

International Commission for



the Northwest Atlantic Fisheries

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## ANNUAL MEETING - JUNE 1976

Proceedings  
of  
Eighth Special Commission Meeting - January 1976

FAO, Rome, 21-26 January 1976

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## International Commission for



## the Northwest Atlantic Fisheries

Serial No. 3739  
(B.u.76)

Proceedings No. 2

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

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

Monday, 19 January, 1020 hrs  
 Tuesday, 20 January, 0930 hrs  
 Thursday, 22 January, 2015 hrs  
 Saturday, 24 January, 1100 hrs  
 Monday, 26 January, 0915 hrs

1. Opening. The meeting of the Standing Committee on International Control (STACTIC) was convened by the Chairman, Mr W.G. Gordon (USA).
  2. Participants. All Member Countries were present, except Iceland and Romania.
  3. Rapporteur. Mr D.E. Russ (USA) was appointed Rapporteur.
  4. Agenda. The provisional agenda, as circulated 60 days in advance of the meeting, was adopted.
  5. The Chairman drew attention to the STACTIC Agenda Item, "Amendments to the Scheme of Joint International Enforcement", and announced that the Canadian delegation would, in accordance with an agreement at the June 1975 Annual Meeting (June 1975 Mtg.Proc.No. 4, App.I, Annex 5), present a paper (Comm.Doc. 76/I/4) and show a film on Transfer of ICNAF Inspectors by Helicopter in the FAO Cinema Room 23 in Building C, at 1400 hrs and that Comm.Doc. 76/I/2, "Note by US Commissioners on Strengthening and Improving the Scheme of Joint International Enforcement of the ICNAF Fisheries Protocols within the Convention Area and Statistical Areas 0 and 6", which was a revision of Comm.Doc. 76/IX/50, "Note by US Commissioners Concerning Regulation of International Fisheries in the Convention Area and Statistical Areas 0 and 6 (Intent to make proposals)", presented to the September 1975 Special Commission Meeting (September 1975 Mtg.Proc.No. 13), would be available for consideration following the film.
  6. STACTIC recessed at 1130 hrs.
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7. STACTIC reconvened at 1400 hrs in the FAO Cinema. The delegate of Canada reviewed the Canadian paper on helicopter transfers to fishing vessels (Comm.Doc. 76/I/4) and narrated a film demonstrating boardings at sea of a Canadian fishing trawler by Canadian ICNAF inspectors from a helicopter. He invited Member Countries to consult, as necessary, with their technical experts prior to the 1976 Annual Meeting and to expect a formal Canadian proposal to the 1976 Annual Meeting for the adoption of the procedure as part of the ICNAF Scheme of Joint International Enforcement.
  8. Further to the Agenda Item, "Amendments to the Scheme of Joint International Enforcement", the delegate of USA introduced a US proposal for strengthening and improving the Scheme of Joint International Enforcement by allowing the detention of and the withdrawal of registration of those vessels found infringing the Commission's regulations and the adjustment of catch quotas for taking more than the allowed catch (Comm.Doc. 76/I/2). The delegate of Portugal noted that he had had very little time to review the US proposal. He questioned if an inspector could find a vessel and/or skipper guilty and administer punishment as if he were a judge in a court of law, and asked why the US proposal on over-quota penalties or adjustments excluded coastal states? He felt such penalties should only apply equally to all Contracting Governments. The delegate of Norway noted that the US proposal had merit but should be limited to detention only, because withdrawal of registration appeared beyond the scope of the inspector's authority. He noted that the term "apparent" infringement needed to be made more concrete. The delegate of USSR said that the US proposal introduced some serious fundamental changes from the US proposal submitted at the Seventh Special Commission Meeting, September 1975 (ICNAF Comm.Doc. 75/IX/50). He also said that it would be very difficult for the USSR to accept the US proposal (Comm.Doc. 76/I/2) before having time to review it. He stated that withdrawal of a vessel registration was against Soviet legislation. No Soviet vessel may be deprived of its right to work at sea. He stressed that changes would need to be effected in Soviet law before acceptance of the US proposal as stated. He strongly indicated that the law courts only should judge. It would be impossible

for the ICNAF inspector to be the judge and impose punishment against a fishing vessel. The delegate of FRG also drew attention to the significant difference between the present US proposal and the US proposal provided to Contracting Governments at the September 1975 Special Meeting in Montreal. He raised the issue of what is and what is not control. He felt that it might be possible that registrations (licences) issued to fishery companies in his country could be withdrawn by a flag state inspector with respect to one vessel in a certain area. He favoured over-quota adjustments for Contracting Governments who overfished quota allocations but felt that a 250% adjustment could be excessive. FRG could not accept excluding coastal states as stated in the US proposal, but felt the burden must be on the Contracting Governments and there should be no exclusions. The delegate of Portugal suggested that, when judging the performance of countries, at the time of determining quota allocations within TACs, not only the excess of catches could lead to adjustments, but also in that performance, the amounts that have been added as an arrangement of transference of quotas between countries should not be taken as an integral part of that performance.

The delegate of USA, in response to the comments, said that it was not the intent of the US proposal to have inspectors withdraw national registrations (licences) to prevent vessels from continuing to sail but that such withdrawal was only of the authorization to fish and was only of a temporary measure necessary to ensure timely resolution of the problem. He said that the US proposal was not intended to punish fishermen but to bring about the control that, for four years since the Joint Inspection Scheme was agreed upon in 1971, has been direly lacking. Detention in the US proposal was only to allow adequate time for the flag state inspector, if available, to come to the scene and to conduct the necessary investigation concerning any infringement and provide the successful resolution of the matter. The delegate of Portugal said that he would be in a much better position to comment on the US proposal after studying the document but emphasized that punishment for over-quota fishing should not apply to the entire nation's fleet but to the specific vessel that overfished. The delegate of USSR was greatly concerned that fishing vessels could suffer great financial losses if the US proposal as stated was accepted. Inspectors would eventually have more rights than Courts. The inspector's government should be held liable for losses or damages attributable to the inspector's action. He supported more cooperation between the ICNAF and flag state inspectors and foresaw no problem in having these inspectors check out and fully investigate apparent infringements. The delegate of UK indicated that the UK could not accept a regulation of this kind without altering its legal system. Such an alteration was very questionable since the Law of the Sea results would alter the whole scheme in due time. He felt strongly that the problem was with Member Governments failing to follow up on infringement reports, failing to prosecute fishermen who commit infringements and failing to carry out their obligations under the ICNAF Scheme of Joint Enforcement. The US proposal as stated, in his opinion, could only create new problems. The delegate of Italy agreed with others that the US proposal for detention and withdrawal of registration went too far and would create financial losses to vessel owners and/or fishing companies.

The delegate of Canada had some legal difficulties with the US proposal and had not had a chance to review them with his legal advisers. However, he strongly emphasized the need for all Member Governments to become actively involved in the International Scheme of Joint Enforcement. Until now, the burden of policing the distant-water fisheries had been shared by the two coastal states. The delegate of Japan had some difficulties fully understanding the US proposal and he needed further explanation from the delegate of USA. He also needed time to study the document.

The delegate of UK reiterated that the real problem was the lack of cooperation by Member Governments in prosecuting violations and that flag states were not properly enforcing the ICNAF regulations against their own fishermen. When evidence is communicated to the flag state concerning a violation, then there should be timely prosecution and resolution. He could not see how the US proposal as stated could, in fact, achieve this aim.

The delegate of GDR supported improving the Enforcement Scheme but the US proposal needed careful discussion. Because the Member Governments had considerable difficulties with the US proposal, the matter might best be deferred until the Law of the Sea meeting was concluded. The delegate of Portugal felt that it was most difficult to judge the perfection of the Scheme when the requirements under the Scheme were changing constantly. There was a need to study the system now in effect, to find out how well or poorly it is working, then effect changes, if necessary. The delegate of FRG shared the views of the delegate of Portugal. He felt that the Law of the Sea meeting would not resolve all fishery problems and there would still be need for a Joint International Enforcement Scheme. He suggested that the delegate of USA might wish to review and revise his proposal. The delegate of UK, in making his position clear relative to the over-quota penalties, pointed out that it was the responsibility of the flag states to see that their fishermen did not exceed their quota allocations.

9. STACTIC recessed at 1800 hrs, 19 January.

10. STACTIC reconvened at 0930 hrs, 20 January.

11. The Chairman welcomed the delegate of Romania and reopened discussion on the US proposal for strengthening and improving the Scheme of Joint International Enforcement (Comm.Doc. 76/1/2). The delegate of Poland appreciated the concern expressed in the US proposal for strengthening and improving the Scheme of Joint International Enforcement. Polish authorities have taken several steps in order to ensure the proper implementation

of all ICNAF regulations by the Polish fishermen. Poland actively participates in the ICNAF Scheme of Joint International Enforcement, sending national inspectors on board fishing vessels to make inspections at sea in the Convention Area. The inspections of Polish fishing vessels by the US and Canadian inspectors have not detected serious infringements. Nevertheless, Poland is of the opinion that it is necessary to make the international control more effective. The US proposal has some difficulties for Poland from the legal point of view. According to Polish law, the national inspector is not empowered to detain the inspected vessel, even if an apparent infringement was found. He can only report the facts to appropriate Polish authorities and require the master of the vessel not to continue the action which may cause further violation of the regulations. The inspector cannot impose any punishment upon the master of the vessel. The detention of a vessel or the withdrawal of the vessel's registration to fish in the Convention Area can only be considered as punishment under Polish law and, in these circumstances, Poland could not accept the US proposals in ICNAF Comm.Doc. 76/I/2. The delegate of Spain had no objection to the US proposal but he felt that present rules were becoming more complicated rather than simplified. He pointed out that Spain was improving its fishing activities, as were other countries, as reflected in ICNAF Comm.Doc. 76/I/3. He felt that the over-quota penalty was a matter of concern for the Commission. The delegate of Portugal did not see where the US proposal would provide for improvement in the present Scheme of Joint Enforcement. He felt that the provision for an over-quota penalty in the US proposal was a matter that should be discussed by the Commission, rather than in STACTIC. The delegate of France stated that each improvement to the Scheme raises more legal difficulties. However, the legal issues should not drown out the US proposal. If the Commission had waited over the years for each proposal to be fully approved by the lawyers, it would not have made much progress. She felt that maybe Canada and the USA, the countries which have been in constant contact with the problems of enforcement under the Scheme, are the best judges as to what is needed to improve and strengthen the Scheme. The delegate of Romania said that it was impossible for him to attend the STACTIC meeting on 19 January due to bad weather in Bucharest. He stated that Romanian fishing vessels observe all ICNAF fishery regulations and that no infringements were found by inspectors. He viewed detention and withdrawal of registration as matters which might be items for which the Law of the Sea could find lasting solutions. The delegate of Bulgaria noted the great progress already made in ICNAF on controlling the fisheries. He stated that Bulgaria had many legal problems concerning the detention of fishing vessels and withdrawal of licenses. He suggested that STACTIC analyze the statistical data related to the execution of the quotas for 1975 and report the conclusions and suggestions coming from these analyses at the time of the 1976 Annual Meeting. The delegate of USA expressed his disappointment at the many difficulties expressed by Member Governments concerning the US proposal. He reiterated that USA was hoping to leave this meeting with some meaningful improvements to the Scheme of Joint Enforcement. His delegation was willing to consider modifications to its proposal and to discuss the revised document in a positive way.

The Chairman suggested that the delegate of USA should proceed as quickly as possible to prepare a revision of Comm.Doc. 76/I/2 for distribution for further debate. The delegate of USA stated this could be prepared and distributed to Member Governments as ICNAF Comm.Doc. 76/I/2 - Revised.

12. The Chairman drew attention to STACTIC Agenda Item "Enforcement Problems in the Effort Limitation Scheme". The delegate of Canada stated that Canada would have a short paper (ICNAF Comm.Doc. 76/I/6) on enforcement problems in the effort limitation scheme. The paper would speak for itself; it should not be controversial and only a part of the document, in fact, was a matter for STACTIC.

13. Under the STACTIC Agenda Item "Other Business":

(a) The delegate of FRG made suggestions for improvements in the timely and concise notification of new ICNAF regulatory measures. He suggested that the 1975 ICNAF Fishery Regulations (Comm.Doc. 75/6) be updated as it was of great help to the fishermen.

(b) The delegate of USSR introduced a proposed addendum to Section 5(iii) of the present Scheme of Joint Enforcement. The addendum stated "The members of the inspection party shall not visit the galley of the inspected vessel unless they possess sanitary certificates issued by appropriate authorities of the flag state vessel." The delegate of USA expressed puzzlement and wondered if the matter could not be handled in a somewhat different way and the Scheme kept as a positive document. The delegate of Portugal agreed with the delegate of USA. However, it should be made clear that the ICNAF inspector was bound by the procedures outlined in the Scheme of Joint Enforcement and the inspector should only go where he has to go in order to ascertain the facts of the infringements. The delegate of USSR said he found it necessary to cite a situation where US inspectors entered a Soviet fishing vessel's kitchen and even crew's quarters where they had no right to be under the circumstances. The delegate of USSR was concerned because such practices are a public health problem and strongly requested that such future practices by US inspectors be restricted. The delegates of Portugal and FRG expressed their concern and commented that the ICNAF inspectors should be thoroughly familiar with paragraph 5 of the Scheme of Joint Enforcement. The delegate of UK stated that inspectors should certainly be required to conduct their activities under the Scheme of Joint Enforcement and that a complaint concerning an inspector's conduct in any particular case when boarding under the authority of the ICNAF Scheme was a matter for STACTIC consideration, and in the light of the circumstances of that case. After considerable discussion STACTIC agreed that it was not the intent of the Scheme of Joint Enforcement for inspectors to enter areas where the health of the crew of a fishing vessel might be affected.

(c) The delegate of FRG suggested that possibly the ICNAF Secretariat could supply Member Countries with a looseleaf handbook containing ICNAF fishery regulations, statistical requirements, and administrative provisions such as how to deal with inspection reports, etc. Such a handbook could be updated by periodic changes

generated from the Secretariat. Also, he felt that it might be possible for the ICNAF Secretariat to identify current catches, over-quota catches, and further specifications needed to better inform the fishermen and those responsible for the conduct of their fishermen. The Executive Secretary stated that his office could assist in providing current fishery regulations and changes to such regulations as they occur. Manuals and handbooks, as suggested, could be provided, however, it would be the responsibility of Member Countries to translate the texts into their own language. Otherwise, the office of the Secretariat was prepared to provide any reasonable assistance to Member Countries in fulfilling their needs in ICNAF.

The delegate of Portugal, supported by the delegate of Italy, requested that the ICNAF Secretariat generate more documents like ICNAF Comm.Doc. 75/6 which was most helpful in informing fishermen and administrators alike of current fishery regulations. The Chairman reviewed the comments made by the delegates and those of the Executive Secretary and stated that appropriate recommendations would be made to the Commission through the STACTIC Report.

(d) The delegate of Spain requested information from the delegate of USA as to what law or authority the US inspector uses when conducting boardings outside the 12-mile limit. The delegate of USA replied that United States inspection officers (officers of the US Coast Guard or agents of the US National Marine Fisheries Service) may, on occasion, board fishing vessels of other Contracting Governments in waters off the coast of the United States beyond 12 miles, either under the authority of the Joint Scheme of International Enforcement or under the authority of US domestic law. In either case, the authority for the boarding is made clear. If the boarding is done under the authority of the ICNAF Joint Scheme of International Enforcement, then the ICNAF pennant will be displayed from the enforcement vessel. If the boarding is pursuant to US domestic law (at present, the continental shelf fisheries resources regulations), the vessel being boarded will be so advised by the boarding officer, at the earliest possible time, upon establishment of radio, visual or direct verbal communications, and no ICNAF pennant will be displayed.

(e) The delegate of Spain cited an instance where an armed party of US inspectors had alarmed the master of a Spanish trawler. He proposed that ICNAF inspectors be denied the right to carry firearms and requested that his statement be recorded in the minutes of the STACTIC Report for presentation to the Commission in Plenary.

14. The Chairman called for discussion of the Agenda Item, "Enforcement Problems in the Effort Limitation Scheme", and invited the Canadian delegation to introduce and explain their proposal (ICNAF Comm.Doc. 76/I/6). The delegate of Portugal saw no difficulty with Item 1 of the Canadian proposal which required modifications to the Report of Inspection adopted at the 1975 Annual Meeting. Item 2 had already been included in a recommendation to establish standard entries for inclusion in all logbooks (June 1975 Mtg.Proc.No.4, App.II), and Item 3 was not a matter for STACTIC but for discussion in the Commission. The delegate of Canada agreed that Item 2 of the Canadian proposal was already a requirement and that Item 3 could be taken when the proposal on effort limitation was considered in a joint meeting of Panels 2, 3, and 4 (see Proc. 5). The delegate of FRG stated that he had no substantive objection to the Canadian proposal, and suggested that Item 1 of the Canadian proposal could be incorporated in the Report of Inspection adopted at the June 1975 Annual Meeting. The delegate of USSR agreed in principle with the comments made by the delegate of FRG but stated that STACTIC was working rather rapidly and he needed some time to consult with necessary specialists at home before making a firm commitment. At the Chairman's suggestion, STACTIC agreed that the Report of Inspection forms on hand should be used up and that Member Countries should then take responsibility for changing the new reporting format to comply with Item 1 of the Canadian proposal (ICNAF Comm.Doc. 76/I/6).

15. The Chairman called for further discussion of the Agenda Item, "Amendments to the Scheme of Joint Enforcement", and drew attention to the revised US proposal (ICNAF Comm.Doc. 76/I/2 - Revised). The delegate of USA explained in detail the changes effected in the revised US proposal. The delegate of Portugal stated that the revised US document was an improvement but a practical difficulty still existed in the definition of "falsification". The delegate of Portugal stated that he would be submitting a working paper which would comment on and revise some of the principles in the revised US proposal, in the hope that they may be helpful in resolving some of the questionable points. The delegate of USSR stated that he still had some questions with regard to the revised US proposal, particularly in a case where the ICNAF inspector and the flag state inspector could not agree to an alleged infringement (A-E) as outlined in the US proposal. The delegate of USA felt that there would be very few instances where agreement would not be reached between the ICNAF inspector and the designated official of the flag state. He also presented a number of examples which could clearly be considered deliberate falsification of fishing logs. The delegate of FRG said it was important not to confuse deliberate falsification with unintentional error. He could accept the US proposal if the exemption for the coastal states from the over-quota adjustment provision was deleted. The delegate of Portugal also objected to the language of the US proposal providing for coastal state exclusion from the regulation. He favoured coastal state preference, but opposed total exemption for the coastal state from some provisions of the Commission.

The delegate of USSR viewed detention in the US proposal as being inconsistent with paragraph 5(i) of the existing Scheme of Joint Enforcement (Comm.Doc. 75/6). He emphasized that detention could result in financial losses to the master and vessel owners which could well be higher than the penalty assessed for an apparent infringement. The delegate of USA stated that there were no clear-cut answers at present to the questions posed by the delegate of USSR concerning losses and noted that such issues are usually dealt with in civil court actions. He added that the problem would be minimized if Member Countries provided

sufficient control through provision of adequate authorities and inspectors. The delegate of UK stated that the problems under discussion appeared to be more the result of failures to meet agreed obligations rather than lack of specific obligations provided in the existing Scheme. He suggested that STACTIC form a sub-committee to examine enforcement problems at the working level. The delegate of Canada could support the US revised proposal. However, Canada viewed an over-quota adjustment of 250% as too high, and suggested a figure of 100%, noting that this would not constitute a penalty. He stated that Canada would not insist on the coastal state exemption from the over-quota adjustment requirement in the US proposal.

At the Chairman's suggestion, STACTIC agreed that a Working Group of Member Countries could better discuss and debate the US proposal and report their findings and recommendations to STACTIC. The Chairman then named delegates from Canada, Portugal, USSR, UK, and USA to the Working Group. The delegate of USA was appointed Chairman of the Working Group.

16. STACTIC recessed at 1600 hrs, 20 January.

17. STACTIC reconvened at 2015 hrs, 22 January.

18. The Chairman requested a report from the Working Group set up to study the US proposal (Comm.Doc. 76/I/2 - Revised). The delegate of USA who was Chairman of the Working Group stated that he was unable to get a unanimous agreement from the Working Group and introduced Corrigenda I and II to ICNAF Comm.Doc. 76/I/2 - Revised, which he explained were not a product of the Working Group but were US proposals. The delegate of Portugal drew attention to his document (Comm.Doc. 76/I/9 - Revised) and introduced the Portuguese proposal on pages 4, 5, and 6 for improving the language in paragraph 5(v) of the Scheme of Joint Enforcement. He stated that the over-quota adjustment item was not a matter for consideration by STACTIC, and that the US proposal concerning withdrawal of registration added nothing to the Scheme. The delegate of Norway suggested that the Working Group should be given another opportunity to meet and to come to some agreed recommendations concerning the US proposal.

The Chairman raised the question of whether the over-quota adjustment item was a matter for consideration by STACTIC rather than STACREM. The delegate of USA restated the needs for better control, indicating strongly that many Member Countries have not properly controlled their fishing activities in the Convention Area and Statistical Area 6. The delegate of Portugal said that every measure in the Scheme of Enforcement was a control. The delegate of FRG agreed that the measures contained in the Scheme of Joint Enforcement were all controls and requested further discussion and views from other Member Countries. Although he shared the views of the Portuguese delegate that over-quota adjustment was somewhat beyond the terms of reference of STACTIC, he felt that the deliberation of the US proposal should continue in the present form, be it STACTIC or not. The delegate of Portugal stated that, in his opinion, the over-quota adjustment item rightfully belonged before STACREM. The delegate of Japan shared the views of the Portuguese delegate and suggested that the over-quota adjustment item be referred to STACREM and subsequent action by the Commission. The delegate of UK stated that there was a close link in terms of reference for STACTIC and STACREM and possibly the matter could be handled in either STACREM or STACTIC. He suggested, however, that a hard stand should not be taken on pure procedural references. He was supported by the delegate of FRG in suggesting that further discussion of all items of the US proposal be continued in STACTIC.

