

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3420  
(B.z)

ICNAF Summ.Doc. 75/1  
Addendum 1

ANNUAL MEETING - JUNE 1975

Fifth Special Commission Meeting  
Miami, Florida, USA, 11-15 November 1974

Supplement to Report of Proceedings

by

the Executive Secretary, ICNAF

1. On 15 November 1974, at the Fifth Special Commission Meeting, November 1974 (Summ.Doc. 75/1), a two-thirds majority of the Commissioners representing the Member Countries of Panels 4 and 5 agreed to recommend that the Commission transmit to the Depository Government eight (1-8) proposals for international regulation of the fisheries in parts of Subareas 4 and 5.
2. On 20 November 1974, the Executive Secretary forwarded the proposals to the Head of Delegation of each of the Contracting Governments, requesting that he register his vote on the eight proposals as soon as possible by cable with the Executive Secretary, in accordance with the Commission Rule of Procedure 2.4. The covering letter further advised that, in accordance with Article II(7) of the Convention, a decision of the Commission would be taken by a two-thirds majority (12) of the votes of the Heads of Delegations of the seventeen Contracting Governments.
3. On 31 December 1974, the Commission, by a two-thirds majority vote, agreed to transmit the eight proposals to the Depository Government for joint action by the Contracting Governments.
4. On 6 January 1975, the Executive Secretary, on behalf of the Chairman of the Commission, transmitted to the Depository Government the eight November 1974 proposals, in accordance with Article VIII(6) of the Convention.



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(B.e.74)

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ANNUAL MEETING - JUNE 1975

Proceedings of Fifth Special Commission Meeting,  
Miami, Florida, USA, 11-15 November 1974

The Reports of Joint Meetings of Panels 4 and 5 together with Appendices are listed below. The page numbers referred to are those given at the bottom of the pages.

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## International Commission for



## the Northwest Atlantic Fisheries

Serial No. 3420  
(B.e.74)

FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

Report of Joint Meetings of Panels 4 and 5

Tuesday, 12 November 1974

to

Friday, 15 November 1974

1. The Joint Meeting of Panels 4 and 5 was opened by the Chairman of the Commission, Mr E. Gillett (UK). Delegates of all Member Countries, except Bulgaria, France and Romania, and Observers from Cuba and FAO were present (Appendix I). The Chairman introduced Professor Thomas A. Clingan Jr, Acting Assistant Secretary, Bureau of Oceans and International Environmental and Scientific Affairs, US Department of State, who addressed the Delegates (Appendix II). Mr Gillett thanked Professor Clingan for his kind words and expressed the hope that the present meeting would be successful in providing a positive response to the issues raised in his address.
2. Chairman. Mr E. Gillett (UK) was elected Chairman of the Meeting of Joint Panels and expressed the hopes of all present for the swift and complete recovery of Vice-Chairman D.H. Wallace (USA), who had suffered an illness shortly before the present meeting.
3. Rapporteur. Mr J.C. Price (USA) was appointed Rapporteur.
4. Agenda. The Agenda was adopted as circulated (Appendix III). The delegate of Italy proposed that Agenda Item 7 on squid be considered first among the various conservation measures on the Agenda. It was agreed that further consideration would be given to this item at a later time. At the suggestion of the delegate of Canada, it was agreed to amend the order of the Agenda by first considering Items 8 on over-fishing of catch quotas and 9 on enforcement of the international regulations. The Chairman reminded the delegates that insofar as modification of the present Joint Enforcement Scheme was concerned, it would be necessary for the present meeting to limit itself to recommendations for later consideration by the full Commission.
5. Consideration of the Problem of Overfishing of Catch Quotas in Subarea 5 and Statistical Area 6 and Reconsideration of the ICNAF Scheme of Joint Enforcement. The Chairman invited discussion on Comm.Docs. 74/37, 74/41, and 74/42. The delegate of USA noted that provided in Comm.Docs. 74/41 and 74/42 were records of alleged violations detected during 1974, principally since the conclusion of the June 1974 Annual Meeting. He noted that these varied considerably from country to country, and included violations of haddock regulations and national quotas, failure to report catches taken under the "Others" category, and maintenance of incomplete and incorrect catch records. He emphasized that such a situation forced the conclusion that the present regulatory system, painstakingly developed over the past years, was not working, and that it was almost pointless to consider further conservation measures until appropriate action was taken to ensure that such a situation was remedied. He stated that while the USA did not have any specific proposals to offer at the moment, it was clear that the Commission must have stricter national enforcement by Member Governments, sufficient inspectors on the grounds and international inspections to ensure compliance, more complete education of fishermen on the regulations in force, and adequate punishment of violations. He invited comments from other Members on what steps should or may have already been taken to deal with this situation.

The delegate of Spain requested further time to study Comm.Doc. 74/41 since the paper had not been circulated sufficiently in advance to allow time for complete examination of the alleged violations by Spanish vessels contained therein. He noted that initial study had revealed an apparent error in recording the number of Spanish vessels fishing in Subarea 5 and Statistical Area 6 during 1974, and that Spain would like additional time to check for further errors.

The Chairman, speaking as the UK Commissioner, noted that the UK was grateful to the USA for having drawn its attention to the apparent violations of haddock regulations by UK vessels in the Northwest Atlantic. He emphasized the importance which the UK attached to bringing all ICNAF regulations to the attention of its fishermen, and assured the delegates that the UK would take steps to ensure that it was more successful in these efforts in the future. He stated that as soon as sufficient evidence had been obtained, the UK would proceed with prosecution of those who had violated the law. The delegate of Italy expressed full agreement that the existing situation required improvement, but called attention to the

improvement which had already been noted in Comm.Doc. 74/42, and to the general difficulties in shifting from theory to practice with such a complex regulatory system. He noted that, despite the difficulties involved, Italy would favour adoption of a standard logbook form as proposed in Comm.Doc. 74/41. The delegate of USA, responding to the statement by the delegate of Spain, stated that the USA was prepared to supply the Spanish delegation with a list of Spanish vessels, by name, which the USA had sighted fishing in the Northwest Atlantic during 1974. He noted that this included 57 stern and 86 side trawlers. He stated that Comm.Docs. 74/41 and 74/42 had been carefully prepared by the USA, and were intended to provide positive suggestions to all countries to improve future compliance with Commission regulations. The delegate of Portugal noted that, although Portugal did not fish in Subarea 5, the present discussions did affect other areas. While emphasizing the importance of effective international control, he emphasized that time was required to achieve total implementation, and that even in the latter situation some imperfections would remain. He emphasized the complexity of the problems posed by the by-catch issue, and stated that Portugal was prepared to work for the development of a standard logbook as an approach to some of the problems raised by the USA.

The delegate of Poland expressed satisfaction that few problems had developed with respect to Polish vessels fishing in the Northwest Atlantic, and confidence that Polish skippers had been well versed on ICNAF regulations. He stressed the difficulties involved in minimizing by-catch, and expressed Poland's support for the development of a standard ICNAF logbook.

The delegate of FRG noted with regret that vessels of FRG had overfished their quota for herring in Div. 5Y by more than 100 percent, with a catch of approximately 2,700 metric tons. He emphasized that action had been taken to balance this overage through reduced catches in Div. 5Z-Statistical Area 6 and Div. 4VW, and that while his Government deeply regretted the overage in Div. 5Y trusted that due note would be taken of this compensatory action. He said that there did not appear to be evidence supporting the claim in Comm.Doc. 74/41 that the FRG catch in Div. 5Y was as high as 6,000 metric tons, or that the vessel *Mond* had alone taken over 1,000 metric tons. He stressed that further clarification of these points, among others, would be required. He said that all relevant inspection reports and logbooks were needed, and that if violations were substantiated, appropriate punitive measures would be taken - including possible revocation of fishing licences. He stated that in response to the US suggestion in Comm.Doc. 74/41, Appendix III, masters of vessels would be asked to maintain cumulative logbook records, but stressed that the existing procedure of logbook transfers was not illegal. He indicated his support for the development of a standard ICNAF logbook. He continued that the apparent misunderstanding of the status of the area north of 40°20'N and between 70°W and the US Contiguous Fisheries Zone raised in Comm.Doc. 74/41 could be the result of peculiarities in the map of this area. He stated that discrepancies noted between vessel position entries in fishing logs and navigation logs could be the result of the frequent crossing of these divisional boundaries by the vessel concerned, but that the relevant documents would be examined and if fraudulent entries were found the violators would be punished. He stated that all skippers were aware that ICNAF quotas were given in fresh round weight, but the claim that FRG quotas had been calculated by skippers in terms of fillet weight would be carefully checked, along with their alleged failure to properly record discards, fish meal and by-catch.

The Chairman then invited comments from all those Member Governments who had not yet spoken, stressing that the points raised in Comm.Doc. 74/42 should not be considered accusations against specific countries, and should accordingly be addressed by all participants.

The delegate of Spain endorsed the idea of a standard logbook, stressing that it would be desirable if this were one which could be processed through computer systems. The delegate of Japan stressed that Japan was very concerned that the ICNAF enforcement system be an effective one, and was pleased that inspections of Japanese vessels had revealed such a high degree of compliance with ICNAF regulations. He stated that language difficulties might be responsible for some problems, and that Japan would continue to work on improving compliance by all its vessels fishing in the Northwest Atlantic.

The delegate of GDR stressed his concern over the effective functioning of the international inspection system, noting that the GDR would be participating in the international inspection system on a mandatory basis as of 1 January 1975, and that a number of courtesy boardings had taken place during the second half of 1974 which had given the GDR a welcome opportunity to begin adjusting to this system. He announced that the GDR would be prepared to give the appropriate code to their logbook entries as suggested in Comm.Doc. 74/41, and that despite the effort which had gone into the development of their existing logbooks, would be prepared to accept the development of a new standard ICNAF logbook. He expressed the willingness of the GDR to continue to work toward solutions of existing problems in the International Enforcement Scheme.

The delegate of the USSR assured the delegates that the USSR had and would continue to take all means necessary to fully comply with ICNAF regulations including logbook requirements. It was noted that the USSR could agree to the development of a standard logbook and had, in fact, urged the Commission to develop such a device several years earlier. The USSR invitation for a joint ICNAF-NEAFC meeting on international inspection was renewed, and the hope expressed that it could be held in the spring of 1975. He said that the USSR had adopted a number of internal measures designed to minimize infractions of ICNAF regulations by USSR vessels.

The delegate of Canada noted that ensuring compliance by its vessels was a considerably easier task for the coastal states. He noted that this year Canada would have conducted approximately 250 boardings at sea, and that additional vessels for use in international enforcement would be available by 1976. He stated that a number of infractions by Spanish vessels had been detected in Subarea 4, the last of which was found on 7 November, and emphasized that, while such examples did not indicate deliberate intent to violate regulations, they did forcefully illustrate the need for more active national and international efforts to ensure strict compliance with ICNAF regulations. He stressed that this would require, among other things, the communication of quick and accurate information on catches and by-catches. He suggested that it might be useful for all Members to circulate through the Secretariat those national measures taken to help ensure improved compliance, particularly the education of vessel captains on the regulations in force within areas fished by their vessels. He emphasized that by-catches posed one of the most difficult problems, and that it might prove helpful if, as a supplement to relatively brief boardings by international inspectors, an international observer program was adopted for areas where substantial by-catches occurred.

The delegate of the USA noted that the USA had undertaken considerable domestic enforcement efforts, both on the high seas and at dockside, and that a considerable number of cases were now pending in US courts as a result. He stated that the major issue in the USA concerned equality of enforcement, and that many Americans were convinced that enforcement of ICNAF regulations was unevenly applied, and that violations by foreign vessels were going undetected or unpunished. He stated that the USA would welcome any information on penalties which had been applied by other Governments. He stressed that the USA would continue to increase the number and quality of its boardings. He stated that a standard information section with an accompanying English overlay might provide the advantages of a standard logbook, while minimizing changes in each country's existing procedures. He expressed support for the observer program suggested by Canada, and noted that the inspection of baseships might be required if catch information was being transferred to these vessels. He concluded by stressing the importance of the discard problem, stating that if it was as serious as it appeared, a mockery was being made of the Commission's two-tier quota system.

The delegate of Spain stated that they had received the report of an apparent Spanish violation in Subarea 4 the day before leaving Madrid, and wanted to assure Canada that an appropriate inspection would be undertaken as soon as the vessel returned to port. He added that Spain was ready to cooperate on joint Canadian-Spanish enforcement efforts undertaken on Canadian vessels.

The Chairman then invited suggestions on the best way to proceed, noting that most proposals discussed concerned improvement of existing measures, rather than their elaboration. He stated that suggested changes in the Commission's logbook would be a matter for consideration by the full Commission, but that some measures could be taken which might facilitate Commission action at the 1975 Annual Meeting and national action before that.

The delegate of Portugal called attention to the practical problems which might arise in attempting to accommodate international observers on fishing vessels. The delegate of the USA called attention to two additional questions posed by the present discussion, i.e., what action should be taken when a quota is overfished, and whether some sort of licensing system might be helpful in improving compliance with ICNAF regulations. With regard to the former, he noted that perhaps an amount greater than any quota overage should be subtracted from a country's quota the following year, adding that since this might mean that all vessels of one country would have to share the burden for the excesses of a few, considerable peer pressure could be generated within national fleets for strict compliance with all regulations. With respect to the latter, he noted that this would not be a licensing system designed to extract revenue, but one which would require a minimum familiarity with the regulations in force for the area fished.

