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ANNUAL MEETING - JUNE 1964

Note to 1964 Annual Meeting Agenda Item 19
"Fishing and Navigational Practices in the Convention Area"

by L. R. Day
Executive Secretary

1. The concern expressed at the 1963 Annual Meeting of the Commission about the fishing and navigational practices in fishing concentrations in the Convention Area resulted in the Commission's decision to ask for more information from member countries about these practices and to send a letter to the Depositary Government for transmittal to member governments drawing attention to these practices and the need for action. (Annual Proceedings Vol. 13, Pt. 2, 11(v))
2. Reports have been received from Canada (Annex I), France (Annex II), Italy (Annex III), Norway (Annex IV), Portugal (Annex V), United Kingdom (Annex VI), and USA (Annex VII).
3. In view of the fact
 - (a) that member countries agree this problem is complex and important
 - (b) that some member countries feel this problem does not fall within the terms of reference of the Commission
 - (c) that other agencies such as the Inter-Governmental Maritime Consultative Organization of the United Nations might be the competent organization to find a solution to this problem
 - (d) that the European Fisheries Conference held in London, 3 Dec. 1963-2 March 1964, adopted the following resolution:

EUROPEAN FISHERIES CONFERENCE
RESOLUTION ON FISHERIES POLICING

Adopted on 17th January, 1964

THE CONFERENCE REQUESTS the Government of Great Britain and Northern Ireland

To invite the Governments of all countries participating in the North-East Atlantic fisheries to send representatives to a technical conference to be held as soon as possible to prepare for the consideration of the Governments concerned a draft Convention, on the general lines of the 1882 Convention for regulating the police of the

North Sea Fisheries, embodying a modern code for the conduct of fishing operations and of related activities in the North-East Atlantic;

And to invite the Governments of the United States of America and Canada to send representatives to the Conference so that the extension of the provisions of any such Convention to the North-West Atlantic Fisheries may be considered.

the Chairman of the Commission and the Executive Secretary have agreed that the Commission may wish to consider this matter further at the 14th Annual Meeting before a letter is sent to Depositary Government. To this end, the matter has been placed on the Plenary Agenda of the 14th Annual Meeting as Item No. 19.

4. The Commission may wish to consider the conference proposed by the European Fisheries Conference as the most convenient and effective mode of treatment and may wish to dispose of this item by recommending that member governments join the proposed conference.

Department of Fisheries
Ottawa 8,

December 20, 1963

Mr. L. R. Day,
Executive Secretary,
International Commission for the
Northwest Atlantic Fisheries,
Bedford Institute of Oceanography,
P.O. Box 638,
Dartmouth, Nova Scotia.

Dear Mr. Day:

I wish to refer to your letter of October 8 requesting information on the fishing practices and interpretation of navigational "rules of the road" followed by Canadian vessels fishing in the ICNAF Convention Area. I regret that because of the time required to obtain such information from a representative selection of our fleets it was not possible to submit the Canadian report by December 1 as requested in your letter.

The data obtained show that Canadian fishing vessels operating in the Convention Area do not all follow the international rules contained in the Regulations for Preventing Collisions at Sea made under the authority of the Canada Shipping Act. In many instances these international rules are followed and in other instances Canadian vessels are obtaining the necessary equipment in order to be able to conform with these international rules in the future. On the other hand some Canadian vessels do not follow the international rules when fishing in areas where fishing vessels of other countries are operating and use signals different from those listed in the international rules of the road. In these areas our vessels follow the common practice used by the other vessels.

It is apparent from the information obtained from the cursory survey we have carried out that, although most of the Canadian fishing vessels are following the accepted international rules, some are following the common practice prevalent on specific fishing grounds.

In my opinion the Commission is not the proper international agency to deal with this very complex problem. I expect that other agencies such as the Inter-Governmental Maritime Consultative Organization of the United Nations would be the competent organization to find a solution to this problem and perhaps our Commission should bring the matter to the attention of this organization. As Commissioners we must give some serious thought to the international hazards which are created on the major fishing grounds by the presence of a large number of vessels actively engaged in fishing and following different practices regarding navigational signals. The risk of serious accidents occurring during periods of poor visibility is high and I think it is incumbent on the Commission to request the appropriate competent international agency to seek a solution to the problem.

