

SECTION IV

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Report of the General Council and its Subsidiary Bodies (STACFAD and STACFAC), 17th Annual Meeting 11-15 September 1995 Dartmouth, Nova Scotia, Canada

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PART I

Report of the General Council Meeting

(GC Doc. 95/5)

17th Annual Meeting, 11-15 September 1995

Dartmouth, Nova Scotia, Canada

1. Opening of the Meeting (items 1-5 of the Agenda)

- 1.1 The meeting was opened by the Chairman of the General Council, E. Lemche (Denmark in respect of the Faroe Islands and Greenland) at 1020 hrs on 12 September 1995.
- 1.2 Representatives of the following thirteen (13) Contracting Parties were present: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union (EU), Iceland, Japan, Republic of Korea (Korea), Latvia, Lithuania, Norway, Poland and Russia, which constitutes the quorum for decision making. Two Contracting Parties, Bulgaria and Romania, were absent. The total number of registered delegates was 140. (Annex 1)
- 1.3 In the opening address the Chairman welcomed the participants emphasizing on substantial issues facing NAFO as an international body and recalled his address from the first NAFO News stating that "NAFO's greatest problem as an organization (I'm not talking about the lack of fish) is the vessels from non-Members, who are not respecting the NAFO regulatory regime. NAFO's greatest challenge is to find appropriate ways and means - legal and/or economical - which will effectively reduce this undermining of NAFO". The Chairman underlined that the current NAFO Annual Meeting was destined to set a new milestone in the development of NAFO for the multilateral cooperation in international waters. He said this task can be accomplished if the political will is there, and which would require that all Parties would be ready to reconcile their positions they brought from home to this Meeting. In closing, the Chairman wished all participants best luck in solving problems and successful accomplishments of the tasks of the Meeting.
- 1.4 The Representatives of the European Union and Canada presented their opening statements to the Meeting. (Annexes 2 and 3)
- 1.5 The meeting appointed the Executive Secretary as Rapporteur.
- 1.6 The Provisional Agenda was **adopted** without amendment (Annex 4). In addition, the Chairman introduced the timetable elaborated by the Chairmen of NAFO bodies on Monday noting that the priority would be with the Fisheries Commission business and all reports of the Standing Committees be finalized for distribution in the pigeon holes on Thursday, 14 September 1995. This was accepted by the Meeting.
- 1.7 Under item 4 of the Agenda, the Chairman welcomed the Observers from the United States of America and informed the meeting that A. Halldorsson from Iceland represents NAMMCO as observer at the current Meeting.

On behalf of NAMMCO, Mr. Halldorsson presented its opening statement to the Meeting. (Annex 5)

- 1.8 It was decided that Publicity (item 5) has to be handled in the traditional way that no information shall be released to the public on the meeting proceedings during the current annual meeting, and a General Council Press Release would be issued at the closing session on Friday, 15 September.

The Press Release was worked out as decided by the Heads of Delegations through the following procedure: the text was prepared by the Executive Secretary based on preliminary consultations with the Chairmen of NAFO bodies and then discussed by the drafting group of representatives of Delegations. The Press Release was adopted by the Meeting at the closing session on September 15. (Annex 6)

2. Supervision and Coordination of the Organizational, Administrative and Other Internal Affairs (items 6-11)

- 2.1 Under item 6, "Review of Membership", the Chairman noted that membership of the General Council and the number of Contracting Parties are the same as last year - fifteen (15) members of NAFO. He informed the Meeting about his letters sent on behalf of NAFO to two Contracting Parties - Bulgaria and Romania - asking for clarification on future participation and contributions of those members in NAFO business considering that there has not been any relations with those members for a number of years (Romania - 10 years and Bulgaria - 4 years).

This question was referred to STACFAD, which recommended that the Chairman and other Contracting Parties once again contact both Parties and, as well, communication from Canada as Depositary country would be appropriate. This was **agreed** by the Meeting.

- 2.2 With regards to the Fisheries Commission membership, the Chairman recalled the provisions of the Article XIII of the NAFO Convention asking the Contracting Parties of their intention to participate in the fishery in the Regulatory Area to determine the membership. There has not been any announcement of non-participation therefore all present members of NAFO at the Meeting would continue to be members of the Fisheries Commission through 1996.

- 2.3 Item 7, Administrative Report (GC Doc. 95/1), was referred to STACFAD and then **adopted** on presentation by the Committee.

To the subject of the possible financial implication of NAFO representation at the Second World Fisheries Congress in Brisbane, Australia in 1996, the Meeting **decided** on proposal by Canada to nominate any Contracting Party who will attend the Meeting through consultations between the Executive Secretary and the Chairmen of the General Council and Fisheries Commission. The Executive Secretary will prepare a statement for the Congress and this statement shall be approved by the Chairmen.

- 2.4 Item 8, Interpretation of the Provisions for "Quorum" in the NAFO Convention and Rules of Procedure, was referred to STACFAD. The Chairman explained that there was during this year some different interpretations of the said provisions while considering mail vote, and a unified interpretation should be agreed.

- a) STACFAD could not recommend any clear interpretation and suggested only that any changes should be consistent with provisions of Articles V and XIV of the NAFO Convention.

Note from the Executive Secretary: The following provisions of the said Articles deal with the quorum and decision making issue:

Article V

"2. Except where otherwise provided, decisions of the General Council shall be taken by a majority of the votes of all Contracting Parties present and casting affirmative or negative votes, provided that no vote shall be taken unless there is a quorum of at least two-thirds of the Contracting Parties.

3. The General Council shall adopt, and amend as occasion may require, rules for the conduct of its meetings and for the exercise of its functions.

Article XIV

2. Decisions of the Commission shall be taken by a majority of the votes of all Commission members present and casting affirmative or negative votes, provided that not vote shall be taken unless there is a quorum of at least two-thirds of the Commission members.

3. The Commission shall adopt, and amend as occasion may require, rules for the conduct of its meetings and for the exercise of its functions."

- b) The Chairman emphasized on pragmatic interpretation of the provision of "quorum" in view that the Contracting Parties not entitled to vote should not be accounted for a quorum. He asked the meeting to adopt such an interpretation.

The Representatives of Canada and Iceland agreed with the Chairman's interpretation.

The Representative of the EU pointed out that Article V of the Convention provides regulation for the Contracting Parties in which case the two (2) Contracting Parties in question - Bulgaria and Romania - are still Contracting Parties.

The Canadian Representative noted that provisions of Article V.3 could be effectively used for voting procedure, e.g. - the General Council may amend its rules as occasion may require.

As the result of these discussions, the question has been postponed to the closing session.

- c) At the closing session, the Chairman of the General Council introduced his proposal for amending the Rules of Procedures of the General Council and Fisheries Commission (by agreement with the Chairman of the Fisheries Commission, Mr. H. Koster, EU) along the lines, to read:

Proposal for amendment of the Rules of Procedure:

Rule 2 Voting - New Rule 2.2 - "The quorum shall not include the Contracting Parties which have no right of casting votes under the provisions of Article XVI.9 of the Convention."

The Representatives of the European Union and Japan expressed their reservations toward the possible legal implication of this amendment to the Rules of Procedure.

- d) As the result of ensuing substantive discussions, the Meeting **adopted** the proposal based on the compromise suggested by the Canadian Representative proposing the following:

"The proposal be adopted subject to those with legal reservations returning within any year with any objections they might have, and the issue will be revisited at that time. If any objection presented to this proceeding during the mail vote, this would be registered at the next Annual Meeting.

- 2.5 Item 9, Modification of the Rules of Procedure, was referred to STACFAD. The Chairman clarified that this was his idea for discussion of the item as NAFO Rules of Procedure do not provide clear interpretation of the mail vote on the subject.

The General Council reviewed the recommendation by STACFAD (Part II, item 13) and **agreed** that provisions of the NAFO Convention, Article V for the General Council and Article XIV for the Fisheries Commission, as well, Rule 4 of the Rules of Procedure provide legal guidelines based on which a proposal could be adopted by majority of Contracting Parties/or members of Fisheries Commission present and casting affirmative or negative votes. Consequently, the decisions taken would be legally valid as expression of the will of majority and therefore, it would not require any special modification or amendment of the Rules of Procedure.

- 2.6 Item 10, Clarification of the Use of "Proxy Voting" at NAFO Meetings, was referred to STACFAD (GC Working Paper 95/2). The Chairman advised the STACFAD Chairperson about "proxy vote" rule for the Scientific Council (Rule 2.3).

At the General Council session, the Chairperson of STACFAD reported that the Committee could not reach any conclusion.

The Chairman of the General Council recalled the proxy vote practice at ICNAF times when members of that past Organization would leave proxy vote with the Executive Secretary indicating their position.

The Canadian Representative explained that there are two possible situations for proxy voting: the first in which a Contracting Party does not attend a NAFO meeting and gives it proxy vote to another Party in advance of the meeting; and secondly, a Contracting Party attends the NAFO meeting but leaves prior to the conclusion (perhaps to catch a flight) and gives its proxy vote to another Party. He noted that proxy voting does not appear to be consistent with Articles V and XIV of the NAFO Convention. While neither of the above two situations should be permitted under the Convention, the first situation was primarily of concern. He underlined that the Canadian delegation would be satisfied if the Contracting Parties agreed that the first situation is not acceptable.

