INTERNATIONAL NORTH PACIFIC FISHERIES COMMISSION

TENTH ANNUAL MEETING--1963

Vancouver, Canada, November 4, 1963

COMMENTS ON THE FORM AND NATURE OF THE REPORTS
SUBMITTED BY CANADA AND THE UNITED STATES IN 1963
UNDER ARTICLES III(1)(c)(iii) AND X(2) OF THE CONVENTION

by Roy I. Jackson
Executive Director

1. INTRODUCTION

Article III(1)(c)(iii) of the International Convention for the High Seas Fisheries of the North Pacific Ocean requires, in effect, that Canada and the United States shall report regularly the conservation measures adopted from time to time with regard to the stocks of fish specified in the Annex to the Convention (i.e., under abstention). Article X(2) of the Convention requires, in effect, that Canada and the United States report on the conditions of enforcement of conservation measures for stocks of fish under abstention. Each year the Governments of Canada and the United States submit such reports to the Commission for transmittal to the other Contracting Parties. The Commission's Executive Director has standing instructions to review these reports each year and to advise the Commission on the adequacy of their form and nature. The results of that review form the subject matter of this report.

Three copies of the report from the United States were received by the Secretariat on August 7, 1963; copies were transmitted to the Governments of Japan and Canada on August 8, 1963. Three copies of the report from Canada were received by the Secretariat on August 19, 1963; copies were transmitted to the Governments of Japan and the United States on the same day.

2. CRITERIA FOR ASSESSMENT OF THE REPORTS

In 1958, the Executive Director made a careful study of the form and nature of the reports submitted in that year and prepared for the Commission a detailed analysis of his views on what the reports should contain. From that report, the following criteria are taken to indicate the kinds of informa-

1)

"Comments on the Form and Nature of the Reports Submitted Under Articles III(1)(c)(iii) and X(2) of the North Pacific Convention (1958)", by Roy I. Jackson, Executive Director. INPFC Document 203.
tion on "conservation measures" that should be presented in reports under the requirements of Article III(1)(c)(iii):

1. Limitation of fishing effort
2. Quotas or catch limitations
3. Closed seasons
4. Closed areas
5. Gear restrictions
6. Size restrictions
7. Protective devices, including ladders, screens, etc.
8. Environmental improvement or maintenance, including pollution control, predator control, run-off stabilization, improved or increased spawning areas

In the same report (INPFC Doc. 203), the following criteria were given for the kinds of information which should be submitted under the requirements of Article X(2) of the Convention, which deals with "enforcement conditions":

1. Enforcement staff
2. Equipment used for enforcement
3. Prosecutions
4. Convictions
5. Penalties.

The same criteria for reviewing the form and nature of the reports are being used again this year.

3. COMMENTS ON THE REPORT SUBMITTED BY CANADA IN 1963

The report submitted by Canada in 1963 contains information on each applicable criterion listed in part 2 of these comments. The table of contents of the Canadian report is practically identical with the table of contents for the report submitted in 1962, except that no copy of the Fisheries Act has been included. There has been no change in the Fisheries Act since copies were submitted in 1962. A complete list of the materials submitted by Canada in 1963 is attached to this report as Appendix 1. It is noted that the annual report of the International Pacific Halibut Commission for 1962 will not be submitted by Canada until later. However, inclusion of this report is not judged to be necessary for compliance with the requirements of Convention Articles III(1)(c)(iii) and X(2), since adequate information on halibut conservation and enforcement measures is contained under Tab 3 of Part B of the Canadian submission--The Pacific Halibut Fishery Regulations for 1962.

The writer has again examined the material submitted by Canada and is of the opinion that the submission is entirely adequate in form and nature to provide the information required by Articles III(1)(c)(iii) and X(2) of the Convention. A check list is given in Table 1 of these comments; it indicates that information is present under every criterion listed in Part 2 of these comments.
4. COMMENTS ON THE REPORT SUBMITTED BY THE UNITED STATES IN 1963

The United States report again was presented and indexed in a manner which separated information pertaining to Article III(l)(c)(iii) from information submitted in relation to Article X(2). Also, the United States report was again divided to present information separately for the six major jurisdictions or areas, plus information on federally-supported salmon conservation measures on the Columbia River. The kind of information in the United States report is essentially identical with the kind of information in reports made in past years. However, copies of the State of California Fish and Game Code, the Oregon Commercial Fisheries Code and the summary of orders of the Director of Fisheries of the State of Washington are not included this year. Entries in the list of documents state that there have been no significant changes in these documents since 1962.

The United States report has been examined to determine if information is provided under each criterion listed in Part 2 of these comments for each separate state or other body having jurisdiction. As shown in Table 1, such information again has been provided in all applicable cases, except that no information can be found on the staff or equipment used for enforcing conservation measures in the State of California.

The material submitted by the United States is clearly and thoroughly indexed; a copy of the index and a list of documents submitted by the United States are appended to this report as Appendix 2. The report by the United States is considered to be adequate in form and nature to meet the requirements for information under Article III(l)(c)(iii) and X(2). No suggestions are made for improvements or additions to the present and future reports, other than the relatively minor omission of information on enforcement staff and equipment in California.
TABLE 1

Analysis of the kinds of information in the reports submitted by the United States and Canada in 1963 under the provisions of Articles III(1)(c)(iii) and X(2) of the North Pacific Convention. The table shows by an "X" that information has been supplied for the category, species and jurisdiction mentioned. "NA" means that the category is not applicable for the species and/or jurisdiction mentioned. The word "NO", if used, means that, in the opinion of the Executive Director, information should have been supplied, but was lacking. In the headings, HA is halibut, HE is herring, S is salmon.

