

SECTION VII

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Report of the Fisheries Commission and its Subsidiary Body (STACTIC), 14th Annual Meeting 14-18 September 1992 Dartmouth, Nova Scotia, Canada

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PART I

Report of the Meeting of the Fisheries Commission

14th Annual Meeting, 14-18 September 1992

Dartmouth, Nova Scotia, Canada

Monday, 14 September, 1025-1700 hours

Tuesday, 15 September, 1145-1805 hours

Wednesday, 16 September, 1040-1835 hours

Thursday, 17 September, 1040-1830 hours

Friday, 18 September, 1215-1530 hours

1. Opening Procedures (Agenda items 1 to 5)

- 1.1 The meeting was called to order by the Chairman, E. Wiseman (Canada) on 14 September 1992 at 1025 hours. Representatives from the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, the European Economic Community (EEC), Japan, Latvia, Lithuania, Norway, Poland and the Russian Federation (Russia) (Annex 1).
- 1.2 The Chairman ruled that in accordance with provisions of the NAFO Convention, until formalization of the accession of Estonia, Latvia, and Lithuania by the General Council, these states were observers. He proposed the Fisheries Commission would take no formal decisions until the opening of the General Council Meeting tomorrow, September 15. This was agreed.
- 1.3 S. B. Kristensen (EEC) was appointed Rapporteur.
- 1.4 The provisional agenda was adopted with the following amendments:
 - adoption of the Report of the Special Meeting of the Fisheries Commission, May 1992 (FC Doc. 92/3) would be added to agenda item 6;
 - agenda items 17 and 18 would read: "Management and technical measures..." to allow for discussion of any specific measures in respect of individual stocks which were not covered by agenda items no. 7 and no. 12.
- 1.5 A proposal by the representative of the European Community that agenda item 18(i) read: "Cod in Div. 2J3KL" was opposed by the representative of Canada. However, it was agreed to revert to the matter when discussing the substance of that item.
 - i) The representative of the EEC recalled his proposal to label this agenda item "Cod in Div. 2J3KL" as all rational management must be based on the whole stock and explained that the EEC cooperated with other third countries in joint stock management, irrespective of the share of the stock attributed to each Party.

He then introduced an EEC proposal (FC Working Paper 92/50) calling for joint action by NAFO in conformity with Article XI.2 of the Convention to set a zero TAC for cod in 2J3KL, taking into account the scientific advice and in consistency with the moratorium introduced by Canada in its own waters.

- ii) The representative of Canada opposed both proposals which he considered contrary to the Convention and the principle of exclusive management by the coastal state recognized by international law.
 - iii) The representative of the European Community responded that the proposal was intended to ensure consistency in the management of a single biological stock and did not interfere with the competence of the coastal state.
 - iv) The representatives of Denmark and Norway had some understanding for the interest of a coastal state in the management of a stock in which it held a share of 95-97%.
 - v) The Fisheries Commission decided to revert to agenda items 17(a) and 18 as a whole when the technical conservation measures under agenda item 10 had been settled.
- 1.6 The agenda as amended **was adopted** (Annex 2).
- 1.7 Representatives of the Republic of Korea and the United States of America were admitted to the Meeting as observers.
- 1.8 It **was agreed** that normal NAFO practice should be followed in relation to publicity and that no statements would be made to the media until after the conclusion of the meeting when a press release would be drawn up by the Chairman of the General Council and of the Fisheries Commission, and the Executive Secretary.
- 1.9 The representative of Canada made an opening statement (Annex 3).
- 1.10 The representative of the European Community also made an opening statement (Annex 4).
- 1.11 The representative of Norway commented on these statements that overfishing and cold water conditions were not the only causes of the depletion of the 2J3KL cod stock, but all causes affecting the marine ecosystem should be taken into account, such as the impact of sea mammals. He added that the seal population had grown from 1 1/2 to 3 or 4 million over recent years and that this factor had been ignored so far.

The representative of Denmark agreed with these comments.

2. Administrative (Agenda items 6 to 8)

- 2.1 The reports of the 13th Annual Meeting, September 1991 (FC Doc. 91/14) and of the Special Meeting of the Fisheries Commission, May 1992 (FC Doc. 92/3) **were adopted**.

- 2.2 Review of Commission Membership (item 7), **was deferred** until after the General Council Meeting when discussing the substance of that item.

Note (by Executive Secretary):

At the opening session of the General Council on 15 September 1992 the three new members of NAFO - Estonia, Latvia, and Lithuania presented their statements of intentions and participation in the fisheries in the Regulatory Area, and they were admitted to the membership of the Fisheries Commission in accordance with the provisions of Article III e) and Article XIII.1 of the NAFO Convention.

- 2.3 At the request of the representative of Canada, agenda item 8 "Clarification of rules of procedure", which was explained in Note 1 to the Fisheries Commission Agenda and presented to the Meeting in FC Working Paper 92/26 by the Executive Secretary, **was also deferred** without definite commitment.

At the closing session on 18 September it **was decided** to postpone this item pending possible similar examination procedures by the General Council in the near future.

3. Commission Proposals (Agenda items 9 to 14)

- 3.1 At the request of the representative of Denmark, agenda item 9, "Adoption of Reports of STACTIC Meetings in February and July 1992 in Copenhagen", **was deferred** pending further discussion at STACTIC during this Annual Meeting.

The Reports **were adopted** at the later session of the Commission.

- 3.2 The Fisheries Commission then examined agenda item 10, "Conservation and Enforcement Measures (amendments for adoption by the Commission)", on the basis of the reports of the Special Meeting of the Fisheries Commission (May 1992) and the Special Meeting of STACTIC (July 1992).

- i) The Chairman noted the two principal documents (FC Doc. 92/3 and 92/4) and asked for comments from the floor.
- ii) The representative of Denmark (Chairman of STACTIC) Mr Lemche, explained that the STACTIC Report (FC Doc. 92/4) was done in accordance with a request from the Fisheries Commission and in a very high degree of agreement in STACTIC. It would be appropriate to consider the Special Fisheries Commission Meeting Report as a major document and the STACTIC July Report as a supportive document. All possible additional proposals should be incorporated as amendments to the pending proposals in FC Doc. 92/4. This **was agreed** by the Fisheries Commission.

- 3.3 **Pilot project for a NAFO Observer Scheme** (Agenda item 10.1: Annex 5 of FC Doc. 92/3; Annex 3 of FC Doc. 92/4)

- i) The representatives of Canada and Denmark (in respect of the Faroe Islands and Greenland) declared their willingness to implement the pilot project proposal as agreed at the Special Meeting of the Fisheries Commission. The

representative of Canada in particular felt that the observer scheme must enable Contracting Parties to take action to ensure compliance with NAFO Conservation and Enforcement Measures and that suspected violations must be followed up.

- ii) The representatives of the EEC and Russia pointed out that observers would not have any inspection powers in the sense of the joint international inspection scheme which would neither be duplicated nor added to by the scheme. Their mandate was of a more limited nature, in consisting in passing on information to Contracting Parties at the end of their assignment period.
- iii) The representative of the EEC stressed that a substantial and, compared to fleet activity, disproportionate share of the EEC's overall expenses on enforcement and control was already spent in the Regulatory Area. There could be no question of the EEC increasing these expenses on its own. He therefore suggested to replace the financing of observers by Contracting Parties as set out in paragraph 3(c) of FC Working Paper 92/6 by a NAFO financed system. The representative of Denmark noted that such a system would require detailed regulations which were almost impossible to work out before its actual application and that the scheme would then be less flexible. The representative of the EEC repeated that the EEC could not spend more but took note of the remarks made.
- iv) The Chairman of STACTIC pointed out that Annex 3 to the STACTIC July Report had been agreed by all Parties with the exception of para 1.5. STACTIC had discussed but not agreed on whether the final reports or summaries thereof should be sent to the Executive Secretary for onward transmission to Contracting Parties with an inspection presence in the Area.
- v) The representative of Canada suggested to overcome this difficulty by deleting the last qualification from the text of paragraph 5(b) in FC Working Paper 92/6 which would then read: "to provide to the vessel's authorities and to the NAFO Executive Secretary, at the termination of the observer's assignment to a vessel, a written report for onward transmission by the Executive Secretary to Contracting Parties". This suggestion **was approved**.
- vi) The Chairman concluded that there was a large consensus on this scheme, with the exception of the question of funding raised by the EEC.
- vii) The representative of the EEC at the second session on 15 September proposed to add language from the STACTIC July report on the role of observers and filing of reports as set out in FC Working Paper 92/37.

He also responded to the representative of Canada that it was his understanding of the text that individual reports would be made available to other Contracting Parties after evaluation.

- viii) These amendments were **agreed** by the Fisheries Commission.

- xi) The only point outstanding was the EEC proposal to replace paragraph 3(b) by the following:

- "All costs shall be borne by NAFO".

The representatives of Canada, Denmark and Russia opposed this proposal for budgetary and operational reasons.

The representative of Denmark suggested, by way of compromise, that travel expenses only be covered by the NAFO budget.

- x) The Fisheries Commission at its session on 17 September examined two drafts: one by the EEC (FC Working Paper 92/37) and one by Canada (FC Working Paper 92/52).

The difference between the two drafts was that the EEC draft provided for funding by the NAFO budget, the Canadian draft, by Contracting Parties (paragraph 3(c)). The Canadian draft also provided for mandatory transmission of unedited observer's reports to other Contracting Parties in paragraph 4(b).

The representative of Canada withdrew his proposal on the latter point and accepted the wording of the EEC proposal, with the exception of paragraph 3(c) which was replaced by the wording of the Canadian proposal.