The General Council **agreed** with this suggestion.

- 2.7 Item 11, Election of Officers, was postponed to later sessions. At the closing session on 15 September, the Representative of Russia, A. Rodin, was elected Chairman and the delegate from Cuba, R. Dominguez, was elected Vice-Chairman for the term of 1996-1997.

3. Coordination of External Relations (items 12-13)

- 3.1 Under item 12, the meeting noted the letter (GF/95-379 of 26 June 1995) dispatched by the NAFO Secretariat to the UN Headquarters regarding the large-scale pelagic driftnet issue. The letter reaffirmed the NAFO position that large-scale pelagic driftnet fishing is not presently practiced in the NAFO Convention Area.
- 3.2 For Item 13, NAFO Observership at Other International Bodies, the Chairman noted the two papers presented to the Meeting - NAFO/GC Doc. 95/3, Report by Norway at the Fifth North Atlantic Marine Mammal Commission (NAMMCO) Meeting and NAFO/GC Doc. 95/4, Report by Denmark at the UN Conference on Straddling Stocks and Highly Migratory Fish Stocks.

At the Request of the Chairman, the representative of Norway reconfirmed its commitment to continue as NAFO Observer at NAMMCO meetings.

The Chairman stated that Denmark will cease its commitment of NAFO Observer at the UN Conference as the Conference has accomplished its task.

- 3.3 The Chairman noted the letter from the Vice-Chairman of ICES (L. S. Parsons, Canada) suggesting closer relations between NAFO and ICES through mutual observership. The meeting **agreed** with the Chairman's proposal to continue and extend relations with ICES through the NAFO Scientific Council.

4. Fishing Activity in the Regulatory Area Adverse to the Objectives of the NAFO Convention (items 14-15)

4.1 Under item 14, the Chairman asked the Meeting if the Delegations had any additional terms of reference for STACFAC discussions. He further explained that there was a General Council Document 95/2 of the summary of diplomatic communications with non-Contracting Parties and, in particular, one response, from the United States of America, was very encouraging and positive. There has been no further discussions on the understanding that all of the problems to this issue would be discussed at STACFAC.

4.2 The STACFAC report was presented to the Meeting by Mr. C. C. Southgate (EU), Chairman of STACFAC including the following basic information and recommendations (Part III of this Report):

- a) During 1995, there has been a withdrawal of vessels registered in Panama, Caymen Islands, St. Vincent and Grenadines, Venezuela and the USA, and continued presence of vessels from Honduras, Belize and Sierra Leone in the Regulatory Area. The USA observer noted that the USA Government discourages its vessels from fishing in the Regulatory Area.

However, in general, the non-Contracting Party (NCP) fishing activity still has been very high.

- b) The diplomatic contacts and demarches to NCPs dispatched at the 16th Annual Meeting have had some positive effects (demarches to: Belize, Caymen Islands, Honduras, Panama, Sierra Leone, St. Vincent and the Grenadines, USA, Venezuela).

Therefore, this method of discouraging NCP activity should be continued in combination with other actions discussed at the meeting.

- c) STACFAC recommended the following measures to the General Council:

- to adopt the texts of diplomatic demarches formulated by STACFAC to Belize, Honduras, Sierra Leone and New Zealand (new entry to the NCP vessels in 1995) as presented in Annex 2 of STACFAC Report (Part III).

Note (from Executive Secretary):

The demarches were signed by the President of NAFO, Mr. E. Lemche, on 15 September and delivered to the Canadian delegation, which agreed to communicate the diplomatic demarches to the NCP's.

- to call in Spring 1996 an intersessional STACFAC Meeting to discuss outstanding issues as per terms of reference attached in Annex 3 (Part III).
- to establish contacts with other international organizations, probably like NASCO, which faces a similar problem of NCP activity.

- 4.3 The General Council **adopted** the STACFAC Report and recommendations agreeing on a proposal by the Representative of the EU that the place of the intersessional meeting will be in Brussels and the time of the meeting will be figured out through consultations among Contracting Parties and Chairman of STACFAC. The NAFO Secretariat will undertake its usual liaison mission for the subject.

The Chairman of the General Council summarized from STACFAC Report that some other international regional organizations like NASCO and NEAFC should be invited to the intersessional meeting.

5. Finance (items 16-18)

- 5.1 The items 16 through 18 were referred to STACFAD for discussion in the Committee and presentation of the Report to the General Council.
- 5.2 The Chairperson of STACFAD, J. Quintal-McGrath (Canada) presented the Report (see Part II) on 14 September and highlighted the following issues:
- a) Under item 16 of the General Council Agenda, New Sharing of Contributions Among Contracting Parties, the suggestion from Denmark for new calculation of contributions was considered without any decision or recommendation to the General Council.
 - b) Auditors Report transmitted to the Contracting Parties in March 1995 was recommended for formal adoption.
 - c) The activity and participation of the NAFO Secretariat in the Pension Society (Pension plan for NAFO employees) were approved by STACFAD and this was recommended for adoption by the General Council.
 - d) The estimated total cost of the Hail System reports would be \$7000 in 1995, which amount is \$2000 less than in 1994. This was due to less activity in the Regulatory Area and more efficient management of the Hail System. The delegates expressed their concern with costs and hoped to introduce more effective automatic computer system.
 - e) The major budgetary items of the Report were agreed as follows:
 - the budget for 1996 to be adopted in the amount of \$996,000 Cdn.;
 - the Accumulated Surplus Account be maintained at the level of \$75,000 Cdn.;
 - The outstanding contributions owing from Romania (1995) and Bulgaria (1995) be deducted from Accumulated Surplus Account in the amount of \$33,229.56 Cdn.

- f) Meeting dates for the Annual Meeting (item 19 of the General Council Agenda) were recommended as follows in 1996-1998:

1996	-	Scientific Council	- 04-13 September
	-	Fisheries Commission	- 09-13 September
	-	General Council	- 09-13 September
1997	-	Scientific Council	- 10-19 September
	-	Fisheries Commission	- 15-19 September
	-	General Council	- 15-19 September
1998	-	Scientific Council	- 09-18 September
	-	Fisheries Commission	- 14-18 September
	-	General Council	- 14-18 September

The place of 1996 and 1998 meetings will be in the Halifax-Dartmouth area unless any invitations to host the Annual Meeting would be extended and accepted by the Contracting Parties. The 1997 Annual Meeting will be held in St. John's, Canada.

- 5.3 The General Council reviewed the STACFAD Report and **adopted** the recommendations as noted in this Report (please see decisions for Agenda items 6, 7, 8, 9, 10 of the General Council Report). The budgetary and financial recommendations of the STACFAD Report were **adopted** by the General Council, and the STACFAD Report was adopted as a whole (Part II).

6. Closing Procedure (items 19-22)

- 6.1 Item "Time and Place of the Next Annual Meeting" was referred to STACFAD.

At the closing session, the Meeting **agreed** to hold the next Annual Meeting at Dartmouth, N.S., Canada, through 9-13 September 1996.

- 6.2 There has not been any subject announced for discussion under item of Other Business.

- 6.3 It was decided to handle the Press Release at the closing session. The Press Release was **adopted** by the Meeting (Annex 6).

- 6.4 Acknowledgement by the General Council:

The representative of Japan, Mr. K. Yonezawa, took the floor with announcement that he realized that the member of the Canadian Delegation, Mr. B. Applebaum, the Director General of the International Directorate of DFO in Ottawa will be retiring from his position this year. Mr. Yonezawa recalled many years of distinguished participation by Mr. Applebaum in the events of ICNAF and NAFO. He praised Mr. Applebaum for his contributions and diligent work at NAFO.

The General Council acknowledged this presentation by acclamation and wished Mr. Applebaum further success in the future.

- 6.5 The Chairman thanked all participants, the NAFO Secretariat and organizers of the Meeting for fruitful work and adjourned the 17th Annual Meeting of NAFO at 1300 hrs on 15 September 1995.

Adoption of Report

The Report of the General Council including proceedings of its Committees - STACFAD and STACFAC - has been finalized through two (2) circulations of the drafts to the Heads of Delegations and, therefore, adopted in accordance with the established procedure.

Annex 1. List of Participants

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Annex 2. Opening Statement by the Representative of the European Union

Mr. Chairman, Ladies and Gentlemen.

The Annual Meeting this year is a particularly important one for the European Community. The international context in which it will take place is marked by the recent dispute over Greenland halibut and the conclusion of the work of the United Nations Conference on Straddling Stocks and Highly Migratory Fish Stocks. In this context, NAFO will have to prove this year, more than ever, that it is an effective multilateral organization where the problems of fisheries management can be most adequately and effectively resolved.

At this meeting we will be discussing and hopefully adopting the "compromise of the chairman" which came out of the June meeting of the Fisheries Commission and which constitutes an indivisible package composed of two equally important elements, one relating to control and the other to the sharing out of Greenland halibut. The new control measures envisaged in this paper constitute an unprecedented effort towards the enforcement of conservation rules. If these measures are adopted the NAFO Regulatory Area will probably become the most strictly controlled international fishing area in the world.

