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US views regarding control and enforcement of by-catch

The United States recognizes and appreciates the progress made by the International Commission for the Northwest Atlantic Fisheries (ICNAF) in developing an effective regulatory regime throughout the Northwest Atlantic fisheries and, in particular, for those fisheries within Subarea 5 and Statistical Area 6. As the ICNAF regulatory program became more comprehensive, there came recognition that fishing mortality on all stocks must be dealt with more precisely, and various Research Documents have discussed the problem. Of particular concern has been the effect of by-catch on management of mixed species fisheries. Repeatedly, it has been stressed that the individual catch of a species in fisheries primarily directed toward other species can produce a fishing mortality in excess of that desired. The United States, whose fishermen first felt the impact of this problem, has repeatedly stressed to the Commission the need to improve management procedures. The purpose of this paper is to focus the attention of participants in ICNAF upon the by-catch problem.

The Commission has concluded that primary control for complex international fisheries within the ICNAF would be catch quotas set to achieve the desired fishing mortality, with shares allocated to Member Countries (with small amounts reserved for Others). In addition, for Subarea 5 and Statistical Area 6, an overall quota (2nd tier catch quota) has been allocated to each Government. Within this overall arrangement, present 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. This was designed to allow each Member Country to arrange its national

allocation in accordance with its particular problems and objectives, provided of course that the catch allocation(s) is not exceeded.

Other conservation measures, i.e., trawl mesh size, seasonal closures, minimum fish size, and area closures to use of demersal fishing gear have also been implemented as a means to reduce fishing mortality, obtain better yield per recruit, and reduce by-catch of certain species. Such measures have been formulated on the basis of less than complete data, but, to a limited degree, they have achieved some success.

The United States continues to be concerned about the serious and alarming trends displayed in most Northwest Atlantic fisheries, particularly those contiguous to the United States coast which are of economic importance to coastal fishermen. United States scientists and the ICNAF Assessments Subcommittee have in their most recent reports evaluated the finfish stocks governed by the ICNAF Convention. As in the recent past, these reports point out that some stocks continue to be seriously overfished. In fact, several major stocks of direct interest to US fishermen, as well as other fishermen, are so seriously depleted that the recommended TAC falls short of providing full opportunities for a viable fishery in Subarea 5. Notably, the TACs for some stocks such as haddock, cod (Div. 5Y), herring, yellowtail flounder, silver hake (Div. 5Y), and other flounders have been proposed at levels so low that, if approved by the Commission, the United States will be forced to restrict many of its coastal fishermen to less than the desired directed fisheries - a situation which will cause extreme difficulties within the United States.

The by-catch remains high for certain fleets in spite of the ability to apply technology to reduce or eliminate the problem in certain fisheries. This can be shown by examination of data compiled from inspection of fishing vessels. Table 1 summarizes data from those vessels where records containing sufficient information for analyses were available. As shown, the percentage by-catch ranged from 0% to 50%. Such percentages, if applied to the total number of vessels from each Flag

State, provide some insight into the magnitude of the situation. Since in many instances the catch is discarded at sea, the extent of waste is apparent.

Table 1. Estimates of by-catch, discards (expressed as percentage of total catch) and catch retained as taken by various vessels in Subarea 5 and Statistical Area 6, 1974 (in metric tons).

Country	Number of vessels boarded	Average by-catch per vessel % of total catch	Average discards per vessel % of total catch	Total catch retained on board
Bulgaria	4	6.5	0.3	652
Canada	1	5.0	5.0	23
France	2	0	0	650
FRG	13	0.3	0	3,607
GDR	9	0.3	0.1	1,367
Greece	1	40.0	40.0	6
Ireland	2	50.0	35.0	650
Italy	9	13.3	12.7	1,214
Japan	25	16.8	9.2	4,402
Poland	27	7.5	3.3	6,823
Romania	3	8.3	2.3	774
Spain	50	22.7	22.1	9,196
USSR	76	15.7	5.6	12,251
UK	6	12.3	0	816

As has been pointed out, present catch limitations depend upon the accuracy of statistical controls of Member Governments. US and Canadian officials have on several occasions seriously questioned the effectiveness of the system. Since inception of the Scheme of Joint Enforcement, US officials have collected convincing evidence of failure by fishermen of Member Governments to maintain accurate logbooks on catch composition, discards, and disposition of catch. Such evidence was presented at the Fifth Special Commission Meeting (Miami, November 1974) and at this Annual Meeting. It appears evident to US officials that the present system has not worked very well, and must be augmented by steps which will assure compliance with catch limitations.

It is of continuing deep concern to the United States that resolution of the by-catch problem has not been achieved. A number of conservation measures approved by the Commission and ratified by Member Governments have, to varying degrees, alleviated the problem, but the United States remains firm in the belief that it is still a serious situation. The United States also believes that extraordinary measures will be required to reduce the by-catch to acceptable limits. Long-term correction although difficult will, in the view of the United States, require implementation of new fishing strategy and technology.

For the short term, however, such changes may prove impractical and other action is deemed appropriate.

Several apparent alternatives are:

- 1) Abolish the "Others" category and allocate each stock as appropriate to each Member Government. Each Member Government would be required to control its fishing vessels so that each country's allocation would not be exceeded. Each Contracting Government should be required to advise the ICNAF Secretariat of the regulation under which that quota would be taken and the catch recorded.
- 2) Implement a more restrictive by-catch limitation to limit the incidental catch of all species not directly allocated to a country, i.e., 1% of all other fish on board caught in that Subarea. This would restrict all vessels to rather narrow incidental catch restrictions for all species not allocated by country. Restrictions of this nature would provide enforcement officials with an enforceable conservation measure.
- 3) Impose gear and area restriction for those areas where the by-catch problem is greatest due to the rich mixture of species. Areas such as the closed area off Southern New England (for bottom trawls) and the haddock spawning area have the effect of reducing fishing mortality on various stocks and appear to have reduced by-catch.

The United States invites comments on the effectiveness and acceptability of implementing one or more of the above measures until such time as long-term solutions can be applied.