- xi) **This amended text was put to a vote and adopted as set out in FC Doc. 92/13 with 10 votes in favour, none against and 1 abstention (EEC) (Annex 5 - FC Doc. 92/13).**

3.4 **Incorporation of a catch reporting system into the hail system** (Agenda item 10.2: Annex 14 of FC Doc. 92/4; Annex 4 of FC Doc. 92/3)

- i) The representative of Canada reiterated his support for this proposal which would provide NAFO inspectors with otherwise unavailable real time catch information and help to reveal apparent infringements to NAFO conservation rules.

The representative of the EEC stated that the EEC was not against catch reporting as such but felt that the hail system was still in an early stage of application and that the effectiveness would suffer if it was overloaded with additional reporting requirements.

The representative of Russia reserved his position for later comment.

- ii) On the question of communication of hail reports to competent authorities of the NAFO Secretariat, the representatives of Denmark and Norway said that they preferred reporting to the NAFO Secretariat which would considerably shorten communication lines. The representative of Norway added that the NAFO Secretariat should create a data base from which Contracting Parties could draw information on a selective basis.

The representative of the EEC reiterated that reports should be sent to Contracting Parties before they were transmitted to the NAFO Secretariat, but could live with the present drafting: "and to the NAFO Secretariat if the Contracting Party so desires".

- iii) The representative of Canada suggested to make the proposal acceptable by postponing its implementation until 1 January 1994.

The representative of the EEC indicated that this was a step in the right direction but that it was necessary to improve the present hail system before taking on any additional obligations.

- iv) The representative of Canada then introduced an amended proposal (FC Working Paper 92/7, 4th revision).

The representative of the EEC reiterated that he was still not in a position to move on this matter. The representative of Denmark, although he considered real time catch reporting an essential element in revealing apparent infringements, felt that the next Annual Meeting should consider its implementation in 1994 on the basis of expert advice from STACTIC.

- v) The representative of Canada then withdrew his proposal, and noted his intention to put it forward again next year.
- vi) **The Fisheries Commission decided to defer this item to the next Annual Meeting.**

3.5 **Production logbooks and stowage plans** (Agenda item 10.3: Annex 7 of FC Doc. 92/3; Annex 5 of FC Doc. 92/4)

- i) The representative of Canada strongly supported the adoption of such a measure which would be a very modest requirement as most vessels already kept production logbooks for commercial purposes or could alternatively draw up a stowage plan. The information was essential in order to compare reported catches with the estimated stow in the hold.

The representative of Russia referred to the solution indicated by STACTIC that the inspectors could be guided by conversion factors established by the master of the vessel and wanted this reflected in paragraph 6ii(e) of FC Working Paper 92/8 (5th revision).

This request was supported by the representative of Canada who proposed to come back with an appropriate draft.

- ii) This measure was **adopted** by consensus as set out in Annex 6 (FC Doc. 92/8).

3.6 Action by the Contracting Parties to prevent infringements of the measures by their vessels (Agenda item 10.4: Annex 8 of FC Doc. 92/3)

- i) The representative of Canada recalled that the text now on the table was far less comprehensive than the reciprocal detention scheme previously proposed but was nevertheless important in order to prevent vessels from committing further infringements during the fishing season.

The representative of the EEC basically agreed on the text. He would come back with further comment at a later stage.

- ii) Following the deliberations at the second session on September 15, this measure was adopted by consensus (Annex 7 - FC Doc. 92/7).

3.7 Effort plans for the vessels of the Contracting Parties operating in the Regulatory Area (Agenda item 10.5: Annex 9 of FC Doc. 92/3)

- i) The representatives of Canada and Denmark supported the text as presently drafted.

The representative of Japan suggested to replace paragraph 1 (b) (ii) by the submission of plans on 1 January and 1 July. The representative of Canada supported this suggestion.

The representative of the EEC stated that, as a matter of principle, compliance with conservation measures was a matter for Contracting Parties, but that the EEC was in the process of establishing its own rules to ensure that the fishing effort would match available quotas.

- ii) The representative of Canada introduced an amended proposal (FC Working Paper 92/23, 2nd revision) which met the request made by Japan. He asked whether this text would be acceptable if it would apply for the 1994 fishing season and beyond.

The representative of the EEC responded that the EEC was preparing its own licensing system but could not undertake any international obligation which would prejudice its adoption. He offered a more general wording under which each Contracting Party should notify the Executive Secretary of all appropriate information on the conditions under which its fishing vessels were authorized to operate in the Regulatory Area (see FC Working Paper 92/40).

The representative of Russia stated that it was not possible to draw up effort plans as its fleet also operated outside the Regulatory Area.

The representative of Denmark felt that the obligation as presently drafted was so general that it could be fulfilled by all Contracting Parties whatever the present state of their effort limitation measures.

- iii) The Fisheries Commission examined two drafts: one by the EEC (FC Working Paper 92/40) and one by Canada (FC Working Paper 92/46).

It was agreed to delete paragraph 1(b) from both drafts.

- iv) The representative of the EEC reiterated that the EEC was not yet in a position to establish a "balance" between quotas and fishing effort as it had not yet implemented its own regulations on management of fishing input, but was quite willing to provide more general information as set out in its own proposal.

The representative of Russia also stated that it was not possible to provide such information for the Russian fleet. He could accept the European Community proposal as an interim measure.

- v) The representative of Denmark proposed to postpone a decision to the next Annual Meeting.

The representative of Canada then announced that a new proposal would be prepared by Canada for discussion later in the meeting.

- vi) The representative of Canada introduced FC Working Paper 92/46 (Revised) where the information to be provided by each Contracting Party had been limited to the total number of vessels exceeding 50 GRT and the number of fishing days planned for each species by division.

The representative of the EEC maintained his position set out in FC Working Paper 92/40. The representative of Russia supported this position.

- vii) The Fisheries Commission **decided to defer this item to the next Annual Meeting.**

3.8 Incidental catch limits (Agenda item 10.6: Annex 10 of FC Doc. 92/3)

- i) The representative of Russia suggested the deletion of the two last lines of para 3(c).

The representative of Denmark stated that the possibility of inspectors to recommend further investigation reflected a general principle which would apply whether the text was amended or not.

- ii) The measure **was adopted by consensus** as set out in Annex 8 (FC Doc. 92/6).

3.9 A uniform mesh size in the Regulatory Area (Agenda item 10.7: Annex 11 of FC Doc. 92/3; Annex 6 of FC Doc. 92/4)

- i) The representative of the EEC stated that the proposal for a uniform mesh size throughout the Regulatory Area had both control and conservation aspects. It was easier to control the compliance with minimum mesh sizes if the number of meshes allowed on board was limited. On the other hand, account must be

taken of vessels operating outside the Regulatory Area and fishing for other species on the same trip. A possible solution would be to prescribe the stowage or sealing of unused nets.

The representative of Denmark referred to the STACTIC report and pointed out that a uniform mesh size irrespective of material would be easier to enforce. In particular, it would remove the need for inspectors to identify the material which was a burdensome task.

The representatives of Latvia and Lithuania stated their opposition to a uniform 130 mm mesh size throughout the Regulatory Area.

- ii) This measure was approved by a majority of representatives as was set out in FC Working Paper 92/35 (Revised), pending the drafting of a proposal for a regulation allowing temporarily for nets made of materials other than manila until 31 December 1993 as was set out in FC Working Paper 92/43.

- iii) The representative of Russia questioned the scientific justification given for a uniform mesh size of 130 mm.

The representative of Canada also introduced the proposal for a "one net rule" in FC Working Paper 92/36.

- iv) The representatives of Cuba, the EEC and Russia were willing to accept this measure with a regulation allowing vessels engaging in fishing activities in other areas outside the NAFO Regulatory Area to retain on board nets with a mesh size smaller than that prescribed for the said Area provided that these nets were securely lashed and stowed and not available for immediate use.

- v) The Fisheries Commission agreed on the mesh sizes set out in two proposals (FC Working Papers 92/35, 2nd revision, Canada and 92/43, revised, EEC) and examined the question of admitting a temporary derogation (until 1 June 1994) from the 130 mm mesh size for nets made of certain materials as set out in the EEC proposal.

This proposal was amended by the representative of Denmark by adding a Note 2 to the text (see FC Working Paper 92/43, 2nd revision), in order to admit a derogation (120 mm) for polyamide nets of certain trade names.

- vi) The representative of the EEC had reservations about linking management measures to commercial products.

- vii) **A separate vote was taken on Note 2 which was adopted with 10 votes in favour, 1 vote against (EEC) and no abstentions.**

- viii) **A decision was then taken on the amended proposal as a whole which was adopted by a unanimous vote (11 votes). (Annex 9 - FC Doc. 92/14)**

- ix) The representative of the EEC explained his vote by saying that the EEC would consider additional conditions when implementing the measure.
- x) The representative of Russia recalled his proposal for a request for advice from the Scientific Council on the introduction of 130 mm nets and for a review of STACTIC of the actual operating size of nets, pointing out that the effective selectivity of a 120 mm polyamide net corresponded to a 128-130 mm mesh (see FC Working Paper 92/49).
- xi) Finally, the Fisheries Commission adopted by consensus a "one net rule". (Annex 10 - FC Doc. 92/10)

3.10 **STACTIC form of inspections, apparent infringements and their disposition** (Agenda item 10.8: Annex 12 of FC Doc. 92/3)

- i) There was a general agreement on the amended form.
The representative of Canada pointed out that the last column should read: "Dispositions of apparent infringements...".
- ii) The Commission adopted the form by consensus. (Annex 11 - FC Doc. 92/9)

3.11 **Definition of an inspection party** (Agenda item 10.9: Annex 13 of FC Doc. 92/3)

- i) There was a general agreement on the proposed guidelines after brief discussions.
- ii) This proposal was adopted by consensus as set out in Annex 12 (FC Doc. 92/11).