This is of course good news for conservation. But this tight regime can only become a positive step towards an adequate management of the stocks if it is accompanied by a satisfactory solution to the question that has caused so much trouble this year: the allocation of Greenland halibut. We want to stress once again that we see the "compromise of the chairman" as an indivisible package to solve the recent conflicts. Adopting only a part of the package without a satisfactory solution for the other part will be simply an invitation to repeat recent situations that we all wish to leave behind.

This has been a particularly intense year. Never before NAFO has convened two intersessional meetings of the Fisheries Commission. This indicates the exceptional circumstances surrounding fisheries management that we hope will not be repeated in the future. NAFO has to go back to normal, to a situation where fisheries are managed in a calm atmosphere and only on the basis of scientific evidence and objective criteria. Taking management decisions under the pressure of media campaigns and public opinion is not a good practice.

The recent experience also shows that the best solutions are those reached through cooperation by consensus which reflects all interests involved. We have now an opportunity to show that NAFO offers the Contracting Parties the appropriate framework to discharge their obligation to cooperate and that it can work effectively as a multilateral organization where no major decisions are imposed.

The European Community reiterates its full commitment to a responsible and effective conservation of fisheries resources based on multilateral cooperation in NAFO among all its members.

Mr. Chairman, in this spirit we look forward to working closely with you and all participants to secure a satisfactory outcome of this important meeting.

Annex 3. Opening Remarks by the Representative of Canada

This meeting is an important one for NAFO and for Canada. The successful outcome of this meeting would be vital for NAFO and rebuilding of the stocks in the Northwest Atlantic. The main objectives of the meeting are to adopt the improved control and enforcement amendments to the NAFO Conservation and Enforcement Measures which we agreed to at the Fisheries Commission Special Meeting in Toronto in June this year. Also TACs and quotas for 1996 and any additional conservation and enforcement measures should be adopted to protect stocks.

Our challenge continues to be the conservation of dwindling stocks, adoption of control measures agreed at the said meeting in June, the careful analyses of advice received from the Scientific Council, and sensible management decisions during this week in accordance with that advice will demonstrate commitment of all Parties to the objectives of NAFO.

My delegation and I are looking forward to working with all the other Contracting Parties in a constructive and positive way and dialogue to tackle the challenges ahead for the benefit of all members of NAFO.

Annex 4. Agenda

I. Opening Procedure

1. Opening by Chairman, E. Lemche (Denmark in respect of the Faroe Islands and Greenland)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Admission of Observers
5. Publicity

II. Supervision and Coordination of the Organizational, Administrative and Other Internal Affairs

6. Review of Membership
 - a) General Council
 - b) Fisheries Commission
7. Administrative Report
8. Interpretation of the Provisions for "Quorum" in the NAFO Convention and Rules of Procedure
9. Modification of the Rules of Procedure:
 - a) "Dead"lines for voting
 - b) Waiving of the Rules of Procedure
 - c) Presentation of Proposals for discussion
10. Clarification of the use of "proxy voting" at NAFO meetings
11. Election of Officers: Chairman and Vice-Chairman

III. Coordination of External Relations

12. Communication with the United Nations re large-scale pelagic driftnet fishing
13. NAFO Observership at other International Bodies
 - a) NAFO Observer at NAMMCO
 - b) NAFO Observer at the UN Conference on Straddling and Highly Migratory Fish Stocks

IV. Fishing Activities in the Regulatory Area Adverse to the
Objectives of the NAFO Convention

14. Consideration of Non-Contracting Parties activities in the NAFO Regulatory Area and agreement on the task of STACFAC at the current meeting
15. Report of STACFAC at the Annual Meeting and decisions on actions

V. Finance

16. New Sharing of Contributions Among Contracting Parties
17. Report of STACFAD at the Annual Meeting
18. Adoption of the Budget for 1996

VI. Closing Procedure

19. Time and Place of Next Annual Meeting
20. Other Business
21. Press Release
22. Adjournment

Annex 5. Statement by the Observer of NAMMCO

On behalf of NAMMCO I would like to express my sincere thanks for having the opportunity to participate, as an observer, at this 17th Annual Meeting of NAFO. This meeting is of particular interest to NAMMCO as it is held just after the completion of the joint NAFO-ICES Symposium on the Role of Marine Mammals in the Ecosystem.

It is much in place that scientists from both sides of the Atlantic Ocean have joined in their efforts to understand better the key issues that are at stake. Increased emphasis is now put on multi-species management or more ecological directed approaches in the fisheries management in the North Atlantic. Individually and together, states have managed to systematise their work in this field. The joint NAFO/ICES Symposium will certainly be an important basis for future work, also some aspects of the future work of NAMMCO.

To enhance the development of multi-species management, the Council of NAMMCO has requested its Scientific Committee to monitor stock levels and trends in stocks of all marine mammals in the North Atlantic. It may be of interest to the member states of NAFO to know that harp and hooded seals are among those species that are given priority in the work of the Scientific Committee of NAMMCO and that the joint ICES/NAFO Working Group on Harp and Hooded Seals has been requested for advice on these stocks.

Certain attitudes against utilization of marine mammals have had detrimental effect on the life of the people that were entirely dependent on their utilization. Some of these people were fortunate enough to be able to switch to other fisheries. Other were deprived their source of living. It is overwhelmingly likely that the unrestricted protection of certain marine mammal species will have a damaging effect on the people that base their life on fisheries. One of NAMMCO's main role is to inform the rest of the world about this.

It is important to continue, with all our effort, to study the role of marine mammals in the ecosystem and their interactions with other marine living resources. Otherwise we will not be able to take well founded management decisions for areas where marine mammals are abundant.

Co-operation is needed in this area between scientists with the necessary expertise. NAMMCO is fully prepared for such co-operation.

Annex 6. Press Release

1. The Seventeenth Annual Meeting of the Northwest Atlantic Fisheries Organization (NAFO) was held in Dartmouth, Nova Scotia, Canada through 11-15 September 1995, under the chairmanship of E. Lemche, Denmark (in respect of the Faroe Islands and Greenland), President of NAFO. All sessions of the NAFO bodies - General Council, Fisheries Commission, Scientific Council convened at the Holiday Inn.
2. There were 140 participants from thirteen (13) Contracting Parties - Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union (EU), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, and Russian Federation (Russia). Observers were admitted from the United States of America, the North Atlantic Marine Mammal Commission, and the International Council for the Exploration of the Sea (ICES).
3. The following NAFO meetings have been organized through the year discussing major substantial issues in preparation for the Annual Meeting: Special Scientific Council Meeting (NAFO Headquarters, November 1994); Special Fisheries Commission Meeting (Brussels, February 1995); STACTIC Meeting (NAFO Headquarters, May 1995); Special Fisheries Commission (Toronto, Canada, June 1995); Regular Scientific Council Meeting (Keddy's Inn, Dartmouth, Canada, June 1995); Symposium "The Role of Marine Mammals in the Ecosystem" (Holiday Inn, Dartmouth, Canada, September 1995).

The Marine Mammal Symposium gathered a prominent audience of leading scientists from around the world and best industry experts in this field. The results of discussions and its publication by NAFO will undoubtedly greatly enrich the knowledge about marine mammals and their interaction with fisheries.

4. The Scientific Council, under the chairmanship of H. Lassen (European Union), reviewed and assessed the state of stocks in the NAFO Convention Area. The scientific advice for the management and conservation of fishery resources in the NAFO Convention Area was reported to the Fisheries Commission. In summary, the Scientific Council recommended: there has been a continual decline in the mean estimates of biomass of cod stock in the Labrador-Newfoundland Area Divisions (Div.) 2J+3KL. Therefore, the scientific advice has been to continue the fishing moratorium to let stock rebuild; similar advice was recommended on cod stock in Div. 3NO.

Due to the uncertain status of the redfish stock in Div. 3L and 3N, the advice was that catches should not be higher than in previous years. The Flemish Cap redfish stock (3M) was prognosed as increased probably due to the reduced fishing mortality in the previous years. All stocks of flatfishes (American plaice, witch flounder, and yellowtail flounder) were forecast at very low levels: no directed fishery should be allowed for those stocks in 1996.

5. The Fisheries Commission, under the chairmanship of H. Koster (European Union), considered the Scientific Council recommendations and took decisions on a number of substantial issues intended to improve the conservation and management of the fishery resources in the Regulatory Area.

The Fisheries Commission unanimously agreed to the advice by the Scientific Council to maintain the ban on fisheries for depleted stocks of Cod in Div. 3NO and 3L in the Regulatory Area, American Plaice in Div. 3M and 3LNO, Yellowtail in Div. 3LNO, Witch in Div. 3NO and Capelin in Div. 3NO. (Quota Table is attached) With regards to Greenland halibut, it was decided to set the TAC for 3LMNO at 20,000 tons consistent with the scientific advice.

The following major conservation measures have been agreed and introduced into the NAFO Regulations:

- improvements to inspection procedures and to dispositions of apparent infringements;
- a modification of the hail system by incorporation of catch reports and other practical features;
- a minimum retention size for Greenland halibut of 30 cm;
- fishing plans for vessels fishing Greenland halibut in the Regulatory Area;
- to implement during the period of 01 January 1996 to 31 December 1997 a Pilot Observer Project for 100% observer coverage of all vessels fishing in the Regulatory Area and satellite tracking devices on 35% of all vessels.

