regulatory Measures and on International Control. The proposal of the delegate of Canada to have this item referred to the Working Group on Rules of Procedure for the General Council and the Fisheries Commission was accepted.
9. The Commission meeting was recessed at 1635 hrs, 8 March, to allow time for the Working Group to report.
10. The Commission meeting was reconvened at 1526 hrs, 9 March.
11. Under Agenda Item 9, Adoption of Proposals for the Conservation, in 1979, of Stocks of Capelin in Div. 3LNO and Squid in Subareas 3 and 4, the delegate of Canada noted that ICNAF had adopted proposals regarding both stocks and proposed that the Commission adopt the same proposals. The delegate of EEC asked if NAFO could recommend management measures to be applied to non-Parties to the NAFO Convention. The delegate of Canada noted that this question had been discussed with the Executive Secretary, and that it was understood that NAFO and ICNAF regulations would be drafted in a manner which would reflect the fact that the Parties to the two Conventions were, in some cases, different, but would also reflect the various allocations in a manner which would clearly express the obligations to be assumed by all Parties. On the basis of this explanation, the Fisheries Commission

agreed

that the Executive Secretary transmit to the Contracting Parties, for joint action by the Contracting Parties, proposal (1) for international regulation of the fisheries in Subareas 3 and 4 of the Regulatory Area (Appendix II).

on International Control, but the existence of a committee of this nature would depend on the rules of procedure for the Commission, which had not yet been adopted. Pressure of business had prevented the establishment of a working group on this subject. His delegation had, accordingly, prepared the draft resolution in order to incorporate, into the NAFO Scheme of Joint International Enforcement, the amendments adopted by ICNAF to the ICNAF Scheme of Joint International Enforcement. The delegate of EEC responded that the adoption of the proposed resolution would cause internal difficulties for the EEC. It was explained that the EEC wished to have the text of the NAFO Scheme of Joint International Enforcement which, at present, is the ICNAF Scheme, reviewed and revised to make it consistent with the text of the NAFO Convention. The delegate of EEC noted that it would be administratively preferable in the EEC to adopt a single regulation incorporating the appropriate text of the NAFO Scheme of Joint International Enforcement rather than a series of regulations amending each other. He proposed that action on this question be deferred to the 1979 Annual Meeting, by which time it was expected that a new text of the Scheme would have been prepared. The observer from Portugal noted that the resolution proposed by Canada included a proposal which was not relevant to the Scheme of Joint International Enforcement, i.e., the provision adopted by ICNAF authorizing the Executive Secretary to notify a Member Country when the Executive Secretary had reason to believe that the relevant quota had been reached in the area outside national jurisdiction. The delegate of Canada withdrew his proposed resolution, but gave notice that he may choose to refer to this matter again at the 1979 Annual Meeting.

13. Adjournment. The Commission, having concluded its business adjourned at 1600 hrs, 9 March 1979.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Fisheries Commission

Agenda

1. Call to Order by the President of NAFO (Chairman of General Council)
2. Approval of Agenda
3. Election of Chairman and Vice-Chairman
4. Selection of Rapporteur
5. Admission of Observers
6. Review of Commission Membership
7. Establishment of Working Group on Rules of Procedure, including Committees and Subcommittees
8. Consideration of Establishment of Standing Committees on
 - (a) Regulatory Measures
 - (b) International Control
9. Adoption of Proposals for the Conservation, in 1979, of stock of
 - (a) Capelin in Div. 3LNO of Subarea 3
 - (b) Squid in Subareas 3 and 4

(Report of Special ICNAF STACRES Meeting on Capelin and Squid, February 1979)
(Report of Special ICNAF Meeting, March 1979)
10. Consideration of measures of international control and enforcement
11. Other Business
12. Adjournment

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

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

That the Contracting Parties conduct their fisheries in the Regulatory Area 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 (1) for the International Regulation of the Fisheries in Subareas 3 and 4 of the Convention Area, adopted by the Fisheries Commission of the Northwest Atlantic Fisheries Organization 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}
Canada ⁴	10,000 ¹	86,500
Cuba ⁴	-	4,500
European Economic Community	-	5,000
Romania ⁴	-	1,000
USSR ⁴	-	10,000
Reserved for the Members of the International Commission for the Northwest Atlantic Fisheries which are non- Members of the Northwest Atlantic Fisheries Organization (Bulgaria, Japan, Poland, Portugal, and Spain)	-	13,000
Total	10,000	120,000