3.12 **Operation of the hail system** (Agenda item 10.10: Annex 14 of FC Doc. 92/3; Annex 4 of FC Doc. 92/4)

- i) The Chairman ruled that this item was dealt with under agenda item 10.2 (item 3.4 of this Report).

3.13 **Coordination and financing of inspection activities in the Regulatory Area** (Agenda item 10.11: Annex 15 of FC Doc. 92/3; Annex of FC Doc. 92/4)

- i) The Fisheries Commission took note of the estimates by STACTIC.

3.14 **Scientific advice on minimum cod size, and minimum flatfish size in the Regulatory Area** (Agenda item 10.12: Executive Summary of the Report of the Scientific Council Meetings, p. 64)

- i) The representative of the EEC could not agree to the proposals before a procedure on how to measure the fish had been established.

The Commission agreed to consider a draft by the EEC of a new proposal (FC Working Paper 92/44).

- ii) The representative of Denmark questioned FC Working Paper 92/44 where the proposed retention sizes were in the lower end of the range indicated by the Scientific Council. He also commented on the discarding of undersized fish but, like the representative of Norway, felt that it would be too complicated to apply a system of real time closures in the NAFO Regulatory Area.
- iii) The Fisheries Commission examined two drafts: by the EEC (FC Working Paper 92/44, Revised) and by Canada (FC Working Paper 92/48, Revised).

The two drafts were identical in respect of minimum fish sizes and discarding of undersized fish. In addition, the Canadian draft included an obligation for vessels to change fishing grounds immediately if the amount of undersized fish exceeded 10% of the haul.

This amendment was not acceptable to the representative of the EEC, and the representative of Canada indicated he was prepared to withdraw it.

- iv) The representatives of Norway and Russia could not accept the obligation to discard undersized fish. In return, they supported the obligation to change fishing grounds with a minimum distance of 5 nautical miles.
- v) The representative of Denmark in principle favoured a discard ban, but found it unenforceable in the Regulatory Area.
- vi) The Commission decided to defer this item to a later stage of its deliberations and returned to this pending question at the closing session on 18 September.
- vii) The representatives of Canada and Norway tabled FC Working Paper 92/48, Revised, as an official proposal, with the following amendment to paragraph 1 (2): "If the amount of undersized fish in any one haul exceeds 10% by number, the vessel shall immediately change fishing area (**minimum 5 nautical miles**) in order to seek to avoid further catches of undersized fish."
- viii) The representative of the EEC could not accept this proposal and proposed the following wording: "In case of catches of large amounts of undersized fish, the vessel shall...".
- ix) A separate vote was taken on each proposal. **The EEC proposal was defeated by 10 votes against, one vote in favour (EEC). The Canadian/Norwegian proposal was adopted by 10 votes in favour, none against and 1 abstention (EEC).** (Annex 13 - FC Doc. 92/15)
- x) The representative of the EEC explained that the EEC attached great importance to the rules on minimum retention size of fish and that his abstention related exclusively to the 10% limit.

3.15 **Financing of the NAFO's scientific work in the Regulatory Area (Agenda item 10.13)**

- i) At the request of the representative of Canada, discussion of this agenda item was deferred pending tabling of a proposal by Canada.
- ii) At the second session on 15 September the Canadian proposal (FC Working Paper 92/34) **was accepted by consensus** as set out in Annex 14 (FC Doc. 92/20). It was agreed that the Scientific Council should look into the matter at its next annual meeting and report back to the Fisheries Commission.

4. International Control (Agenda items 11-14)

- 4.1 The Fisheries Commission **agreed** to consider agenda items 11 to 13 upon the reporting by the Chairman of STACTIC on its ongoing meeting.
 - 4.2 The Chairman of STACTIC, E. Lemche (Denmark), reported at the closing session on 18 September and the STACTIC report **was adopted** by the Commission (see Part II of the Fisheries Commission Report).
 - 4.3 Regarding Attachment 1 to the STACTIC report, the Representative of Japan pointed out that Japan had received a transfer of 1 000 tons of redfish in Div. 3M from Canada and thus respected its overall allocation. It was then decided to include such transfers in the table and to calculate the overshooting of quotas on that basis.
 - 4.4 The representative of the EEC inquired regarding STACTIC's authority to compile such information and requested **this question be put on the agenda of the next Annual Meeting.**
- This was agreed.
- 4.5 Under agenda item 14 the Report of the STACTIC Working Group (April 1992) on a NAFO Communication Study **was adopted.**

5. Conservation - Transfer of Quotas Between Contracting Parties (Agenda items 15 to 19)

- 5.1 The representative of Denmark, referred to last year's proceedings (FC Doc. 91/14, p. 5). He felt that the cumulative impact of three management criteria on small quota allocations were extremely severe. These criteria were:
 - a low "others" quota
 - a rigid distribution key
 - the practice of quota transfers

He added that it was unfair to operate swaps of under-utilized quotas between Contracting Parties without taking into account the interests of other Contracting Parties who were in real need for fishing opportunities and had nothing to offer in return. A short-term remedy would be the increase of the "others" quota for transfer to such Parties, but the fundamental question of changing the allocation key would also have to be addressed.

- 5.2 The representatives of Canada, the EEC and Japan pointed out that quota transfers were important to them in order to ensure full utilization and a viable fishery, although the Representative of Canada shared the concern expressed.
- 5.3 The Fisheries Commission decided to defer this item for further examination at the next Annual Meeting.

6. Conservation-Summary of Scientific Advice by the Scientific Council
(Agenda item 16)

- 6.1 The acting Chairman of the Scientific Council, H. Lassen (EEC), gave a summary of scientific advice by the Scientific Council as outlined in SCS Doc. 92/23 and referred to the Executive Summary of the report of Scientific Council Meetings in 1992. The report included responses to the questions posed by the Fisheries Commission at its 13th Annual Meeting. He stated that the assessments were in many cases of poor quality, one of the reasons being the high level of unreported catches related to fishing activities by non-Contracting Parties which in some cases had attained the level of 50% of total catches or more. In these circumstances, it was not possible to have any data from biological sampling although work was going on to have better estimates. This meant that there were no management options and catch predictions available for certain stocks as set out in the report. In some other cases such as cod in Div. 3NO and American plaice in Div. 3LNO the Council had nevertheless attempted to give options.
- 6.2 He responded to the requests of the Fisheries Commission in respect of technical conservation measures as set out in Annex 6 to FC Doc 91/14:
- No. 4: elimination of massive catches of juvenile flatfishes;
 - No. 5: improving the utilization (yield-per-recruit) of 3M cod;
 - No. 6: reducing the harvest of juvenile redfish in Div. 3M;
 - No. 9: possible derogations to a uniform 130 mm mesh size.

The general answer was that the introduction of a uniform mesh size, irrespective of material, throughout the Regulatory Area would be an appropriate conservation measure to meet all of these objectives, although the selectivity was uncertain for redfish. He added that the only trawl fisheries in the Regulatory Area for which a derogation from the 130 mm mesh was justified were capelin and squid.

- 6.3 On request No. 10 (minimum retention size) in relation to a 130 mm mesh, he stated that a 25% retention rate would be achieved at:
- 40-45 cm for cod
 - 25-28 cm for American plaice
 - 25-28 cm for yellowtail flounder

(p. 64 of the Executive Summary)

- 6.4 He referred to the summary sheets, resulting in the following management advice for 1993 and TAC(s) for the regulated species:

- Cod 3M	as low as possible
- Redfish 3M	20,000 t
- American plaice 3M	2,000 t
- Cod 3NO	10,200 t
- Redfish 3LN	14,000 t
- American plaice 3LNO	10,500 -14,500 t
- Yellowtail flounder 3LNO	5,000 t
- Witch flounder 3NO	5,000 t
- Capelin 3NO	no directed fishery

- 6.5 The recommendations of the Scientific Council were further explained by the acting Chairman on the following items:

on request No. 7 from the Fisheries Commission with respect of squid in Subarea 3 and 4 the Scientific Council was not in a position to give any advice;

on request No. 8 with respect of capelin in Div. 3NO he said that the 10% exploitation rate was still appropriate;

on request No. 3 with respect of cod stock separation in Div. 2J+3KL the Scientific Council continued to believe that cod in Div. 2J3KL should be assessed as a single stock complex and referred to the updated survey information in SCS Doc. 92/23, p. 22-23.

- 6.6 The representative of Canada stated that this report gave an overall gloomy picture of the stock situation in the Regulatory Area, with the possible exception of American plaice in Div. 3M, and announced that Canada would table proposals on mesh size and minimum retention size.

The representative of Denmark shared this assessment and added that any new conservation measure would have to be properly controlled and enforced.

- 6.7 The representative of the EEC indicated his willingness to adopt proper conservation measures on mesh size and retention size. He inquired about the method of measurement of fish sizes.

The acting Chairman of the Scientific Council responded that flatfish was measured in total length (from the tip of the snout to the tip of the fin) whereas cod was measured from the tip of the snout to the fork of the tail.

7. Conservation-Management and Technical Measures for Fish Stocks in the Regulatory Area (Agenda items 17 and 18)

The Fisheries Commission agreed to proceed with discussions on those items stock by stock in the traditional way through informal exchange of opinions and then adoption of formal proposals by consensus or voting as it could be decided by the Meeting.

7.1 Cod 3M

The Fisheries Commission postponed its decisions on this stock, pending the adoption of a uniform mesh size and minimum retention sizes in order to protect incoming year-classes.

On this understanding, the representative of Denmark stated that he could go along with a TAC of 12 965 tons as in 1992 and made a formal proposal.