The Fisheries Commission agreed to continue a moratorium on shrimp fishery in Div. 3LNO. The shrimp fishery in Div. 3M will be regulated by mesh size 40mm and sorting grates, as well as a system of fishing effort control.

6. The General Council discussed several outstanding issues with regard to undermining activities by non-Contracting Parties in the Regulatory Area and adopted the recommendations of the Standing Committee on Fishing Activities of Non-Contracting Parties in the Regulatory Area (STACFAC, Chairman C. C. Southgate, EU).

On this issue, it was noted with satisfaction that the number of Non-Contracting Parties' vessels, outside of the NAFO regime, has substantially decreased. However, non-Contracting Parties fishing activity continues to threaten stocks in the Regulatory Area.

The support of NAFO diplomatic demarches from one non-Contracting Party - the United States of America, was very strong and resolute indicating full curtailment of the USA vessels activity in the NAFO Area and unequivocal support of the NAFO objectives.

The vessels of the following countries still fishing in the Regulatory Area - Belize, Honduras, New Zealand, Sierra Leone have been addressed through the NAFO diplomatic demarches asking them to withdraw their vessels from the NAFO Regulatory Area.

The General Council strongly emphasized that any such fishing activity would be contrary to the letter and spirit of the recent draft United Nations Agreement on straddling stocks and highly migratory stocks and the objectives of NAFO.

7. Major elections took place for the constituent and subsidiary bodies of NAFO for the next term of two (2) years, 1996-1997:

President of the Organization and Chairman of the General Council	- A. V. Rodin (Russian Federation)
Vice-Chairman of the General Council	- R. Dominguez (Cuba)
Chairman of the Fisheries Commission	- H. Koster (EU)
Vice-Chairman of the Fisheries Commission	- P. Gullestad (Norway)
Chairman of the Scientific Council	- W. R. Bowering (Canada)
Vice-Chairman of the Scientific Council	- H. P. Cornus (EU)
Chairman of the Standing Committee on Research Coordination (STACREC)	- D. Power (Canada)
Chairman of the Standing Committee on Finance and Administration (STACFAD)	- J. Quintal-McGrath (Canada)
Vice-Chairman of STACFAD	- (EU)
Chairman of the Standing Committee on International Control (STACTIC)	- D. Bevan (Canada)

8. Decisions taken at this year NAFO Annual Meeting signify a new era of enhanced cooperation to conserve and manage the fish stocks of the Northwest Atlantic.

General Council
NAFO
Canada
15 September 1995

NAFO Secretariat
Dartmouth, N.S.,

QUOTA TABLE: Total allowable catches (TACs) and quotas (metric tons) for 1996 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	Greenland halibut		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. 3LMNO		Subareas 3+4
1. Bulgaria	-	-	390	-	-	-	-	-	-	-	-	-	-	500
2. Canada	85	0	650	4 686	0	0	0	0	0	0	-	3 000	-	N.S. ⁴
3. Cuba	407	-	2 275	1 078	-	-	-	-	-	-	0	-	-	2 250
4. Denmark (Faroe Islands and Greenland)	2461	-	-	-	-	-	-	-	-	-	-	-	-	-
5. European Union	5485	0	4 030	374	0	0	0	0	0	0	-	11 070	-	N.S. ⁴
6. Iceland	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7. Japan	-	-	520	-	-	-	-	-	-	-	0	2 050	-	2 250
8. Korea	-	-	-	-	-	-	-	-	-	-	-	-	-	2 000
9. Norway	1 018	-	-	-	-	-	-	-	-	-	0	-	-	-
10. Poland	424	-	-	-	-	-	-	-	-	-	0	-	-	1 000
11. Estonia	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12. Latvia	1 078 ¹	0	18 005 ¹	4 796 ¹	0	-	-	-	0	0	-	-	-	5 000 ¹
13. Lithuania	-	-	-	-	-	-	-	-	-	-	-	2 550	-	-
14. Russia	-	-	-	-	-	-	-	-	-	-	-	1 330 ⁶	-	-
15. Others	42	0	130	66	0	0	0	0	0	0	-	-	-	3 000
Total Allowable Catch	11 000	*	26 000	11 000	*	*	*	*	*	*	*	20 000	-	150,000 ⁵

¹ Quotas to be fished by vessels from Estonia, Latvia, Lithuania and the Russian Federation. The provisions of Part 1, 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 tonnes subject to adjustment where warranted by scientific advice.

⁶ Of which no more than 40% (532 t) may be fished before 1 May 1996 and no more than 80% (1064 t) may be fished before 1 October 1996.

* No directed fishing - The provisions of Part 1, Section A.4b) of NAFO Conservation and Enforcement Measures shall apply.

**Annex 7. List of Decisions and Actions
by the General Council
(17th Annual Meeting; 11-15 September 1995)**

Substantive issue (propositions/motions)	Decision/Action (Item of the Report)
1. Participation in NAFO by two Contracting Parties - Bulgaria & Romania	The President of NAFO will contact the authorities of those countries. The Depositary, Canada, will communicate to the countries; item 2.1.
2. Membership of the Fisheries Commission	All Contracting Parties, except Bulgaria and Romania; item 2.2.
3. Participation in the Second World Fisheries Congress in Brisbane, Australia, in 1996	NAFO will be represented by one of the Contracting Parties participating in the Congress; item 2.3.
4. Rules of Procedure, New Rule 2.2	Adopted: "The quorum shall not include the Contracting Parties which have no right of casting votes under the provisions of Article XVI.9 of the Convention"; item 2.4.
5. Clarification of the use of "proxy voting" at NAFO Meetings	Agreed on the interpretation by Canada; item 2.6.
6. Representation of NAFO in other International bodies - NAMMCO by Norway - ICES by the NAFO Scientific Council	Agreed; item 3.2. Agreed; item 3.3.
7. Report of STACFAC at the Meeting: - New diplomatic demarches to Belize, Honduras, Sierra Leone, New Zealand - Intersessional Meeting of STACFAC, in Brussels, in spring 1996	Adopted; item 4.3. Agreed - signed by the President; item 4.2c). Agreed.
8. Report of STACFAD at the Meeting: - Auditors Report - Accumulated Surplus Account - Bulgaria's and Romania's uncollectible debt for 1995	Adopted; item 5. Adopted \$75,000 Cdn. \$33,229.56 Cdn to write-off
9. Budget for 1996	\$996,000 Cdn.; item 5.2e)
10. Election of officers: - Chairman and President of NAFO - Vice-Chairman	A. V. Rodin (Russia) R. Dominguez (Cuba); item 2.7.
11. Meeting dates in 1996-1998	Agreed; item 5.2f)

PART II

Report of the Standing Committee on Finance and Administration (STACFAD) (GC Doc. 95/5)

Monday, 11 September 1995 (1415-1730 hours)
Tuesday, 12 September 1995 (1545-1750 hours)
Wednesday, 13 September 1995 (1000-1215 hours)
Wednesday, 13 September 1995 (1500-1800 hours)
Wednesday, 13 September 1995 (1930-0020 hours)

1. Opening

The Chairperson, J. Quintal-McGrath (Canada), opened the meeting and welcomed the participants (Annex 1).

2. Appointment of Rapporteur

F. Keating and S. Goodick of the NAFO Secretariat were appointed Rapporteurs.

3. Adoption of Agenda

The provisional agenda was adopted as circulated to Contracting Parties (Annex 2).

4. Auditors' Report for 1994

The Auditors' Report was circulated to the STACFAD participants for their review and comments.

The Executive Secretary informed STACFAD that the Auditors' Report was circulated to the Heads of Delegations in early March, 1995 and no comments had been received on the Report.

It was brought to the attention of the STACFAD participants that the liability as of 31 December 1994 resulting from the enhanced employee termination benefit package in the Staff Rules amounted to approximately \$110,300. It was noted once again that the Organization is funding this liability at the rate of \$10,000 per annum as approved by the General Council at its September 1994 annual meeting.

STACFAD recommended to the General Council that the Auditors' Report for 1994 be adopted.

5. Meeting of the Pension Society

The Chairperson informed participants that the annual meeting of the International Fisheries Commissions Pension Society took place in Halifax, Nova Scotia, Canada during 24-26 May 1995. The NAFO Secretariat was represented by Dr Chepel, T. Amaratunga, F. Keating and S. Goodick. The Executive Secretary was asked by the Chairperson to introduce STACFAD Working Paper 95/1 (Report of the Meeting of the Pension Society). With regard to the Administrative Agent's fee, it was noted that pursuant to the Rule 3.2i) of the Rules of Procedure for the General

Council and Rule 4.4 of the Financial Regulations, the Executive Secretary was authorized to allocate the noted funds to the 1995 NAFO Budget from the Accumulated Surplus Account.

6. Review of Cost Implications for the NAFO Secretariat of the Hail System in the Regulatory Area

The Executive Secretary introduced STACFAD Working Paper 95/2. It was noted that an estimated \$7,052.00 (approximately \$2,000.00 less than in 1994) would be spent on the transmission of Hail Reports from the NAFO Secretariat to Contracting Parties with inspection vessels in the Regulatory Area. This reduction resulted from a decrease in the number of transmissions and the implementation of a more efficient system for the management of hails in the NAFO Secretariat.