The delegate of Spain voiced doubts over the fairness of any system which would punish all for the violations of a few, and stated that both US suggestions would require considerable additional elaboration. The delegate of USA stressed that these were intended to be general suggestions and not specific proposals, and agreed with the need for further elaboration. He stated that the USA would attempt to provide this, and expressed the hope that others would join in this effort. The delegate of Portugal voiced his sympathy with the suggested licensing system, but his opposition to the proposed system of penalties, stressing the inequity of punishing all for the violations of a few, and the difficulties introduced by the relativity which characterized the magnitude of quota violations.

The Chairman noted, that as quotas were obligations accepted by Member Countries, it would perhaps be appropriate for penalties to be similarly accepted by national Governments.

The delegate of Italy suggested that the meeting now consider action on proposals to improve Member Country compliance through improved recording of by-catches, and an international observer program aimed at both monitoring practices such as the recording of discards and by-catch and improving the education of skippers on various applicable fishing regulations.

The Chairman emphasized the importance of distinguishing between those recommendations on which the Panels could and could not act at the present meeting. After further discussion the Panels agreed that a working group composed of representatives from Portugal, USA and Canada would prepare a draft resolution

dealing with recommended national actions which would, in the view of the Panels, improve the functioning of the present system and, in addition, a draft recommendation containing proposals for modifications in the existing control arrangements for later consideration by the full Commission.

6. The Joint Meeting of Panels 4 and 5 recessed at 1645 hrs, 12 November.

7. The Joint Meeting of Panels 4 and 5 reconvened at 0945 hrs, 13 November.

8. Consideration of Conservation Measures for Squid. The Chairman drew attention to a Spanish proposal (Comm.Doc. 74/35) regarding possible quota regulation of the developing fishery for *Illex* squid and a starting date for the fishery for *Loligo* squid, and to paragraph 6 on squid in the Report of the Scientific Advisers to Panels (Appendix IV). The delegate of Spain, in presenting the proposal, noted that the Commission should recognize that a directed fishery by Spanish vessels had developed for *Illex* squid during a different period from that of the *Loligo* fishery. He suggested that the Commission should consider a quota for *Illex* for 1975 or allow unrestricted fishing for the species. The delegates of Italy and Japan agreed that, because of the lack of data for assessment purposes and the importance of the fishery, any decision regarding a TAC for 1975 should be deferred until the 1975 Annual Meeting of the Commission. The delegate of USA agreed that a decision should be deferred but could not accept that the *Illex* fishery should go on unrestricted until the 1975 Annual Meeting as *Illex* squid was included in the squid quotas adopted at the October 1973 and June 1974 Commission Meetings. The delegates of Japan, Italy, Spain and Poland pointed out that the October 1973 assessment of squid was based only on *Loligo*. They believed, therefore, that *Illex* was outside the squid quotas. However, they agreed that *Illex* should not be fished unrestricted but only on a precautionary basis till a decision could be taken at the 1975 Annual Meeting. The delegate of Canada pointed out that the second-tier quota included all species of finfish (excluding menhaden, tuna, billfishes, and sharks other than dogfish) and squid. He also pointed out that, from a legal point of view, the second-tier quota could not be changed without a Commission decision and suggested that the delegates agree to *Illex* and *Loligo* being included in the present quotas and settle the problem at the 1975 Annual Meeting. The delegate of USA said that the second-tier quota on the biomass was of primary concern to the USA and he could not agree to *Illex* catches not counting against the second-tier quota. The delegates of Japan and Spain said that, in their interpretation, *Illex* was not included in the second-tier quota and if it was they must register their reservation.

Finally, the Panels, having decided on the interpretation of the quota and management regulations for 1975, agreed

- (1) that, for 1975, all fishing for finfish (except that for menhaden, tuna, billfishes and sharks other than dogfish) and squid of all species must be kept within the amounts set out in the last line of Proposal (13) from the June 1974 Meeting, and
- (2) that, accordingly, *Illex* may be fished by a country provided the second-tier quota of that country is not exceeded.

The Panels further agreed

that the 1975 Annual Meeting should look at the needs for 1976 for *Illex* and *Loligo*, based on further assessments of the two species by STACRES.

The delegate of Japan said that he was prepared to report to his Government the agreed interpretation on *Illex* but he was not able to ensure that the 1974 Japanese fishery, because of the Japanese interpretation of the 1974 second-tier quota as not including *Illex*, will not be higher than the 1974 allocation of 24,300 tons if *Illex* is included. The delegate of Spain explained that the same position existed for Spain in that about 7,000 tons of *Illex* was caught by the Spanish fishing fleet, resulting in the combined quotas for squid and cod of 17,200 tons being exceeded during 1974.

9. Consideration of Measures for Regulation of Fishing Gear in Subarea 5 and Statistical Area 6. The delegate of USA presented a US proposal (Comm.Doc. 74/39) for further amendment of Proposal (11) from the June 1974 Meeting regarding the regulation of fishing gear, fishing period and vessel size limit in part of Subarea 5 and Statistical Area 6 to include closure of the area for the entire year and a vessel size limit of 130 feet by the end of 1974, in order to give further protection to the yellowtail stocks in the Southern New England and Cape Cod area. The delegate of USSR pointed out that there was already an April closed area for red and silver hake in Subarea 5, and restrictive bilateral arrangements with USA and that an extension of the period of closure along the 100-fm contour to include the entire year would make the hake fishery, in which USSR had been allocated over 80,000 tons under the 1975 TAC, almost impossible. Although this was the third modification proposed since the October 1973 Meeting, he was sympathetic with the problem and suggested a compromise with the US proposal. He stated that the USSR was prepared to accept (1) an extension of the closure for the entire year, (2) a 60-m (30-fm) isobath boundary for the closed area, (3) an opening of the April closed area for red and silver hakes, and (4) a phase-out of vessels down to 130 feet, using bottom trawls, by the end of 1974, all as part of a "package" deal. The delegate of Japan, in referring to the Japanese squid and butterfish fishery, proposed a line change to the westward from the Subarea 5 and Statistical Area 6 boundary point. The delegate of Poland said the Polish fishing

fleet would lose good fishing grounds under the US proposal and preferred the USSR proposal of the 60-m (30-fm) isobath as a boundary for the closed area. The delegate of USA, in response to the USSR, noted that yellowtail flounders were found in abundance out to the 40- and 45-fm isobath and that the 60-m (30-fm) boundary proposed by the USSR would leave considerable yellowtail stocks, which were naturally very restricted in their movements, vulnerable to bottom trawling. He indicated that the USA could accept minor adjustments to the boundary, abandonment of the red and silver hake closure and was prepared to consider the USSR-US bilateral arrangements as part of a useful overall agreement. The delegates of Italy and Romania supported measures such as proposed by the USA to protect the yellowtail stocks. The delegate of the GDR was understanding of the reasons for the proposed US measures even though they would mean the loss of 4,000 tons of mackerel, but he hoped for some compromise taking into account the interest of others. A proposal by the Chairman to consider possible modification of the period of closure found delegates willing to look at any modifications. The delegate of the USA pointed out that even an opening of the closed area for a short period during the year could mean heavy bottom fishing which could reduce the yellowtail stocks considerably.

10. Consideration of Measures for Regulation of the Fishery for Yellowtail Flounder in Subarea 5 West of 69°W and Statistical Area 6 was then examined at the request of the Chairman in an attempt to make some progress on the yellowtail problem. He pointed out that any discussion would not be binding at this stage. He noted that the Report of the Scientific Advisers (Appendix IV) had again recommended a zero directed fishery for yellowtail flounder in Subarea 5 west of 69°W and in Statistical Area 6 and asked for comments. The delegate of the USA said this yellowtail fishery was critically important for the US fishermen as was the haddock fishery. Since both would have zero quotas, the US fishermen would have little left to fish. However, he could agree to a zero directed fishery but expected considerable incidental catch which amount might be allocated to the USA and thus make management of the fishery much easier. Since scientific advice suggests less incidental catch now in the yellowtail fishery in Subarea 5 east of 69°W, he considered it appropriate to look at needs for change in the yellowtail regulation in Subarea 5 east of 69°W as well as the stock in Subarea 5 west of 69°W and Statistical Area 6. He, therefore, proposed that the 16,000-ton TAC for 1975 of which 15,000 was allocated to USA be changed to give 15,900 tons to USA and 100 tons to "Others". The delegates of Canada and USSR could accept, without binding, the US proposals for allocation for yellowtail in Subarea 5 east of 69°W at 15,900 tons for USA and 100 tons for "Others" and a zero directed fishery in Subarea 5 west of 69°W and Statistical Area 6 with a 4,000-ton incidental catch allocated to USA.

11. At the suggestion of the Chairman, the delegates agreed to look at this aspect of the yellowtail problem later and moved to recess at 1530 hrs, 13 November, in order to allow the delegates of the various Member Countries an opportunity to conduct informal discussions in the hope of reaching decisions on the yellowtail problem.

12. The Joint Meeting of Panels 4 and 5 reconvened at 1630 hrs, 13 November.

13. Consideration of Measures for Regulation of Haddock By-Catch in Subarea 5. The Chairman invited the delegate of the USA to present a proposal (Comm.Doc. 74/38) for amending the haddock fishery regulation adopted for Subarea 5 at the June 1974 Meeting. The US proposal included closing Georges Bank during the entire year to fishing vessels over 130 feet in length using demersal or bottom fishing gear, in order to protect the haddock stock and incidental catch allowances which would apply when there was a zero quota in effect for haddock in Subarea 5. The delegate of the USSR pointed out that the proposed closure would have an extremely adverse effect on the USSR fisheries because more than half their catch in the area including occasional catches of herring and mackerel was available to demersal gear. Only 32 tons of haddock were taken in 1973 and only 10 tons were caught in 7 months in 1974. He suggested need for a more rigorous by-catch exemption for haddock instead of the closure proposed. The delegate of Spain stated that the Spanish catch of haddock in Subarea 5 was only about 756 tons and he could not accept the new closure and its gear restriction. The delegate of Japan proposed a narrower closed zone to allow important Japanese fisheries along the slope of Georges Bank. He reported that Japanese haddock catches were almost negligible in Subarea 5. The delegate of the USA noted the similarity of the haddock problem to that already raised for yellowtail, i.e., the mixed species fisheries problem. Further reduction of incidental catch inroads on the haddock stock was necessary. The delegate of the USSR could agree to the proposed haddock exemption of 2,500 kg or 1 percent by weight for trawl nets of less than 130 mm in the codend, but suggested the reduction of the proposed exemption for trawl nets of 130 mm or more in the codend from 15 percent to 3-5 percent, in order to distribute the catch exemption more equitably over all fisheries, and the deletion of the limit of 7,500 kg. The delegate of the USA explained that the directed fisheries for cod, yellowtail and pollock use 130 mm in the codend. This allows young haddock to escape and fishermen are not penalized for using large mesh gear. The maximum of 7,500 kg prevents fishing vessels of large capacity from taking excess haddock. The delegate of Japan stressed that by-catch should not impair directed fisheries for other species and, although he understood the problem and agreed there should be more strict regulations, he could not accept the US proposal and hoped for a compromise suggestion. The delegate of Canada pointed to the need for consideration of the interests of the coastal states and their action to protect their interests. Canadian and US interests are based on the future of the groundfish fisheries in the area and the pre-recruits must be protected. Higher by-catch exemptions and maximum limits were necessary to allow Canadian and US fishermen to continue their longstanding fisheries. He pointed out that Canada finds the vessel size limit



of 130 feet in length in the closed area paragraph of the proposal should be at least 155 feet. The delegate of the USA contended that closed areas were not discriminatory and would allow countries to take their quotas, while the delegate of the USSR contended that the gear limit in the closed area prevented USSR fisheries from completing its quota because of restrictions to bottom trawling for redfish and other species.

A suggestion by the Chairman that countries accept a 1 percent by-catch limitation irrespective of mesh size of net could be accepted by the delegate of the USSR if the closed area was abandoned, while the delegate of the USA could not accept a by-catch limit of less than 15% for the larger mesh vessels.

14. The Panel Members agreed that the meeting should recess in order that informal discussions might be held in search for compromises and solutions.

15. The Joint Meeting of Panels 4 and 5 reconvened at 0918 hrs, 14 November.

16. Further Consideration of Measures for Regulation of Haddock By-Catch in Subarea 5. The delegate of the USA announced that as a result of discussions the previous evening, the USA was prepared to modify its initial proposal for the regulation of haddock by-catch in Subarea 5. He stated that the USA was prepared to accept regulations which would strictly define incidental catch, provide a quota approximating the incidental catch, allocate the quota principally to the USA and Canada with an appropriate amount set aside for "Others", provide for the strict monitoring of all by-catches through improved national and international measures of control and allow for some stock rebuilding. He added that the USA did not view this as a long-term solution, but rather saw it as a minimally satisfactory response to the problem during 1975. He stated that the USA would submit an appropriate draft for consideration by the Panels.

17. Further Consideration of Measures for Regulation of the Yellowtail Fishery in Subarea 5 and Statistical Area 6. The Chairman then invited a report on any progress which might have been achieved in the private discussions on measures for the regulation of yellowtail flounder in Subarea 5 west of 69°W and Statistical Area 6. The delegate of the USA stated that no additional progress had been possible. He added that as yellowtail flounder concentrations vary little during the year, bottom trawling during any period of the year would prove damaging to the stock. He emphasized the importance to the USA of achieving a satisfactory agreement on this issue, revealing that he would soon be reporting to his Government on the progress achieved thus far, due to the very active consideration now being given by the US Congress to legislation providing for a unilateral extension of US fisheries jurisdiction to 200 miles off its coast. He suggested that a solution might be provided by instituting an observer program extending to all vessels conducting bottom trawling operations in this area, in order to ensure that such operations did not result in removals of yellowtail flounder.

