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US views on the exemption clauses in ICNAF trawl regulations in subareas 3, 4, and 5

At the 1974 Annual Meeting, as at the preceding 23rd Annual Meeting, the United States proposed elimination of the 10 percent annual exemption for the trawl regulations in Subareas 3, 4, and 5. In so doing, the United States stressed the fact that the annual exemption created two critical problems: inequitable enforcement and the allowance of excessive by-catches. With regard to the latter, the United States emphasized that the 10 percent annual exemption allowed a by-catch in certain directed fisheries which, when summed over many vessels and a long period, resulted in total catches in excess of that required to conserve seriously depleted stocks, such as yellowtail flounder and haddock and when unrecorded seriously jeopardized the accuracy of assessments.

In an attempt to solve both these problems the United States proposed a modified exemption provision (Comm.Doc. 74/30) eliminating the annual exemption but providing for higher by-catches by weight. However, such a proposal presented difficulties for some member nations and as a result a substantially different compromise proposal was adopted. At the time the United States noted that while addressing the problem of equitable enforcement, the compromise proposal did not resolve the critical problem of excessive by-catches, as provisions in the US proposal which would have accomplished this were eliminated. Consequently, the United States accepted the proposal with the greatest reluctance and only as an interim measure.

Accordingly, it is the view of the United States that the Commission must re-examine the entire question of trawl fishery exemptions in Subareas 3, 4, and 5 in order to develop a proposal which will adequately address the by-catch problem as well as provide for equitable enforcement between small coastal vessels and distant water fleets. The Commission cannot have an effective regulation which fails to address these issues. Further proposals will be made by the United States in an attempt to resolve this critical problem.