

**CONVENTION FOR THE CONSERVATION OF ANAD-  
ROMOUS STOCKS IN THE NORTH PACIFIC  
OCEAN (TREATY DOC. 102-30)**

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**HEARING**

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS**

**UNITED STATES SENATE**

**ONE HUNDRED SECOND CONGRESS**

**SECOND SESSION**

—————  
JUNE 17, 1992  
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# C O N T E N T S

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	Page
Colson, Hon. David A., Deputy Assistant Secretary, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State .....	4
Prepared statement .....	6
Lauber, Hon. Richard, Chairman, North Pacific Fishery Management Council, and Commissioner, International North Pacific Fisheries Commission .....	15
Prepared statement .....	17
Packwood, Hon. Bob, U.S. Senator from Oregon .....	3

## APPENDIX

Responses of the State Department to Questions Asked by Senator Pell .....	25
Deeble, Ben, Ocean Ecology Campaigner, Greenpeace USA .....	27

# CONVENTION FOR THE CONSERVATION OF ANADROMOUS STOCKS IN THE NORTH PA- CIFIC OCEAN (TREATY DOC. 102-30)

WEDNESDAY, JUNE 17, 1992

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 2:18 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Claiborne Pell (chairman) presiding.

Present: Senators Pell and Murkowski.

The CHAIRMAN. The committee will come to order.

I am very happy to welcome today's witnesses to our committee for its consideration of the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, or, as it is more commonly and easily known, the North Pacific Salmon Treaty.

The first witness will be the distinguished Senator from Oregon, Mr. Packwood, who will be followed by Mr. David Colson, Deputy Assistant Secretary for Oceans and Fisheries Affairs of the Department of State. Finally, our committee will hear from Mr. Richard Lauber, Chairman, North Pacific Fishery Management Council. I look forward to the witnesses' testimony.

The centerpiece of this convention is its prohibition on high seas fishing for Pacific salmon. It also creates a new organization, the North Pacific Anadromous Fish Commission, to promote the conservation of those stocks. Russia, Japan, Canada, and the United States are parties to it.

I know the Senator from Alaska, Mr. Murkowski, has a strong interest in this convention, and he might care to make an opening statement.

Senator MURKOWSKI. Thank you. I will be very brief, Mr. Chairman.

Let me thank you for the expeditious scheduling of this hearing. I want to recognize Senator Packwood, who has worked very hard and diligently to accomplish what is being resolved here today. Really, this treaty is a very important one in the interest not only of my State of Alaska but of the entire west coast of the United States. I have been looking forward eagerly to completion of this for some time.

The agreement really represents a milestone. For the first time, all the major salmon producing countries have reached a consensus against the taking of anadromous fish on the high seas, a goal that we have been working toward for a long time.

I have been involved in the issue since I came to the Senate. Clearly, it was evident for some time that the harmful impact of high seas fisheries for salmon was a reality that was being brought to our attention by not only those on the west coast of the United States but particularly in my State, from the native villagers of western Alaska, who found their salmon runs diminishing and the welfare of their subsistence lifestyle placed at great risk by the interception of Alaska-bound fish, that is anadromous fish, fish that were hatched in our streams.

In 1986, I chaired hearings in this committee on that subject. Between then and now, I, as well as a number of my colleagues, have continually urged that strong measures be taken. This treaty, I think, bears some notability because it differs from previous international agreements on North Pacific fisheries in two all-important respects.

First, it calls for a complete ban on directed fishing for salmon and steelhead trout in the international waters of the North Pacific. Second, it recognizes the extremely important role of the Russian federation as a producer of wild Pacific salmon and makes the federation a full partner in this new conservation enterprise. I think it is particularly noteworthy, Mr. Chairman, that we had the President of the Russian Republic, President Yeltsin, before us today.

Another critical element of this new agreement is its commitment to enforcement. Under its terms, the four salmon producing nations will work cooperatively to eliminate illegal high seas salmon fishing, and each will gain the authority to take firm action when unauthorized fishing activities are discovered.

I would hope, Mr. Chairman, that this agreement will completely dispel any remaining uncertainty over the propriety of high seas enforcement actions taken to protect anadromous species.

I am also especially pleased to note that, among the authorities given to this new international body formed by this treaty is the power to establish a program calling for all nations to require a certificate of legal origin for salmon imports.

This proposal is patterned after legislation which I introduced and which passed the Congress as one of the 1990 amendments to the Magnuson Act. It is aimed at halting the flow of illegally taken salmon and steelhead in the international salmon markets, which has badly damaged the economic interests of the United States and other countries that produce salmon in legal fisheries.

Basically, it would provide for a form of a chain of title so that the origin of the fish would be known at all times.

Finally, Mr. Chairman, the old convention served its purpose well. The International North Pacific Fisheries Commission established by it was both the source and the arena for making great strides in fisheries conservation. However, I think it's fair to say that we're in agreement that its time has passed. Now it's time for the new partnership represented by this treaty.

On behalf of my colleagues, Senator Stevens and Representative Young, Mr. Chairman, again we thank you for this opportunity to proceed with this important matter. I look forward to hearing the remarks of our distinguished witnesses and of my colleague, the Senator from Oregon.

The CHAIRMAN. Thank you. Senator Packwood, the floor is yours.

**STATEMENT OF HON. BOB PACKWOOD, U.S. SENATOR FROM OREGON**

Senator PACKWOOD. Thank you, Mr. Chairman, Senator Murkowski. I am delighted to be here today to express my support for the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean.

This treaty, signed by the United States, Canada, Japan, and the Russian federation, brings to an end a Japanese high seas fishery that has been of great concern to the people of my State of Oregon.

Such an agreement was made possible only through the hard work and sensitive negotiating by the Department of State and others. They are to be commended for this historic agreement which has already been ratified by the Japanese Diet.

The prohibition of high seas fishing for North Pacific salmon will have the direct effect of protecting United States-origin salmon species. Some of these salmon species have been in decline, bringing economic hardship to many Oregonians who have traditionally made a living from the salmon fishery.

This convention promotes not only conservation of Pacific salmon throughout their migratory range, but also protects marine mammals, seabirds, and other fish species that interact with these resources.

When Congress established the 200-mile exclusive economic zone in 1982, many major difficulties in fisheries conservation and management were resolved. However, the salmon from the United States, Canada, Japan, and the Russian federation intermingle extensively in the North Pacific and move beyond the exclusive economic zone of their country of origin, making their management and conservation extremely difficult.

Since our Pacific salmon are not confined to the U.S. exclusive economic zone, they have been harvested entirely or partially in the areas beyond the exclusive economic zone control.

Ratification of this convention will insure that the United States receives the fullest possible economic, social, and recreational benefits from the salmon produced in our waters.

Mr. Chairman, let me also say that the ratification of this agreement will complement our efforts in Congress and the efforts of the international community to put an end to high seas driftnet fishing. Driftnet fishing by foreign fishing vessels on the high seas has been another reason for our declining salmon stocks and for the destruction of thousands of seabirds and marine mammals.

I look forward to seeing an end to driftnet fishing at the end of this year, as called for by the U.N., and an end to directed high seas fishing for North Pacific salmon, as required by this convention.

I thank you, Mr. Chairman and Senator Murkowski, for the opportunity to testify. I hope that you can act speedily on this matter.

The CHAIRMAN. Thank you very much. I would defer to Senator Murkowski, who has a prime interest in this matter.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

I appreciate your statement, Senator Packwood, and I totally agree with you. Thank you for your presentation. We obviously have a common interest, and that is to maintain the renewability of the resource.

As a consequence, you know as well as I, that these fish spawn in our streams, and we do not control the adequacy of escapement. The runs will be lost forever and the inability to try to address corrective measures after the barn door is shut is such that, well, we know the consequences of that. We also know from lessons learned with regard to development that we can do a better job of enhancement by sound science, rather than emotion. I think we are developing that expertise within our various agencies, both Federal and State.

I thank you for your commitment. You have been a pioneer in this area for a long, long time. I think we have reached another milestone. We still have many to go, as you have indicated.

The CHAIRMAN. Thank you.

Senator MURKOWSKI. Mr. Chairman, thank you.

The CHAIRMAN. Thank you very much for being with us and taking the time to come here.

We now would welcome the Honorable David Colson, Deputy Assistant Secretary for Oceans and Fisheries Affairs, an old friend of the committee.

**STATEMENT OF HON. DAVID A. COLSON, DEPUTY ASSISTANT SECRETARY, BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS, DEPARTMENT OF STATE**

Mr. COLSON. Thank you very much, Chairman Pell. I, too, am very delighted to be here today.

