

S J R

81

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 3/19/90

FURTHER:

Date of 5-Day Notice: 3-22-90
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-27-90

Resources

Committee considered SJR 81

Relating to the United Nations resolution on pelagic driftnet fishing and research on the pelagic driftnet fisheries of the North Pacific Ocean.

and recommended:

- replace with _____ CS _____ same title new title
- attached amendment(s)
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) _____

zero fiscal note(s) 7+6

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

[Signature]
[Signature]
[Signature]

[Signature]
Chair: Signature and Recommendation



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish & Game	DIVISION Commissioner's Of.	BILL NUMBER SJR 81	SPONSOR Rules Committee
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SHORT TITLE OF BILL
U.N. resolution on pelagic driftnet fishing

DEPARTMENT POSITION
Support

PREPARED BY Molly McCammon	DATE 3/26/90	COMMISSIONER'S SIGNATURE <i>Arnold A. Wiley</i>	DATE 3 27 90
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SUMMARY

OTHER AGENCIES AFFECTED BY BILL None	CONSTITUENT GROUP(S) AFFECTED BY BILL Alaska commercial, subsistence and sport fishermen
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ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL
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FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The United Nations has passed a resolution calling for a scientific review of large-scale pelagic driftnet fishing by June 30, 1991, and moratoria on all large scale pelagic driftnet fishing by June 30, 1992, unless effective conservation measures are in effect.

ANALYSIS OF BILL/PROGRAM EFFECTS

This resolution expresses legislative support for the U.N. resolution and urges the U.S. government to undertake and adequately fund a major scientific research program to provide the scientific data needed to protect the interests of U.S. fishermen and to demonstrate the harmful effects of large scale pelagic driftnet fishing on salmon, steelhead and other marine life.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Relating to U.N. resolution
on pelagic driftnet fishing
 Sponsor: Rules Committee
 Requestor: _____

Agency Affected: Dept. of Fish & Game
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No FY 90 impact.

Prepared by: Molly McCammon
 Division: Spec. Asst. to the Commissioner
 Approved by Commissioner: *[Signature]*
 Agency: AK Dept. of Fish & Game

Phone: 465-4100
 Date: 3/26/90
 Date: 3/27/90

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

MEMORANDUM

State of Alaska

DEPARTMENT OF FISH AND GAME


TO: Senate Special Committee
on High Seas Salmon
Interception

DATE: March 1, 1990

FILE NO.:

TELEPHONE NO.: 465-4100

SUBJECT: Information
Regarding CSSJR6

FROM:  David Benson
Director of External
and International Fishery Affairs
Department of Fish and Game

During the 1989 legislative session, the Alaska State Legislature passed CSSJR6, "Relating to the Interception of Alaska Salmon and Steelhead on the High Seas." This resolution listed several specific actions which the Legislature believed would help address this problem. The Department of Fish and Game, as the agency charged to lead the state's efforts to end high seas interception, mounted an aggressive campaign to tackle this problem. This memo briefly reports on our efforts to date regarding the actions specifically identified by the Legislature in the resolution.

High Seas Salmon Fisheries of Japan

The International North Pacific Fisheries Commission (INPFC) has historically been the forum for addressing the interception of Alaska salmon by the directed high seas salmon fleets of Japan. The state has been an important player in this forum over the years. Resolution CSSJR6 stated:

BE IT RESOLVED that the Alaska State Legislature respectfully requests the American section of the International North Pacific Fisheries Commission to hold firm in negotiating with the Japanese and to oppose expansion of the Japanese salmon and squid fishing areas, as well Japan's proposal to convert its mothership fleet on the high seas to land-based fleet; and be it

FURTHER RESOLVED that the Alaska State Legislature respectfully requests the Congress not to allow the Japanese to fish for salmon and steelhead within the United States Exclusive Economic Zone...

Status: One of the most controversial issues at the 1988 INPFC meeting was the Japanese proposal to convert their mothership fishery to a landbased style fishery, with freezer capacity on the catcherboats and direct deliveries from the catcherboats to shore. Several rounds of talks took place in late 1988 and early 1989. The State adopted a very tough stand regarding the conversion proposal, and attended all of

the negotiations. The end result after several rounds of talks was that Japan dropped their request for the 1989 fishing season because the U.S. counterproposal was unacceptable.

The 1989 mothership fishery was then carried out with an old Hokuten trawler serving as the "mothership" (the vessel was reportedly going into bankruptcy and was commissioned very cheaply) and 56 catcherboats divided into two fleets. Reports indicate that many of the catcherboats already had freezer capacity installed and that some deliveries were made directly to trampers or to shore. The Soviet quota for the mothership fleet for the 1989 season was 2834 mt. The Japanese harvest reportedly fell short of this because the fleet reached the pink cap early in the fishery. Please see enclosure 1.

The Japanese have again raised the conversion issue at INPFC. This issue is the subject of on-going negotiations between Canada, Japan and the U.S. The next round of talks is scheduled for March 27, 1990.

In 1989, the Japanese once again sought entry back into the U.S. EEZ for the mothership fleet. This was successfully blocked.

U.S./U.S.S.R. Agreement

In May, 1988 the U.S. and the U.S.S.R. signed a comprehensive fisheries agreement. The Legislature recognized this as a significant new opportunity to address the high seas problem. Specifically, the resolution stated:

...be it FURTHER RESOLVED that the Alaska State Legislature respectfully requests the United States Department of State to immediately begin negotiating a joint enforcement agreement with the Soviet Union in order to prevent illegal fishing in the North Pacific Ocean; and be it

FURTHER RESOLVED that the Alaska State Legislature respectfully requests the United States Department of State to begin negotiating with all the salmon producing countries for an international treaty that would ban all high seas salmon fishing...

Status: The State of Alaska has been very successful to date with the U.S./U.S.S.R. initiative. The U.S./U.S.S.R. comprehensive fisheries agreement was signed in May of 1988. Ratifying legislation passed the Congress later that year. The state was able to get language establishing a North Pacific and Bering Sea Advisory Body (Advisory Body) inserted

into the legislation. The Advisory Body consists of the Commissioner of Alaska Department Fish and Game, the Director of Washington Department of Fisheries, and ten industry representatives (five each from Alaska and Washington). Two legislators, Senator Binkley and Representative Cotten, also serve on the Advisory Body. Through the Advisory Body we have been able to accomplish most of our U.S./U.S.S.R. objectives.

The first meeting of the ICC occurred in February of 1989 in Washington, D.C. The U.S. government was not well prepared for this meeting. The state was able to get a draft cooperative enforcement proposal introduced despite initial objections to the concept by Coast Guard and Defense. This cooperative salmon enforcement MOU was signed at the February meeting.

Also at this meeting, the Soviets tabled what appeared to be a hastily drafted salmon proposal. It was agreed that discussions should proceed on salmon management issues at the next ICC meeting, which was scheduled to take place in the U.S.S.R. Previous to this, the U.S. and U.S.S.R. had not discussed salmon management issues in any depth despite several earlier opportunities.

In response, the state, working with industry, drafted a proposed salmon management regime for the North Pacific. This was reviewed and adopted by the U.S./U.S.S.R. Advisory Body. The proposal would replace INPFC with a new treaty which would prohibit the taking of salmon on the high seas. The treaty would be between Japan, Canada, the U.S.S.R. and the U.S. This draft eventually became a formal U.S. proposal which was presented to the Soviets in Leningrad in late September, 1989. After several days of negotiations the proposal was conceptually approved by the two countries. Drafts have been presented to Canada and Japan for their review. Four way negotiations will probably begin later in 1990.

In addition to the above, the state pushed for a joint U.S./U.S.S.R. salmon science conference. The purpose is to foster improved communication among our respective scientists on salmon matters. Up to now, most of the information we have had on U.S.S.R. stocks has come from the Japanese. Similarly, the Japanese have supplied the Soviets most of the information they have had regarding our stocks. The same situation existed for data regarding catch and quota statistics for the Japanese high seas salmon fisheries. The idea to hold a salmon conference was floated in October, 1988 at the U.S./U.S.S.R. science bilaterals. The first such conference was hosted by the U.S.S.R. at Sakhalin in early September 1989.

Magnuson Act Reauthorization

Regarding the Magnuson Act reauthorization and the high seas interception issue, the Legislature resolved in CSSJR6:

that the Alaska State Legislature respectfully requests the Congress to amend the Magnuson Fisheries Conservation and Management Act (16 U.S.C. 1801 - 1882) to ensure that United States jurisdiction over American anadromous species on the high seas will be effectively enforced to stop interception of salmon and steelhead on the high seas...

Status: The state developed language to strengthen U.S. assertions of jurisdiction over anadromous species. This language, or a variation of it, is in both House and Senate versions of the MFCMA reauthorization bills. The House version recently passed; the Senate has yet to act. In addition, given events on the international front regarding driftnets, the state will be working to strengthen the Driftnet Act as well.

High Seas Squid Driftnet Fisheries

The squid driftnet fleets of Taiwan, Korea, and Japan are having a significant impact on North American salmon and steelhead stocks, marine mammals, seabirds, and other living marine resources. The Legislature recognized this problem, and the state mounted an aggressive campaign on this issue in 1989. The Legislature stated in the resolution:

...be it FURTHER RESOLVED that the Alaska State Legislature respectfully requests the United States Department of State and the Congress to take whatever actions are necessary to control the illegal and unregulated fishing activities of the South Korean, Taiwanese, and Japanese squid fleets...

