

## SECTION IV

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### Report of the Fisheries Commission and its Subsidiary Body (STACTIC), 16th Annual Meeting 19-23 September 1994 Dartmouth, Nova Scotia, Canada

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## PART I

### Report of the Meeting of the Fisheries Commission

16th Annual Meeting, 19-23 September 1994  
Dartmouth, Nova Scotia, Canada

#### 1. Opening Procedures (items 1-5 of the Agenda)

- 1.1. The meeting was called to order by the Chairman, Mr. H. Koster (EU) on 20 September 1994 at 11:15 hours. Representatives from the following Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, the European Union (EU), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, and the Russian Federation. (Annex 1)
- 1.2 Mr. R. Steinbock (Canada) was appointed Rapporteur.
- 1.3 The provisional agenda was adopted. (Annex 2) On the request of Canada the wording "Management and technical measures for the following stocks, if available in the Regulatory Area in 1995: i) Cod in Div. 3L" was reinserted under agenda item 18.9. The EU disagreed since this language does not properly reflect the decisions taken by the Fisheries Commission as from 1992. The EU proposed that this agenda item should read "cod in 2J3KL". The Chairman noted the different views.
- 1.4 Representatives of the United States of America were welcomed to the Meeting as observers.
- 1.5 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 adopted by the General Council and issued by the NAFO Secretariat to the public.

#### 2. Administrative (item 6)

- 2.1 The Republic of Korea was welcomed as a Member of the Fisheries Commission pursuant to the decision of the General Council under provisions of Article XIII of the Convention.

#### 3. Conservation and Enforcement Measures (items 7 to 15)

- 3.1 Item 7, Incorporation of a Catch Reporting System into the Hail System (Canadian proposal in FC Doc 92/3) was referred to STACTIC and the budgetary aspects were referred to STACFAD. The Representative of Canada suggested that the Commission ask STACTIC to review the Canadian proposal and working on the assumption that the concept in principle is acceptable, determine if there are any amendments that could or should be made to the proposal to increase its effectiveness or to make it more acceptable

on an operational basis to Contracting Parties. The Representative of the EU agreed with this reference but emphasized that the effective functioning of the current hail system should be ensured. The EU Representative emphasized that the full functioning of the current hail system should be ensured before upgrading it.

At the closing session, the Commission **decided to defer** this item to the 17th Annual Meeting.

- 3.2 Item 8, Effort Plans for the Vessels of Contracting Parties operating in the Regulatory Area, **was referred** to STACTIC. It was clarified that the Canadian proposal was to require notification of effort plans with a view to increasing transparency regarding quotas and fishing effort.

At the closing session, the Commission **decided to defer** this item to the 17th Annual Meeting.

- 3.3 Item 9, Nominal Catches by Contracting Parties Exceeding Quotas, **was referred** to STACTIC with a request to suggest improvements to the current proposed table. On presentation by STACTIC, the modified table was **adopted** by the Meeting.

- 3.4 Item 10, NAFO Rules Regarding Incidental Catches, was **withdrawn** at the request of the Representative of Canada. This item was a Canadian proposal at the 1993 STACTIC meeting and was no longer considered appropriate by Canada.

- 3.5 Item 11, Annual Return of Infringement, Surveillance, Inspection Reports, **was referred** to STACTIC.

At the closing session, the Commission **accepted** in principle the Canadian proposal on the understanding that the Contracting Parties will do their best in accordance with their legislation to increase "transparency" of disposition of apparent infringements.

- 3.6 Item 12, Fishing Vessel Registration, **was referred** to STACTIC, which recommended to discontinue this presentation. This was **agreed** by the Meeting.

- 3.7 Regarding Item 13, Review of the NAFO Observer Scheme Pilot Project, the Chairman of STACTIC (D. Brock - Canada) reported the conclusions of the Special Meeting of STACTIC, August 30-September 1, 1994 (FC Doc 94/5). The Representative of the EU questioned the effectiveness of the observer scheme. Following a suggestion by the Representative of Canada, it was agreed to refer the following three questions to STACTIC:

- 1) How can we best ensure that key fisheries (i.e. 3M shrimp, 2+3 Greenland halibut) are targeted for observer coverage, rather than the current system where 10% coverage is spread over all fisheries?
- 2) How can we make the program more time relevant thereby allowing the observer to call attention to serious infringements on a timely basis so that inspectors, or Contracting Party authorities, can deal with the situation immediately?

- 3) Could STACTIC advise on the criteria to be used for evaluation of an observer scheme?

At the closing session, it was proposed to extend the Pilot Project until 31 December 1995 with modification targetting on Greenland halibut fishery (up to 20% coverage). The representative of the EU noted that if the Pilot Project should be continued that he could only agree with an unchanged extension. The Chairman suggested to extend the Pilot Project unchanged and that the Fisheries Commission would recommend to Contracting Parties to ensure 20% observer coverage in the *Greenland halibut fishery*. The Commission agreed with the unchanged extension and the recommendation as suggested by the Chair. (Annex 3)

- 3.8 Item 14, Minimum Fish Size (witch, redfish, Greenland halibut) and Minimum Size of Processed Fish (witch, redfish, Greenland halibut, cod, A. plaice, yellowtail flounder) **was referred** to STACTIC. The Scientific Council could not provide advice to STACTIC on minimum sizes for Greenland halibut and flatfishes since the necessary data had not been made available (SC Working Paper 94/44).

The Representative of Canada noted the Canadian proposal in STACTIC to establish processed length equivalents for minimum fish sizes (STACTIC Working Paper 94/15) but asked that it be withdrawn at this time to permit further discussions on the subject. The Representative of Denmark noted the difficulty in addressing this issue given that some Parties have legislation prohibiting discards. The Fisheries Commission **decided to defer** this item to the 17th Annual Meeting.

- 3.9 Item 15, Report of STACTIC at the Annual Meeting, was presented by the Chairman of STACTIC (D. Brock - Canada) at the closing session on 23 September 1994, and the report **was adopted** by the Commission (see Part II of the Fisheries Commission Report).

The STACTIC Chairman noted an absence of agreement on many of the agenda items. He summarized STACTIC's conclusions as follows:

a) Re the Canadian proposal regarding disposition of details on infringements, there was no consensus in favour of the Canadian proposal but agreement was reached on the commitment to make returns in a timely manner and to pursue specific points of interest bilaterally.

b) Re NAFO Observer Scheme Pilot Project, the Special Meeting of STACTIC was held through 31.08-01.09.94 at NAFO Headquarters, and the report was presented to the Fisheries Commission for comments and adoption (FC Doc. 94/5). At the current meeting, delegations concluded that the Fisheries Commission, on the basis of advice from the Scientific Council, should recommend to Contracting Parties what the target species should be for conservation purposes. It was agreed not to put forward recommendations in respect of enforcement targets. Regarding the expeditious handling of serious infringements, difficulties had been raised about changing the role of the observer. It was not possible to develop assessment criteria but it was felt by some that the relationship between costs and benefits of the program could be outlined.

c) Re Minimum fish sizes, there was broad support for the principle of establishing minimum processed length equivalents however the EU envisaged practical difficulties and Russia could not accept the principle.

d) Re operation of the Hail System, costs of any enhancements to the existing system were a key concern of delegations. It was suggested that the pilot project Phases I and II of a Communication Project for the NAFO Hail System be concluded at the earliest opportunity so that an appreciation of the technical difficulties and costs could be better understood before further consideration by STACTIC.

e) Re the Canadian proposal to remove fishing vessels less than 19.8 metres from notification of Fishing Vessels List. STACTIC had been unable to fully discuss this matter and further consideration had to be deferred to the next STACTIC meeting.

f) Re Review of the Inspectors Manual, no substantive discussion took place. It was agreed that Contracting Parties would send any comments to the Executive Secretary on the understanding that no changes would be made to the manual without STACTIC's review.

g) Re the Canadian proposal for effort plan notification for the vessels operating in the Regulatory Area, the STACTIC Chairman suggested that the plans be entitled "Planned effort in fishing days in the NAFO Regulatory Area for regulated species". He noted that as non-regulated species were not covered, the plans therefore could not be really representative of the total effort in the Regulatory Area. He noted the EU delegation's concerns with difficulties in linking effort with quotas given the difficulty in anticipating the extent of fishing opportunities.

h) Re nominal catches by Contracting Parties exceeding quotas, there was support for amendments to the current table which could refer to all species and quotas, however the Canadian delegation wished to delete the entry for autonomous quotas.

i) Re report on registration of vessels fishing in the Regulatory Area, it was concluded that this report was no longer necessary and need not be produced in future.