I do have a prepared statement and would ask that it be put in the record. I would like to simply summarize a few brief comments.

The CHAIRMAN. Without objection, it will.

Mr. COLSON. As Senator Murkowski said, we are here today marking the end of an era and the beginning of a new one on North Pacific salmon issues. This new convention, bringing together Japan, Canada, the United States, and Russia, is the culmination, really, of more than 50 years of effort by the people in Washington and Oregon and Alaska, their Congressmen and Senators, congressional staff, the officials and scientists of the Fisheries Service, the officers and men of the Coast Guard, the concerned State governments, and my predecessors at the State Department.

From the earliest sightings in the 1930's of a Japanese-directed salmon fishery off the beach at Bristol Bay, we have devoted ourselves to the proposition that the state of origin should receive the benefits of its salmon production.

Our efforts have taken many forms over the years, including the early establishment of the abstention line under the old INPFC arrangement, our 200-mile zone, and, more recently, the creation of bedrock principle in the 1982 Law of the Sea Convention, prohibiting high seas salmon fishing except for the one single exception created for Japan in the LOS negotiations, to allow it to phase out

its directed high seas fishery so as not to entail economic dislocation.

It has taken many years of continual and persistent effort to bring to an end the directed high seas salmon fishery by Japan. Many reasons could be given for why we have succeeded at this point. But I believe that three are overriding.

First, the ease in tensions a few years ago with the Soviet Union made it possible for the first time for the United States and Soviet Union to cooperate and coordinate positions of mutual interest in relation to North Pacific fishery issues. Our cooperation with the Soviets, together with Canada, was key to insuring that our common coastal state salmon perspective was at the forefront of all of our bilateral and multilateral fisheries discussions with Japan over the last few years.

The second is that, within the last few years, Japan came to realize that its interest in producing salmon had begun to outweigh its interest in having a high seas salmon fishery. This led it to the conclusion that maintenance of its high seas fishery might soon attract other countries to become involved. Japan, thus, began to see itself as a coastal state producer of salmon, concerned about potential interception, thereby resulting in a rather dramatic shift in its attitude.

Third, under customary international law principles, Japan's fishery could be justified only in reliance upon an economic dislocation argument. The vision of the 1982 Law of the Sea Convention was to phase this fishery out. Japan has done so, knowing that it could not well rely for long on a tenuous argument.

Mr. Chairman, the prepared testimony goes into some detail on the various articles of the convention, and I will not repeat that here. It has been noted that the centerpiece of the convention is its prohibition on the directed fishing for salmon on the high seas beyond the 200 miles in the North Pacific Ocean and Bering Sea.

Beyond that, there are four features of this convention that I would like to bring to your attention because I believe they are the areas to which most of our attention will be drawn in coming years.

First, the convention establishes a mechanism to create rules to minimize the bycatch of salmon in other fisheries in the convention area. Salmon bycatch is a problem in all of our fisheries, and one can assume that much of the work of the new commission will be focused on the bycatch issue.

Second, the convention requires that the governments prevent the trafficking in illegally caught salmon. As those who follow this matter know, the illegal salmon market is something that we must get a hold on. The basic rule that we have created in the new convention establishes our four countries' commitment to that end.

Third, one mandate of the new commission is to consider the establishment of a certificate of origin program which, as Senator Murkowski has noted, was enshrined in our laws in 1990. This will be a central feature of a comprehensive program to shut down the illegal salmon market.

Fourth, and this is a point that I believe has not been noted previously, but which I believe will be very important, the scientific research provisions have important safeguards to insure that we receive information on any scientific programs related to fisheries

that result in salmon bycatch, and, indeed, if such programs result in significant salmon bycatch, they can be disapproved by this commission.

This insures that, as new fisheries are developed in the North Pacific Ocean, we will receive information on salmon bycatch and we will have a control on the development of those fisheries so that we do not run into the problem that we ran into with the squid driftnet fishery.

I would note, in addition, our expectation that, upon entry into force of this convention among the four primary states of origin—Russia, Canada, Japan, and the United States—other states of origin of the North Pacific; namely, China, North Korea, and South Korea, would wish to join this convention. That eventuality would stand us in good stead, insuring that those countries comply, as well, with the basic principles of this convention.

This convention does mark the end of an era and the beginning of a new one in regard to protecting the salmon resources that we produce in U.S. rivers. It especially marks a new era in that Japan was the first to take this issue up and has been the first country to ratify and deposit its instrument of ratification to this convention, evidencing its strong interest in going forward on a new track with the three other countries.

We look forward to early and favorable action on this convention by the Senate. I would be happy to answer any questions you may have.

[The prepared statement of Mr. Colson follows:]

#### PREPARED STATEMENT OF MR. COLSON

Mr. Chairman and members of the Committee, I am pleased to be here today to provide the comments of the Department of State regarding the Convention for the Conservation of Anadromous Stocks of the North Pacific Ocean that was signed in Moscow on February 11, 1992, by representatives of Canada, Japan, the Russian Federation, and the United States of America. As you may be aware, the anadromous stocks that are covered by this Convention are six species of Pacific salmon, including steelhead trout, that migrate extensively on the high seas of the North Pacific beyond coastal state 200-nautical mile zones. The Convention signatories are the major states of origin of such stocks.

The new Anadromous Stocks Convention is the culmination of many years of talks, led principally by the United States, which have been aimed at developing a new regime for the protection of coastal state-of-origin interests with regard to anadromous species in the North Pacific. The Convention will—at long last—end high seas salmon fishing in the North Pacific Ocean. It will also lead to increased cooperation in efforts to discourage any unauthorized high seas fishing activities that may adversely affect the conservation of Pacific salmon.

The new regime which will be established by the Convention will integrate two separate and independent processes which have been underway in the North Pacific for a number of years, namely, the U.S.-Japan-Canada process reflected in the International North Pacific Fisheries Commission (INPFC) Treaty and the bilateral process between the former Soviet Union and Japan. Through these separate and independent tracks, progress was made in cooperative efforts to conserve and manage salmon. Further, through these processes, progress was also made toward the continual reduction of high seas salmon fisheries that, until recently, were still being conducted. However, the United States and the other countries concerned believed that it was time to end high seas salmon fishing and integrate the two separate processes that I have just described.

Customary international law, as reflected in Article 66 of the 1982 United Nations Convention on the Law of the Sea, prohibits fishing for salmon on the high seas, except where this would cause economic dislocation for a State. Japan, however, has enjoyed a sanctioned high seas salmon fishery under a trilateral agreement with Canada and the United States, as well as under a bilateral accord with the former Soviet Union. The trilateral INPFC agreement (known formally as the International

Convention for the High Seas Fisheries of the North Pacific Ocean), gave the United States and Canada a means to limit Japanese interceptions of North American-origin salmon in a fishery ostensibly aimed at the harvest of Asian-origin salmon.

The United States has nevertheless maintained that any harvest of migrating Pacific salmon on the high seas is irrational due to the adverse affect it has on efforts of States to conserve and manage anadromous fish originating in their waters. In addition, U.S. Northwest and Alaska fishing interests have long desired to end such high seas fishing so that the United States could accrue full social, economic and recreational benefits from the fish produced in our waters.

As many of you have been aware, these U.S. interests had not been satisfied with the agreements involved with the management of Japan's high seas driftnet salmon fishery. Although progress had been made in getting that fishery to be gradually reduced over the years, it was clear that continued interceptions of U.S.-origin salmon were inconsistent with our desire to obtain the greatest socio-economic benefit from the fish produced in our waters. We believed that so long as any U.S.-origin salmon are caught on the high seas—either deliberately or incidentally—we were entitled to seek protection for our stocks through the international negotiating process. Our subsequent efforts resulted in the agreement now before you.

Why is it now time for a new regime? Mr. Chairman, there are three reasons. First, the growing reality facing all of us was that the two independent processes dealing with North Pacific high seas salmon conservation needed to be coordinated. So it only made sense in terms of efficiency and effective conservation and management of the resource for the two to be merged and integrated.

Second, it was time for Japan's directed high seas salmon fishery to be terminated. The fishery had been phased down in recent years, and we appreciated Japan's cooperation in that regard, but the time had come to end it altogether. As coastal state producers, the interest of all four countries is one of protecting their production. Japan's high seas fishery was inconsistent with that objective. And, importantly, it sent altogether the wrong signal for those in the region who watch our four countries and would like to catch our salmon on the high seas. The signal against such activity would only be clear when there was no directed high seas salmon fishery.

