



Northwest Atlantic Fisheries Organization

P.O. Box 638 • Dartmouth • Nova Scotia • B2Y 3Y9 • Canada
Telephone (+1-902) 468-5590 • Fax (+1-902) 468-5538
Email: info@nafo.int • Website: www.nafo.int

In all correspondence,
please refer to:

GFS/15-359

06 October 2015

TO: All Contracting Parties

Dear Colleagues,

Subject: Sedentary Species on Canada's Continental Shelf

Please find attached correspondence received today from Kevin Stringer, Head of Delegation of Canada to NAFO, regarding sedentary species on Canada's Continental Shelf.

Contracting Parties are herewith requested to forward this information to all appropriate fisheries institutions, fisheries managers and fishing vessels operating in the NAFO Regulatory Area (NRA).

Sincerely yours,

Fred Kingston
Executive Secretary

FK:ll

Encl.: (8 pgs.)



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Assistant
Deputy Minister

Sous-ministre
adjoint

SEP 05 2015

Mr. Fred Kingston
Executive Secretary
Northwest Atlantic Fisheries Organization
P. O. Box 638
Dartmouth, Nova Scotia
B2Y 3Y9

Dear Mr. Kingston:

It has come to Canada's attention that a fishing vessel from the European Union recently caught a substantial quantity of sea cucumber (*cucumaria frondosa*) while targeting skate on the Tail of the Grand Banks in the NAFO Regulatory Area.

Canada would like to remind Contracting Parties that sea cucumber (*cucumaria frondosa*) meets the definition of a sedentary species under UNCLOS (Article 77, paragraph 4) and Canada's *Coastal Fisheries Protection Act* and that all harvesting of such species, including as bycatch, is prohibited.

Canada sent correspondence to this effect via the NAFO Secretariat to NAFO Contracting Parties in the past, in 1997 under the subject heading *Restrictions on Sedentary Species in the NAFO NRA*, and again in 2002 under the subject heading *Sedentary Species on the Canadian Continental Shelf* (copies attached at Tab 1).

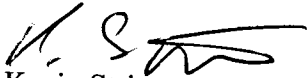
Fishing for sedentary species, including sea cucumber, in any portion of Canada's continental shelf by unauthorized foreign fishing vessels is contrary to the *Coastal Fisheries Protection Act*, and any foreign fishing vessel detected fishing for sea cucumber or other sedentary species on the continental shelf may be subject to enforcement action by Canada.

Accordingly, all NAFO Contracting Party vessels fishing on the Nose or Tail of the Grand Banks or the Flemish Cap must take measures to avoid bycatch of sea cucumber, as well as other sedentary species. Furthermore, any bycatch of sea cucumber or other sedentary species must not be retained. Any living specimens should be returned to the water in a manner that causes the least harm.

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Please circulate this letter, along with the attachment, to all Contracting Parties so that it can be shared with appropriate fisheries institutions, fisheries managers and fishing vessels operating in the NAFO Regulatory Area.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K. Stringer', with a stylized flourish at the end.

Kevin Stringer
Head of Canadian Delegation
Fisheries and Oceans Canada

In all correspondence,
please refer to:

GF/02-260

May 14, 2002

TO: All Contracting Parties - Heads of Delegations of the Fisheries Commission

Dear Sir/Madam,

Subject: Sedentary Species on the Canadian Continental Shelf

Please find attached a letter from Mr. P. Chamut, Representative of Canada to NAFO, regarding the subject.

The Contracting Parties are herewith requested to forward this information to all appropriate institutions, fish managers, and fishing vessels operating in the NAFO Convention Area.

Yours very truly,

Leonard I. Chepel
Executive Secretary

LIC:bjc

Encl.



Fisheries and Oceans

Pêches et Océans

Fisheries Management Gestion des pêches

Assistant Deputy Minister

Sous-ministre adjoint

MAY 13 2002

FAXED FAXÉ

Your file Votre référence

Our file Notre référence

Dr. L. I. Chepel
Executive Secretary
Northwest Atlantic Fisheries Organization
P. O. Box 638
Dartmouth, Nova Scotia
B2Y 3Y9

FAX: (902) 468-5538

Dear Dr. Chepel:

RE: Sedentary Species on the Canadian Continental Shelf

On April 3, 1997, Canada's delegate to NAFO sent you a letter with respect to restrictions on sedentary species in the NAFO Regulatory Area and it was circulated to Contracting Parties at the time as NAFO letter GF/97-212.