The Representative from Norway inquired about the content of the transmissions from the Secretariat. The Executive Secretary explained that a summarized report of the hails received is transmitted at the end of each working day. The Representative from Norway could foresee that there would be a requirement for changes to the pilot project in such a way that each Contracting Party should be able to access a database monitored by the Secretariat for current fishing vessel activity. This would eliminate daily transmissions from the Secretariat.

The representatives from Latvia and Russia inquired about the duplication of hail transmissions to Brussels and the EU inspection vessels from the Secretariat. Direct contact between Brussels and the EU inspection vessels would reduce the Secretariat's costs.

The representative from the European Union noted the above concerns and informed the Committee that the Inmarsat transmissions from the NAFO Secretariat to the inspection vessel was requested because of the clarity of the transmissions. He also noted that future transmittals would hopefully be done by E-Mail, or any other automated computer system which would reduce incurred costs.

7. Administrative Report and Financial Statements for 1995 (estimated from 31 July 1995)

The Administrative Report (NAFO GC Doc. 95/1) was referred to STACFAD from the General Council and reviewed by the Committee.

The Committee was informed of the Scientific Council recommendation for the Assistant Executive Secretary to attend the CWP ad hoc consultation planned for July 1996 in Rome; the 17th Session of CWP in Hobart, Australia during January 1997; and 2nd World Fisheries Congress, under the auspices of the FAO, to be held 28 July - 2 August 1996 in Brisbane, Australia.

It was noted that the 17th Session of CWP would not take place until early 1997 and Canada could represent NAFO at the 2nd World Fisheries Congress, therefore, no additional cost implications would be incurred in the 1996 budget estimate.

The representative from the European Union requested an explanation on the role of the 2nd World Fisheries Congress before he could make a decision on this additional budget item.

The Chairman of the Scientific Council explained that the main topic of the 2nd World Fisheries Congress deals with the management of fish stocks attended by managers, University personnel and fishery researchers.

The representative from the European Union stated that on the one hand, if NAFO is to be represented as an Observer only, then a Contracting Party could be suitable to represent NAFO. On the other hand, if a presentation is required on behalf of NAFO, it would be more appropriate that a member of the NAFO Secretariat attend.

STACFAD was in agreement that if NAFO should be represented at the 2nd World Fisheries Congress, the cost implications was a major item of concern. STACFAD offers to the General Council for their consideration the following alternatives:

1. NAFO could be represented by any Contracting Party attending the conference with no budgetary cost implications to NAFO.
2. NAFO could be represented by the Secretariat with cost implications of approximately \$7,500 to the NAFO budget.

The Executive Secretary reviewed each financial statement in detail and drew attention to the contributions receivable from Contracting Parties shown in Statement III (\$149,119). It was noted that payment has been received in full from the European Union.

The Representative from Latvia advised that to the best of his knowledge its payment was processed and was surprised that its membership contribution was still outstanding. He stated that he would investigate this matter following the meeting.

The Representatives from Cuba, Lithuania and Poland advised that their contributions would be forthcoming.

The Executive Secretary also noted that outstanding contributions from Bulgaria and Romania should be handled in the same manner as suggested by NAFO Auditors, and written off. The total amount of \$33,228 is deemed uncollectible and has been written off to the Accumulated Surplus account as shown in Statement IV of the Financial Statements.

8. Review of Accumulated Surplus Account

The Executive Secretary reviewed the Statement of Accumulated Surplus and it was noted that the year end balance is estimated to be \$233,496 provided that all outstanding membership contributions are received. As in past years it is suggested that \$75,000 would be appropriated to maintain a minimum balance in this account.

The estimated unappropriated Accumulated Surplus balance (\$158,496) at the end of 1995 will be used to reduce contributions due from Contracting Parties.

The Representative from the Russian Federation inquired whether there was any contact with the Governments of Bulgaria and Romania with regard to their outstanding contributions. The Executive Secretary informed the Committee that attempts to contact the respective Governments from the Secretariat and the President of NAFO were not responded to.

The Executive Secretary noted that NAFO will once again apply for the *ex gratia* grant from the Province of Nova Scotia. The Representative from Canada offered to contact the proper provincial authorities should there be any delays in receiving the payment of this grant.

STACFAD **recommended** to the General Council that the Accumulated Surplus be maintained at \$75,000 and the balance (approximately \$158,496) be used to reduce membership contributions of Contracting Parties for 1996.

9. Preliminary Budget Estimate for the Fiscal Year Ending 31 December 1996

The Executive Secretary presented the preliminary budget estimate for 1996 (GC Working Paper 95/1) and drew attention to the fact that the Secretariat showed fiscal restraint by maintaining the 1996 budget estimate at the same level as the previous budget forecast.

The Representative from Canada stated that they would be hard pressed to allocate funds to NAFO for salary increases as shown in the budget while the Canadian Government is experiencing a wage freeze.

STACFAD **recommended** that the salary budget estimate of \$596,500 remain as presented on the condition that no salary increases be implemented until the Canadian Government lifts its federal wage freeze.

STACFAD **recommended** to the General Council that the budget of \$996,000 be adopted (Annex 3).

Preliminary calculations of the 1996 billing for Contracting Parties was reviewed by the Committee (Annex 4).

10. Preliminary Budget Forecast for the Fiscal Year Ending 31 December 1997

STACFAD noted the preliminary budget forecast of \$1,008,000 for 1997 would be reviewed in detail during the 18th Annual Meeting (Annex 5).

11. Election of Officers: Chairman and Vice-Chairman

J. Quintal-McGrath of Canada was re-elected as Chairperson of STACFAD for a term of two years (1996-1997).

The Committee recommended that the EU representative be elected as Vice-Chairman of STACFAD. The EU representative reported to the Committee that the EU has accepted the nomination for Vice-Chairman and would advise STACFAD of the candidate's name at a later date.

12. Time and Place of the 1996, 1997 and 1998 Meetings

The location of the Annual Meetings in 1996 and 1998 are to be held in the Halifax-Dartmouth area if no invitations to host the Annual Meetings are extended by a Contracting Party and accepted by the Organization. The Committee was informed of the decision of the General Council to hold the 1997 Annual Meeting in St. John's, Newfoundland.

The dates of the next Annual Meetings are as follows:

1996	-	Scientific Council	-	04-13 September
	-	Fisheries Commission	-	09-13 September
	-	General Council	-	09-13 September
1997	-	Scientific Council	-	10-19 September
	-	Fisheries Commission	-	15-19 September
	-	General Council	-	15-19 September

and STACFAD recommended that the dates of the 1998 Annual Meeting be as follows:

1998	-	Scientific Council	-	09-18 September
	-	Fisheries Commission	-	14-18 September
	-	General Council	-	14-18 September

13. Other Business

The following items were referred over from the General Council for the consideration and clarification by STACFAD:

Item 6(a) of the General Council Agenda, Review of Membership of the General Council

This item was discussed under item 8 of this report.

STACFAD **recommended** that the Chairman of the General Council once again contact the Governments of Bulgaria and Romania as to their intentions with respect to participation in NAFO affairs and Contracting Parties should consider other appropriate alternatives including representations by the Canadian Government as Depositary and representations by NAFO and Contracting Parties.

Item 8 of the General Council Agenda, Interpretation of the Provisions for "Quorum" in the NAFO Convention and Rules of Procedure

This item was discussed in detail by the members of STACFAD. It was recognized that there have been no problems in recent years in achieving a quorum in the General Council and the Fisheries Commission; however a problem could develop in the future. STACFAD could not reach a conclusion but suggests that any changes should be consistent with Articles V and XIV of the NAFO Convention.

Item 9 of the General Council Agenda, Modification of the Rules of Procedure: a) "Dead" lines for voting; b) Waiving of the Rules of Procedure; c) Presentation of Proposals for discussion

This item was discussed by STACFAD. The Committee concluded that Articles V and XIV of the NAFO Convention and Rule 4 of the Rules of Procedure allow the rules of procedure to be amended by a simple majority of those casting affirmative or negative votes. Accordingly it was concluded there is no need for unanimous consent to waive or modify any procedures in order to allow for legally binding decisions of the General Council or Fisheries Commission. It concluded that at any meeting, or if there is no actual meeting and a mail vote is done instead, the NAFO body can decide by a majority vote, of those voting "yes" or "no" to amend any procedural rules they choose to waive or modify.

STACFAD suggests that all Contracting Parties be notified when any such modifications, amendments or waivers are made.

Item 10 of the General Council Agenda, Clarification of the use of "proxy voting" at NAFO Meetings

After a lengthy and thorough round table discussion of GC Working Paper 95/2, the Committee could not reach any conclusions.

Item 16 of the General Council Agenda, New Sharing of Contributions Among Contracting Parties

The Chairperson noted that this item had been referred to STACFAD by the General Council and asked the representative of Denmark to present its explanation.

The representative of Denmark suggested that catches in the Regulatory Area should be taken for the purposes of calculating the contributions of the Contracting Parties explaining that the inclusion of catches from the Convention Area results in a much larger contribution from Denmark.