Third, as coastal state salmon producers, Canada, Japan, Russia and the United States need to cooperate to protect our salmon from being caught as bycatch in other fisheries conducted in the North Pacific Ocean. This is a complex challenge and these four countries could only succeed in addressing this issue if they worked together.

As you may have become aware through your review of the Convention, it has as its centerpiece a prohibition on high seas fishing for Pacific salmon, which will protect valuable migrating U.S.-origin salmonids. It also establishes a new international commission to promote the conservation of Pacific salmon throughout their migratory range in the high seas area of the North Pacific Ocean, as well as ecologically related species that interact with these resources, including various marine mammals, seabirds, and non-anadromous fish species. The new organization, which is to be known as the North Pacific Anadromous Fish Commission, will also serve as a needed venue for consultation and coordination of high seas fishery enforcement activities by the contracting parties.

The establishment of the new Commission will mark a new era in North Pacific fisheries cooperation. The new Commission will have important duties which we are confident will further U.S. interests. It will replace the INPPFC, which is being terminated. The new Commission should contribute significantly to the conservation of anadromous fishery resources and ecologically related species in the high seas area of the North Pacific Ocean. It will also serve as an effective forum for closer international coordination of North Pacific fishery enforcement activities on the high seas, which has been a major policy goal of the United States. In addition, it will be responsible for considering and making proposals with respect to certificate-of-origin regimes for Pacific salmonids to discourage unlawful harvest of such species, and to recommend measures to reduce incidental taking of Pacific salmon in non-salmonid fisheries.

As the new Convention will provide greater protection to migrating U.S.-origin Pacific salmon on the high seas, it should go far in helping U.S. interests accrue the fullest possible economic, social and recreational benefits from the Pacific salmon produced in U.S. waters. The benefits to be derived from the Convention and the organization it creates will, over time, make adherence to it extraordinarily worthwhile.

Mr. Chairman, I note that 1992 has been a historic year in the conservation of salmon in the North Pacific Ocean. I am pleased to report to you that Japan's Diet has already ratified the Anadromous Stocks Convention that is before you. For the

first time in over 40 years, Japan did not conduct a directed high seas driftnet fishery for salmon in the North Pacific Ocean. Thus, efforts to conserve U.S.-origin salmon under this new regime is already proving beneficial to U.S. interests. The Department also believes that, in a short time, other countries will become aware of the success that the primary states of origin of Pacific salmon have achieved under the new regime and will want to join in that regime. We stand ready to welcome the participation of all Pacific-rim states of origin of anadromous stocks in the new regime.

Mr. Chairman, I would be remiss in not noting that the Department benefited greatly throughout the negotiations from the support provided by the National Marine Fisheries Service and the U.S. Coast Guard. Equally important in our 4 year effort toward the successful conclusion of the Convention was the close cooperation, counsel, and advice provided by representatives of the States of Alaska, Washington and Oregon, as well as from various members of the U.S. fishing industry—all of whom support its early ratification. I also wish to acknowledge the support and advice provided by Congressional staff during the negotiations.

Finally, Mr. Chairman, I note that the details regarding the negotiations leading to the conclusion of the Convention are provided in the report that was transmitted to the Senate by the President on May 19. I would be pleased to answer any questions you may have regarding the negotiations or the Convention itself. I trust that you will view the Convention favorably and will act on it at an early date.

The CHAIRMAN. Thank you very much.

Then I would presume that the Japanese are very supportive of this treaty.

Mr. COLSON. Yes, sir, very supportive of this treaty.

The CHAIRMAN. Where is it being deposited?

Mr. COLSON. The depository government is the Russian federation.

The CHAIRMAN. Thank you.

I would turn to Senator Murkowski for further questions.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Mr. Secretary, I wonder if you could enlighten us a little bit on your understanding of the Japanese agreement to reduce half of their capacity for squid driftnetting as of July 1. It appears that a 50-percent decrease, while meritorious on the surface, may suggest that they might be front-end loading the areas where they are apt to intercept more fish or use more fishing boats.

I guess I would like to know your degree of satisfaction with the current posture of Japan in adhering to what we understood was a flat 50-percent reduction by July 1. Would you enlighten us with your own interpretation of whether you feel they are acting in the manner in which we anticipated, or at least understood, would be a 50-percent reduction?

Mr. COLSON. Yes, Senator.

In the U.N. resolution on driftnet fishing, which you are referring to, we reached agreement in that context that, beginning at the start of this year, the driftnet countries, Japan, Korea, and Taiwan, would reduce fishing effort in their existing fisheries by reducing the number of vessels involved, the length of their nets, and the area of operation, so as to achieve, by June 30, a 50-percent reduction in effort. As you well know, there are a number of components to the effort, including the number of vessels, the amount of gear they have in the water, and the fishing area and period concerned.

Japan will be reducing primarily by area and effort reductions over the course of the year. They have begun that process.

They had some 765 driftnet fishing vessels in one fishery or another. Now, of course, the directed fishery for salmon was a driftnet

fishery. Under the present legal structure of INPFC, they would be entitled, at least as a matter of law, to continue that directed fishery until this new convention is in force. Japan has opted, in 1992, to close that fishery down entirely. So, they have taken the 109 vessels, driftnet vessels, that were involved in the directed salmon fishing operation, and they are out of business. They are not fishing this year.

They have also reduced in 1992 the large mesh fishery, which was primarily focused on tuna fish. It has gone from 200 to 31 vessels.

Now, the squid driftnet fleet, the small mesh fleet, is going to undergo a different method of reduction. They are going only to be reduced by 30-some vessels at the start of the fishery in July. But they will have reduced that in September to 280 vessels, and in November to 140 vessels, and will be out by the end of December.

Senator MURKOWSKI. May I interrupt you there and ask you if that isn't the greatest exposure we have on the interception, that is, the small net driftnet, with the reduction of only 30, as you have indicated, as of July, with the rest of the reduction to occur in the balance of the year? Isn't that where our problem is?

Mr. COLSON. I would say that our greatest exposure was in the directed fishery, which, of course, they are closing down entirely. They are entitled, under INPFC, to continue to participate in the directed fishery, and they have chosen not to do that this year. So there will be no directed salmon fishery in 1992, in spite of the fact that, formally, we have not brought this convention into effect.

With respect to the squid driftnet fishery, it has traditionally had, other than the directed fishery, the greatest potential exposure to North American origin salmon. I think that is still true. But they have agreed to move that fishery westward, and the likelihood of any substantial numbers of North American salmon being intercepted is small. We have the continuation of our enforcement program and monitoring program through the rest of the year.

Senator MURKOWSKI. My information indicates that they traditionally, and have by your testimony, indicated a movement from the southern area as an act, a fait accompli. But by moving into the northern waters in the summertime in the process of the squid fishery, they begin to intercept the salmon that are intermingling in the northern areas, in that season.

I'm sure that you have expertise and information. But we are concerned that Japan has not necessarily moved in the spirit of reductions, but is taking advantage of an interpretation. Because of the various type gear and fisheries they have the intent to reduce the likelihood of interception in the small mesh driftnet fishery. What makes me particularly sensitive, I guess, is the fact that they have only seen fit to reduce by 30 vessels.

You do not seem to think that is significant.

Mr. COLSON. Senator, I certainly feel it is significant, and I think I would express your concern. It is an issue that we have to be on top of, mindful of, as we go through the remainder of the driftnet fishing experience for the remainder of 1992. But to hold out the point of view that Japan is acting in a manner that is inconsistent with the U.N. resolution goes too far. It seems to us that they have taken a very substantial step in agreeing not to participate in the

directed fishery, where more of our salmon are at risk, than in the small mesh fishery. They are clearly creating the rules and the conditions to be fully out of this fishery by the end of this year, which is really our goal.

Senator MURKOWSKI. I do not dispute that. As we both know, the Taiwanese indicated initially that they were willing to terminate as of July 1 or June 30. That was allowed, I guess, to be sidestepped when Japan said no, they wanted to go to the end of the year. Then everybody went to the end of the year.

I think I have made my point. My concern is the manner in which Japan is reducing only one segment of their fleet. The concern that has been expressed time and time again to me, in Alaska, by our fishermen is that they have evidence of interception by net marks on steelhead, as well as Chinook salmon, and they can come to only one conclusion, that the driftnets are very active in areas where the salmon are intermingling, and that is out in the North Pacific, on the high seas. I think it behooves us to communicate our concern to Japan. I know you have been doing that. But without hard evidence of observers on those boats, it's pretty hard to tell what they are getting.

We don't know, do we?

Mr. COLSON. We don't. We do not have an observer program for 1992, but we do have our enforcement program, and we have gotten pretty good coverage out there right now with the Coast Guard and Canadian overflights.