The delegate of Cuba suggested that a small Working Group be appointed to further discuss the items contained in the US proposal (Comm.Doc. 76/I/2 - Revised and Corrigenda I and II). The delegate of Denmark suggested that discussions should continue in STACTIC to see where the differences of opinion are on the US proposal. He felt that some new language might be appropriate in the US proposal.

In response to a suggestion by the delegate of Portugal that a thorough study be made of the US proposal to determine what the proposal was attempting to accomplish, the delegate of USA commented on all items of the US proposal, identifying the needs for each item, and the objectives which would be accomplished if such items were agreed. The delegate of Canada, in endorsing the US proposal, viewed "falsification of fishing logbook records" as a blatant violation. Inspectors in his country found it easy to distinguish between "falsification" and an error. The delegate of UK viewed detention and withdrawal of registration as punishment and that his country could not confer upon either foreign or national inspectors such powers. He said the fundamental differences were in legal systems and that only UK courts could administer punishment. The delegate of Cuba said detentions would create loss of fishing time for Cuban fishermen. In outlining his country's program of participation in the Scheme of Joint Enforcement, he said Cuba was ensuring their fishermen who fish in the Convention Area and Statistical Area 6 were well informed of Commission requirements and Cuba was prepared to take steps to punish infringements reported against their vessels.

The Chairman then proposed a vote by Member Countries on the items in the revised US proposal with Corrigenda I and II. The delegate of USA restated the objectives of the US proposal and hoped Member Countries would view the proposal as a means for improving the Scheme of Joint International Enforcement. The delegate of FRG said he was not opposed to taking a vote but he could only vote in favour of the proposal if it was made clear that there was no question of detention but only of facilitating control. The delegate

of Portugal restated his previous position and indicated strongly that the 48-hour detention period could definitely be considered as punishment. He suggested a 6- to 12-hour detention period as a more reasonable measure. The delegate of Japan said there were difficulties for Japan and he would, therefore, have to vote against such proposed measures. The delegate of Romania emphasized that detention on the high seas was outside the inspector's authority. He indicated that Romania would vote against the US proposal. The delegate of France supported the views expressed by the delegate of FRG and agreed that "falsification" was a serious violation but could not be left to the judgment of the international inspector. She agreed that, if a vote were taken, it should be on each item separately. The Chairman suggested that sub-paragraph (vi) of the proposed US amendment to paragraph 5 of the Scheme of Joint International Enforcement as presented in Corrigendum I to Comm.Doc. 76/I/2 - Revised be dropped. This was agreed by STACTIC. The delegate of Cuba could not accept detention and indicated that Cuba would have to vote against the US proposal. The delegate of GDR viewed detention as punishment and said that he would vote against the US proposal. The delegate of Norway recommended that the Working Group reconvene to resolve the difficulties found with the US proposal. Norway had several legal problems and would have to abstain, should a vote be taken at this time. The delegate of Bulgaria had difficulties with the detention and withdrawal of registration items. The delegate of UK, supported by the delegate of Portugal, viewed detention and withdrawal of registration as severe punishment and not control. Legislation in the UK would not enable his country to accept the proposal. The delegate of USSR stated that the problems could not be solved by voting at this time. He agreed with Norway and Cuba that the Working Group should be reconvened. The delegate of USA suggested that a vote on the amended US proposal not be taken because it was evident that the vote would not carry. He noted that his delegation was no longer disappointed in the course of the discussions, it was appalled! The original US proposal was now so watered down that it was difficult for the proposers to justify it. He reminded the delegates of the major statements on Law of the Sea and the need for a transition to the coming 200-mile economic zone by Secretary of State Kissinger shortly before the September 1975 Special Commission Meeting and by Under-Secretary of State Maw at the same Meeting in delivering the extraordinary message from the President of the United States. He felt that some delegates in spite of this seemed to be telling the United States to take unilateral action. He found this incredible, since such action would be reflected in future US and Canadian management of a 200-mile zone which would affect all ICNAF Members. The US proposal had been intended to make major steps as part of the transition to the 200-mile zone, in accord with the policy announced by Secretary Kissinger at the September 1975 Meeting. The delegate of USA said that the United States intended to do this by negotiation and agreement, and that international law certainly recognized the right of 18 nations as represented in ICNAF to agree amongst themselves in new arrangements. It is clear that the United States does not intend to live under the old fisheries order much longer. While the United States does not see much chance of agreement given the statements of a number of delegates, the United States would agree to a resumption of the Working Group since it genuinely desired to get out of this muddle and reach agreement on enforcement, which certainly needs to be improved. The delegate of Portugal stated that considerable progress has been made in establishing controls and additional discussion was needed to resolve the illogical issues which the US proposal raised. He said that he was willing to do everything possible to help get out of the "muddle", but that he did not feel pleased about the remarks made by the delegate of USA. The delegate of Cuba commented on the words spoken by the delegate of USA. He said that to negotiate it takes two parties who try to resolve contradictory views, not one who tells what to do and the other one accepts. The United States have their own interests and so have the rest of the Member Countries and any agreement should meet the interests of all. He wished everyone to understand that Cuba comes to the ICNAF meetings with the purpose to promote her interests and yet subscribes to the principles of the Commission. He hoped everyone would maintain a constructive attitude and work together to resolve complex matters. Cuba would keep on working in a constructive way because Cuba believes in the principles of the Commission.

The Chairman suggested that the STACTIC Working Group meet at 0900 hrs, 23 January, and return to the next STACTIC meeting with a report of their deliberations and accomplishments.

19. STACTIC recessed at 2320 hrs, 22 January.

20. STACTIC reconvened at 1100 hrs, 24 January.

21. The Chairman requested the Chairman of the STACTIC Working Group to present its report and recommendations (Appendix I).

(a) Following the presentation the Chairman requested comments from Member Countries on a draft proposal for a requirement to have flag state inspector or designated authority present (Appendix I, Annex 1). The delegate of Romania suggested that the numbers of vessels in the first sentence of paragraph 2 of Annex 1 should be changed to a lower number, possibly 3 or 5, from the 10-15 suggested. The delegate of USSR said he had no objections to the Annex 1 item, but both he and the delegate of Cuba said they needed information regarding the location of inspection offices in North America. They also requested instructions about proper methods for establishing communication between foreign inspectors and flag state authorities, having in mind that diplomatic channels could not be used for such a purpose. The delegate of USA replied that he saw no particular difficulty in making appropriate arrangements for designated authorities in one of the North American countries. He also noted that existing commercial communication facilities are more than adequate to meet the needs of these authorities, both in voice and in telegraphic modes. The delegate of Denmark indicated the present Scheme of Joint International Enforcement (pages 29-32 of Comm.Doc. 75/6)

already provided for the presence of flag state inspectors and designated authorities. He suggested that there was perhaps a need to consider the "capacity" of the vessels engaged in fishing in the Convention Area as well as the numbers. The delegate of Portugal noted that until now it was not mandatory for Member Countries to have an inspector in the Convention Area or a designated flag state authority stationed in North America. The delegate of Canada said he saw no difficulties with the Annex 1 proposal and pointed out that such a designated authority arrangement was already in effect between Canada and USSR. He preferred changing the vessel number to 10 rather than 10-15. The delegate of Italy suggested a figure of 12 vessels, while the delegate of UK preferred a larger number than 10 vessels. The delegate of USSR suggested a specific number dependent upon vessel length. The delegate of Denmark stated that, since there was no discussion of his suggestion to setting the vessel limit at 20 or taking into consideration the size of the vessels, he at least would want the words "North America" changed to "coastal states" in order to include Greenland. The delegate of FRG supported the proposal of the delegate of Denmark and suggested that the states bordering the Convention Area should be mentioned.

The Chairman instructed the Working Group to redraft Appendix I, Annex 1, and incorporate the views and suggestions for consideration later by STACTIC.

(b) The Chairman then requested consideration of a draft proposal for actions to be taken immediately upon discovery of an apparent infringement (Appendix I, Annex 2). The Chairman of the Working Group drew attention to the deletion of the paragraph D on falsification of logbook records and to the substantial changes made in the latter part of the text. At the suggestion of the delegate of UK, "allowable catch" in line 2 of paragraph B was changed to read "'Others" quota". The delegate of FRG said it would be difficult for him to convince his Government that the proposal was a non-detention one. He stated the measure would not facilitate control. Following suggestions by the delegates of UK and Romania for improvements to the text, STACTIC agreed that the Working Group should redraft Annex 2 incorporating the suggested language change.

(c) Following suggested language changes to a draft resolution relating to the improvement of the Commission's fishery regulations (Appendix I, Annex 3), STACTIC agreed that the Working Group should also redraft the resolution.

(d) The Chairman requested consideration of a draft resolution relating to withdrawal of authorization to fish (Appendix I, Annex 4). A suggestion to delete "on a mandatory basis" from line 6 of the 'Recognizing' paragraph by the delegate of UK was supported by the deleate of Italy and agreed by all delegates. The delegate of USSR viewed "falsification of fishing logbook records" as a very serious infringement. In response to a request from the delegate of Italy for a definition of "falsification", the delegate of USA said that, as defined by the Working Group, it was the willful and intentional entry into a fishing logbook of an incorrect entry. The delegate of FRG indicated that he had some difficulty with the use of the word "penalty" in line 6 of the 'Recognizing' paragraph. Following several suggestions for further language change, STACTIC agreed that the Working Group should redraft Annex 4 to include comments and suggestions.

(e) The Chairman asked the Chairman of the Working Group to present a draft proposal regarding over-quota adjustment (Appendix I, Annex 5). The delegate of USA, in support of the proposal, pointed out that it would be a positive incentive to Member Countries to control the activities of their fishermen more closely. The delegate of Portugal agreed with the US delegate's statement, but reiterated his stand that the proposal was a matter for consideration by the Commission rather than STACTIC. Suggestions for improving paragraph 7 of the proposal by inserting new language were agreed. The delegate of USA emphasized the seriousness of over-quota fishing and cited over-runs of 114% in specific instances. He stated that Member Countries needed to more closely control the activities of their fishermen, particularly in fisheries in the "Others" categories. In suggesting further debate on the merits of the proposal, he stated that mechanisms for better control of this over-quota fishing must be found, otherwise the "Others" category would have to be absorbed in national allocations. The delegate of Portugal said he could not see how the proposal would correct the situation. The delegate of USA hoped that the members of STACTIC would respond to the needs of the problem and debate the principles of the proposal rather than its wording. The delegate of Japan pointed out that absorbing "Others" quotas in national allocations would not solve the problem because each country would demand specific quotas on all species for precaution. As a result, many specific quotas would not be caught and the procedures for future allocations would become very difficult. He also felt that not only should there be adjustment after over-quota fishing, but also for under-quota fishing. The delegate of Cuba felt the proposal, as written, might create more problems than solutions. He suggested further study and submission of Member Countries' further views at the June 1976 Annual Meeting. In response to the statement by the delegate of Portugal that the over-quota problem was attributable to the system of reporting catches, the delegate of USA, supported by the Executive Secretary, viewed the problem as not the fault of the reporting system but as the failure of Member Countries to take the necessary action to control quota over-runs. The delegate of USSR recognized the over-quota fishing problem and agreed with the principles of this proposal. He said his Government was concerned with the "punishment" aspect and wished to see the proposal redrafted. The delegate of Italy said his Government also could not accept "punishment" by the Commission. This was a matter for the Italian courts. The delegate of FRG viewed the over-quota adjustment not as a punishment but as an administrative measure to restore the state of the stocks.

The Chairman suggested, with the members of STACTIC agreeing, that the Working Group incorporate the agreed changes in Annexes 1 through 5.

22. STACTIC recessed at 1620 hrs, 24 January.

23. STACTIC reconvened at 0915 hrs, 26 January.

24. The Chairman drew attention to the proposal redrafted by the Working Group to strengthen and improve the Scheme of Joint Enforcement.

(a) The Chairman suggested that each proposal be discussed separately and requested comments on the revised draft of the proposal for requirement to have flag state inspector or designated authority present. The delegates of Portugal and Denmark felt the title should be shortened and the language improved. It was agreed that the title should read "Proposal for Requirement to have the Flag State Inspector or Designated Authority present in the Convention Area or Statistical Areas 0 and 6". The Chairman suggested 15 as the number of vessels to be inserted in line 2 of the text of the proposal. The proposal as amended was considered and STACTIC

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (1) that paragraph 1 of the Scheme of Joint International Enforcement be amended to require that a Contracting Government having more than 15 fishing vessels in the Convention Area and Statistical Areas 0 and 6 have an inspector or designated authority present in the Convention Area and Statistical Areas 0 and 6 to receive and respond to notice of apparent infringements (Appendix II).

(b) The Chairman requested comment on the revised draft of the proposal for actions to be taken immediately upon the discovery of an apparent infringement. Suggestions by the delegates of Romania and USA for improving the language of the text were accepted. The Chairman pointed out that the proposal, as written, was not meant to stop all fishing but to stop only that fishing which was observed as an apparent infringement under the new paragraph 5(v) of the Scheme. Following suggestions from the delegates of FRG and Denmark, it was agreed that the wording "notwithstanding any other provisions of this Scheme" in line 1 of paragraph 5(v) should be deleted. Having agreed to the proposed amendments, STACTIC

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (1) that paragraph 5(v) of the Scheme of Joint International Enforcement be replaced to provide for the immediate actions necessary upon discovery of an apparent infringement (Appendix III).

(c) The Chairman requested comments on the redraft of the resolution requesting STACTIC to review reports of inspectors and reported actions taken by Contracting Governments in respect of apparent infringements. The Chairman pointed out that the reports listed in the proposal were already required under the Scheme of Joint International Enforcement but the resolution provided for their review and for recommendations to the Commission to provide for better compliance with the Commission's regulations and to strengthen and improve the Scheme.

The meeting agreed that there should be better cooperation between Member Countries in resolving infringements and improving the Scheme. Taking account of minor amendments to the proposal, STACTIC

agreed to recommend

that the Commission adopt resolution (1) relating to the enforcement of the Commission's fishery regulations (Appendix IV).

(d) The Chairman then requested comments on the redraft of the resolution relating to withdrawal of authorization to fish. Following several amendments to the proposal, STACTIC

agreed to recommend

that the Commission adopt resolution (2) relating to withdrawal of authorization to fish in the Convention Area and Statistical Areas 0 and 6 (Appendix V).

(e) The Chairman requested comments on the redraft of the proposal relating to over-quota adjustments. The delegate of USA suggested the words "reductions" and "reduce" where they appear in the text should read "adjustments" and "adjust". The delegate of Portugal suggested deletion of "nationals or" in line 1 of paragraph 7(a) and "or perpetuate the harm caused by the fishing above the quota limit". The Chairman of the Working Group assured the delegate of Portugal, and the meeting in general, that there was no intent to adjust quotas for over-fishing which had occurred in past years, however, there would naturally be a delay of one quota period. Having included the amendments in the proposal, STACTIC

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (2) that a new paragraph 7 be added to the Management of International Quota Regulations to allow for adjustments in cases where there has been over-quota fishing (Appendix VI).

25. Under Other Business, the delegate of Spain gave notice that Spain intended to use special small-mesh nets from 10 fishing vessels in special experimental fishing for squids in Subarea 5 and Statistical Area 6 during 1976 and possibly 1977.

The delegate of Cuba, in response to a question from the delegate of Canada, said that Cuban vessels were ready to be inspected now and that Cuba was training ICNAF inspectors and plans to begin inspecting fishing vessels during the second half of 1976.

The delegate of Canada hoped the Canadian proposal for use of helicopters for inspection of fishing vessels could be adopted at the 1976 Annual Meeting. He agreed to provide technical as well as general operational guidelines to all Member Countries for review and study. He invited Member Countries to participate in their trials and permit helicopter inspections on a voluntary basis before the proposal is acted upon. The delegate of USSR said he was not against bilateral arrangements but felt that Soviet fishing vessels provided very little free space on the decks for transfer of inspectors by helicopters. He looked forward to the delegate of Canada providing his Government with technical information and instructions for the masters of fishing vessels.

At the Chairman's suggestion, STACTIC agreed to meet again prior to the Annual Meeting during the period 31 May to 5 June inclusive.

26. There being no other business, STACTIC adjourned at 1145, 26 January 1976.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of the STACTIC Working Group

Thursday, 22 January, 0800 hrs  
Friday, 23 January, 0900 hrs and 1530 hrs  
Saturday, 24 January, irregularly throughout the day

1. The Working Group convened under the chairmanship of Mr L.N. Schowengerdt (USA). Lt T.R. McHugh (USA) was appointed Rapporteur. Representatives from Canada, Denmark, Japan, Portugal, USSR, UK and USA attended.
2. The Working Group had a mandate from STACTIC to seek a solution to the difficulties the Member Countries were having in accepting the US proposal for detention of vessels, withdrawal of registration for certain infringements and over-quota adjustments (Comm.Doc. 76/I/2 - Revised).
3. The Working Group met at 2015 hrs on 22 January but was unable to get unanimous agreement from the members on recommendations for STACTIC. As a result, the US delegation provided STACTIC with further modifications to its proposal in Corringenda I and II to Comm.Doc. 76/I/2 - Revised. These were considered by STACTIC at 2015 hrs, 22 January.
4. Following continued difficulties with accepting the new US proposal, the Working Group, as instructed by STACTIC, met again at 0900 hrs and 1530 hrs, 23 January to provide agreed recommendations to STACTIC. The Working Group approved the recommendations contained in Annexes 1-5 with the suggestion that STACTIC set the minimum number of vessels for which an inspector or designated authority would have to be present in the Convention Area or Statistical Areas 0 and 6 at between 10 and 15.
5. Consideration by STACTIC of the recommendations in Annexes 1-5 resulted in comments and suggestions which were incorporated in redrafts by the Working Group on 24 January and agreed by STACTIC on 26 January (see Appendices II to V inclusive of the Report of STACTIC).

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Draft proposal for requirement to have flag state inspector or designated authority in the Convention Area and Statistical Areas 0 and 6

STACTIC recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That, pursuant to paragraph 5 of Article VIII of the Convention, to improve measures of control in the Convention Area, the following sentence be added to paragraph 1 of the Scheme of Joint International Enforcement:

"Each Contracting Government which has more than 10-15 of its vessels engaged in fishing for sea fish or in the treatment of sea fish in the Convention Area, shall have an inspector present in the Convention Area and Statistical Areas 0 and 6 or a designated authority in North America to receive and respond, without delay, to notice of apparent infringements."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Draft proposal for actions to be taken immediately upon the discovery of an apparent infringement

STACTIC recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That, in view of the necessity to take immediate remedial action in the event that an inspector finds an apparent infringement of the Commission's regulations, the continuing need to ensure immediate notice of the apparent infringement is made to the flag state of the inspected vessel, and to ensure that disputes over the particulars of an infringement are resolved in a timely fashion, the Commission adopt the following new paragraph to replace the current paragraph 5(v) of the Scheme of Joint International Enforcement:

- "5. (v) Notwithstanding any other provisions of this Scheme, where an inspecting officer observes an apparent infringement of the regulations prohibiting:
- A. Fishing in a closed area or with gear prohibited in a specific area;
  - B. Fishing in an "Others" quota without prior notification to the ICNAF Secretariat, or after the allowable catch for that stock or species has been taken and Contracting Governments have been so informed by the Executive Secretary;
  - C. Fishing for stocks or species in an area after the Contracting Government having jurisdiction over the inspected vessel has notified the Executive Secretary that its allowable catch for those stocks or species has been taken;
  - D. Fishing without proper flag state registration documents for the area where the vessel is found fishing;

the inspector shall, with a view toward facilitating flag state action on the apparent infringement, immediately attempt to communicate with an inspector of the inspected vessel's flag state known to be in the vicinity, or the authority of the inspected vessel's flag state designated in accordance with paragraph 1 above. The master of the inspected vessel shall arrange for messages to be sent and received by using his radio equipment and operator for this purpose.