Representatives from other Contracting Parties at the Meeting expressed their concerns as they could not accept the Danish suggestion. They were unanimous considering the economic and legal implications.

In particular, the Representative of Russia especially emphasized on the provisions of Articles I and II of the Convention noting that the major objective of the NAFO Convention and contributions of the Contracting Parties are very closely related to the concept of the Convention Area. Therefore, the suggestion by Denmark to establish a new sharing formula based on the catches in the Regulatory Area would be contradictory to the NAFO Convention and its basic principles.

The Representative of Cuba concurred with the Russian statement reiterating that any changes in a sharing formula would require amendments to the Convention.

The Representatives of Estonia and Latvia were very much concerned with a very high increase of the costs of their catches if a new sharing formula were introduced. The Estonian representative emphasized that dues should be allocated on the basis of catches in the Convention Area in accordance with the provisions of the NAFO Convention.

The representative from Denmark (in respect of Faroe Islands and Greenland) thanked the Committee for their time and comments and stated that Denmark would like to continue to pursue the subject at the next Annual Meeting.

14. Adjournment

The Chairperson thanked the members of the Secretariat for their support and all participants for their cooperation and participation in the meetings.

All participants expressed sincere thanks to Ms. Quintal-McGrath for her efforts as Chairperson.

The meeting adjourned on 14 September 1995 at 0020 hrs.

Annex 1. List of Participants

Name	Contracting Party
J. Quintal-McGrath	Canada
R. Steinbock	Canada
R. Dominguez	Cuba
J. Lopez	Cuba
E. Lemche	Denmark (in respect of Faroe Islands and Greenland)
S. Lage	Denmark (in respect of Faroe Islands and Greenland)
T. Roose	Estonia
L. Vaarja	Estonia
F. Kingston	European Union (EU)
H. Lassen	European Union
Y. Aoki	Japan
H. Omori	Japan
D. Park	Republic of Korea
N. Riekstins	Latvia
A. Ukis	Latvia
A. Rusakevicius	Lithuania
P. Gullestad	Norway
T. Konow	Norway
L. Dybiec	Poland
J. Fota	Poland
V. Solodovnick	Russian Federation
L. Chepel	NAFO Secretariat
F. Keating	NAFO Secretariat
S. Goodick	NAFO Secretariat

Annex 2. Agenda

1. Opening by the Chairperson, J. Quintal-McGrath (Canada)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Auditor's Report
5. Meeting of the Pension Society
6. Review of Cost Implications for the NAFO Secretariat of the Hail System in the Regulatory Area
7. Administrative Report and Financial Statements for 1995 (July)
8. Review of Accumulated Surplus Account
9. Preliminary Budget Estimate for 1996
10. Preliminary Budget Forecast for 1997
11. Election of Officers: Chairman and Vice-Chairman
12. Time and Place of 1998 Meeting
13. Other Business
14. Adjournment

Annex 3. Preliminary Budget Estimate for 1996

	Approved Budget for 1995	Preliminary Budget Forecast for 1996	Preliminary Budget Estimate for 1996
1. Personal Services			
a) Salaries	\$ 589,000	\$ 589,000	\$ 596,500 ^a
b) Superannuation and Annuities	78,000	80,000	85,000 ^b
c) Additional Help	1,000	1,000	500
d) Group Medical and Insurance Plans	40,000	42,000	41,000
e) Termination Benefits	18,000	20,000	26,000 ^c
f) Accrued Vacation Pay	2,000	2,000	1,000
g) Termination Benefits Liability	10,000	10,000	10,000
2. Travel	6,000	25,000	18,000 ^d
3. Transportation	1,000	1,000	1,000
4. Communications	57,000	58,000	62,000
5. Publications	22,000	22,000	22,000
6. Other Contractual Service	46,000	48,000	48,000
7. Materials and Supplies	32,000	34,000	30,000
8. Equipment	5,000	5,000	5,000
9. Annual and Mid-Year Meetings	42,000	42,000	35,000 ^e
10. Computer Services	15,000	17,000	15,000
	\$ 964,000	\$ 996,000	\$ 996,000

^a This amount includes salary increases effective June 16, 1996. No salary increases are to be expended until the Canadian Government's wage freeze is lifted.

^b The amount includes \$6,500 for the administration of the pension fund.

^c This figure is for 1996 credits and conforms with NAFO Staff Rule 10.4(a).

^d This figure includes home leave to Russia for Executive Secretary and family; two persons to meeting of Directors and Executive Secretaries of the seven International Commissions located in North America re discussion of pension scheme for employees, May 1996, Washington, D.C., USA; Assistant Executive Secretary attendance at the *ad hoc* Interagency Consultations of the CWP, Rome.

^e This figure includes the cost for September Annual Meeting and the June Scientific Council Meeting if held in the Halifax-Dartmouth area.

Annex 4. Preliminary Calculation of Billing for 1996

Preliminary calculation of billing for Contracting Parties
against the proposed estimate of \$996,000.00 for the 1996
financial year (based on 15 Contracting Parties to NAFO).

Budget Estimate.....	\$996,000.00
Deduct: Amount from Accumulated Surplus Account.....	<u>158,496.00</u>
Funds required to meet 1996 Administrative Budget.....	<u>\$837,504.00</u>

60% of funds required = \$ 502,502.40

30% of funds required = 251,251.20

10% of funds required = 83,750.40

Contracting Parties	Nominal Catches for 1993	% of Total Catch in the Convention Area	10%	30%	60%	Amount billed
Bulgaria	-	-	-	16,750.08	-	\$ 16,750.08
Canada ¹	587,964	71.46	71,225.97	16,750.08	359,079.30	447,055.35
Cuba	2,765	0.34	-	16,750.08	1,688.63	18,438.71
Denmark (Faroes, and Greenland) ²	103,388	12.57	12,524.43	16,750.08	63,140.76	92,415.27
Estonia	6,934	0.84	-	16,750.08	4,234.71	20,984.79
European Union ¹	70,838	8.61	-	16,750.08	43,261.93	60,012.01
Iceland	2,196	0.27	-	16,750.08	1,341.13	18,091.21
Japan	6,076	0.74	-	16,750.08	3,710.71	20,460.79
Republic of Korea	-	-	-	16,750.08	-	16,750.08
Latvia	8,585	1.04	-	16,750.08	5,243.00	21,993.08
Lithuania	3,904	0.47	-	16,750.08	2,384.24	19,134.32
Norway ¹	13,445	1.63	-	16,750.08	8,211.08	24,961.16
Poland	-	-	-	16,750.08	-	16,750.08
Romania	-	-	-	16,750.08	-	16,750.08
Russia ¹	16,713	2.03	-	16,750.08	10,206.91	26,956.99
	822,808	100.00	83,750.40	251,251.20	502,502.40	<u>\$837,504.00</u>
Funds required to meet 1 January - 31 December 1996 Administrative Budget						<u>\$837,504.00</u>

¹ **Provisional** Statistics used when calculating 1993 nominal catches.

² Faroe Islands = 12,876 metric tons
Greenland = 90,512 metric tons

Annex 5. Preliminary Budget Estimate Forecast 1997

1.	Personal Services	
	a) Salaries	\$ 609,000
	b) Superannuation and Annuities	87,000 ^a
	c) Additional Help	1,000
	d) Group Medical and Insurance Plans	41,000
	e) Termination Benefits	20,000 ^b
	f) Accrued Vacation Pay	1,000
	g) Termination Benefits Liability	10,000
2.	Travel	15,000 ^c
3.	Transportation	1,000
4.	Communications	63,000
5.	Publications	22,000
6.	Other Contractual Services	48,000
7.	Materials and Supplies	30,000
8.	Equipment	5,000
9.	Annual and Mid-Year Meetings	40,000 ^d
10.	Computer Services	<u>15,000</u>
		\$1,008,000

^a The amount includes \$6,500 for the administration of the pension fund.

^b This figure is for 1997 credits and conforms with NAFO Staff Rule 10.4(a).

^c This figure includes two persons to meeting of Directors and Executive Secretaries of the seven International Commissions located in North America re discussion of pension scheme for employees, May 1997, Victoria, B.C.; Assistant Executive Secretary attendance at the *ad hoc* Interagency Consultations of the CWP.

^d This figure includes the cost for Annual Meeting, September 1997, St. John's, Nfld, Canada and the Scientific Council Meeting, June 1997, Dartmouth, N.S., Canada.

PART III

Report of the Standing Committee on Fishing Activity of Non-Contracting Parties in the Regulatory Area (STACFAC) (GC Doc. 95/5)

1. Opening of the Meeting (items 1-3 of Agenda)

- 1.1 The meeting was opened by the Chairman C.C. Southgate (EU) at 1015 hrs 11 September. Sessions were held through September 11-13, 1995.
- 1.2 The following Contracting Parties were represented: Canada, Denmark [in respect of the Faroe Islands and Greenland] (Denmark), Estonia, EU, Iceland, Japan, Korea, Norway, Russia.
- 1.3 Observers from the United States of America were present.
- 1.4 E. Mundell (Canada) was appointed Rapporteur.
- 1.5 The agenda was adopted as presented (Annex 1). At the suggestion of the Chairman, it was agreed to review the facts of the current situation and then to consider proposed measures, particularly in light of international developments since the last meeting, notably the FAO "Compliance" Agreement, the UN Convention on Straddling and Highly Migratory Stocks, opening for signature in December 1995 during the UN General Assembly, and continuing work in the FAO on a Code of Conduct.