There was an inquiry from a fisherman from another Contracting Party recently about the possibility for fishing for crab, a sedentary species, on the Canadian Continental Shelf.

We believe that it would be useful to remind Contracting Parties of the April 3, 1997 letter.

I would appreciate it if you would circulate the attached letter to other Contracting Parties with a request that they transmit it to all appropriate fisheries institutions, fish managers, and fishing vessels operating in the NAFO Regulatory Area.

Yours sincerely,

P. S. Chamut

Attachment





Northwest Atlantic Fisheries Organization

P.O. Box 638 • Dartmouth • Nova Scotia • B2Y 3Y9 • Canada
Telephone (902) 460-9165 • Telex 019-31475 • Fax (902) 489-5729
E-mail nafo@lox.nstn.ca

In all correspondence,
please refer to:

GF/97-212

21 April 1997

RECEIVED
APR 28 1997
D-M-28017

TO: All Contracting Parties

Dear Sir,

Subject: Restrictions on Sedentary Species in the NAFO Regulatory Area

At the request of the Representative of Canada to NAFO, I have the honour to circulate a Canadian letter for your attention. The list of sedentary species on the Continental Shelf which are restricted to Canadian fishermen is appended to this letter.

It should be noted that the NAFO Convention (Article 1.4) does not apply to sedentary species of the Continental Shelf.

The Contracting Parties are herewith requested to forward this information to all appropriate institutions, fish managers, and fishing vessels operating in the NAFO Convention Area.

Yours very truly,

Leonard I. Chpel
Executive Secretary

LIC:bjc

Encl.



Fisheries
and Oceans

Pêches
et Océans

Deputy Minister

Sous-ministre

APR - 3 1997

Dr. L.I. Chepel
Executive Secretary
Northwest Atlantic Fisheries Organization
P.O. Box 638
Dartmouth, Nova Scotia
B2Y 3Y9
(902) 469-5729

Dear Dr. Chepel:

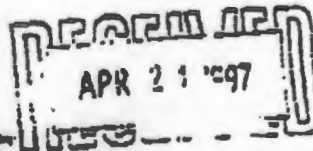
RE: Restrictions on Sedentary Species in the NAFO Regulatory Area

I informed NAFO members in the attached letter of July 19, 1995 that snow crab is a sedentary species and that fishing for this species on the Canadian continental shelf is limited to Canadian fishermen. I would like to update the species which fall under the category "sedentary species" which are restricted to Canadian fishermen only.

The 1982 United Nations Convention on the Law of the Sea provides the following:

Article 77.1 "The coastal State exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources."

Article 77.4 "The natural resources referred to in this Part consist of the mineral and other non-living resources of the sea-bed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the sea-bed or are unable to move except in constant physical contact with the sea-bed or the subsoil."



.../2

Ottawa, Canada
K1A 0Z6



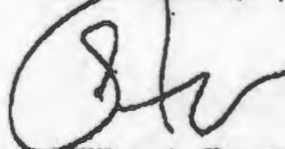
Canada

- 2 -

Canada's continental shelf includes the Nose and Tail of the Grand Banks and the Flemish Cap. Accordingly, sedentary species found in these areas fall under Canada's exclusive jurisdiction.

I would be grateful if you would inform other NAFO Contracting Parties by copy of this letter that Canada has determined that the attached list of species are sedentary, and, that fishing or preparing to fish any of these species on the Canadian continental shelf is prohibited and is an offence under Canadian law. Canada requests that NAFO members inform their fleets of these restrictions as soon as possible to ensure no unauthorized fishing is undertaken.

Yours sincerely,



William A. Rowat

Attachments: 2

**SEDENTARY SPECIES ON THE CONTINENTAL SHELF
WHICH ARE RESTRICTED TO CANADIAN FISHERMEN**

Crustacea

Snow Crab (*Chionoecetes opilio*)

Spliny crabs (*Lithodes maja*, *Neolithodes grimaldii*)

Red crab (*Chaceon quinquegens*)

American lobster (*Homarus americanus*)

Molluscs

Arctic surf clam (also known as Simpson surf clam, *Mactromeris polynyma*)

Iceland scallop (*Chlamys islandica*)

Greenland cockle (*Serripes groenlandicus*)

Ocean quahaug (*Arctica islandica*)

Propellor clam (*Cyrtodaria sillqua*)

Razor clam (*Ensis directus*)

Echinoderms

Sea cucumber (*Cucumaria frondosa*)