The inspected vessel shall cease all fishing which appears to the inspector to be in contravention of regulations cited above. If an inspector is unable to communicate with an inspector or designated authority of the flag state within a reasonable period of time, he shall complete the inspection, leave the inspected vessel, and communicate as soon as possible with an inspector or designated authority of the flag state. However, if he succeeds in establishing communications while on board the inspected vessel, and providing the inspector or designated authority of the flag state agrees, the inspector may remain aboard the inspected vessel. The inspected vessel may not resume fishing until the inspector is reasonably satisfied either with the action taken by the vessel's master, or as a result of his communication with an inspector or designated authority of the flag state, that when it resumes fishing, the vessel will not repeat the apparent infringement for which it has been cited."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Draft resolution relating to the enforcement of the Commission's fishery regulations

STACTIC recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that the active participation of Contracting Governments in the Scheme of Joint International Enforcement has to be improved significantly in order to ensure adequate enforcement of the Commission's regulations;

Recognizing further that such participation may best be improved by a thorough evaluation of the efforts of Contracting Governments to implement the Scheme of Joint International Enforcement;

Noting that the Scheme of Joint International Enforcement provides for an Annual Report of Inspection and Disposition of Infringements to be submitted to the Commission by 1 March each year:

1. Requests all Contracting Governments take expeditious steps to implement and carry out the provisions of the Scheme of Joint International Enforcement;
2. Requests each Contracting Government submit, as provided in the Scheme of Joint International Enforcement, the Report of Inspections and Disposition of Infringements for 1974, if it has not done so, and 1975 by 1 March 1976;
3. Directs STACTIC to review the Reports of Inspection and Disposition of Infringements and provide to the Commission at the 1976 Annual Meeting an evaluation of each Contracting Government's participation in the Scheme of Joint International Enforcement and the action taken in respect of apparent infringements which have been reported.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Draft resolution relating to withdrawal of authorization to fish within the Convention Area

STACTIC recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that, when serious or aggravated infringements of Commission regulations occur, they should be disposed of promptly and effectively, that significant penalties should be provided under national legislation upon conviction of serious or aggravated infringements, and that suspension or revocation of a vessel's authorization to fish within the Convention Area represents a significant penalty which could be applied on a mandatory basis upon conviction of certain serious or aggravated infringements;

Noting that serious or aggravated infringements may include at least the following:

- (a) Fishing in a closed area or with gear prohibited within a specific area;
- (b) Fishing in an "Others" quota without prior notification to the ICNAF Secretariat, or after the allowable catch for that stock or species has been taken and Contracting Governments have been so informed by the Executive Secretary;
- (c) Fishing for stocks or species in an area after the Contracting Government having jurisdiction over the inspected vessel has notified the ICNAF Secretariat that its allowable catch for those stocks or species has been taken;
- (d) Falsification of fishing logbook records;
- (e) Failure to possess proper flag state registration documents (authorization to fish in the Convention Area);

Taking into Account the fact that the national legislation of many Contracting Governments at present does not allow the suspension or revocation of a vessel's authorization to fish within the Convention Area under most circumstances;

Having Considered that it is appropriate to review national legislation and proposed changes to national legislation carefully before agreeing to request changes to that legislation; but

Being Aware that time is of the essence in reaching a satisfactory solution to the problem of serious or aggravated infringements; and

Recognizing that, in order to achieve the purposes and objectives of the Convention, measures of international control can only be effective if supported by effective and appropriate national legislation;

1. Invites the attention of the Contracting Governments to the above matters;
2. Requests that Governments review the status of their national legislation with a view to proposing changes which would authorize, among other things, the suspension or revocation of a vessel's authorization to fish in the Convention Area upon conviction of serious or aggravated infringements;
3. Stipulates that it is necessary to give continuing attention to the adoption of new and more effective measures of international control; and
4. Expects that appropriate authorities of the Contracting Governments will be prepared to report to the Commission at the next Annual Meeting the results of their review and be prepared to propose new and more effective measures of international control if necessary.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Draft proposal for amendment of the management of international quota regulations

STACTIC, having reviewed the following proposal from the standpoint of measures of international control and recognizing that the proposal would make a significant contribution to the effectiveness of international control as a positive incentive to Contracting Governments to more closely regulate the activities of their fishermen, recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That the Management of International Quota Regulations, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973/74, page 105) and amended by the Twenty-Fifth Annual Meeting (June 1975 Meeting Proceedings No. 4, page 171), be amended by the addition of the following paragraph:

"7. That, notwithstanding the above, when the Commission finds that nationals or vessels of, or under contract or charter to, a Contracting Government have taken more than their allowed catch quota in any category of catch quotas for any quota period, the Commission may reduce the corresponding catch quota for that Contracting Government in a succeeding quota period. In the event that an "Others" allocation is exceeded, the Commission may make a similar reduction in the allocation to "Others", noting, if possible, in making such a reduction which of the Contracting Governments fishing on that allocation was responsible for the excessive catch, and reducing the amount of the "Others" allocation that the vessels of that Contracting Government will be authorized to take accordingly. The quota adjustment shall be subtracted from the relevant quota following the determination of quotas provided for in paragraphs 2 and 3 above and shall not result in any increase in other quotas for the Government to which the quota adjustment applies, nor shall it result in any increase in that quota or other quotas for any other Government unless the Commission determines that the increase will not cause further harm to the stock or perpetuate the harm caused by the fishing above the quota limit."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(1) Proposal for Amendment of the Scheme of Joint International Enforcement of the Fishery Regulations in the Convention Area and in Statistical Areas 0 and 6

STACTIC recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That pursuant to paragraph 5 of Article VIII of the Convention, paragraphs 1 and 5(v) of the Scheme of Joint International Enforcement, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, pages 87-89), be replaced by the following:

"1. Control shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by the appropriate authority of the respective Governments shall be notified to the Commission. Appropriate authorities of Contracting Governments shall also notify the Commission of the names of the flag state authorities designated to receive immediate notice of infringements and the means by which they may receive and respond to radio communications. Each Contracting Government which has, at any time, more than 15 vessels under its country's flag, or under charter or contract to persons under its jurisdiction, engaged in fishing for sea fish or in the treatment of sea fish in the Convention Area and Statistical Areas 0 and 6 shall, during that time, have an inspector or other designated authority present in the Convention Area and Statistical Areas 0 and 6, or other designated authority present in the country of a Contracting Government which is adjacent to the Convention Area, to receive and respond, without delay, to notice of apparent infringements."

"5. (v) Where an inspecting officer observes an apparent infringement of the regulations prohibiting:

- (a) Fishing in a closed area or with gear prohibited in a specific area;
- (b) Fishing for stocks or species in a region after the date on which the Contracting Government having jurisdiction over the inspected vessel has notified the Executive Secretary that persons under its jurisdiction will cease a directed fishery for those stocks or species;
- (c) Fishing in an "Others" quota without prior notification to the ICNAF Secretariat, or more than 10 days after the "Others" quota for that stock or species has been taken and Contracting Governments have been so informed by the Executive Secretary;
- (d) Fishing without proper flag state registration documents for the area where the vessel is found fishing;

the inspector shall, with a view toward facilitating flag state action on the apparent infringement, immediately attempt to communicate with an inspector of the inspected vessel's flag state known to be in the vicinity, or the authority of the inspected vessel's flag state designated in accordance with paragraph 1 above. The master of the inspected vessel shall arrange for messages to be sent and received by using his radio equipment and operator for this purpose. At the request of the inspector, the master shall cease all fishing which appears to the inspector to be in contravention of regulations cited above. During this time, the inspector shall complete the inspection and, if he is unable to communicate with an inspector or designated authority of the flag state within a reasonable period of time, he shall leave the inspected vessel and communicate as soon as possible with an inspector or designated authority of the flag state. However, if he succeeds in establishing communications while on board the inspected vessel, and provided that the inspector or designated authority of the flag state agrees, the inspector may remain aboard the inspected vessel. So long as the inspector remains aboard, the master may not resume fishing until the inspector is reasonably satisfied either with the action taken by the vessel's master, or as a result of his communication with an inspector or designated authority of the flag state, that the vessel will not repeat the apparent infringement for which it has been cited."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

(2) Proposal for Amendment of the Management of International Quota Regulations

STACTIC recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That the Management of International Quota Regulations, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, pages 105-106) and amended by the Twenty-Fifth Annual Meeting (June 1975 Meeting Proceedings No. 4, page 171), be amended by the addition of the following paragraph:

"7. That notwithstanding the above:

- (a) When the Commission finds that vessels of, or under contract or charter to, a Contracting Government have taken more than their national catch quota for any quota period, the Commission may adjust the corresponding catch quota for that Contracting Government in a succeeding quota period; or
- (b) When the Commission finds that a Contracting Government failed to report an intention to fish under an "Others" quota and subsequently took catches thereunder, or failed to report, in accordance with the Commission's regulations, catches taken under an "Others" quota, or continued a directed fishery under an "Others" quota after this fishing had been prohibited in accordance with the Commission's regulations, the Commission may decide upon measures to be taken to compensate for the damage to the stocks or species which was caused by the excessive catch. Such measures might include, among other things, adjustments to national quotas or the establishment of new national quotas for that Contracting Government as might be appropriate.

Quota adjustments shall be subtracted from the relevant quotas following the determination of quotas provided for in paragraphs 2 and 3 above, and shall not result in any increase in other quotas for the Contracting Government to which the quota adjustment applies, nor shall it result in any increase in any quotas for any other Contracting Government unless the Commission determines that the increase will not cause further harm to the stock."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

(1) Resolution Relating to the Enforcement of the Commission's Fishery Regulations

STACTIC recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that the active participation of Contracting Governments in the Scheme of Joint International Enforcement has to be improved significantly in order to ensure adequate enforcement of the Commission's regulations;

Recognizing further that such participation may best be improved by the efforts of Contracting Governments to implement the Scheme of Joint International Enforcement;

Noting that the Scheme of Joint International Enforcement provides for an Annual Report of Inspections and Disposition of Infringements to be submitted to the Commission by 1 March each year;

1. Requests all Contracting Governments take expeditious steps to implement and carry out the provisions of the Scheme of Joint International Enforcement;
2. Requests each Contracting Government submit, as provided in the Scheme of Joint International Enforcement, the Report of Inspections and Disposition of Infringements for 1974, if it has not already done so, and the Report for 1975, by 1 March 1976, and a summary and comments, if appropriate, of the results of the inspections made by their own inspectors;
3. Directs STACTIC to review the above summaries, comments, and Reports of Inspections and Disposition of Infringements, to report to the Commission at the 1976 Annual Meeting concerning the action taken by Contracting Governments in respect of apparent infringements which have been reported, and to make recommendations to ensure a high level of compliance with the Commission's regulations.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(2) Resolution Relating to Withdrawal of Authorization to Fish Within the Convention Area and Statistical Areas 0 and 6

STACTIC recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that serious or aggravated infringements of Commission regulations should be disposed of promptly and effectively, that significant penalties should be provided under national legislation upon conviction of serious or aggravated infringements, and that suspension or revocation of a vessel's authorization to fish within the Convention Area and Statistical Areas 0 and 6 represents a significant penalty which could be applied upon conviction of certain serious or aggravated infringements;

Noting that serious or aggravated infringements may include the following:

- (a) Fishing in a closed area or with gear prohibited within a specific area;
- (b) Fishing for stocks or species in a region after having been notified by the Contracting Government having jurisdiction over the vessel that its quota for those stocks or species has been taken;
- (c) Fishing in an "Others" quota without prior notification to the ICNAF Secretariat, or after having been notified by the Contracting Government having jurisdiction over the vessel that the "Others" quota for that stock or species has been taken;
- (d) Falsification of fishing logbook records;
- (e) Failure to possess proper flag state registration documents (authorization to fish in the Convention Area and Statistical Areas 0 and 6);

Taking into Account the fact that the national legislation of many Contracting Governments at present does not allow the suspension or revocation of a vessel's authorization to fish within the Convention Area and Statistical Areas 0 and 6 under most circumstances;

Having Considered that it is appropriate to review national legislation and proposed changes to national legislation carefully before agreeing to request changes to that legislation; but

Being Aware that time is of the essence in reaching a satisfactory solution to the problem of serious or aggravated infringements; and

Recognizing that, in order to achieve the purposes and objectives of the Convention, measures of international control can only be effective if supported by effective and appropriate national legislation;

1. Invites the attention of the Contracting Governments to the above matters;
2. Requests that Governments review the status of their national legislation with a view to proposing changes which would authorize or require, among other things, the suspension or revocation of a vessel's authorization to fish in the Convention Area and Statistical Areas 0 and 6 upon conviction of serious or aggravated infringements;
3. Stipulates that it is necessary to give continuing attention to the adoption of new and more effective measures of international control; and
4. Invites the appropriate authorities of the Contracting Governments to present the results of their review to the Commission at the next Annual Meeting, and to propose, if necessary, new and more effective measures of international control.



**International Commission for**



**the Northwest Atlantic Fisheries**

Serial No. 3750  
(B.z.3)

Proceedings No. 3

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of the Ceremonial Opening

Wednesday, 21 January, 1000 hrs

The Opening Session of the Eighth Special Meeting of the Commission was convened in the Red Room at the Food and Agriculture Organization of the United Nations (FAO) at 1000 hrs on 21 January 1976.

The Chairman of the Commission, Mr Eric Gillett, Fisheries Secretary for Scotland, opened the Meeting. He welcomed the Commissioners, Advisers, Observers, and Guests, and extended, on behalf of the Commission, a warm welcome to the Delegation from the Government of Cuba which had become the Eighteenth Member of the Commission.

The Chairman then introduced Mr Fred Popper, Assistant Director-General (Fisheries) for FAO. Mr Popper said he had personal pleasure in renewing acquaintance with many old friends and official pleasure at having some of the world's greatest authorities on fisheries gathered at FAO. He drew attention to the importance of food in the crisis situation in the world today and the aim of FAO to be successful in helping to provide more. He also stressed the role fish would play in relieving the crisis situation. All attending could contribute to the relief of this basic and fatal food problem. He pointed out that fish was in a state of crisis. There was a continuing heavy demand from the resource which is showing the effects of heavy exploitation all over the world. He said that the future role of FAO in fisheries was being examined very thoroughly by a subcommittee of the Committee on Fisheries and that only last week a group of experts gathered together by FAO had met informally to look at the future of international fisheries in the context of a developing new international order, specifically through the Law of the Sea Conference. As a result of the meeting, there was now a better idea of the future shape and role of regional fisheries commissions if there was a general extension of national jurisdiction over fisheries. There was a convergence of views that future arrangements would depend on a particular region. The group of experts felt that the original commissions would have a more important and effective part to play than in the past. There was, thus, an important and effective role for ICNAF in the future. Mr Popper welcomed the Commission participants to FAO and wished them every success in their deliberations.

The Chairman thanked Mr Popper. He pointed out that crisis situations in ICNAF had so far been overcome and he hoped this would continue. The Law of the Sea deliberations were much on everyone's minds. He noted a continuing function for regional bodies and expressed gratitude to FAO for introducing its studies on this matter. He thanked FAO, on behalf of the Commission, for the facilities, hospitality and opportunity given the Commission participants to discuss mutual problems with their colleagues at FAO.

The Chairman then declared the Eighth Special Meeting of the Commission recessed to prepare for the beginning of the work of the Commission in its First Plenary Session.



International Commission for



the Northwest Atlantic Fisheries

Serial No. 3751

(B.z.3)

Proceedings No. 4EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Report of the First Plenary Session

Wednesday, 21 January, 1030 hrs

- Item 1. Opening. The First Plenary Session of the Eighth Special Meeting of the Commission was called to order by the Chairman, Mr E. Gillett (UK), after the Ceremonial Opening (Proc. 3). The Chairman welcomed delegates from all Member Countries and the Observers from FAO (Appendix I).
- Item 2. Agenda. The provisional Agenda as circulated by the Executive Secretary was adopted (Appendix II). The Plenary agreed that consideration of the item on effort limitation for groundfish in Subareas 2, 3, and 4 should be deferred to Thursday morning and the herring catch limitation in Div. 5Z and Statistical Area 6 would be taken this afternoon (Wednesday).
- Item 3. Rapporteur. The Executive Secretary was appointed Rapporteur.
- Item 4. Report of Seventh Special Commission Meeting, Montreal, 22-28 September 1975 (Circular Letter 75/60). The Plenary approved the Report of the Seventh Special Commission Meeting.
- Item 5. Report of the Standing Committee on Research and Statistics (STACRES). The Chairman of the Commission invited the Chairman of STACRES, Dr A.W. May (Canada), to present a summary of the provisional report of STACRES. Dr May reviewed the reports of the Working Group on Fishing Effort Regulation (Proc. 1, Appendix I) conducted under Mr A.T. Pinhorn (Canada) and of the Working Group on Herring (Proc. 1, Appendix II) under Dr V.C. Anthony (USA). The Chairman of the Commission thanked Dr May and the scientists for their thorough consideration and reporting. The delegate of GDR advised that additional information on effort would be provided as soon as possible.

The Chairman proposed that the Plenary adjourn so that the meeting participants could study the Report of STACRES in preparation for the deliberations to follow.

The First Plenary Session adjourned at 1400 hrs.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976List of Participants

(Head of Delegation underlined)

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EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Plenary Sessions

Agenda

1. Opening - Chairman of the Commission, Mr E. Gillett (UK)
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Approval of Report of Seventh Special Commission Meeting, Montreal, 22-28 September 1975 (Circular Letter 75/60)
5. (a) STACRES Report, 17-20 September 1975 (Summ.Doc. 76/I/1)  
(b) Results of the deliberations of the scientists during the period 12-16 January 1976 will be reported to the Commission (Proc. 1, Serial No. 3734)
6. Consideration of Conservation of Herring in Subareas 4 and 5 and Statistical Area 6
  - (a) Review of TAC and allocation in Div. 4VWa (June 1975 Proc. 10, Section 6(v), and Appendix V)
  - (b) Review of TAC and allocation in Div. 4XWb (June 1975 Proc. 10, Section 6(vi), and Appendix V)
  - (c) TAC and allocation in Div. 5Y (June 1975 Proc. 11, Section 13(vii), and Appendix III)
  - (d) TAC and allocation in Div. 5Z and Statistical Area 6 (June 1975 Proc. 11, Section 13(vi), and Appendix II)
  - (e) Review of size limitation in Subareas 4 and 5 (Proposal (4) from January 1972 Special Commission Meeting, amended by Proposal (1) from January 1974 Special Commission Meeting and Proposal (10) from June 1974 Annual Meeting)
7. Consideration of Conservation of Mackerel in Subareas 3, 4, and 5, and Statistical Area 6
  - (a) Review of size limitation in Subareas 3, 4, and 5, and Statistical Area 6 (June 1975 Proc. 16, Appendix I)
8. Further Consideration of Fishing Effort Reduction on Groundfish Stocks in Subareas 2, 3, and 4 (September 1975 Proc. 4 and 13) (Circular Letter 75/60)
9. Other Business
  - (a) Consideration of Report of STACTIC Meeting, 19-20 January 1976 (Proc.2, Serial No. 3739)
  - (b) Consideration of Reports of Panel A (Seals), 12 December 1975 (Summ.Doc. 76/VI/3), and 22 January 1976 (Proc. 6, Serial No. 3748)
10. Adjournment





Serial No. 3754  
(B.e.76)

Proceedings No. 5

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Joint Meetings of Panels 2, 3, and 4

Thursday, 22 January, 1015 hrs  
Saturday, 24 January, 1745 hrs  
Monday, 26 January, 1250 hrs and 1815 hrs

1. Opening. The meeting was chaired by the Chairman of the Commission, Mr E. Gillett (UK).
2. Rapporteur. The Executive Secretary was appointed Rapporteur.
3. Agenda. The Chairman referred to the following two items for consideration at the meeting:
  - i) Request by Bulgaria for catch quota allocations in Subareas 2, 3, and 4 in 1976 (Comm.Doc. 76/I/8 and Corrigendum);
  - ii) Fishing effort reduction on groundfish stocks in Subareas 2, 3, and 4 in 1976 (ICNAF Circular Letter 75/60).

He noted that a proposal (1) for international regulation of fishing effort for groundfish in Subareas 2, 3, and 4 had been adopted at the Seventh Special Commission Meeting, September 1975 (ICNAF Circular Letter 75/60, pages 21-25). A resolution relating to the implementation of this proposal had also been adopted (ICNAF Circular Letter 75/60, page 26) which read in part:

"Requests Governments whose vessels conduct fishing operations in the areas to implement the proposal subject to any modifications that may be unanimously agreed by the Delegations present and voting at the January 1976 Special Meeting of the Commission, beginning on 1 January 1976;"

He pointed out that any modification or amendment to the September 1975 Meeting proposal must have unanimous agreement. If not, such modification would not be accepted and the proposal with table of effort allocations as agreed at the September 1975 Meeting would stand.

The Panels agreed that the Bulgarian request for quota allocations should be discussed first.

4. Bulgarian Request for Catch Quota Allocations in Subareas 2, 3, and 4 in 1976. The Chairman drew attention to the Bulgarian request for allocation of catch quotas in 1976 as set out in their Comm.Doc. 76/I/8 and Corrigendum. He noted that re-opening of decisions on allocations made at the September 1975 Meeting might not be within the competence of this meeting. The Commission had not been advised of the Bulgarian proposal 60 days in advance of this meeting and, therefore, the item had not been included on the agenda. However, the Joint Panels would hear the Bulgarian proposal and consider what action might be taken to meet the request, such as the possibility of Bulgaria fishing from the "Others" category.

The delegate of Bulgaria, in reviewing the Bulgarian proposal (Comm.Doc. 76/I/8 and Corrigendum), first apologized for the lack of Bulgarian representation at the September 1975 Meeting, due to uncontrollable circumstances. The allocations at that meeting were embarrassing to Bulgaria. Having accepted to fish in the "Others" category during the allocations at the Twenty-Fifth Annual Meeting, he now found the "Others" allocation had been greatly reduced at the September Meeting. These re-allocations affected Bulgaria most and were considered an injustice. Bulgaria had, therefore, requested re-allocation at this meeting in order to meet her needs as set out in her proposal. The delegate of Bulgaria pointed out that, in some stocks, the amounts in the "Others" category were not enough to meet Bulgaria's needs, e.g. Bulgaria's request for 5,000 tons of silver hake in Div. 4VWX could not be met from the 500 tons left in the "Others" category by the September 1975 Meeting decision. The Chairman noted that, except for redfish in Div. 3NO and silver hake in Div. 4VWX, the Bulgarian request could be met from the "Others" quotas and asked for the reactions of the Panel members.

The delegate of Canada felt that it might be possible for Bulgaria to fish in "Others" in most cases. Regarding the two exceptions, redfish and silver hake, he pointed out that Canada did not like to encourage fishing redfish and that possibly, 5,000 tons of silver hake could be transferred from USSR, Cuba, and Canada.

He felt it would be difficult to reopen the allocation problem at this meeting as it had been a very difficult allocation exercise at the September 1975 Meeting. He was sympathetic with the Bulgarian problem but could offer no other possible solution.

The delegate of Romania pointed out that he was also fishing in "Others" in some of the stocks in the Bulgarian proposal and that, if the "Others" allocations changed, it would mean Romania would not be able to obtain her requirements in "Others" and that her national allocation of effort would need changing. He had no authority for such changes.