- 3.10 Canada tabled a proposal (FC Working Paper 94/19 - Annex 4) providing specific criteria against which the Pilot Scheme could be evaluated as well as criteria for an intersessional meeting of STACTIC to evaluate the effectiveness of the Pilot Project Observer Scheme.

#### 4. Conservation of Fish Stocks in the Regulatory Area (items 16 to 20)

- 4.1 The Chairman of the Scientific Council (Mr. H. Lassen - EU), gave a summary of the June 1994 Report of the Scientific Council (SCS Doc. 94/19) and the Preliminary Report from the Scientific Council (SC Working Paper 94/44) which provided the following management advice for 1995 for fish stocks in the NAFO Regulatory Area (NRA):

- Cod 2J3KL in NRA	no directed fishery
- Cod 3M	no directed fishery
- Cod 3NO	no directed fishery
- Redfish 3M	20 000 tons
- Redfish 3LN	not exceeding 14 000 tons

- American plaice 3M	not exceeding 1 000 tons
- American plaice 3LNO	no directed fishery
- Yellowtail flounder 3LNO	no directed fishery
- Witch flounder 3NO	no directed fishery
- Capelin 3NO	no directed fishery
- Squid (SA 3 and 4)	no advice
- Greenland halibut (2+3)	Reduce effort and catches
- Shrimp 3M	Continue mandatory use of grates in shrimp fishery but bar spacing of less than 28 mm be enforced. (appropriate spacing unknown at present)

- 4.2 This presentation was followed by a number of questions and requests for clarification.
- 4.3 With respect to Greenland halibut 2+3, the Representative of Canada sought confirmation that a reduction in effort would require a catch level below 40 000 tons. The Chairman of the Scientific Council noted that a projection of the catch in 1995 at 1993 effort levels is estimated to be 40 000 tons, however there was considerable uncertainty to the catch estimates for 1991, 1992 and 1993. He could not advise the actual reduction in effort and catch which would be necessary to halt the decline in the biomass and secondly to allow the rebuilding of the stock.
- 4.4 The Representative of Japan expressed concern about the significant amounts of redfish by-catch in the shrimp fishery and requested a table showing shrimp catches, the corresponding estimated by-catches of redfish and future yield losses of redfish. The Representatives of Norway and Iceland reported that experiments with the spacing in separator grates had shown that at 23mm redfish by-catch could be reduced significantly without any loss of shrimp catches. The Representative of Denmark suggested that a working group of experts could help determine the optimal spacing to reduce redfish by-catch.
- 4.5 With respect to Greenland halibut, the Representative of the EU asked about the source for determining the status quo predicted catch level of 40 000 tons and the degree of uncertainty attached to this determination. The Chairman of the Scientific Council noted that this figure was derived as a matter of judgement based on catch rates, biomass estimates and the expected reduction in catch rates. He noted that while a number of stock surveys pointed to a sharp decline in biomass, the uncertainty about catch estimates complicated the inevitable uncertainty from surveys.
- 4.6 The Representative of the EU asked whether the Scientific Council had examined all the scientific data to date for 3NO cod. The SC Chairman confirmed that the preliminary results of the Canadian spring 1994 survey had been incorporated and these indicated extremely low stock size.
- 4.7 In response to a question from the EU regarding the impact of a food subsistence fishery permitted by Canada for 2J3KL cod during 1994, the Representative of Canada provided a clarification which indicated a catch in the range of 700-750 tons (FC Working Paper 94/13).

- 4.8 With respect to 3M cod, the Representative of Denmark noted the strength of the 1990-91 year classes upon which he expected a fishery would continue in 1995. He expressed concern about cod by-catches in the 3M shrimp fishery and the need for better technical measures to protect juvenile fish. The Representative of Canada stated that Canada's approach was to follow the Scientific Council's advice for no directed fishery. He asked what would be the potential benefits of a continued moratorium and how soon could these benefits be expected. The SC Chairman advised that as the 1990-91 year classes will enter into the spawning stock at age 6, we could expect an increased spawning stock for 1996-97. He would try to advise on when a fishery could be opened and what quantity of fish could be expected at that time.
- 4.9 With respect to 3M shrimp, the Representative of Denmark noted its approach was for appropriate conservation measures to permit continuation of the fishery. He proposed a working group to examine shrimp management issues and the reduction of by-catches.
- 4.10 Concerning 3NO cod, the Representative of Canada stated that consistent with the scientific advice, he took the view that a continued ban on directed fishing was the only way to protect the 1989 year class and allow rebuilding of the stock.
- 4.11 Consistent with the SC advice for 3LNO American plaice, 3LNO Yellowtail flounder and 3NO Witch, the Representative of Canada expressed the position that continuation of the current bans on directed fishing was essential to halt the decline and allow rebuilding of these stocks.
- 4.12 With respect to 3NO capelin, the Representative of Norway expressed the view that the current fishing ban on directed fishing should be continued.
- 4.13 With respect to 3L cod, the Representative of Canada endorsed the SC position for no directed fishery.
- 4.14 With respect to Greenland halibut, the Canadian side gave a Geographic Information Systems (GIS) presentation to illustrate the status of the stock as per the SC advice and to show catch and biomass trends inside the Canadian zone relative to those in the Regulatory Area. The tables used in the presentation were provided as FC Working Paper 94/14. The Representative of Canada took the position that Greenland halibut in 2+3 needs to be managed as a single stock complex. The Representative of Canada noted the clear SC advice for reduction in fishing effort. He outlined various options that could be considered - in ascending order of risk to the conservation of the stock: firstly, no fishing in 1995, secondly to set a TAC at 25% of the recent catch levels which would allow a TAC of about 15 000 tons for 1995, which would be comparable to the reductions that Canada had taken inside its zone in July 1994. A third option, and a higher risk to conservation would be a TAC of 20 000 tons based on the average stable catches from 1981-1986 of 25 000 tons but taking into account the age composition of the biomass. He stated that 15 000 tons would seem a reasonable compromise and would be Canada's preferred approach. He acknowledged that there were comments that actual catches may have been as low as 42 000 tons rather than the 62 000 tons figure used by the Scientific Council. He stated that these differences showed the need for a targeted observer scheme for Greenland halibut. He also noted the need for coordinated deep water research on this stock for which Canada was open to cooperate with the other Parties.



- 4.15 The Representative of the EU noted that increases in catches also had occurred for Greenland halibut in Areas 0 and 1. He noted the uncertainties as background to the SC stock assessment. There was uncertainty in the SC advice regarding the harvest of 2+3 Greenland halibut, i.e. as high as 62 000 tons and perhaps as low as 42 000 tons. He also noted the questions regarding the quality and comparability of the data, the uncertainty regarding Catch per Unit of Effort, all of which allowed room for different interpretations. However he understood the SC advice recommending that fishing effort be reduced so as not to exceed a harvest of 40 000 tons. He noted that the EU was cognizant of the fact that 2+3 Greenland halibut may need to be regulated and that he would listen to other delegations' statements on how the situation could be improved. He noted the EU's support for preparation of a list of research items on 2+3 Greenland halibut by the Scientific Council and that the EU would try to allocate the necessary funds towards this research. The Representative of Canada noted that in Area 0, Canada had cut its 1994 quota from 12 000 tons to 5 500 tons in June 1994. He also clarified that the SC was not recommending a TAC of 40 000 tons; rather that current effort levels were estimated to catch 40 000 tons and there was a need for a significant cut in this effort.