Senator MURKOWSKI. How many boardings have we had this year?

Mr. COLSON. I don't believe we have had any boardings. All of the fishery is so far over to the west right now. Most of the fishery and some of the net marks could be coming from the fishery that Japan has in the Russian zone right now, under Russian quotas.

I would not want to dispute you that there may be illegal fishing operations going on, and we are going to have to always be watchful of those kinds of operations. But I think that the Governments here, the four Governments concerned, are taking strong and effective action, consistent with the U.N. resolution, to get their industries out of this business and to be in full compliance with the resolution.

Senator MURKOWSKI. Is the State Department monitoring the Tskiji market at all?

Mr. COLSON. The Tskiji market?

Senator MURKOWSKI. Yes, in Tokyo—in other words, where most of the wholesale activity occurs.

Mr. COLSON. Perhaps I could ask our economic section in the Embassy in Tokyo what kind of monitoring system they have there. But I cannot respond to your question now.

Senator MURKOWSKI. Well, I don't want to pursue this other than that I think I have made an expression of concern as to the Japanese reducing just 30 boats as of, I believe you said, roughly July 1, with the 280 to come off during the balance of the year. That does concern us.

Perhaps you could give us a briefing in a little more detail in a different forum.

Let me ask you one more question.

With regard to the issue of enforcement, is it your understanding that the United States could basically seize another vessel under the treaty if we had reason to believe that there were illegal salmon aboard, caught on the high seas? Is that within your understanding of the convention between the four countries—the United States, Canada, the Russian federation, and Japan?

Mr. COLSON. We can seize the vessel. We can bring it to our port and hold it for the flag state to come, and the flag state then has an obligation to prosecute.

We do not have authority to prosecute a foreign flag vessel for a violation on the high seas. But we do have the authority to seize the boat and bring it to our ports and hold it until the flag state has retrieved the vessel.

Senator MURKOWSKI. If there is no penalty that is invoked by the flag state, is that covered under the convention?

Mr. COLSON. Well, the convention requires the flag state to have appropriate penalties, and, as well, one of the mandates to the commission is to develop a common standard set of penalties for each country to apply, so that the penalties in the United States and Canada, Russia, and Japan, would be comparable.

Senator MURKOWSKI. I gather that, when all countries have agreed to terminate the fishery, the type of gear, which is quite evident by the monofilament drum, the hundreds and hundreds of yards of net, that type of fishery on the high seas will be basically not replaced in any other type fishery. So, if a vessel is seen out on the high seas with this kind of gear, it can only be doing one thing, and that is basically driftnetting on the high seas, which is prohibited under the U.N. resolution as well as the spirit of the convention.

So the gear basically disappears from the high seas, the "curtain of death," as we have known it. Is that correct?

Mr. COLSON. That's right.

Senator MURKOWSKI. The question of apprehension still requires under the convention a surface apprehension, as opposed to a Coast Guard aircraft that may come down, get an identification, and file a complaint with a particular government. But still, that's just grounds for an objection, I gather. An actual apprehension would mandate that an enforcement surface vessel initiate a contact, a boarding, and so forth.

Is that correct?

Mr. COLSON. There must be a contact, a boarding operation. Under this convention, though, we have the right to board any contracting party's fishing vessel in any area of the North Pacific Ocean, outside of the 200 mile zones, north of 33 degrees north latitude. So it covers most of the North Pacific Ocean. The Coast Guard can board any fishing vessel that it finds.

One of the rules of the convention is a nonretention rule. If it finds one salmon on board that vessel, it's entitled to seize the vessel if that is the law enforcement choice. Our constraint is that we could not prosecute. We would have to hold the vessel and turn it over to the flag state.

Senator MURKOWSKI. Well, we have already seen one instance that I'm aware of, and there may have been more, where the Coast Guard has done an intercept, found a number of vessels with their

identification numbers covered, as well as the call signals on the roof of the bridge, and the stern identification covered with tarps. We are left with the reality that there is an illegal operation going. But, by the time you get a surface vessel out there, of which we have at the most two, the likelihood of apprehension has been quite remote, and we have not had much help from our allies. The Soviets, the Russians, I should say, have done a reasonable job from time to time.

But I think everybody is in general agreement that our surface capability for apprehension is pretty inadequate.

Mr. COLSON. Well, Senator, you are focusing on an issue of concern to me, and that is what do we do with fishermen—not governments, but fishermen—that are going to break the rules, particularly next year.

I hope it does not happen, but I anticipate that it will. We are considering mechanisms that we would have in place to deal with those kind of situations the best we can, given the assets that we have.

Senator MURKOWSKI. What would be the best mechanism?

Mr. COLSON. Well, we need additional authorities from potential flag states to board, search, and seize vessels that are found that we believe might be violating the basic U.N. resolution.

In the U.N. resolution, we laid a foundation for that, and we are having discussions with the countries concerned to see if we can develop understandings that would be somewhat consistent with the kinds of understandings we use in narcotics cases, when we find a vessel on the high seas that we suspect may be engaged in narcotics struggling, use those kinds of mechanisms to deal with these fishery problems where fishermen might be engaged in those kinds of illegal activities under their own countries' laws.

Senator MURKOWSKI. I do not dispute that. My concern, though, is if you do not have the surface apprehension coverage, you are only going to nibble at the problem. The fact that the gear will be observed as those vessels come ashore is a dead giveaway.

One other question and then I will have no further questions, Mr. Chairman.

In the agreement, is there any understanding that these nations will not sell their surplus vessels to a Third World nation or, say, the North Koreans, so that we don't get these vessels back out there under a flag where we have no recognition of that country and, hence, no ability to diplomatically address the ability to curtail or initiate communications?

What happens if they set up some kind of phony Hong Kong trading corporation and they end up under a North Korean flag and are back out there? Do we say well, we don't have diplomatic relations, so our hands are tied?

Mr. COLSON. Senator, we did cover that point, and there is a provision in article 4 paragraph 3 that everyone is to take measures to prevent this kind of reflagging operation. So, again, we have created the basic convention rule that it is an obligation on each one of us, each country's part, to not allow that to happen.

Again, we have to insure that everyone complies with the basic rule that has been created, including the United States. And, while we do not have this problem in this fishery, this question of

reflagging of fishing boats to avoid conservation rules is beginning to be a problem on a global basis around the world. It is something that I think, with your interest in fisheries, we need to take a good look at, generally, because we have a few problems of our own here that we have to look at.

Senator MURKOWSKI. Are there any teeth in that, or is it just a good faith effort by the signatories?

Mr. COLSON. It's a binding commitment in the treaty. Each party shall take appropriate measures aimed at preventing vessels registered under its laws and regulations from transferring their registration for purposes of avoiding compliance with the provisions of this convention.

Senator MURKOWSKI. Thank you very much, Mr. Secretary. I appreciate your candid responses.

Thank you, Mr. Chairman.

The CHAIRMAN. I have one additional question.

The convention relies a great deal on the principles outlined in the Law of the Sea Treaty, Article 66. Have changes occurred in the international marine resource issues to cause the United States to reevaluate its position relative to the Law of the Sea Convention?

Mr. COLSON. Senator, you know that we have maintained very firmly our satisfaction, our compliance, and our expectation that the nonseabed provisions of the Law of the Sea Treaty are customary international law that the United States subscribes to and that we promote. I think this particular convention is evidence of putting article 66 into practical effect.

Our concerns about part XI, the deep seabed mining part, do remain. But, as you are aware, informal discussions are continuing in New York to see if conditions exist that would perhaps provide some new opportunities in that area and to fix that part XI.

The CHAIRMAN. I am very glad that that is going on. We would hope that it would lead to results or, if nothing else, I will continue to believe that there should be some sort of representation at Prepcom, rather not at Prepcom now, but at the convention headquarters in Jamaica. Are we any further down that road or not?

Mr. COLSON. No, sir, we're not with respect to Prepcom. Our concern is that that would send the wrong signal—that we were interested in pursuing a solution in that context. Since Prepcom's mandate is related only to making part XI work, we don't really think that's the right forum. That has been a longstanding position. But we have indicated a willingness to explore points of view in the Secretary General's initiative and to participate in a low key way to see if attitudes have changed sufficiently so that the deep seabed parts might be fixed in a manner that would be acceptable to the United States.

The CHAIRMAN. That would be wonderful news.

I thank you for being with us.

Senator MURKOWSKI. I have one further point, Mr. Chairman.

The CHAIRMAN. Yes?