2. Information on Activities of Non-Contracting Parties in the Regulatory Area (items 4-7)

- 2.1 Sightings Information - The Chairman reviewed the contents of the Canadian report on sightings in 1994 (STACFAC Working Paper 95/2), noting that although the level of activity had decreased from previous years, non-Contracting Party fishing activity continued to threaten stocks in Div. 3M. The Chairman pointed in particular to estimated non-Contracting Parties' groundfish catches of 22,500 tonnes in 1994. Trends in 1994 were: withdrawal of vessels from certain non-Contracting Parties; doubling of effort and catches by USA vessels in 1994; and new activity - a New Zealand vessel fishing shrimp in 3M. The representative of Korea reminded that Korean vessels had been withdrawn in 1993 and that Korea had joined NAFO. The EU delegate advised that EU information on 1994 sightings would be provided shortly. Canada reviewed orally information on non-Contracting Party fishing activity in 1995, noting the absence of vessels registered in Panama, Cayman Islands, St. Vincent and the Grenadines and Venezuela and continued presence of vessels from Honduras, Belize and Sierra Leone. The USA Observer explained efforts of the US Government to discourage its vessels from fishing in the Regulatory Area and the absence of USA activity in the Regulatory Area in 1995. The USA Observer noted the USA's historical presence in the Regulatory Area.

- 2.2 Diplomatic Contacts - The Chairman drew the attention of representatives to GC Doc. 95/2 and GC Doc. 95/2 (Addendum) containing correspondence between the NAFO Secretariat and non-Contracting Parties and reviewed joint demarches to non-Contracting Parties authorities by NAFO Contracting Parties during 1994. Canada summarized its own diplomatic contacts in 1994 and 1995 with the Governments of the USA, Panama, Honduras and Belize, adding that no diplomatic contacts had been possible with Sierra Leone.
- 2.3 Landings and Transshipments - The EU representative tabled information on imports from non-Contracting Party vessels in 1994 into Spanish ports and noted that no such landings in Spanish ports had been recorded to the end of July 1995. The representative of Canada expressed interest in data from Korea on any landings there by the vessel Danica. Canada's closure of its ports to non-Contracting Parties' vessels was noted.
- 2.4 Imports - The Japanese representative provided import information for 1994 (STACFAC Working Paper 95/1), commenting that it is not possible to distinguish groundfish products from the Regulatory Area from such products from other parts of the world. He also noted that imports were stable over 1993-94 and represented only three percent of total imports. Measures to target these imports would have to avoid barriers to legitimate trade in such products. The Chairman observed that import information tabled to date reveals that Japan is not a main market of non-Contracting Parties caught fish from the Regulatory Area but has not indicated much else on the nature of the market for this fish.

3. Consideration of Measures to Discourage Activities by Non-Contracting Parties (items 8-10)

- 3.1 The Chairman noted that measures for discussion were those raised at the 16th Annual Meeting, which had not been discussed as planned at an Intersessional Meeting of STACFAC, namely, port closures and restriction of landings and right of arrest and other deterrent measures, including the Canadian draft resolution on possible arrangements for boarding, inspection and arrest of non-Contracting Parties' vessels. The Chairman observed that these measures could not perhaps be retained in their present form, given recent international developments, notably the recent Agreement for the implementation of the provisions of the UN Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling fish stocks and highly migratory fish stocks.
- 3.2 Port Closures and Restriction of Landings - The Chairman summarized the different approaches: closure of ports to individual vessels versus closure of ports to all fishing vessels of non-Contracting Parties, noting that a general ban might be more enforceable. The representative of Canada stated that closing ports to all fishing vessels of a non-Contracting Party was effective and an important disincentive to registration of these vessels. The representative of Estonia cautioned against banning port access to vessels in emergency situations and noted the need to avoid taking action without prior notification and to give an offending state the opportunity to remove a vessel from the Regulatory Area. The Chair agreed that states might not be aware that vessels flying their flag were fishing in the Regulatory Area nor of the significance of this situation.

The EU representative noted that non-Contracting Parties' vessels fishing in the Regulatory Area might not necessarily be violating the NAFO rules. The representative of Canada noted that NAFO rules incorporated a variety of conservation measures in addition to TACs and quotas and that any fishing by non-Contracting Parties' vessels in the Regulatory Area in practice undermined the NAFO conservation regime.

- 3.3 The representative of Denmark (in respect of the Faroe Islands and Greenland) observed that diplomatic demarches had had some success and should be continued. He proposed that Contracting Parties should focus as a first step on discouraging the activities of the remaining vessels by denying them port facilities. This method had been successfully followed by NASCO and had the advantage of being in accordance with GATT and IMO rules. The EU representative agreed that diplomatic demarches had been successful but observed that the time had come for additional steps. The representative of Canada supported closure of ports against specific vessels as a first step.
- 3.4 Representatives considered the implications of the new Agreement on Straddling and Highly Migratory Stocks and whether its provisions should be taken into account in proposed action by Contracting Parties to discourage non-Contracting Parties' vessels from fishing in the Regulatory Area. It was agreed that the implications of the new Convention, not yet in force, were not clear and that this would be premature.
- 3.5 The representative of Estonia raised the question of cooperation with other regional organizations. The Chairman supported this suggestion, noting that the problem of non-Contracting Parties fishing occurred in other waters and often involved vessels from the same states of registry.
- 3.6 Discussion of sending diplomatic letters to non-Contracting Parties whose vessels are continuing to fish in the Regulatory Area raised the question of references in the letters to further action, such as port closures. Representatives considered that such references might be problematic, given uncertainty by Contracting Parties as to legal competence and authority. The representative of Canada warned that the credibility of NAFO could be jeopardized if action were threatened but not taken for lack of legal means. It was agreed that diplomatic letters could be sent without such references, pending an intersessional meeting to discuss various further measures and subsequent re-drafting of the diplomatic letters, as appropriate.
- 3.7 It was agreed that diplomatic letters would be sent immediately to Belize, Honduras and Sierra Leone, whose vessels have continued to fish in the Regulatory Area in 1995 and to New Zealand, the state of registry of a vessel that fished briefly for shrimp in Div. 3M in 1995. Terms of reference for an intersessional meeting of STACFAC to discuss further measures were also discussed and agreed. During the latter discussion, the representative of Canada proposed that the intersessional meeting also begin to consider the implications of the new UN Agreement. The EU representative noted that assessing the implications of the new Agreement would be a task of broad scope that would be better left for consideration at the 18th Annual Meeting and would be premature to include now in the terms of reference for a STACFAC intersessional meeting. The EU representative added that the FAO Code of Conduct, anticipated to be agreed later this year, would also be relevant, particularly as it might include provisions on trade aspects.

The Chair agreed, noting that the scope of the new UN Agreement would have implications for NAFO beyond the mandate of STACFAC. This was agreed. It was also agreed that the draft resolution tabled by Canada at the 16th Annual Meeting, proposing arrangements for boarding, inspection and arrest of non-Contracting Parties' vessels, had been overtaken by the new UN Agreement and would not be discussed as a specific item at the Intersessional Meeting.

4. Report and Recommendations to the General Council (item 11)

- 4.1 STACFAC recommends that the President of NAFO write to the Foreign Ministers of Belize, Honduras, Sierra Leone and New Zealand, as at Annex 2.
- 4.2 STACFAC recommends that the General Council approve a STACFAC Intersessional Meeting with Terms of Reference as set out in Annex 3.

It is proposed that the Chairman of STACFAC coordinate consultations among Contracting Parties on dates and a location for the Intersessional Meeting.

5. Other Matters (item 12)

- 5.1 There was no other business.

6. Adjournment (item 13)

- 6.1 The meeting adjourned at 1830 hrs on 13 September 1995.

Annex 1. Agenda

1. Opening by the Chairman, C. C. Southgate (EU)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Review of 1995 information on activities of non-Contracting Party vessels in the Regulatory Area
5. Review of 1995 information on landings and transshipments of fish caught in the Regulatory Area by non-Contracting Party vessels
6. Review of information on imports by Contracting Parties of groundfish species regulated by NAFO from non-Contracting Parties whose vessels have fished in the Regulatory Area
7. Reports by Contracting Parties on diplomatic contacts with non-Contracting Party governments concerning fishing by their vessels in the Regulatory Area
8. Examination of options open to Contracting Parties and the General Council to discourage activities by non-Contracting Parties in the Regulatory Area
9. Consideration of steps to deter reflagging of Contracting Party vessels for the purpose of fishing contrary to NAFO conservation and management decisions
10. Other NAFO measures against stateless vessels and vessels from non-Contracting Parties
11. Report and Recommendations to the General Council
12. Other Matters
13. Adjournment

Annex 2. Diplomatic Letters to Non-Contracting Parties

The Honourable Dean O. Barrow
Minister of Foreign Affairs
Belize

Dear Mr. Minister:

Further to my letter of November 1994, I have been instructed by all members of the Northwest Atlantic Fisheries Organization (NAFO) present at its 17th Annual Meeting to raise again at the highest level their concern about fishing activity by vessels flying your flag in the NAFO Regulatory Area.