Status: The state mounted an aggressive campaign to address the squid driftnet issue on a number of levels. The state has been deeply involved in the strategy sessions and attended nearly all of the 1988/1989 negotiations conducted under the Driftnet Act of 1987. There now are agreements with all three driftnet fishing nations. Each agreement is somewhat different, each has its strong points and its weak points. These agreements are summarized in enclosure 2. Two countries were certified for failing to meet the deadlines contained in the Act: Taiwan and Korea. No trade sanctions were taken in either case.

As part of the international effort, a state representative was sent to the South Pacific Forum meeting in Suva, Fiji to attend the first round of talks between the Forum Fisheries Agency (FFA) representing 16 South Pacific nations and delegations from Japan, Taiwan, and Korea. These talks centered on the impacts of driftnets on southern albacore stocks. The state was able to assist the FFA on both a technical and political level, and established a good working relationship with the FFA countries. A meeting was held in New Zealand following the Suva meeting with the now-Prime Minister where a North/South strategy was discussed to address our mutual concerns regarding driftnet fisheries, including taking this issue to the United Nations.

The state also joined up with British Columbia and the states of Washington, Oregon, California, Idaho, and Hawaii to bring pressure to bear on the federal governments of Canada and the U.S. This coalition of Alaska, the Province and 5 western states issued a Proclamation on High Seas Driftnet Fisheries in the North Pacific Ocean which called for a number of actions to be taken collectively by the two nations to protect North American fisheries resources, marine mammals, seabirds, and other living marine resources of the North Pacific. The Proclamation also called for an international ban on driftnet fishing on the high seas.

In addition, the state embarked on an ambitious campaign to bring together a broad coalition of interest groups to attack the driftnet problem on both a national and international level, including environmental organizations, commercial and sport fishing groups, and other public interest groups.

The result of all this effort has been greatly heightened international concern regarding high seas driftnets. The United Nations resolution on driftnets (enclosure 2), which passed in December 1989, is a good demonstration of this. While not an answer in and of itself, the resolution does point up increased international concern on the issue, and calls for a moratorium on large scale driftnet fisheries by 1992 unless effective conservation measures are in place. Of course, the interpretation of "effective conservation measures" will be a contentious issue, and the state will need to stay on top of implementation of the resolution.

Pelly Amendment

The Legislature stated the following regarding the Pelly Amendment:

...be it FURTHER RESOLVED that the Alaska State Legislature respectfully requests the Congress to expand the Pelly Amendment to

- (1) provide for sanctions against foreign nations whose fishermen intercept anadromous species on the high seas or who refuse to cooperate with the United States in developing and enforcing international fishing regulations to prevent interception of anadromous species on the high seas; and
- (2) include in the sanctions against those nations embargoes on fisheries and other products imported from those nations...

Status: The state has expressed strong support for legislation pending in Congress to strengthen and broaden the Pelly Amendment sanctions.

Funding to Address High Seas Issues

The Legislature called for increased funding for high seas programs, stating:

that the Alaska State Legislature respectfully requests the Congress to provide continued funding for the United States high seas observer program and other salmon research programs and to provide funding for increased enforcement of high seas conservation agreements by the United States Coast Guard.

Status: The state joined with industry and other states to address a number of funding issues for federal fisheries programs. This was a successful effort and federal fisheries budgets for high seas interception have been substantially increased. Enforcement and monitoring budgets have been increased over last year, and \$3 million was specifically added to the NOAA budget to implement the Driftnet Act agreements. This year we will be asking for \$7.5 million for this program.

Enclosures

THE HIGH SEAS SALMON FISHERIES OF JAPAN, 1989

by

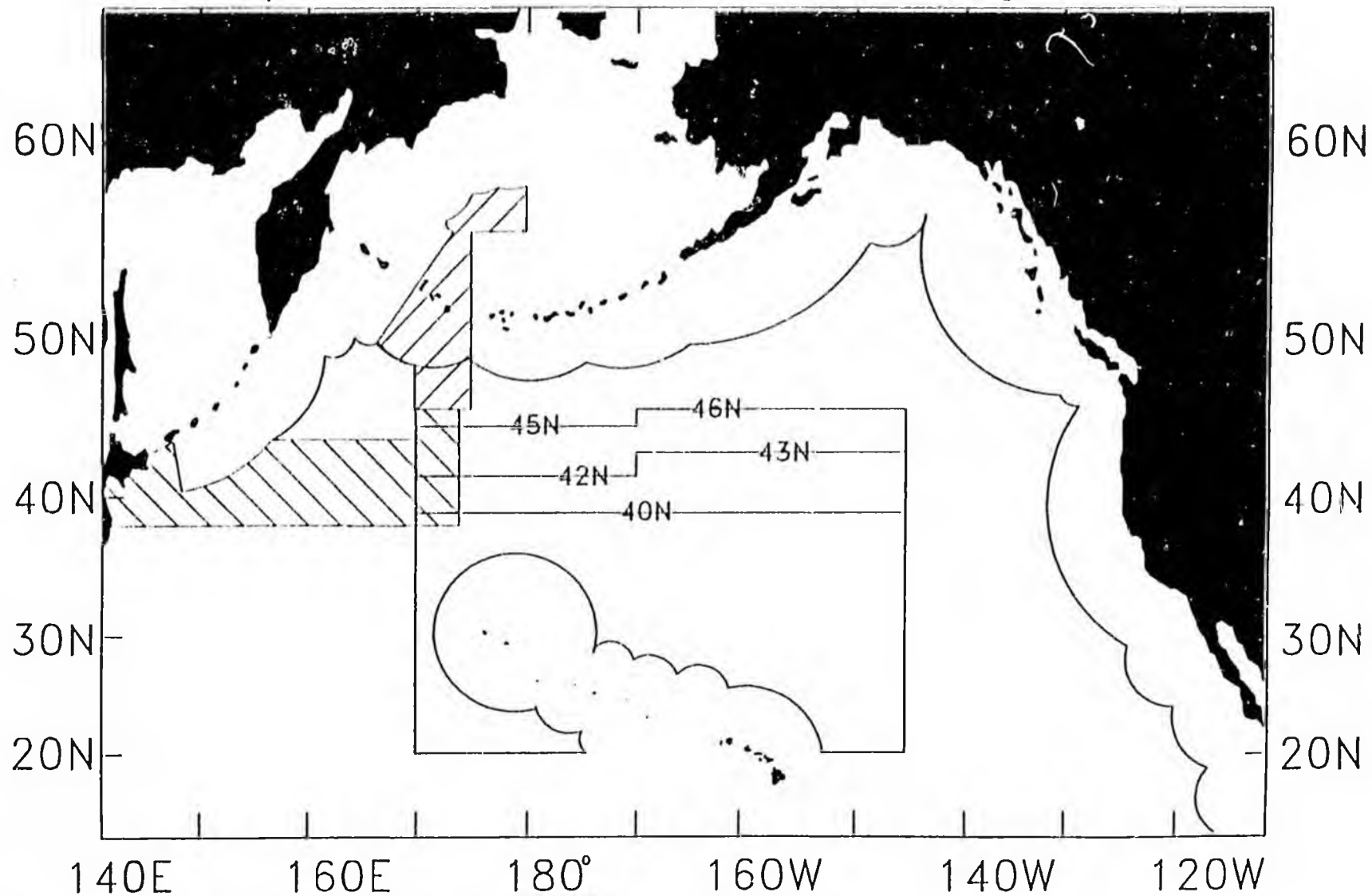
Michael L. Dahlberg
Alaska Fisheries Science Center, Auke Bay Laboratory
National Marine Fisheries Service, NOAA
P. O. Box 210155, Auke Bay, AK 99821
(907) 789-6002


Submitted to the
U.S. NATIONAL SECTION

INTERNATIONAL NORTH PACIFIC FISHERIES COMMISSION

1989 U.S. Section Meeting of INPFC
Anchorage, Alaska
September 28, 1989

Squid And Salmon Driftnet Fishing Areas



Salmon Fisheries  and
Monthly Northern Boundary Of Japanese Squid Fishery

Japanese High Seas Salmon Fisheries, 1989

Mothership Fishery

Fishing Effort

The Nikkeiren (Federation of Japan Salmon Fisheries Cooperative Associations) chartered the factory trawler Zuiyo maru (2,459 GT), at the request of the bankruptcy administrator of Hokkaido Gyogyo Kosha, from May 9 to August 8 to serve as a mothership during the 1989 fishing season. The vessel was hastily repaired by its crew of 37 in May and because of its smaller size operating costs were reduced to one-tenth of those in the past. The mothership with 32 catcher boats departed Hakodate on May 29, began fishing on June 2 in Area 2-a, and ended fishing there on June 25 (21 days). Sixteen standard fleet days (14,190 tans) were fished in Area 2-a in 1989, the same fishing effort as in 1988.

After June 25, the mothership moved to Area 4 where they were joined by a fleet of 24 catcher boats which had departed Hakodate on June 21. Fishing in this area began on June 29 and ended on July 11 (12 days), after which the vessels left the area and returned to Hakodate and other ports on or about July 20. About 7 fleet days of standard fishing effort were expended in Area 4 in 1989 as compared to 18 fleet days in 1988. The 1989 CPUE must have been at least twice that of 1988 in order to catch 1,234mt in 12 days with only 24 catcher boats. In the 1988 fishing season, 1,452mt were reported caught with 18 standard fleet days of fishing effort using 43 catcher boats in Area 4.