Senator MURKOWSKI. It is my understanding that what we as a committee did was give the State Department the authority in an authorization to proceed at your option on the certificate of origin concept, which, theoretically, is a titling of the salmon, so that it

could be traced as to where it came from. So, theoretically, a buyer would be put on notice as to the legality of the source.

Is it your intention to try to implement that certificate or origin authority?

Mr. COLSON. What I would hope is, as soon as we have the commission set up, which I hope will be in this calendar year, that one of the first things they would do is begin to create a program so that all of the major salmon producers go to all of the major salmon importers and create a system of rules that will make the certificate of origin program a reality.

We have been concerned that the major importers are not going to be very responsive to individual efforts by individual salmon producers. The major producing countries have to go to Thailand, the Philippines, and others hand in hand and say OK, this is what we want to do, and this commission will give us the opportunity to do that.

Senator MURKOWSKI. I think that will go a long way toward addressing the growing concern and the reality that a black market or a "laundering" of salmon was flourishing for some time.

On my many trips over the last 20 years to the Orient, I discovered that Thailand was actually canning salmon, when Thailand is several thousand miles away from any anadromous salmon resource. I was able to buy a salmon in Singapore, which is in the same situation. Clearly this was evidence of being able to take this product from the high seas driftnet fisheries on small trampers and move it into areas where they could process it with relatively cheap labor and put it back on the world market.

The Asian nations were exporting most of that canned product into northern Europe and moving the fresh product, some of it would move through Canada, come into the United States, and then be imported as U.S.-origin into Japan.

We all recall those horror stories of 4 or 5 years ago about the magnitude of what was going on. I would hope that this certificate of origin would eliminate that.

Unfortunately, that salmon I bought did not turn out to be an Alaskan salmon. The National Marine Fisheries did an identification. But it was a Washington State salmon, bred in one of the Washington rivers.

It's amazing what they can do with those scales in their studies.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Thank you, Mr. Colson.

Mr. COLSON. Thank you.

The CHAIRMAN. We now come to the Honorable Richard Lauber, Chairman of the North Pacific Fisheries Management Council and Commissioner of the International North Pacific Fisheries Commission.

Mr. Lauber, welcome. I hear that you took a long trip down here from Juneau. We thank you for being with us.

**STATEMENT OF HON. RICHARD LAUBER, CHAIRMAN, NORTH PACIFIC FISHERY MANAGEMENT COUNCIL, AND COMMISSIONER, INTERNATIONAL NORTH PACIFIC FISHERIES COMMISSION**

Mr. LAUBER. Thank you. I recall there was a much younger Mr. Pell in Juneau, AK, who went sailing with me one time. I believe you might be related.

The CHAIRMAN. That was my son. Yes. He was stationed there. He is in the Coast Guard.

Mr. LAUBER. Thank you, Mr. Chairman and Senator Murkowski. With your permission, I have submitted some remarks to the committee, and I would like to summarize those and will elaborate on a couple.

The CHAIRMAN. Without objection.

Mr. LAUBER. This is a very great occasion for me because I have been involved with the International North Pacific Fisheries Commission for over 20 years, as either an adviser or a member, and for the last 16 years as an adviser or member of the North Pacific Fisheries Management Council. Currently, I am serving as a Commissioner of INPFC and the Chairman of the North Pacific Council.

We go a long way back—I don't personally, but I know people that do—to the origin of this problem some 55 years ago when, on a bright, clear, July day in 1937, a charter plane with some fishermen and some processors, following up a rumor, found a mother ship operating with some catcher boats 17 miles off the coast of Egegik, which, for those of you who are not familiar, is right in downtown Bristol Bay, and that is at the heart of the sockeye salmon run at that particular time. Apparently, those vessels had been fishing on those fish on the high seas and followed them right into the coast of Alaska.

Obviously, that did not go over too well with the fishing interests of the West. We, I am told, started immediately to negotiate with Japan to terminate that fishery. This meeting, if we ratify this agreement, will culminate that long quest.

We were not successful. We negotiated with the Japanese up until December 1941, when there was a slight interruption in our negotiations, and we started again sometime about 1946. In 1952, we were successful in creating the International North Pacific Fishery Commission.

At the time, we thought that was going to solve our problem because we drew the abstention line, which was at 175 degrees west, and the Japanese agreed not to fish east of that line. But we were not correct.

We found out that our salmon ranged far beyond that line. In all of our negotiations, we were never able to get the Japanese to agree to a change in the INPFC.

That was, however, renegotiated after the Magnuson Act passed in 1978, when we were able to move them back about another 500 miles. That still did not terminate our interceptions, but it greatly reduced them.

You could say that we won a lot of battles, but we didn't win the war. In this particular case, we had to go back and renegotiate.

The breakthrough came with the signing of the Comprehensive Fisheries Agreement between the United States and the then-Soviet Union in 1988. The first meeting of that group—and, by the way, I want to thank this committee for creating in that agreement, when it was ratified, an advisory group, which is composed of 10 people involved in and knowledge of the fishing industry, that act as advisers to the U.S. Department of State in these negotiations.

We have met a number of times with the Department of State and hope that we have been somewhat helpful to them in their efforts.

We met a number of times with the Soviet Union and, with the help of the Soviet Union and our group, we were able to come up with an agreement. At that time, we submitted that to Canada and Japan. And, after a number of negotiations, as you know, that resulted in the signing of the current agreement in February of this year, in Moscow.

The significance of this has been outlined before by others, particularly Mr. Colson. But I wish to mention, of course, that this convention would prohibit the directed fishing for salmon and steelhead in the North Pacific. That is something that we have been trying to do, as I mentioned, since we first discovered the fact that the Japanese were targeting on North American stocks.

Also of significance is the problem of, that it would prohibit trafficking of salmon that is taken in violation of this treaty. That, as you know, has been a continuing problem, and it may well be that there will be violations by pirates, so to speak, that will be engaged in fishing operations.

So we feel that this is a significant part of this agreement.

This agreement will also address the incidental take of salmon in other fisheries. It will allow us to work if there are new fisheries created. We, for instance, do not know what that squid fleet is going to do if they terminate their fishing with driftnets. I suspect that they will go into some other type of fishing. We want to make sure that that other type of fishing, whatever it might be, does not take salmon.

We hope that this agreement will provide us the mechanism to assure ourselves that that will not happen.

I think the significant thing is agreements are one thing, but, without enforcement, they may not mean much. I think the provisions that allow us to board vessels, inspect vessels, seize vessels, detain vessels, return them to our ports, where they will be turned over to the flag state, is a significant portion of this agreement.

Also, we feel that this organization will provide a forum of these nations, the four salmon-producing nations of the North Pacific, and hopefully other nations if they join, to discuss fisheries and oceans matters concerning the North Pacific.

One of the significant accomplishments of the International North Pacific Fisheries Commission is, while it was not able, oftentimes, to change agreements and move lines and so forth, we did get, in many cases, domestic regulations that reduced salmon fishing on our stocks. Probably the most important contribution to the fishery was the collection of fishery data, which was oftentimes used in negotiations. In fact, the data that was collected under

INPFC, with the cooperation of all three states, Japan, Canada, and the United States, in large part is the reason we were able to have the information that we could use in negotiating this agreement.

I thank this committee for the support that you have given us over the years in our negotiations, and I would hope that you would be able to ratify this new convention.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Lauber follows:]

#### PREPARED STATEMENT OF MR. LAUBER

Mr. Chairman and members of the committee, my name is Richard Lauber. I wish to thank you for this opportunity to come before you today to speak in favor of something I regard as a major accomplishment in our efforts to conserve this nation's fisheries resources. I am referring, of course, to the new Convention for the Conservation of Anadromous Stocks of the North Pacific Ocean.

I have served for over 20 years as an adviser to or Commissioner of the International North Pacific Fisheries Commission (INPFC), and for 16 years as an adviser to or member of the North Pacific Fishery Management Council (NPFMC). I presently serve as a Commissioner on the INPFC, and as the Chairman of the NPFMC. I also serve on the North Pacific and Bering Sea Advisory Body which advises the U.S. Section of the U.S./Russian Intergovernmental Consultative Committee (ICC) on matters relating to the implementation of our fisheries agreement with the Russian Federation (formerly the Soviet Union). It was through the initiative of the U.S./Russian advisory body that this new agreement came about, something that I am particularly proud to have been a part of. This new convention, coupled with our success at the United Nations in securing an international moratorium on the use of high seas pelagic driftnets, should go a long way towards protecting our salmon and steelhead as they migrate beyond our waters and into the high seas of the North Pacific and Bering Sea.