The delegate of the USSR expressed disappointment that more progress had not been achieved, emphasizing that their concern was to protect yellowtail flounder while at the same time ensuring that the USSR was able to take the full amount of its hake quotas. He reviewed the decision taken at the June 1974 Annual Meeting to modify the existing closed area in Subarea 5, and stated that even the additional modifications suggested earlier by his delegation as a compromise to the initial US proposal would not provide a full opportunity for the USSR to take its hake quotas. He noted that compromise involved mutual concessions, and expressed a willingness to meet as frequently as possible in an effort to solve this problem. In response to a question from the Chairman, he stated that a proposal providing for a carefully defined and restrictive by-catch allowance as suggested for haddock was not as relevant in this instance, but that the USSR was prepared to consider any and all alternatives which would provide protection for these stocks and allow the USSR to take the full amount of its hake quota.

18. Consideration of Regulation of the Haddock Fishery by Closed Area and Season in Div. 4X of Subarea 4. At the invitation of the Chairman, the delegate of Canada introduced a Canadian proposal (Comm.Doc. 74/40) for further modification of the haddock closed area and season in Div. 4X of Subarea 4, emphasizing the effectiveness of the existing closure, the need for further measures, and the considerable restrictions this would place on Canadian fishermen. The delegate of Japan stated that it would be difficult for him to make any definitive response since the detailed proposal had not been received in advance of the present meeting. The delegate of Spain expressed similar difficulties, but indicated that some modifications might enable it to approve the measure at this meeting. The delegate of the USSR stated that lack of any earlier knowledge of the detailed proposal created similar problems for the USSR and that, while such a proposal would produce further difficulties for the USSR in taking its quotas, he was willing to explore possible compromises. The delegate of the USA indicated that the USA might, with some minor adjustments, be able to accept the proposed measure. The Panels agreed that private discussions would be held between the USSR, USA and Canadian delegations in an attempt to arrive at a suitable compromise proposal.

19. Consideration of Amendment to Quota Regulation for Herring in Div. 5Y of Subarea 5. The delegate of the USA introduced a proposal (Comm.Doc. 74/36) for amendment of the total allowable catch and allocation of the 1975 Gulf of Maine and Georges Bank herring quotas agreed at the June 1974 Annual Meeting. Referring to the Report of the Scientific Advisers (Appendix IV, Section 7), he stressed the commitment which the Commission had made to rebuild these stocks by specified stages, stating that data available since June 1974 indicated that the proposed adjustments were required if these commitments were to be met. He added that

failure to act now would only require more drastic reductions for 1976. The delegate of Japan, supported by the delegates of Poland and the USSR, called attention to the fact that the USA had strongly argued for a decision on 1975 herring quotas at the June 1974 Annual Meeting on the basis of data available at that time, and that under these circumstances the present US position appeared to be somewhat inconsistent. The delegate of the USA stated that the USA had no expectation in June 1974 that the matter would be reconsidered in November, but that the situation was so serious that US fishermen had themselves prevailed on their Government to have these quotas reduced. The delegate of the GDR stated that, while the situation did appear serious, the absence of more complete data made it difficult for them to take definitive action now. The delegate of the FRG stated that, only if the data so indicated, adjustments should be made, but that there did not appear to be such compelling evidence. He asked whether it would be possible to consider this issue at the June 1975 Annual Meeting and, in any case, only the quota level and not the allocation should be subject to future adjustments. The delegate of the USA noted that the present evidence only confirmed the earlier view of STACRES that their recruitment assumptions for the Gulf of Maine (Div. 5Y) might be too optimistic. He stated that continuance of existing quotas would only mean continuance of decline, and that this was tantamount to asking the US coastal fishermen to subsidize the excesses of foreign fishermen. He noted that the situation surrounding the Georges Bank stock in Div. 5Z and Statistical Area 6 did not appear to be quite as serious, but that continuance of the existing quota would only necessitate a substantial and perhaps drastic reduction for 1976. The delegate of Canada stated that the evidence now presented indicated that the incoming year-classes were not as strong as had been anticipated. He noted that, while a decision could be made to accept a drastic reduction in the 1976 Georges Bank quota, the situation in the Gulf of Maine was distinguished by the more adverse economic effects which would be produced by drastic fluctuations in the quota, and the stronger biological evidence that the proposed quota was too high. Accordingly, he suggested that, while a decision might be deferred on the Georges Bank quota, more caution was required in the case of the Gulf of Maine stock. The delegate of Portugal suggested that action might be deferred until January 1975 when all might have access to the required data. The delegate of the USA stated that the USA could reluctantly agree to defer action on the Georges Bank quota, but strongly felt that action was required in the Gulf of Maine due to the serious condition of this stock and the economic hardship its decline had and would continue to have on US coastal fishermen. The delegate of the GDR noted that their catch decreased from over 5,000 tons in 1973 to 750 in 1975 due to quota regulation in this area. The GDR has recognized from the very beginning the interests of the US coastal fishermen, continues to do so, and in order to contribute to a solution of the problem is willing to withdraw from this fishery. The GDR makes this sacrifice in order to reach, at this meeting, a compromise about herring which is acceptable to all. The delegate of the FRG indicated his willingness to accept a proportional reduction in the FRG quota, but stated that the FRG would require compensation elsewhere if its quota was reduced beyond this or eliminated. The delegate of the USA proposed that out of a TAC of 15,000 for the Gulf of Maine stock, 10,750 metric tons be allocated to the USA, 4,200 metric tons to Canada, and 50 metric tons to "Others". The delegate of the FRG stated that acceptance of a zero quota would be clearly interpreted as a "penalty" for having exceeded its Div. 5Y herring quota in 1974. While not opposed to the general idea of a penalty quota, he emphasized that no such practice had been approved, and he could not accept its application now to the FRG on a discriminatory basis. The delegate of Portugal could not at all accept the precedent of such a penalty being applied to any country before any decision on the subject of those penalties had been taken by the Commission. The delegates of Japan and others supported this view. The delegate of the USA emphasized that the USA did not interpret or intend this allocation to be a punitive measure, and that its only concern in proposing this limited allocation was the situation confronting the US and Canadian fisheries. The delegate of the FRG stated that he could agree to withdraw from this fishery if assurances were provided that the Div. 5Y quota for FRG will be added to its Georges Bank quota. After some discussion, the Chairman ruled that initiating a discussion of the Georges Bank allocations would be inappropriate under the present circumstances, and that any such arrangement would be better provided for by means of a bilateral understanding between the countries concerned. He suggested that a more appropriate solution might be provided by a 450 metric ton quota for the FRG, which might then be voluntarily transferred by the FRG to USA in light of the biological and economic circumstances set forth by the USA. After additional discussion it was decided that a proposal incorporating a revised TAC and its allocation would be presented for a vote at a later time.

20. Consideration of Measures for Regulation of the Haddock Fishery in Subarea 5. The delegate of the USA introduced a proposal for the regulation of haddock in Subarea 5, providing for a 1975 6,000 metric ton TAC with 1,250 metric tons allocated to Canada, 4,650 metric tons allocated to USA, and 100 metric tons provided for "Others". The delegate of Spain stated that the proposal was unacceptable since it would be impossible to fish for cod with only a 1 percent by-catch allowance. The delegate of the USSR suggested that the 2,500 kg weight limitation discussed earlier also be incorporated in the proposal. The delegate of the USA expressed agreement with the USSR proposal. At the request of the delegate of Spain, final action was deferred in order that the full impact of the proposed regulation on its cod fishery could be fully assessed.

21. Further Consideration of Regulation of Haddock Fishery by Gear, Area, and Season in Div. 4X of Subarea 4. The delegate of Canada introduced a revised interim proposal for the amendment of the haddock closed area in Subarea 4, noting that the area involved was similar to that adopted at the June 1974 Annual Meeting with an additional extension to the northeast, and that Canada desired to re-submit its initial proposal (Comm.Doc. 74/40) for reconsideration at the Sixth Special Meeting in January 1975 in Bergen, Norway. The delegate of Japan stated that, while it did have some difficulty with the latest Canadian proposal, he would likely be able to abstain, rather than vote No if the measure were put to a vote.

After brief discussion it was decided that the initial Canadian proposal for an adjustment of the haddock closed area in Subarea 4 would be considered at the January Special ICNAF Meeting in Bergen, Norway.

22. Further Consideration of the Regulation Measure for the Yellowtail Fishery in Subarea 5 and Statistical Area 6. The Chairman re-introduced discussion on the conservation measures for yellowtail flounder in Subarea 5-Statistical Area 6. He noted that application of the closed area for the entire year created difficulties for some countries in taking the full amount of their quotas, but that a possible resolution existed through variations in the area and period of the proposed closure. Following a recess of two hours for informal discussions, the delegate of the USA announced that agreement had been reached on conservation arrangements for yellowtail flounder in Subarea 5 and Statistical Area 6. He reported that the proposed regulation provided for a year-round closure for vessels utilizing bottom trawling gear in an area somewhat smaller than that approved on a six-month basis at the October 1973 and June 1974 Meetings. He added that agreement had also been reached to eliminate the hake management area in Subarea 5. He thanked the delegate of the USSR for his cooperation and expressed the view that such a regulation would prove an important step in restoring the yellowtail stocks in this area.

23. Further Consideration of Measures for Regulation of the Haddock Fishery in Subarea 5. The delegate of Spain stated that a 10 percent haddock by-catch allowance for its Subarea 5 cod fishery would permit it to vote for the proposed haddock regulation, while a 5 percent allowance would require its abstention. The Chairman clarified that any exemption allowance eventually approved would be clearly limited to Subarea 5 and not create a precedent for other areas at other times. The Panels agreed to take up consideration of this matter at a later time.

24. Consideration of Problems of Overfishing and Enforcement. The delegate of Spain stated that his investigation of the alleged quota violations contained in Comm.Docs. 74/41 and 74/42 had cast serious doubts on its accuracy. He reported that a careful check had been made of the identification numbers of the 79 individual vessels claimed to have been sighted by the US enforcement personnel in Subarea 5 and Statistical Area 6 during 1974. He stated that of the 43 vessels listed by the USA and not by Spain, 17 were rowboats, 7 were old vessels discharged from the records, 4 were numbers not yet assigned, 10 were in other fisheries and 5 vessels had not been identified. He concluded that Spain intended these comments to be constructive, and would work with the USA in attempting to reconcile these discrepancies. He announced that a Spanish document would be circulated containing this information (Comm.Doc. 74/44).

The Chairman stated that the proper course would now be to close the discussion on this subject with the incorporation of both the US and anticipated Spanish documents in the record. The delegate of the USA stated that his delegation would carefully study the data supplied by Spain in an attempt to detect any errors which have been made in the US analysis.

The delegate of the USA introduced a US proposal on enforcement (see previous discussion in Section 5) which would amend the "Proposal for Management of International Quota Regulations" adopted by the Commission on 14 June 1974 by incorporating paragraphs regarding a penalty for exceeding catch quotas and a national licensing system. In support of this proposal, he said that maintenance of the optimum utilization of the stocks of the Northwest Atlantic, rather than the restriction of fishing, is the purpose of the regulations adopted by the Commission, and, unless greater overall adherence to the regulations is attained, that end will not be met. Enforcement of the comprehensive fisheries regulations established by the Commission places substantial burdens on the Member Governments, among them ensuring that vessels of their own flag adhere to the regulations. In view of the reports of violations of the various regulations, the USA recommends that procedures be established to assist the Member Governments in their efforts to regulate their fleets which operate from time to time in Subareas 4 and 5 and Statistical Area 6, as well as in other regulatory areas. It is the Member Governments which have subscribed to the regulations; therefore, it is incumbent on them to ensure that they are adhered to. If the Commission were to establish administrative measures within quota regulations for dealing with over-quota catches, individual Governments would tend to ensure that the regulations were followed, both to prevent implementation of such measures by the Commission and to fulfill the Government's own desire to obtain the largest possible quota for its vessels.