Catch

The total quota for Area 2-a set by Japan/Soviet bilateral negotiations was 2,981 mt. Of this, the domestic allocation for the mothership fleet was 1,600 mt, or about 54% of the total Area 2-a quota. The quota in Area 4 was set by the bilateral negotiations at 1,234 mt. The total mothership quota (Areas 4 and 2-a combined) of 2,834 mt was reportedly not met because of "poor catches in Area 2-a". The fleet reportedly left the fishing grounds when the pink salmon quota was achieved, leaving about 30% of the other species quotas unmet.

Retention of Salmon Aboard Catcher boats

The Soviet Union, at the April 1989 bilateral salmon negotiations with Japan, approved a Japanese request for allowing processing of salmon on board some of the catcherboats (without transferring to the mothership). Approval was also given for the processed salmon to be brought back to Japan aboard the catcher boats provided that the salmon were inspected by Japanese and Soviet inspectors aboard the mothership before leaving the fishing area.

Japanese High Seas Salmon Fisheries, 1989

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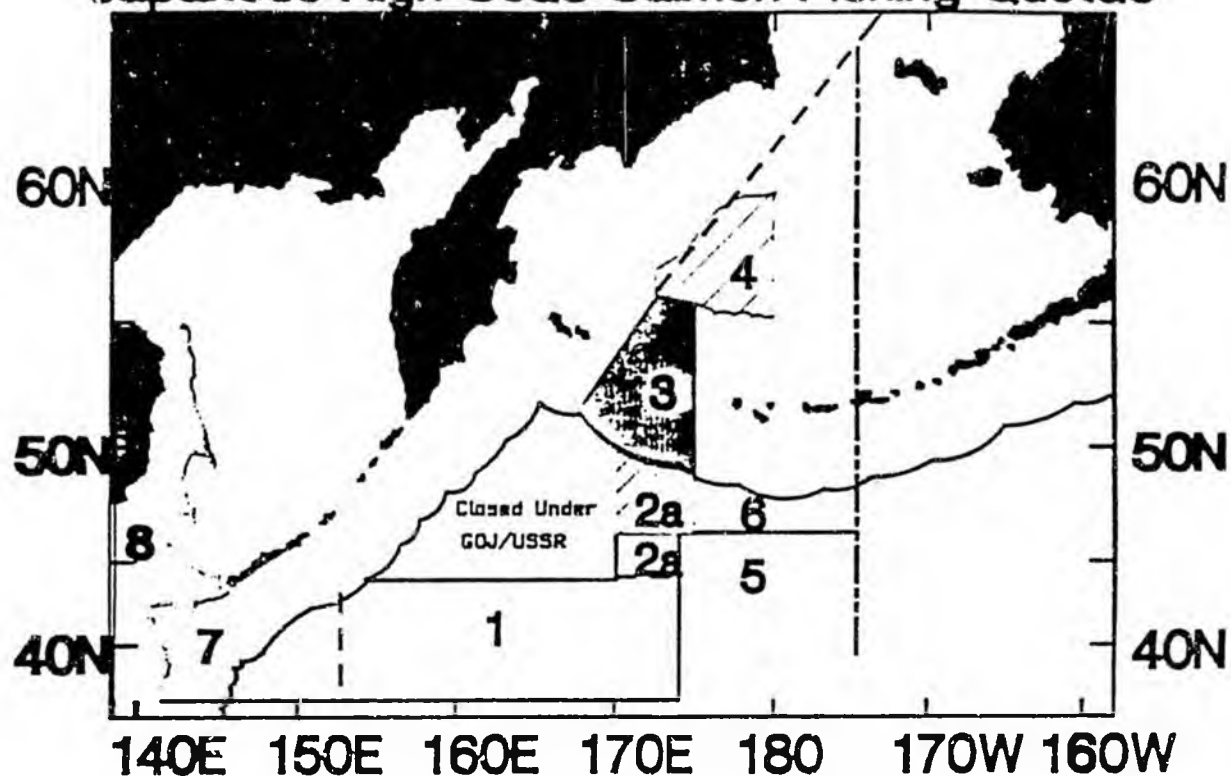
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Based on Soviet approval, 10 of the 32 catcherboats fishing in Area 2-a and 8 of the 24 catcherboats fishing in Area 4 did not transfer their catches to the mothership. Instead, they salted their catches (in a manner similar to that done by the LBDN fleet) and brought them back to Japan, landing them at Hakodate, Kushiro, Hanasaki, Nemuro and Akkeshi, much to the dismay of the traditional landbased salmon fishermen. The date for landing and auction of the product from the mothership catcher boats was adjusted in order to avoid auction on the same day as that for the LBDN fleet. The remaining catcher boats transferred their catches to the mothership for freezing. Two transport vessels brought frozen salmon back to Japan from the mothership.

Landbased Salmon Fishery

Total 1989 catch information for this fishery is not yet available. Species composition data indicate increased proportions of sockeye and pink salmon caught in 1989 as compared to 1988. The relative proportion of chum salmon decreased from 59% of the catch in 1988 to 38% in 1989.

Japanese High Seas Salmon Fishing Quotas



Quotas by area:	Metric Tons	
	1988	1989
1	7,984	6,485
2a Landbased	1,240	1,381
2a Mothership	1,415	1,600
3	0	0
4	1,851	1,234
7	2,878	2,356
8	2,300	1,944
Totals	17,668	15,000

1989 Japan-Soviet Salmon Agreement
--Quotas--

1. Quota by Species:	<u>Metric Tons</u>		<u>1,000 Fish</u>		Change in No. (%)
	<u>1988</u>	<u>1989</u>	<u>1988</u>	<u>1989</u>	
<u>Species</u>					
Pink Salmon	11,295	9,935	11,329	9,948	-12
Chum Salmon	4,086	3,410	2,035	1,710	-16
Red Salmon	949	744	483	383	-21
Coho Salmon	954	588	504	266	-47
<u>King Salmon</u>	<u>384</u>	<u>323</u>	<u>113</u>	<u>95</u>	<u>-14</u>
Total	17,668	15,000	14,464	12,402	-14

2. Quota by Area:	<u>Metric Tons</u>	
	<u>1988</u>	<u>1989</u>
Area 1 Traditional Land-Based	7,984	6,485
Area 2a Traditional Land-Based	1,240	1,381
Mothership	1,415	1,600
Area 3 Mothership in the U.S. EEZ	0	0
Area 4 Mothership in Bering donut	1,851	1,234
Area 7 Pacific Coastal	2,878	2,356
<u>Area 8 Sea of Japan</u>	<u>2,300</u>	<u>1,944</u>
Total	17,668	15,000

3. Fishing Season:	<u>1988</u>	<u>1989</u>
	Traditional Land-Based	May 25-July 5
Mothership	June 1-July 31	June 1-July 31
Pacific Coastal	May 25-June 20	May 20-June 15

4. Fishing Fee Paid by Japan:
 1989 = 3.35 billion Yen (\$26.8 million)
 1988 = 3.35 billion Yen (\$25.2 million)

5. In addition, 5,000 mt of salmon within the Soviet 200-mile zone were allocated in 1989 to Japanese partners of joint venture(s) for salmon reproduction (2,000 mt in 1988).

Source: American Embassy, Tokyo, 5/2/89.

Catch statistics of the Japanese high seas salmon gillnet fisheries, 1986-88. (Catch in thousands of fish and cumulative fishing effort in thousands of tans). Source: INPFC Documents 3132 (Rev. 1), 3269 and 3375.

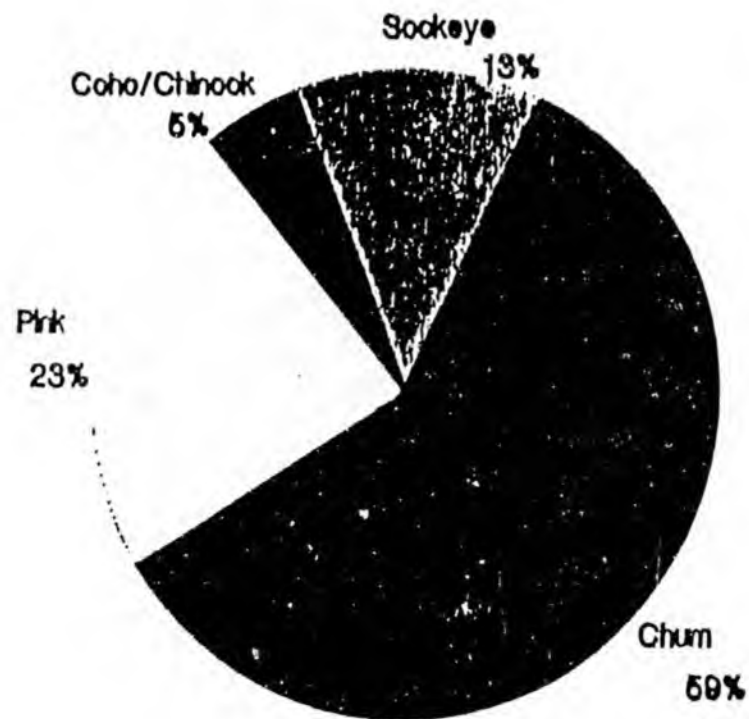
	All Species	Species					Fishing Effort
		Sockeye	Chum	Pink	Coho	Chinook	
1986							
Mothership	3,170	729	1,925	390	65	60	1,930
Landbased	<u>7,978</u>	<u>138</u>	<u>940</u>	<u>6,345</u>	<u>478</u>	<u>77</u>	<u>1,435</u>
Total	11,148	867	2,865	6,735	543	137	3,365
1987							
Mothership	3,530	667	1,822	966	35	39	1,282
Landbased	<u>7,677</u>	<u>140</u>	<u>936</u>	<u>6,068</u>	<u>459</u>	<u>74</u>	<u>1,156</u>
Total	11,207	807	2,758	7,034	494	113	2,438
1988							
Mothership	1,199	225	892	56	<1	26	482
Landbased	<u>6,289</u>	<u>116</u>	<u>751</u>	<u>5,083</u>	<u>292</u>	<u>47</u>	<u>793</u>
Total	7,488	341	1,643	5,139	292	73	1,275

Estimates of interceptions of North American salmon by the Japanese mothership salmon fishery in thousands of fish, 1986-1988.¹

Year	Sockeye	Chum	Pink	Coho	Chinook	Total
1986	142	29	<1	16	47	235
1987	134	26	<1	9	32	211
1988	117	42	1	0	23	183

¹Source: Michael Dahlberg, NOAA Fisheries, Auke Bay. INPFC Docs 3132, 3269 and 3375, September 28, 1989.