Mr. Chairman, this new convention comes at a most opportune time. As you and the other members of the committee are aware, the North Pacific Ocean and the Bering Sea contain some of the world's most productive fisheries, and fleets from all over the world fish here for salmon, herring, crab, bottomfish, and squid. Within recent years, these fisheries have changed dramatically. As the distant water fleets have been pushed out of the 200 mile zones of the coastal nations, fisheries in the international waters of the North Pacific have grown in size, area of operation, number of nations participating, and species harvested. This in turn has led to increased pressures on a broad range of fish stocks and other living marine resources. To those of us involved in the fisheries of the North Pacific, it has become apparent that existing management agreements are not adequate to protect our fish stocks and our domestic fisheries.

This problem has been forcefully brought home to Alaska with regard to two of the North Pacific's most prominent international fisheries issues: high seas interception of North American salmon and steelhead by the driftnet fleets of Japan, Taiwan, and Korea; and overfishing of pollock by the unregulated trawl fisheries of Japan, Korea, Poland, and China which are conducted in the so-called "donut hole" area of the central Bering Sea.

In both instances, large fleets operating beyond our 200 mile zone are having a dramatic impact on marine resources inside our zone and are posing major economic problems for our domestic fisheries. In both instances, existing international agreements have not been adequate to manage these distant water fisheries, nor have they been sufficient to protect the fish and wildlife resources of the North Pacific or the livelihood of our fishermen. That is why we have had to resort to extraordinary measures to protect our interests.

For example, in the case of the squid driftnet fisheries, with your help, we went to the United Nations where we successfully achieved a worldwide moratorium on the use of high seas pelagic driftnets beginning next year. And in the case of the donut hole, we have worked very closely with our Russian counterparts to host four rounds of multi-lateral talks to try to get the distant water fishing nations to cease fishing on that severely overfished stock of pollock. And, Mr. Chairman, it was through cooperation with our Russian counterparts that we secured this new convention.

Mr. Chairman, the events leading up to the signing of this convention go back to the 1920s and 1930s when the Japanese sent fleets of gillnetters into the en-

trance of Bristol Bay and were developing an offshore mothership fishery with gillnet catcherboats to fish off the coast of Kamchatka. This offshore fishery was terminated by the start of World War II, but the Japanese fleets again put to sea in the early 1950s.

In 1952 the United States, Canada, and Japan signed the International North Pacific Fisheries Convention (INPFC) to regulate the Japanese mothership and landbased high seas salmon fisheries. This treaty established the so-called "abstention line" which prohibited the Japanese from fishing to the east of 175 degrees west longitude (the longitude of Atka Island in the Aleutians). At the time it was thought that this would protect salmon of North American origin while allowing the Japanese to continue their historical harvest of Asian salmon. The treaty did prevent the Japanese fleets from fishing on the bulk of Alaska and British Columbia salmon stocks but did not adequately protect some of our central and western Alaska stocks or coastwide steelhead stocks.

In these early years the Japanese fleets gradually worked their way farther and farther to the east, catching more and more high value coho and sockeye salmon, increasing their catches of chinook salmon, and dramatically increasing their overall interceptions of North American salmon.

Research conducted under the INPFC by all three nations proved conclusively that significant numbers of maturing and immature salmon of primarily western Alaska origin migrated great distances to the west of the abstention line and were exposed to Japanese harvest. The impact on certain stocks, such as Bristol Bay sockeye and western Alaska chinook and coho, was severe. The estimate of the Japanese catch of Bristol Bay sockeye alone was approximately 2.5 million fish a year. In the case of western Alaska coho salmon, the high seas interception may have actually exceeded the inshore catch in many years. Taking into account dropout, the overall impact to Alaska fisheries could have approached a loss of roughly 10 million fish per year. Unfortunately, any change in the treaty required the agreement of all three nations. A stalemate continued from 1952 through 1978.

Adoption of the Magnuson Fishery Conservation and Management Act in 1976 led to a renegotiation of the INPFC in 1978. The 200-mile limit gave the United States control over significant areas that had been fished by the Japanese high seas salmon fleets. In 1978, the U.S. secured concessions in all of the Japanese high seas salmon fisheries but continued to allow limited fishing in our zone. This renegotiation resulted in a westward pullback of their landbased and mothership fleets by about 500 miles.

However, U.S. concerns over continuing interceptions of North American salmon led to a second round of negotiations in 1985-1986. These negotiations resulted in a scheduled phaseout of the Japanese mothership fishery in the central Bering Sea by the end of 1994. Restrictions were also achieved on allowable effort in their mothership fishery, as well as some pullback in their landbased fishery. However, western Alaska fishermen were still greatly concerned because the mothership fleet was still allowed to fish in the U.S. 200 mile zone, and the fishery south of the Aleutians would be allowed to continue indefinitely.

In order to fish in our waters, the Japanese had to acquire a marine mammal permit since they incidentally take porpoise, fur seals, and sea lions in the high seas fishery. Their acquisition of such a permit was challenged in U.S. federal court in 1987 by western Alaska fishing organizations and environmental groups. The Alaskans prevailed, with the result that the Japanese mothership fleet was excluded from the U.S. zone.

In summary, by 1990, the INPFC-regulated fisheries had been reduced since those early years, but concerns still remained about continuing interceptions by both the Japanese traditional landbased high seas salmon fleet and the converted mothership fleet. Also, during this period, the rise of the high seas driftnet fleets of Japan, Taiwan, and Korea in the North Pacific brought forth even greater concerns than those presented by the directed high seas salmon fisheries.

In the mid-1970s huge resources of "flying squid" were discovered by the Japanese to the south of the mothership and landbased salmon fishing areas. These "flying squid" are fairly large animals and the Japanese found that they could be captured with nets using the same mesh size as the nets used by the mothership and landbased fleets for salmon. As the salmon vessels were pushed out of the directed salmon fishery, they took up fishing for squid. It was a lucrative fishery, and Japan was soon joined by fleets from Taiwan and Korea.

Starting from virtually zero in 1977, by 1983 these fleets numbered nearly 700 vessels fishing nearly 1 million miles of net a year. Five years later, fishing effort had again doubled to roughly 2 million miles of net a year. Over 1,000 vessels, with some deploying 40 miles of net a night, were fishing the North Pacific by 1990-91.

Clearly, we were winning some battles but not winning the war. And, taken together, these events convinced us in Alaska that we had to try something new to solve the problem. The opportunity we were looking for came about with the thawing of relationships between the United States and the Soviet Union.

In May of 1988 the United States and the Soviet Union signed a comprehensive fisheries agreement which included provisions for cooperation to manage and conserve anadromous stocks of the North Pacific and pollock fisheries in the donut hole area of the Bering Sea. The agreement also established an Intergovernmental Coordinating Committee (ICC) as the organizational structure to implement the agreement.

The U.S./U.S.S.R. fisheries agreement was adopted by Congress in the fall of 1988 as a Governing International Fisheries Agreement (GIFA). The implementing legislation also established the North Pacific and Bering Sea Advisory Body which I serve on, which consists of 10 representatives from the fishing industry, five each from Alaska and Washington, as well as the heads of the two states' fisheries agencies.

The first official meeting of the ICC was held in Washington, DC, on February 6-9, 1989. At this meeting, the new direction North Pacific fisheries matters would be taking became apparent. The U.S.S.R. floated two draft proposals—one to manage Bering Sea pollock fisheries and a second proposal for a North Pacific/Bering Sea multilateral salmon agreement.

The Soviet salmon proposal would prohibit salmon fisheries outside the 200-mile zones of coastal states and establish a framework to address fisheries within the zones of the parties. If such an approach were agreed to by the major salmon producing nations of Japan, Canada, the U.S.S.R., and the United States, it would virtually eliminate interceptions of U.S.-origin salmon. The U.S. advisers took the Soviet proposal, revised it, and submitted it to the U.S. federal government for consideration. The revised text was further modified and adopted as a U.S. negotiating position for the next round of talks with the Soviets in Leningrad in September, 1989. After several days of hard work, the U.S. and U.S.S.R. negotiators had an agreed upon text for a new proposed salmon treaty.

This text was then presented to Canada and Japan for their review. After several rounds of negotiation, the convention which is before you was initialed in Ottawa. Following technical review in each nation's capital, it was officially signed in Moscow on February 11, 1992.

The new convention establishes a new organization called the North Pacific Anadromous Fish Commission. This new commission will replace the INPFC. Among other things the convention contains strong provisions for scientific cooperation, and I expect that the new commission established under the convention will take a central role in fisheries research in the North Pacific, much like INPFC has done.