The Chairman suggested that the Panels look at each of the stocks and quantities requested by Bulgaria. The delegate of Italy pointed out that Italy could not support an allocation to Bulgaria of 1,000 tons from the 2,000 tons in "Others" for cod in Div. 2J+3K. The delegate of Japan thought Bulgaria should fish in "Others", while the delegate of Portugal pointed out that the "Others" category had to contain enough to allow for by-catch. The delegate of FRG asked if Bulgaria's problem could not be solved by solving the effort allocation problem first. There would then be no need to proceed with quota re-allocations. The delegate of Bulgaria stated that the Bulgarian request did not threaten the work of the Commission. There was already a precedent for re-allocation in the Commission. He proposed that the days fished for "Others" in the table of national allocation of fishing effort as presented in the STACRES Report, to better conform to amounts left in "Others", should be altered to read 100 in Subarea 2 + Div. 3K, 100 in Div. 3LNO, 30 in Div. 3M, 70 in Div. 3P, and 200 in Div. 4VWX, instead of 100 in each area. He stressed that Bulgaria had held membership in Panels 2, 3, and 4 for two years and had not yet received specific quota allocations. The delegate of Canada said he had no objection to a change in the days fished for "Others" and especially if it satisfied the Bulgarian problem. The Chairman, in response to questioning, pointed out that three countries, Iceland, Italy and possibly Bulgaria, who had or might have no specific national allocation of fishing effort in Subareas 2, 3, and 4 for 1976, would be able to fish under "Others". The Chairman moved to consider the Bulgarian request for 5,000 tons of silver hake in Div. 4VWX and suggested that, because there was only 500 tons left in the September 1975 Meeting allocation for "Others", there could either be re-allocation or an increase in the TAC as a solution. The delegate of Cuba felt the Bulgarian problem deserved special attention and proposed the following re-allocation of the silver hake quota: Bulgaria 2,000 tons, Canada 2,000 tons, USSR 81,000 tons, Cuba 14,500 tons, and "Others" 500 tons. The proposal was withdrawn by the delegate of Cuba when it failed to get support. The delegate of UK, supported by the delegate of Denmark, suggested that the "Others" quotas be increased since it caused the least difficulty and seemed the best solution. The delegate of Canada, citing the too-high TACs of previous years which sometimes exceeded the upper range of recommendations by the Scientific Advisers and the final acceptance in recent years of the scientists' advice, was reluctant to increase the TAC and reverse the recent realistic trend. The Chairman then suggested returning to the Bulgarian problem later.

5. Fishing Effort Reduction on Groundfish Stocks in Subareas 2, 3, and 4 in 1976. The Chairman drew attention to the Report of STACRES (Proc. 1, Appendix I) and its Corrigendum which contained a revision of Table II and set out the most recent information on nationally proposed fishing days for 1976 for the areas Subarea 2 + Div. 3K, Div. 3LNO, Div. 3M, Div. 3P, and Div. 4VWX.

The Chairman of the STACRES Working Group on Fishing Effort Regulation, Mr A.T. Pinhorn (Canada), explained that the table now included additional information provided by GDR, Denmark, Romania, and Portugal. The Panels received assurance from Mr Pinhorn that all national submissions of days fished and of supporting data had been reviewed critically by the Working Group and that any difficulties were explained (Comm.Doc. 76/1/1 and Addenda) and found satisfactory. The delegate of FRG noted that there had been considerable changes made to the base data. This led him to question if the catch and effort statistics previously submitted to the Commission and published in the Commission's Statistical Bulletin series were correct and if not, why not. In response, the Executive Secretary stated that effort had been made in the past, and in recent years special efforts by Mr Hodder, the Commission's Assistant Executive Secretary, to improve the quality of the statistics. Very active participation in the Coordinating Working Party on Atlantic Statistics, whose members included FAO, ICES, ICSEAF, ICCAT, OECD, EEC, and ICNAF, had set up standard forms and procedures to reduce the work of nationals in providing fisheries statistics. New regulatory measures required more detailed, precise, and immediate statistical information which were straining the resources of national statistical offices. The Commission's Secretariat has continued its plea for better statistics, meanwhile providing help and encouragement where and when required.

The Chairman requested consideration of the entries in the effort table for each country and reminded the delegates of the need for unanimous acceptance. The delegate of Portugal considered that exemption from the effort limitation scheme for the coastal states, Canada, USA, and France, was an injustice. There were assurances from the delegates of USA and France that their days-fished figures in the table were estimated numbers only, but that they would likely be observed. The delegate of Canada stated that the Canadian figures included effort inside and outside the Convention Area and suggested that the Canadian figures be accepted as not binding. Following further discussion, a diplomatic compromise was reached and the Panels agreed that the footnote to the table in the proposal from the September 1975 Meeting be changed to read "Estimated number of days fished only; include fishing effort outside the Convention Area." The Chairman requested the continuation of consideration of the effort table by countries. The delegates of Cuba, Denmark, France, Federal Republic of Germany, German Democratic Republic, Japan, Norway, Poland, Portugal, Romania, Spain, USSR, and UK agreed that the figures in the table were acceptable. The figures for the coastal states, Canada, France, and USA, were then examined. The delegate of Canada reported that the

Canadian base data and prepared fishing days for 1976 had not been changed from the September 1975 Meeting. The delegates of France and USA said their figures were only a guideline.

The Chairman, in referring to the Bulgarian proposal for catch quota allocations, felt that the only basis for agreement in the Joint Panels seemed to be to leave the Bulgarian quota figures unchanged and review the Bulgarian question at the 1976 Annual Meeting when there would be more information on catches and the state of the stocks. Because Bulgaria had not received her September 1975 Meeting Proceedings until the end of November, there had been no time to request an agenda item and to provide a covering memorandum 60 days before the present meeting. Therefore, he felt the problem must be treated on its merits and suggested taking a vote on each of the eight stocks for which quotas had been requested. The delegate of UK felt that the problem would be easier to solve at the 1976 Annual Meeting when there were many stocks to consider and there would be more flexibility in making decisions. The delegate of Bulgaria reported that he had received the September 1975 Meeting Proceedings on 28 November and on that date telegraphed the Secretariat (see Comm.Doc. 76/I/1, page 1). At the same time, an official objection to the September 1975 Meeting proposal was sent to the US Embassy in Sofia and to the ICNAF Secretariat. After discussing the problem with the US Ambassador in which the difficulties for the Commission, if there was an objection, were stressed, Bulgaria agreed to withdraw her proposed objection and present her case to the January 1976 Meeting. The ICNAF Secretariat was, in the meantime, advised not to circulate the document containing the Bulgarian proposed objection.

The Chairman thanked the delegate of Bulgaria for his explanation and expressed appreciation of the decision to discuss rather than object. He noted that Bulgaria would be bound by the September 1975 quota allocations unless there is an objection. He noted that there seemed no reason now for accepting Bulgaria's quota proposals as there had been no agreed suggestions for solution. Bulgaria could persist in putting forward her proposal and get a decision or as suggested, could agree to have the problem presented to the 1976 Annual Meeting. The delegate of Bulgaria expressed his regret at how much time the problem was taking, and acknowledged the inherent difficulties. He said that Bulgaria accepts the September 1975 proposal for reduction of fishing effort on groundfish in Subareas 2, 3, and 4 in 1976. In addition, he presented the following reservations:

- i) Bulgaria could not accept an allocation of 21 fishing days for groundfish in Subareas 2, 3, and 4 for 1976 as it was based on inadequate historical fishing data.
- ii) Bulgaria could see no reasonable explanation why specific catch quotas could not be allocated to her. However, keeping in mind the difficulties encountered by the Commission during the present meeting, Bulgaria agreed as an exception for 1976 to fish from the "Others" category and insisted that specific quotas be allocated to her at the 1976 Annual Meeting.
- iii) While agreeing to fish from the "Others" category in 1976, the re-allocation for silver hake in Div. 4VWX was quite unacceptable. In this respect, the Bulgarian fisheries' needs would be partly met by taking at least 3,000 tons. This was a compromise solution for 1976.
- iv) Bulgaria wished it stressed in the record of this meeting that she be given equal consideration as a member of Panels 3 and 4 when quotas and days fishing were being allocated at the 1976 Annual Meeting.

The Chairman expressed appreciation to the delegate of Bulgaria for his compromise and moved that the participants consider the number of days fishing to be allocated to Bulgaria, Iceland, and Italy who would now be fishing under the "Others" category in the effort regulation for groundfish in Subareas 2, 3, and 4 for 1976. He pointed out that there were now 100 fishing days allocated to each of the five areas and noted that Italy required 250 fishing days and Bulgaria 380 fishing days. The delegate of Bulgaria suggested reducing Div. 3M to 30 fishing days, Div. 3P to 70, and increasing Div. 4VWX to 200, leaving Subarea 2 + Div. 3K and Div. 3LNO at 100. The delegate of Italy preferred not to have the numbers decreased below 100 in any areas and suggested increasing Div. 4VWX above 100. At the Chairman's suggestion, the Panels agreed that the table should be amended to show the "Others" category in Div. 4VWX increased to 200 fishing days. The delegate of Romania requested deletion of the last sentence of Comm.Doc. 76/I/1 Addendum 4.

The Chairman requested that Canada have a draft of the revised regulation on effort circulated for study before the next Joint Meeting of Panels 2, 3, and 4. A request by the delegate of UK to have the possibility of transfer between tonnage categories as well as areas was supported by Portugal. The Chairman requested that Canada and the UK discuss the matter informally and insert their decision in the draft of the revision of the effort regulation proposal.

6. The Joint Meeting of Panels 2, 3, and 4 recessed at 1715 hrs.

7. The Joint Meeting of Panels 2, 3, and 4 reconvened at 1745 hrs, 24 January.

8. The Chairman requested continuation of discussion on fishing effort reduction on groundfish stocks in Subareas 2, 3, and 4 in 1976. The delegate of Canada drew attention to the revised proposal on effort reduction (Appendix I) which, in accordance with requirements, had been circulated before the meeting. He

explained that the proposal had been drafted as a regulation and incorporated some of the textual material contained in proposal (1) adopted at the Seventh Special Commission Meeting, September 1975, but that there were no substantive amendments.

(a) In introducing discussion on paragraph 1 of the revised proposal, the delegate of Portugal again drew attention to the injustice of having the coastal states exempted from the regulation and requested deletion of the phrase "other than the coastal states" in paragraph 1 of the revised proposal. The delegate of Canada pointed out that the September 1975 proposal exempted the coastal states. He opposed any amendment regarding the exemption phrase and pointed out that amendments could only be made by unanimous agreement as required by the September 1975 Meeting. The delegate of Canada, supported by the delegates of the coastal states, France and USA, stated they were not prepared to accept an amendment but were prepared to report data on fishing effort as required in paragraph 5 of the revised proposal. The delegate of Portugal pointed out that exclusion from regulatory requirements had not been accepted in the past and cited the quota regulations. He noted further that the regulatory portion of the September 1975 proposal did not record exemption for the coastal states. The delegate of Canada pointed out that footnote 1 of the table referred to the coastal state status and read "Estimated number of days fished only, not national allocation of fishing effort". The Chairman suggested that the principle of exemption for the coastal states be returned to later for further consideration. The Panels agreed that there should be a reference citation for the ICNAF List of Species where it appeared in paragraph 1.

(b) The delegates had no comments on paragraph 2 of the revised proposal.

(c) The Chairman requested comments on paragraph 3. The Panels agreed that the word "persons", wherever it occurred, should be changed to read "vessels"; "in an area" should be inserted after fishing in line 3 of paragraph 3(c); in the second last line of paragraph 3(c), delete all after "jurisdiction" and substitute "in a particular area"; in the fourth line of paragraph 3(c), delete "vessel" and in the fifth line of paragraph 3(c), delete comma after "gear".

(d) The delegate of USSR, in reference to paragraph 4 of the revised proposal, pointed out that it would take about 20 days to make a transfer of fishing days. The delegate of Canada suggested the deletion of "10 days" in line 6 of paragraph 4. The delegate of Portugal noted that it would be difficult to specify in advance the number of fishing days to be transferred. The delegate of Canada explained that advance notice was intended to provide for notification of the change in the table and to make enforcement easier. The delegate of UK questioned whether it should be necessary to report the number of days being transferred as it could only be 10 or 50 days, whichever is greater. The delegate of Canada felt that too much vagueness in the regulation would make it harder to enforce. He felt that countries would know how many days they wished to transfer and would find it possible to report them. The Chairman suggested the insertion of the word "estimated" before "number" in the second last line of paragraph 4. The Panels agreed to the insertion of the following sentence after "greater" in line 5: "Contracting Governments may also transfer fishing effort from one category to another within the same area, provided that the conversion factors specified in ICNAF Commissioner's Document 76/I/1 with Addenda are used." The Panels also agreed to the addition in the paragraph by the Executive Secretary of wording which would require confirmation of the estimated number of days to be transferred and prompt notification to the Contracting Governments by the Executive Secretary of the changes in allocations of fishing days.

(e) Following considerable discussion, the Panels agreed to delete all of paragraph 5 and its footnote.

(f) Discussion on paragraph 6 of the revised proposal centered around the possible deletion of the second sentence which the delegate of Portugal had interpreted as allowing Portuguese vessels to fish in the "Others" category wherever they had no specific allocation in their area, vessel tonnage or gear categories in the proposal's table. The delegates of Bulgaria, Iceland, and Italy pointed out that they had no specific allocations and would, therefore, have to meet their needs from the "Others" category which would, in the Portuguese interpretation prevailed, leave very little for them. They could, therefore, not accept the second sentence of paragraph 6. The delegate of Portugal said that he hoped to be able to agree to the deletion of the second sentence of paragraph 6 but would have to consult his Government before taking a decision. The Chairman again reminded the delegates that a vote against an amendment to the September 1975 proposal would mean reverting to the original September 1975 text and table. Following his suggestion, the Panels agreed to an indicative vote on whether paragraph 6 should be amended by the omission of the second sentence. All delegates, except the delegate of Portugal, voted for omission of the second sentence. The delegate of Canada, having noted that Portugal needed 30 fishing days in Subarea 2 + Div. 3K and 30 to 50 fishing days in Div. 3M, suggested that Bulgaria, Iceland, and Italy, as a block, be given most of the original "Others" allocation, leaving a small amount for a new "Others" category and that Portugal be given an extra number of fishing days allocated to the Dory vessel (= DV) gear category. The delegate of Portugal said that the addition of 15 fishing days in each of the four blank gillnet (= GN) categories would allow him to vote for removal of the second sentence of paragraph 6. There was support from some of the delegates to having a separate allocation for Bulgaria, Iceland, and Italy combined and a small allocation for a new "Others" category. The delegate of USSR, supported by the delegates of Canada, Spain, and USA, agreed to discontinue discussion of paragraph 6 until 26 January, and urged the delegate of Portugal, in the meantime, to obtain authority from his Government to delete the sentence. The Panels agreed to reconvene in the morning of 26 January.

(g) The Chairman requested reconsideration of paragraph 1 and of whether the coastal states should be exempt from the regulation and the phrase "other than the coastal states" be retained in the paragraph. The delegate of USA noted that the new regulation was a combination of the September 1975 proposal and regulation and suggested that paragraph 1 of the first part of the September 1975 proposal, which included the phrase "other than the coastal states", become paragraph 1 of the new regulation. The delegate of UK, supported by the delegates of Italy and Portugal, objected, in principle, to the exemption of the coastal states from the regulation and declared that they would have to abstain if any vote were taken. Following discussion, the Panels agreed to take an indicative vote on the revised paragraph 1. The result was 5 for (Canada, France, Norway, Romania, and USA) and 12 abstentions.

9. The Chairman suggested that the Joint Meeting recess until 26 January to await the Portuguese decision regarding paragraph 6 and to give more time for consideration of possible solutions to the difficulties being met. The Panels recessed at 2145 hrs, 24 January.

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10. The Panels reconvened at 1250 hrs, 26 January.

11. The Chairman returned to discussion of the proposal revised by Canada (Appendix I) on fishing effort reduction on groundfish stocks in Subareas 2, 3, and 4 in 1976 and noted that it had been agreed that the delegate of Portugal should report the decision of his Government with regard to the omission of the second sentence of paragraph 6 of the proposal. The delegate of Portugal reported (see Appendix II for the complete text of the statement of the delegate of Portugal) that following the September 1975 Meeting, he had advised his Government that, in his interpretation of paragraph 6 of proposal (1), its vessels could fish in the "Others" category when it had no specific allocations. The Portuguese Government, industry and fishermen had counted on this interpretation but he had been instructed to accept that 20 fishing days be added in each of Subarea 2 + Div. 3K and of Div. 3M, that the dory vessel categories with vessel tonnages 500-999.9 and 1,000-1,999.9 be deleted, that the gillnet blanks (4) in Subarea 2 + Div. 3K (2) and in Div. 3M (2) each be allocated 10 fishing days, and that the "Others" category be replaced by Bulgaria, Iceland, and Italy as a group. The delegate of FRG understood the Portuguese position but had difficulty with the Portuguese proposal as he understood it was not meant to allow everyone to fish in the "Others" category. The delegate of Portugal pointed out that his proposal benefitted not only Portugal but Bulgaria, Iceland, and Italy. The delegate of Canada said there was no advantage except to the coastal states to revert back to the September 1975 proposal, therefore, the Panels must obtain a technically unanimous decision on the new proposal, i.e., no votes against and not too many abstentions. Finally, the delegate of Canada suggested a compromise solution as follows:

- i) that Bulgaria, Iceland, and Italy, as a group, be allocated 100, 100, 100, 100, and 200 days fished for the areas;
- ii) that an "Others" category be allocated 20 fishing days each for the area Subarea 2 + Div. 3K and the area Div. 3M;
- iii) that the number of fishing days allocated for the "Others" category in area Subarea 2 + Div. 3K and in area Div. 3M be used only by gillnetters (= GN).

The Panels noted that the proposed Canadian solution would require considerable amendments to the text of paragraphs 3 and 4 of the revised proposal (Appendix I). The Panels agreed that there should be an indicative vote on the Canadian suggestion for amendments to the table and that a small working group consisting of representation from Canada, Italy, USA, and the Executive Secretary should prepare a draft of the text incorporating the necessary changes. Result of the indicative vote was unanimous agreement with the Canadian suggested amendments to the table.

12. The Panels recessed at 1600 hrs, 26 January.

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13. The Panels reconvened at 1815 hrs, 26 January. The Executive Secretary presented the draft of the proposal as prepared by the Working Group. Having considered the text and the table as amended, Panels 2, 3, and 4, in joint session,

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (3) for international regulation of fishing effort for groundfish in Subareas 2, 3, and 4 of the Convention Area (Appendix III).

14. There being no other business, the Chairman declared the Joint Meetings of Panels 2, 3, and 4 adjourned at 1830 hrs, 26 January 1976.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Canadian proposal for the 1976 international regulation of fishing effort for groundfish in Subareas 2, 3, and 4 of the Convention Area

That proposal 1 for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 28 September 1975, be replaced by the following:

"1. That this regulation shall apply to all Contracting Governments other than the coastal states fishing for groundfish, i.e., all finfish species listed in the ICNAF List of Species under the categories Principal Groundfish, Flounders, Other Groundfish, and Other Fish (except capelin, porbeagle sharks and other sharks) in Subareas 2, 3, and 4 of the Convention Area by the year 1976.

"2. That each national allocation of effort in the attached table is an integral part of this regulation.

"3. That, for any effort allocation for a particular vessel tonnage, gear, and area:

- (a) Each Contracting Government shall limit the number of days fished for groundfish (24-hour periods, reckoned from midnight to midnight, during which any fishing took place for one or more of the above species) by persons under its jurisdiction in the areas referred to in the table to the number of fishing days listed for that Contracting Government or, in the case of Contracting Governments not listed by name, to the amount listed under "Others";
- (b) Each Contracting Government mentioned by name in the table shall prohibit fishing for groundfish by persons under its jurisdiction on the date on which

accumulated reported number of days fished,  
estimated unreported number of days fished, and  
the number of fishing days estimated to be expended before closure could be introduced,

equal 100 percent of the allowable number of fishing days. Each Contracting Government mentioned by name in the table shall promptly notify the Executive Secretary of the date on which such prohibition has been put into effect. The Executive Secretary shall promptly inform all Contracting Governments of such notification;

- (c) Each Contracting Government not mentioned by name in the table shall notify the Executive Secretary in advance if persons under its jurisdiction intend to engage in a fishery to which this regulation applies, together if possible with an estimate of the number of fishing days to be expended and the vessel, gear, and tonnage category of the vessels that will engage in the fishery; and it shall also promptly report the number of days fished for groundfish by persons under its jurisdiction in the areas mentioned in the table in increments of 25 days. The Executive Secretary shall notify all Contracting Governments of the date on which

accumulated reported number of days fished,  
estimated unreported number of days fished, and  
the number of fishing days estimated to be expended before closure could be introduced,

by persons under the jurisdiction of Contracting Governments not mentioned by name in the table equal 100 percent of the allowable number of fishing days designated for "Others" in the table. Within 10 days of the receipt of such notification from the Executive Secretary, each Contracting Government not mentioned by name in the attached table shall prohibit fishing by persons under its jurisdiction using vessels of the particular tonnage and gear category in the areas mentioned in the regulation.

Transfers

"4. Contracting Governments mentioned by name in the table may transfer fishing effort from area to area during the 1976 fishing season providing such transfers are limited to 10 percent of the total number of fishing days for the Contracting Government allocated for the 1976 fishing season in the area to which the transfer is made or 50 fishing days, whichever is greater. When a Contracting Government intends to make such a transfer, it shall notify the Executive Secretary 10 days in advance, specifying the number of fishing days to be transferred and the areas involved in the transfer.