The representative of the EEC requested this TAC be set together with Cod 3NO and proposed an increase for the reduced mortality resulting from the 130 mm mesh size.

The representative of Canada indicated that he would abstain as Canada did not fish 3M cod.

A TAC of 12 965 tons was adopted with 9 votes in favour, none against and 2 abstentions (Canada, EEC).

7.2 Redfish 3M

The acting Chairman of the Scientific Council at the Commission's request explained that the two management options given in the report ($F_{0.1} = 20\ 000$ tons - $F_{\max} = 36\ 000$ tons) were indicative and upwards biased as the information on the stock was scarce.

The representative of Canada proposed a TAC of 20 000 tons, the representatives of Russia and Cuba - 28 000 tons. The representative of the EEC proposed a TAC of 31 000 tons and then modified his proposal to 30 000 tons. The proposals of Canada and Russia were withdrawn following discussions.

A TAC of 30 000 tons was adopted by consensus.

7.3 American plaice 3M

The representatives of Canada, Japan and Russia proposed a TAC of 2 000 tons in accordance with the recommendation by the Scientific Council, and a formal presentation was made by Canada.

A TAC of 2 000 tons was adopted by consensus.

7.4 Cod 3NO

The representative of Canada inquired about indications that the 1989 year-class may be above average strength. He noted that a TAC of 10 200 tons corresponding to the $F_{0.1}$ option should be the highest in the circumstances. The representative of the EEC felt that this figure could be reconsidered in the view of the technical conservation measures which were about to be taken.

The following proposals were formerly made for TAC(s):

- 10 200 tons (Canada)
- 13 600 tons (EEC)

The representative of Canada pointed out that Canada had notified NAFO that this stock was managed according to the $F_{0.1}$ option in its own waters and involved the principle of consistency.

A TAC of 10 200 tons was adopted by consensus.

7.5 Redfish 3LN

The representative of Canada recalled that, since 1986, reported catches had been in excess of agreed TACs. He would favour a figure of 14 000 tons as recommended by the Scientific Council but invited Contracting Parties to cooperate in limiting the fishing effort and monitoring the enforcement and conservation measures in respect of this stock.

A proposal for a 1993 TAC of 14 000 tons was made by Canada.

A TAC of 14 000 tons was adopted by consensus.

7.6 American plaice 3LNO

The representative of Canada referred to the state of the stock currently far below historical levels as indicated by the Scientific Council. There were two $F_{0.1}$ estimates: 10 500 tons (Laurec/Shepherd) and 14 500 tons (ADAPT) of which a conservative management strategy would indicate the lower option in spite of immediate losses for the Canadian industry. The representative of the EEC also indicated his preference for this option.

A proposal of 10 500 tons was made by Canada.

A TAC of 10 500 tons was adopted by consensus.

7.7 Yellowtail flounder 3LNO

The representative of Canada referred to catches exceeding agreed TACs and the need to protect juveniles which indicated following the recommendation of a TAC of 7 000 tons.

A proposal of 7 000 tons was made by Canada.

A TAC of 7 000 tons was adopted by consensus.

7.8 Witch flounder 3NO

The representative of Canada advocated a TAC of 5 000 tons as recommended by the Scientific Council.

The representative of Japan inquired if a figure of 40 tons included catches by non-Contracting Parties and, if so, requested its breakdown by Contracting and non-Contracting Parties (FC Working Paper 92/32, p. 15). The acting Chairman of the Scientific Council responded that this figure was an estimate based on available catch reports and statistics.

A proposal of 5 000 tons was made by Canada.

A TAC of 5 000 tons was adopted by consensus.

7.9 Capelin 3NO

The representative of Norway questioned the report of the Scientific Council (SCS Doc. 92/23, p. 92) which indicated two factors causing the decline of the stock:

- the failure of future recruitment by analogy from the 3L stock
- the importance of capelin as a forage species for cod and flatfish

On the latter indent, he pointed out that the explosive growth in the seal population had probably generated an outtake of fish and crustaceans which could be counted in millions of tons.

The acting Chairman of the Scientific Council responded that the advanced arguments could not justify an increased outtake of capelin which was an important food source for higher predators, in particular cod.

The representative of Russia suggested an unallocated quota of 5-8 000 tons in order to conduct an experimental fishery. The representative of Cuba supported this idea.

The acting Chairman of the Scientific Council explained that data on this stock could best be obtained from hydroacoustic surveys and that any quotas allocated to an experimental fishing campaign would be far below the figure mentioned. See FC Working Paper 92/51.

A proposal of a zero TAC was made by Norway.

A zero TAC was agreed by consensus.

7.10 Squid 3+4

The representatives of Canada and Japan proposed to maintain the status quo on this stock and to set the TAC at 150 000 tons.

A proposal of 150 000 tons TAC made by Japan was adopted by consensus.

7.11 Cod in Div. 3L

A joint EEC/Canadian proposal that directed fisheries for cod in Div. 3L shall not be permitted in 1993 (FC Working Paper 92/53) was presented.

This proposal was adopted by consensus as set out in FC Doc. 92/12. (Annex 15)

7.12 The meeting proceeded with the following discussions for the distribution of quotas of the NAFO managed stocks in 1993 to the Contracting Parties:

- i) A Heads of Delegations meeting was called to hear a report by the representative of Denmark who had been appointed mediator for the question of allocation of quotas to Estonia, Latvia, Lithuania, and Russia.

The representative of Denmark reported that his mediation in the question of quota allocations to Estonia, Latvia, Lithuania and Russia had not been successful.

- ii) It was the **consensus position** of the other Contracting Parties that, in the absence of an agreement at this meeting, the issue could be decided by a mail vote if the Parties came to an agreement by **31 December 1992**.

In the meantime, the Fisheries Commission would assign to the four Contracting Parties collectively the quota levels formerly allocated to the USSR. The end result would be that four Contracting Parties would be fishing on one quota in a competitive fishery.

- iii) It was proposed to complete the relevant quotas by the following footnote: "Quotas to be fished by vessels from Estonia, Latvia, Lithuania and the Russian Federation. The provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply."

- iv) At the request of the representative of Russia, a separate vote was taken on the allocation of each TAC where this clause would apply (Cod 3M, Cod 3NO, Redfish 3M, Redfish 3LN, American plaice 3M, Witch flounder 3NO, Squid 3+4, American plaice 3LNO, Yellowtail flounder 3LNO and Capelin 3NO). The outcome of the vote was **10 votes in favour, 1 against (Russia), no abstentions, adopted by concensus** (see Quota Table in Annex 16).

- v) The representative of Russia stated that his delegation had made all possible effort to reach an agreement with the Baltic States on the quota allocation, but that the rights of the former USSR as a founding member of NAFO could not be ignored. He added that it had been generally accepted that Russia was the successor of the former USSR.

- vi) The representatives of Estonia, Latvia, and Lithuania did not agree with the statement of the representative of Russia. Whatever the position on the state succession, legal property rights would have to be respected, and fishing quotas to be allocated according to generally accepted principles, including historical catch performances, on which they had provided all relevant information which would have enabled the Fisheries Commission to decide on the allocation (GC Working Papers 92/8, 92/9 and 92/10).

**8. Formulation of Request to Scientific Council for Scientific Advice
on the Management of Fish Stocks in 1994**

Agenda item 19, Formulation of request to the Scientific Council for scientific advice on the management of fish stocks in 1994 **was adopted** as set out in Annex 17 (FC Doc. 92/17).

9. Adjournment (Agenda items 20 to 22)

- 9.1 Agenda item 20, Time and place of the next meeting was referred to the General Council. The 15th Annual Meeting will be held on 10-14 September in the Halifax-Dartmouth area subject to the decision of the General Council.
- 9.2 There was no other business under agenda item 21.
- 9.3 The meeting adjourned at 1530 hours on 18 September 1992.

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Annex 2. Agenda

Opening Procedures

1. Opening by the Chairman, E. Wiseman (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

Administrative

6. Adoption of the Report of the 13th Annual Meeting, September 1991 (FC Doc. 91/14) and Report of the Special Meeting of the Fisheries Commission, May 1992 (FC Doc. 92/3)
7. Review of Commission Membership
8. Clarification of the Rules of Procedure

Commission Proposals

9. Adoption of Reports of STACTIC Meetings in February and July 1992 in Copenhagen, Denmark)
10. Conservation and Enforcement Measures (amendments for adoption by the Commission)
 - 10.1 Pilot project for a NAFO Observer Scheme
 - 10.2 Incorporation of a catch reporting feature into the hail system
 - 10.3 Production logbooks and stowage plans
 - 10.4 Action by the Contracting Parties to prevent infringements of the measures by their vessels
 - 10.5 Effort plans for the vessels of the Contracting Parties operating in the Regulatory Area
 - 10.6 Incidental catch limits
 - 10.7 A uniform mesh size in the Regulatory Area
 - 10.8 STACTIC Form of inspections, apparent infringements and their disposition
 - 10.9 Definition of an inspection party
 - 10.10 Operation of the hail system
 - 10.11 Coordination and financing of inspection activities in the Regulatory Area

- 10.12 Scientific advice on minimum cod size, and minimum flatfish size in the Regulatory Area
- 10.13 Financing of the NAFO scientific work in the Regulatory Area
- 11. Annual Return of Infringements; Surveillance and Inspection Reports
- 12. Fishing Vessels Registration
- 13. Report of STACTIC
- 14. Report of STACTIC Working Group (April, 1992) on NAFO Communication Study

Conservation

- 15. Transfer of quotas between Contracting Parties
- 16. Summary of scientific advice by the Scientific Council (stock summary sheets and detailed assessments in the report of the 1992 June Meeting of the Scientific Council)
- 17. Management and technical measures for fish stocks in the Regulatory Area
 - a) Cod in Div. 3M
 - b) Redfish in Div. 3M
 - c) American plaice in Div. 3M
- 18. Management and technical measures for fish stocks overlapping national fishing limits
 - a) Cod in Div. 3NO
 - b) Redfish in Div. 3LN
 - c) American plaice in Div. 3LNO
 - d) Yellowtail flounder in Div. 3LNO
 - e) Witch flounder in Div. 3NO
 - f) Capelin in Div. 3NO
 - g) Squid (illex) in Subareas 3 and 4
 - h) Management measures for the following stock, if available in the Regulatory Area, in 1992
 - i) Cod in Div. 3L
- 19. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 1994

Adjournment

- 20. Time and Place of the Next Meeting
- 21. Other Business
- 22. Adjournment

Annex 3. Statement to the Fisheries Commission by the Representative of Canada (B. Rawson)

Mr Chairman, last year at this time I attended my first NAFO meeting. I spoke then about NAFO's mandate, about the problems preventing NAFO from fulfilling its mandate and the areas where improvement is needed. I pointed out that NAFO's problems and failures had resulted in a 50% reduction in Canadian Quotas of NAFO-managed stocks over the previous five years. I spoke about the deep anxiety of Canadians whose lives depend on the Atlantic fishery and their suffering and frustration because of decreasing fishing opportunities off their own Atlantic coast.