Most importantly though, the new convention is built around a central principle prohibiting the directed fishing for anadromous species—salmon and steelhead—in the Convention Area which is described as the North Pacific Ocean/Bering Sea north of 33 degrees north latitude and outside 200-mile zones. Trafficking in salmon taken in violation of the treaty is also prohibited, a provision which should help us end the illegal harvesting and marketing of salmon on world markets by pirate fleets.

The convention also contains provisions to address the incidental taking of anadromous species in other fisheries. The incidental taking of salmon and steelhead in a non-salmon fishery, for example the squid fishery, must be reduced to the maximum extent possible. More importantly, the convention establishes a procedure to address incidental taking in non-target fisheries which puts the burden of proof on the fishing party to show that this requirement is being met. Retention of incidentally caught fish is prohibited. These provisions should ensure that the kinds of problems we have had with interception of U.S. salmon by the high seas driftnet fleet will not occur again, with the possible exception of illegal pirate operations.

However, the convention also sets tough standard for high seas enforcement which will help in this regard. Under the convention we have the right to board, inspect, seize, and detain any vessel of a Party to the Convention found to be in violation of the treaty or any such vessel for which there are reasonable grounds to believe might be operating in violation of the treaty. Actual trial and punishment, of course, are carried out by the flag state. There are requirements for the Parties to take action to penalize persons trafficking in illegally caught salmon as well.

Also, there are important provisions calling for enforcement cooperation between the parties. We have already seen the benefits of this cooperation earlier this year when the U.S. Coast Guard, the Russian Border Guard, and Japanese enforcement cooperated in an enforcement action involving roughly 20 driftnet vessels fishing outside of the legal fishing area. As the convention comes into force, this enforce-

ment net will play an important role in protecting our fish on the high seas, and hopefully will help put an end to the pirate operations.

But most importantly, the new commission will become a forum for the four major coastal nations to meet and discuss fisheries and oceans issues of mutual concern. This new forum should provide us with an opportunity to work together to solve some of the remaining major issues affecting fisheries in the North Pacific. If other nations join, and I understand that there have been indications that there is an interest in this regard, this forum could grow to even more significance.

Throughout the course of these fights to protect our fisheries, we have had the strong support of this committee and the Congress as a whole. I wish to thank you and the members of the committee for this support, and I am asking for your support for ratification of this new convention as part of our continuing effort to protect U.S. interests.

Thank you.

The CHAIRMAN. Thank you very much.

I have one question. As you know, there is a Northwest Atlantic Fisheries—as I believe it is called—too. Do you two ever sit down to compare notes about the effectiveness of different methods?

Mr. LAUBER. No, we do not.

The CHAIRMAN. Wouldn't it be a good idea?

Mr. LAUBER. Well, we have a common bond through the State Department, and we are briefed on occasion on what may be happening there and how it relates to us. But it might be a good idea, and certainly would have been to—are you talking about the ICNAF?

The CHAIRMAN. Yes, ICNAF I think it is.

Mr. LAUBER. Yes. No, we have not.

The CHAIRMAN. I just wanted to throw that out as a thought, that sometimes it helps to talk to somebody else who has exactly the same problem.

Mr. LAUBER. I'm sure it would be. I have found that any time that I am able to communicate with people in other regions, or, as far as that goes, other nations, on fisheries matters, it has always been beneficial.

Like everyone, we are short on time and money. Sometimes we are not able to do everything we would like. But it is a good idea.

The CHAIRMAN. Well, I do think it is useful to see how other countries of the world handle similar problems. That is a useful way to find the best solutions. That was the thought that occurred to me there.

Thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Mr. Lauber, I want to thank you for your testimony. You and I have known each other for a long time. We both came from a rainy town called Ketchikan.

Mr. LAUBER. That's very true.

Senator MURKOWSKI. I suppose if you start from there, you have webbed feet. But I won't look at yours if you don't look at mine.

In any event, your commitment and expertise is evidenced not only by your testimony, but by your tenure. I want to commend you for your diligence in pursuing the advancement of conservation and responsible management, which, as you and I both know, can only be done at the source. That is the assurance that the anadromous resource is regulated near the streams where that resource initially

comes from. That is the whole point of a management scheme that is workable.

I think the matter before this committee represents not only a substantial commitment by the nations of origin, but the realization that there is no equity when it comes to the bottomline, and that is the renewability of the resource.

I would like to ask just a couple of questions.

There has been concern mentioned about what happens to the fishing economies of these nations that are going to be terminating this fishery, the fishermen and so forth. I have been told that there is something called a jig machine and that the market for the squid is not going to terminate simply because the driftnets are gone. But the vessels lined with some kind of magic sewing machines, called jigging machines, will perhaps not be as efficient, but still will provide a livelihood.

Can you enlighten us as to this?

Mr. LAUBER. Well, I am not an expert on squid fishing. But I understand that before the high seas driftnet fishery was in existence, some type of jig machines or jigging was an operation that they used to catch squid. There may be other methods that I am unaware of. But I can recall someone talking about flying over the North Pacific one time. He looked out the window. It was at a time when they should have been over the ocean. He saw what he thought was a city that was below them.

When they asked, the flight attendant asked the pilot, and he said that they were flying over a squid fishing jigging operation. Apparently, they use the lights in order to attract the squid. This was a number of years ago. Maybe they can go back to that.

I presume that it is not as efficient for them.

Senator MURKOWSKI. It is probably more labor intensive, so they can employ more people.

Mr. LAUBER. Well, it may well be. But the overall harm to the resources, not only salmon, but others, made it a fishery that just could no longer continue.

Senator MURKOWSKI. You mentioned enforcement. We discussed that earlier. How do you foresee the potential threat that, if there is a substantial return out there, there are going to be risk takers, along with the realization that it is a big ocean and we have limited medium and high endurance cutters? Can we expect, in your opinion, greater assistance and enforcement from the other four nations?

Mr. LAUBER. Well, I think we will find some. Furthermore, I hope that we will find more cooperation, joint or cooperative enforcement.

I think one of the areas that we can look forward to that could help us is that the thawing of relations between the now Russian federation and the United States would allow fisheries enforcement to have better access to some of the technology that I suspect is there that is not being fully utilized for fisheries enforcement.

I suspect there are things that the military is keeping secret that they could tell us—not us, me, but the fisheries enforcement people—that could allow them to use their resources more efficiently to apprehend vessels that are fishing illegally.

I do not know this for sure. Naturally, it is a secret. But I strongly suspect that there is technology out there that could be put to a better use.

Senator MURKOWSKI. Yes. I can certainly vouch that that technology does exist. One of the difficulties is still the apprehension process. You can have, through various observation platforms, knowledge. But your ability to go out and try to apprehend, when a vessel moves at 15 or 20 knots, depending on its capability, and may be days away from the scene of the illegal activity, is where the problem is. We have not yet learned to lick that.

Maybe these countries, through the cooperative enforcement of their Governments, can stiffen the penalties to the point where it simply will not be worth the risk to initiate an illegal activity.

Mr. LAUBER. Well, I suggested during a negotiation, somewhat facetiously, that we could set up a joint enforcement with the Soviet Union and that the situation would work something like this: that if the alleged offender pled guilty, they would be sentenced by the United States; if they pled not guilty, they would be tried by the Soviet Union.

That, of course, did not find its way into the convention. But I think we could have some cooperative effort, certainly between the Russian federation and us.

My experience has been that once the Japanese sign an agreement and they commit to enforcement of it, they do a fairly good job of living up to their commitments, as far as their Government commitments.

The CHAIRMAN. I am reminded here, if my recollection is correct, that in the weather patrol in the North Atlantic, we used to have the participation of different governments. I think the Canadians and the British joined us. We would have specific grids. I remember serving on a vessel, a cutter, doing that. Maybe a similar arrangement could be made in the North Pacific, where there would be specific grids that would be covered on a permanent basis.

Mr. LAUBER. Well, with the limited funds that are available to our enforcement people, we are going to have to use everything that we can.

It has been my experience in dealing with the U.S. Coast Guard that they are fully committed to enforcement of this and other fisheries laws, and they do the best job they can with the money available. But anybody who has spent much time around the North Pacific can tell you that that is an awfully big ocean.

Senator Murkowski is correct in that a lot of times you can spot somebody, but you can't get there in time. That's why I thought that maybe if you could have the big bird in the sky look down and spot these people, maybe you could sneak up on them a little better.

Senator MURKOWSKI. Yes. I think there is more attention being given to that.

I would like to recognize the chairman, who was a former Coast Guard officer who had an illustrious career there.

The CHAIRMAN. I still am. I'm retired.

Senator MURKOWSKI. He still is, he reminds me.

I also was in the Coast Guard, but my career was not as illustrious. And I find that I'm not still in it.