## 5. Management and Technical Measures for Fish Stocks in the Regulatory Area (items 17.1 to 17.4)

### 5.1 Cod 3M

The Representative of Denmark proposed a TAC of 11 000 tons which was supported by the Representative of the EU. The Representative of Canada stated that in view of the scientific advice for no directed fishery in 1995, Canada could not support the proposal. Following a vote, a **TAC of 11 000 tons was adopted**. The vote was carried by six Parties in favour (Denmark (in respect of the Faroe Islands and Greenland), Estonia, EU, Latvia, Lithuania, Poland). Four Parties abstained (Japan, Korea, Norway and Russia) and three Parties opposed (Canada, Cuba and Iceland).

### 5.2 Redfish 3M

The Representative of Russia proposed a TAC of 26 000 tons.

**A TAC of 26 000 tons for 1995 was adopted** by consensus.

### 5.3 American plaice 3M

The Representative of Canada proposed no directed fishery consistent with the scientific advice. It was clarified that the expected by-catches would be approximately 1 000 tons.

It was agreed by consensus that **no directed fishery** shall be carried out in 1995.

### 5.4 Shrimp 3M and 3LNO

The Chairman of the Working Group, Mr. E. Lemche, Denmark (in respect of the Faroe Islands and Greenland) provided a report of the Working Group on Shrimp in the Regulatory Area (FC Working Paper 94/15). He noted that the discussions were constructive and highlighted a number of problems. The Working Group recommended that the 40mm mesh size for shrimp fisheries in 3M be continued for 1995 and that the

Fisheries Commission ask the Scientific Council to identify research activities necessary to assess the status of the 3M shrimp stock, however it could not reach consensus on the other issues with respect to 3M and 3LNO shrimp.

The SC Chairman reported on the loss of yield of 3M redfish as a result of by-catches (FC Working Paper 94/15, FC Working Paper 94/12 - Third Revision). In response to a question from the Representative of Estonia, the SC Chairman noted that seasonal and area variations in by-catches were well documented for one year so far however it was not known whether these occurred regularly on an annual basis.

Following discussions by heads of delegations, the Chairman summarized a proposal for shrimp as follows:

- 1) No shrimp fishery in 3LNO for 1995;
- 2) In 3M shrimp, reduce the bar space from 28 to 22mm;
- 3) In 3M shrimp, reduce the groundfish by-catch ceiling from 10% to 5% which triggers the requirement to move fishing grounds;
- 4) In 3M shrimp, maintain the same level of observer coverage as in 1994 - 10%;
- 5) In 3M shrimp, maintain the same mesh size at 40 mm.

The foregoing proposal was adopted. (Annex 3)

## 6. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits (items 18.1 to 18.10)

### 6.1 Cod 3NO

The Representative of Canada proposed a continuation of the moratorium in light of the scientific advice. The Representatives of Russia and Cuba supported the proposal.

It was agreed by consensus that **no directed fishery** shall be carried out in 1995.

### 6.2 Redfish 3LN

The Representative of the EU proposed a TAC of 14 000 tons.

**A TAC of 14 000 tons was adopted by consensus.**

### 6.3 American plaice 3LNO

The Representative of Canada proposed continuation of the moratorium.

It was agreed by consensus that **no directed fishery** shall be carried out in 1995.

### 6.4 Yellowtail flounder 3LNO

The Representative of Canada proposed a continued moratorium.

It was agreed by consensus that **no directed fishery** shall be carried out in 1995.

#### 6.5 Witch flounder 3NO

The Representative of Canada proposed no directed fishery.

It was agreed by consensus that **no directed fishery** shall be carried out in 1995.

#### 6.7 Capelin 3NO

The Representative of Norway proposed **no directed fishery** for 1995.

It was agreed by consensus that **no directed fishery** shall be carried out in 1995.

#### 6.8 Squid (Illex) Subareas 3 and 4

The Representative of Cuba proposed to maintain the TAC at 150 000 tons.

A TAC of 150 000 tons for 1995 was adopted by consensus.

#### 6.9 Shrimp 3LNO

This was covered under item 5.4.

#### 6.10 Management and Technical Measures for the following stocks, if available in the Regulatory Area in 1995: Cod in Division 3L

The Representative of Canada proposed in light of the available scientific advice for a moratorium that directed fisheries for cod in Division 3L in the Regulatory Area should continue to be prohibited in 1995.

**This proposal was adopted** by consensus.

#### 6.11 Greenland halibut 2+3

On the basis of the EU's understanding of the best scientific advice, the Representative of the EU proposed a TAC of 40 000 tons. There was no support for this proposal.

The Representative of Norway proposed in the spirit of compromise a TAC of 27 000 tons. The Representatives of Russia and Canada supported this proposal.

**A catch limitation of 27 000 tons was adopted** by the Fisheries Commission. The European Union abstained.

#### 6.12 Quota Table

The Representative of Korea requested an allocation of 2 000 tons of squid for 1995. The Representatives of Canada and Cuba supported an allocation of 2 000 tons to be transferred from the Squid - "Others" Quota. **This proposal was adopted** by consensus.

The Representative of Russia objected to the block quotas and to footnote 1 of the Quota Table. The Representative of Estonia stated that the block quota was harmful and undermined the principle of compliance with the TAC. He requested all Contracting Parties to contribute to a speedy resolution of this issue and called upon the countries sharing the collective quota to stop fishing once the quota has been reached. The Representative of Latvia supported the statements of Russia and Estonia and requested that resolution of the block quotas be added to the agenda of the Special Meeting of the Fisheries Commission. The Representative of Lithuania also supported the need to resolve the block quota question. The Meeting **agreed** to handle this issue at a Special Meeting of the Fisheries Commission Meeting.

With respect to Greenland halibut in Subareas 2+3, the Meeting agreed that decisions on allocation of quotas to Contracting Parties would be made at a Special Meeting of the Fisheries Commission to be called by the Fisheries Commission before January 1, 1995. The Meeting further agreed that until these decisions are made, the provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply and that any catches taken as from January 1, 1995 by a Contracting Party would be deducted from the quota of this Contracting Party to be agreed by the Fisheries Commission at its Special Meeting. This was **noted** in footnote 6 of the Quota Table. With respect to the timing of the Special Meeting, the Chairman announced that "the Fisheries Commission has requested the Chair to call for a Special Meeting of the Fisheries Commission before the first of January 1995. The Chair will undertake all efforts to organize this meeting before this date".

The Fisheries Commission adopted the Quota Table as attached (Annex 5), in accordance with Schedule 1 of the NAFO Conservation and Enforcement Measures with the exception of four Parties - Estonia, Latvia, Lithuania and Russia, for which a "block quota" was allocated on the same conditions as last year as is noted in footnote 1 thereto.

#### **7. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 1995 (item 19)**

- 7.1 Following a proposal by the Representative of Canada, it was agreed to submit a request to the Scientific Council (Annex 6) for scientific advice on management in 1996 of certain fish stocks in Subareas 3 and 4. It was agreed to amend this working paper to also include the recommendation of the Shrimp Working Group to identify research activities necessary to assess the status of the 3M shrimp stock. It was noted that the Scientific Council had provided a report on research needed to address the uncertainties about stock structure and status of Greenland halibut (Annex 7).

#### **8. Transfer of Quotas Between Contracting Parties (item 20)**

- 8.1 It was agreed that the NAFO Executive Secretary would prepare a table outlining any transfer of quotas during 1994.

#### **9. Closing Procedures (items 21 to 23)**

- 9.1 The 17th Annual Meeting will be held on 11-15 September 1995 in the Halifax-Dartmouth area subject to the decision of the General Council.

- 9.2 There was no other business to discuss at the Meeting.
- 9.3 The Representative of Canada thanked the Chairman of the Fisheries Commission on behalf of the Meeting for his efforts and objectivity in conducting the meetings of the Fisheries Commission.
- 9.4 The Annual Meeting of the Fisheries Commission was adjourned at 1330 hours on 23 September 1994.