When I spoke of these things last year, I thought we were facing the worst. None of us knew then that for Canadians worse was to come.

My Minister, John Crosbie, has described his decision to implement a two-year moratorium on fishing Northern Cod inside the Canadian zone as one of the most heart-wrenching in his 27 years of public service. A moratorium was the only chance for the spawning biomass to recover quickly to its long term average, permitting resumption of the inshore fishery in the spring of 1994.

The costs of the 2-year moratorium are immense - immediate unemployment for approximately 20 000 fishermen and plant workers and hardship for thousands more that depend directly on the northern cod fishery. The entire Canadian Atlantic region is profoundly affected. It is one of the biggest work disruptions in Canadian history.

We knew, there was no alternative. We knew that drastic measures were necessary to preserve Northern Cod and to re-build it for future fisheries.

Canada will continue to seek the support of NAFO Contracting Parties for our effort to re-build the Northern Cod stock through continuation of the NAFO moratorium on fishing for cod outside the 200 mile limit and through measures to ensure that all vessels respect the moratorium.

I wish that I could have read in the June 1992 Report of the Scientific Council that the NAFO-managed stocks were in better shape. In fact, it is sad reading. The Scientific Council Report indicates that for most of the stocks managed by NAFO catches have exceeded TACs for several years, by two or three times in some cases. For some stocks, the Council reports that indices are among the lowest observed and points to general declines and long term depressions. It strongly argues for measures to reduce catches of juvenile fish and to improve monitoring of compliance with NAFO decisions.

Cuts of more than 50% are advised in the 1993 TACs for 3M redfish and 3LNO American plaice. Plaice is the key to the Newfoundland fishing industry, whose access to it has been wiped out due to overfishing. Setting all 1993 TACs at the levels advised by the Scientific Council will mean that Canadian quotas for 1993 will amount to almost 32 000 tons - one-third of total Canadian quotas for NAFO-managed stocks in 1986. The picture is bleak for Canada, but it is hardly better for other members of NAFO. Our problems have arisen from a failure to co-operate effectively ... and it is by succeeding in co-operating effectively that we will overcome those problems.

The last 12 months has been an important period for management of high seas fisheries. In key forums, including the U.N. General Assembly, the Cancun Conference on Responsible Fisheries and the U.N. Conference on Environment and Development, the international community has demonstrated its deep concern with the problems that exist globally in high seas fisheries. In forums such as the Earth Summit in Rio de Janeiro, all of our countries have committed themselves to the fundamental goal of conservation.

Today, as representatives of the NAFO Contracting Parties our task and our responsibility is to give practical effect to that commitment in the Northwest Atlantic. Doing so can be difficult, complex and detailed, but it is necessary. The fisheries resources of the Northwest Atlantic are in the poorest and most worrisome state they have been since NAFO was created.

Throughout our work this week, let us never lose sight of this reality, let us always bear in mind our commitment to conservation and let us in every case take the decisions needed to give practical effect to that goal. Let us do so in the spirit of common purpose that existed in our Special Session held in May.

Annex 4. Statement to the Fisheries Commission by the Representative of the EEC (M. Arnal)

At its 14th Annual Meeting, NAFO is faced with an alarming state of the stocks in the Regulatory Area. In particular, the cod stocks appear to be in a very poor state. This state of the cod stocks coincides with similar situations for a range of other cod stocks in the North Atlantic, such as in coastal waters of Canada, Greenland, Iceland, the Faroe Islands and those in the North Sea and the Baltic. The Arctic cod stock in the Northeast Atlantic seems to be the only exception in this range. The reasons for the decline in the cod stocks seem to be different from one stock to another.

In the Northwest Atlantic environmental cases, such as extreme cold water temperatures, could play a role in the disappearance of cod in the waters west of Greenland as well as in the steep reduction of the cod biomass in NAFO Div. 2J3KL which has been observed rather unexpectedly as from the beginning of this year. Since the relation between extreme cold sea water temperature and biological factors such as migration, recruitment and natural mortality is not fully understood, scientists may be unable to assess the variations in the biomass and to make a forecast of future variations.

As regards the 2J3KL stock, it appears, however, too easy to point only to environmental causes. Certain scientists believe that the exploitation of this stock has gone well beyond the level which could be sustained by this stock. At least partly, the reduced biomass might, therefore, have arisen from an excessive exploitation of this stock which has mainly occurred and taken place in the Canadian fishing zone.

For the above reasons, and taking into account scientific advice, drastic and appropriate management measures for the cod fishery, in NAFO Divisions 2J3KL, appear to be required. It should be recalled that the EEC stopped directed cod fishery in 3L as from June and that Canada stopped offshore fishing as from February and inshore fishery as from July. The EEC remains committed to conservation of this stock in the same way as other stocks and it will manage its fishing fleet accordingly next year.

In the case where management measures are based on scientific advice, scientists and managers are co-responsible for conservation. Last year the EEC criticized the Scientific Report since it did not provide sufficient information, in particular, regarding the consequences of different management strategies. At this stage, I am pleased to note the improvements in this year's Scientific Report. The EEC delegation wished to encourage the Scientific Council to continue along these lines and it will support, where possible, improvements in data required for assessing the stocks.

The NAFO Fisheries Commission, in basing its decisions on the Scientific Report of the NAFO Scientific Council, should be in a position to pursue consistent management strategies for the different stocks in the Regulatory Area. It is regrettable that such management strategy could not be pursued in previous years in respect of the 2J3KL cod stock. The EEC feels that the only effective way to manage the cod stock in NAFO Divisions 2J3KL, is a joint management by Canada and NAFO in full accordance with both UNCLOS and the NAFO Convention and just as in case of other straddling stocks. Indeed, there cannot be a justification for a different treatment regarding the 2J3KL stock.

Against this background, the EEC is glad that the coastal state i.e. Canada requested in May an extraordinary meeting the NAFO Scientific Council for the assessment of the 2J3KL cod stock, since the EEC has insisted all along on such assessment.

In order to meet its future challenges, it would strengthen NAFO if it were in a position to pursue rational management strategies for all stocks in the Regulatory Area which are consistent with conservation requirements. The EEC, in considering conservation as a priority in the framework of its common fishery policy, will support such consistent and rational management strategies for all stocks including the 2J3KL cod stock.

Annex 5. Amendment to the NAFO Conservation and Enforcement Measures on a Pilot Project for a NAFO Observer Scheme

The Fisheries Commission

Noting that Canada has a program under which there is extensive observer coverage on board vessels fishing in its waters;

Considering that the placement of fisheries observers on board Contracting Party vessels fishing in the Regulatory Area may be a useful and cost effective method of monitoring compliance with the provisions of the NAFO Conservation and Enforcement Measures and that the observers might also provide sampling information for use by the Scientific Council;

Therefore:

1. Endorses implementation of an 18-month pilot project to test operation of a NAFO Observer Scheme in the NAFO Regulatory Area by 1 January 1993.

Observers would monitor a vessel's compliance with the NAFO Conservation and Enforcement Measures. Observers will record and report upon the fishing activities of the vessel observed and will verify the position of the vessel when engaged in fishing, observe and estimate catches taken with a view to identifying catch composition, monitor discarding, by-catches and the taking of undersized species, record the gear, mesh sizes and attachments employed by the skipper and verify entries made to the logbook (catch quantities and hail reports).

The role envisaged is strictly an observer one and shall be confined to the Regulatory Area, but could include for example the collection of samples. Any "quasi" scientific role would have to be defined on the advice of the Scientific Council.