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

² A minimum of 10% of each Party's allocation 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 Party include(s) the amount allocated for quota regulation of the same stock in the proposal adopted by the International Commission for the Northwest Atlantic Fisheries on 9 March 1979.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Resolution Relating to the Enforcement of the Fishery Regulations for NAFO

The Fisheries Commission of the Northwest Atlantic Fisheries Organization (NAFO);

Noting that the International Commission for the Northwest Atlantic Fisheries (ICNAF) has adopted the amendments to its Scheme of Joint International Enforcement contained in Annexes 1 and 2 to this resolution;

Noting that, pursuant to Article XXIII of the NAFO Convention, insofar as the amendments in Annex 1 will replace measures in force under the ICNAF Scheme of Joint International Enforcement, they can be adopted in NAFO only so as to take effect after the NAFO Convention has been in force for one year;

Proposes that the Scheme of Joint International Enforcement, effective pursuant to Article XXIII of the NAFO Convention, be amended in accordance with Annex 1 to this resolution, the amendment to become effective in accordance with the terms of the NAFO Convention as of 1 January 1980;

And Proposes that the Scheme of Joint International Enforcement, effective pursuant to Article XXIII of the NAFO Convention, be amended in accordance with Annex 2 to this resolution, the amendment to become effective in accordance with the NAFO Convention as of the date on which the amendment in Annex 2 becomes effective for any ICNAF Member under the ICNAF Convention;

And Calls Upon all Parties to the NAFO Convention who are not bound by the Scheme of Joint International Enforcement effective under the ICNAF Convention, to comply voluntarily with the amendments contained in Annex 1 as of the date they become effective for any ICNAF Member under the ICNAF Convention.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

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, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 9 March 1979

- "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 ICNAP¹ 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.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