Recording of Effort

"5. That all Contracting Governments take appropriate action to ensure that all vessels under their jurisdiction which fish in Subareas 2, 3, and 4 of the Convention Area record their fishing effort on a daily basis according to position, date, type of gear, and species being fished, and specify each day the time a vessel begins and ceases fishing.<sup>1</sup>

Other

"6. That, with regard to any effort allocation, each linear and columnar entry in the table shall be considered a separate proposal under Article VIII of the Convention as amended. Further, sub-paragraph 3(c) shall apply to each Contracting Government without a specific effort allocation in any linear and columnar entry in the table notwithstanding that sub-paragraph 3(b) may apply to each such Government with respect to another linear and columnar entry in the table.

"7. That the effort allocations in the table are without prejudice to future allocations."

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<sup>1</sup> This paragraph of the regulation is not intended to lessen in any way the obligation of Member Countries to report all other data on fishing effort, such as hours fished in Subareas 2, 3, and 4 of the Convention Area and all data on fishing effort in Subareas 1 and 5 of the Convention Area and Statistical Areas 0 and 6.

Table - Integral part of Proposal for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on

Country	Vessel tonnage	Gear	NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976				
			SA2+3K	3LNO	Area 3M	3P	4VWX
Canada	150- 499.9	OT	-	(1600)	-	(2200)	(5100)
	150- 499.9	MWT	-	-	-	(50)	(100)
	150- 499.9	LL	-	(150)	-	(50)	(200)
	500- 999.9	OT	(1200)	(7100)	(500)	(1500)	(2400)
	500- 999.9	MWT	-	-	-	(100)	(100)
Cuba	> 2000	OT	250	450	225	-	810
Denmark	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	540	-	1500	85	140
	500- 999.9	OT	306	83	100	75	125
	500- 999.9	MWT	-	-	-	17	33
France	150- 499.9	OT	-	(108)	-	(288)	(102)
	1000-1999.9	OT	(411)	(269)	(105)	(109)	(492)
FRG	1000-1999.9	OT	123	6	3	-	-
	> 2000	OT	802	44	17	-	-
GDR	500- 999.9	OT	682	38	-	-	-
	1000-1999.9	OT	-	-	-	-	-
	1000-1999.9	MWT	-	-	-	-	-
	> 2000	OT	234	30	-	-	-
	> 2000	MWT	-	-	-	-	-
Japan	1000-1999.9	OT	-	1	-	1	18
	> 2000	OT	-	78	-	31	179
Norway	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	300	135	288	304	250
	500- 999.9	OT	130	14	-	-	-
	500- 999.9	LL	-	-	-	-	-
	1000-1999.9	OT	-	-	-	-	-
Poland	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	1535	300	80	-	-
Portugal	500- 999.9	DV <sup>†</sup>	-	-	-	-	-
	500- 999.9	GN	-	483	-	8	2
	1000-1999.9	OT	1496	1362	592	24	35
	1000-1999.9	DV	-	-	-	-	-
	1000-1999.9	GN	-	527	-	9	5
	> 2000	OT	589	527	266	5	19
Romania	> 2000	OT	80	80	25	35	-
Spain	150- 499.9	PT	215	2136	40	408	341
	500- 999.9	PT	183	1818	34	349	288
	1000-1999.9	OT	558	302	82	105	116
	1000-1999.9	PT	22	202	14	43	33
USSR	150- 499.9	OT	-	563	23	172	53
	500- 999.9	OT	14	94	7	6	108
	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	3505	1051	736	154	3425
	> 2000	MWT	343	662	-	-	-
UK	500- 999.9	OT	-	-	-	-	-
	1000-1999.9	OT	616	246	370	-	-
USA	150- 499.9	OT	-	-	-	-	(1883)
	150- 499.9	MWT	-	-	-	-	(81)
Others			100	100	100	100	200

Footnote: Figures in brackets ( ) are estimates only; include estimated fishing days outside the Convention Area.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Statement of the Portuguese Delegate regarding proposed fishing effort limitation for groundfish in Subareas 2, 3, and 4 of the Convention Area

I have finally contacted my authorities and in order to explain our position, I have to declare the following:

The understanding of paragraph 6, as was approved in Montreal, was reported by the Portuguese Commissioners to their Government as meaning that for any country against whom at some point in the table there was a blank with respect to a certain category (namely gear and tonnage) of vessel, that same category was allowed to fish in the "Others" allocation.

No interpretations other than those bordering on the absurd can possibly be given to the wording of the paragraph as it stands.

Paragraph 6 as it reads is essential because the allocations for any one country now are varied according to the vessel category, so that in the same area for one vessel category the country might fish a national quota and in another category might fish as "Others". It is not like a catch allocation which for each country is simply either national or of "Others".

In all their projected calculations, the Portuguese Government, industry and fishermen, in good faith, counted on that expectation.

The proposal, which emerged late in the day, to eliminate the sentence in paragraph 6 has to be seen not as a simple proposal but as allocating to three countries in particular an allocation that did not belong, at the close of the Montreal Meeting, to them alone.

That other countries are not now opposed to this proposal is not our problem.

However, the fact is that it is essential here to underline that not only the coastal states, which most unexpectedly may now be interpreted as not having any allocation, could consequently legally be free to fish as much as they wish, but also there are several non-coastal countries whose fishing effort, far from being reduced in relation to the 1972-1973 basis, has on the contrary been expanded.

The Portuguese fishing effort, estimated without negating the rights given by the only logical interpretation of paragraph 6, has been drastically reduced and only three countries have been even more reduced than us. These other three countries, however, have the possibility of fishing for pelagic species; consequently, in an all-round assessment, Portugal is the country which is to fare worst from the present scheme, even without the further loss brought about by the amendment to paragraph 6.

We have a fellow feeling for countries now fishing under "Others" and understand their difficulties, consequently, we are sure that the crux of the problem is not that, but rather lies in the failure on the part of others to understand the tortuous rules as they are written and realize what actually has been going on.

The number of fishing days for "Others" had no real scientific basis, neither has it one now, nor indeed is it ever likely to have one in the future. This is the reason why in the Canadian proposal in Comm.Doc. 75/IX/49 (Revised) it was 100 days for 2+3K, 100 days for 3LMNOP and 100 days for 4VWX, whereas, by the second revision of that proposal, 3LMNOP had jumped to 300 and during this meeting 4VWX increased to 200.

In this connection, it is important to underline that the previous jump to 300 was not the result of any proposals from Bulgaria, Iceland or Italy.

The unscientific character of the "Others" quotas results from its objective to be a catch-all for all categories of vessels and all fishing countries.

As we have always realized the implications of an allocation for "Others", the Portuguese Delegation would not stand against any proposal to increase that allocation. We did not do so here, because obviously, as has always been the case, when any one country manages to increase the allocation for "Others", the increase does not benefit that country alone.

Portugal does appear to be the one country that has fallen more times from a national allocation into that of "Others". No wonder we realize only too well the painful implications of this type of allocation.

We must caution the countries that fish for "Others", that there is a precedent for non-member countries to be included in that same allocation. So that if Koreans, Greeks, or Irish, to mention just a few probable

contenders, should see fit to increase their effort, future prospects of Member Countries fishing under "Others" could well be severely curtailed.

Portugal is not a country that feels hurt when another country is advantaged, as long as in the transaction the interests of Portugal herself are not vitally affected. Indeed, our record of cooperation with all newcomers and developing fisheries from the Faroese, through Poland, and the German Democratic Republic to Cuba, Romania and Bulgaria speaks for itself: a record that can be read in the minutes of the meetings not only to ICNAF, but also of NEAFC and ICSEAF.

We do not shout blackmail or cry murder when we see that, to take but one instance, the Federal Republic of Germany, most intelligently as always, refuses to distinguish between a declared penalty and the direct free kick with which we have finally been penalized and thus ends this meeting with a cut in fishing effort considerably smaller than Portugal's.

We are always glad if one or more of our friends gets away with it.....or does not do so badly.

We realize well enough that everyone round this table has the interests of his country at heart and we could only feel disrespect for those who would not try to defend their national interests.

However, in this instance, we feel that facts indeed support our contention that Portuguese fishermen are in a special category by themselves in these seas. They have fished here for generations past, as did men of only a few other nations: many Portuguese fishermen, as did those from only a couple of other nations, have settled in fishing communities along the shores of the coastal states; like a few other countries, we are undergoing a process of redevelopment, having had to abandon traditional methods of fishing at which we were masters; as with very few other nations, our cod fishery was stable until overfishing caused by other parties imposed a steady decline in catch; in company with very few other fishing nations, we are still developing selective methods of fishing for which this side of the Atlantic we are given no reward; like the fishermen of a few other countries, we fish to feed our people.

What does make our fishermen stand alone in a special and individual category is the fact that no fishing industry of any other nation can be accredited with all the special factors we have just mentioned and that both our fishermen and all the rest of our people are poor and the spectre of hunger and ruin hangs over us at exactly a time when, as never before, we deserve the help of all - East and West, North and South.

Thus, we hope for the understanding and assistance of all, especially from the three countries who were led to think that our position was against them. It must be said in passing that Bulgaria had proposed for "Others" 80 days in 2+3K and 30 days in 3M, so they could have supported our previous proposal, with only the dissent of Italy.

We must call your attention to the fact that, if you intend to dispense with the allocation for "Others" in this scheme, it is not sufficient to eliminate the second sentence of paragraph 6 in the proposal.

As each linear and columnar entry in the table would still have to be considered as a separate proposal and besides two designations, namely "Contracting Governments not listed by name" and "amounts listed under "Others"", remain extant and appear frequently in the text of the Regulation - see paragraphs 3(a), 3(b), 3(c) and (4) - there are still many points to be cleared up and plenty of amendments to be made to those other paragraphs as a result of this sudden change of criterium.

For instance, it should be clearly understood by the three countries, who are now to replace the "Others", that they will not be entitled to transfers under paragraph 4, even though their names may now appear in the table, and the reason for this discrimination is that their names appear as a group.

Indeed, if "Others" are to disappear, there still remains, with the wording already approved, a distinction between "Contracting Governments mentioned by name (singularly)" and "Contracting Governments mentioned by name (collectively) in a group" as a direct result of the difference now existing in the text between the categories of "Contracting Governments mentioned by name" and "Contracting Governments not mentioned by name".

Taking all this into consideration, we therefore propose the following:

Previously, on my own initiative, I had proposed 30 days (15+15), respectively, for GN5 and GN6 in 2+3K and another 30 days (equally 15+15) in 3M, as against our estimation of what we could fish with GN5 and GN6 as "Others" which was 30 days in 2+3K and 50 days in 3M.

In an effort to reach agreement I am now instructed to accept 20 (10+10) in 2+3K and 20 (10+10) in 3M. This is for us an important reduction and is as far as we can go in the interest of all the countries round this table.

When we bear in mind all the previously accepted alterations to the Montreal scheme, we feel that the minor modifications we now propose, although of considerable interest to us, in no way affect anybody else's point of view.

If this is acceptable to you all, we therefore propose:

- (a) the DV categories be deleted from the table with all the corresponding blanks;
- (b) the GN blanks be substituted by 10 in the table;
- (c) "Others" category be replaced by the expression "Bulgaria, Iceland and Italy as a group" and all consequential amendments be effected.

I must finalize by stating that, since the conventional right of objection may have been deemed removed, although unconventionally, by the Montreal Resolution which accompanied the proposal under review, unless our amendment is accepted, we see no way out other than to reject the proposed alteration to paragraph 6 of that proposal.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(3) Proposal for the International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area

Panels 2, 3, and 4, in joint session, recommend that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

That Proposal (1) for International Regulation of the Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 28 September 1975 (September 1975 Meeting Proceedings No. 4, Appendix I) and pending entry into force, be replaced by the following:

"1. That Contracting Governments, other than the coastal states, take appropriate action in 1976 to limit fishing effort for groundfish, i.e., all finfish species listed in the ICNAF List of Species (ICNAF Statistical Bulletin Vol. 24 for the year 1974, pages 7-9) under the categories Principal Groundfish, Flounders, Other Groundfish, and Other Fish (except capelin, porbeagle sharks and other sharks) by vessels under their jurisdiction in Subareas 2, 3, and 4 of the Convention Area, in accordance with the following:

"2. That each national allocation of effort in the attached table is an integral part of this regulation.

"3. That, for any effort allocation for a particular vessel tonnage, gear, and area:

- (a) For the purpose of this regulation, a day fished for groundfish is defined as a 24-hour period, reckoned from midnight to midnight, during which any fishing took place for one or more of the above species.
- (b) Each Contracting Government having a national allocation in a particular entry in the table shall prohibit fishing for groundfish by vessels under its jurisdiction on the date on which

accumulated reported number of days fished,  
estimated unreported number of days fished, and  
the number of fishing days estimated to be expended before closure could be introduced,

equal 100 percent of the allowable number of fishing days. Each such Contracting Government shall promptly notify the Executive Secretary of the date on which such prohibition has been put into effect. The Executive Secretary shall promptly inform all Contracting Governments of such notification.

- (c) Each Contracting Government not having a specific national allocation of fishing days in the table shall notify the Executive Secretary in advance if vessels under its jurisdiction intend to engage in a fishery to which this regulation applies, together if possible with an estimate of the number of fishing days to be expended and the gear and tonnage category of the vessels that will engage in the fishery; and it shall also promptly report the number of days fished for groundfish by vessels under its jurisdiction in the areas mentioned in the table in increments of 25 days. The Executive Secretary shall notify all Contracting Governments of the date on which

accumulated reported number of days fished,  
estimated unreported number of days fished, and  
the number of fishing days estimated to be expended before closure could be introduced,

by vessels under the jurisdiction of such Contracting Governments equal 100 percent of the allowable number of fishing days designated for such Contracting Governments. Within 10 days of the receipt of such notification from the Executive Secretary, each such Contracting Government shall prohibit fishing by vessels under its jurisdiction in the particular area.

- (d) Each Contracting Government not having a national allocation in a particular entry in the table shall notify the Executive Secretary in advance if vessels under its jurisdiction intend to engage under the "Others" category in a fishery in an area to which this regulation applies, together if possible with an estimate of the number of fishing days to be expended and the gear and tonnage category of the vessels that will engage in the fishery; and it shall also promptly report the number of days fished for groundfish by vessels under its jurisdiction in the areas mentioned in the table in increments of 10 days. The Executive Secretary shall notify all Contracting Governments of the date on which

accumulated reported number of days fished,  
estimated unreported number of days fished, and  
the number of fishing days estimated to be expended before closure could be introduced,

by vessels under the jurisdiction of such Contracting Governments equal 100 percent of the allowable number of fishing days designated for "Others" in the table. Within 10 days of the receipt of such notification from the Executive Secretary, each such Contracting Government shall prohibit fishing by vessels under its jurisdiction in the "Others" category in the particular area.

"4. Contracting Governments may transfer fishing effort from area to area during the 1976 fishing season, providing such transfers are limited to 10 percent of the total number of fishing days for the Contracting Government allocated for the 1976 fishing season in the area to which the transfer is made or 50 fishing days, whichever is greater; however, in the case of Contracting Governments not having a specific national allocation of fishing days, such transfers shall be limited to a total of 10 percent for all such Contracting Governments. Contracting Governments may also transfer fishing effort from one category to another within the same area, provided that the conversion factors specified in ICNAF Commissioners' Document 76/I/1 with Addenda are used. When a Contracting Government intends to make such a transfer, it shall notify the Executive Secretary in advance, specifying the estimated number of fishing days to be transferred and the areas and categories involved in the transfer. Within 30 days of having notified the Executive Secretary of the estimated number of fishing days transferred, a Contracting Government shall advise the Executive Secretary of the actual number of fishing days transferred. The Executive Secretary shall circulate within 10 days to Contracting Governments any estimated or final changes in the allocations of fishing days submitted to him.

"5. That, with regard to any effort allocation, each entry in the table shall be considered a separate proposal under Article VIII of the Convention as amended. Further, sub-paragraph 3(d) shall apply to each Contracting Government without a specific effort allocation in any entry in the table, notwithstanding that sub-paragraph 3(b) may apply to each such Contracting Government with respect to another entry in the table.

"6. That the effort allocations in the table are without prejudice to future allocations."

Table - Integral part of Proposal (3) for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 26 January 1976

Country	Vessel tonnage	Gear	NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976				
			SA2+3K	3LNO	Area 3M	3P	4VWX
Canada <sup>1</sup>	150- 499.9	OT	-	(1600)	-	(2200)	(5100)
	150- 499.9	MWT	-	-	-	(50)	(100)
	150- 499.9	LL	-	(150)	-	(50)	(200)
	500- 999.9	OT	(1200)	(7100)	(500)	(1500)	(2400)
	500- 999.9	MWT	-	-	-	(100)	(100)
Cuba	> 2000	OT	250	450	225	-	810
Denmark	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	540	-	1500	85	140
	500- 999.9	OT	306	83	100	75	125
	500- 999.9	MWT	-	-	-	17	33
France <sup>1</sup>	150- 499.9	OT	-	(108)	-	(288)	(102)
	1000-1999.9	OT	(411)	(269)	(105)	(109)	(492)
Federal Republic of Germany	1000-1999.9	OT	123	6	3	-	-
	> 2000	OT	802	44	17	-	-
German Democratic Republic	500- 999.9	OT	682	38	-	-	-
	1000-1999.9	OT	-	-	-	-	-
	1000-1999.9	MWT	-	-	-	-	-
	> 2000	OT	234	30	-	-	-
	> 2000	MWT	-	-	-	-	-
Japan	1000-1999.9	OT	-	1	-	1	18
	> 2000	OT	-	78	-	31	179
Norway	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	300	135	288	304	250
	500- 999.9	OT	130	14	-	-	-
	500- 999.9	LL	-	-	-	-	-
	1000-1999.9	OT	-	-	-	-	-
Poland	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	1535	300	80	-	-
Portugal	500- 999.9	GN	-	483	-	8	2
	1000-1999.9	OT	1496	1362	592	24	35
	1000-1999.9	GN	-	527	-	9	5
	> 2000	OT	589	527	266	5	19
Romania	> 2000	OT	80	80	25	35	-
Spain <sup>2</sup>	150- 499.9	PT	215	2136	40	408	341
	500- 999.9	PT	183	1818	34	349	288
	1000-1999.9	OT	558	302	82	105	116
	1000-1999.9	PT	22	202	14	43	33
USSR	150- 499.9	OT	-	563	23	172	53
	500- 999.9	OT	14	94	7	6	108
	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	3505	1051	736	154	3425
	> 2000	MWT	343	662	-	-	-
UK	500- 999.9	OT	-	-	-	-	-
	1000-1999.9	OT	616	246	370	-	-
USA <sup>1</sup>	150- 499.9	OT	-	-	-	-	(1883)
	150- 499.9	MWT	-	-	-	-	(81)
Bulgaria, Iceland, and Italy <sup>3</sup>			100	100	100	100	200
Others		GN	20	-	20	-	-

<sup>1</sup> Figures in brackets ( ) are estimated only; include estimated fishing days outside the Convention Area.

<sup>2</sup> Figures for the PT gear categories are for days fishing by pairs of trawlers.

<sup>3</sup> Allocation for Bulgaria, Iceland, and Italy as a group = days fished per effort management area, irrespective of vessel tonnage or gear used.

- continued

Table - continued

DEFINITIONS OF ABBREVIATIONS

OT = otter trawl  
MWT = midwater trawl  
LL = longline  
PT = pair trawl  
GN = gill net



## International Commission for



## the Northwest Atlantic Fisheries

Serial No. 3748  
(B.e.76)

Proceedings No. 6

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Special Meeting of Panel A (Seals)

Thursday, 22 January, 0905 hrs

1. Opening. The meeting was called to order by Mr K. Henriksen (Canada) in the absence of the Chairman of the Panel, Mr K. Vartdal (Norway). All Panel Member Countries were present, with the USA as an Observer (Appendix I).
2. Mr J.S. Beckett (Canada) was appointed Rapporteur.
3. The Agenda (Appendix II) was adopted as circulated.
4. Report of Scientific Advisers to Panel A (Seals). The Chairman noted that the November and December meetings of the Scientific Advisers to Panel A had been discussed at the Special Meeting of Panel A in Bergen, 12 December 1975 (Summ.Doc. 76/VI/3). There was no discussion or comment.
5. Conservation Measures for Hooded Seals. The delegate of Canada expressed his apologies to the Danish delegation for having to ask for the delay in reaching a decision on conservation measures for both hooded and harp seals, and thus creating this additional meeting. He noted, however, that the Canadian and Norwegian delegations had been able to meet and were agreed on a joint proposal for the TAC for hooded seals on the "Front" to be set at 15,100 animals in 1976. The Panel Members agreed with this proposal. The Panel agreed to national allocations proposed jointly by Canada and Norway as follows:

Norwegian ships on the "Front"	9,000
Canadian ships on the "Front"	6,000
Others	<u>100</u>
Total	15,100

It was further agreed that, in order to prevent inaccurate shooting due to poor light conditions, hunting of hooded seals should be limited to the period between 1000 and 2300 GMT up to 31 March 1976, and to the period 0900-2400 GMT thereafter. Panel A, therefore,

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (4) for international regulation of the fishery for hooded seals, by catch quota and time of day, in the "Front" Area of the Convention Area (Appendix III).

6. Conservation Measures for Harp Seals. The delegate of Canada noted that the conservation measures for harp seals had been subject to intensive scientific discussion, and presented a joint Canadian-Norwegian proposal that the TAC for harp seals should be set at 127,100 animals, mostly pups, in 1976. He stated that this figure would provide satisfactory protection for the stock since the TAC was for one year only and that expanded research was to be carried out in 1976.

The delegate of Norway stressed that a lowering of the TAC in 1976 would be for one year only and that the TAC could be modified in subsequent years according to the scientific assessment of the stock.