#### **Adoption of Report**

The Report of the Fisheries Commission was reviewed and adopted by unanimous consent by the Fisheries Commission on 12 January 1995 (according to GF/94-633 of 12 December 1994).

## Annex 1. List of Participants

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## **Annex 2. Agenda**

### **I. Opening Procedures**

1. Opening by the Chairman, H. Koster (EU)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

### **II. Administrative**

6. Review of Commission Membership

### **III. Conservation and Enforcement Measures**

7. Incorporation of a Catch Reporting System into the Hail System
8. Effort Plans for the Vessels of Contracting Parties Operating in the Regulatory Area
9. Nominal Catches by Contracting Parties Exceeding Quotas
10. NAFO Rules Regarding Incidental Catches
11. Annual Return of Infringement, Surveillance, Inspection Reports
12. Fishing Vessel Registration in the Regulatory Area
13. Review of the NAFO Observer Scheme Pilot Project
  - 13.1 Reports by Contracting Parties on the results of pilot projects
  - 13.2 Evaluation of any administrative or operational problems of the program
  - 13.3 Assessments of the effectiveness and the costs of the program
  - 13.4 Appropriateness of including an observer scheme in the NAFO Conservation and Enforcement Measures
  - 13.5 Decision on proposals for a NAFO Observer Scheme
14. Minimum Fish Size (witch, redfish, Greenland halibut) and Minimum Size of Processed Fish (witch, redfish, G. halibut, cod, A. plaice, yellowtail flounder)
15. Report of STACTIC at the Annual Meeting

#### IV. Conservation of Fish Stocks in the Regulatory Area

16. Summary of Scientific Advice by the Scientific Council
17. Management and Technical Measures for Fish Stocks in the Regulatory Area
  - 17.1 Cod in Div. 3M
  - 17.2 Redfish in Div. 3M
  - 17.3 American plaice in Div. 3M
  - 17.4 Shrimp in Div. 3M
18. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits
  - 18.1 Cod in Div. 3NO
  - 18.2 Redfish in Div. 3LN
  - 18.3 American plaice in Div. 3LNO
  - 18.4 Yellowtail flounder in Div. 3LNO
  - 18.5 Witch flounder in Div. 3NO
  - 18.6 Capelin in Div. 3NO
  - 18.7 Squid (*Illex*) in Subareas 3 and 4
  - 18.8 Shrimp in Div. 3LNO
  - 18.9 Management and Technical Measures for the following stocks, if available in the Regulatory Area in 1995:
    - i) Cod in Div. 3L
  - 18.10 Greenland halibut
19. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 1996
20. Transfer of Quotas Between Contracting Parties

#### V. Closing Procedures

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

### **Annex 3. Decisions by the Fisheries Commission on the Conservation and Enforcement Measures in the Regulatory Area**

- I. To amend: Part I - Management, Other Measures, item E  
to read: **Cod in Div. 3L**

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 1995.

- II. To amend: Part I, - Management, Other Measures, items F & G  
to read: **Shrimp in Div. 3M and 3LNO**

- F. Vessels fishing for shrimp in Division 3M in 1995 shall use nets with a minimum mesh size of 40 mm.

Vessels fishing for shrimp in Division 3M in 1995 shall use sorting grids or grates with maximum spacing between the bars of 22 mm.

In the event that total by-catches of all regulated groundfish species in any haul exceed 5 percent by weight, vessels shall immediately change fishing area (minimum of 5 nautical miles) in order to seek to avoid further by-catches of regulated groundfish.

A Contracting Party shall ensure that its vessels fishing shrimp in Division 3M in 1995 are included in its implementation of the pilot project for a NAFO observer scheme, as outlined in Part VI of the Conservation and Enforcement Measures. A Contracting Party shall further deploy observers so as to ensure that a minimum of 10 percent of the Contracting Party's total estimated fishing days on ground for shrimp in Division 3M in 1995 are subject to observation.

- G. Due to biological considerations, all Contracting Parties shall ensure that their vessels shall not conduct a directed fishery for shrimp in division 3LNO in 1995.

- III. To amend: Part VI-Pilot Project for a NAFO Observer Scheme  
to modify: The Pilot Project shall be extended to 31 December 1995 and all dates in Part VI be modified accordingly.

## **Annex 4. Canadian Proposal to Continue the Pilot Project Observer Scheme to Increase Coverage Levels, and to Define Criteria Which Could be Used to Measure the Effectiveness of the Pilot Project**

### **Background**

The pilot project observer scheme was implemented on January 1, 1993. The project requires Contracting Parties, that anticipate their annual fishing operations to exceed 300 fishing days, to deploy trained individuals on 10% of their vessels to monitor compliance with the Conservation and Enforcement Measures.

At a Special Meeting (August 30 - September 1, 1994), STACTIC could not reach a conclusion on the effectiveness of the pilot project observer scheme.

Some STACTIC representatives expressed the view that observer deployments simply confirmed information reported by inspectors while others felt that masters were deterred from committing apparent infringement by the presence of observers.

It is important that the Fisheries Commission be provided with a detailed assessment of the pilot project observer scheme to determine if such a scheme is an appropriate and effective means to monitor compliance by fishing vessels with Conservation and Enforcement Measures.

The current pilot project terminates December 31, 1994.

### **Proposal**

Canada proposes that the Fisheries Commission continue the pilot project observer scheme continue in 1995.

Canada further proposes that coverage levels for certain fisheries be increased. Specifically, coverage levels should be increased to 20% for the Greenland halibut and shrimp\*. This proposal would require minor amendments to paragraph 3(b) of Part VI of the Conservation and Enforcement Measures.

Paragraph 3(b) of Part VI should be amended as follows:

- 3(b) Deploy those observers appropriately to ensure that a minimum of 20% of the Contracting Party's total estimated fishing days for Greenland halibut and shrimp in the Regulatory Area during 1995 are subject to observation. Other fisheries in the Regulatory Area should be subject to coverage levels of 10%.

Increased coverage levels will provide additional information on the levels of compliance by fishing vessels with all Conservation and Enforcement Measures. Increased coverage levels will also provide additional data against which the pilot project could be properly evaluated.

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\* NOTE: Canadian Representative noted at the Meeting that 20% coverage for shrimp should be changed to 10% as result of earlier agreement at the Commission.



To ensure that the effectiveness of the pilot project can be properly assessed, Canada proposes that the Fisheries Commission instruct STACTIC to develop specific criteria against which the scheme can be evaluated.

These criteria should, as a minimum, include comparative analysis of the fishing practices of observed and non-observed vessels. This analysis should focus on observed and non-observed vessels that fish in the same NAFO divisions during similar time periods and could include analysis of:

- variations in compliance levels for significant Conservation and Enforcement Measures
- variations in reported by-catch and discard levels
- variations in reported catches of regulated and non-regulated species

Other analyses could include a comparison of the costs/results of observer coverage and inspection vessels.

STACTIC should meet in advance of the 17th Annual Meeting to evaluate the effectiveness of the pilot project Observer Scheme and present a report to the Fisheries Commission at the 17th Annual Meeting.