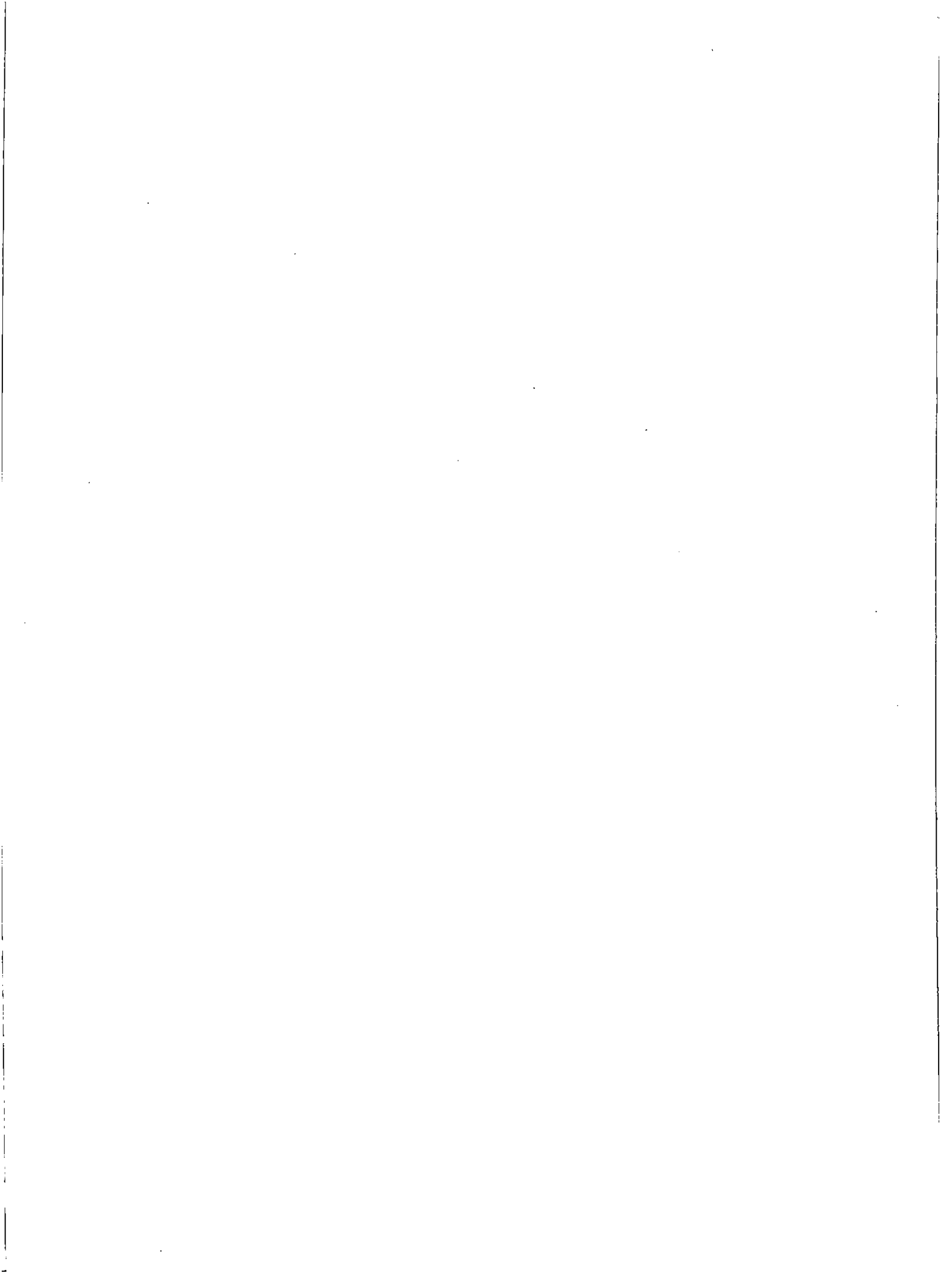
INAUGURAL MEETING - MARCH 1979

Proposal Relating to Actions to be Taken by the Executive Secretary Following Information on Member Countries Reaching their Catch Quotas, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 9 March 1979

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



PART I(C)

REPORT

OF THE

SCIENTIFIC COUNCIL

OF NAFO

INAUGURAL MEETING

MARCH 1979



Northwest Atlantic



Fisheries Organization

INAUGURAL MEETING - MARCH 1979

Report of the Scientific Council of NAFO

Thursday, 8 March, 1640 hrs

Friday, 9 March, 1530 hrs

1. Opening. The Inaugural Meeting of the Scientific Council was held at Montreal, Canada, during 8-9 March 1979. The first session was called to order by the President of NAFO, Dr A. W. May (Canada), who welcomed the representatives and advisers of the following Contracting Parties: Canada, Cuba, the European Economic Community (EEC), German Democratic Republic (GDR), Iceland, Norway, Romania, and the Union of Soviet Socialist Republics (USSR).
2. Agenda. The provisional agenda was adopted with amendment, proposed by Canada, by the addition of an item under "Other Business" entitled "Adjustment to boundaries between Subareas 0 and 1" (see Appendix I).
3. Election of Officers
 - (a) The Scientific Council unanimously agreed that the election of officers for 1979/80 be deferred until the First Annual Meeting of the Scientific Council, due to the possibility of additional representation on the Council by further ratifications of the Convention.
 - (b) Mr R. H. Letaconnoux (EEC) was unanimously elected as Chairman for this Inaugural Meeting of the Council.
4. Rapporteur. Mr V. M. Hodder was appointed Rapporteur.
5. Admission of Observers. The Scientific Council unanimously agreed that representatives of all current Member Countries of ICNAF, and the observers from Denmark (Faroe Islands), FAO, and the United States of America (USA) be invited to participate as observers in meetings of the Scientific Council, and of its committees and working groups.
6. Rules of Procedure for the Scientific Council, including Committees and Subcommittees
 - (a) Establishment of Working Group. A small Working Group, composed of representatives from Canada, Cuba, USSR, and any others interested in participating, with Mr A. T. Pinhorn as Convener, was set up and requested to meet as soon as possible, and report on progress at the next session of the Scientific Council on 9 March.
 - (b) Report of Working Group on Rules and Procedure. The Working Group met on 9 March 1979 with the following scientists in attendance: P. Kolarov (Bulgaria), A. T. Pinhorn and L. S. Parsons (Canada), J. A. Varea (Cuba), R. H. Letaconnoux (EEC), V. A. Rikhter and A. S. Seliverstov (USSR), and R. C. Hennemuth (USA). Following consideration of a draft set of rules of procedure which had previously been prepared for review at this meeting, the Working Group proposed the Rules of Procedure for the Scientific Council of NAFO, which, after amendment, were adopted by the Scientific Council at its second session (see Appendix II).
7. Consideration of Bases for Formulation of Advice at the First Annual Meeting in June 1979. The Scientific Council noted that it will be expected to provide advice for 1980 to the Fisheries Commission and to Contracting Parties exercising fisheries jurisdiction in Subareas 0 to 4 on the scientific basis for the management of certain stocks in these areas. Since the Scientific Council has not yet established the relevant committee to provide the necessary advice, and since such advice will be formulated during the forthcoming meeting of the ICNAF Assessments Subcommittee in April 1979, it was unanimously agreed that the Scientific Council will consider the Report of the Assessments Subcommittee of ICNAF as the bases for advice expected of the Council at its June 1979 Meeting.
8. Other Business
 - (a) Adjustment of boundaries between Subareas 0 and 1. The Scientific Council considered a Canadian proposal that the western boundary of Subarea 1 be modified to conform to the coinciding limits of the Canadian and Danish fishing zones in the area, and adopted the following resolution:

The Scientific Council

Noting that the external limits of the Canadian and Danish fishing zones, respectively, in the area between Canada and Greenland up to 75° north latitude coincide;

Noting that the western boundary of NAFO Subarea 1 approximates to, but does not follow, the coinciding limits in the area;

Noting that the difference between the western boundary of NAFO Subarea 1 and the coinciding limits creates difficulties for the coastal states concerned in the assignment of catches to their respective areas of jurisdiction; and

Noting that the western boundary of NAFO Subarea 1 was determined arbitrarily and does not conform to any stock boundary;

Resolves that the General Council be requested to act, pursuant to Article XX, paragraph 2, of the Convention, to modify the western boundary of Subarea 1 to conform to the coinciding limits in the area, and to modify subdivision lines correspondingly.

- (b) Organization of work for the First Annual Meeting in May 1979. The Scientific Council agreed to meet during 22-29 May 1979 and elect its officers at the first session on 22 May 1979. In order to avoid as much duplication of discussions as possible, it was further agreed that the Chairman of the Scientific Council of NAFO, when elected, arrange a brief meeting with the Chairman of ICNAF's Standing Committee on Research and Statistics (STACRES) to discuss transitional arrangements, particularly on matters relating to statistics and sampling, biological surveys, and environmental studies. Joint sessions of the Scientific Council and STACRES were suggested.

9. Adjournment. The Chairman thanked the participants for their cooperation during this Inaugural Meeting of the Scientific Council and declared the meeting adjourned at 1630 hrs.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Scientific Council

Agenda

1. Call to Order by the President of NAFO (Chairman of the General Council)
2. Approval of Agenda
3. Election of Chairman and Vice-Chairman, pursuant to Article IX, paragraph 2, of the Convention
4. Selection of Rapporteur
5. Admission of Observers
6. Establishment of Working Group on Rules of Procedure
7. Consideration of bases for formulation of advice to Fisheries Commission and coastal states at First Annual Meeting
8. Other Business
 - (a) Adjustment to boundaries between Subareas 0 and 1
 - (b) Organization of work for First Annual Meeting in May 1979
9. Adjournment

NORTHWEST ATLANTIC FISHERIES ORGANIZATION

INAUGURAL MEETING - MARCH 1979

Rules of Procedure for the Scientific Council of NAFO

REPRESENTATION

Rule 1

- 1.1 Each Contracting Party shall inform the Executive Secretary of the names of its representatives on the Scientific Council.
- 1.2 Each Contracting Party through its representative(s) shall inform the Executive Secretary of the names of its alternates, experts, and advisers at or before the commencement of any meeting of the Scientific Council or its committees.
- 1.3 The Scientific Council may invite observers from any non-Member Government or international, public, or private organization to any meetings of the Scientific Council.