<table>
<thead>
<tr>
<th>JURISDICTION</th>
<th>ALASKA</th>
<th>IPHC</th>
<th>IPSFC</th>
<th>COL.¹</th>
<th>OREGON</th>
<th>CALIF.</th>
<th>WASH.</th>
<th>CANADA(B.C.)</th>
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<tbody>
<tr>
<td>SPECIES</td>
<td>S</td>
<td>HA</td>
<td>S</td>
<td>S</td>
<td>S</td>
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<td>Article III(1)(c)(iii) (Conservation Measures)</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Limitation of effort</td>
<td>X</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Catch quotas</td>
<td>NA</td>
<td>X</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>X</td>
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<tr>
<td>Closed seasons</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Closed areas</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>NA</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
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<td>X</td>
<td>X</td>
<td>X</td>
<td>NA</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>Size restrictions</td>
<td>X</td>
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<td>NA</td>
<td>NA</td>
<td>X</td>
<td>X</td>
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<td>Protective devices</td>
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<td>X</td>
<td>X</td>
<td>X</td>
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<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>Artificial propagation</td>
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<td>X</td>
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<td>Article X(2) (Enforcement Activities)</td>
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<td>NO</td>
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<td>X</td>
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<td>NA</td>
<td>X</td>
<td>NO</td>
<td>X</td>
<td>X</td>
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<td>Prosecutions</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>NA</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>Convictions</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>NA</td>
<td>X</td>
<td>X</td>
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<td>Penalties</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>NA</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

¹ This is the Columbia River Basin, for which information on protective devices and artificial propagation of salmon was supplied separately. Enforcement of fisheries regulations in the Columbia River comes under the jurisdiction of the States of Washington and Oregon.
APPENDIX 1

Material submitted to the International North Pacific Fisheries Commission by Canada pursuant to Articles III 1 (c) (iii) and X 2 of the International Convention for the High Seas Fisheries of the North Pacific Ocean for 1962.

(A) Material submitted pursuant to Article III 1 (c) (iii)

REPORTS

Tab 1 Department of Fisheries, Thirty-second Annual Report 1961 (pages 25 to 31 and Appendix 1, pages XII to XIII)

Tab 2 Regulation and Investigation of the Pacific Halibut Fishery in 1962*

Tab 3 International Pacific Salmon Fisheries Commission - Annual Report 1962

Tab 4 Fisheries Research Board of Canada - Annual Report of the Biological Station, Nanaimo, B.C. for 1962-63

(B) Material submitted pursuant to Article III 1 (c) (iii)

ACTS AND REGULATIONS

Tab 1 British Columbia Fishery Regulations, 1962

Tab 2 Fraser River Sockeye and Pink Salmon Fishery Regulations 1962

Tab 3 Pacific Halibut Fishery Regulations, 1962

Tab 4 Special salmon fishing closures, extensions weekly close times, etc., 1962

(C) Fisheries Statistics of British Columbia, 1962

(D) British Columbia Catch Statistics 1962

* This document is in process of printing and will be made available as soon as possible.
APPENDIX 2

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<th>Enforcement, Arrests and Penalties</th>
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<td>TAB J</td>
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(a) (1) Regulations of the Alaska Board of Fish and Game for Commercial Fishing in Alaska, 1963
(a) (2) Alaska Statutes, Title 16 Fish and Game, complete through 1963 Legislative Session
(b) Statement on Environmental Improvement in Alaska, 1962
(c) Fish Culture Activities in the State of Alaska, 1962

TAB B:
(a) Enforcement Facilities and Activities in Connection with the Alaska Fishery Regulations for 1962, Including Convictions and Penalties for Infractions
(b) Federal Enforcement Activities—Alaska—1962

TAB C:
(a) Pacific Halibut Fishery Regulations, 1963 (International Pacific Halibut Commission)
(b) Regulation and Investigation of the Pacific Halibut Fishery in 1961

TAB D:
Enforcement of Halibut Regulations and Federal Salmon Regulations in Areas other than Alaska, 1962

TAB E:
(a) Annual Report for 1962, International Pacific Salmon Fisheries Commission
(b) Summary of Regulations of the International Pacific Salmon Fisheries Commission, 1963

TAB F:
No entry; information incorporated with that submitted for TAB D

TAB G:
Fishery Development Activities in the Columbia River Basin, 1962
APPENDIX 2 (cont.)

TAB H:
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(b) Orders of the Fish Commission, State of Oregon, 1962
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(d) Projects for Fish Protection, Fish Passage and Environmental Improvements in Oregon, 1962

TAB J:
Enforcement of Commercial Fish Laws and Regulations in Oregon, 1962

TAB J:
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(b) Projects for Fish Protection, Fish Passage, and Environmental Improvement in California, 1962
(c) Silver and King Salmon Planted in California, 1962

TAB K:
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TAB L:
(a) Texts of Amendments, including 1962, to General Order No. 256 promulgated in 1950, Washington
(b) List of Projects for Fish Protection, Fish Passage and Environmental Improvements, Washington, 1962
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