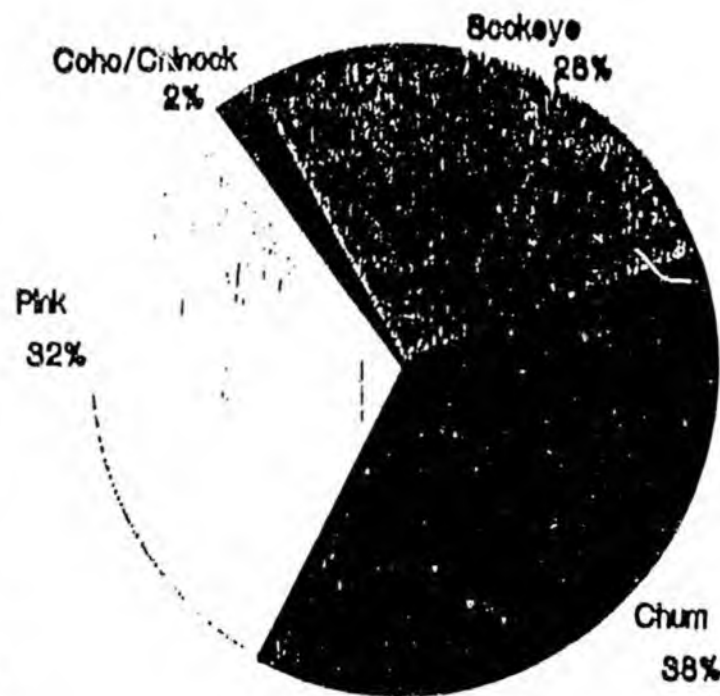
SPECIES COMPOSITION OF LANDBASED SALMON CATCH



1988

Quota 10,186 mt

Catch 7,614

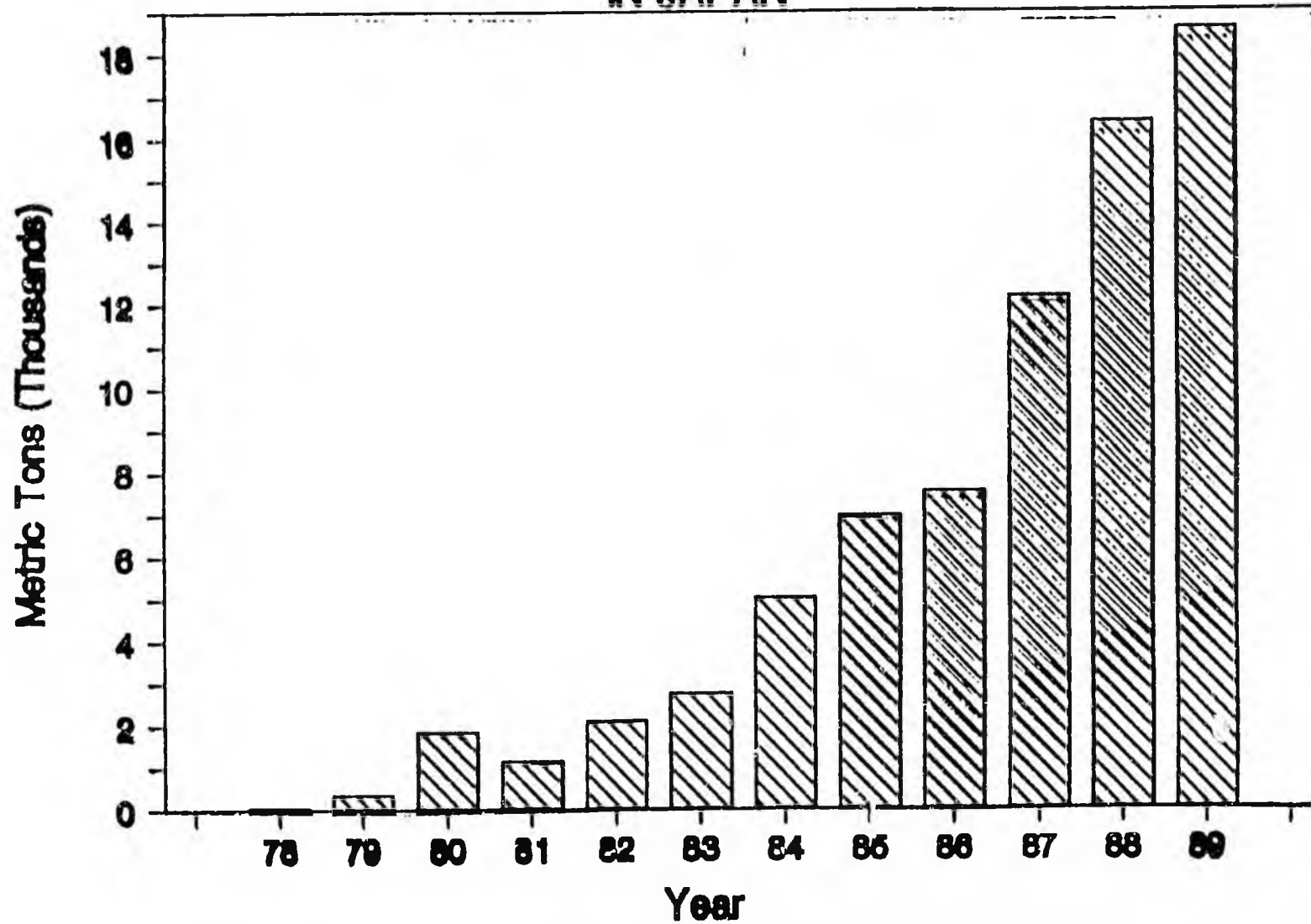


1989

Quota 8,611 mt

Catch n/a

PRODUCTION OF FARMED OCHO SALMON IN JAPAN



Source: American Embassy, Tokyo, August 17, 1989.

**LARGE-SCALE PELAGIC DRIFTNET FISHING AND ITS IMPACTS
ON LIVING MARINE RESOURCES OF THE WORLD'S OCEANS AND SEAS**

The General Assembly,

Disturbed about a dramatic increase in the use of large-scale pelagic driftnets which can reach or exceed 30 miles length to catch living marine resources on the high seas of the world's oceans,

Mindful that large-scale pelagic driftnet fishing is an indiscriminate fishing method which threatens the effective conservation of living marine resources such as highly migratory and anadromous species of fish, birds and marine mammals,

Expressing serious concern that in addition to targetted fish species, nontarget species of fish, marine mammals, seabirds and other living marine resources of the world's oceans, including endangered species, become entangled and die in such driftnets that are being actively fished and in such driftnets that are lost or discarded,

Recognizing that several thousand fishing vessels use such large-scale pelagic driftnets in the high-seas areas of the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, the Mediterranean Sea, and in other waters beyond the exclusive economic zone of any nation,

Affirming that all members of the international community have a duty to cooperate globally and regionally in the conservation and management of living resources on the high seas, and a duty to take, or to cooperate with others in taking, such measures for their nationals as may be necessary for the conservation of the living marine resources of the high seas,

Noting that the nations of the Forum Fisheries Agency and the South Pacific Commission, in recognition of the existing scientific data indicating that such fishing is having an unacceptable impact on the marine life of that region, have called for a cessation of large-scale pelagic driftnet fishing in the South Pacific and the implementation of effective management programmes,

Also noting the declaration adopted by South Pacific Heads of Government at Tarawa on 11 July 1989 which inter alia called for a ban of such driftnet fishing methods in that region and that some members of the international community have entered into negotiations on a convention which will establish the cessation of large-scale pelagic driftnet fishing in the exclusive economic zones of those members, or such fishing practices by the nationals of those members,

Further noting that some members of the international community have entered into cooperative enforcement and monitoring arrangements to evaluate and mitigate the adverse impacts of large-scale pelagic driftnet fishing,

Recognizing that some members of the international community have taken steps to reduce their driftnet operations in some regions in response to regional concerns,

[1] Calls upon all those involved in large-scale pelagic driftnet fishing to cooperate fully with the international community in the continued and enhanced collection of scientific data on the impact of such fishing methods and the conservation of the world's living marine resources;

[2] Recommends that all members of the international community review by 30 June 1991, or earlier reflecting the emergence of an international or regional consensus, the existing data on the effects of large-scale pelagic driftnet fishing, and agree to cooperative regulation and monitoring as needed to mitigate the adverse effects of these practices;

[3] Further recommends that all members of the international community agree to:

[a] an immediate ban on the practice of driftnet fishing in the South Pacific region to prevent severely adverse, perhaps irremediable, effects on South Pacific fisheries and to allow time for the development of comprehensive fisheries management programs;

[b] a moratorium on all high-seas driftnet fishing by 30 June 1992 unless or until it is agreed that the unacceptable impacts of such practices can be prevented and that the conservation of the world's living marine resources can be ensured;

[4] Asks the appropriate organs, organizations and programs of the United Nations system to include consideration of this question in their regular programme of activities;

[5] Requests the Secretary-General to bring this resolution to the attention of all members of the international community, intergovernmental organizations, nongovernmental organizations in consultative status with the Economic and Social Council, and well-established scientific institutions with expertise in relation to living marine resources;

[6] Requests the Secretary-General to report to the General Assembly at its 45th session on the implementation of the present resolution;

[7] Decides to include this question in the provisional agenda of its 45th session.