Moreover, when a TAC is exceeded, the following year the population will be less than expected. To allow the stock to recover to the desired level, the fishing mortality must be reduced below that under management. The TAC, therefore, must be reduced in an amount greater than the overrun because the replacement fish will be new recruits of lesser individual weight than those removed earlier. An additional administrative tool which would facilitate flag state administration of quota allocations is an obligatory standard licence issued to all its vessels fishing in Subareas 4 and 5 and Statistical Area 6. Such licences would assist the Member Countries in ensuring that the fishing capacity of the vessels and the duration of the fishery in a Division would not combine to exceed the quota allocation for that country, may assist in implementation of a quota on a domestic basis, and serve to provide an immediate administrative measure for failure to adhere to domestic regulations for the implementation of Commission regulations. The delegate of Portugal stated his opposition to that portion of the US proposal providing for a quota reduction for the year subsequent to the year of violation by 150% of the amount of the excess. He noted the difficulty in substantiating that a violation had occurred, and emphasized that penalties could only properly be applied to the offending vessels by the flag state. He noted that a licensing system such as that proposed

would be a positive contribution, but that standardization could be limited to only one section, and that circulation through the Secretariat would create an enormous bureaucratic burden with no appreciable benefit. The delegate of Poland questioned the situation which would arise if overfishing of a national allocation did not result in overfishing of the total quota. The delegate of the USSR stated his opposition to the US proposal, emphasizing that the suggested system of quota reductions could only be interpreted as a penal system, and could not be made responsive to the various degrees of severity in quota violations. He noted that individual inspectors would not be able to determine if a particular vessel was guilty of a quota violation since it was only fishing a portion of this quota, and that all these subjects should be dealt with more properly by STACTIC rather than the present Panel meeting. The delegate of the GDR supported the statement of the delegate of the USSR and suggested that any definitive action be postponed until adequate discussion had occurred within STACTIC. The delegate of Spain stressed that the issues raised in the US proposal for quota reductions in cases of overfishing went far beyond those which he had been given authority to act on. The delegate of Canada urged that the present issues be considered by STACTIC and its conclusions circulated among Member Governments prior to the 1975 Annual Meeting. The delegate of the FRG noted that, while the figure of 150 percent might be adjusted after further examination, he could support the general concept contained in the US proposal for subsequent reductions in quotas for countries whose vessels had overfished. He added that he also supported the concept of a licence system but that complicated administrative considerations and the requirements of managing a modern fleet should be duly taken into account. Furthermore, the manner in which a licence system could achieve its intended educational benefit was not clear from the US proposal. The delegates of Denmark, Romania, and Japan recognized the importance of these issues and urged that more careful consideration be given to them by STACTIC and the full Commission. In responding to these comments, the delegate of the USA stressed that it was not the intention of USA to establish a judicial system within ICNAF, and that since all Member Governments would be participants in any decision taken under such a system, it was unrealistic to believe that the proposed system made any Government vulnerable to unfair or arbitrary treatment. He emphasized that the proposed system possessed the advantage of generating considerable peer group pressure among fishermen to abide by ICNAF regulations since all could be made to suffer for the excesses of a few. He noted that the suggested licence system might only involve circulation of a single page containing information on numerous vessels and that this should not prove burdensome to the Secretariat. He stated that the Panels had ample authority to act on the present proposals, particularly in view of the broad discretion granted under Article VIII of the Convention, and concluded by re-affirming the importance which the USA attached to positive action on these proposals at the present meeting. The Chairman suggested that final action on these proposals be deferred and that the USA take due account of the general view that its proposals were sufficiently radical and important that final action should not be taken on them at the present meeting.

25. The Joint Meeting of Panels 4 and 5 recessed at 2350 hrs, 14 November.

26. The Joint Meeting of Panels 4 and 5 reconvened at 0930 hrs, 15 November.

27. Continuation of Consideration of Problem of Enforcement. The delegate of the USA presented a US draft resolution re enforcement (for previous discussion on enforcement, see Sections 5 and 24) which urged immediate action by Member Governments to provide accommodation for observers aboard its vessels; to send inspection vessels and inspectors to the ICNAF Area or send inspectors to participate by accompanying inspectors of other countries; to ensure that captains have sufficient knowledge of the international regulations; to establish a logbook under its domestic law to fulfill the requirements of paragraph 4 of "Proposal for Management of International Quota Regulations"; to provide a copy of the logbook with instructions in English for circulation by the Secretariat to each Member Government; and to request STACTIC to consider the standardization of logbook entries, to review all Commission regulations and their adherence and enforceability and provide a proposal to the 1975 Annual Meeting concerning logbook entries and revisions to the Commission's regulations and their method of enforcement. The delegate of Portugal introduced an amendment to the US draft resolution which requested that Member Governments only be alerted to study the items for later adoption. He recognized that it was difficult to get immediate agreement on such a resolution. The subject had only been introduced to the Panels in general terms before the Meeting in Comm.Doc. 74/39. He was willing to confer with the US delegate to improve the two drafts. The Chairman presented some suggestions to help the US case for early action. He felt that the Commission should invite Governments to review and, if necessary, improve arrangements for complying with the existing regulations, so that national quotas are not exceeded, obligations of countries fishing under the "Others" catch quota category are fully observed, requirements for recording of catch including discards are fully observed and provisional monthly catch statistics are provided as fully and in good time as possible. He further suggested that the draft resolutions be redrafted to include suggestions and presented later. The delegate of the USA, in response to a suggestion to redraft both the US draft proposal re penalties for exceeding quotas and the licensing system at the same time, suggested that the resolution be redrafted first and put before the Panels. The Panels agreed.

28. Further Consideration of Measures for Regulation of the Yellowtail Fishery in Subarea 5 and Statistical Area 6 (for previous discussion, see Sections 9, 10, 17 and 22). The delegate of the USA presented a US proposal for quota regulation of the yellowtail flounder fishery in the area west of 69°W in Subarea 5 and Statistical Area 6 which provided for a TAC of 4,000 metric tons in 1975 and allocation to USA of 3,900 metric tons with 10 metric tons for "Others" and including a by-catch limitation of 2,500 kg or 1 percent

by weight of all other fish on board caught in Subarea 5 and Statistical Area 6, whichever is greater. The delegate of the USSR pointed out that the fishing gear proposal agreed to earlier (see Section 9) and the yellowtail quota problem should be considered together. He drew attention to the by-catch regulation proposed by the USA and noted that it was more strict than for haddock and indeed was not discussed previously. Therefore, both proposals must be looked at again before agreement. The delegate of the USA said that USA was prepared to delete the by-catch clause in the yellowtail flounder quota proposal, leaving the TAC and allocation clauses only.

Further to the yellowtail fishery in Subarea 5, the US proposal for amendment of the quota regulation in Subarea 5 east of 69°W (for previous discussion, see Section 10) to take into account the decline in incidental catch was presented for adoption.

Accordingly, Panel 5, in joint session with Panel 4, unanimously  
agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (1) for international regulation of fishing gear employed in the fisheries in Subarea 5 and Statistical Area 6 (Appendix V); proposal (2) for international quota regulation of the fishery for yellowtail flounder in the area west of 69°W in Subarea 5 and in Statistical Area 6 (Appendix VI); and proposal (3) for international quota regulation of the fishery for yellowtail flounder in the area east of 69°W in Subarea 5 (Appendix VII).

29. Further Consideration of Quota Regulation for Herring in Div. 5Y of Subarea 5 (for previous discussion, see Section 19). The Chairman drew attention to the redrafted proposal regarding a reduction of the herring quota in Div. 5Y for 1975 and its re-allocation. The delegate of the GDR stated his surprise about the fact that the GDR offer to withdraw from the fishery in Div. 5Y is obviously not treated as a sacrifice but as a present. If the GDR decided to make this sacrifice, this was done because the obviously necessary compromise for the item "herring" on the agenda seems possible only in Div. 5Y where only two distant fishery countries are working. In case the second distant fishery country continues to be allowed a herring quota for 1975 in Div. 5Y with the restriction of not taking same, the GDR expects the same treatment. Hence, the GDR suggests that the GDR be included in the presented draft proposal with a quota of 500 tons and to use in the footnote the term "delegations" instead of "Governments". The delegate of the FRG noted that FRG and GDR had been allocated 450 tons each, with a footnote that they had stated they would not take their quota. He could agree to raising the FRG and GDR allocations to 500 tons each as this amount was closer to a proportional reduction, but he could not agree to the footnote. The problem was finally resolved for both the FRG and GDR when it was agreed that the following footnote should appear in both the proceedings of the meeting and in the proposal:

"The delegations of the Federal Republic of Germany (FRG) and the German Democratic Republic (GDR) stated that their countries would not take their quotas, in view of the state of the stock and that, in their opinion, it would be appropriate to receive compensation, in the light of this renunciation, in Division 5Z of Subarea 5 and in Statistical Area 6."

Accordingly, Panel 5, in joint session with Panel 4, unanimously  
agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (4) for international quota regulation of the fishery for herring in Division 5Y of Subarea 5 (Appendix VIII).

30. Consideration of Measures for Regulation of Red and Silver Hake Fisheries in Subarea 5. The Chairman drew attention to closed area and season regulation in Subarea 5 effective in 1974 and noted that as part of the "package deal" in the resolution of the yellowtail fishery problem in Subarea 5 and Statistical Area 6, it had been agreed not to renew the 1974 regulation. The Panels agreed that no action was necessary and the regulation would expire effective 31 December 1974.

31. Further Consideration of Regulation of Haddock Fishery by Gear, Closed Area and Season in Div. 4X of Subarea 4 (for previous discussion, see Sections 18 and 21). The Chairman called for a vote on a revised proposal which included an extension of the area adopted at the June 1974 Annual Meeting to the westward to include most of LaHave Bank and of the season to include the period February to May inclusive. The delegate of Canada could agree to the proposal as an interim measure and requested that the item be included on the agenda for the Sixth Special Meeting in January in Bergen, Norway, for reconsideration of the original Canadian proposal as presented in Comm.Doc. 74/40. Also, he advised that Canada would present a resolution at the Bergen Meeting requesting voluntary acceptance by the Member Countries of Panel 4 of 1 February 1975 as the effective date for this haddock regulation. Accordingly, Panel 4, in joint session with Panel 5, unanimously

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (5) for international regulation of the fishery for haddock by closed area in Division 4X of Subarea 4 (Appendix IX).

32. Further Consideration of the Regulation of By-Catch of Haddock in Div. 4VW and Div. 4X of Subarea 4. The Chairman drew attention to the Canadian proposals for incidental catch limitation for haddock of

5,000 lb or 10 percent by weight of all other fish on board in the pertinent regions, whichever is greater. Panel 4, in joint session with Panel 5, unanimously

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (6) for international regulation of the by-catch of haddock in Divisions 4V and 4W of Subarea 4 (Appendix X) and proposal (7) for international regulation of the by-catch of haddock in Division 4X of Subarea 4 (Appendix XI).

33. Consideration of Regulation of the Haddock Fishery in Subarea 5 (for previous discussion, see Sections 13, 16, 20 and 23). The Chairman drew attention to the second draft of the proposal for regulation of the haddock fishery in Subarea 5 which included a TAC of 6,000 metric tons allocating to Canada 1,200 metric tons, Spain 300 metric tons, USA 4,450 metric tons as incidental catch limitations, and "Others" 50 metric tons, and an incidental catch limitation for haddock in non-directed fisheries of 2,500 kg or 1 percent by weight of all other fish on board in Subarea 5, whichever is greater. The delegate of Spain was not completely satisfied with the proposal but it was acceptable. Accordingly, Panel 5, in joint session with 4, unanimously

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (8) for international regulation of the fishery for haddock in Subarea 5 (Appendix XII).

34. Further Consideration of the Resolution on Enforcement of the Commission's Fishery Regulations (for previous discussion, see Sections 5, 24 and 27). The Chairman drew attention to the second draft of the resolution on enforcement which combined suggestions from the previous discussions of drafts presented by the US and Portuguese delegations and the Chairman of the Commission. The delegate of the USSR anticipated that the Commission would be adopting further enforcement proposals in the future. These could not be elaborated on at present. The resolution could be acted upon by Governments at once. The delegate of Canada favoured the resolution and hoped to place a similar one before the Commission to cover all Panels at the 1975 Annual Meeting. The delegate of the FRG suggested that the text of the resolution should be edited to state that fishing vessels were of the flag of the country. A suggestion by the delegate of Portugal that in paragraph 2, line 1, of the resolution "Urges that each such Member Government" should read "Decide to request the Commissioners of Member Governments of Panels 4 and 5 to urge their respective Member Governments" was considered. The delegate of the USA, in accepting the Portuguese modification, requested that an item be added to the agenda for the Sixth Special Commission Meeting in Bergen in January, with the suggestion that a similar resolution on enforcement be adopted by Panels 2 and 3. Accordingly, Panels 4 and 5, in joint session,

agreed to adopt the Resolution Relating to the Enforcement of the Commission's Fishery Regulations (Appendix XIII).

35. Further Consideration of the US Proposal re Enforcement (for previous discussion, see Section 24). The Chairman asked the delegate of the USA to express any further views on the US proposal re actions to be taken in the event of quota violations and the provision of a national licensing system. The delegate of the USA said that the proposal would be subject to the normal 6-month Commission rule for effecting proposals and would apply to the 1976 quotas. He preferred that a decision should be taken on the proposals at this time but was prepared to defer the matter of actions to be taken in the event of quota violations to the Agenda of the 1975 Annual Meeting. More subject matter would be submitted in a document for that meeting. Regarding the licensing scheme, he felt there was sufficient expertise present to take a decision on this matter. The Chairman, speaking as a UK Commissioner, reported that all British vessels are at present licensed. The UK was in full favour of a licensing system, nevertheless, he would vote against such a proposal at this time because of the lack of pre-meeting documentation for study, and there was a need for more consideration of the matter. The delegate of Japan found himself in a difficult position as there had been no documentation and, therefore, he had no instructions from his Government regarding this proposal. However, he said that his Government would review the subject matter of the proposal in a very positive manner. The delegate of the USSR also needed consultation with his Government. He said that all USSR fishing vessels do not have a licence as such, but must have a "fisheries ticket" before they can leave port. He explained that the proposal would have many administrative and practical difficulties for the USSR but, if the delegates of other Member Countries could agree with the proposal, the USSR would try to find a possible solution for its implementation. The delegate of Canada favoured a licensing system which would help the inspectors and Member Countries to control the activities of fishing vessels. Such a system would provide for a better flow of information between Member Countries. He suggested that the meeting should record that the subject of a licensing system was discussed and that Panels 4 and 5 should strongly urge the Commission to explore licensing fully as a tool for control of the fisheries and to take what action it can as soon as possible and feasible, not later than at the time of the 1975 Annual Meeting.

Following a brief recess, a draft recommendation embodying the expressions and suggestions of the

delegates was presented by the Chairman. After short discussion, Panels 4 and 5, in joint session,

agreed to adopt the Recommendation Relating to the Adoption of National Systems of Licensing Fishing Vessels (Appendix XIV).

36. Adoption of Proceedings. Written drafts of the Proceedings of the Joint Meeting of Panels for the 12th, 13th and 14th of November were presented and adopted with modifications on 15 November. The Panels took note with approval of the Proceedings of the Scientific Advisers to the Panels (Appendix IV).