## Annex 5. Quota Table for 1995

QUOTA TABLE: Total allowable catches (TACs) and quotas (metric tons) for 1995 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	Division	Cod		Redfish		3M	3LN	3M*	3LN*	A. plaice	3LN*	Yellowtail	Witch	Capelin	G. halibut	Squid (Illex) <sup>1,2</sup>
		3M	3NO*	3M	3LN							3LN*	3NO*	3NO*	SA 2+3	SA 3+4
1. Bulgaria		-	N	390	-			N	N			N	N	N		500
2. Canada		85	O	650	5 964			O	O			O	O	O		N.S. <sup>4</sup>
3. Cuba		407		2 275	1 372											2 250
4. Denmark (Faroe Islands and Greenland)		2 461	D	-	-			D	D			D	D	D		-
5. European Union		5 485	I	4 030	476			I	I			I	I	I		N.S. <sup>4</sup>
6. Iceland		-	R	-	-			R	R			R	R	R		-
7. Japan		-	E	520	-			E	E			E	E	E		2 250
8. Korea		-	C	-	-			C	C			C	C	C		2 000
9. Norway		1 018	T	-	-			T	T			T	T	T		-
10. Poland		424	E	-	-			E	E			E	E	E		1 000
11. Estonia		-	D	-	-			D	D			D	D	D		-
12. Latvia		-	F	-	-			F	F			F	F	F		-
13. Lithuania		1 078 <sup>1</sup>	I	18 005 <sup>1</sup>	6 104 <sup>1</sup>			I	I			I	I	I		5 000 <sup>3</sup>
14. Russia		-	S	-	-			S	S			S	S	S		-
		-	H	-	-			H	H			H	H	H		-
		-	I	-	-			I	I			I	I	I		-
		-	N	-	-			N	N			N	N	N		-
15. Others		42	G	130	84			G	G			G	G	G		3 000
Total Allowable Catch		11 000	*	26 000	14 000			*	*			*	*	*	27 000 <sup>6</sup>	150 000 <sup>5</sup>

<sup>1</sup> 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.

<sup>2</sup> The opening date for the Squid (Illex) fishery is 1 July.

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> The TAC would remain at 150 000 tonnes subject to adjustment where warranted by scientific advice.

<sup>6</sup> Decisions on catch shares to be made at a Special Meeting of the Fisheries Commission. Until these decisions are made, the provisions of Part I, Section A.3 of the NAFO Conservation and Enforcement Measures shall apply. Any catches taken as from 1 January 1995 by a Contracting Party will be deducted from the quota of this Contracting Party to be agreed by the Fisheries Commission at its Special Meeting.

\* The provisions of Part I, Section A.4b) of NAFO Conservation and Enforcement Measures shall apply.

## Annex 6. Fisheries Commission's Request for Scientific Advice on Management in 1996 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 1995 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 1996:

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)  
 Shrimp (Div. 3M)  
 Greenland halibut (Subareas 2 and 3)

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. As general reference points the implications of fishing at  $F_{0.1}$ ,  $F_{1994}$  and  $F_{max}$  in 1996 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 1996 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. 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 offered that specifically respond to such concerns.
- 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 1996 over a range of fishing mortality rates (F) at least from  $F_{0.1}$  to  $F_{max}$ .
    - a graph showing spawning stock biomass at 1.1.1997 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 stock separation 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.
4. The Scientific Council is asked to review all data available on the implications of using 90 mm minimum mesh size in mid-water trawls when fishing for redfish in Div. 3LN, in comparison to 130 mm. This should include consideration of fish lost during haulbacks.
5. Noting that the Scientific Council held a Symposium on Seals in the Ecosystem, the Fisheries Commission requests a detailed report on the nature and extent of analyses that were tabled at the Symposium with respect to the interrelation between seals and commercial fish stocks, together with recommendations on research needed to quantify further interactions.

6. Noting the Scientific Council's recommendations for coordinated research on Greenland halibut, the Fisheries Commission and the two Coastal States emphasize the urgency of acquiring information on the distribution and stock status. The Scientific Council is requested to pursue its coordinated efforts and member countries are urged to commit the necessary resources to the research.

## **Annex 7. Request From Fisheries Commission With Respect to Research Requirements for Greenland Halibut**

In response to a request of the Fisheries Commission, the Council reviewed the research requirements considered necessary to significantly enhance knowledge on the biology and assessment of Greenland halibut in NAFO Subareas 2 and 3.

The major requirements are

- 1) survey coverage of the total stock area to depths of at least 1500 meters
- 2) data from the commercial fisheries including biological data

At present, part of the distribution area is being surveyed but coverage of deep strata has not been carried out except on an occasional basis. It is recognized that for proposals for expanded surveys to deeper water than usual some vessels currently used do not have the capacity to carry out surveys in deeper waters. Therefore, vessels with the necessary capability to fish deep water would be required as a complement.

In reviewing the current survey activity in comparison to the major requirement the Council noted that:

- 1) There has been no recent stratified random bottom trawl survey in Divisions 2GH.
- 2) The annual Canadian groundfish surveys conducted in autumn in Divisions 2J+3K and 3LNO extends only to 1000 meters and to 730 m respectively.
- 3) The only deeper water survey in 3KLMN was a Canadian survey carried out in the winter of 1994. If this is repeated, it should (at least) use the same design, gear and the same or similar vessel as used in 1994. In addition, the survey should be expanded to cover additional area in Divisions 3NO to where the commercial fishery has also expanded in recent years.
- 4) The annual groundfish survey conducted by the European Union in Division 3M during summer (mainly July) does not extend below 700 meters nor does it include the area of the Flemish Pass.
- 5) The European Union proposed Greenland halibut survey in the NAFO Regulatory Area using longlines to depths of 2000-2500 meters should be carried out in autumn 1995 in conjunction, and as a complement, to the Canadian groundfish surveys.
- 6) There is a need to expand sampling of the commercial fishery for biological data such as length, sex, maturity and age especially from deepwater fixed gear fisheries in Canada's far north where current sampling is very limited.

- 7) For the purpose of examining migratory patterns especially in the deepwater of 3LMNO, tagging studies should be conducted. As a first initiative, this should be conducted, in part, during the proposed European Union longline survey since longline gear offers an increased chance of survival from tagging.
- 8) In response to continued requests from the Fisheries Commission regarding minimum landing size for Greenland halibut, some gear selectivity studies using current regulated mesh size would be informative.

In addition to the above proposals, it would be advisable to continue the trawl surveys in Subarea 1 being the longest continuous survey time series on the stock in recent years, and further to supplement this with surveys in Division 0B offshore so as to cover the offshore distribution area.

Besides a thorough collection of biological data including length, sex, maturity, fecundity, diet etc., from the above proposed surveys and expanded surveys, a complete set of appropriate environmental observations should be collected.

## Annex 8. List of Decisions and Actions by the Fisheries Commission (16th Annual Meeting; 19-23 September 1994)

Substantive issue (propositions/motions)	Decision/Action (FC Doc. 94/13; item)
1. Incorporation of a Catch Reporting System in the Hail System	Deferred to 17th Annual Meeting (item 3.1)
2. Effort Plans for the Vessels of Contracting Parties Operating in the Regulatory Area	Deferred to 17th Annual Meeting (item 3.2)
3. Nominal Catches by Contracting Parties Exceeding Quotas	Modified (item 3.3)
4. NAFO Rules Regarding Incidental Catches	Withdrawn (item 3.4)
5. Annual Return of Infringement, Surveillance, Inspection Reports	Canadian proposal adopted as Revised (item 3.5)
6. Fishing Vessel Registration	Agreed to discontinue this presentation (item 3.6)
7. NAFO Observer Scheme Pilot Project	Extended to 1995 (item 3.7)
8. Minimum Fish Size (Part I.D of the Measures)	Deferred to 17th Annual Meeting (item 3.8)
9. Report of the STACTIC Special Meeting (30.08-01.09.94) on the Pilot Project Observer Scheme (FC Doc. 94/5)	Adopted (item 3.9)
10. Report of STACTIC at the 16th Annual Meeting (Part II, FC Doc. 94/13)	Adopted (item 3.9)
11. TACs/Regulatory Measures for major species for 1995 in the Regulatory Area:	Adopted (items 5 and 6)
Cod in Div. 3M	
Redfish in Div. 3M	11,000 tons
A. plaice in Div. 3M	26,000 tons
Cod in Div. 3NO	no directed fishery
Redfish in Div. 3LN	no directed fishery
A. plaice in Div. 3LNO	14,000 tons
Y. flounder in Div. 3LNO	no directed fishery



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Substantive issue (propositions/motions)	Decision/Action (FC Doc. 94/13; item)
Witch flounder in Div. 3NO Capelin in Div. 3NO Squid in Subareas 3+4	no directed fishery no directed fishery 150 000 tons
12. Regulatory Measures for shrimp fishery 3M and 3LNO	Adopted (item 5.4)
13. No directed fishery for Cod in Div. 3L of the Regulatory Area in 1995	Adopted (item 6.10)
14. Regulatory Measures for Greenland halibut in 2+3: Catch limitation of 27,000t	Adopted (item 6.11)
15. Schedule I-Quota Table for 1995 for NAFO Conservation and Enforcement Measures (Part V) for international regulation of the fisheries for particular stocks	Adopted (item 6.12)
16. Request to the Scientific Council for scientific advice on management of fish stocks in 1996	Adopted (item 7.1)

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## PART II

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

16th Annual Meeting, 19-23 September 1994  
Dartmouth, Nova Scotia, Canada

#### 1. Opening of the Meeting (item 1 of Agenda)

The Chairman of STACTIC, D. Brock (Canada) welcomed the delegates to the meeting. The STACTIC delegations comprised Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), the EU, Estonia, Iceland, Japan, Republic of Korea (Korea), Latvia, Lithuania, Norway, Poland and Russia. (Annex 1)

#### 2. Appointment of Rapporteur (item 2)

Miss C. J. Bowles (EU) was appointed Rapporteur.