Forty-fourth session

Japan

DRAFT Resolution

Driftnet fishing and its impacts
on living marine resources of the world's oceans and seas

The General Assembly,

Noting the concern of some countries over increasing use of driftnets which may have impacts on living marine resources of the world's oceans,

Mindful that driftnet fishing can be an indiscriminate fishing method which may threaten the effective conservation of living marine resources unless properly regulated,

Expressing concern that in addition to targetted fish species, non-target species of fish, marine mammals, seabirds and other living marine resources of the world's oceans may become entangled and die in driftnets that are in active use and in similar driftnets that are lost or discarded,

Recognizing that a large number of fishing vessels use driftnets in the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, the Mediterranean Sea, and in other waters within and beyond the exclusive economic zone of any nation,

Also recognizing that any regulatory measures to be taken for conservations of living marine resources should be based on scientific data and analysis,

Affirming that all members of the international community have a duty to cooperate globally and regionally in the conservation and management of living resources and a duty to take, or to cooperate with others in taking such measures for their nationals as may be necessary for the conservation of the living marine resources,

Noting that some members of the international community have implemented cooperative enforcement and monitoring programs to evaluate the impacts of driftnet fishing,

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- 2 -

1. Calls upon members of the international community to review regularly the existing data on the effects of driftnet fishing, and cooperate with other countries concerned in regulation and monitoring as needed to mitigate the adverse effects of these practices;

2. Recommends that members of the international community agree to take further appropriate regulatory measures including a moratorium on driftnet fishing in case that available scientific data necessitates such measures;

3. Asks the appropriate organs, organizations and programs of the United Nations system to consider this question in their activities;

4. Requests the Secretary-General to bring this resolution to the attention of all members of the international community, intergovernmental organizations, and well-established scientific institutions with expertise in relation to living marine resources;

5. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of this resolution.

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UNITED
NATIONS

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General Assembly

Distr.
LIMITEDA/C.2/44/L.81
11 December 1989

ORIGINAL: ENGLISH

Forty-fourth session
SECOND COMMITTEE
Agenda item 82 (E)

DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION:
ENVIRONMENT

Draft resolution submitted by the Vice-Chairman of the
Committee, Mr. David Payton (New Zealand), on the basis
of informal consultations held on revised draft
resolutions A/C.2/44/L.11/Rev.1 and L.10/Rev.1

Large-scale pelagic driftnet fishing and its impacts on the living
marine resources of the world's oceans and seas

Noting that many countries are disturbed by the increase in the use of large-scale pelagic driftnets, which can reach or exceed 30 miles (48 kilometres) in total length, to catch living marine resources on the high seas of the world's oceans and seas,

Mindful that large-scale pelagic driftnet fishing, a method of fishing with a net or a combination of nets intended to be held in a more or less vertical position by floats and weights, whose purpose is to ensnare fish by drifting on the surface of or in the water, can be a highly indiscriminate and wasteful fishing method which is widely considered to threaten the effective conservation of living marine resources such as highly migratory and anadromous species of fish, birds and marine mammals,

Noting that the present resolution does not address the question of small-scale driftnet fishing traditionally conducted in coastal waters, especially by developing countries, which provides an important contribution to their subsistence and economic development,

12. 13. 88 11:08 AM *U. S. MISSION TO U. N. P03

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A/C.2/44/L.81

English

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Expressing concern that, in addition to targeted species of fish, non-targeted fish, marine mammals, seabirds and other living marine resources of the world's oceans and seas can become entangled in large-scale pelagic driftnets, either in those in active use or in those that are lost or discarded, and as a result of such entanglement, are often either damaged or killed,

Recognizing that more than one thousand fishing vessels use large-scale pelagic driftnets in the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, and in other areas of the high seas,

Recognizing that any regulatory measures to be taken for the conservation and management of living marine resources should take account of the best available scientific data and analysis,

Recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea,

Affirming that, in accordance with the relevant articles of the Convention on the Law of the Sea, all members of the international community have a duty to co-operate globally and regionally in the conservation and management of living resources on the high seas, and a duty to take, or to co-operate with others in taking, such measures for their nationals as may be necessary for the conservation of the living resources of the high seas,

Recalling, in accordance with the relevant articles of the Convention on the Law of the Sea, the responsibility of all members of the international community to ensure the conservation and management of living marine resources and the protection and preservation of the living marine environment within their exclusive economic zones,

Making the serious concern, particularly of coastal States and States with fishing interests, that when living marine resources are overexploited in the high seas adjacent to the exclusive economic zones of coastal States, this is likely to have adverse impacts on the same resources within such zones, and in this regard, the responsibility for co-operation in accordance with the relevant articles of the Convention on the Law of the Sea,

Also noting that the countries of the South Pacific Forum and the South Pacific Commission, in recognition of the importance of living marine resources to the people of the South Pacific region, have called for a cessation of such fishing in the South Pacific and the implementation of effective management programmes,

Also noting the adoption by South Pacific Heads of Government of the Declaration on this subject at Tarawa on 11 July 1989 and the adoption by South Pacific States and territories of the Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific, at Wellington on 24 November 1989,

Further noting that some members of the international community have entered into co-operative enforcement and monitoring programmes for the immediate evaluation of the impacts of large-scale pelagic driftnet fishing,

12. 13. 88 11:08 AM *U. S. MISSION TO U. N. P04

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English
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Recognizing that some members of the international community have taken steps to reduce their driftnet operations in some regions in response to regional concerns,

1. Calls upon all members of the international community, particularly those with fishing interests, to strengthen their co-operation in the conservation and management of living marine resources;

2. Calls upon all those involved in large-scale pelagic driftnet fishing to co-operate fully with the international community, and especially with coastal States and the relevant international and regional organisations, in the enhanced collection and sharing of statistically sound scientific data, in order to continue to assess the impacts of such fishing methods, and to secure conservation of the world's living marine resources;

3. Recommends that all interested members of the international community, particularly within regional organisations, continue to consider and, by no later than 30 June 1991, review the best available scientific data on the impacts of large-scale pelagic driftnet fishing, and agree upon further co-operative regulation and monitoring measures, as needed;

4. Further recommends that all members of the international community, bearing in mind the special role of regional organisations and regional and bilateral co-operation in the conservation and management of living marine resources, as reflected in the relevant articles of the Convention on the Law of the Sea, agree to:

(a) Moratoria on all large-scale pelagic driftnet fishing on the high seas by 30 June 1992 with the understanding that such a measure will not be imposed in a region, or if implemented, can be lifted, should effective conservation and management measures be taken based upon statistically sound analysis to be jointly made by concerned parties of the international community with an interest in the fishery resources of the region, to prevent unacceptable impacts of such fishing practices in that region and to ensure the conservation of the living marine resources of that region;

(b) Take immediate action to reduce progressively large-scale pelagic driftnet fishing activities in the South Pacific region leading to the cessation of such activities by no later than 1 July 1991, as an interim measure, until appropriate conservation and management arrangements for South Pacific albatross tuna resources are entered into by the parties concerned;

(c) An immediate cessation to further expansion of large-scale pelagic driftnet fishing on the high seas of the North Pacific and all the other high seas outside the Pacific Ocean, with the understanding that this measure will be reviewed subject to the conditions in 4 (a);

5. Encourages coastal countries which have exclusive economic zones adjacent to the high seas to take appropriate measures and to co-operate in collection and submission of scientific information on driftnet fishing in their own exclusive

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Page 4

economic zones, taking into account the measures taken on the high seas for the conservation of living marine resources;

6. Requests specialised agencies, particularly the Food and Agriculture Organisation of the United Nations and other appropriate organs, organisations and programmes of the United Nations system, as well as the various regional and subregional fisheries organizations, to study urgently large-scale pelagic driftnet fishing and its impacts on the living marine resources and to report their views to the Secretary-General;

7. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental organizations, non-governmental organizations in consultative status with the Economic and Social Council, and well-established scientific institutions with expertise in relation to living marine resources;

8. Requests the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the implementation of the present resolution for its consideration.

12 13 88
11:00 AM
U. S. MISSION TO U. N.
FO5

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

December 26, 1989

The Honorable James Baker
Secretary of State
2201 C St., NW
Room 7226
Washington, D.C. 20520

Dear Secretary Baker:

I want to thank you for your efforts to secure a resolution at the United Nations on the problem of high seas driftnets. As you know, these driftnets are causing severe conservation problems for North American steelhead and salmon stocks, and are having major impacts on marine mammals, seabirds and other living marine resources.

Unfortunately, while demonstrating international concern about the impacts of driftnets, the compromise resolution does not provide clear guidance for action to solve this problem, especially in the North Pacific. The language of the resolution is vague and will undoubtedly be subject to numerous interpretations. This could weaken the efforts of the United States to address this problem in other international arenas. Accordingly, the United States must make a concerted effort to ensure careful implementation of the provisions of the compromise resolution to protect U.S. interests. I strongly encourage both you and Secretary Mosbacher to devote the resources necessary to accomplish this task.