37. Future Meetings. Regarding the request of the Joint Panels for an early meeting of STACTIC on enforcement problems, the Joint Panels noted that NEAFC had received an invitation from the Government of the USSR for a special meeting in USSR early in 1975 to consider, in conjunction with Member States of ICNAF, any outstanding enforcement problems. The possibility of STACTIC meeting for three days in February or March in Moscow at the time of joint ICNAF-NEAFC meeting was raised and will be explored further by the delegate of the USSR.

The Delegations noted that it had been agreed to add two items from this meeting to the agenda of the Sixth Special Commission Meeting of Panels 2, 3 and 4 at Bergen, 16-18 January 1975 inclusive. One item would require continuation of consideration of closed area/season requirements for haddock in Div. 4X of Subarea 4. The other item would consider a resolution on enforcement for adoption by Panels 2 and 3, similar to that adopted by Panels 4 and 5.

38. Under Other Business, the Chairman recognized the Observer from Cuba, Mr E. Oltuski, who addressed the meeting as follows:

"Mr Chairman:

"Thank you for giving us the opportunity to address the meeting at this time. Unfortunately, time is running out and we must depart.

"We are sorry to say that we have not seen much of Miami - conditions were not favourable - but we expect to get a glance of it from the air so we can tell our friends back home what the city looks like. Anyway, we thank our hosts for the attentions we have received.

"Well, getting to more serious matters, we would like to make a few comments on our Government's position at the present time, in relation with the Northwest Atlantic region fisheries.

"First, I wish to remind you that at the June 1974 Meeting, we stated that, beginning next year, our fishing fleet will start operations in that region and that we intend to fish the species and the tonnage we indicated at that time.

"Second, that, due to the lack of understanding of some of the Member Countries of Panel 5, we were not able to receive the quota allocations we had requested, forcing us to fish out of the national overall quotas.

"Third, that we have taken notice of the matters presented at the Miami meeting by the coastal states, concerning the protection of the species they are particularly interested in, and that we will direct our fisheries keeping that in mind.

"Fourth, that the Commission must bear in mind that provisions must be made by this organization to deal with situations where underdeveloped nations strive for higher economical aims, and must be given a fair participation in the exploitation of the fish resources of the region.

"Fifth, that, because of the forementioned fact, the principle based on historical performance for the allocation of quotas cannot be applied to our country at the present moment, but rather the one that considers the special needs of nations. And since Cuba has very special needs at this stage of her development, she must eventually be provided by the Commission with the adequate quota allocations.

"Sixth, that we intend, with your kind permission, to continue to attend the ICNAF meetings, to keep up with the developments in this area.

"Seventh, that Cuba is ready to join ICNAF, but before doing so, she must receive the necessary assurances that her basic needs will be provided for.

"Eighth, that having made clear what our present position is, we are in the position to begin negotiating our joining the ICNAF organization, which we will do through the proper channels.

"Finally, on behalf of our delegation, I thank you all for being so helpful and understanding and wish you good luck on your way back home.

"Thank you."

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The Chairman thanked Mr Oltuski for presenting, in a forthright manner, the intentions of his Country and noted that account must be taken by the Commission of these intentions.

39. Before adjournment, the Chairman, on behalf of the participants in the Joint Meeting of Panels 4 and 5, asked that the sincere thanks of the Commission be extended to the hosts, the US Government, and particularly, to the staffs of the NMFS, Southeast Fisheries Center, the NOAA, Atlantic Oceanographic and Meteorological Laboratory, the University of Miami, Rosenstiel School of Marine and Atmospheric Science Graduate School, the Miami Seaquarium and personnel responsible for the security of the delegates.

The meeting was pleased to hear that Mr D.H. Wallace (USA), whose sudden illness prevented him from leading the US delegation at the meeting, was now home and feeling well. The delegate of Canada thanked the Chairmen, Rapporteurs and the ~~Secretariat~~ for their contributions to the success of the meeting.

There being no other business, the Joint Meeting of Panels 4 and 5 adjourned at 1815 hrs, 15 November, with the understanding that the proposals (1)-(8) adopted by the Panels would be circulated as soon as possible to the Heads of Delegations from the Member Countries, for adoption by telegraphic vote by the Commission before transmittal to the Depositary Government, in accordance with the Commission's Rules of Procedure 2.4. A press notice covering the Proceedings is at Appendix XV.



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Appendix I

FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

Miami, Florida, USA, 11-15 November 1974

List of Participants  
(Head of delegation underlined)

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FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

Address by Professor Thomas A. Clingan Jr, Acting Assistant Secretary,  
Bureau of Oceans and International Environmental and Scientific Affairs  
to the Special Meeting of ICNAF, Miami, 12 November 1974

"It is my great pleasure to welcome the ICNAF Commissioners and other participants in this Special Meeting of the International Commission for the Northwest Atlantic Fisheries. The United States convened the Conference in 1949 which resulted in the establishment of this Commission and my Government has been honored on several occasions since then in serving as the host for the Commission in carrying out its most important work for the conservation and protection of the valuable fisheries resources of the Northwest Atlantic Ocean. The USA has taken satisfaction over the years in participating in this work. We have observed with pleasure the steady progress of ICNAF as the conditions in the fisheries have changed, so that ICNAF has become the most modern and progressive of all of the world's international fisheries bodies.

"Although the dynamic activities of this Commission have resulted in a progressive and far-sighted management system, there can be no doubt that the problems with which it is faced have continued to grow at a rapid pace. At times the new vigor and action of the Commission seemed to have commenced bringing these problems under control, while at other times the growth of these problems has seemed to outstrip the growing ability of the Commission to cope with them. My Government believes we are in such a critical period now. After the very difficult times ICNAF went through over the last few years, the United States thought that the Commission had achieved the kind of progress at the Special Meeting which was held in Ottawa last fall and the Special Meeting in Rome earlier this year which would permit the resolution of these problems and the building of the fisheries back to their previous vigor. In large measure, we thought that this dynamism was continued at the Annual Meeting of 1974, but I regret that it was not possible to achieve all that was hoped for at that Meeting, which in turn made the calling of this Special Meeting advisable. Since then we have viewed with more than some dismay the numerous indications that the most comprehensive and far-reaching system of fisheries regulation the world has ever seen, which ICNAF has put into effect for Subareas 5 and 6, may be faltering, and regret that it was necessary to add to the agenda of this Meeting additional items which look to remedying these faults.

"It is in our view essential that, in the limited time available to the Commission this week, we resolve the pending items from Halifax and perfect the operation of this complex regulatory system so that this Commission can move forward in the spirit of international cooperation to accomplish the objectives desired by most nations.

"As we look at the situation in the world fisheries today, it is imperative that this be done. While we are not here to negotiate the new world order of the ocean, which is the task of the Third United Nations Law of the Sea Conference, the outcome of this Meeting can have a significant bearing on the future of the world fisheries regime. We are all aware of the many and varied problems which have been increasingly found in fisheries throughout the world. One result of these problems has been increasing pressure in many nations to resolve their problems in the fisheries off their coasts by unilateral action. These pressures exist in a number of ICNAF Member Countries, including the United States. If I may turn to history for a moment, I would like to refer to the remarks of the Assistant Secretary of the Interior in his welcoming speech to the 17th Annual Meeting of ICNAF in Boston when he warned of the dangers of unilateral action if the leisurely approach of ICNAF to pressing problems, including the tremendous increase in fishing effort, was not abandoned in favor of a more dynamic program. He was warning of a potential problem in the future. That problem confronts us now.

"Many American coastal fishermen, conservationists, and members of the general public believe sincerely that international cooperative efforts to manage the world fisheries have failed, or at the very least have produced too little and too late. Amongst the people who feel this way in the United States, ICNAF is very frequently cited as the prime example. As concrete evidence that this is true, the clear evidence of the decline of many valuable species such as haddock, herring, and yellowtail flounder is often cited. I would remind you also that the Under Secretary of Commerce in his welcoming remarks at the 1972 Annual Meeting in Washington noted that the US ICNAF Industry Advisory Committee had voted for withdrawal from ICNAF. He noted that the American fishermen "are not overwhelmed with the success of ICNAF." Their lack of enthusiasm has increased over the past two years as the problems have continued to increase in spite of the extensive actions ICNAF has been forced to take. They now point to the clear evidence that the regulatory system which has been devised is not working properly -- that quotas are being exceeded and other regulations violated. You may be sure that our fishermen and the American public will be watching this particular Meeting of ICNAF with especially keen interest because of a coincidence it appears quite likely that the US Congress will be voting within a few days after the conclusion of this Meeting on proposed legislation to unilaterally extend US jurisdiction over coastal fisheries to 200 miles from our shores. The seriousness of the situation is clear when we realize that in a little over two years problems have accelerated to the point where we have

progressed from an ICNAF Advisory Committee close to the fisheries problems advocating withdrawal to the clear possibility of legislative action to deal with a now critical problem in response to a massive outcry from the American public.

"The President and the Executive Branch of our Government are strongly opposed to this legislation. We believe that the best and most lasting solution to the fisheries problems in the ICNAF Area and elsewhere in the world ocean will be found in a comprehensive agreement on the Law of the Sea at the next session of the UN Conference in Geneva. However, we are very much afraid that failure of this ICNAF Meeting to resolve the problems confronting us will provide the extra push that may be needed to pass this legislation in the Congress. We are hopeful that success of this Meeting will assist in forestalling action on this legislation until the UN Conference has a chance to complete its work next year. The United States Delegation is prepared to work in earnest with the other delegations to achieve this result. It is our fervent hope that all delegations came to Miami with a like purpose in mind.

"The United States recognizes the major steps ICNAF has taken in recent years to cope with the fisheries problems of the Northwest Atlantic. The Under Secretary in 1972 indicated that "well-nigh revolutionary change in fishing" would be necessary. And the changes in the ICNAF regulatory program have been well-nigh revolutionary. Yet it is clear that today we still face major problems with respect to the three major species of concern to American fishermen - haddock, herring, and yellowtail flounder. And we are faced with the very major problem that the agreements which have been reached in ICNAF are not being adhered to by too many nations on too many occasions. ICNAF, as the leader of international fishery bodies, is faced with a fundamental choice at this Meeting: Are we to resolve the problems through international cooperation, and strictly adhere to the solutions reached, or are we going to force the nations of the world into reserving portions of the ocean for their own use so that they can ensure by internal actions that the fishery resources will endure for future generations?

"You are all aware that the United States cannot and does not approach ICNAF with a parochial point of view, for we have many and varied fisheries interests throughout the world ocean, both off our own extensive coasts and off the coasts of numerous other nations on several continents. We earnestly desire a system which will give due regard to all fishing interests wherever found in an equitable balance. While we seek to achieve this, we cannot tolerate the destruction of our coastal fisheries, nor the continued depletion of the valuable renewable resources off our coasts, resources which should sustain our coastal fisheries as well as the fisheries of other nations for generations to come.

"But what of your interests in these resources? Again, I would like to recall the Under Secretary's remarks in 1972: "Where will those of you with distant-water fleets turn if these disasters continue? Where will anyone turn?" These are words for us all to ponder. The fisheries resources of the world which can tolerate additional exploitation are diminishing day by day. At the rate fisheries are expanding it will not be long before there are no more resources anywhere in the world which can take additional fishing effort. Then the total fisheries productivity of the world ocean will depend entirely on how well these resources are husbanded to produce the optimum yield year after year. If they are to do this, it will require strict conservation measures, perhaps measures more strict than any the world has yet seen - even in ICNAF. But it will require more than conservation. It will require access to the coastal resources by distant-water fleets for the harvesting of that portion of the allowable catch which the coastal fisheries are incapable of harvesting or do not need. Yet will the coastal nations permit such access in the future? The answer may well depend on the success of ICNAF at this time - for if we the most sophisticated fishing nations of the world, who have strived to structure one of the most comprehensive fisheries regulatory regimes the world has ever known, cannot ensure that the agreed rules are obeyed, why should the less developed nations trust distant-water fishing nations in the future to abide by agreed rules of conservation and exploitation?

"Last week, Secretary of State Kissinger opened his address to the World Food Conference in Rome by saying: "We meet to address man's most fundamental need. The threat of famine, the fact of hunger have haunted men and nations throughout history. Our presence here is recognition that this eternal problem has now taken on unprecedented scale and urgency and that it can only be dealt with by concerned worldwide action." Throughout his remarks Secretary Kissinger stressed that "we must urgently produce more food." In terms of fisheries this means that

- we must conserve the fishery resources which are currently producing it or below their maximum permissible level,
- we must urgently restore resources which are currently overfished, and
- we must ensure that the allowable catch is fully harvested.

We must not allow artificial barriers to be erected which will prevent access to that portion of the allowable catch of coastal resources not harvested by coastal fishermen. Only if we cooperate in ensuring that the allowable catch be fully harvested can we provide all the food from the sea that the world so badly needs. We all know what a valuable contribution fish makes to human nutrition. We have the capacity here in ICNAF of applying wisdom to our problems and furthering the development of the food resources of the sea, or of being short-sighted and helping erect the barriers to realizing the food production of the sea.

"Thus, resolution of the immediate problems facing ICNAF may not be the most important question we are facing at this Meeting - - although these problems are immensely important for the affected American and other fishermen. The underlying and most important question may be whether there will be rational fisheries management and exploitation for eons in the future, or whether today's expensive and sophisticated distant-water fishing fleets will rust and die at their docks, following the dinosaur into history's grave, destroyed by their own size and capacity which precludes them from adapting from a more primitive order to the new world that the relentless thrust of evolution is forcing upon them. Which one of us wishes to be the first to report to his superiors that the fleet is being tied up and the fishermen unemployed because we would not adapt the fleet operations to changing conditions?"