#### 3. Adoption of Agenda (item 3)

The Chairman invited observations on the Provisional Agenda. The Canadian delegation proposed that Agenda item 10a) be amended to read:

"Canadian proposal regarding notification of fishing vessels",

and that an item 10b) be added:

"Canadian proposal regarding disposition of apparent infringements".

The Russian delegation indicated that they would be submitting additional information to supplement the report to be considered under agenda item 7 - Review of the NAFO Observer Pilot Project.

There were no further comments on the Agenda which was adopted as amended above and by those items referred by the Fisheries Commission (Annex 2).

#### 4. Review of Annual Return of Infringements and Canadian Proposal Regarding Disposition of Apparent Infringements (item 4)

- 4.1 The Chairman invited comments on the Annual Return (FC Working Paper 94/3, Revised) which represented the first report compiled in the new format. The Canadian delegation sought clarification of the summary totals information which the Executive Secretary explained enabled the data from Canada/Denmark/EU to be condensed to a single entry. The Danish delegation considered this could be further clarified by moving the country names above the summary total.

- 4.2 The Canadian delegation sought clarification of the terms "cited" and "convicted" in the column headed "Disposition of apparent infringements and/or catch record discrepancies".
- 4.3 The EU delegation explained that "cited" was used when their own review of inspection reports led them to add missing details which were then notified to the flag states. Details of what was covered by "convicted" were not to hand but could be obtained by other Contracting Parties should they request specific information. Other data missing from the report on disposition of infringements would be forwarded as soon as possible to the Executive Secretary. Canada pointed out the EU had provided detailed information on fines in previous years.
- 4.4 The Canadian delegation explained the instances in which warning letters were sent to vessel owners. These were used in respect of only minor infringements, where, for instance, vessels might be unfamiliar with the hail system and report catch in pounds instead of kilograms. The Danish and Russian delegations provided updates to the annual report which the Executive Secretary would further amend in the light of discussions.
- The Canadian delegation introduced its proposal regarding disposition of apparent infringements (STACTIC Working Paper 94/19-Canadian Proposal for Enhanced Reporting on Disposition of Apparent Infringements) by which it sought to give greater precision to the requirement to report "in specific terms" on the penalties imposed by flag states in respect of infringements. In addition, the proposal sought to change the reporting period from an annual to a quarterly basis. In clarification to the EU delegation, the Canadian delegation explained that written warnings would be included under the proposed heading of "administrative action".
- 4.5 Both the Russian and Danish delegations expressed their support for the Canadian proposal.
- 4.6 The EU delegation had both difficulties of principle and of practice. In practice, because of judicial secrecy, it would be difficult to supply some of the information sought while litigation was pending. In principle, it doubted the value of having the detail requested, particularly relating to amounts of fines as they could vary greatly depending on circumstances.
- The EU delegation suggested that renewed commitment be given to the regular and timely submission of information to NAFO and that Contracting Parties could seek further details on a bilateral basis on particular cases of interest.
- 4.7 The Chairman concluded that there was no consensus in favour of the Canadian proposal, but agreement was reached on the commitment to make returns on the disposition of infringements in a timely manner and to pursue specific points of interest bilaterally.

## 5. Review of Surveillance and Inspection Reports (item 5)

- 5.1 The Canadian delegation presented its report on surveillance activities and inspections in the Regulatory Area (STACTIC Working Paper 94/14). There were no comments or questions from the other delegations.

- 5.2 The Russian delegation reported an observer of the Russian Federation on board its vessel "Vaygach" sighted a Honduran vessel ("Danica") engaged in fishing activity in Div. 3M of the Regulatory Area.
- 5.3 There were no comments on the annual returns from Canada and the EU summarized in FC Working Paper 94/7.

#### **6. Review of Registration of Vessels Fishing in the Regulatory Area (item 6)**

- 6.1 The Chairman introduced the report, FC Working Paper 94/6. The Executive Secretary pointed out that general information on the total number of vessels sighted was available but not necessarily reported by individual vessel. The Chairman asked delegations to indicate how useful they found this summary table.
- 6.2 The EU delegation queried the usefulness of giving data on sightings when the hail already gives an indication that vessels are in the Regulatory Area. He asked the Canadian delegation to comment in the light of some of its vessels being excluded from the obligation to hail.
- 6.3 The Canadian delegation outlined the requirement for all groundfish vessels and offshore shrimp vessels to hail. Those fishing for other species not under the control of NAFO are not required to hail. In the case of inshore vessels with an allocation of straddling stocks where they could take that allocation within or outside the 200-mile limit complicated this registration process. This latter complication would be addressed by the proposal to be considered under Agenda item 10a).
- 6.4 The EU delegation referred to the desirability of minimizing needless enforcement action in respect to vessels fishing in the Regulatory Area but not under NAFO control. It suggested producing appropriate lists for inspectors' use. The Canadian delegation agreed that there was a problem to be solved and suggested, in respect of its own vessels, that this was best done by its own internal measures. It would be able to make available a list of those Canadian vessels which might enter the NAFO Regulatory Area but which would be fishing for those species in respect of which no hail is necessary. This should be made available as soon as possible and in any case before the start of the 1995 fishing season.
- 6.5 As a result of further discussion, delegations concluded that the report in its current form would only be made useful with considerable effort. They expressed their gratitude to the Executive Secretary for his efforts but concluded that this report need not be produced in future.

#### **7. Review of the NAFO Observer Scheme Pilot Project (item 7)**

- 7.1 The Chairman introduced the two reports comprising this item (NAFO/FC Doc. 94/5 and NAFO/FC Doc. 94/6). The Russian delegation supplied further information to supplement the reports (STACTIC Working Paper 94/21) and explained its conclusions that the pilot project had not demonstrated any particular benefits. The Cuban delegation explained that it had not participated in the pilot scheme over the past two years but intended to do so next year.

- 7.2 The Chairman outlined the three questions which the Fisheries Commission had remitted to STACTIC in connection with the NAFO Pilot Observer Scheme:
- how could observers be targetted on fisheries of concern;
  - how could serious infringements be handled expeditiously; and,
  - was it possible to develop criteria to evaluate the observer scheme.
- 7.3 In respect of the first question, delegations, after some clarification, concluded that the Fisheries Commission, on the basis of advice from the Scientific Council, should recommend to Contracting Parties what the targetted species should be for conservation purposes. It was agreed not to put forward recommendations in respect of enforcement targets. The Fisheries Commission recommended that 3M shrimp and Greenland halibut should be targetted. The EU delegation asked whether those delegations with experience of deploying observers in the previous two years could comment. The Danish delegation outlined how its observers had specifically monitored both shrimp and redfish by-catches and offered to make this information available to interested Contracting Parties.
- 7.4 Turning to the second question, the EU delegation drew attention to the consequences of changing an observer's "innocent" status, the difficulties getting vessels to accept observers; how would serious infringements be determined, and how an observer would go about contacting an inspection vessel. The Russian delegation was not in favour of changing an observer's role and felt it would be resisted by vessel owners.
- 7.5 As far as criteria for assessment were concerned, the EU delegation repeated its suggestion that, given that it had previously proved impossible to draw up criteria, the best solution was to try to show the relationship between, on the one hand the costs of the observer scheme plus the difficulties encountered, (ie training, recruitment and declining performance after prolonged periods at sea) compared to the benefits derived.
- 7.6 The Chairman took note of the range of views expressed. In accordance with Fisheries Commission decision, 3M shrimp and Greenland halibut would be targetted. On the question of handling serious infringements he would make the Fisheries Commission aware of the delegation's opinions and ask them to indicate in the light of these whether there should be a change of the role of observers if the pilot observer scheme was to be continued. He would further report STACTIC's opinions on the assessment criteria.