The Panel accepted this proposal and the delegate of Denmark expressed his pleasure that it had proved possible to reach agreement. He felt that the recommended TAC would not endanger the stock.

On the subject of the national allocation of the TAC for harp seals, the Panel accepted a joint Canada/Norway proposal that provided the following allocations:

Norwegian vessels in the "Front"	44,667
Canadian vessels in the "Front"	52,333
Estimated catch in the "Front" and "Gulf" Areas by Canadian small vessels and landsmen	30,000
Others	<u>100</u>
Total	127,100

Panel A, therefore,

agreed to recommend

that the Commission transmit to the Depository Government, for joint action by the Contracting Governments, proposal (4) for international regulation of the fishery for harp seals, by catch quota in the "Front" and "Gulf" Areas of the Convention Area (Appendix III).

7. Future Research Requirements. The Chairman noted the research plans discussed at the Bergen Meeting and the delegate of Canada drew attention to the Danish suggestion, at that Meeting, that working papers and research results should be presented well in advance of any meeting to allow thorough study beforehand.

The delegate of Denmark inquired about proposed Norwegian and Canadian cooperative research on simulation studies. No information concerning the development of this program was available, but it was noted that the other Panel Member should be kept informed.

The delegate of Canada announced that his country would be expanding its aerial census of the seals in the "Front" Area in 1976.

8. Approval of Panel Report. It was agreed that this would be done by circulating the draft, before submission to the Commission.

9. Next Meeting. After discussion, it was agreed that, while a brief meeting should be held at the time of the Annual Commission Meeting, it would be too soon after the sealing season for research results to be available to the Scientific Advisers. It was agreed that a subsequent meeting should be held later in the year, after the proposed meeting of the Scientific Advisers in Copenhagen in October. Details of the later meeting will be determined at the time of the 26th Annual Meeting of the Commission in June. It was further agreed that it was not anticipated that the Scientific Advisers would be asked to advise the Panel at the June Meeting, although any Panel Member could request that they do so. In such event, it was agreed that ample warning should be given to the scientists.

10. Other Business. The delegate of Canada noted that the TACs and national allocations for 1976 would not normally come into effect for six months. Therefore, the Panel agreed to adopt a resolution (3) calling for voluntary adherence to the decisions of the Commission concerning the conservation of harp and hooded seals (Appendix IV).

11. Adjournment. The Panel adjourned at 0935 hrs.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Special Meeting of Panel A (Seals)

List of Participants

(Head of Delegation underlined)

Acting Chairman: Mr K. Henriksen, H.B. Nickerson & Sons Ltd., P.O. Box 130, North Sydney, N.S.

CANADA

Commissioner:

Mr K. Henriksen, H.B. Nickerson & Sons Ltd., P.O. Box 130, North Sydney, N.S.

Advisers:

Mr J.S. Beckett, International Fisheries Directorate, Fisheries and Marine Service, Environment Canada,  
580 Booth Street, Ottawa, Ont. K1A 0H3

Mr J.E. Creeper, Fisheries Management (Maritimes), Fisheries and Marine Service, Environment Canada, P.O.  
Box 550, Halifax, N.S. B3J 2S7

Dr M.P. Shepard, International Fisheries Policy, Fisheries and Marine Service, Environment Canada, 580 Booth  
Street, Ottawa, Ont. K1A 0H3

Mr W. Short, N.F.F.A.W.U., P.O. Box 5158, St. John's, Nfld.

Mr G.C. Slade, Newfoundland Department of Fisheries, 4th Floor, Viking Bldg., St. John's, Nfld.

DENMARK

Commissioner:

Mr E. Lemche, Ministry for Greenland, Hausergade 3, DK-1128 Copenhagen K

Adviser:

Mr Sv.Aa. Horsted, Grønlands Fiskeriundersøgelse, Jaegersborg Alle 1B, DK-2920 Charlottenlund

NORWAY

Commissioners:

Mr K. Raasok, Ministry of Fisheries, Oslo

Mr H. Rasmussen, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen

Advisers:

Mr N. Bølset, Utenriksdepartementet, Oslo

Mr L. Grønnevet, 6170 Vartdal

Mr P.L. Mietle, Directorate of Fisheries, P.O. Box 185-186, 5001 Bergen

OBSERVER

USA

Mr J.C. Price, Office of International Fisheries, National Marine Fisheries Service, NOAA, US Department of  
Commerce, Washington, D.C. 20235

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Special Meeting of Panel A (Seals)

Agenda

1. Opening by Chairman
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Report of Meetings of Panel and Scientific Advisers, November and December 1975 (Summ.Doc. 76/VI/3)
5. Conservation Measures for Hooded Seals
6. Conservation Measures for Harp Seals
7. Future Research Requirements
8. Approval of Panel Report
9. Next Meeting
10. Other Business
11. Adjournment

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(4) Proposal for International Regulation Respecting the Protection of Seals in the "Gulf" and "Front" Areas of the Convention Area

Panel A recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

That the International Regulation Respecting the Protection of Seals in the "Gulf" and "Front" Areas of the Convention Area, adopted at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, page 91) and entered into force on 11 January 1975, and amended at the Twenty-Fifth Annual Meeting (June 1975 Meeting Proceedings No. 12, page 244) and entered into force on 16 January 1976, be replaced by the following:

- "1. That the Contracting Governments take appropriate action to ensure that, for the year 1976 only, the total allowable catch in the "Front"<sup>1</sup> and "Gulf"<sup>2</sup> Areas be 127,100 harp seals, *Pagophilus groenlandica*, including a quota of 52,333 for Canada, 44,667 for Norway, and 100 unallocated, and an estimate of 30,000 harp seals to be caught by indigenous non-mobile fisheries of the "Front" and "Gulf" Areas.
- "2. That the Contracting Governments take appropriate action to ensure that, for the year 1976 only, the total allowable catch in the "Front" Area be 15,100 hooded seals, *Cystophora cristata*, including a quota of 6,000 for Canada, 9,000 for Norway, and 100 unallocated.
- "3. That the Contracting Governments take appropriate action to ensure that the open season in the "Front" Area for the taking of harp seals shall commence not earlier than 0900 hours GMT on 12 March 1976 and terminate not later than 2400 hours GMT on 24 April 1976, and for the taking of hooded seals shall commence not earlier than 1000 hours GMT on 22 March 1976 and terminate not later than 2400 hours GMT on 24 April 1976.
- "4. That Contracting Governments take appropriate action to prohibit the killing of adult (harp) seals in whelping patches in the "Gulf" and "Front" Areas.
- "5. That Contracting Governments take appropriate action to prohibit the killing, by vessels in the "Front" Area during the open season each day, of harp seals between the hours 2400 GMT and 0900 GMT, and of hooded seals between the hours 2300 GMT and 1000 GMT up to 31 March and between the hours 2400 GMT and 0900 GMT thereafter.
- "6. That Contracting Governments take appropriate action to prohibit the killing of whelping hooded seals in Davis Strait from vessels of over 50 gross tons.
- "7. That the Proposal for Management of the International Quota Regulations, adopted by the Commission in Plenary Session on 14 June 1974, shall not apply."

<sup>1</sup> All the waters of the Strait of Belle Isle and the Atlantic Ocean east of a straight line between the lighthouse at Amour Point on the east coast of Labrador and the lighthouse on Flowers Island in Flowers Cove, Newfoundland.

<sup>2</sup> All the waters and territories west of a straight line between the lighthouse at Amour Point on the coast of Labrador and the lighthouse on Flowers Island in Flowers Cove, Newfoundland.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

(3) Resolution Relating to the Implementation of the Proposal for International Regulation Respecting the Protection of Seals in the "Gulf" and "Front" Areas of the Convention Area

Panel A recommends the following resolution for adoption by the Commission:

The Commission

Recognizing that the proposal for the protection of seals designed to achieve the conservation and optimum utilization of the stocks of seals in the Convention Area has been adopted on 26 January 1976;

Bearing in Mind that the regulation is intended to come into force on 12 March 1976 and remain in force throughout 1976;

Taking into Account that, under Article VIII of the Convention, as amended, this proposal would not enter into force until six months after the date of the notification from the Depositary Government transmitting the proposal to the Contracting Governments, which could not occur before late July 1976, at the earliest; it would, therefore, not come into effect during the open season;

Having Considered that the purpose of the Convention is to promote the conservation and optimum utilization of the seal stocks on the basis of scientific investigation, and economic and technical considerations, and that this purpose cannot be successfully achieved unless the proposal referred to above is applied from 12 March 1976;

Recognizing that, in order to achieve the purposes and objectives of the Convention, sealing activity in the Convention Area must be conducted in accordance with this proposal from 12 March throughout 1976;

1. Invites the attention of Contracting Governments to the above matters;
2. Stipulates that the proposal referred to above should apply in 1976;
3. Requests Contracting Governments whose vessels conduct sealing operations in the area to implement the proposal on 12 March 1976;
4. Expects that Members of Panel A will conduct their sealing operations in accordance with the proposal beginning on 12 March 1976, unless any of the Members of the Panel notifies an objection to the Depositary Government prior to that date.

## International Commission for



## the Northwest Atlantic Fisheries

Serial No. 3749  
(B.e.76)

Proceedings No. 7

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Meetings of Panel 5

Wednesday, 22 January, 1420 hrs

Thursday, 23 January, 1440 hrs

Friday, 24 January, 0925 hrs

1. Opening. The meeting was convened by the Chairman, Mr Wm.L. Sullivan Jr (USA). All members of the Panel were represented. The UK was represented by observers.
2. Rapporteur. Mr J.S. Beckett (Canada) was appointed Rapporteur.
3. Agenda. The Chairman noted that the Panel should consider Items 6(c) and 6(d), 1976 TACs and allocations for herring stocks in Div. 5Y and in Div. 5Z and Statistical Area 6, respectively.
4. TAC for Herring in Div. 5Z and Statistical Area 6. The Chairman referred to Comm.Doc. 76/I/5 and the Report of STACRES, and noted the scientific recommendation that the TAC should not exceed 60,000 metric tons.

The delegate of USA reviewed the main agenda items before the Eighth Special Meeting of the Commission, and stated that the treatment of the problems would affect the actions of the USA, both in the short term and in the future when managing within an anticipated economic zone. He noted that a number of fisheries in the ICNAF and NEAFC Areas had collapsed, and that the herring fishery in Div. 5Z and Statistical Area 6 might well be in danger of collapse. The delegate of USA traced the decline of this herring fishery (373,598 tons in 1968, 149,000 in 1974). He commented that, rather than rebuilding the stock, there had been a decline during the four years of management to a level only 40% of the Commission's own management goal. He noted that there had been poor recruitment since the strong 1970 year-class, and quoted the STACRES Report that a TAC of 40,000 tons would only allow slight rebuilding. He urged the Panel to take a responsible attitude and adopt this lower TAC. The delegate of USSR proposed a TAC of 60,000 tons, the maximum recommended by STACRES, since even this reduction would cause grave economic difficulties for the Soviet fishing fleet. The delegate of Poland supported the proposal of the USSR since a TAC of 40,000 tons would, according to the STACRES Report (Fig. 4), produce very little increase in the stock size. The delegates of Romania and Japan also supported a TAC of 60,000 tons, as did the delegate of GDR who noted that herring was of great importance to the GDR for domestic use. He stated that the GDR would support any reasonable conservation measure but that STACRES had fully discussed the situation and a TAC of 40,000 tons would not benefit the stock very much compared to a TAC of 60,000 tons. The delegate of Canada noted that the Commission too often took the upper limit of a range of TAC values, and that, since 60,000 tons was the maximum TAC recommended by STACRES, a smaller TAC would actually be in accord with the recommendation. The delegate of FRG commented that the declines in NEAFC Area herring stocks were due to fishing juveniles rather than to over-fishing adults. He pointed out that STACRES had reported that a constant TAC of 60,000 tons would allow rebuilding of the stock over the years, once a strong year-class was produced. He suggested that the Panel should adopt a TAC at that level with some additional constraints, following the suggestions on management strategies in the STACRES Report. The delegate of Cuba, supported by the delegate of France, agreed that the TAC should be kept low to maximize the benefit of any future strong year-class, but that, since 60,000 tons represented a 60% reduction from the TAC in 1975, this should be the level in 1976. He also noted that, contrary to earlier thinking, Cuba would not carry out a directed fishery in the relevant area. The delegate of USA could accept a TAC of 60,000 tons, provided there was also agreement on constraints and that the TAC for 1977 and subsequent years would be 60,000 tons, or less, depending upon the status of the stock until the MSY level was achieved. This was supported by the delegate of Canada. The delegate of Cuba suggested that no definite constraints should be adopted with regard to future TACs since the Panel would react responsibly to the situation as it developed. The delegate of USA expressed his sympathy of this view in other circumstances. He noted, however, that the only positive action by the Commission had involved commitments taken some years ahead. The delegate of Bulgaria supported a TAC of 60,000 tons. The delegate of USSR noted that there was some uncertainty about the strength of the 1974 year-class. This could improve the situation rapidly, as noted by STACRES. He suggested the matter be left to the STACRES meeting in April 1976, at which time the results of the spring juvenile surveys would be available. The delegate of USA noted that the 1974 year-class would not enter the adult fishery until 1978, and that spring juvenile surveys did not give a complete picture of the strength of new year-classes.

The Chairman then read the following paragraph that he had drafted as a possible expression of the idea of constraint on future TACs as supported by some delegates:

"That the Commission shall establish a level of catch for the herring stock in Div. 5Z and Statistical Area 6 for subsequent years which will maintain the adult stock at a level of at least 225,000 tons, and that the TAC will be set at 60,000 tons or less until such time as the adult stock reaches the level of 500,000 tons. Thereafter, the Commission will set the TAC so as to maintain the adult stock at a level of at least 500,000 tons."

The delegate of USSR questioned the need for such constraints, considering the fact that a good year-class would result in very rapid recovery. He, therefore, considered that a decision should be delayed, since the available information might increase and certainly would not decrease. The delegate of USA reiterated that the 1974 year-class would not recruit to the adult spawning stock until 1978, a view confirmed by the Chairman of STACRES. The delegate of USSR contended that the herring management strategy in the area was being weakened by the intensive fishing for juveniles in the Gulf of Maine, although he noted that the connection between these juveniles and the adult herring on Georges Bank had not been definitely proven. The delegate of USA responded that the sardine fishery had been in existence for over 100 years, but its continuation was a conscious management strategy, and that it was, in fact, the development of foreign fishing that had depleted the stock. He felt that he was being forced to revert to his original proposal for a TAC of 40,000 tons. The delegate of Canada supported this and noted that the abundance of adult herring had been maintained for a century since the development of the juvenile fishery. The matter had been considered by STACRES some years previously and no scientific basis had been found for closing the juvenile fisheries.

The Chairman proposed a vote be taken on a TAC of 60,000 tons including a constraint on the level of TACs in future years.

Panel 5 unanimously accepted a TAC of 60,000 tons with the constraint paragraph as above.

5. Allocation of TAC in Div. 5Z and Statistical Area 6. The delegates of Japan and Romania expressed concern over the size of the allocation to the "Others" category, while the delegate of Cuba requested an allocation of 1,500 tons to cover by-catch. The delegate of FRG noted that neither Canada nor the USA had caught their quotas in recent years and produced the allocations that would result from pro-rated reductions of the 1975 allocations (Canada 800, FRG 9,500, GDR 12,460, Poland 15,360, USSR 16,840, USA 3,360, and Others 1,680). The allocations for the coastal states could, however, be set in the range of their present catches. This was supported by the delegate of USSR. The delegate of USA reported that a careful analysis of the needs of the US herring catching and processing industry, in light of the reduction in stocks elsewhere, indicated the need for a very substantial increase in the US quota from this stock to 25,000 tons. The delegate of Canada stated that, despite being a coastal state in the area and having a 10-year average catch of 3,415 tons, Canada could accept an allocation of 2,000 tons. The delegate of Japan referred to the overrun of the "Others" quota in 1975 and advocated improvement in the reporting system to prevent an overrun in 1976. The delegate of Romania noted that, in 1975, only two Romanian vessels took herring in the area and that their catches were regularly reported to ICNAF. Furthermore, they ceased fishing when told by ICNAF inspectors that the "Others" quota was nearly filled. He stated that he could not accept a pro-rated reduction because the smaller fleets would then be eliminated from the fishery. The delegate of USA suggested that, since the TAC was so small, it might be allocated, except to USA and Canada, on a by-catch basis only. The delegate of FRG noted that the FRG fishery was a directed fishery for herring with no by-catch. He stated that he could not accept so high an allocation to the USA, but could accept that the TAC be managed by closing the fishery for the first six months of the year, except for the coastal states, and then opening it to all other states under an "Others" category. This suggestion was supported by the delegates of Japan and Italy who noted that such a decision, if adopted, should not become a precedent. The delegate of USA noted the pitfalls of an "Others" category such as the 1975 quota overrun, while the delegate of Poland stated that he could not accept the suggestion. The Polish fleet fishes mackerel in the first part of the year, and in the last quarter, and takes herring as a by-catch, thus necessitating some quota both early in the year and also at the end of the year when an "Others" quota might already be filled. The delegate of GDR emphasized the drastic economic effects of the reduction in TAC and stated that he could not accept any allocation except pro-rating the reduction between all countries other than the coastal states. He hoped that the latter would reduce their demands, and warned that an overall "Others" category would be dangerous. The delegate of France noted that French catches had amounted to 3,000 tons during the past three years using two vessels. It was vital to have at least one vessel fishing and 2,000 tons would be an adequate quota. The delegate of FRG noted that his country also had special needs. FRG and GDR had renounced their herring quota in Div. 5Y in 1975 in the hope of getting some compensation in Div. 5Z and Statistical Area 6. Furthermore, in order to match FRG's second-tier quota, she would need 11,100 tons of herring since, in past ICNAF meetings, the principle had been applied that the sum of single species quotas should not be less than the second-tier quota. The delegate of Bulgaria supported the concept that the coastal states be allocated more moderate quantities and the remainder of the TAC be allocated on a proportionally reduced basis.

6. Panel 5 recessed at 1840 hrs, 22 January.

7. Panel 5 reconvened at 1440 hrs, 23 January.

8. Consideration of US Proposal for Allocation of TAC for Herring in Div. 5Z and Statistical Area 6. The delegate of USA presented a table of estimated herring by-catches and a draft proposal that called for division of the TAC over two six-month periods; national allocations for the first six months based primarily on the needs of the different fleets in terms of by-catch in other fisheries; and allocations for the last half of the year to be decided at the Annual Meeting. He indicated that the proposed allocation to FRG was based, in part, on the special case of their fishery which was a directed one and also on the FRG's need for fish to match their second-tier quota. He also noted that the proposal was based on suggestions made in earlier discussions on the subject and that it would protect the smaller national fisheries despite the lower TAC. The proposal was, however, dependent on the decision concerning the TAC in 1976 and subsequent years already agreed to by the Panel. The delegate of Poland stated that the allocations for the larger fisheries should be pro-rated from 1975 although he could accept the allocations proposed by the USA for the coastal states and countries with small fisheries. He suggested figures of FRG 3,000 tons, GDR 3,900 tons, Poland 4,850 tons, and USSR 5,250 tons. He questioned the accuracy of the by-catch table, noting that in Polish fisheries the rate of herring by-catch in the area varied 2-20% by month. The delegate of USSR stated that he could not accept any exemption for coastal states to the by-catch only provision of the proposal and, in fact, he believed that directed fisheries should be permitted up to the limit of any country's allocation. He noted that the by-catch table gave figures for USSR fisheries which were much too high. The delegate of Cuba stated that Cuban fisheries would need a by-catch allocation of 800 tons during the first half of the year, particularly since Cuban experience indicated a by-catch of 10-15% in the mackerel fishery. He expressed concern that the amount of by-catch permitted on board, in the proposal, was too low to allow Cuban vessels to operate in conformity with it. The delegate of Romania could accept the proposal but he believed it would only defer many of the problems to the Annual Meeting. The delegate of Japan stated that he could accept the proposal on the understanding that a reasonable allocation would be granted Japan for the second half of the year. The delegate of GDR stated that the quotas determined at the Annual Meeting must be pro-rated for all countries other than the coastal states. The delegate of FRG stressed that, if allocations were to be made on a pro-rated basis, this should apply to all, whereas in the proposal the allocations to countries previously fishing under "Others" were not reduced in proportion to the reduction in the TAC. He suggested that allocations should be determined for both halves of the year at the present meeting in order to prevent problems at the Annual Meeting. He stated that the FRG would require fair treatment at the meeting and reiterated the FRG's need for quotas to match the second-tier quota. He noted that the Commission's policy has been to reduce by-catches and questioned the rationale of reducing directed fisheries in favour of by-catch allocations. The delegate of France noted that France had a second-tier quota of 2,950 tons and would be unable to support any second period allocation that did not provide an adequate quota for the operation of one vessel, perhaps 2,000 tons. The delegate of Canada spoke in favour of the proposal. The delegate of USA, in response to the many comments, noted that they had been very helpful but that it was difficult to include the many provisos in a regulation and asked that their inclusion in the record of the meeting be taken as an adequate expression of the concern of the various countries. He suggested that a small working group consider some of the points raised. This suggestion was accepted with the delegate of Romania stressing that the interests of small fleets should be taken into account at the Annual Meeting. Delegates of USA, USSR, Poland and Japan agreed to sit on the working group to consider provisions concerning directed fisheries, and by-catch on board.