"To be sure, the United States has had a difficult time with ICNAF in recent years. However, we still have trust that ICNAF will help rather than hinder the evolution to the new world order of the oceans that is before us. Else, it would not host this meeting which is tasked with overcoming the major hurdles which remain in dealing with the problems in the ICNAF regulatory region off the US coast.

"Perhaps when the United States agreed to serve as host for this Special Meeting of ICNAF, it should have arranged for the Meeting to be held in a harsher climate and a locale which did not offer distractions from the work at hand. Perhaps, however, with a bit of good will, the thought of getting out of this meeting room for part of the day to enjoy the pleasant surroundings of the Miami area might be an incentive for the delegations to make swift progress and bring their work to a conclusion after a minimum number of short meetings. Since I have lived in Miami for several years prior to assuming my present duties in Washington, I can personally attest to the attractiveness of the Miami area and I sincerely hope that the delegates here will quickly complete their work and have an opportunity to go out and enjoy this city.

"While I will not be here throughout the course of this Meeting, I look forward with interest to observing your work through the remainder of this day and to meeting all of you on a more personal basis tonight at a reception which the United States is pleased to be holding for you.

"Thank you."

FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Special Meeting of Panels 4 and 5)

Provisional Agenda

1. Opening
2. Adoption of Agenda
3. Election of Chairman
4. Appointment of Rapporteur
5. Further consideration of conservation measures in Subareas 4 and 5 and Statistical Area 6 referred from the June 1974 Annual Meeting of the Commission
  - (a) Measures for regulation of fishing gear used in Subarea 5 and part of Statistical Area 6  
(Comm.Doc. 74/29) (1974 Meeting Proc. 11, Appendix II (Proposal (11) from the June 1974 Annual Meeting)) (Comm.Doc. 74/39)
  - (b) Measures for regulation of the fishery for yellowtail flounder in Subarea 5 west of 69° west and Statistical Area 6  
(Comm.Doc. 74/33) (1974 Meeting Proc. 16, Appendix VI (Proposal (12) from the June 1974 Annual Meeting)) (Comm.Doc. 74/38)
  - (c) Measures for regulation of the fishery for red and silver hake in Subarea 5  
(1973 Meeting Proc. 11, Appendix III (Proposal (29) from the June 1973 Annual Meeting))
  - (d) Measures for regulation of by-catch of haddock in Subarea 5 and Div. 4VW of Subarea 4  
(Comm.Doc. 74/32) (1974 Meeting Proc. 16, Appendices IV and V (Proposals (8) and (9) from the June 1974 Annual Meeting))
  - (e) Review of haddock closed areas in Subareas 4 and 5  
(Comm.Doc. 74/34)
6. Reconsideration of 1975 quotas and allocations established at the June 1974 Annual Meeting of the Commission, with particular reference to herring, yellowtail flounder and haddock in Subareas 4 and 5 and Statistical Area 6  
(Comm.Doc. 74/36 and 74/38)
7. Consideration of conservation measures for squid  
(Comm.Doc. 74/35)
8. Consideration of problem of overfishing of catch quotas in Subarea 5
9. Reconsideration of the ICNAF Scheme of Joint Enforcement, with particular reference to actions to be taken by an inspector upon discovery of an infraction  
(Comm.Doc. 74/37)
10. Other business
11. Acknowledgements and Adjournment

Serial No. 3420  
(B.f.2)  
(B.f.3)

FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

Report of Scientific Advisers to Panels 4 and 5

Monday, 11 November, 0900 hrs  
Tuesday, 12 November, 0800 hrs

1. A joint meeting of the Scientific Advisers to Panels 4 and 5 was convened under the chairmanship of Dr R.L. Edwards (USA) to provide advice to the Joint Meeting of Panels 4 and 5 to be held 12-15 November 1974 at the NMFS, Southeast Fisheries Center, Miami, Florida, on items related to the conservation of yellowtail flounder, haddock, herring and squid in Subareas 4 and 5 and Statistical Area 6.
2. Representatives from Member Countries - Canada, FRG, GDR, Japan, Poland, Spain, USSR and USA - were present.
3. Yellowtail Flounder in Subarea 5 West of 69°W and in Statistical Area 6. Analysis of the US fall groundfish survey data gave an abundance index of 1.1 for pre-recruits in 1974, considerably lower than the projected value of 1.7 used in the June 1974 analysis. Stock analysis now indicates that removals above 4,000 metric tons in 1975 will result in further stock decline. By-catches are expected to be at least 4,000 metric tons and even with a zero quota, the fishing mortality will remain above optimum levels. The Scientific Advisers, therefore, re-affirm the June 1974 recommendation of a zero directed fishery in 1975 and that consideration be given to additional measures to reduce the incidental catch from other groundfish fisheries.
4. Haddock in Subarea 5. In June 1974 the Scientific Advisers recommended that the TAC for 1975 remain at zero. The assessment has since been updated and confirms the June 1974 analysis that there was a modest stock recovery in 1974 to about one-third of the 1935-1960 level that produced the MSY. In order to preserve this increased spawning stock size as long as possible to increase the probability of stock recovery, it is necessary to reduce incidental catches to the lowest possible levels. The Scientific Advisers, therefore, re-affirm the advice given in June 1974 that removals from the stock be left at the lowest practicable level in 1975.
5. Haddock in Div. 4X. In June 1974 a TAC of 15,000 metric tons was set for 1975. Although catches at this level can be sustained through 1977, no significant increase in spawning stock size will occur. Current catch levels indicate that the 1974 incidental catch (with a zero quota) will probably exceed 15,000 metric tons and analysis of catch data indicates that closed areas and seasons have been more successful in limiting catches than have quota restrictions with the present exemption rules in this particular situation. The Scientific Advisers agreed that the suggested extension of the closure area and season (Comm.Doc. 74/40) would be effective in reducing incidental catches. Although the proposed closure extensions include some areas deeper than 100 fm, and thus would conflict with the argentine and silver hake fisheries to some extent, substantial catches of haddock have occurred at these depths in the area and time under consideration.
6. Squid in Subarea 5 and Statistical Area 6. The Scientific Advisers considered the desirability of instituting a quota on *Illex* in Subarea 5 and Statistical Area 6. In the absence of data required for a detailed assessment, it is considered appropriate to establish a precautionary quota for 1975 which will allow moderate expansion of the recent landings, estimated at 15,000-20,000 metric tons. This would imply a precautionary TAC of 25,000-30,000 metric tons. The need for a complete breakdown of squid by species in ATLANTIC submissions was indicated. It was pointed out that the *Illex* population could probably sustain an even larger quota than that indicated above. However, it was also noted that squid is eaten by a large number of fish species, which suggests that increasing the squid quota could have undesirable side effects and that the Commission should proceed carefully when raising this quota.

Concern was expressed that the quota of 71,000 tons for *Loligo* may not be appropriate. It is important that the TAC of *Loligo* be re-assessed at the April 1975 STACRES Meeting. As the assessment was based on size distributions observed in the winter fishery, a change in the seasonal pattern of landings of *Loligo* implied by development of a summer fishery for *Illex*, could increase numbers of individuals removed by the taking of a higher proportion of small individuals. Moreover, removals of 71,000 metric tons in winter, well prior to spawning, and considering that one-third of egg deposition is by 2-year-olds, may indicate that a lower rate of exploitation is desirable.

The Polish squid fishery on Georges Bank was described and principal areas of capture were illustrated.

While *Illex* was considered in the scientific assessments on which the overall TAC in Subarea 5 and Statistical Area 6 was based, the Scientific Advisers agreed that *Illex* potential may not have been adequately represented in these assessments. This potential will be re-examined in 1975 when the overall TAC will be re-assessed.



The Scientific Advisers affirmed that there is no biological basis at present for setting the TAC on any other basis than a 12-month period (Comm.Doc. 74/35).

7. Herring in Div. 5Y and in Div. 5Z plus Statistical Area 6. Catches from the US 1974 juvenile herring fishery in the Gulf of Maine, the Canadian New Brunswick weir fishery, the FRG September catches in Div. 5Z plus Statistical Area 6, and the US catches in Div. 5Z plus Statistical Area 6 suggest that the 1972 year-class is not a good one. The catch composition of the other herring fisheries were not available at this meeting.

Tables 1 and 2 show that for both the Div. 5Y and Div. 5Z plus Statistical Area 6 stocks, using the assumptions made in June as to the size of the 1971 and 1972 year-classes (1974 Redbook, p. 110, 112), coupled with the catches of 25,000 and 150,000 metric tons allowed in 1974, the low stock sizes will decrease by 20-25 percent by the beginning of 1975. Catches of 25,000 and 150,000 metric tons in 1975 would cause the stock sizes at the beginning of 1976 to further decline by 13 percent and 20 percent for the Div. 5Y and Div. 5Z plus Statistical Area 6 stocks from the 1975 levels. These reduced levels, however, still remain above the minimum size constraints set by the Commission (60,000 and 225,000 metric tons; Summ.Doc. 74/9; June 1974 Meeting Proceedings No. 7, Appendix I, p. 59).

Using the assumption that the 1972 year-class is similar to the 1971 and 1969 year-classes, catches in 1975 of 25,000 and 150,000 metric tons would result in further declines in stock sizes in 1975 of 30 percent and 32 percent in Div. 5Y and Div. 5Z plus Statistical Area 6, respectively (Tables 1 and 2). Such catch levels would reduce the stock sizes at the beginning of 1976 to below the minimum size constraints set by the Commission.

Catches of 15,000 and 90,000 metric tons in 1975 (Comm.Doc. 74/36) would maintain the stock sizes at the 1975 level at the beginning of 1976 for both Div. 5Y and Div. 5Z plus Statistical Area 6, using the June assumption as to the size of the 1972 year-class. These catches, using the lower size assumption of the 1972 year-class, would reduce the stock sizes during 1975 by 18 percent and 12 percent for Div. 5Y and Div. 5Z plus Statistical Area 6, respectively.

The fishing mortalities generated by catches of 25,000 and 150,000 metric tons in Div. 5Y and Div. 5Z plus Statistical Area 6, respectively, under either assumption are substantially higher than that at the MSY level. Catches of 15,000 and 90,000 metric tons would generate fishing mortalities closer to that of the MSY level.

It is, however, important to note that the figures and fishing mortalities in Tables 1 and 2 are dependent on the assumptions incorporated into the model.

Not all the data from the 1974 herring fisheries were available for this meeting, thus, the size of the 1972 year-class relative to the two assumptions could not be established.

The Scientific Advisers could not agree that the present data allow a specific change in the June 1974 recommendation.

Table 1. ICNAF Div. 5Y herring stock: Catches (age 3 and older) in 1974, 1975, and 1976 and resultant stock sizes (age 4 and older) in 1975, 1976, and 1977. (1970 year-class = 2 (1966 year-class); 1971 year-class = 1969 year-class = 58.5 mill; 1973 year-class = 150 mill).

1974 stock size (age 4 and older) Number 10 <sup>6</sup> (000 tons)	Catch in 1974 (age 3+) (000 tons)	1975 stock size (age 4 and older) (000 tons)	F100% in 1975	Catch in 1975 (age 3 and older) (000 tons)	1976 stock size (age 4 and older) (000 tons)	F100% in 1976	Catch in 1976 (age 3+) (000 tons)	Stock size in 1977 (age 4+) (000 tons)
<u>1972 year-class = 58.5 mill at age 3</u>								
			.41	15	65	.44	7	74
			.57	20	60	.67	15	67
						.7	22	60
						.8	22	59
							25	57
						.4	13	64
			.75	25	55	.56	16	62
508	100	79				.69	17	60
						1.0	20	57
<u>1972 year-class = 150 mill at age 3</u>								
						.3	9	64
			.40	15	78	.42	12	60
						.6	17	56
						.8	21	52
						.91	25	48
						.2	9	86
			.55	20	74	.37	15	80
						.6	23	72
						.8	29	66
						.91	34	60
						.4	15	75
			.72	25	69	.55	20	71
						.6	22	69
						.8	27	63
						.91	30	60
						.4	14.2	72
						.7	23	63
						.8	25	61
						.9	28	58

Table 2. Georges Bank herring stock (Div. 52 plus Statistical Area 6): Catches in 1974, 1975, 1976 (age 3 and older), and resultant stock sizes (age 4 and older) in 1975, 1976, and 1977. (1970 year-class = 2 (1966 year-class); 1969 year-class = 1971-year-class = 559 mill; 1973 year-class = 800 mill).