#### 8. Minimum Fish Size (Witch, Redfish, G. halibut) and Minimum Size of Processed Fish (Witch, Redfish, G. halibut, Cod, A. plaice, Yellowtail) (item 8)

- 8.1 The Chairman invited the Canadian delegation to speak on its proposal (STACTIC Working Paper 94/15 - Canadian Proposal to Amend the NAFO Conservation and Enforcement Measures to Establish Processed Length Equivalents for Minimum Fish Sizes).
- 8.2 The Canadian delegation explained that there are already minimum fish sizes for three species and that the views of the Scientific Council in respect of Witch, Redfish, Greenland halibut were expected. There was an additional issue, namely whether processed length equivalents could be established in order to be able to determine

whether certain forms of processed fish were below the minimum fish size. The Chairman explained that the Chairman of the Scientific Council (Mr. H. Lassen) was asked to provide some data, on a minimum size for Greenland halibut (STACTIC Working Paper 94/22 -Minimum Legal Length of Greenland Halibut in ICES Subareas I and II) and suggested criteria for legal by-catch of shorter specimens. This was presented for information only and it should be referred to the Scientific Council for consideration.

- 8.3 Discussion on the proposal revealed differing views on the treatment of undersized fish. The Russian delegation reported that its views remained unchanged from the previous STACTIC meeting. It also referred to its own requirements that all fish be retained on board without discarding, and vessels moving from the area where small fish in excess of 10% in any one haul were encountered. The Norwegian delegation referred to a ban on catching and a ban on landing undersized fish as two approaches of tackling this management problem.
- 8.4 The Danish delegation felt that the Canadian proposal plugged a loophole. The Icelandic delegation also sympathized with the proposal's intention but it would be necessary to reflect on the processed length figures selected. Iceland echoed the Russian delegation's stance on discards and made the point that landing all fish generated important information on the numbers of undersized fish caught.
- 8.5 The Canadian delegation explained that the processed length equivalents it was proposing were derived in part from consultations with its industry. The views of other delegations on these equivalent would be welcomed as would further consideration of the principle of using minimum sizes for some forms of processed fish.
- 8.6 In further discussion, delegations again considered whether it was possible to specify those absolute minimum processed equivalent lengths which, taking account of national processing variations, could, with certainty show that fish were below a minimum landing size. The Russian delegation maintained its opposition to the proposal and referred to difficulties it had encountered in trying to obtain convictions from using similar evidence. It felt that the Scientific Council should again be asked for its views but was additionally of the view (as was the Estonian delegation) that the proposal exceeded the mandate of the NAFO Convention because it meant the Contracting Parties were now being asked to concern themselves with fish processing.
- 8.7 The Chairman suggested that the Scientific Council could be asked for its judgement on what percentage of the length of a fish of average size was comprised of the head. This could result in a means of arriving at a processed length equivalent.
- 8.8 In an attempt to progress matters, the Chairman asked delegations to indicate whether they agreed to the principle of establishing minimum processed length equivalents. The Danish, Japanese, Norwegian, Cuban, Estonian and Korean delegations could accept, with Canada, the principle of establishing these minima. The EU delegation could accept the principle subject to what it saw as the practical difficulties (ie its application to Contracting Parties operating a discard ban and the question being able to prove a violation of a minimum processed fish size. The Russian delegation could not accept the principle of having processed fish equivalents.

- 8.9 The Chairman indicated he would report the views of STACTIC to the Fisheries Commission.

#### 9. Review of the Operation of the Hail System (item 9)

- 9.1 The Chairman introduced the three papers, STACTIC Working Papers 94/13, 94/16 and 94/17 - Operation of the Hail System, Canadian Report re Operation of the NAFO Hail System, Canadian Proposal re Incorporation of ETA and Port of Landing, respectively. He clarified that the reference in the first line of the first paragraph describing the operation of the hail system (STACTIC Working Paper 94/13) was to a 24 hour period - 3 pm of one day to 3 pm of the day following. The Japanese delegation pointed out that the entry in column 1 "Number of vessels" in respect of Japan should read "2" rather than "3".
- 9.2 The Chairman reminded delegations that the Fisheries Commission had asked STACTIC to consider the Canadian proposal (FC Working Paper 94/10-Canadian Proposal re Addition of Catch Reporting to the Hail System) and to comment on the advantages (if any) of incorporating catch data into the hail system.
- 9.3 Turning to STACTIC Working Paper 94/16, Canadian Report re Operation of NAFO Hail System, the Canadian delegation drew attention to the key points in the paper. In answer to a request for clarification from the EU delegation it explained that the final paragraph under the heading "Assessment" referred to occasions where it appeared that in some instances, after an overflight the hail would take place later on the same day. Canadian officials were conducting an analysis of this possible practice and would report on it at the next meeting.
- 9.4 The Canadian delegation introduced its proposal for enhancing the hail system with the addition of prior notification of intended port of landing and estimated time of arrival (STACTIC Working Paper 94/17). The Russian delegation explained its voluntary participation in the hail system. It was not convinced they received any benefits from the existing system and did not support any enhancements. It was further concerned about excessive bureaucracy. It supported comments made by the Lithuanian and Japanese delegations concerning the problems of applying this proposal to trans-shipments. In response the Canadian delegation accepted that trans-shipments could cause problems, but its aim was to try to produce a proposal to improve the existing system, even if it was not perfect.
- 9.5 The EU delegation referred to STACTIC's requirement to advise the Fisheries Commission on control and enforcement measures in the NAFO Regulatory Area. It did not consider that this proposal was in keeping with this responsibility and wondered whether it stemmed from a misapprehension about the effectiveness of the control measures Contracting Parties already had in place.
- 9.6 The Estonian and the Icelandic delegations both felt that the proposed change was not unduly onerous. The Icelandic delegation further thought that it was appropriate to consider these issues and problems occurring outside the NAFO Regulatory Area. The EU Delegation understood that the additional to the hail system might not be onerous but what it was seeking answers on was whether it provided any additional control.

- 9.7 The EU delegation suggested that existing measures operated by Contracting Parties could be adequate. The EU indicated their system for EU vessels tackles the problem widely. Advance notice for landings to other than the flag state is required. Also notice of landings outside the EU are required to the flag state. Notice of landings to the flag state are required to flag state authorities but not to EU NAFO authorities in Brussels. The Chairman asked all delegations to explain their domestic controls. The Russian delegation explained the system of control, in respect of the Barents Sea and their experiment in satellite position recording. The Danish delegation which supported the Canadian proposal had this system of advance notification in place as did the following delegations: Iceland, the EU, Poland, Norway (partial system) Canada and Japan (although most fish is transhipped at sea). Lithuania and Estonia were both working to introduce systems.
- 9.8 The Canadian delegation outlined its proposal (FC Working Paper 94/10), explaining that it had not changed from the previous version. The advantages it saw were: a) enhanced quota monitoring and prevention of quota overruns, b) the potential of deterring misreporting and detection of apparent infringements, and c) better deployment of inspection platforms.
- 9.9 The EU delegation questioned the advantages attributed by the proposal of the Canadian delegation, especially given that difficulties with the system to date had to call into question its functioning within "real time". It suggested, that in general the Contracting Parties arrangements for quota management, such as the completion of logbooks were already adequate. The Russian delegation echoed these comments and referred additionally to the cost of hailing and the additional costs this proposal could entail.
- 9.10 The Chairman took note of delegations' comments on all of the above papers and concluded, that (with the exception of the Canadian delegation), delegations had expressed the view they had doubts that the advantages were sufficient to outweigh the costs.
- 9.11 The EU delegation indicated it may be appropriate to await the findings of the pilot project aimed at automating information transfer between Brussels, Canada and the NAFO Secretariat.
- 9.12 Costs of any enhancements to the existing hail system were a key concern of delegations.
- 9.13 The Chairman indicated he would ask the Fisheries Commission to have the pilot project Phase I and II concluded at the earliest opportunity so that an appreciation of the technical difficulties and costs could be better understood before STACTIC consider these matters any further.