2. Requests that the Scientific Council recommend a work plan for fisheries observers that are authorized to obtain biological sampling data from Contracting Party vessels fishing in the Regulatory Area.
3. Calls on all Contracting Parties that anticipate their fishing operations to exceed 300 fishing days on ground in 1993 to:
 - a) Deploy on their vessels fishing in the Regulatory Area trained individuals from their own countries, or from other NAFO Contracting Parties where agreed bilaterally, to monitor compliance with the provisions of the NAFO Conservation and Enforcement Measures in accordance with criteria agreed by STACTIC and approved by the Fisheries Commission;
 - b) Deploy those observers appropriately to ensure that a minimum of 10% of the Contracting Party's total estimated fishing days on ground for 1993 are subject to observation across as many fisheries in the NAFO Regulatory Area as possible;

- c) Pay all costs associated with their observers;
 - d) Advise the Executive Secretary of the vessels on which observers are deployed for subsequent transmission to Contracting Parties with an inspection presence in the Regulatory Area;
 - e) Table at a special Fisheries Commission meeting to be held in 1994 at the conclusion of 12 months of the pilot program a report assessing the effectiveness and costs of the program and outlining administrative and operational problems while also considering the continuation and possible future expansion of the program.
4. Requests all Contracting Parties to authorize observers on board their vessels fishing in the Regulatory Area:
- a) To monitor their assigned vessel's compliance with the provisions of the NAFO Conservation and Enforcement Measures and, if approved by the Contracting Party which receives the observer, to conduct sampling in accordance with technical guidelines and a work plan developed in accordance with paragraph 2.
 - b) To prepare a report of their findings at the termination of the observer period. These reports shall be forwarded to the competent authorities of the Contracting Party providing the observer. The said competent authorities shall examine these reports with a view to preparing an overall evaluation of the findings presented during the entire period of the pilot project.

These findings shall be presented to the Fisheries Commission at its special session in 1994.

Annex 6. Amendment to the NAFO Conservation and Enforcement Measures Referring to Production Logbooks and Stowage Plans

Part I. C. Recording of Catch

Add new paragraph:

2. (c) For all fish taken under paragraph 2 (a), Contracting Parties shall ensure that all vessels of that Party fishing in the Regulatory Area shall either:
- i) record their cumulative production by species and product form in a production logbook
 - or
 - ii) stow in the hold all processed catch in such a way that each species is stowed separately. A stowage plan shall be maintained showing the location of the products in the hold.

Part IV Scheme of Joint International Inspection and Surveillance

Add new paragraphs:

6. (ii) (d) Inspectors shall be given access to production logbooks or stowage plans in accordance with the NAFO Conservation and Enforcement Measures, Part I.C.2 (a) and (c) and in the latter case shall be given such assistance as is possible and reasonable and necessary to ascertain that the stowage conforms to the stowage plan, no interference being allowed in the stowage of product or in the technological process on the vessel.
- (e) Inspectors shall convert production weight, as recorded in production logbooks, into live weight so that the latter can be verified against the logbook entries which are made in live weight. Inspectors shall be guided by conversion factors established by the master of the vessel.

Existing (d) becomes (f).

**Annex 7. Amendment to the NAFO Conservation and Enforcement
Measures Regarding Action by Contracting Parties to Prevent
Infringements of the Measures by Their Vessels**

Part IV. 7 (new text is in bold)

An appropriate authority of a Contracting Party notified of an apparent infringement committed by a vessel of that Party shall take prompt action to **conduct the investigations necessary to obtain the evidence required and, whenever possible, board the vessel involved. The authority shall take immediate judicial or administrative action as would be the case when dealing with apparent infringements of fisheries regulations in national waters.** An appropriate authority of the Contracting Party for the vessel concerned shall cooperate fully with the appropriate authority of the Contracting Party that designated the inspector to ensure that the evidence of the apparent infringement is prepared and preserved in a form which facilitates judicial action. **The appropriate authorities in the flag state of the vessels concerned shall take prompt action as necessary to receive and consider the evidence and shall conduct any further investigation necessary for disposition of the apparent infringement.**

Text of second paragraph in Part IV. 7 remains as is.

**Annex 8. Amendment to the NAFO Conservation and Enforcement
Measures Regarding Observations by Inspectors of Incidental
By-catches in Excess of Prescribed Limits**

Part II.B.3. Mesh Size

New sub-paragraph 3 (c)

- (c) If, in fisheries conducted with nets having mesh sizes less than those specified in paragraph 2, an inspector observes in nets hauled in his/her presence incidental catches in excess of 10% for each species listed in Schedule I, he/she shall record this fact in the Inspection Report and shall remind the Master of the vessel not to continue fishing in the area after the fish on board exceeds the incidental catch limits specified in Part II.B.3 (a).

**Annex 9. Amendment to the NAFO Conservation and Enforcement
Measures in Respect of Minimum Mesh Sizes for Groundfish
Fisheries in the Regulatory Area**

Existing Table in Part V - Schedule IV to be replaced as follows:

PART V - SCHEDULE IV
Authorized Mesh Size of Nets

	Species	Mesh Size
a)	All principal groundfish, flatfishes and other groundfish, as listed in Part V, Schedule II, Attachment II.	130 mm
b)	Short-finned squid, <i>Illex</i> <i>illecebrosus</i> (leSueur)	60 mm

Note 1. Until 1st June 1994, when trawl nets or parts thereof made of materials other than manila are used, the equivalent minimum mesh size shall be as follows:

- (a) such part of any trawl net made of hemp, or polyamide fibres, or polyester fibres: 120 mm
- (b) such part of any trawl net made of any other material: 130 mm

Note 2. For the nets made of polyamide fibres of the following tradenames:

caprolan
dederon
kapron

the equivalent minimum mesh size shall be 120 mm. Vessels using these materials shall have aboard certificates, which establish that the fibres in the net used correspond to the tradenames mentioned above.

**Annex 10. Amendment to the NAFO Conservation and Enforcement
Measures to Regulate the Mesh Size of Nets on Board Vessels
Operating in the Regulatory Area**

PART II. B. Mesh Size

- NEW: 2. (a) A Contracting Party shall prohibit its vessels fishing in the Regulatory Area for a species listed in Part V, Schedule IV, to which a mesh size measure applies, from having on board during any trip any net with a mesh size smaller than that authorized for that species.
- (b) Vessels from Contracting Parties which fish in other areas outside the NAFO Regulatory Area shall be authorized when fishing in the Regulatory Area to retain on board nets with a mesh size smaller than that prescribed by paragraph 2(a) above provided that these nets are securely lashed and stowed and are not available for immediate use.

Re-number the existing paragraphs.

**Annex 11. Amendment to STACTIC Form 1 (09/83), STACTIC
Form 2A (09/83), and STACTIC Form 2B (09/83), used for
Annual Reports by Contracting Parties of Inspections,
Apparent Infringements and Their Disposition**

STACTIC Form 1 - Annual Return of Inspections, Apparent Infringements and their Disposition (National); STACTIC Form 2A - Annual Return of Inspections and Apparent Infringements (International); and STACTIC Form 2B - Annual Return of Disposition of Infringements (International) are replaced by STACTIC Form A - **Annual Return of Inspections, Catch Record Discrepancies and/or apparent infringements** and STACTIC Form B - **Annual Return of Disposition of Catch Record Discrepancies and/or apparent infringements**.

NORTHWEST ATLANTIC FISHERIES ORGANIZATION
CONSERVATION AND ENFORCEMENT MEASURES

ANNUAL RETURN OF INSPECTIONS, CATCH RECORD DISCREPANCIES AND/OR APPARENT INFRINGEMENTS

Contracting Party Reporting: _____ Year: _____

Contracting Party of Inspected Vessels: _____

SUMMARY OF INSPECTIONS, CATCH RECORD DISCREPANCIES AND/OR APPARENT INFRINGEMENTS

Total Number of Inspections: _____ Total Number of Apparent Infringements: _____

Total Number of Catch Record Discrepancies _____

DETAILS OF CATCH RECORD DISCREPANCIES AND/OR APPARENT INFRINGEMENTS

Name of Vessel Inspected and Side Number	Date Inspected	Location at time of Inspection (NAFO Division or name of port)	Details of apparent infringements and/or catch record discrepancies (Indicate Applicable Section of NAFO Conservation and Enforcement Measures)

Date of Return: _____

STACTIC FORM A

NORTHWEST ATLANTIC FISHERIES ORGANIZATION
CONSERVATION AND ENFORCEMENT MEASURES

ANNUAL RETURN OF DISPOSITION OF CATCH RECORD DISCREPANCIES AND/OR APPARENT INFRINGEMENTS
(to be used by Contracting Parties whose vessels
were cited by other Contracting Parties)

Contracting Party of Inspected Vessels: _____

DETAILS OF CATCH RECORD DISCREPANCIES AND/OR APPARENT INFRINGEMENTS

Name of Vessel Inspected and Side Number	Date Inspected	Details of apparent infringements and/or catch record discrepancies (indicate applicable section of NAFO Conservation and Enforcement Measures)	Details of apparent infringement(s) and/or catch record discrepancies

Date of Return: _____

Annex 12. Amendment to the NAFO Conservation and Enforcement Measures Regarding Definition of an Inspection Party

1. Amend Part IV.1.(ii)

The appropriate authorities of Contracting Parties shall notify the Executive Secretary by November 1 each year of the name of Inspectors, **NAFO Inspection trainees** and special inspection vessels.

2. Amend Part IV.1.(iv)

On receipt of the notification of assignment to the Scheme from the Contracting Party, the Executive Secretary shall issue a document of identity, as shown in Annex 1, to the respective authority for each inspector or **NAFO Inspection trainee** of that Party.

3. Amend Part IV.5.(iv)

An inspection party shall consist of, at maximum, two inspectors assigned to the Scheme. Occasionally, vessel conditions permitting, a **NAFO Inspection trainee** may accompany the inspection party for training purposes only. In such circumstances the inspection party shall, upon arrival on board, identify the trainee to the Master of the vessel being inspected. This trainee shall simply observe the inspection operation conducted by the duly authorized inspectors and shall in no way interfere with the activities of the fishing vessel and with the inspection.

4. Amend Annex I, Document of Identity, as appropriate.

Annex 13. Amendment to the NAFO Conservation and Enforcement Measures on Minimum Fish Size

PART I. QUOTAS

New: D. Minimum Fish Size

1. Vessels of a Contracting Party shall not retain on board any fish of a species listed in Part V, Schedule VII that is below the minimum size as listed in that Schedule. If the amount of undersized fish in any one haul exceeds 10% by number, the vessel shall immediately change fishing area (minimum 5 nautical miles) in order to seek to avoid further catches of undersized fish.
2. Undersized fish shall not be transhipped, landed, transported, stored, displayed or offered for sale, but shall be returned immediately to the sea.

