

International Commission for



the Northwest Atlantic Fisheries

Serial No. 3239
(A.a.4)

ICNAF Comm.Doc. 74/25

ANNUAL MEETING - JUNE 1974

Note by US Commissioners on ICNAF enforcement procedures

The United States has considered recent steps taken by the Commission to improve conservation programs and concluded that further attention must now be focused on means to assure full and equitable administration of these measures if expected results are to be achieved.

The new two-tier quota system covering all species in Subarea 5 and Statistical Area 6 can be enforced only if accurate records are kept of all species. In addition, other conservation measures, such as trawl regulations and seasonal closures, will be effective only to the extent that they can be enforced on a practical basis. Incidental catches, particularly where there is a high degree of species mixing, require special attention if enforcement is to be effective.

Those management problems posed by the high degree of species mix in all parts of Subarea 5 and Statistical Area 6 have been clearly recognized, and were specifically called to the attention of the Commission by the United States in Commissioner's Document 73/18, paragraphs 19-26.

Presently, ICNAF regulations deal with the by-catch problem by requiring each country to manage its fishery so that the sum of its directed and incidental catches will not exceed its quota allocation of specific named species and other finfish. In addition, an overall catch quota is allocated to each Government which cannot be exceeded under any circumstances.

However, reliance on such a quota system requires sophisticated techniques of enforcement and detailed logbook records describing catch composition as well as discards. Complete identification of all species caught is particularly important for groundfish operations in areas where this intermixing of species must regularly produce a varied catch.

US inspection officials have had the opportunity to examine catches, catch reports, and logbook records of various fishing vessels under the ICNAF Joint International Enforcement Scheme. It has been frequently observed, particularly when vessels are using gear capable of taking demersal species, that vessel logs identify only the primary species caught and lump all the remainder into the category "unclassified". This has occurred, in particular, where species such as haddock and yellowtail flounder are involved. Accurate determination of catches when detailed logbook records are not kept would seem impossible, particularly when by-catches of mixed species are processed into fish meal or otherwise handled in such a way precluding later identification as to species.

Similarly, it is essential that all catches be recorded whether or not retained. US inspection officials have witnessed incidents when unwanted species have been discarded at sea without accurate records of the amounts involved. The intent of the overall quota approved in October 1973 will clearly be defeated if such a practice is allowed to continue.

Thus, we are convinced that more rigorous control of catch records, with appropriate internal checks and certain changes in present conservation measures, are needed to insure compliance with regulations by individual vessels.

As a first step, the United States and Canada propose that the ICNAF Joint International Enforcement Scheme be modified to improve enforcement capabilities. This proposal is contained in Comm.Doc. 74/24.

A combination of other measures may provide the most practical approach to overall enforcement problems, particularly where the intermixing of species is the greatest. Accordingly, the United States will propose at the 1974 Annual Meeting the following additions, amendments, and clarifications to existing ICNAF regulations:

- (a) That the 10 percent annual exemption for regulated species taken with trawl nets having a mesh size smaller than that required for the taking of regulated species be eliminated, and replaced with an exemption calculated on a per trip basis, with adequate consideration given to standardizing a functional definition of "trip" so that the exemption may be equitably applied. Such a definition must be compatible with a positive means of monitoring compliance with trawl regulations

through direct observations of fishing activity, logbooks, catches, and vessel capacity by authorized ICNAF inspectors.

- (b) That practical guidelines be established regarding control and enforcement procedures for by-catch, i.e., those species unavoidably captured during fishing activities directed toward other species. Such procedures must be designed to ensure that these catches, whether or not retained, are recorded and counted under the two-tier quota system and do not result in catches in excess of agreed quotas.
- (c) That the application of existing regulatory measures relating to the closure of specified areas of haddock spawning concentrations in Subarea 5 and in Division 4X of Subarea 4 during March, April and May (Proceedings, 23rd Annual Meeting, No. 16, Appendix VI, and No. 10, Appendix III) be modified. The United States will propose that the existing prohibition of fishing in these areas with gear capable of taking demersal species be broadened to include a prohibition on fishing with all types of trawls or trawl lines, excepting gear used in fishing for crustacea and scallops.