9. Proposed Modifications to US Proposal for Allocations of TAC for Herring in Div. 5Z and Statistical Area 6. The Working Group reported back to Panel 5 after a short break, and the delegate of USA presented modifications to the proposal, particularly in permitting certain directed fisheries and increasing the by-catch allowance to 7.5%. These modifications were generally accepted, although the delegate of Cuba was concerned that the by-catch allowance was not high enough for the mackerel fishery. He proposed an allowance of 10% for a vessel fishing mackerel but withdrew the proposal after discussion. The delegate of Poland appealed for a higher allocation since the proposed quota for Poland was reduced by a higher percentage than for any other country. He accepted the suggestion of the delegate of USA that the Polish concern be included in the minutes for fuller consideration at the Annual Meeting. The delegate of FRG referred to his earlier interventions and suggested that certain restrictions be placed on the allocations to countries normally in the "Others" category, or that they be included in an "Others" category somewhat smaller than the aggregate of the proposed allocations.

The proposal was then modified to include the TAC of 60,000 tons for 1976 and adopted by the Panel by a vote of 11 countries in favour, 1 abstaining, and 1 not voting. Panel 5, therefore,

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 herring in Division 5Z of the Convention Area and Statistical Area 6 (Appendix I).

10. TAC for Herring in Div. 5Y. The delegate of USA noted that STACRES had assessed the herring stock in Div. 5Z and Statistical Area 6 on two different assumptions concerning the strength of recruitment and thus had presented a range of recommended values for the TAC. Panel 5 had adopted a TAC consistent with the upper limit of this range. In assessing the Div. 5Y herring stock, STACRES had, however, only used the more conservative estimate of recruitment and was recommending a TAC of 4,000 tons. The delegate of USA believed

that utilization of the same assumption for Div. 5Y herring, as had been used in producing the TAC adopted for Div. 5Z and Statistical Area 6, would result in a range of possible TACs for Div. 5Y up to 7,000 tons. He requested that STACRES be asked to immediately re-examine their findings and quoted the precedent set at the 1973 Special Meeting in Rome when Panel 4 considered Div. 4XWb herring.

11. The Panel agreed that STACRES be asked to re-analyze their findings. Panel 5 recessed at 1740 hrs, 23 January.

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12. Panel 5 reconvened at 0925 hrs, 24 January.

13. The Chairman of the Assessments Subcommittee presented the report of the re-analysis by STACRES of the Div. 5Y herring stock, utilizing a different assumption of the strength of the 1973 year-class (Proc. 1). The re-analysis indicated that the TAC could be as high as 7,000 tons and yet be consistent with the Commission's management goal. The delegate of USA expressed his gratitude to the members of STACRES for their effort and proposed a TAC of 7,000 tons. Panel 5 agreed unanimously to recommend to the Commission that the TAC for herring in Div. 5Y in 1976 be 7,000 tons.

14. Allocation of the TAC for Div. 5Y Herring. The delegate of USA proposed allocations of 950 tons to Canada, 6,000 tons to USA and 50 tons to "Others". The delegate of Canada expressed his reluctant support. The delegate of FRG noted that, having once had a directed fishery in the area, he hoped that FRG would be able to obtain a quota in the future, should the state of the stock improve. After determining that 50 tons was adequate for any by-catches in the area, partly due to a large part of the area being closed to all but coastal vessels, the Panel agreed to the proposed allocations, subject to review at the 26th Annual Meeting and to inclusion in the proposal of language concerning immediate implementation of any changes. Panel 5, therefore,

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (6) for international regulation of the fishery for herring in Division 5Y of the Convention Area (Appendix II).

15. Panel 5 adjourned at 1010 hrs, 24 January.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976(5) Proposal for International Quota Regulation of the Fishery for Herring in Division 5Z of Subarea 5 of the Convention Area and in Adjacent Waters to the West and South within Statistical Area 6

Panel 5 recommends that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

"1. That the Contracting Governments take appropriate action to regulate the catch of herring, *Clupea harengus* L., by persons under their jurisdiction fishing in Division 5Z of Subarea 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6, so that the aggregate catch of herring by persons taking such herring shall not exceed 30,000 metric tons in the period 1 January to 30 June 1976, or 60,000 metric tons in 1976.

"2. That Competent Authorities from each Contracting Government listed below shall limit in the period 1 January to 30 June 1976 the catch of herring taken by persons under their jurisdiction to the amounts listed from Division 5Z of Subarea 5 and adjacent waters to the west and south within Statistical Area 6:

Bulgaria	500	metric	tons
Canada	1,000	"	"
Cuba	500	"	"
France	500	"	"
Federal Republic of Germany	4,000	"	"
German Democratic Republic	4,000	"	"
Japan	500	"	"
Poland	4,000	"	"
Romania	500	"	"
USSR	5,000	"	"
USA	9,400	"	"
Others	100	"	"

30,000 metric tons

Provided, however, that persons under the jurisdiction of any Contracting Government who do not take the total amount of herring in the amounts mentioned above during the period 1 January to 30 June 1976 may take herring in the amounts remaining available within those amounts listed above during the period 1 July to 31 December 1976, in addition to any quotas allocated by subsequent action of the Commission.

"3. Notwithstanding the provision of paragraph 2 above, it is understood that no Contracting Government will permit a directed fishery for herring in the period 1 January to 30 June 1976, except with purse seines or vessels of less than 110 feet (33.5 meters).

"4. To minimize the risk of exceeding the amounts listed in paragraph 2 above and in order to avoid impairment of fisheries conducted for other species and which take herring incidentally, that the Contracting Governments limit 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) herring caught in Division 5Z of Subarea 5 and in adjacent waters to the west and south within Statistical Area 6 in amounts not exceeding 7.5 percent by weight of all fish on board. Should it be observed during an inspection under the Scheme of Joint International Enforcement that a vessel is taking herring in amounts greater than that permitted during the first 72 hours of fishing since entering the fishery within the region specified in paragraph 1 above, the inspector shall note this fact on the Report of Inspection and bring it to the attention of the master. Such observation in itself shall not be considered an infringement.

"5. That the Contracting Governments take appropriate action to regulate the catch of herring, *Clupea harengus* L., by persons under their jurisdiction fishing in Division 5Z of Subarea 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6, so that the aggregate catch of herring by vessels from this stock shall not exceed in the period 1 July to 31 December 1976 the amount which is decided for each Contracting Government at the Annual Meeting in June 1976 by unanimous vote of the Contracting Governments present and voting, plus the amount remaining pursuant to paragraph 2 above, which amounts shall become effective for all Contracting Governments on 1 July 1976.

"6. That the Commission shall establish a level of catch for the herring stock in Division 5Z of Subarea 5 and in adjacent waters to the west and south within Statistical Area 6 for subsequent years which will maintain the adult stock at a level of at least 225,000 tons, and that the total allowable

catch will be set at 60,000 tons or less per year, until such time as the adult stock reaches the level of 500,000 tons. Thereafter, the Commission will set the total allowable catch so as to maintain the adult stock at a level of at least 500,000 tons."

Serial No. 3749  
(A.a.4)

Proceedings No. 7  
Appendix II

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

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

Panel 5 recommends that the Commission transmit to the Depositary Government the following proposal for joint action by the Contracting Governments:

"1. That the Contracting Governments take appropriate action to regulate the catch of herring, *Clupea harengus* L., by persons under their jurisdiction fishing in Division 5Y of Subarea 5 of the Convention Area, so that the aggregate catch of herring by vessels from this stock shall not exceed 7,000 tons in 1976 or an amount which is decided at the Annual Meeting in June 1976 by unanimous vote of the Contracting Governments present and voting, which adjusted amount shall become effective for all Contracting Governments upon receipt of notification from the Depositary Government of the amount decided by the Commission.

"2. That Competent Authorities from each Contracting Government shall limit in 1976 the catch of herring taken by persons under their jurisdiction from the above-mentioned stock to the amount below, or the adjusted amount which is decided for each Contracting Government at the Annual Meeting in June 1976 by unanimous vote of the Contracting Governments present and voting, which amount shall become effective for each Contracting Government upon receipt of notification from the Depositary Government of the amounts decided by the Commission:

Canada	950 metric tons
USA	6,000 " "
Others	50 " "
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	7,000 metric tons."



## International Commission for



## the Northwest Atlantic Fisheries

Serial No. 3753  
(B.e.76)

Proceedings No. 8

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Meetings of Panel 4

Friday, 23 January, 0920 hrs and 1215 hrs

1. Opening. The Meeting of Panel 4 was convened by the Chairman, Mr K. Løkkegaard (Denmark), with all Panel Members present.
  2. Rapporteur. Mr J.C. Price (USA) was appointed Rapporteur.
  3. Agenda. The Agenda as circulated was adopted.
  4. Scientific Recommendations for the Div. 4VWX Herring Stocks. The Chairman noted that the 1975 Annual Meeting had agreed on 1976 TACs and allocations for herring stocks in Subarea 4, but provided for review and possible revision at the present meeting. He noted that some changes had since been recommended by STACRES, and requested its Chairman, Dr A.W. May (Canada), to present a brief explanation of its newest recommendations. Dr May noted that the existing regulatory scheme included a January-December TAC of 90,000 tons which excluded 15,000 tons for fisheries outside the Convention Area for Div. 4XWb, and a seasonal July 1975-June 1976 quota of 45,000 tons for Div. 4VWa. He stated that the present recommendations essentially involved "Option 1" presented at the 1975 Annual Meeting, although "Option 2" had actually been discussed by the Commission. He continued that STACRES was now recommending a 107,000-ton TAC which excluded the 11,000-ton estimate for fisheries outside the Convention Area for Div. 4WX for 1976, representing a 3,000-ton increase in the figure presented in June 1975. He stated that the recommended TAC for Div. 4V was 11,000 tons for the period July 1976-June 1977. He added that the total recommended TAC for herring in Subarea 4 was thus 21,000 tons less than that which had been previously established. He stated that the fishery in Div. 4V is a winter fishery commencing in November or December and that the assessment calculations made for the present meeting included catches made in December 1975. Thus, the Commission might wish to establish a seasonal quota period from November 1975-October 1976 for this stock.
  5. Conservation Requirements for Herring in Subarea 4. The Chairman suggested initial consideration of the recommended quota periods and areas only, to be followed by an exchange of views on the actual numbers involved in the recommended TACs. The delegate of FRG stated that, from an administrative point of view, he believed it undesirable to have such differing management periods, and noting his reluctance to approve this procedure, he asked for an elaboration of the reasons for it. Dr May stated that current scientific data indicated that the herring in Div. 4WX was one stock which migrated between Div. 4W and Div. 4X. He indicated that the fishery followed the migration of the fish, beginning in Div. 4W in November and extending from the spring months to October in Div. 4X, and that the recommended period was thus more consistent with the way the fishery was actually conducted. While the delegate of FRG was not completely convinced of the need for such an arrangement, he could accept it. The delegate of Canada stated that a more accurate beginning date for the fishery was 15 November, adding that recruitment was such that assessments were also better during this period. Subsequently, with no additional discussion, Panel 4 agreed that quotas be placed on herring in Div. 4WX from 16 November 1975 to 15 November 1976 and in Div. 4V from 1 July 1976 to 30 June 1977.
- The Chairman then invited comments on the recommended 11,000-ton TAC for Div. 4V, noting that this was the same TAC as had been agreed and allocated at the 1975 Annual Meeting. The Panel agreed to accept this quota for Div. 4V. The delegate of Canada emphasized that a fresh look was required at various numbers approved at Edinburgh, and that, with a capability for taking more than the total TAC, the Canadian view remained that the coastal state should be allocated all but a small by-catch allowance for "Others". Accordingly, he proposed a quota of 10,500 tons for Canada and 500 tons for "Others". The delegate of USSR noted that there had been no need seen to reduce the TAC and, while expressing understanding for the Canadian view, emphasized that the Soviet Union could not accept an allocation below that adopted at the 1975 Annual Meeting. The delegate of FRG expressed agreement with the delegate of USSR in favouring the Edinburgh allocations, noting that, while it had been agreed to subject the Edinburgh figures to review and possible revision, STACRES had conducted a review and there appeared no reason for revision. He continued that neither the TAC nor the Canadian need for herring had changed, and that the difficult situation in other herring fisheries made every ton in the present fishery particularly important. The delegate of Canada

emphasized that his view on the allocation was not a new one, as he had expressed opposition to these allocations at the 1975 Annual Meeting. He noted that the stock appeared to be a healthy one due to present regulation, and that requiring Canadian small-boat fishermen to cease fishing before the end of the season, as had occurred under the previous allocation, created an extremely difficult situation.

Noting that the actual amounts of herring involved in the present discussion were small, the Chairman proposed that this allocation be left for the moment and that the Panel proceed to consider the 107,000-ton TAC recommended for Div. 4WX. With no discussion, the Panel approved this recommendation. The Chairman then opened discussion on the allocation of the recommended TAC, noting that an additional 3,000 tons was available over that discussed at the 1975 Annual Meeting. The delegate of USA, referring to the serious situation created in Div. 5Y, proposed that the US allocation be increased from 500 to 1,000 tons. The delegate of Cuba, referring to the Cuban request for herring in this area in Comm.Doc. 75/39 to cover by-catches in its silver hake fishery, proposed that Cuba be given a specific allocation of 900 tons. The delegate of FRG stated that he desired only that the 800-ton FRG allocation from the combined areas remain the same. The delegate of USSR indicated that he also desired that the 1975 USSR allocation remain unchanged and saw no reason to object to the requested increase of the US allocation, provided it was consistent with its fishing capability. The delegate of Canada stated that, as was the case with the Div. 4V stock, Canada believed the coastal state should receive the entire amount except for an allowance for by-catches by "Others", adding that this would, in the present case, amount to maintaining the quota at the 1975 level. The delegate of Canada suggested that additional time be provided to clear up confusion on the implications of the proposed change in the management regime.

6. Panel 4 recessed at 1000 hrs.

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7. Panel 4 reconvened at 1215 hrs.

8. The delegate of Canada suggested that the Chairman of STACRES, Dr A.W. May (Canada), again be called on to further clarify the proposed redistribution of the allocations now being considered. Dr May noted that the source of the present confusion appeared to be that, in translating the previous management regime to the proposed regime, it was necessary to apportion the catches to give an assumed catch in 1977 for Div. 4Wa. However, no assessment for the Div. 4WX stock was available for 1977 and that, unless this was included, the figures in Appendix II of Proceedings No. 10 at the 1975 Annual Meeting would not be comparable. He noted the difficulty in looking at a proposed redistribution that did not take these additional quantities into account. The delegate of Canada, supported by the delegate of USSR, noted that the only way out of the present difficulty appeared to be reliance on the allocation which had been established at the 1975 Annual Meeting, subject to a further review during the 1976 Annual Meeting. The delegate of FRG stated that he had no objection to this procedure but appealed to the assessment scientists for a further clarification and examination of the situation in order that the Commission might again consider an alternative system at a later date. The Chairman noted that continuation of the Edinburgh allocations would not permit the Commission to act upon the requests of Cuba and the USA. In response, the delegates of Cuba and USA indicated that they could continue to accept the existing allocations agreed at the 1975 Annual Meeting. The delegate of Canada emphasized that his country continued to hold the view expressed at the 1975 Annual Meeting, namely, that Canada as the coastal state should be allocated all but a small by-catch allowance for these stocks, because of the overriding needs of the Canadian small-boat fishermen dependent on these stocks for their livelihood. The delegate of Cuba noted that 900 tons was considered to be the minimum amount needed to cover the anticipated herring by-catch of Cuban vessels in its Subarea 4 silver hake fishery. He noted that, under these circumstances, there was some concern by Cuba that the existing by-catch allowance of 1,000 tons might not be sufficient. He requested information on any other expected catches in this category. As no comments were forthcoming, the Chairman noted that the only significant anticipated catches in the "Others" category would be those of Cuba. The delegate of Canada noted that, in view of the condition of this stock, some hope existed for a small increase in the TAC at the 1976 Annual Meeting. Some discussion followed on a possible small increase in the Div. 4XWb "Others" quota. The delegate of Canada opposed any increase at the present time, noting that an additional review by STACRES will have taken place by the time of the 1976 Annual Meeting and that there, an additional 400-ton "Others" quota was provided in the Div. 4VWa allocation.

9. The Chairman noted, and the Panel agreed, that, because the Panel had been unable to reach unanimous agreement on changes in national allocation, the TACs and national allocations for Subarea 4 herring for 1976 would remain unchanged from those agreed at the 1975 Annual Meeting.

The Panel agreed, however, that the 1976 TAC and national allocations of the Subarea 4 herring stocks would be subject to review and possible revision at the 1976 Annual Meeting. Panel 4, therefore,

agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (7) for international quota regulation of the fishery for herring in Div. 4VWa and Div. 4XWb of Subarea 4 of the Convention Area (Appendix I).

10. Panel 4 adjourned at 1230 hrs, 23 January 1976.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

- (7) Proposal for International Quota Regulation of the Fishery for Herring in Division 4V, Division 4W, and Division 4X of Subarea 4 of the Convention Area

Panel 4 recommends that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

"1. That the Contracting Governments take appropriate action to regulate the catch of herring, *Clupea harengus* L., by persons under their jurisdiction fishing in Division 4V and that portion of Division 4W north of 44°52'N, and Division 4X and that portion of Division 4W south of 44°52'N, of Subarea 4 of the Convention Area, so that the aggregate catch of herring by vessels from this stock shall not exceed in 1976 an amount decided at the 1976 Annual Meeting by unanimous vote of the Contracting Governments present and voting if a decision to revise the aggregate catch is taken. Such amount would become effective for all Contracting Governments upon receipt of notification from the Depository Government of the amount decided by the Commission.

"2. That Competent Authorities from each Contracting Government shall limit in 1976 the catch of herring taken by persons under their jurisdiction from the above-mentioned stock to the amount decided for each Contracting Government at the 1976 Annual Meeting by unanimous vote of the Contracting Governments present and voting, if a decision to revise the catch taken by persons under their jurisdiction is taken. Such amount would become effective for each Contracting Government upon receipt of notification from the Depository Government of the amounts decided by the Commission."



Serial No. 3752  
(B.e.76)

Proceedings No. 9

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of Joint Meeting of Panels 3, 4, and 5

Thursday, 22 January, 1715 hrs

1. Opening. Mr E. Gillett (UK) agreed to act as Chairman. Representatives of the Member Countries of each Panel were present.
2. Rapporteur. The Executive Secretary (Mr L.R. Day) was appointed Rapporteur.
3. Agenda. It was agreed that the meeting would consider:
  - (a) Proposal for amending the size limit regulation of the fishery for herring in Subareas 4 and 5 and Statistical Area 6 (Comm.Doc. 76/I/12).
  - (b) Proposal for amending the size limit regulation of the fishery for mackerel in Subareas 3, 4, and 5 and Statistical Area 6 (Comm.Doc. 76/I/13).
4. Amendment to Size Limit Regulation for Herring. The delegate of Canada introduced the joint Canada/US proposal (Comm.Doc. 76/I/12), indicating the proposed amendment related to having the exemption apply at the time of inspection rather than on a trip basis, due to the problems associated with enforcement of the regulation as it now stands.

The delegates of FRG, GDR, Poland, and USSR agreed to the amended proposal, and there were no objections from any of the other Member Countries present. Accordingly, Panels 4 and 5, in joint session with Panel 3,

unanimously agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (8) for international size limit regulation of the fishery for herring in Subareas 4 and 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6 (Appendix I).

5. Amendment to Size Limit Regulation for Mackerel. The delegate of USA introduced the joint Canada/US proposal (Comm.Doc. 76/I/13), indicating that the proposed amendment is the same as that for herring in Section 4 above.

The delegates of Poland, Romania, and USSR expressed no objection to the proposed amendment, and there were no objections from any of the other Member Countries present. Accordingly, Panels 3, 4, and 5, in joint session,

unanimously agreed to recommend

that the Commission transmit to the Depositary Government, for joint action by the Contracting Governments, proposal (9) for international size limit regulation of the fishery for herring in Subareas 3, 4, and 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6 (Appendix II).

6. There being no further business, the Joint Meeting adjourned at 1745 hrs.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

(8) Proposal for International Size Limit Regulation of the Fishery for Herring in Subareas 4 and 5 of the Convention Area and in Adjacent Waters to the West and South Within Statistical Area 6

Panels 4 and 5, in joint session with Panel 3, recommend that the Commission transmit to the Depository Government the following proposal for joint action by Contracting Governments:

That the International Size Limit Regulation of the Fishery for Herring in Subareas 4 and 5 of the Convention Area and in Adjacent Waters to the West and South Within Statistical Area 6, adopted at the January 1972 Special Commission Meeting (Annual Proceedings Vol. 22, 1971-72, pages 73-74) and amended at the Twenty-Fourth Annual Meeting (Annual Report Vol. 24, 1973-74, page 98), be replaced by the following:

"1. That the Contracting Governments take appropriate action to prohibit the taking or possession of herring, *Clupea harengus* L., less than 9 inches (22.7 cm), measured from the tip of the snout to the end of the tail fin, by persons under their jurisdiction, except as provided below, in those portions of Division 4W south of 44°52'N latitude and Division 4X south of 43°50'N latitude of Subarea 4, in Subarea 5, and in adjacent waters to the west and south within Statistical Area 6.

"2. That the Contracting Governments may permit persons under their jurisdiction to take herring less than 9 inches (22.7 cm), measured as specified in paragraph 1 above, so long as such persons do not have in possession on board a vessel engaged in fishing for sea fish or in the treatment of sea fish herring under this size limit in an amount exceeding 10 percent by weight, or 25 percent by count, of all herring on board the vessel caught in the areas specified in paragraph 1 above which can be identified as to size at the time of inspection.

"3. Should it be observed during an inspection under the Scheme of Joint International Enforcement that a person is taking herring less than 9 inches (22.7 cm) in excessive amounts during the first 48 hours of fishing since entering the fishery within the areas specified in paragraph 1 above, the inspector shall note this fact on the Report of Inspection and bring it to the attention of the master. Such observation in itself shall not be considered an infringement."