New:

Part V. Schedule VII

Minimum Fish Size

Species	Minimum Size
Atlantic cod, <i>Gadus morhua</i> L.	41 cm
American plaice, <i>Hippoglossoides platessoides</i> (Fab)	25 cm
Yellowtail flounder, <i>Limanda ferruginea</i> (Storer)	25 cm

NOTE: Fish size for Atlantic cod refers to fork length and for other species it is total length.

Annex 14. Determination of the Optimum Volume and Funding of Scientific Research in the NAFO Regulatory Area

Background

The data utilized by the Scientific Council come largely from four sources - commercial fisheries, research surveys, biological studies and oceanographic studies. The difficulties caused for the Scientific Council by the lack and/or incomplete submission of catch and effort data, and poor sampling of commercial catches remain of major significance and have been discussed frequently, although apparently to little avail. The Scientific Council is increasingly concerned that the information from the other three sources is also deteriorating due to funding constraints, rather than being augmented as repeatedly recommended by the Council.

Research is conducted from vessels of a limited number of Contracting Parties. Considerable expenses are involved, and are assumed only by nations that make those studies.

Proposal

With the purpose of understanding the extent of the research being carried out, and the nature of the research that would be desirable, as well as the costs of both current research, and the likely costs of alternate approaches to enhancing the scientific effort, the Fisheries Commission requests

the Scientific Council of NAFO to describe current research being carried out by relevant Contracting Parties on the stocks under NAFO management, together with the costs of such research, and to determine the optimum volume of scientific work by each division and stock needed for monitoring and for estimation of TACs, as well as work necessary to understand the environmental and ecological factors influencing stock abundance. The Council is requested further to consider options for achieving the desired level of research and to provide estimates of cost.

Annex 15. Amendment to NAFO Conservation and Enforcement Measures re New Item "E-Other Measures"

To "Part I - Management of the Conservation and Enforcement Measures is added an Item "E-Other Measures" reading:

Noting differences that have been expressed on the subject of 2J3KL cod by Contracting Parties,

Noting the need to avoid prejudice to the legal position of any Contracting Party on this subject,

Noting the current moratorium that is being applied by Canada to the fishing of this stock,

Noting the available scientific advice,

Directed fisheries for this cod in Division 3L in the Regulatory Area shall not be permitted in 1993.

Annex 16. Quota Table for 1993

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 1993 of particular stocks in Subareas 3 and 4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

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

¹ Quotas to be fished by vessels from Estonia, Latvia, Lithuania and the Russian Federation. The provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply.

² The opening date for the Squid (Illex) fishery is 1 July.

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

⁴ Not specified because the allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC.

⁵ The TAC would remain at 150 000 tons subject to adjustment where warranted by scientific advice.

Annex 17. Fisheries Commission's Request for Scientific Advice on Management in 1994 of Certain Stocks in Subareas 3 and 4

1. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 1993 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 1994:

Cod (Div. 3NO; Div. 3M)
 Redfish (Div. 3LN; Div. 3M)
 American plaice (Div. 3LNO; Div. 3M)
 Witch flounder (Div. 3NO)
 Yellowtail flounder (Div. 3LNO)
 Capelin (Div. 3NO)
 Squid (Subareas 3 and 4)

2. The Commission and the Coastal State request the Scientific Council to consider the following options in assessing and projecting future stock levels for those stocks listed above:

- a) For those stocks subject to analytical dynamic-pool type assessments, the status of the stock should be reviewed and management options evaluated in terms of their implications for fishable stock size in both the short and long term. In those cases where present spawning stock size is a matter of scientific concern in relation to the continuing productive potential of the stock, management options should be evaluated in relation to spawning stock size. As general reference points the implications of fishing at $F_{0.1}$, F_{1990} and F_{max} in 1994 and subsequent years should be evaluated. The present stock size and spawning stock size should be described in relation to those observed historically and those expected in the longer term under this range of options.

Opinions of the Scientific council should be expressed in regard to stock size, spawning stock sizes, recruitment prospects, catch rates and TACs implied by these management strategies for 1994 and the long term. Values of F corresponding to the reference points should be given and their accuracy assessed.

- b) For those stocks subject to general production-type assessments, the time series of data should be updated, the status of the stock should be reviewed and management options evaluated in the way described above to the extent possible. In this case, the general reference points should be the level of fishing effort or fishing mortality (F) which is calculated to be required to take the MSY catch in the long term and two-thirds of that effort level.

- c) For those resources of which only general biological and/or catch data are available, no standard criteria on which to base advice can be established. The evidence of stock status should, however, be weighed against a strategy of optimum yield management and maintenance of stock biomass at levels of about two-thirds of the virgin stock.
- d) Spawning stock biomass levels that might be considered necessary for maintenance of sustained recruitment should be recommended for each stock.
- e) Presentation of the result should include the following:
 - i) for stocks for which analytical dynamic-pool type assessments are possible:
 - a graph of yield and fishing mortality for at least the past 10 years.
 - a graph of spawning stock biomass and recruitment levels for at least the past 10 years.
 - a graph of catch options for the year 1994 over a range of fishing mortality rates (F) at least from $F_{0.1}$ to F_{max} .
 - a graph showing spawning stock biomass at 1.1.1995 corresponding to each catch option.
 - graphs showing the yield-per-recruit and spawning stock per-recruit values for a range of fishing mortality.
 - ii) for stocks for which advice is based on general production models, the relevant graph of production on fishing mortality rate or fishing effort.

In all cases the three reference points, actual F, F_{max} and $F_{0.1}$ should be shown.

3. The Fisheries Commission with the concurrence of the Coastal State requests that the Scientific Council continue to provide information, if available, on the structure of the stock complex of cod in Div. 2J+3KL and the proportion of the biomass of the cod stock in Div. 3L in the Regulatory Area and a projection if possible of the proportion likely to be available in the Regulatory Area in future years. Information is also requested on the age composition of that portion of the stock occurring in the Regulatory Area.

**Annex 18. List of Decisions and Actions by the Fisheries Commission
(14th Annual Meeting, 14-18 September 1992)**

Substantive issue (propositions/motions)	Decision/Action (FC Doc. 92/19; item)
1. Report of the 13th Annual Meeting, Sept 1991; FC Doc. 91/14	adopted (item 2.1)
2. Report of the Special Meeting; May 1992; FC Doc. 92/3	adopted (item 2.1)
3. Reports of STACTIC; February, July 1992 (Copenhagen); FC Doc. 92/1 and 92/4	adopted (item 3.1)
4. Report of STACTIC Working Group on the Hail System; April 1992; FC Doc. 92/2	adopted (item 4.5)
5. Observations by inspectors of incidental by-catches in excess of prescribed limits; FC Doc. 92/6	adopted (item 3.8)
6. Action by Contracting Parties to prevent infringements to the Measures by their vessels; FC Doc. 92/7	adopted (item 3.6)
7. Production logbooks and stowage plans; FC Doc. 92/8	adopted (item 3.5)
8. STACTIC Form A-Annual Return of Inspections, Catch Record Discrepancies and/or Apparent Infringements; STACTIC Form B-Annual Return of Disposition of Catch Record Discrepancies and/or Apparent Infringement; FC Doc. 92/9	adopted (item 3.10)
9. Mesh size of nets on board vessels operating in the Regulatory Area; FC Doc. 92/10	adopted (item 3.9)
10. Definition of an inspection party; FC Doc. 92/11	adopted (item 3.11)
11. New item E-Other Measures; "Directed fishery for cod in division 3L in the Regulatory Area shall not be permitted in 1993; FC Doc. 92/12	adopted (item 7.11)
12. Pilot project for a NAFO Observer Scheme (a new Part VI of the Measures); FC Doc. 92/13	adopted (item 3.3)

Substantive issue (propositions/motions)	Decision/Action (FC Doc. 92/19; item)
13. Minimum mesh sizes for groundfish fisheries in the Regulatory Area; FC Doc. 92/14	adopted (item 3.9)
14. Minimum fish size; FC Doc. 92/15 (Part I. new item D)	adopted (item 3.14)
15. Annual Return of surveillance information in compliance with the hail system (see FC Doc. 92/1; item 7c).1, p 19 and Annex 11); FC Doc. 92/16	adopted (item 3.1)
16. Schedule I-Quota Table for 1993 for NAFO Conservation and Enforcement Measures (Part V) for international regulation of the fisheries for particular stocks	adopted (item 7.12)
17. Incorporation of a catch reporting system into the hail system (by Canada); FC W.P. 92/7 (4th revision)	discussed; deferred to the next annual meeting (1993) (item 3.4)
18. Effort plans for the vessels of the Contracting Parties operating in the Regulatory Area (by Canada and EEC); FC W.P. 92/46 and FC W.P. 92/40	discussed; deferred to the next annual meeting (1993) (item 3.7)
19. Operation of the Hail System; FC Doc. 92/3, Annex 14	discussed; deferred to the next annual Meeting (1993) (item 3.12)
20. Coordination and financing of inspection activities in the Regulatory Area	discussed; took note of the estimates (by STACTIC) (item 3.13)
21. Financing of NAFO's scientific work in the Regulatory Area; FC Doc. 92/20	discussed; request to the Scientific Council (item 3.15)
22. Report of STACTIC at the 14th Annual Meeting	adopted (item 4.2)
23. Terms of reference for STACTIC to compile statistics (by EEC)	discussed; deferred to the next Annual Meeting (1993) (item 4.4)
24. Transfer of quotas between Contracting Parties	discussed; deferred to the next Annual Meeting (1993) (item 5)
25. TAC of Cod 3M for 1993	adopted - 12 965 tons (item 7.1)
26. TAC of Redfish 3M for 1993	adopted - 30 000 tons (item 7.2)