In addition, the State of Alaska believes there is sufficient justification to seek an immediate moratorium on driftnets in the North Pacific. This position also is reflected in the Proclamation on High Seas Driftnet Fisheries in the North Pacific recently forwarded to you by the states of Alaska, Washington, Oregon, Idaho, California and Hawaii, and joined by the province of British Columbia. By calling for a moratorium on the use of high seas driftnets, the original resolution put forward by the United States would have gone a long way toward resolving the issue.

Mr. Secretary, it is critical the United States make a clear and forceful statement regarding its concerns about the impacts of driftnets on the world's living marine resources. While the U.N. resolution can be used to demonstrate international

Mr. James Baker

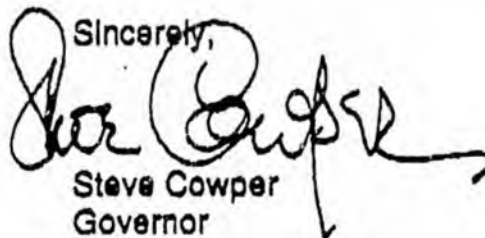
December 26, 1989

Page 2

concern over driftnets, the U.S. must not allow it to be used as a stalling tactic by the driftnet fishing nations. Any moratorium, be it immediate or in 1992, must go into effect unless the driftnet fishing nations can demonstrate, through statistically verifiable scientific data acceptable to the entire international community, that driftnet fishing does not pose an unacceptable threat to the living marine resources of the world's oceans. There should be no doubt with regard to the views of the United States in this matter.

Once again, I wish to thank you for your personal efforts in this matter. It is heartening that this issue has been raised to such a level of international concern.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", with a long horizontal flourish extending to the right.

Steve Cowper
Governor

Proclamation
on
High Seas Driftnet Fisheries
in the
North Pacific Ocean

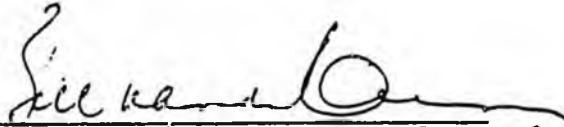
October 1989

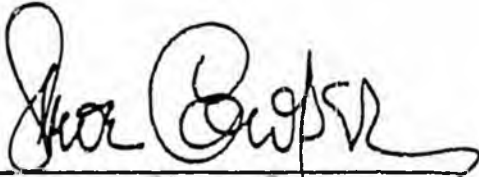
The Province of British Columbia, and the States of Alaska, Washington, Oregon, Idaho, California, and Hawaii recognize the severe impacts that high seas driftnet fisheries in the North Pacific Ocean, conducted by Japan, Taiwan, and South Korea, have on coastal fisheries for salmon and other anadromous fish, albacore, billfish, and on populations of seabirds, marine mammals, and other living marine resources. We formally request the federal governments of Canada and the United States to:


1. Seek further reductions in Japanese landbased and motherhip directed high seas salmon fisheries.
2. Immediately seek additional measures to reduce the impact of high seas squid fleets on salmonids, albacore, seabirds, marine mammals, and other living marine resources.
3. Take immediate action to establish a new convention in the North Pacific, signed by Canada, Japan, the USSR and the United States, which would prohibit the directed or incidental harvesting of salmonids on the high seas beyond the 200-mile zones established by coastal nations.
4. Take immediate steps to form the multinational research organization PICES (Pacific International Council for Exploration of the Seas).
5. Secure long-term commitments of substantially increased fiscal and personnel resources for monitoring and enforcement of international agreements.
6. Negotiate international agreements to prohibit the sale, import, or transshipment of salmon illegally harvested on the high seas.

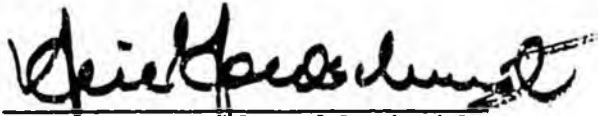
These requests are further specified in the related document entitled Statement on High Seas Driftnet Fisheries in the North Pacific Ocean. A driftnet is defined as a gillnet composed of a panel of monofilament plastic webbing one and one-half mile or more in length; driftnet fishing is a fish harvesting method in which a driftnet is placed in the water and allowed to drift with the winds and currents for the purpose of entangling fish in the webbing.

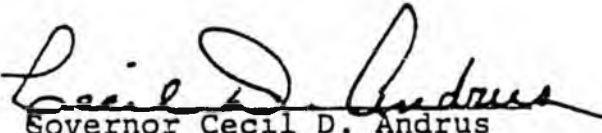
If successfully implemented, these recommendations will represent a significant first step. However, to ensure the long-term protection of North American fisheries and living marine resources of the North Pacific, Canada and the United States should join together and initiate diplomatic efforts through the United Nations and other appropriate international forums to secure an international ban on driftnet fishing on the high seas.

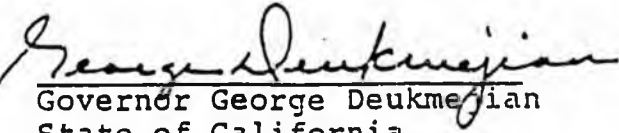

Premier William N. Vander Zalm
Province of British Columbia



Governor Steve Cooper
State of Alaska


Governor Booth Gardner
State of Washington


Governor Neil Goldschmidt
State of Oregon


Governor Cecil D. Andrus
State of Idaho


Governor George Deukmejian
State of California


Governor John Waihee
State of Hawaii

Statement on
High Seas Driftnet Fisheries
in the North Pacific Ocean

by

The Province of British Columbia
and
The States of Alaska, Washington,
Oregon, Idaho, California, and Hawaii

October 1989

The use of driftnets on the high seas has become an issue of growing global significance. Expansion of North Pacific high seas driftnet fisheries for squid, salmon, tunas, and billfishes is a cause of major concern for coastal nations attempting to conserve anadromous fish species, albacore, seabirds, marine mammals, and other living marine resources. The recent growth of the driftnet fleets in the South Pacific has, concurrently, given rise to a call by 16 South Pacific nations for an international ban on high seas driftnets in that region. Similar restrictions in the North Pacific may be warranted.

For the purposes of this paper, a driftnet is defined as a gillnet composed of a panel of monofilament plastic webbing one and one-half miles or more in length, and driftnet fishing means a fish harvesting method in which a driftnet is placed in water and allowed to drift with the currents and winds for the purpose of entangling fish in the webbing.

This statement of concern outlines a plan of action which the Province of British Columbia and the affected states of Alaska, Washington, Oregon, Idaho, California, and Hawaii have agreed could significantly contribute to the solution of these problems and further our mutual interest in protecting and conserving anadromous fish and other living marine resources of the North Pacific. This statement provides the rationale for the Proclamation on High Seas Driftnet Fisheries in the North Pacific Ocean signed by the leaders of affected regions in western North America.

Background

Some of the richest fisheries in the world take place in the waters of the North Pacific and Bering Sea. Fleets from all over the world fish these waters for salmon, herring, crab, bottomfish, and other fish species. In recent years, these fisheries have grown in size, area of operation, number of nations participating, and species harvested. Management of these fisheries involves a complex mix of domestic and international bodies, treaties, regulations, and agreements.

Consistent with this trend, the high seas driftnet fisheries of the North Pacific have experienced dramatic growth over the past few years. Along with this growth have been interceptions of salmon bound for North America and an incidental mortality of vast numbers of seabirds and marine mammals. These driftnet fisheries, and recent events surrounding the driftnet issue, are summarized below.

1. INPFC Fisheries

The United States, Canada, and Japan signed the International North Pacific Fisheries Convention (INPFC) in 1952. This treaty prohibited the Japanese from fishing to the east of 175 degrees west longitude (the longitude of Atka Island in the Aleutians) in the belief that this would protect salmon of North American origin while allowing the Japanese to continue their historical harvest of Asian salmon.

Data on the continent of origin of the catch (Asia versus North America), and on the harvest size itself, in these early years are not verifiable, but the estimate of the Japanese catch of Bristol Bay sockeye alone averaged 2.5 million fish per year. The total catch of North American salmon may have been over five million fish a year. Taking into account drop-out, this could mean an annual impact of over ten million salmon per year. The impact on certain stocks such as Bristol Bay sockeye and western Alaska coho was particularly severe.

While a great deal of valuable research was conducted under the auspices of the INPFC, no significant reductions were achieved in the level of interceptions until adoption of the 100-mile zones by coastal nations. In the U.S. this was done under the Magnuson Fishery Conservation and Management Act passed by U.S. Congress in 1976; in Canada this was accomplished by the Territorial Sea and Fishing Zones Act.

The 200-mile limit extension gave the U.S. control over significant areas that had been fished by the Japanese high

seas salmon fleets. In the renegotiation of the INPFC in 1978, concessions were negotiated in all of the Japanese high seas salmon fisheries. This renegotiation resulted in a western retreat of the Japanese landbased and mothership fleets by about 500 miles and may have reduced interceptions by as much as 70 percent.

Continuing research, however, showed that the Japanese were still intercepting significant numbers of North American salmon under the 1978 agreement. Another series of bilateral negotiations took place in 1985-86, resulting in further reductions of the Japanese mothership fishery in the central Bering Sea. Restrictions were achieved on allowable effort in the mothership fishery as well as some reduction in their landbased fishery. Research and enforcement were increased in areas that it was known the Japanese were either misreporting their catches or fishing in closed areas. Although British Columbia salmon are protected by the new INPFC boundaries, U.S. salmon stocks, Canadian salmon from the Yukon, and U.S. and Canadian steelhead are all intercepted.