Yours very truly,
(signed) W.C. MacKenzie, Commissioner

MARINE MARCHANDE
 3, Place de Fontenoy
 Paris-VII^e
 Suffren 40-90
 Direction des Pêches Maritimes

République Française
 Paris, le 6 Dec 1963
 No 5199 MMP. I

Monsieur le Secrétaire Exécutif,

Comme suite à votre lettre circulaire du 8 octobre 1963 concernant les pratiques de pêche et de navigation suivies dans la zone d'application de la Convention des pêcheries du Nord Ouest Atlantique, j'ai l'honneur de vous remettre ci-joint en annexe un tableau indiquant les signaux conventionnels utilisés par les chalutiers français opérant dans cette zone.

Veillez agréer, Monsieur le Secrétaire Exécutif, l'assurance de ma considération distinguée.

Pour le Secrétaire Général
 de la Marine Marchande
 Le Directeur des Pêches Maritimes
 P^o le Sous-Directeur
 RAVEL

(signed)

Monsieur le Secrétaire Exécutif
 Bedford Institute of Oceanography
 PO Box 638
 DARTMOUTH (Canada)

Signaux conventionnels utilisés par les chalutiers français pêchant dans la zone d'application de la Convention Internationale des Pêcheries de l'Atlantique du Nord-Ouest

	Signaux lumineux	Signaux phoniques
en filant le chalut	2 feux blancs verticaux en plus des feux de pêche règlementaires	<u>Brume</u> - 1 long - 2 courts ou 1 long - 1 court
en trainant	feux de pêche règlementaires	<u>Brume</u> - 1 long, toutes les deux minutes et la cloche
en virant	2 feux rouges verticaux en plus des feux de pêche règlementaire	<u>Brume</u> - 2 longs - 2 longs et 1 court si en évolue sur tribord en virant
sur croche	2 feux rouges verticaux de nuit 2 ballons noirs de jour	<u>Brume et temps clair</u> - coups de sifflets brefs à l'approche d'autres chalutiers

Ministero
della Marina Mercantile
Direz. Gen. Pesca Marittima

Roma, 30 Nov. 1963

International Commission for the
Northwest Atlantic Fisheries
P. O. Box 638
Dartmouth (Nova Scotia) Canada.

Divisione V Sez. I
Prot. N°. 65 22800

Oggetto: Fishing and Navigation Practices in the Convention Area.

In referring to your letter dated 8 October, 1963, regarding fishing and navigation practices in the Convention Area, we announce you that the Italian fishing fleet, in matter of "rules of the road", adopts the ordinances dictacted by the Law 16 May 1961, n. 450, that refer the "Regulations for Preventing Collisions at Sea" (Annex B of the Final Act of the International Conference on Safety of Life at Sea - London, 10. 6. 1948).

Besides, Italian fishing vessels apply the regulations contained in Chap. V - Safety of navigation - of the "Convention for the Safety of Life at Sea" (London-1948).

(signed) /IL MINISTRO
Cusmai

Fiskeridirektøren

BERGEN, 14. 11. 63
Jnr. utg. /63A OL/AMG

Mr. L. R. Day
International Commission for the
Northwest Atlantic Fisheries
Bedford Institute of Oceanography
P. O. Box 638
DARTMOUTH, N.S., CANADA

Circular letters of 8 October 1963 -
Re: Fishing and Navigation Practices in the Convention Area

It is difficult without a more comprehensive examination to give a complete survey of the navigational practices of the Norwegian fishing fleet in the Convention area.

As the Norwegian fishing activity is mainly limited to long-line fishing in this area I am sending enclosed for information the Norwegian rules concerning marking of the gear.

In the Norwegian fishing acts and regulations there are moreover a number of provisions with the aim of securing good order on the fishing grounds. It is for instance prohibited to hamper the fishing by discarding waste on the fishing grounds.

These provisions is applicable also to the fishing activity in the international waters off the Norwegian coast and some of them, as for instance the provisions regarding marking of anchored nets and lines, are also in force in distant waters.

I agree that the subject does not formally come within the terms of reference of the Commission. I have no objection that this subject might be discussed if it should be the wish of the Commission. The problems are, however, very complicated and important, and I am in some doubt whether it will be convenient and even possible to find sufficient time for consideration of this matter on the heavy agenda at the ICNAF annual meeting.

In my opinion it ought to be considered to have a separate conference on the matter. In this connection I will mention that this problem is also of actual interest in the North Sea and the Northeast Atlantic, and it seems convenient that the subject is considered by all fishery nations with fishery interests in the North Atlantic.

