

# North Pacific Fishery Management Council

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## NEWSLETTER

The National Marine Fisheries Service announced at the North Pacific Fishery Management Council meeting in Anchorage that documents seized from Japanese fishing vessels indicate organized measures have been used by Japanese fishing associations to frustrate U.S. observer programs and at-sea enforcement.

U.S. enforcement officers during investigations of Japanese vessels for improper catch logging and reporting seized and subsequently translated Japanese language documents that indicate the Japanese Longline and Gillnet Association and the National Federation of Medium Trawlers used highly organized schemes to manipulate U.S. observer coverage on their vessels. The tactics included purposeful reductions in catch and restricting fishing areas to bias observer data, allowing the foreign vessels to avoid payment of poundage fees and resulting in inaccurate estimates of fish stocks by fishery managers.

The documents infer that vessels without observers aboard fished without restriction but reported only assigned quotas while ships with observers aboard artificially restricted fishing success in order to lower U.S. estimates of catches, thus skewing overall catch estimates for their fleet as much as 40% to 70% lower than actually caught.

The schemes also involved monitoring U.S. patrol units to prevent at-sea boardings of vessels that did not have observers assigned. Patrol craft location and movement information was exchanged by code between Japanese vessels to allow movement away from patrol vessels. When vessels without observers were boarded catch underlogging violations were often found.

The documents cover the years 1981-82 and indicate the same system was in effect in 1980. According to the NMFS report similar observer and enforcement countermeasures may, to some extent, be continuing. Observer coverage has increased from 20% in 1982 to almost 80% in 1984, making it more difficult to frustrate that program though probably not interfering with the operations of a "mutual warning network" to track and evade U.S. enforcement units.

While it is probably impossible to develop a precise figure for the difference between the actual catch and that reported through a "best blend" figure based on observer reports and Japanese figures, an estimate for 1982 suggests the two fleets in question may have taken as much as 195,000 mt of groundfish that was never reported. If it had been reported they would have had to pay

additional fees of almost 5 million dollars to the United States. A conservative estimate of the ex-vessel value for that amount of fish (sablefish, Pacific cod, turbot, etc.) exceeds 32 million dollars.<sup>1/</sup>

The Council heard the NMFS report on Tuesday, the first day of their meeting, and late Thursday were asked for advice from the U.S. State Department on how the last allocation to Japan for a directed fishery for 1984 should be handled. Foreign allocations are dispersed in four portions: at the first of the year, in April, in June and in August. The last, in August, is the smallest, but Japan had been earmarked for 150,000 tons in the release which was pending in the State Department. The State Department had recommended a 20% cut in that allocation because of the violations described but were holding release until they received a Council recommendation.

On Friday morning the Council placed the subject on the agenda as its first item of business and after discussion Council member John Winther made the following motion:

"We have heard that Japanese fisheries associations which we have trusted and worked with for years have been engaged in a scheme to under-report their catches. They have confused and frustrated the U.S. observer and enforcement programs and in doing so have greatly increased their catches and profits.

Based on that information I move that the North Pacific Fishery Management Council recommend that the Department of State not allocate any more fish to Japan to catch off Alaska.

The two Japanese fisheries associations implicated in this conspiracy to steal fish say they can explain the documents found aboard their ships last year. I am willing to re-assess my motion once that explanation is brought before the Council."

The motion passed unanimously. Council members expressed concern about Japanese behavior for many reasons. They pointed out that the violations eroded our confidence in the data base for all groundfish fisheries, since they are derived in large part from observer reports and foreign catch figures, that they did not feel the Japanese had been living up to the agreements they had made for reciprocal trade in fisheries, that their trade barriers still existed, and that their commitment to direct purchases from American processors and in joint ventures had not been fulfilled as they had agreed at industry-to-industry meetings over the past year.

The State Department has not made a decision on the release to Japan as of October 3.

Senators Stevens and Murkowski and Congressman Young have all expressed their support to the Department of State for the Council's recommendation as have Senators Gorton and Packwood of Washington and Oregon.

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<sup>1/</sup> Figures derived by Council staff from NMFS data.