#### 10. Discussion of Other Conservation and Enforcement Measures (by Fisheries Commission request) (item 10)

##### Canadian proposal regarding notification of fishing vessels (item 10a of the Agenda)

- 10.1 The Canadian delegation introduced its proposal set out in STACTIC Working Paper 94/18, Canadian Proposal to Remove Vessels Less than 19.8 Metres (65') from Notification of Fishing Vessels List. By altering the current exemption from notification



from vessels of less than 50 Gross Registered Tons to those of less than 65 feet (19.8 m) overall length, this would fit in better with Canada's management systems. This particular length would describe vessels of Canada's inshore fishing fleet which might rarely wish to take their allocations of straddling stock in the Regulatory Area. The number of vessels likely to do so were small but unpredictable. The alternative of including them all in the notification to NAFO would be to increase Canada's already lengthy list by some 4,000 vessels. Even if exempted from notification these vessels would have to comply with the hail requirements and all conservation and technical measures.

- 10.2 In response to other delegations' questions, the Canadian delegation explained that trying to gauge future activity from those inshore vessels who might have gone into the NAFO area over the last two years was unlikely to be helpful because of the effects of the moratorium. Making this proposal was not an attempt to circumvent the Canadian proposal to submit effort plans for these vessels to be introduced later at the Fisheries Commission.
- 10.3 The Danish delegation stated its support for the Canadian proposal. The Russian delegation reserved its position, considering that since only a very few vessels were involved they should all be subject to notification.
- 10.4 The Chairman concluded that STACTIC had on this occasion been unable to fully discuss the matter. Further consideration would be deferred to the next STACTIC meeting.

**Canadian proposal regarding disposition of apparent infringements (item 10b of the Agenda)**

(Discussion reported under Agenda item 4)

**11. Review Inspector's Manual (item 11)**

- 11.1 No substantive discussion of this item took place. It was agreed that Contracting Parties would send any comments to the Executive Secretary on the understanding that no changes would be made to the Manual without STACTIC's prior consent.

**12. Items Referred to STACTIC during the Annual Meeting  
by the Fisheries Commission (item 12)**

**Canadian proposal regarding effort plans for the vessels of Contracting Parties operating in the Regulatory Area (FC Working Paper 94/11)**

- 12a.1 The Canadian delegation referred to the brief presentation of the proposal made to the Fisheries Commission. It stressed that the plans were not something to which Contracting Parties would in any way be bound; they were designed to be a demonstration that Contracting Parties were responsible over matters of conservation by indicating planned fishing effort in relation to fishing opportunities.

- 12a.2 The Cuban delegation had some doubts that the nature of its industry's fishing could be meaningfully described in such a plan. The Japanese delegation suggested that its fishing patterns meant that it would prefer to give information on the total number of days in the Regulatory Area but not on a by species/by division basis. The Russian delegation drew attention to the problems where vessel owners might not be able to disclose detailed information.
- 12a.3 The EU delegation felt that further consideration needed to be given to whether or not to cover non-regulated species. Either option had the potential to distort the "planned" fishing effort in respect of quota species, thereby undermining the usefulness of effort plans.
- 12a.4 The Chairman asked whether delegations could support the idea suggested by the Japanese delegation. The Danish delegation suggested that the plans could be expressed in terms of maximum numbers of fishing days. The Russian delegation felt that it could support an idea of not splitting plans down by NAFO division, but that more thorough study was needed. It would be important to highlight in the title of the plans their provisional nature. Plans should be drafted only in respect of regulated species since fishing for unregulated species was often done on an ad hoc basis.
- 12a.5 The Chairman suggested that the plans be entitled "Planned effort in fishing days in the NAFO Regulatory Area for regulated species". In reporting to the Fisheries Commission he would indicate that non-regulated species were not covered, and that the plans could not therefore be said to be really representative of total effort in the Regulatory Area. The EU delegation asked that the Fisheries Commission additionally be told that there were difficulties in linking effort with quotas given the difficulty in anticipating the extent of fishing opportunities.

#### **Nominal catches by Contracting Parties exceeding quotas (item 12b of the Agenda)**

- 12b.1 The Chairman explained that STACTIC had been asked to reconsider the format of the report (FC Working Paper 94/8) to see if it could be rendered more useful. He also reminded delegations that in the Fisheries Commission the Canadian delegation had proposed abandoning the form whereas the Danish delegation had spoken in favour of its retention.
- 12b.2 The Danish delegation outlined the reasons for drawing up the form. Whilst there was existing information detailing quotas and catches there was nowhere simply stated the position of quotas taking account of transfers. Nor was there a statement of the "others" quotas and autonomous quotas. It was necessary to set these out in order more fully to explain what might otherwise register as an overfish. All this information was valuable, but the way it was set out as present might cause confusion.
- 12b.3 Delegations considered what the purpose of the table was. It was generally concluded that in a suitably amended form, it could refer to all species and quotas. The Chairman proposed that the table should in future consist of the following columns:
- NAFO area/species
  - Name of Contracting Party
  - Original NAFO quota

- NAFO quota after any transfers. The source of quota transfers to be given as a footnote.
- Autonomous quotas (where applicable)
- Catch figures

12b.4 All delegations could accept the Chairman's proposal, with the exception of the Canadian delegation which wanted to delete the entry for autonomous quotas. The Chairman undertook to report this to the Fisheries Commission accordingly.

### 13. Time and Place of Next Meeting (item 13)

The next meeting of STACTIC will take place subject to the Fisheries Commission decision.

### 14. Other Matters (item 14)

There was no other business.

### 15. Adoption of Report (item 15)

The Report was adopted by the Committee.

### 16. Adjournment

The meeting adjourned at 1830 hrs on 22 September 1994.

## Annex 1. STACTIC Heads of Delegations

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Chairman: D. Brock (Canada)

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Canada	C. J. Allen
Cuba	J. Lopez Piedra
Denmark (in respect of Faroe Islands and Greenland)	K. Mortensen
European Union	P. Curran
Estonia	E. Noor
Iceland	A. Halldorsson
Japan	M. Yoshida
Korea	Y. H. Chung
Latvia	N. Riekstins
Lithuania	A. Rusakevicius
Norway	P. Gullestad
Poland	J. Fota
Russia	V. Tsoukalov

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## Annex 2. Agenda

1. Opening by the Chairman, D. Brock (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of Annual Returns of Infringements
5. Review of Surveillance and Inspection Reports
6. Review of Registration of Vessels Fishing in the Regulatory Area
7. Review of the NAFO Observer Scheme Pilot Project
8. Minimum Fish Size (Witch, Redfish, G. Halibut) and Minimum Size of Processed Fish (Witch, Redfish, G. Halibut, Cod, A. Plaice, Yellowtail)
9. Review of Operation of the Hail System
10. Discussion of Other Conservation and Enforcement Measures (by Fisheries Commission request)
  - a) Canadian proposal regarding notification of fishing vessels
  - b) Canadian proposal regarding disposition of apparent infringements
11. Review Inspector's Manual
12. Items Referred to STACTIC during the Annual Meeting by the Fisheries Commission
  - a) Canadian proposal regarding effort plans for the vessels of Contracting Parties operating in the Regulatory Area
  - b) Nominal catches by Contracting Parties exceeding quotas
13. Time and Place of the Next Meeting
14. Other Matters

*Adoption of Report*