Yours sincerely,

(signed) Klaus Sunnanaa

Nets and lines which are anchored partly or entirely more than 4 n. miles in the sea off the Norwegian coast, reckoned from the base line, and nets and lines anchored on the banks off the coast or in distant waters shall, besides being marked with the registration mark of the vessel concerned, be furnished at each end with flag buoys by day and light buoys by night sufficient to indicate their position and extent to vessels approaching them and to be visible at a distance of at least two n. miles.

The gears shall be marked in accordance with the following rules:

- 1) Between connected gear's marking-buoys the greatest distance shall not exceed 1 n. mile.
- 2) The westernmost end buoy (semicircle north-west-south) by day shall be fitted with 2 black flags, the lowest flag being at least 50 cm square. The distance between the two flags shall be at least 25 cm. Instead of the top flag can be used a red radar reflector. By night in the dark season the buoy shall be fitted with 2 white lights, the distance between the two lights being at least 50 cm.
- 3) The eastern end buoy (semicircle north-east-south) by day shall be fitted with one black flag at least 50 cm square. Instead of flag can be used a yellow radar reflector. By night in the dark season the buoy shall be fitted with one white light.
- 4) On gears extending more than 1 n. mile thus one or more mid-buoy has to be used, the buoys by day have to be fitted with one red flag at least 50 cm square. Instead of flag red radar reflectors can be used. By night in the dark season so many of the mid-buoys have to be fitted with a white light that the distance from light to light on connected gear does not exceed 2 n. miles.
- 5) Is it owing to the structure of the bottom and/or the strength of the current not possible to use 2 end buoys, the length of the gears has not to exceed 1 n. mile from the buoy. When the gear is standing in eastern direction of the buoy, it has to be fitted with 2 black flags at least 50 cm square by day and with 2 white lights by night. Is the gear standing in western direction of the buoy, it has to be fitted with one black flag at least 50 cm square by day and with one white light by night. Are the gears standing in eastern direction off the buoy, it may be used a red radar reflector instead of the top flag. When the gears are standing in western direction off the buoy, it may be used a yellow radar reflector instead of flag.
- 6) The flag pole of each buoy shall have a height of at least 3 metres above the buoy. Buoys, flag poles or top mark ought to be furnished with light-reflecting substance so placed that the light will be reflected in all directions.

7) Radar reflectors used on anchored gears have to be approved of the Director of Fisheries.

8) Infringements of these provisions may involve the loss of claim for compensation at damage of gears.

Comissao Consultiva Nacional
das
Pescarias do Noroeste do Atlântico

Lisboa, November 27th, 1963

Mr. L. R. Day
Executive Secretary
International Commission for the Northwest Atlantic Fisheries
Bedford Institute of Oceanography
P. O. Box 638
Dartmouth, N.S., Canada.

Dear Mr. Day:

In reference to your request, to forward to you information on the fishery practices and interpretation of "Rules for preventing collisions at sea", enclosed you will please find the list of conventional lights and signals which are in effect (besides the lights and signals established by the International Convention for the Safety of Life at Sea - June 1948 - Annex B) by the Portuguese trawlers and by some other member-Countries fishing in the ICNAF's Convention Area.

Yours sincerely,

The President,

(signed) Tavares de Almeida
Captain Portuguese Navy

LIST OF SIGNALS USED BY THE PORTUGUESE TRAWLERS
(See Annex B of International Convention for the Safety of Life
at Sea - June 1948)

1. WHEN ENGAGED IN TRAWLING (Rule 9:(e))

LIGHTS

A) As mentioned in Rule 2: (a)/(iv) and (v)

Note: The use of the coloured sidelights facilitates the quick verification of the trawlers' course and its alterations during trawling.

B) One green and one red light (intermittent flash) are placed on each side, above the coloured lights.

Note: The use of these intermittent flash lights also facilitates noticing when altering the course.

2. WHEN THE NET IS BEING THROWN OVERBOARD

LIGHTS

Two white lights instead of the red one established by Rule 4: (a).

WHISTLE

At intervals of not more than two minutes, one prolonged blast followed by one short blast, if laying by starboard side; one prolonged blast followed by two short blasts, if laying by port side.

3. WHEN PUTTING THE WIRES TO THE BLOCKS

LIGHTS

As mentioned when engaged in trawling (see 1)

4. WHEN THE NET IS STUCK TO THE BOTTOM AND UNABLE TO GET OUT OF THE WAY OF AN APPROACHING VESSEL

At intervals of not more than two minutes one prolonged blast followed by several short blasts (never less than four)

(signed) Tavares de Almeida,
President
Captain, Portuguese Navy

Ministry of Agriculture, Fisheries and Food
Whitehall Place, London, S. W. 1

FGB. 18601

24th December, 1963

Dear Sir,

Fishing & Navigation Practices in the Convention Area

As requested in your circular letter of 8th October a note is enclosed about the practices followed by United Kingdom fishing vessels.