ORDER OF BUSINESS

Rule 2

- 2.1 A provisional agenda for each annual or special meeting of the Council or any of its committees shall be drawn up by the Executive Secretary, in consultation with the Chairman of the Scientific Council and of the relevant committee or committees, and be dispatched by the Executive Secretary to all Contracting Parties and non-Member Governments and organizations invited to participate, not less than 60 days before the date fixed for the opening of the meeting.
- 2.2 The subject matter of a request for scientific advice from a coastal state, in accordance with Article VII, or from the Fisheries Commission, in accordance with Article VIII, shall be included in the provisional agenda for the relevant meeting of the Scientific Council. A memorandum containing the terms of reference prescribed in Article VII shall be circulated by the Executive Secretary to all Contracting Parties at least 30 days in advance of the meeting at which the subject matter is discussed. This requirement may be waived with the consent of the members of the Scientific Council.

COMMITTEES

Rule 3

- 3.1 There shall be the following standing committees. Except as specified below, each standing committee shall be composed of a scientist appointed by each Contracting Party, who may be assisted by experts and advisers, and each with a chairman who shall be elected by the Scientific Council, in accordance with the provisions of Article X of the Convention, to serve for two years.
 - (a) The Standing Committee on Fisheries Science which shall
 - i) provide a forum for consultation and cooperation among the Contracting Parties with respect to the study, appraisal, and exchange of scientific information and views relating to the fisheries of the Convention Area, including environmental and ecological factors affecting these fisheries; and
 - ii) provide scientific advice as required, in accordance with the provisions of Article VI(c) and VI(d) of the Convention.
 - (b) The Standing Committee on Research Coordination which shall:
 - i) develop and recommend to the Council policies and procedures for the collection, compilation, and dissemination of statistical and sampling information on the living resources and fisheries of the Convention Area and environmental information from oceanographic investigations;
 - ii) coordinate the compilation and maintenance of statistics and records and their dissemination, including liaison with coastal states in the Convention Area;
 - iii) coordinate the planning and execution of international cooperative research in cooperation with coastal states in the Convention Area; and
 - iv) encourage and promote cooperation among the Contracting Parties in scientific research intended to fill gaps in knowledge pertaining to matters identified by the Standing

(c) The Standing Committee on Publications which shall

- i) develop, coordinate, and keep under review the publication and editorial policy and procedures of the Scientific Council and make recommendations to the Scientific Council on these matters; and
- ii) be composed of the Vice-Chairman of the Scientific Council, who shall be the Chairman, and of five other members appointed by the Scientific Council for a period of two years; the Executive Secretary shall be an *ex officio* member of the Committee.

3.2 There shall be an Executive Committee of the Scientific Council, composed of the Chairman and Vice-Chairman of the Scientific Council and the Chairmen of the Standing Committees. The Executive Secretary shall be an *ex officio* member of the Executive Committee. This Committee shall keep under general review the planning and execution of the Scientific Council's program and ensure that the Scientific Council's organization effectively and efficiently meets the needs of the scientific program, facilitate coordination with other organizations, and provide advice to the Chairman of the Scientific Council on

- (a) the timetable for the work of the Committees and Working Groups, and
- (b) input by the Scientific Council to the work of the General Council.

3.3 The Scientific Council may establish such other standing or *ad hoc* committees or *ad hoc* working groups as it considers necessary.

SECRETARIAT

Rule 4

4.1 The Executive Secretary shall be responsible for providing advice and assistance to the Scientific Council on matters relating to the preparation for, functioning of, and reporting on all meetings of the Scientific Council, and such services as are required by the Scientific Council, its Committees, and Working Groups for the performance of their duties and functions.