1974 stock size (age 4 and older) Number 10 <sup>6</sup> (000 tons)	Catch in 1974 (Age 3+) (000 tons)	1975 stock size (age 4 and older) (000 tons)	F100% in 1975	Catch in 1975 (age 3 and older) (000 tons)	1976 stock size (age 4 and older) (000 tons)	F100% in 1976	Catch in 1976 (age 3+) (000 tons)	Stock size in 1977 (age 4+) (000 tons)
1972 year-class = 559 mill at age 3								
			.44	90	266	.59	90	270
			.69	130	226	.97	134	225
						1.0	137	222
						.6	82	242
						.7	93	230
			.84	150	206	.75	98	225
						.6	77	228
						.62	80	225
						.84	101	203
1972 year-class = 800 mill at age 3								
2,029.0	389.1	150		90	302		75	320
			.41	90	302	.5	90	304
						.6	106	289
			.64	130	261	.8	133	261
						1.0	157	236
						1.06	162	225
						.4	67	291
			.77	150	241	.6	95	262
						.8	120	237
						.9	130	225
						1.0	141	215
						.4	64	276
			.6	90	249	.8	113	225
			1.0	134	204	1.0	134	204

FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

(1) Proposal for International Regulation of Fishing Gear Employed in the Fisheries in Subarea 5 of the Convention Area and in the Adjacent Waters to the West and South within Statistical Area 6

Panel 5, in joint session with Panel 4, recommends that the Commission transmit to the Depository Government the following proposal, for joint action by the Contracting Governments:

That Proposal (11) for International Regulation of Fishing Gear in Subarea 5 and in Adjacent Waters to the West and South within Statistical Area 6, adopted at the Twenty-Fourth Annual Meeting, June 1974 (June 1974 Meeting Proceedings No. 11, Appendix II, page 190) and pending entry into force, be replaced by the following:

"1. That each Contracting Government take appropriate action to prohibit the taking of fish, other than crustacea, from vessels over 130 feet (39.6 m) in length by persons under its jurisdiction with fishing gear other than pelagic fishing gear (purse seines or true midwater trawls, using midwater trawl doors incapable of being fished on the bottom), in the area adjacent to the United States coast within that part of Subarea 5 (Southern New England and Gulf of Maine) and the adjacent waters to the west and south which lies north of 39°00'N and north of straight lines connecting 39°00'N, 73°30'W; 40°20'N, 72°33'W and 40°20'N, 68°15'W, and south and west of a straight line drawn between the points: 40°20'N, 68°15'W and 43°17'N, 70°00'W.

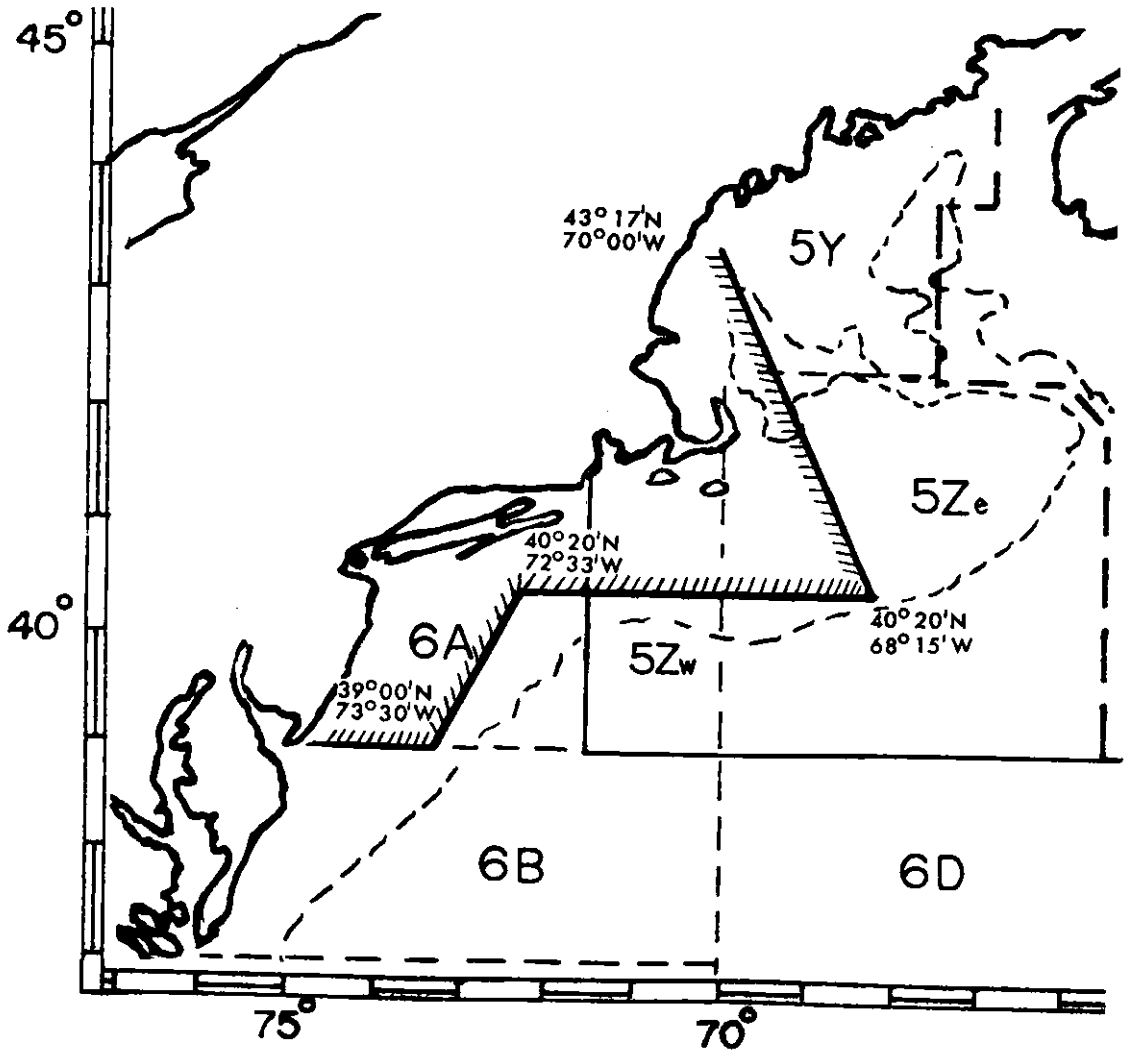
"2. That Contracting Governments prohibit any person to whom paragraph 1 above would apply from attaching any protective device to pelagic fishing gear or employing any means which would, in effect, make it possible to fish for demersal species in the area described in paragraph 1 above.

"3. That nothing in this proposal shall affect the trawl mesh-size requirements in force in Subarea 5.

"4. That Contracting Governments shall take appropriate action to phase out fishing operations in this area by vessels between 130 feet (39.6 m) and 145 feet (44.2 m) in length using fishing gear other than pelagic fishing gear by 31 December 1974."

Note: Attached is a chart illustrating the area affected by this proposal.

Chart illustrating the area affected by Proposal (1) for International Regulation of Fishing Gear Employed in the Fisheries in Subarea 5 of the Convention Area and in Adjacent Waters to the West and South within Statistical Area 6



FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

(2) Proposal for International Quota Regulation of the Fishery for Yellowtail Flounder in the Area West of 69° West in Subarea 5 of the Convention Area and in Statistical Area 6

Panel 5, in joint session with Panel 4, recommends that the Commission transmit to the Depository Government the following proposal, for joint action by the Contracting Governments:

That Proposal (12) for International Quota Regulation of the Fishery for Yellowtail Flounder in Subarea 5 West of 69° West and Statistical Area 6, adopted at the Twenty-Fourth Annual Meeting (June 1974 Meeting Proceedings No. 16, Appendix VI, page 221) and pending entry into force, be replaced by the following:

"1. That the Contracting Governments take appropriate action to regulate the catch of yellowtail flounder, *Limanda ferruginea* (Storer), by persons under their jurisdiction fishing in the area west of 69° west in Subarea 5 and in the adjacent waters to the west and south so that the aggregate catch of yellowtail flounder by vessels taking such yellowtail flounder shall not exceed 4,000 metric tons in 1975.

"2. That Competent Authorities from each Contracting Government listed below shall limit in 1975 the catch of yellowtail flounder taken by persons under their jurisdiction to the amount listed from the above-mentioned stock:

USA	3,990 metric tons
Others	10 " tons."

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(A.a.4)

FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

- (3) Proposal for International Quota Regulation of the Fishery for Yellowtail Flounder in the Area East of 69° West in Subarea 5 of the Convention Area

Panel 5, in joint session with Panel 4, recommends that the Commission transmit to the Depositary Government the following proposal, for joint action by the Contracting Governments:

"That the line item relating to yellowtail flounder in Subarea 5 east of 69° west in the table which forms an integral part of Proposal (13) for International Quota Regulation of the Fisheries in the Convention Area and in Adjacent Waters to the West and South Within Statistical Area 6, adopted at the Twenty-Fourth Annual Meeting (June 1974 Meeting Proceedings No. 20, Appendix IV, page 243) and pending entry into force, be amended as follows:

Species or stock	Stock region	USA	Others	Total
Yellowtail	5 (E of 69°W)	15,900	100	16,000

All amounts are in metric tons."

Serial No. 3420  
(A.a.4)

Appendix VIII

FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meeting of Panels 4 and 5)

(4) Proposal for International Quota Regulation of the Fishery for Herring in Division 5Y of Subarea 5 of the Convention Area

Panel 5, in joint session with Panel 4, recommends that the Commission transmit to the Depository Government the following proposal, for joint action by the Contracting Governments:

"That the line item relating to herring in Division 5Y of Subarea 5 in the table which forms an integral part of Proposal (13) for International Quota Regulation of the Fisheries in the Convention Area, adopted at the Twenty-Fourth Annual Meeting (June 1974 Meeting Proceedings No. 20, Appendix IV, page 245) and pending entry into force, be amended as follows:

Species or stock	Stock region	Canada	FRG	GDR	USA	Others	Total
Herring	5Y	4,200	500	500	10,750	50	16,000

All amounts are in metric tons.

"The delegations of the Federal Republic of Germany (FRG) and the German Democratic Republic (GDR) stated that their countries would not take their quotas, in view of the state of the stock and that, in their opinion, it would be appropriate to receive compensation, in the light of this renunciation, in Division 5Z of Subarea 5 and in Statistical Area 6."



FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

(5) Proposal for International Regulation of the Fishery for Haddock by Closed Area in Division 4X of Subarea 4 of the Convention Area

Panel 4, in joint session with Panel 5, recommends that the Commission transmit to the Depository Government the following proposal, for joint action by the Contracting Governments:

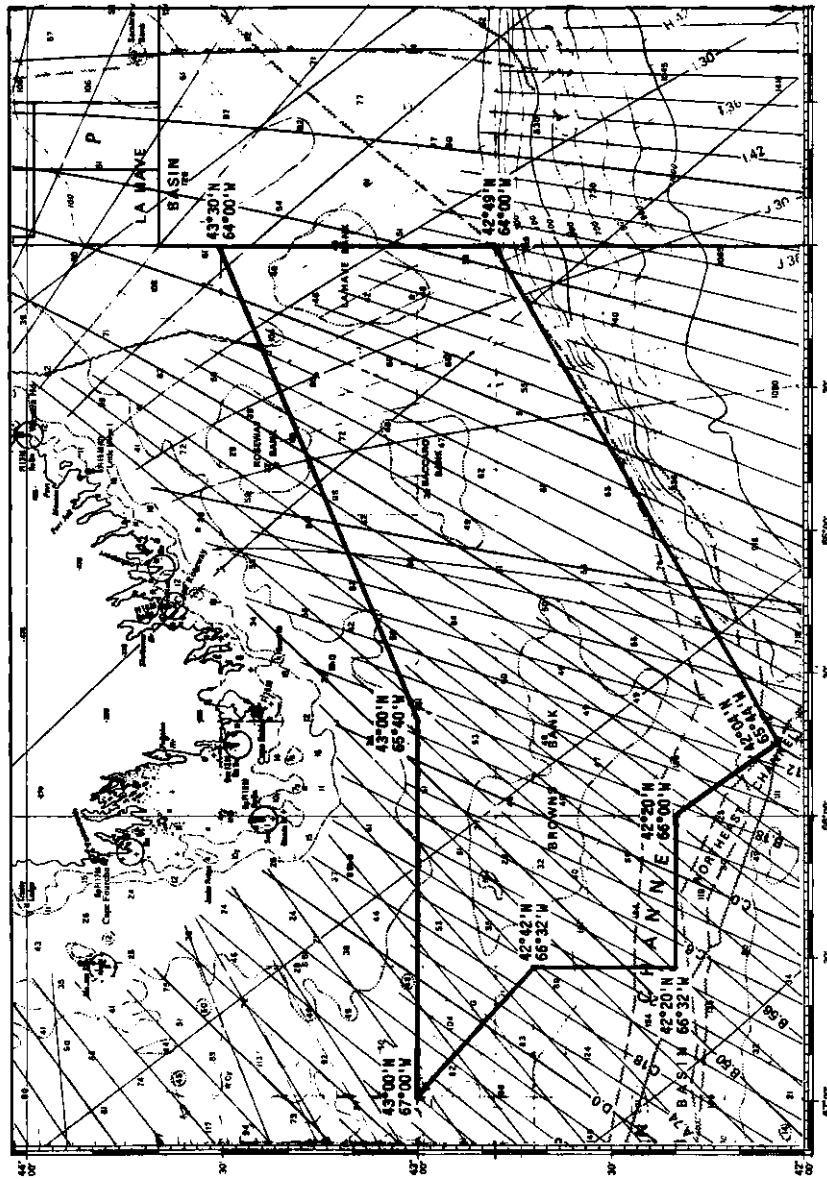
That Proposal (7) for International Quota Regulation of the Fishery for Haddock in Division 4X of Subarea 4, adopted at the Twenty-Fourth Annual Meeting (June 1974 Meeting Proceedings No. 16, Appendix III, page 218) and pending entry into force, be replaced by the following:

"That the Contracting Governments take appropriate action in 1975 to prohibit persons under their jurisdiction from using fishing gear other than pelagic fishing gear (purse seines or true midwater trawls, using midwater trawl doors incapable of being fished on the bottom) and from attaching any protective device to pelagic fishing gear or employing any means which would in effect make it possible to fish for demersal species during February, March, April and May inclusive, in that part of Division 4X of Subarea 4 bounded by the straight lines connecting the following coordinates in the order listed:

43°00'N , 67°00'W  
42°42'N , 66°32'W  
42°20'N , 66°32'W  
42°20'N , 66°00'W  
42°04'N , 65°44'W  
42°49'N , 64°00'W  
43°30'N , 64°00'W  
43°00'N , 65°40'W."