In 1988 the Japanese requested changes under the INPFC to convert the mothership fishery to a landbased-type operation which would operate in the mothership fishing area. This request was the subject of several rounds of negotiations which eventually resulted in no changes for the 1989 fishing season. This issue may arise again at the 1989 INPFC meeting.

These fisheries are also regulated under a Japan/USSR Salmon Treaty in which the Soviets have place time/area restrictions and quotas on Japanese catch in various areas. The Soviets have announced a goal of phasing out the Japanese high seas fleet by 1992. The USSR/Japan high seas salmon quota has been consistently reduced over time.

2. Squid Driftnet Fisheries

In addition to high seas fisheries directed at salmon, there has been a new development in the North Pacific that also threatens North American salmon stocks. Large resources of squid have been discovered to the south of the mothership and landbased salmon fishing areas. These "flying squid" are relatively large creatures and are captured with driftnets of the same mesh size as the nets fished by the Japanese mothership and landbased salmon fleets. Japan, Taiwan, and Korea currently have roughly 1,200 vessels in their combined squid fleets, with Japan having the bulk of these vessels. The aggregate amount of driftnet fished by these fleets is about 30,000 miles of net set per night.

The squid driftnet fisheries are suspected of incidentally taking large numbers on non-target living marine resources including salmon, seabirds, and marine mammals. Definitive information on these incidental takes is not available at present; however, there is evidence that these fisheries are having significant impacts on fish and marine wildlife of the North Pacific. Amounts of illegally harvested salmon recovered through various enforcement actions total over 40,000 metric tons. Estimates for the incidental taking of marine mammals run to the tens of thousands (some estimates, based on limited research vessel data, run as high as 50,000 to 80,000 animals). Seabird estimates run as high as 1 million birds killed annually. Taking these estimates into account, the amount of gear put in the water by these fisheries and the suspected takings of other species such as billfish, tunas, pomfret, sharks, and sea turtles, strong evidence exists that these driftnet fisheries are having a significant impact on living marine resources of the North Pacific.

3. Large-Mesh Fisheries

The Japanese, Taiwanese, and Koreans all conduct large-mesh driftnet fisheries in the southern North Pacific and in the South Pacific, fishing for tunas and billfishes. Approximately 400 vessels operate in the Japanese fishery. Taiwan has reported roughly 180 vessels. Japan has limited time/area restrictions on its fleet and is in the process of establishing further regulatory controls. There are presently no regulatory controls on Taiwanese large-mesh fisheries in the South Pacific.

Many of the vessels operating in the Japanese and Taiwanese large-mesh fisheries also operate in the squid fisheries in the north. These vessels fish squid part of the year and tuna/albacore at other times of the year, and often carry both kinds of fish on board. The combination of squid and tuna makes for a more economically viable fishing year for the vessel. There is a direct economic linkage between the South Pacific albacore problem and the squid fishery problems we have in the North.

4. Driftnet Act Negotiations

In 1987 the U.S. Congress passed the Driftnet Monitoring and Control act. The act required the Secretary of Commerce, through the Secretary of State, to negotiate monitoring and enforcement agreements with nations which have high seas driftnet fleets. If successful agreements are not reached, then the Secretary of Commerce is required to certify the nation (or nations) under the so-called Pelly Amendment.

Certification then opens the door for trade sanctions against fishery products imported into the United States from the certified country.

Currently, there have been negotiations with Taiwan, Korea, and Japan under the Driftnet Act. To date, these negotiations have provided information on the size and nature of these fleets and their operations. There have been agreements reached with each of the three nations. Each of these agreements contains provisions for scientific monitoring of the respective fleets as well as installation of satellite vessel location devices, restrictions on transshipments of product from the squid fleets, enhanced enforcement of time/area restrictions, and restrictions on the illegal harvesting of salmonids. While these agreements are a first step toward protecting North American fisheries resources, they each have significant shortcomings and have been the subject of intense debate and controversy in the United States.

5. South Pacific Forum

In early 1989 the Forum Fisheries Agency (FFA), on behalf of 16 South Pacific Island nations, hosted a series of meetings regarding the growing presence of Japanese and Taiwanese driftnet fleets in that region. The size of the driftnet fleets has grown dramatically over the past few years and is posing a significant conservation problem for southern albacore stocks.

In June the FFA nations met with the driftnet fishing nations of Japan, Taiwan, and Korea in Suva, Fiji. Alaska and British Columbia had representatives at that meeting. Several days of discussions resulted in an impasse between the FFA and the distant water fishing nations of Taiwan and Japan. (Korea announced its intent to pull its one or two vessels out of the region and Japan has offered to limit the size of its fleet.)

The Suva meeting was followed by a meeting of Heads of State for the FFA countries where they issued the Tarawa Declaration calling for an international ban on driftnet fishing in the region. The FFA is now seeking support for an international ban on driftnets.

6. British Columbia Conference

In July 1989, the Province of British Columbia hosted the North Pacific Driftnet Conference, a three-day meeting on the driftnet issue. The conference was attended by representatives from Alaska, Washington, Oregon, Idaho,

California, British Columbia, and the federal governments of Canada and the United States. The Communique from the July meeting in Sydney, British Columbia established a number of principles under which fisheries could be conducted responsibly on the high seas beyond the 200-mile zones of coastal nations. These principles include:

- There must be provision for conservation and rational management of salmon, tuna, billfish and other stocks.
- There must be recognition of the rights of states of origin to manage anadromous species and action to ensure that these fisheries are not harmful to the environment and to resources originating within the 200-mile zones of coastal states.
- High seas fisheries must be conducted in a manner that minimizes or eliminates the incidental taking of seabirds, marine mammals, and other living marine resources.
- Marine debris resulting from fishing operations must be minimized or eliminated.
- Fishing activities must be strictly controlled through effective scientific monitoring and enforcement systems.
- All nations should take steps to ensure that their channels of commerce are not used to market marine resources illegally harvested on the high seas.

The Problem

Concerns over the effects that increased high seas driftnet fishing have on a variety of living marine resources continue to mount, and it has become evident that traditional management agreements are not adequate to protect stocks and existing coastal fisheries. The negotiations which have taken place to date may lead to improved research, monitoring, and enforcement efforts, which in turn should begin to help minimize the incidental take of salmon, seabirds, and marine mammals. However, these agreements must be viewed as interim measures which do not provide the long-term solution.

Driftnet fisheries presently taking place on the high seas of the North Pacific pose several problems which render traditional management and conservation measures ineffective over the long-term. These include:

1. The scale of the operations and the nature of the technology make for wasteful fishing practices.

Dropout rates for target and nontarget fish species may run up to 50 percent. Driftnets are nonselective and have high incidental harvest rates for nontarget fisheries resources such as tunas, billfishes, and salmonids.

2. Conventional regulatory measures may reduce problems in one fishery but, when viewed in the aggregate, may shift the problems to other fisheries and other areas.

Solutions in the South Pacific may shift the fleets to the north which will only increase our existing conflicts, or vice versa.

3. Driftnet fisheries have high incidental mortalities of other nontarget living marine resources.

Estimates indicate that, for the total North Pacific driftnet fleet, incidental takings of marine mammals probably number in the tens of thousands, and seabirds number over one million annually.

4. Substantial scientific monitoring and observer programs would be required to verify any possible rational conduct of such fisheries.

Driftnet fishing nations are reluctant to host the numbers of North American observers necessary to collect statistically verifiable data. Observer safety is a major concern in some fleets. Scientific research budgets are at a minimum now, with little likelihood for increases in the foreseeable future.

5. Maintaining an adequate enforcement presence will be extremely difficult and costly.

Protecting North American interests will place a great burden on U.S. and Canadian enforcement agencies. The North Pacific squid fleet alone operates over an area larger than the continental United States. Yet, the only way for the U.S. and Canada to ensure adequate implementation of any monitoring and enforcement measures is to mount significant programs themselves. Long-term costs may be prohibitive.

6. Commerce in illegally harvested salmon is extremely difficult to trace and eliminate.

Substantial quantities of salmon suspected of being harvested illegally have been showing up in the world market from processors located in Singapore and Thailand. Tens of thousands of metric tons of illegally caught fish have been confiscated in various enforcement actions this year. Identifying illegally harvested salmon is difficult because there is no international marking and tracking system for processed fisheries product, and treaty arrangements regarding processing illegally harvested fish are either weak or nonexistent.

Recommendations

Recent activities in the U.S. Congress and on the international front indicate the dawning of a new era in fishery conservation, utilization, and management in the North Pacific. International realignments between the United States, Canada, Japan, and the USSR could mean increased opportunities to protect North American origin salmonids and other North Pacific living marine resources. The following actions are recommended for protecting, conserving, and managing resources of the North Pacific.

British Columbia, Alaska, Washington, Oregon, Idaho, California, and Hawaii, recognizing the magnitude and urgency of the high seas driftnet problem in the North Pacific, recommend that the following actions be taken immediately by our respective federal governments to take advantage of every opportunity to address the high seas driftnet issue, including:

1. The United States and Canada should seek further reductions in the Japanese landbased and mothership directed high seas salmon fisheries.

These reductions should be negotiated at the 1989 meeting of the INPFC. And, the 1992 phase-out date targeted by the USSR should be supported by both countries.

2. Canada and the United States should immediately seek additional measures to address the impact of high seas squid fleets on salmonids, albacore, seabirds, marine mammals, and other living marine resources.