We regret that it was not possible to forward this information by the 1st December.

Yours faithfully,

(signed) H. F. Greenfield
for U.K. Commissioner

Mr. L. R. Day
International Commission for the
Northwest Atlantic Fisheries
Bedford Institute of Oceanography
P. O. Box 638
Dartmouth, N. S. , Canada

Fishing and Navigation Practices in the Convention Area-United Kingdom vessels

Present position

1. In addition to the lights and shapes required by the International Regulations for the Prevention of Collisions at Sea, 1948, the following is the basic pattern of lights and sound signals which may at present be seen or heard on the fishing grounds:-

Lights Two all-round white lights displayed one above the other:-

both white lights showing indicates the shooting of the trawl
top white light only indicates the hauling of the trawl

Sounds by day and in thick weather at night:-

the international code signal letter "D" is sounded on the ship's siren to indicate that the vessel is either shooting or hauling the trawl.

There are, however, variations in the optional signals used, both as between vessels and between fishing grounds. The distance apart of lights might also vary according to port practice. Moreover, some trawlers may use lights and sound signals to indicate a particular operation while others may use lights

but not the sound signal unless another vessel is directly approaching.

Future position

2. The need for an improved and standardised code of light and sound signals for fishing operations is appreciated. Revised proposals are now under consideration in consultation with the industry with a view to their being submitted for adoption by the Intergovernmental Maritime Consultative Organisation.

3. The United Kingdom is taking steps for the ratification of the International Convention for the Safety of Life at Sea 1960 and for acceptance of the International Collision Regulations as revised at that Conference.

United States
Department of the Interior
Fish and Wildlife Service
Bureau of Commercial Fisheries
Post Office Building
Gloucester, Massachusetts

April 16, 1964

Dr. L.R. Day, Executive Secretary
Bedford Institute of Oceanography
P.O. Box 638
Dartmouth, N.S., Canada

Dear Dr. Day:

I am enclosing the United States' contribution entitled, "Fishing and Navigational Practices in the Convention Area by United States Fishing Vessels".

Sincerely yours,

(signed) Russel T. Norris
Acting Regional
Director

FISHING AND NAVIGATION PRACTICES IN THE CONVENTION AREA BY
UNITED STATES FISHING VESSELS

Fishing vessels of the United States fish on the various banks in Subarea 3, 4 and 5, Grand Banks to Georges Banks. The number of vessels present in any one area is dependent upon the species of fish sought and their availability. The greatest number of U.S. vessels will usually be found in Subarea 5, Georges Bank and Gulf of Maine area.

Under normal circumstances only vessels of sixty feet and over venture to Georges Banks or beyond. Few U.S. vessels fishing in the Northwest Atlantic for groundfish exceed 120 feet overall.

At this time the following types of vessels are fishing all or part time within Subareas 3, 4 and 5: Otter trawlers, Scallopers, Swordfish longliners, Tuna seiners, and Line Trawls. The most common are the otter trawlers and scallopers.

Vessels of the United States, in most instances, follow the "International Rules of the Road". There are two instances, however, where otter trawls and scallopers do not.

(1) When towing trawl nets or scallop dredges in fog, snow or other conditions where visibility is restricted, U.S. vessels sound at intervals, three blasts in succession, one long blast followed by two short blasts on the fog horn.

(2) Not all U.S. fishing vessels display a basket when actually fishing as is required under Rule 9(e) (iii) of the "International Rules of the Road".

In the first instance the departure from the rule as it now stands can be attributed to interpretation. Rule 15(c) (ix) of the "International Rules of the Road" states that: "A vessel when fishing if of 20 tons or upwards, shall at intervals of not more than one minute, sound a blast, such blast followed by ringing the bell; or she may sound, in lieu of these signals, a blast consisting of a series of several alternate notes of higher and lower pitch." Rule 15(c) (v), that which U.S. vessels follow, states: "A vessel when towing, a vessel engaged in laying or in picking up a submarine cable or navigation mark, and a vessel under way which is unable to get out of the way of an approaching vessel through being not under command or unable to manoeuvre as required by these Rules, shall instead of the signals prescribed in subsections (i), (ii) and (iii) sound, at intervals of not more than 1 minute, three blasts in succession, namely, one prolonged blast followed by two short blasts."