Note: The attached chart illustrates the areas affected by this proposal.

Chart illustrating the area affected by Proposal (5) for International Regulation of the Fishery for Haddock in Division 4X of Subarea 4 of the Convention Area



FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

(6) Proposal for International Regulation of the By-Catch of Haddock in Divisions 4V and 4W of Subarea 4 of the Convention Area

Panel 4, in joint session with Panel 5, recommends that the Commission transmit to the Depository Government the following proposal, for joint action by the Contracting Governments:

That paragraph 2 of the Haddock Quota Regulation for Divisions 4V and 4W of Subarea 4, adopted at the Twenty-Third Annual Meeting (Ann. Rept. Vol. 23, 1972-73, page 79) and amended at the Twenty-Fourth Annual Meeting (June 1974 Meeting Proceedings No. 16, Appendix V, page 220); and paragraph 3, adopted at the Twenty-Third Annual Meeting (Ann. Rept. Vol. 23, 1972-73, page 79), be replaced by the following:

"2. That in order to avoid impairment of fisheries conducted for other species and which take small quantities of haddock incidentally, the Contracting Governments may permit persons under their jurisdiction to have in possession on board a vessel fishing for other species, haddock caught in Divisions 4V and 4W of Subarea 4 in amounts not exceeding 5,000 lb or 2,268 kg, or 10 percent by weight, of all other fish on board caught in Divisions 4V and 4W of Subarea 4, whichever is greater.

"3. For all Contracting Governments the provisions of paragraph 2 of the Trawl Regulations for Subarea 4 regarding the incidental catch of haddock shall be suspended in Division 4V and Division 4W of Subarea 4 during the period that this proposal is in effect."

Serial No. 3420  
(A.a.4)

Appendix XI

FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

(7) Proposal for International Regulation of the By-Catch of Haddock in Division 4X of Subarea 4 of the Convention Area

Panel 4, in joint session with Panel 5, recommends that the Commission transmit to the Depository Government the following proposal, for joint action by the Contracting Governments:

"1. That in order to avoid impairment of fisheries conducted for other species and which take small quantities of haddock incidentally, Contracting Governments not mentioned by name in the part of Proposal (13) for International Quota Regulation dealing with 1975 national allocations for haddock in Division 4X of Subarea 4 (June 1974 Meeting Proceedings No. 20, Appendix IV, page 243), may permit persons under their jurisdiction to have in possession on board a vessel fishing for other species (either at sea or at the time of off-loading), haddock caught in Division 4X of Subarea 4 in amounts not exceeding 5,000 lb or 2,268 kg, or 10 percent by weight, of all other fish on board caught in Division 4X of Subarea 4, whichever is greater.

"2. For Contracting Governments not mentioned by name in the part of Proposal (13) for International Quota Regulation dealing with 1975 national allocations for haddock in Division 4X of Subarea 4, the provisions of paragraph 2 of the Trawl Regulations for Subarea 4 regarding the incidental catch of haddock shall be suspended in Division 4X of Subarea 4 during the period that this proposal is in effect."

## FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

(8) Proposal for International Regulation of the Fishery for Haddock in Subarea 5 of the Convention Area

Panel 5, in joint session with Panel 4, recommends that the Commission transmit to the Depositary Government the following proposal, for joint action by the Contracting Governments:

That the Haddock Quota Regulations for Subarea 5, adopted at the Twenty-Third Annual Meeting, June 1973 (Ann. Rept. Vol. 23, 1972-73, page 86) and amended at the Twenty-Fourth Annual Meeting, June 1974 (June 1974 Meeting Proceedings No. 16, Appendix IV, page 219), be replaced by the following:

"1. That the Contracting Governments take appropriate action to regulate the catch of haddock, by persons under their jurisdiction fishing in Subarea 5 so that the aggregate catch of haddock by vessels taking such haddock shall not exceed 6,000 metric tons in 1975.

"2. That Competent Authorities from each Contracting Government listed below shall limit in 1975 the catch of haddock taken by persons under their jurisdiction to the amount listed from Subarea 5<sup>1</sup>:

Canada	1,200 metric tons <sup>2</sup>
Spain	300 " tons <sup>2</sup>
USA	4,450 " tons <sup>2</sup>
Others	50 " tons

Provided, however, that Spain and the USA may report an adjustment in the amounts listed for them, without effect to the overall total, to the Executive Secretary no later than 31 December 1974. The Executive Secretary shall report such adjustment to the Contracting Governments.

"3. That in order to avoid impairment of fisheries conducted for other species and which take small quantities of haddock incidentally, Contracting Governments not mentioned by name in paragraph 2 above, may permit persons under their jurisdiction to have in possession on board a vessel fishing for other species (either at sea or at the time of off-loading) haddock caught in Subarea 5 in amounts not exceeding 5,510 lb<sup>2</sup> or 2,500 kg<sup>2</sup>, or 1 percent by weight<sup>2</sup>, of all other fish on board caught in Subarea 5, whichever is greater.

"4. That the Contracting Governments take appropriate action to prohibit persons under their jurisdiction from using fishing gear other than pelagic fishing gear (purse seines or true midwater trawls, using midwater trawl doors incapable of being fished on the bottom) and from attaching any protective device to pelagic fishing gear or employing any means which would in effect make it possible to fish for demersal species during March, April and May in areas of Subarea 5 bounded by straight lines connecting the following coordinates in the order listed:

(a) 69°55'W, 42°10'N	(b) 67°00'W, 42°20'N
69°10'W, 41°10'N	67°00'W, 41°15'N
68°30'W, 41°35'N	65°40'W, 41°15'N
68°45'W, 41°50'N	65°40'W, 42°00'N
69°00'W, 41°50'N	66°00'W, 42°20'N.

The provisions of this paragraph shall not apply to vessels that fish in area (a) with hooks having a gape of not less than 3 cm.

"5. For Contracting Governments not mentioned by name in paragraph 2 that the provisions of paragraph 2 of the Trawl Regulations for Subarea 5 regarding the incidental catch of haddock shall be suspended during the period the above regulations on the catching of haddock are in effect for Subarea 5."

<sup>1</sup> It is understood that no Contracting Government will permit a directed fishery for haddock.

<sup>2</sup> Pursuant to Proposal (8) from the Twenty-Fourth Annual Meeting (June 1974 Meeting Proceedings No. 16, Appendix IV, page 219), these are incidental catch limitations.

Serial No. 3420  
(A.s.4)

Appendix XIII

FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

Recommendation Relating to the Adoption of National Systems of Licensing Fishing Vessels

Panels 4 and 5, in joint session,

recommend

that the Commission, at its 25th Annual Meeting, formulate proposals, for joint action by the Contracting Governments, for the adoption of national systems of licensing in a form recommended by the Commission, designed to improve the observance and enforcement of regulations by specifying, among other relevant matters, the areas in which vessels are permitted by their Governments to fish and by permitting the inspection of licences by authorized inspectors under the Joint Enforcement Scheme.

## FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

(Joint Meetings of Panels 4 and 5)

Resolution Relating to the Enforcement of the Commission's Fishery Regulations

Panels 4 and 5, in joint session,

Recalling that regulations designed to achieve the conservation and optimum utilization of stocks of fish on the basis of scientific investigation and economic and technical considerations have been adopted by the Commission;

Recognizing that serious doubts have been raised concerning the current adherence to these regulations by some vessels flying the flag of Members of the Commission;

Realizing that the adoption of a comprehensive regulatory regime makes enforcement more difficult, and that the Member Governments must take an active part in ensuring the adherence to all regulations by vessels flying their national flag;

Recognizing also that certain fisheries produce substantial by-catch that must be recorded to ensure the success of the species allocation and the second-tier quota limitations;

Being Aware that observers from Member Governments on board vessels flying the flag of other Members of the Commission may serve in Subareas 4 and 5 and Statistical Area 6 to provide mutual understanding and knowledge of their fishing operations;

Having in Mind that, in order to achieve the purposes and objectives of the Convention, fishing activity in the area must be conducted in accordance with the regulations adopted by Joint Panels 4 and 5;

1. Request the Commissioners of Member Governments in the Panels 4 and 5 to invite the attention of their respective Governments to the above matters;
2. Decide to request the Commissioners of Panels 4 and 5 to urge their respective Member Governments to immediately initiate the necessary steps both internally and with other Member Governments to:
  - (a) Provide to the extent practicable for the accommodation of designated observers from other Members of the Commission aboard fishing vessels flying their national flags engaged in the fisheries in Subareas 4 and 5 and Statistical Area 6;
  - (b) Implement the Scheme of Joint International Enforcement by designating and dispatching inspection vessels to the area for this purpose, or by providing inspectors to participate in the Scheme by accompanying inspectors on inspection vessels employed by other Governments;
  - (c) Ensure that all masters of fishing vessels have sufficient knowledge of the regulations for each Subarea to preclude unintentional violation or misunderstanding of the regulations;
  - (d) Establish a standard logbook under its domestic procedures to fulfill the requirements of paragraph 4 of "Proposal for Management of International Quota Regulations";
  - (e) Provide the Secretariat with a copy of the logbook and its instruction for completion and an English translation, and instruct the Secretariat to provide copies to each Member Government;
3. Further Requests that Member Governments which have vessels flying their national flag fishing in Subareas 4 and 5 and Statistical Area 6 review and, if necessary, improve their arrangements for ensuring:
  - (a) that national quotas are not exceeded;
  - (b) that the obligations (June 1974 Meeting Proceedings No. 16, Appendix III, pages 241-242) applying where a country does not have a specific quota for a regulated stock or species are fully observed;

- (c) that the requirements for recording of catch, including discards (June 1974 Meeting Proceedings No. 16, Appendix III, page 242) are fully observed;
  - (d) that provisional monthly catch statistics are provided as fully and in good time as possible (June 1974 Meeting Proceedings No. 16, Appendix I, page 238);
4. Request STACTIC, in relation to paragraphs 2(d) and (e), to meet at a very early date well in advance of the 1975 Annual Meeting to consider further the implementation of deploying observers on fishing vessels, the standardization of logbook entries, and to review all Commission regulations and their adherence and enforceability; and to provide proposals to the 1975 Annual Meeting concerning the deployment of observers, logbook entries, and revisions to the Commission's regulations and their method of enforcement.



FIFTH SPECIAL COMMISSION MEETING - NOVEMBER 1974

Special Meeting of Panels 4 and 5

of the

International Commission for the Northwest Atlantic Fisheries

Press Notice

1. A Special Meeting of Panels 4 and 5 of the International Commission for the Northwest Atlantic Fisheries was held at National Marine Fisheries Service, Southeast Fisheries Center, Miami, Florida, from 11 to 15 November 1974. About 60 delegates attended from Member Countries of the Commission as follows: Canada, Denmark, Federal Republic of Germany, German Democratic Republic, Italy, Japan, Poland, Portugal, Romania, Spain, Union of Soviet Socialist Republics and the United States of America. Observers were present from Cuba and the Food and Agriculture Organization of the United Nations (FAO). The meeting was held under the chairmanship of Mr E. Gillett (United Kingdom), the Chairman of the Commission.

Scientific Advice

2. The Scientific Advisers to Panels 4 and 5 met for three full days to examine available and relevant data in an effort to provide up-to-date advice on the major conservation problems before the meeting of the Panels.

Subjects Considered

3. The main purpose of the meeting was to consider conservation requirements for yellowtail flounder, herring, haddock, squid and the hakes and to examine the observance and control of Commission regulations and the improvements necessary for this purpose. Agreement was reached on all these matters, though it was recognized by all delegations that further measures must be fully and urgently studied and brought forward for decision at later meetings of the Commission.

4. The Members of the Panels 4 and 5 agreed that an area off Cape Cod and Southern New England should be closed to fishing vessels over 130 feet in length and which used other than pelagic fishing gear during the year round in order to protect the stocks of yellowtail flounder. National catch limitations for the yellowtail flounders in this area and the Georges Bank area were also agreed.

5. Stringent measures for regulating the catch of haddock in the Georges Bank area and the area off southwestern Nova Scotia, especially by limiting the incidental catch of haddock in fisheries for other species, were approved. As a further protection for the limited haddock stocks, an area encompassing Browns Bank off southwestern Nova Scotia was extended to include fishing grounds to the northeast including LaHave Bank. The Panel Members agreed that the area should be closed to fishing with any type of bottom gear during the months of February to May inclusive.

6. From evidence of further declines in the herring stocks in the Gulf of Maine, the Panel Members agreed to recommend to fishing nations that the total allowable catch be reduced from 25,000 tons to 16,000 tons in 1975.

Enforcement of Fishery Regulations

7. The meeting agreed that it was essential to get full compliance with ICNAF regulations in order to share out the stocks equitably and prevent overfishing, and Member Governments will be asked to review their national arrangements for control and to step up the level and effectiveness of inspection of vessels at sea under the Joint Enforcement Scheme. It was also agreed to ask the Commission, at its next Annual Meeting, to formulate proposals for a system under which vessels would be licensed by their flag state to fish in particular parts of the ICNAF Area, where this is not already done.

Next Meeting

8. A meeting of Panels 2, 3 and 4 of the Commission to discuss capelin and haddock and of the Standing Committee on International Control will be held early next year. The next Annual Meeting is to be held in Edinburgh, Scotland from 10 to 20 June 1975.

Acknowledgements

9. The meeting participants through Mr E. Gillett, the Chairman of the Commission, expressed their gratitude to the US Government and particularly to the Southeast Fisheries Center of the National Marine Fisheries Service, Department of Commerce for the many kindnesses and fine meeting arrangements.

Office of the Secretariat  
15 November 1974