Substantive issue (propositions/motions)	Decision/Action (FC Doc. 92/19; item)
27. TAC of American plaice for 1993	adopted - 2 000 tons (item 7.3)
28. TAC of Cod 3NO for 1993	adopted - 10 200 tons (item 7.4)
29. TAC of Redfish 3LN for 1993	adopted - 14 000 tons (item 7.5)
30. TAC of American plaice 3LNO for 1993	adopted - 10 500 tons (item 7.6)
31. TAC of Yellowtail flounder 3LNO for 1993	adopted - 7 000 tons (item 7.7)
32. TAC of Witch flounder 3NO for 1993	adopted - 5 000 tons (item 7.8)
33. TAC of Capelin 3NO for 1993	agreed - "zero TAC" (item 7.9)
34. TAC of Squid 3+4 for 1993	adopted - 150 000 tons (item 7.10)
35. Distribution of quotas to the Contracting Parties - quota allocations to Estonia, Latvia, Lithuania, and Russia	decided (item 7.12) discussed; to proceed with a mail vote before 31 December 1992 upon the agreement between the interested Parties
36. Request to the Scientific Council for scientific advice on the management of fish stocks in 1994; FC Doc. 92/17	adopted (item 8)

PART II

Report of the Standing Committee on International Control (STACTIC)

The Standing Committee on International Control (STACTIC) met on two occasions during the week of 14-18 September 1992. The initial session was convened at 1600 hours on 14 September 1992.

1. Opening of the Meeting

- 1.1 The Chairman of STACTIC, E. Lemche (Denmark, in respect of the Faroe Islands and Greenland) welcomed the delegates to the meeting. STACTIC delegations comprised Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), EEC, Japan, Norway and the Russian Federation (Russia) (Annex 1).
- 1.2 P. J. Ogden (EEC) was appointed Rapporteur.
- 1.3 The Agenda was adopted as presented (Annex 2).

2. Review of Annual Return of Infringements (FC Working Paper 92/29)

- 2.1 The Chairman referred the meeting to FC Working Paper 92/29 which detailed 1991 inspections, apparent infringements and their disposition and noted that Canada, Cuba, Denmark and Russia had submitted the appropriate returns. These were listed in FC Doc. 92/18 as amended.
- 2.2 The delegate of Canada reported that vessels from Japan, Denmark (for Faroe Islands and Greenland) and Russia had been inspected in 1991 but no apparent infringements had been found.

The delegate of Denmark sought details from the EEC on the disposition of the two apparent infringements by EEC vessels reported in 1991. The delegate of the EEC was not yet in a position to reply but undertook to provide the relevant information after the meeting. The Chairman reminded EEC that it still had to provide details of the disposition of apparent infringements in 1990 (Report of the Fisheries Commission 91/14, Part II, paragraph 2.2). The delegate of the EEC undertook to provide this information also after the meeting.

3. Review of Surveillance and Inspection Reports

- 3.1 Contracting Parties had submitted the following papers:

EEC - FC Working Paper 92/30
Canada - NAFO/FC Doc. 92/5

- 3.2 The delegate of Canada pointed out that the Control and Enforcement Measures required Contracting Parties to provide annual details of penalties for each infringement confirmed. These details had been omitted from the EEC Working Paper 92/30. EEC had no figures for individual cases but hoped to provide these after the meeting.

4. Notification of Fishing Vessels Intending to Fish in the Regulatory Area in 1992

- 4.1 The Chairman drew the attention of the meeting to STACTIC Working Paper 92/40 which listed those vessels which had notified the Secretariat of their intention to fish in 1992 in the Regulatory Area. The total numbers of vessels notified was 386 from the following Contracting Parties:

Canada-139, Cuba-12, Denmark-14, EEC-128, Japan-5, Norway-1, Poland-1, Russia-86. Of the vessels notified, a total of 113 had sent hail reports as follows: Canada-2, Cuba-11, Denmark-5, EEC-86 (+4 vessels not notified), Japan-5, Norway-0, Poland-0, Russia-0 (not yet adopted hail system).

- 4.2 The Chairman pointed out that the hail system as introduced envisaged use by around 200 vessels. Since numbers were much less than this in practice perhaps there was a need to review the system. He enquired if there was anywhere a single comprehensive list of activities by both Contracting and non-Contracting Parties to give a picture of activity in NAFO waters as a whole.
- 4.3 The delegate of Canada pointed out that its 1991 annual surveillance summary gave a total of 247 different vessels sighted in the area: 213 Contracting Party vessels and 34 non-Contracting Party vessels.

5. Feasibility of the Implementation of Other Measures to Improve Inspection and Control

- 5.1 The delegate of Denmark was of the view that other measures to improve inspection and control such as satellite tracking could present practical problems for Contracting Parties and would therefore need to be further considered by STACTIC.

It was also important that any NAFO measures on effort plans should include licensing as originally discussed in STACTIC.

6. Report to the Fisheries Commission

- 6.1 This was agreed as attached at Annex 3.

7. Time and Place of Next Meeting

- 7.1 The time and place of the next STACTIC meeting would be determined by the Fisheries Commission.

8. Other Matters

8.1 Nominal Catches by Contracting Parties Exceeding 1991 Quotas

The Chairman was of the view that STACTIC needed to examine an important element of control which was not addressed elsewhere. This was the question of catches in excess of NAFO quotas and any resultant action. To this end he had prepared FC Working Paper 92/47 (Revised) to identify such catches but without seeking to identify particular Contracting Parties. He pointed out that catches listed against "others" in FC Working Paper 92/32 had all been caught by Korea.

8.2 The delegate of Norway considered that this was a prudent initiative and considered that **the Executive Secretary should prepare a report similar to FC Working Paper 92/47 (Revised)** prior to each future Annual Meeting as a basis for consideration by STACTIC.

8.3 The delegate of Japan also supported the Chairman's initiative but pointed out that the Japanese catches referred to were by-catches and a quota transfer of 1 000 tons of 3M redfish from Canada had been omitted.

The paper should be noted accordingly. Canada similarly wished the paper to include a quota transfer of 1 500 tons of 3NO cod from Russia.

8.4 The delegate of the EEC however expressed doubts that with the current suspension of fishing a similar exercise next year and in subsequent years might not have very much practical significance.

8.5 Noting the views of Contracting Parties it was **agreed to recommend the preparation of such annual catch reports to the Fisheries Commission.** FC Working Paper 92/47 (Revised) attached to STACTIC's Report would be amended to include appropriate footnotes on by-catches and quota transfers.

9. Adjournment

9.1 The meeting was adjourned at 1015 hours on 17 September 1992.

Annex 1. List of Representatives of Delegations to STACTIC

Canada	C. J. Allen
Cuba	R. Dominguez
Denmark (in respect of the Faroe Islands and Greenland)	K. P. Mortensen
EEC	P. Curran
Japan	M. Yoshida
Norway	P. Gullestad
Russia	A. Mikhailov

Annex 2. Agenda

1. Opening by the Chairman, E. Lemche (Denmark in respect of the Faroe Islands and Greenland)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Annual Return of Infringements
5. Review of Surveillance and Inspection Reports
6. Review of Registration of vessels fishing in the Regulatory Area
7. Discussion on the feasibility of implementation of other measures on improvements to inspection and control
8. Report to the Fisheries Commission
9. Time and Place of the Next Meeting
10. Other Matters
11. Adjournment

Annex 3. Report to the Fisheries Commission

1. At its 1992 Meeting STACTIC considered the annual returns of infringements as submitted by Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland) and Russia. These are contained in FC Working Papers 92/29, 92/29 (Corrigendum), 92/29 (Corrigendum 2) and 92/29 (Addendum). STACTIC also had before it Reports on Surveillance and Control by EEC (FC Working Paper 92/30) and Canada (NAFO/FC Doc. 92/5).
2. STACTIC considered "Notification of Fishing Vessels intending to Fish in the Regulatory Area in 1992" (STACTIC Working Paper 92/40), and noted that the total number of vessels notified to the NAFO Secretariat was 386. Of these, a total of 113 vessels had sent hail reports. Four vessels had sent hail reports but had not notified the Secretariat. It was noted that Canada had reported for 1991 sightings of a total of 213 vessels from Contracting Parties and 34 from non-Contracting Parties.
3. STACTIC also considered the question of nominal catches by Contracting Parties with exceeded 1991 quotas as set out in FC Working Paper 92/47 (2nd Revision) (Attachment 1). It was considered that this would be a useful annual exercise and STACTIC **recommends** to the Fisheries Commission that the Executive Secretary be asked to prepare a suitable table prior to each Annual Meeting for consideration and comment by STACTIC at that Annual Meeting.

**Attachment 1. Nominal Catches by Contracting Parties Exceeding 1991 Quotas¹,
by E. Lemche, Chairman of STACTIC**

Division/Species	Country	Quota	Catch
3M Cod	Other	50	54 ²
3NO Cod	Canada	7 984 ³	8 117
	EEC	5 016	6 509
3M Redfish	EEC	7 750	10 111
3LN Redfish	Cuba	1 372	1 378
	Other	84	88 ²
3M American plaice	EEC	350	1 643
3LNO American plaice	EEC	328	972
	Other	47	115 ²
3LNO Yellowtail flounder	EEC	140	246

¹ Source: FC Working Paper 92/32

² By-catches

³ Including 1 500 tons quota transfer from Russia.