NAFO was established in 1979 inter alia to implement the obligations of States under international law regarding conservation and management of fishery resources in the Northwest Atlantic beyond the areas in which coastal States exercise fisheries jurisdiction, referred to as the "Regulatory Area" of NAFO.

The Contracting Parties to NAFO have made very substantial reductions in their permitted catches and introduced moratoria for the most severely depleted stocks. The fishing interests of the Contracting Parties of NAFO have thus made sacrifices in order to sustain resources for the future. They therefore expect that Non-Contracting Parties will respect their actions and not undermine them.

The Contracting Parties are deeply concerned that Non-Contracting Parties permitting vessels flying their flags to fish in the NAFO Regulatory Area do not comply with their obligations to cooperate in conservation and management and that such vessels have continued to be present in the NAFO Regulatory Area fishing on resources which are at historically depleted and critical levels.

I note with satisfaction that Belize has deregistered the vessels "Gadus" and "Albri II" but have to report that they continue to fish in the Regulatory Area under the flag of Belize. I would therefore be grateful if you could confirm that these vessels no longer have any connection with Belize. Furthermore, the following vessels registered in Belize have again been observed fishing in the area to the severe detriment of critical resources: "Cidade de Aveiro", "Santa Joana", "Santa Princesca" and "Austral". The "Santa Joana" flies at different times the flags of either Belize or Sierra Leone.

The Government of Belize has stated that it does not wish to undermine the effectiveness of NAFO's conservation and management regime. The Contracting Parties to NAFO have collectively and individually taken diplomatic initiatives to urge States which do not cooperate with NAFO to withdraw their vessels from the Regulatory Area. Several States have already complied. NAFO again urges the Government of Belize to withdraw its vessels forthwith and to take effective measures to prevent their return to the Regulatory Area. There is real urgency for the immediate withdrawal of these vessels given the critical state of many of the NAFO-managed fish stocks.

The Contracting Parties to NAFO draw the attention of the Government of Belize to the FAO's Compliance Agreement adopted unanimously at the November 1993 meeting of the FAO Council. The FAO Compliance Agreement lays down legal conditions for the regulation of High Seas fishing by Flag States and provides a suitable basis on which the Government of Belize could prevent its vessels from fishing in the NAFO Regulatory Area, undermining the conservation measures applied by NAFO Contracting Parties.

On behalf of the Contracting Parties to NAFO present at its 17th Annual Meeting: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union, Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland and the Russian Federation.

(DATE)

E. Lemche
President and
Chairman of General Council

The Minister of External Relations
Honduras

Dear Mr. Minister:

Further to my letter of November 1994, I have been instructed by all members of the Northwest Atlantic Fisheries Organization (NAFO) present at its 17th Annual Meeting to raise again at the highest level *their concern about fishing activity by vessels flying your flag in the NAFO Regulatory Area.*

NAFO was established in 1979 inter alia to implement the obligations of States under international law regarding conservation and management of fishery resources in the Northwest Atlantic beyond the areas in which coastal States exercise fisheries jurisdiction, referred to as the "Regulatory Area" of NAFO.

The Contracting Parties to NAFO have made very substantial reductions in their permitted catches and introduced moratoria for the most severely depleted stocks. The fishing interests of the Contracting Parties of NAFO have thus made sacrifices in order to sustain resources for the future. They therefore expect that Non-Contracting Parties will respect their actions and not undermine them.

The Contracting Parties are deeply concerned that Non-Contracting Parties permitting vessels flying their flags to fish in the NAFO Regulatory Area do not comply with their obligations to cooperate in conservation and management and that such vessels have continued to be present in the NAFO Regulatory Area fishing on resources which are at historically depleted and critical levels.

I note with satisfaction that Honduras has deregistered the vessel "Espadarte". However, the "Danica", registered in Honduras, has again been observed fishing in the area to the severe detriment of critical resources.

The Government of Honduras has stated that it does not wish to undermine the effectiveness of NAFO's conservation and management regime. The Contracting Parties to NAFO have collectively and individually taken diplomatic initiatives to urge States which do not cooperate with NAFO to withdraw their vessels from the Regulatory Area. Several States have already complied. NAFO again urges the Government of Honduras to withdraw its vessels forthwith and to take effective measures to prevent their return to the Regulatory Area. There is real urgency for the immediate withdrawal of these vessels given the critical state of many of the NAFO-managed fish stocks.

The Contracting Parties to NAFO draw the attention of the Government of Honduras to the FAO's Compliance Agreement adopted unanimously at the November 1993 meeting of the FAO Council. The FAO Compliance Agreement lays down legal conditions for the regulation of High Seas fishing by Flag States and provides a suitable basis on which the Government of Honduras could prevent its vessels from fishing in the NAFO Regulatory Area, undermining the conservation measures applied by NAFO Contracting Parties.

On behalf of the Contracting Parties to NAFO present at its 17th Annual Meeting: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union, Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland and the Russian Federation.

(DATE)

E. Lemche
President and
Chairman of General Council

Secretary of State
Sierra Leone

Dear Mr. Minister:

Further to my letter of November 1994, I have been instructed by all members of the Northwest Atlantic Fisheries Organization (NAFO) present at its 17th Annual Meeting to raise again at the highest level their concern about fishing activity by vessels flying your flag in the NAFO Regulatory Area.

NAFO was established in 1979 inter alia to implement the obligations of States under international law regarding conservation and management of fishery resources in the Northwest Atlantic beyond the areas in which coastal States exercise fisheries jurisdiction, referred to as the "Regulatory Area" of NAFO.

The Contracting Parties to NAFO have made very substantial reductions in their permitted catches and introduced moratoria for the most severely depleted stocks. The fishing interests of the Contracting Parties of NAFO have thus made sacrifices in order to sustain resources for the future. They therefore expect that Non-Contracting Parties will respect their actions and not undermine them.

The Contracting Parties are deeply concerned that Non-Contracting Parties permitting vessels flying their flags to fish in the NAFO Regulatory Area do not comply with their obligations to cooperate in conservation and management and that such vessels have continued to be present in the NAFO Regulatory Area fishing on resources which are at historically depleted and critical levels.

The following vessels registered in Sierra Leone have again been observed fishing in the area to the severe detriment of critical resources: "Leone", and "Santa Joana". The "Santa Joana" flies at different times the flags of either Sierra Leone or Belize.

The Government of Sierra Leone has stated that it does not wish to undermine the effectiveness of NAFO's conservation and management regime. The Contracting Parties to NAFO have collectively and individually taken diplomatic initiatives to urge States which do not cooperate with NAFO to withdraw their vessels from the Regulatory Area. Several States have already complied. NAFO again urges the Government of Sierra Leone to withdraw its vessels forthwith and to take effective measures to prevent their return to the Regulatory Area. There is real urgency for the immediate withdrawal of these vessels given the critical state of many of the NAFO-managed fish stocks.

The Contracting Parties to NAFO draw the attention of the Government of Sierra Leone to the FAO's Compliance Agreement adopted unanimously at the November 1993 meeting of the FAO Council. The FAO Compliance Agreement lays down legal conditions for the regulation of High Seas fishing by Flag States and provides a suitable basis on which the Government of Sierra Leone could prevent its vessels from fishing in the NAFO Regulatory Area, undermining the conservation measures applied by NAFO Contracting Parties.

On behalf of the Contracting Parties to NAFO present at its 17th Annual Meeting: Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, European Union, Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland and the Russian Federation.

(DATE)

E. Lemche
President and
Chairman of General Council

Minister of Foreign Affairs
Wellington

Dear Mr. Minister,

The Northwest Atlantic Fisheries Organization (NAFO) is a regional fisheries organization established in 1979 inter alia to implement the obligations of States under international law regarding conservation and management of fishery resources in the northwest Atlantic beyond the areas in which coastal States exercise fisheries jurisdiction, referred to as the "Regulatory Area" of NAFO.

NAFO has established a ban on shrimp fishing in the Regulatory Area except for Division 3M (the Flemish Cap) and closely monitors the state of the shrimp stock in 3M with a view to ensuring their effective conservation. It is therefore with concern that all members of NAFO present at its 17th Annual Meeting noted that a vessel flying the flag of New Zealand has been sighted fishing for shrimp in the Regulatory Area. Since New Zealand is not a Contracting Party to NAFO I have been asked to request your cooperation in ensuring that NAFO conservation and management measures are not undermined.

I attach a note containing details of the vessel concerned and its activity in the Regulatory Area.

(Date)

E. Lemche
President and Chairman of
the General Council

**Annex 3. Terms of Reference for STACFAC Intersessional
Meeting, Spring 1996**

- a) To consider measures to discourage non-Contracting Party vessels from fishing activities which undermine NAFO's conservation and management measures for the Regulatory Area;
- b) In particular to draw up a scheme to prevent landings of fish caught in the Regulatory Area by identified non-Contracting Party vessels;

Such prohibited landings should include species regulated by NAFO but could also include other species caught in contravention of NAFO conservation measures;
- c) To consider the implications of a NAFO system of denial of port facilities to fishing vessels from Non-Contracting Parties which fail to cooperate.
- d) Other issues.