CHAIRMAN AND VICE-CHAIRMAN

Rule 5

5.1 The Chairman and Vice-Chairman shall take office at the conclusion of the annual meeting at which they were elected.

5.2 The powers and duties of the Chairman shall be:

- (a) to declare the opening and closing of each meeting of the Scientific Council;
- (b) to preside over the proceedings of the sessions of the Scientific Council;
- (c) to rule on points of order;
- (d) to arrange for the appointment of *ad hoc* committees and working groups as required by the Scientific Council;
- (e) to sign, on behalf of the Scientific Council, a report of the proceedings of each annual or other meeting of the Scientific Council, for transmission to Contracting Parties, representatives, and others concerned, as the authoritative record of what took place; and
- (f) to act as Chairman of the Executive Committee.

5.3 The powers and duties of the Vice-Chairman shall be:

- (a) to exercise the powers and duties prescribed for the Chairman when he is unable to act;
- (b) to act as Chairman of the Publications Committee; and
- (c) to undertake such other duties as may be required.

5.4 If the office of the Chairman is vacated, the Vice-Chairman shall become Chairman for the unexpired balance of the term.

VOTING

Rule 6

6.1 Voting, in accordance with Article X of the Convention, shall be taken by show of hands, by roll call in alphabetical order of the names of the Contracting Party or by ballot, as determined by the Chairman.

6.2 Between meetings of the Scientific Council, or in emergency, a vote may be taken by mail, or other means of communication.

RECORDS OF PROCEEDINGS OF THE SCIENTIFIC COUNCIL AND ITS COMMITTEES

Rule 7

- 7.1 Summary records of each plenary and committee session shall be drafted and distributed as soon as possible to session participants.
- 7.2 As soon as possible after each meeting of the Council, copies of all summary records and reports, including resolutions, recommendations, and other decisions adopted by the Scientific Council shall be transmitted by the Executive Secretary to the Contracting Parties and invited participants.
- 7.3 An annual report containing the proceedings of each meeting of the Scientific Council, together with reports of committees, shall be prepared by the Chairman, in consultation with the Executive Secretary, and published.

FINANCIAL

Rule 8

- 8.1 The Scientific Council shall not incur any expenditure, except in accordance with a budget approved by General Council.

AMENDMENT TO THE RULES OF PROCEDURE

Rule 9

- 9.1 These Rules of Procedure may be amended at any time by the Scientific Council, in accordance with Article X of the Convention.

PART I(D)