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

- (9) Proposal for International Size Limit Regulation of the Fishery for Mackerel in Subareas 3, 4, and 5 of the Convention Area and in Adjacent Waters to the West and South Within Statistical Area 6

Panels 3, 4, and 5, in joint session, recommend that the Commission transmit to the Depository Government the following proposal for joint action by the Contracting Governments:

That the International Size Limit Regulation of the Fishery for Mackerel in Subareas 3, 4, and 5 and in Adjacent Waters to the West and South Within Statistical Area 6, adopted at the Twenty-Fifth Annual Meeting (June 1975 Meeting Proceedings No. 16, page 257), be replaced by the following:

"1. That the Contracting Governments take appropriate action to prohibit the taking or possession of mackerel, *Scomber scombrus* L., less than 10 inches (25 cm), measured from the tip of the snout to the end of the tail fin, by persons under their jurisdiction, except as provided below, in Subareas 3, 4, and 5 of the Convention Area and in adjacent waters to the west and south within Statistical Area 6.

"2. That the Contracting Governments may permit persons under their jurisdiction to take mackerel less than 10 inches (25 cm), measured as specified in paragraph 1 above, so long as such persons do not have in possession on board a vessel engaged in fishing for sea fish or in the treatment of sea fish mackerel under this size limit in an amount exceeding 10 percent by weight, or 25 percent by count, of all mackerel on board the vessel caught in the areas specified in paragraph 1 above which can be identified as to size at the time of inspection.

"3. Should it be observed during an inspection under the Scheme of Joint International Enforcement that a person is taking mackerel less than 10 inches (25 cm) in excessive amounts during the first 48 hours of fishing since entering the fishery within the areas specified in paragraph 1 above, the inspector shall note this fact on the Report of Inspection and bring it to the attention of the master. Such observation in itself shall not be considered an infringement."





Serial No. 3755  
(B.z.3)

Proceedings No. 10

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

Report of the Final Plenary Session

Monday, 26 January, 1115 hrs and 1830 hrs

1. Due to the enforced absence of the Chairman, Mr E. Gillett (UK), the Vice-Chairman, Mr D.H. Wallace (USA), was appointed to the chair. Representatives of all Member Countries were present.
2. The Report of STACRES (Proc. 1 with Addenda) was adopted.
3. The Report of STACTIC (Proc. 2) with Proposals (1) for amendments to paragraphs 1 and 5(v) of the Scheme of Joint International Enforcement (Proc. 2, Appendix II) and (2) for amendment of the Management of Quota Regulations (Proc. 2, Appendix III), and Resolutions (1) regarding the reporting and review of infringements and their disposition (Proc. 2, Appendix I, Annex 3) and (2) regarding withdrawal of authorization to fish (Proc. 2, Appendix I, Annex 4) were adopted unanimously, with the delegate of UK voting 'yes' but formally wishing to reserve his Government's approval of the amendment to paragraph 5(v) of Proposal (1) because of possible legal difficulties.
4. The Reports of the Ceremonial Opening (Proc. 3) and the First Plenary Session (Proc. 4) were adopted.
5. The Report of Panel A (Seals) (Proc. 6) with Proposal (4) regarding regulation of the harp and hooded seal fisheries (Proc. 6, Appendix II) and Resolution (3) relating to early implementation of Proposal (6) (Proc. 6, Appendix III) were adopted.
6. The Report of Panel 5 (Proc. 7) with Proposals (5) for regulation of the fishery for herring in Div. 5Z of Subarea 5 and Statistical Area 6 (Proc. 7, Appendix I) and (6) for regulation of the herring fishery in Div. 5Y of Subarea 5 (Proc. 7, Appendix II) were adopted with the delegate of FRG abstaining and the delegate of Portugal absent.
7. The Report of Panel 4 (Proc. 8) with Proposal (7) for regulation of the fisheries for herring in Div. 4VWX of Subarea 4 (Proc. 8, Appendix I) were adopted.
8. The Report of a Joint Meeting of Panels 3, 4, and 5 (Proc. 9) with Proposals (8) for herring size limit regulation in Subareas 4 and 5 (Proc. 9, Appendix I) and (9) for mackerel size limit regulation in Subareas 3, 4, and 5 (Proc. 9, Appendix II) were adopted.
9. Cuban Resolution. The Chairman drew attention to a request by the delegate of Cuba to have Member Governments to take into account in the conduct of surveillance that Cuban vessels, because of difficulties in supply of netting, will be able to comply with the Commission's regulations regarding mesh of nets after 1 July 1976. The Plenary agreed unanimously to adopt Resolution (4) relating to the application of the Commission's regulations on the mesh of nets to Cuba (Appendix I).
10. The Plenary recessed at 1210 hrs, 26 January, to await the decisions of Joint Meetings of Panels 2, 3, and 4.
11. The Plenary reconvened at 1830 hrs, 26 January.
12. The Report of Joint Meetings of Panels 2, 3, and 4 (Proc. 5) with Proposal (3) for regulation of fishing effort on groundfish in Subareas 2, 3, and 4 in 1976 (Proc. 5, Appendix II) was adopted, with the understanding that the proposal would be reviewed at the 1976 Annual Meeting. The delegate of Iceland wished it recorded that it is the view of the Government of Iceland that the coastal state has the sovereign rights over the exploitation of the living resources within a zone of up to 200 miles. Moreover, the Icelandic Government has reservations with regard to the establishment of a quota system and allocations under it as contained in the proposal and already explained. With these reservations and, in view of the overriding

necessity to reduce the fishing effort for adequate conservation of the stocks in the areas concerned, Iceland abstained with regard to Proposal (3) as a whole. The delegate of Spain wished it recorded that Spain has included in the individual vessel's licence the days which each vessel asking to fish in Subareas 2, 3, and 4 is permitted to fish in any of the five areas in Subareas 2, 3, and 4 by dividing the total fishing days allocated to the five areas among the total of the vessels allowed to fish. However, these days are only estimates as some of the vessels may not appear in the area or, for various reasons, they may spend less time in the area than their licences record. Therefore, ICNAF inspectors are asked to take into account these facts if they find that a vessel has been fishing in a particular area for a longer period than that recorded in the licence and which is, as mentioned above, only an estimate.

13. Adjournment. The Chairman, Mr D.H. Wallace (USA), expressed his appreciation for the diligence and dedicated effort demonstrated by all delegations in coming to grips with the complex and important matters before the meeting. The delegate of Canada strongly endorsed the Chairman's words and expressed the appreciation of the Canadian delegation for their persistence and determination to reach a decision on all matters. He expressed his gratitude, on behalf of the meeting participants, to the Vice-Chairman of the Commission for chairing the final Plenary Session and bringing the meeting to a successful close. The delegate of Bulgaria expressed his appreciation for the understanding attitude from all for the Bulgarian problem. The delegate of Italy extended his Government's greetings and its hope that the delegates had enjoyed their stay in Rome. The delegate of Cuba said his Government looked forward to hosting the 1976 Annual Meeting in Havana and to presenting an atmosphere conducive to rapid and good solutions to the Commission's problems. There being no other business, the Eighth Special Meeting of the Commission was adjourned at 1845 hrs, 26 January 1976. A press notice covering the decisions of the Eighth Special Meeting is at Appendix II.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976

(4) Resolution Relating to the Application of the Commission's Regulations on the Mesh of Nets to Cuba

The Commission

Having Noted the statement of the delegation of Cuba that difficulties in supply make it impossible for all Cuban vessels fishing in Subareas 2 and 3 to comply with the regulations of the International Commission for the Northwest Atlantic Fisheries regarding the mesh of nets before 1 July 1976;

Notes that the authorities of Cuba will not require compliance with those regulations in Subareas 2 and 3 by Cuban vessels until 1 July 1976;

Requests Member Governments to take this into account in the conduct of inspections under the Scheme of Joint International Enforcement.

EIGHTH SPECIAL COMMISSION MEETING - JANUARY 1976Press Notice

1. The Eighth Special Meeting of the International Commission for the Northwest Atlantic Fisheries (ICNAF) was held at FAO, Rome, Italy, during 21-26 January 1976, under the chairmanship of Mr E. Gillett (UK). About 105 representatives attended from all 18 Member Countries as follows: Bulgaria, Canada, Cuba, Denmark, France, Federal Republic of Germany, German Democratic Republic, Iceland, Italy, Japan, Norway, Poland, Portugal, Romania, Spain, Union of Soviet Socialist Republics, United Kingdom, and United States of America. Observers were present from the Food and Agriculture Organization of the United Nations (FAO). Cuba became the 18th Member of the Commission in November 1975 and was accorded a special welcome.

2. Subjects covered

The main purpose of the meeting was to consider a number of matters deferred from the June 1975 Annual Meeting and the September 1975 Special Commission Meeting: (a) establish total allowable catches (TACs) and national quotas for 1976 in respect of two herring stocks in Subarea 5 and Statistical Area 6, and review the conservation measures for two herring stocks in Subarea 4; (b) review, and revise if necessary, the minimum size limit regulations for herring in Subareas 4 and 5 and Statistical Area 6, and mackerel in Subareas 3, 4, and 5 and Statistical Area 6; (c) further consider the matter of fishing effort reduction on groundfish stocks in Subareas 2, 3, and 4; (d) consider further improvement to the Commission's Scheme of Joint International Enforcement of the fishery regulations; and (e) consider the conservation measures for harp and hooded seals for 1976.

3. Scientific and technical advice

The Commission's Standing Committee on Research and Statistics (STACRES) met during 12-16 January 1976 to review the state of the herring stocks in Subareas 4 and 5 and Statistical Area 6 and the scientific aspects of effort reduction measures for Subareas 2, 3, and 4, and submitted a comprehensive report on these subjects. Meetings of the Standing Committee on International Control (STACTIC) were held during 19-26 January 1976 and submitted a report on proposals for improving the enforcement of the Commission's fishery regulations.

4. Herring catch limitations

(a) The Commission agreed to regulations setting a TAC of 60,000 metric tons for herring in ICNAF Division 5Z and Statistical Area 6 (Georges Bank and Middle Atlantic area) for 1976. A compromise agreement set the TAC at 30,000 metric tons for the period 1 January to 30 June 1976 and provided national allocations as follows:

Bulgaria	500 metric tons	Japan	500 metric tons
Canada	1,000 " "	Poland	4,000 " "
Cuba	500 " "	Romania	500 " "
France	500 " "	USSR	4,000 " "
Federal Republic of Germany	4,000 " "	USA	9,400 " "
German Democratic Republic	4,000 " "	Others	100 " "

The agreement also included the prohibition of a directed fishery in this period except with purse seiners or vessels less than 110 feet in length, a limitation of 7.5% of herring caught incidentally in other fisheries, primarily mackerel and hake, constraints on future TACs to prevent further declines and to rebuild the stock, and national allocation of catch for the final six-month period of 1976 at the 1976 Annual Meeting. The TAC and allocations become effective immediately.

(b) The Commission agreed to a TAC of 7,000 metric tons for herring in ICNAF Division 5Y (Gulf of Maine) for 1976 and the allocations to Canada of 950 metric tons, USA 6,000 metric tons, and Others 50 metric tons. These amounts may be adjusted at the 1976 Annual Meeting. The TAC and allocations become effective immediately.

(c) The Commission agreed to allow revision of the TAC and allocations for herring in ICNAF Divisions 4VWX (Nova Scotia Bank and Bay of Fundy) at the 1976 Annual Meeting, following failure to reach agreement on adjustments to the TAC and allocations as provided for by the 1975 Annual Meeting.

5. Herring and mackerel size limitation

The Commission agreed to revisions to the herring and mackerel size limitation regulations to provide exemption clauses which would be more enforceable.

6. Groundfish effort reduction in Subareas 2, 3, and 4

The Commission agreed to modification of the table allocating national fishing effort for groundfish off the Canadian Atlantic coast adopted at the September 1975 Special Commission Meeting (Table 1) and to revision of the governing regulation to make it clearer to deal with three countries (Bulgaria, Iceland, and Italy) not given specific allocations, and to deal with the applicability of the allocation for "Others".

7. Management of international catch quota regulations

The Commission agreed to an amendment to the Catch Quota Management regulation which would allow adjustments to be made in national allocations in case of over-fishing of catch quotas.

8. Improvements to the Scheme of Joint International Enforcement

The Commission agreed to

- (a) an addition to the Scheme to require any Member Country having at any time 15 or more fishing vessels in the ICNAF Area to have an inspector or designated authority in the Member Country adjoining the area to receive and respond to notices of infringement;
- (b) a revision to the Scheme requiring immediate action in case of infringements, including cessation of illegal fishing, authority for the foreign inspector to remain aboard to safeguard evidence by agreement with the national inspector or designated authority, and conditions on resuming fishing;
- (c) a resolution requesting fuller reporting on infringements and detailed analysis and recommendations by the Commission's Standing Committee on International Control (STACTIC) to the Commission's Annual Meetings;
- (d) a resolution requesting review of national legislation with a view to action at the 1976 Annual Meeting on withdrawal of ICNAF registration for vessels infringing the regulation.

9. Seal conservation

The Commission agreed to TACs and national allocations for harp and hooded seals in the "Gulf" and "Front" Areas for 1976. The TAC for harp seals was set at 127,100 with a Canadian allocation of 52,333, a Norwegian allocation of 44,667, an estimated 30,000 to be caught in the indigenous non-mobile fisheries, and an unallocated amount of 100. The TAC for hooded seals was set at 15,100 with a Canadian allocation of 6,000, a Norwegian allocation of 9,000, and an unallocated amount of 100.

The Commission agreed to a resolution requesting implementation of the harp and hooded seal proposals by 12 March 1976.

10. Cuban adherence to mesh regulations

The Commission agreed to a resolution which recognized the inability of the new Member Country, Cuba, to comply with the mesh-size regulations in Subareas 2 and 3 (Labrador and Newfoundland areas) before 1 July 1976.

11. 1976 Annual Meeting

The 1976 Annual Meeting of the Commission will be held, by kindness of the Cuban Government, in Havana, Cuba, from 8 to 23 June 1976, to be preceded by meetings of the Standing Committee on Research and Statistics (STACRES), the Standing Committee on International Control (STACTIC), and the Scientific Advisers to the Panels from 31 May through 5 June 1976.

19 February 1976

Office of the Secretariat  
Dartmouth, Nova Scotia, Canada

SUBAREAS AND DIVISIONS  
OF THE  
ICNAF CONVENTION AREA

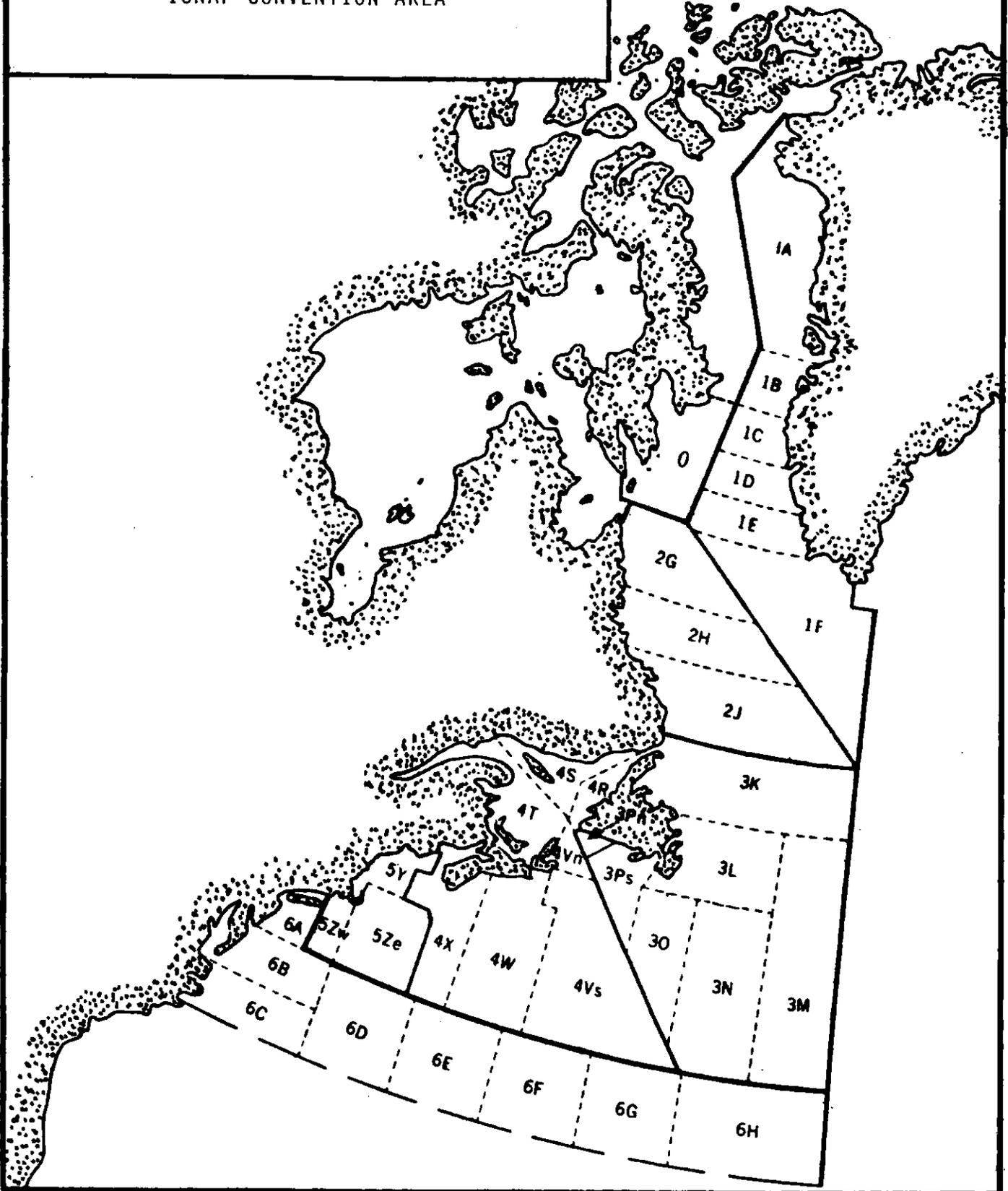


Table 1. Integral part of Proposal (3) for International Regulation of Fishing Effort for Groundfish in Subareas 2, 3, and 4 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 26 January 1976

Country	Vessel tonnage	Gear	NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976				
			SA2+3K	3LNO	Area 3M	3P	4VWX
Canada <sup>1</sup>	150- 499.9	OT	-	(1600)	-	(2200)	(5100)
	150- 499.9	MWT	-	-	-	(50)	(100)
	150- 499.9	LL	-	(150)	-	(50)	(200)
	500- 999.9	OT	(1200)	(7100)	(500)	(1500)	(2400)
	500- 999.9	MWT	-	-	-	(100)	(100)
Cuba	> 2000	OT	250	450	225	-	810
Denmark	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	540	-	1500	85	140
	500- 999.9	OT	306	83	100	75	125
	500- 999.9	MWT	-	-	-	17	33
France <sup>1</sup>	150- 499.9	OT	-	(108)	-	(288)	(102)
	1000-1999.9	OT	(411)	(269)	(105)	(109)	(492)
Federal Republic of Germany	1000-1999.9	OT	123	6	3	-	-
	> 2000	OT	802	44	17	-	-
German Democratic Republic	500- 999.9	OT	682	38	-	-	-
	1000-1999.9	OT	-	-	-	-	-
	1000-1999.9	MWT	-	-	-	-	-
	> 2000	OT	234	30	-	-	-
	> 2000	MWT	-	-	-	-	-
Japan	1000-1999.9	OT	-	1	-	1	18
	> 2000	OT	-	78	-	31	179
Norway	150- 499.9	OT	-	-	-	-	-
	150- 499.9	LL	300	135	288	304	250
	500- 999.9	OT	130	14	-	-	-
	500- 999.9	LL	-	-	-	-	-
	1000-1999.9	OT	-	-	-	-	-
Poland	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	1535	300	80	-	-
Portugal	500- 999.9	GN	-	483	-	8	2
	1000-1999.9	OT	1496	1362	592	24	35
	1000-1999.9	GN	-	527	-	9	5
	> 2000	OT	589	527	266	5	19
Romania	> 2000	OT	80	80	25	35	-
Spain <sup>2</sup>	150- 499.9	PT	215	2136	40	408	341
	500- 999.9	PT	183	1818	34	349	288
	1000-1999.9	OT	558	302	82	105	116
	1000-1999.9	PT	22	202	14	43	33
USSR	150- 499.9	OT	-	563	23	172	53
	500- 999.9	OT	14	94	7	6	108
	1000-1999.9	OT	-	-	-	-	-
	> 2000	OT	3505	1051	736	154	3425
	> 2000	MWT	343	662	-	-	-

Table - continued

			NATIONAL ALLOCATIONS OF FISHING EFFORT (DAYS FISHING) FOR 1976				
Country	Vessel tonnage	Gear	Area				
			SA2+3K	3LNO	3M	3P	4VWX
UK	500- 999.9	OT	-	-	-	-	-
	1000-1999.9	OT	616	246	370	-	-
USA <sup>1</sup>	150- 499.9	OT	-	-	-	-	(1883)
	150- 499.9	MWT	-	-	-	-	(81)
Bulgaria, Iceland, and Italy <sup>3</sup>			100	100	100	100	200
Others		GN	20	-	20	-	-

<sup>1</sup> Figures in brackets ( ) are estimated only; include estimated fishing days outside the Convention Area.

<sup>2</sup> Figures for the PT gear categories are for days fishing by pairs of trawlers.

<sup>3</sup> Allocation for Bulgaria, Iceland, and Italy as a group = days fished per effort management area, irrespective of vessel tonnage or gear used.

DEFINITIONS OF ABBREVIATIONS

OT = otter trawl  
MWT = midwater trawl  
LL = longline  
PT = pair trawl  
GN = gill net