These additional measures, effective for the 1990 season and beyond, should include effort limitations and reductions in fleet size, 100 percent coverage of the fleet with real-time satellite vessel location devices, and a comprehensive scientific observer

program. For the Japanese fleets, negotiations should be pursued at the 1989 meeting of the INPFC.

3. The United States and Canada should take immediate action to establish a new Convention in the North Pacific which would prohibit the directed or incidental harvesting of salmonids on the high seas beyond the 200-mile zones established by coastal nations.

The primary parties to such a Convention should be the major salmon producing nations of Canada, Japan, the USSR, and the United States. Such a Convention could lead eventually to a comprehensive multilateral fisheries management regime for the North Pacific. If necessary, both the U.S. and Canada must strengthen their respective claims, as states of origin, to management authority over anadromous species throughout their range.

4. Canada and the United States should take immediate steps to form the multinational research organization PICES.

The Pacific International Council for Exploration of the Seas should implement a comprehensive research program regarding the impacts of driftnet fishing on North Pacific living marine resources.

5. The United States and Canada must make long-term commitments of substantially increased fiscal and personnel resources for monitoring and enforcement of international agreements.

Each nation should immediately allocate the resources necessary to conduct comprehensive research, monitoring, and enforcement activities on the high seas. The two nations should establish cooperative scientific and enforcement programs, as appropriate, to increase the overall effectiveness of their efforts to protect North American salmonid resources and the other living marine resources of the North Pacific. The burden of these costs should be shifted to the fishing nations as soon as possible, while preserving the integrity of monitoring and enforcement programs.

6. Canada and the United States should negotiate international agreements to prohibit the sale, import, or transshipment of salmon illegally harvested on the high seas.

Bilateral or multilateral agreements should be put in place which prohibit the transshipment, purchase, sale, or import of illegally harvested salmon. Such agreements should be made with all nations which process or import salmon products, and should be accompanied by domestic implementing legislation in each of the respective importing or processing nations.

The goal of the west coast states and the Province is to ensure the long-term protection, conservation, and management of fish and other living marine resources of the North Pacific. The principles identified at the North Pacific Driftnet Conference were crafted with this overall goal in mind. Review of North Pacific high seas driftnet fisheries strongly suggests that traditional management measures and agreements are not adequate to ensure that fisheries can be conducted in a manner which will satisfy either those principles, or meet the overall goal.

If successfully implemented, the six recommendations outlined above will represent a significant first step in our joint effort to protect North American fisheries and the living marine resources of the North Pacific. However, to ensure the long-term protection of these resources, Canada and the United States should join together and initiate diplomatic efforts through the United Nations and other appropriate international forums to secure an international ban on driftnet fishing on the high seas.

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PROPOSED AGENDA
FOR SECOND MEETING OF THE
US-USSR INTERGOVERNMENTAL
CONSULTATIVE COMMITTEE ON FISHERIES
LENINGRAD- SEPTEMBER 19-22, 1989

- I. Introductory Remarks by Heads of Delegation:
Agreement on the agenda and procedures

- II. Questions on Preserving Reserves of Anadromous Species
in the North Pacific Ocean
 - A. The possibility of developing a convention on
conserving reserves of anadromous species in the
North Pacific Ocean. Discussion of the structure and
activities of the international organization on
conserving anadromous species in the North Pacific
Ocean.

 - B. Examination of other forms of Soviet-American
cooperation in this field.

 - C. Consideration of Implementation of the February 6,
1989 Memorandum of Understanding on Salmon
Enforcement.

- III. Problems of Unregulated Fishing in the Central Bering Sea
Region
 - A. Examination of possible mutually acceptable methods
in connection with unregulated fishing in the
Central Bering Sea region.

 - B. Examination of the Soviet proposal on a Council
on the living resources of the Bering Sea.

- IV. Discussion of other items pertaining to the implementation
of the comprehensive fishing agreement.

JOINT PRESS STATEMENT

The U.S.-U.S.S.R. Intergovernmental Consultative Committee on Fisheries (the Committee), which was established pursuant to the May 31, 1988, Comprehensive Fisheries Agreement, held its second meeting in Leningrad, U.S.S.R., from September 19-22, 1989. The Committee considered a number of issues, including the conservation of salmonids on the high seas of the North Pacific Ocean, the expanded and unregulated pollock fisheries in the central Bering Sea, and enforcement issues related to implementation of the Memorandum of Understanding on anadromous resources in the North Pacific Ocean, signed on February 9, 1989. The two delegations were headed by their respective Representatives on the Committee, Dr. V.K. Zilanov, Deputy-Minister, Soviet Ministry of Fisheries, and Ambassador Edward E. Wolfe, Deputy Assistant Secretary for Oceans and Fisheries Affairs, U.S. Department of State.

The Committee reached agreement on the principles that would form the basis of a new convention for the conservation of anadromous stocks of fish in the North Pacific Ocean. The convention would promote the conservation and rational management of valuable anadromous resources of mutual concern. The two sides discussed possible terms of the convention and agreed to present them in the near future for consideration by other North Pacific countries of origin of anadromous species.

The convention terms discussed reflect the view of the two sides that high seas fishing for anadromous resources is irrational and wasteful. The terms include significant enforcement provisions designed to prevent the unauthorized harvest of North Pacific anadromous resources, as well as provisions for increased multilateral cooperation on scientific research. If successfully implemented, the convention would provide broader multilateral participation than the regimes currently in place, and would for the first time include all four of the major countries of origin of North Pacific anadromous resources.

The Committee reviewed the rapidly expanding high seas squid and other driftnet fisheries in the North Pacific. Both sides expressed great concern over the interception of anadromous resources in certain of these fisheries and their other adverse impacts on the North Pacific marine environment. They noted their intention to cooperate in gathering information on the impact of driftnet fisheries and in gaining multilateral cooperation in effectively regulating such fishing practices.

Both sides concurred that the recent level of unregulated pollock fishing in the Central Bering Sea (the so-called "donut") when combined with regulated fisheries in the respective U.S. and Soviet zones, greatly exceeds the total allowable biological catch. The Committee recommended that the total pollock catch in the donut be reduced to the level that will eliminate any adverse impact on the pollock stocks in the two countries' zones.

The Committee agreed to establish a bilateral auxiliary body called the Bering Sea Fisheries Advisory Body (BSFAB) to advise the Committee on Bering Sea fisheries including the donut area. This body will advise the Committee on the rational management of fisheries in the Bering Sea including the donut area and on actions which may be taken to reach agreements to control the unregulated fisheries in the donut. The BSFAB will attempt to identify and assess Bering Sea pollock resources, establish a common databank, coordinate Bering Sea fisheries research, and examine and report on a variety of fish management issues. The first meeting of the BSFAB has been tentatively scheduled for November 1989 in Seattle, Washington, to allow it to present its conclusions to the Committee as early as possible in 1990.

The Committee also discussed implementation of the February 9, 1989, Memorandum of Understanding on anadromous resources of the North Pacific Ocean. Enforcement experts from the two exchanged significant information and views on their respective measures for effective high seas enforcement patrols, and on areas where increased cooperation could be attained.

The Committee agreed to hold its next meeting in the United States at a time to be agreed upon.

US DELEGATION LIST (cont'd)

Industry Representatives

22. Katherine E. Graham	5-30-49	07047700
23. Richard B. Lauber	3-5-28	070278420
24. Henry V. E. Mitchell	7-19-46	071101346
25. Terry J. Baker	9-25-46	070690272
26. John R. Gilbert	5-5-27	071445163
27. Kevin L. Kaldestad	1-24-54	070893853
28. Robert F. Morgan	1-7-24	070681642
29. Alvin R. Burch	9-25-36	E263284

US-SOVIET FISHERIES CONSULTATIONS
SEPT. 19-22
LENINGRAD

PROPOSED US DELEGATION

	<u>DOB</u>	<u>Passport #</u>
<u>State Dept.</u>		
1. Edward E. Wolfe	1-20-47	900039200
2. Larry Sneed		
3. Donna Darm	2-11-54	900035409
4. Wayne Neill	4-24-57	900029295
<u>Coast Guard</u>		
5. Scott Buschman	2-12-62	800354500
6. William H. Anderson	11-29-48	800388792
<u>National Oceanic and Atmospheric Administration</u>		
7. Carmen Blondin	5-13-30	800369979
<u>National Marine Fisheries Service</u>		
8. Steven Pennoyer	9-28-44	071107806
9. Rolland Schmitt	8-25-44	P800300128
10. William Aron	6-25-30	800272499
11. George Herrfurth (or Dean Swanson)	2-18-60	800258797
12. Robert A. Taylor	5-29-53	800170961
<u>Commissioner, U.S. Section- INPFC</u>		
13. Clem Tillion	7-3-25	800214680
<u>State Government Representatives</u>		
14. David Benton	6-6-52	070731805
15. Donald W. Collinsworth	9-6-41	070382958
16. Jonne E. Binkley	2-4-53	012529795
17. Joseph R. Blum	1-16-40	D1577756
18. Mark G. Pedersen	7-1-47	072227253
19. Samuel R. Cotten	7-15-47	072242119
20. Donald Bevan	2-22-21	EO23027

СОСТАВ

делегации СССР на 2 сессии советско-американского
Межправительственного консультативного комитета
по рыбному хозяйству /Ленинград, 19-22.09.1969 г./

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3. Минеев В.И.
4. Вылегжанин А.И.
5. Сухов В.А.
6. Макеев В.Г.
7. Панкратова С.В.

Министерство иностранных дел СССР

8. Бугаев А.Б.

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18. Романов Б.А.
19. Поляков А.В.