Trawlers of the United States have always used three blasts, one long blast followed by two short blasts to indicate that they are towing and are not readily manoeuvrable. It is also the opinion of fishing vessel captains that the sound of a bell would not carry very far, especially when the wind is blowing.

The failure to display a basket, when actually fishing, can be attributed to the absence of needing such a signal when only U.S. and Canadian vessels were fishing on Georges Banks. The customary practices among U.S. and Canadian fishermen has been to recognize a fishing vessel by its characteristics or behavior and to treat it as a fishing vessel. The proper night fishing lights have always been properly displayed because in darkness an approaching vessel is unable to determine if fishing is being carried on or not.



ANNUAL MEETING - JUNE 1964

Addendum to Document No.80

Note to 1964 Annual Meeting Agenda Item 19
"Fishing and Navigational Practices in the Convention Area"

Since preparation of Document No.80, the following information and proposals about fishing and navigational practices in fishing concentrations in the Convention Area have been received from Poland and shall be considered for administrative purposes as Annex VIII to Document No.80.

"POLISH INFORMATION AND PROPOSALS

concerning regulations on fishing and navigation in the Northwest Atlantic Fisheries area

The actual International Regulations for Preventing Collision at Sea, in the part concerning lights and signals used by vessels when performing their fishing operations, appear to be insufficient to avoid collision of two or more vessels at sea. This is because of the enormous technical progress made in the field of fishing vessels, and due to the highly improved and differentiated fishing techniques.

Due to free interpretation of the rights of the road at sea in force, confusion is observed on all fishing grounds, mainly in the North West Atlantic. In that area, the fishing vessels following the international regulations in force, use additionally other lights and signals known within the particular national fleets only.

The use of lights and signals locally known may lead to dangerous navigational situations, especially at night and at limited visibility.

Polish fishing vessels use the following lights and sound signals:

Lights

- a/ When setting the nets:
top light, fishing light 360°, and three-colour light, stern light - two white ones at the fore mast.
- b/ the same lights are carried during trawling
- c/ when hauling in the nets, an additional white light at the fore mast is used, - besides those specified under a/ and b/
- d/ when tied by sea-bed hindrances:
the vessel uses the lights as listed under a/ and b/ and additionally two red ones on the fore mast.

Sound signals:

- a/ when setting nets: one long, one short, ringing the bell.
- b/ trawling: one long signal.
- c/ hauling in the net: one long, one short or one long and two short ones.
- d/ when tied: one long and two short signals

The appropriate use to be made of radar is stressed in the International Regulations for Preventing Collisions at Sea. According to those regulations, vessels equipped with radar are obliged to use other safety means as well (sound signals, reducing speed of vessel). The practice shows, however, that the majority of vessels equipped with radar, do not follow these regulations, even when on very crowded fishing grounds, thus leading to dangerous situations for others and for themselves.

The International Regulations for Preventing Collisions at Sea do not define clearly enough the rules to be followed by vessels when performing their fishing operations, mainly with regard to particular fishing techniques (drifters, trawlers, seiners).

Considering the above, Poland brings forward the following proposals for consideration:

- 1/ Creating an international body to prepare unified collision preventing regulations with regard to fishing vessels.
- 2/ The body should be constituted of ICNAF member countries. The regulations worked out should be accepted by all ICNAF member countries.
- 3/ The regulations defining all unsettled situations at sea as discussed in the foregoing paragraphs should be based on corresponding international regulations in force.
- 4/ The technical progress made in the field of fishing vessels should be taken into account, when preparing the new, unified regulations.
- 5/ Particular fishing operations of vessels of different types resulting in limited manoeuvrability should be considered, and appropriate lights and signals defined.
- 6/ Detailed regulations for vessels when passing by during their fishing operations, and using similar for different fishing techniques, should be elaborated, paying special attention to the rate of their limited manoeuvrability.
- 7/ Lights and signals customarily used by majority of vessels, when commonly accepted and properly received by most of them (captains), should be adopted.
- 8/ To keep the fishing grounds clean, regulations should be passed how to get rid of all possible things taken up at sea creating danger for fishing gear. Throwing such things out on the grounds should be strongly forbidden.
- 9/ It is of vital importance to state whether anchoring in shallow areas be allowed, when there are drifter operations on that fishing ground at the same time.

(signed) F. Chrzan"