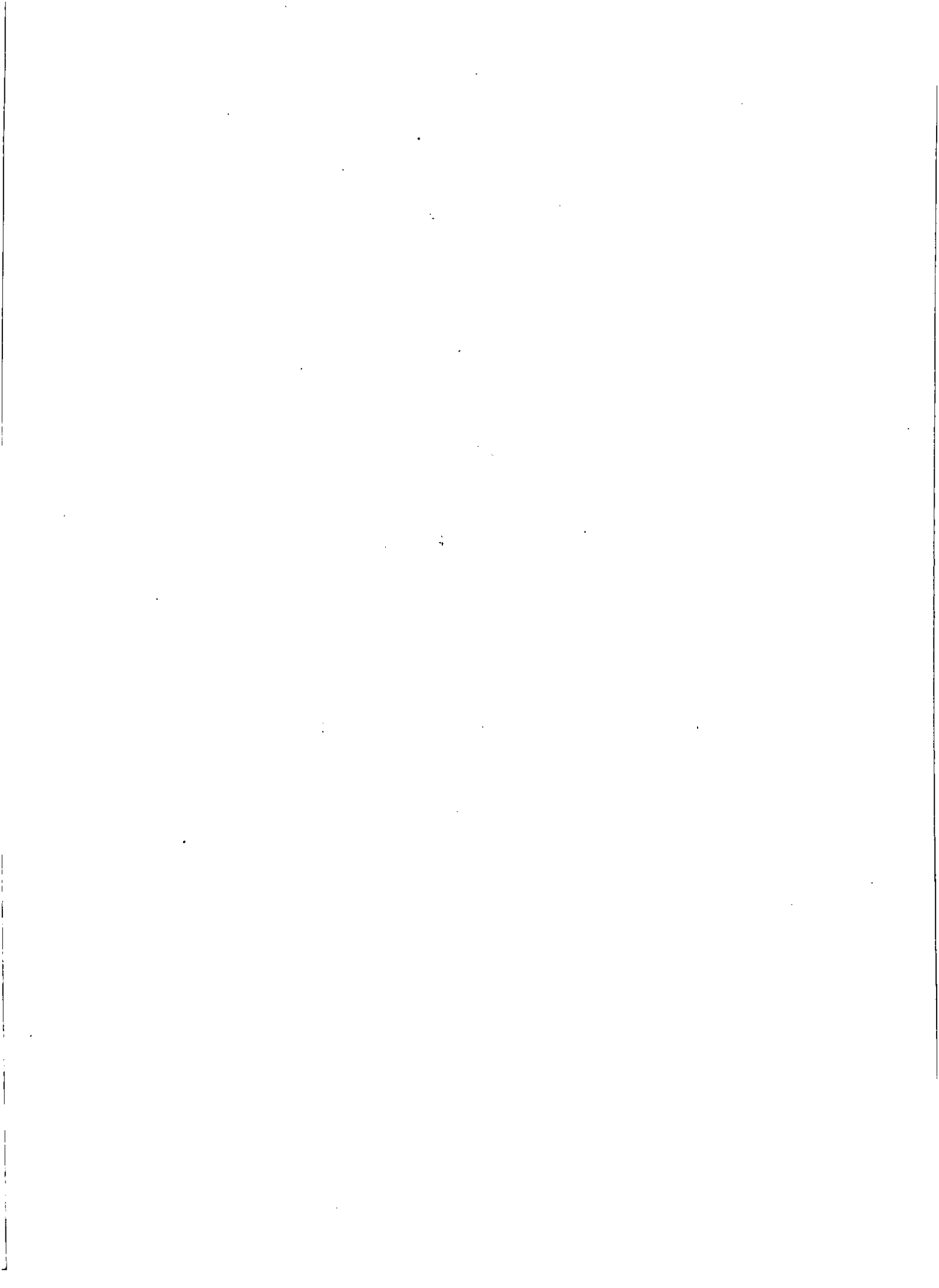
LIST

OF

PARTICIPANTS

INAUGURAL MEETING OF NAFO

MARCH 1979



Northwest Atlantic



Fisheries Organization

INAUGURAL MEETING - MARCH 1979

List of Participants

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PART I(E)

PRESS

NOTICE

INAUGURAL MEETING OF NAFO

MARCH 1979



Northwest Atlantic



Fisheries Organization

INAUGURAL MEETING - MARCH 1979

Press Notice

The Northwest Atlantic Fisheries Organization (NAFO) held its Inaugural Meeting in Montreal on 8 and 9 March 1979. The new Organization has been established to provide an international cooperation in the Northwest Atlantic fisheries within the context of the new 200-mile fishing limits in the area.

Canada, Cuba, the European Economic Community (EEC), the German Democratic Republic (GDR), Iceland, Norway, Romania, and the Union of Soviet Socialist Republics (USSR) participated in the meeting as Parties to the NAFO Convention. Representatives of Bulgaria, Faroe Islands (Denmark), Japan, Poland, Portugal, Spain, and the United States of America (USA), which are expected to join NAFO, attended the meeting as Observers together with representatives of the Food and Agriculture Organization of the United Nations (FAO).

The NAFO Convention was opened for signature in Ottawa, in October 1978. It came into force on 1 January 1979, following receipt of ratifications from Canada and the European Economic Community (EEC), which exercise fisheries jurisdiction in the area, and from four other signatories: the German Democratic Republic (GDR), Iceland, Norway, and the Union of Soviet Socialist Republics (USSR). Romania decided to join NAFO prior to the Inaugural Meeting.

Dr A. W. May, Assistant Deputy Minister, Atlantic Fisheries Service, of the Federal Department of Fisheries and Oceans, and leader of the Canadian delegation, opened the meeting as the representative of Canada. He called for increased international consultation in science and management to ensure conservation and healthy fisheries. Dr May was subsequently elected President of the new Organization.

The First Annual Meeting of NAFO will be held concurrently with the 29th Annual Meeting of the International Commission for the Northwest Atlantic Fisheries (ICNAF) during 30 May-9 June 1979, in Halifax, Nova Scotia, Canada.

20 March 1979

Office of the Secretariat
Dartmouth, Nova Scotia, Canada