Mr. Chairman, I have no further questions of this witness. I want to thank him and look forward to recommending to the committee the ratification of this treaty.

The CHAIRMAN. Thank you.

Thank you, very much, Mr. Lauber, for being with us.

Hearing adjourned.

[Whereupon, at 3:20 p.m., the committee adjourned, to reconvene subject to the call of the Chair.]



## APPENDIX

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### RESPONSES OF THE STATE DEPARTMENT TO QUESTIONS ASKED BY SENATOR PELL

*Question.* Will implementing legislation be needed for the United States to ratify this Convention? If so, please describe the types of authority you will be seeking. When do you anticipate this legislation being sent to the Congress?

*Answer.* Implementing legislation will be required. The Administration anticipates transmitting proposed legislation to the Congress soon. The legislation will be modeled after the laws that implement international fishery conventions for the United States. The implementing legislation will, in essence, repeal the North Pacific Fisheries Act of 1954 (P.L. 83-579), but will also be substantially modeled after that law.

*Question.* The United States' interests in this Convention include controlling salmon interceptions and high seas driftnet fishing. Could you characterize the objectives and interests of the three other Parties, and tell us how they may differ from U.S. objectives? In particular, what are the current Japanese views and objectives concerning the phase-down of their high seas salmon fishery?

*Answer.* The objectives of all four countries are similar. As previously noted, Japan has begun to look at salmon issues much as we do in the United States. Japan has growing salmon production out of its northern islands, and it wishes to ensure that it receives the benefit of that production. Directed high seas salmon fishing is inconsistent with that objective.

*Question.* The United States has received cooperation from Japanese, Russian, and Canadian fisheries enforcement officials in the recent past. How would this Convention improve upon what is already being done in the way of cooperative fisheries enforcement?

*Answer.* The enforcement provision of the new Convention (Article V) is modeled after the International North Pacific Fisheries Convention (INPFC) enforcement regime that has stood us in good stead for many years in the North Pacific. There are several points, however, which improve enforcement cooperation and capability. In particular, we will have clear authority to bring vessels in violation to our ports to hold until the flag state assumes responsibility for the vessel. Further, prohibitions on trafficking in illegally-caught salmon and reflagging of vessels to avoid complying with the Convention are substantial improvements over current conditions.

*Question.* What will be the U.S. financial contribution to the North Pacific Anadromous Fish Commission or NPAFC? Which agency will pay for this? Is this contained in the FY 1993 budget presentation?

*Answer.* The U.S. financial contribution to the North Pacific Anadromous Fish Commission will come out of the international fisheries commission account administered by the Oceans, International Environmental and Scientific Affairs Bureau of the State Department. We anticipate that our contribution will be similar to our present contribution to the INPFC, which is \$154,000 annually. INPFC will be dissolved, and we anticipate no additional resources will be required to fund our contributions to the new Commission beyond those which would have been programmed for INPFC. This matter was anticipated in the FY 93 budget presentation.

*Question.* As you are well aware, a GATT panel found that U.S. sanctions imposed on Mexico, pursuant to Sec. 101(a)(2) of the Marine Mammal Protection Act (P.L. 100-711), were not consistent with U.S. obligations under the agreement. Please explain the extent to which, if at all, this Convention may provide a sound basis for levying sanctions against offending nations such that these sanctions may not be found to contravene the GATT obligations?

*Answer.* The Convention does not specifically envision or authorize the use of trade sanctions to enforce its provisions. However, it does give the Parties the right to take appropriate measures, in accordance with international law and their respective domestic laws, to prevent trafficking in illegally caught salmon (Article III(3)) and to promote observation of the primary goals of the Convention by non-parties (Article IV(4)).

**Question.** The United States has negotiated bilateral high seas driftnet fishing agreements with Japan, the Republic of Korea and the Republic of China [Taiwan]. Will this Convention complement these bilateral agreements? Are there redundancies between these other agreements and the Convention? What changes, if any, will need to be made to the bilateral agreements to make them compatible with the Convention?

**Answer.** This Convention does complement the driftnet agreements with Japan, Korea, and Taiwan. However, we anticipate that all driftnet fishing will terminate by December 31, 1992, consistent with United Nations General Assembly Resolution 46/215. This Convention will provide a basis for monitoring unauthorized driftnet activity beyond the UNGA moratorium date, or any new fisheries which develop in the North Pacific Ocean that might have an impact on U.S.-origin salmon. We do not anticipate amending the current bilateral agreements in this connection, since they in all events expire at the end of 1992.

**Question.** Article XVIII provides for the possible involvement of additional nations in this Convention. What nations might become involved? What are the prospects, benefits, or liabilities of encouraging the involvement of the Republic of Korea and the Republic of China [Taiwan]?

**Answer.** The People's Republic of China (PRC) and North and South Korea produce a small amount of salmon. It would serve U.S. interests to have them committed to the basic principle of the new Convention that there be no directed fishing for salmon on the high seas. We see no downside to their involvement. Other countries, such as Poland, which fish other species in the Convention Area, would also be encouraged to participate so that their fishery would be subject to the bycatch rules adopted under the Convention.

**Question.** Article IV of the Convention provides that Parties shall cooperate in taking action, consistent with international law, to prevent non-parties from taking fish covered by the Convention. What measures do you envision the United States pursuing in this context?

**Answer.** The United States would feel very strongly if a non-party to this Convention began a brand-new fishery for salmon on the high seas of the North Pacific Ocean. This would be a gross violation of that country's customary international law obligations enshrined in Article 66 of the 1982 U.N. Convention on Law of the Sea. Should such an event happen, we would certainly respond, and encourage the other Parties to respond, to the maximum extent permissible under international law.

**Question.** The Convention authorizes Parties to seize the ships or arrest the personnel of other Parties engaged in violations of the Convention. Can similar measures be taken with regard to non-parties to the Convention?

**Answer.** Any country that fished in the Convention Area for salmon would be in violation of customary international law. At the same time, our authority to take enforcement action against a non-party to the Convention on the high seas to protect U.S.-origin salmon is less clear. We would no doubt take strong diplomatic steps in the first instance to stop such fishing operations before we resorted to consideration of actual enforcement to protect our interests.

**Question.** Article VII makes reference to coordination of scientific activities with the North Pacific Marine Science Organization (PICES). This Committee approved the Convention establishing that organization last year. How will this coordination be accomplished? More generally, could you provide the Committee with a brief description of the activities and effectiveness of PICES to date?

**Answer.** PICES will be focused on the more general scientific questions in the North Pacific Ocean, while the new Salmon Convention will be focused on more specific questions related to salmon and associated marine species. Coordination will, in the first instance, be required at the national level; in the United States, this will be the responsibility, in particular, of NOAA. PICES has progressed well. Its first annual meeting is scheduled for 12-17 October 1992 in Victoria, British Columbia, Canada. Dr. Warren Wooster of the University of Washington has been elected its first chairman. The U.S. academic delegate to PICES will be Dr. Vera Alexander, Dean, School of Fisheries and Ocean Sciences, University of Alaska; the government delegate will soon be selected. The present members of PICES include Canada, Japan and the United States with China having signed but not yet ratified the Convention and Russia expected to join in the near future. A small acting-secretariat has been established at the Institute for Marine Studies in Sidney, British Columbia, with office space provided and equipment being purchased.

**Question.** Concerning United States-Canadian relations, how does this Convention affect or relate to activities conducted under the existing 1985 bilateral Pacific salmon agreement between the United States and Canada?

**Answer.** The new Convention can be thought of as a way for the United States and Canada to cooperate to ensure that both United States and Canadian-origin

salmon return to our coastal waters. The 1985 Salmon Treaty between the United States and Canada established the framework for cooperation between the United States and Canada once the fish have returned to our shores.

*Question.* Please explain in what ways the activities conducted under the Convention will differ from the activities which were undertaken by the previous International North Pacific Fishery Commission. What will the new Convention allow us to accomplish which the old North Pacific agreement does not? It has been noted that the INPFC has multi-species management objectives, i.e., albacore and pollock, while the NPAFC is limited to salmon and PICES does not really address fisheries management issues. Why abolish the INPFC if it can address issues not covered by the NPAFC and PICES?

*Answer.* There are three areas of fundamental differences between the new convention and the INPFC. First, with the Japanese-directed fishery terminated, the focus will shift away from trying to control a Japanese fishery. Second, Russia will now be involved with the three INPFC countries in a four-country Commission. Third, the new Commission has mandates which go beyond science, including consideration of a certificate of origin program and establishment of a schedule for penalties for violation. In most other respects, however, we expect that the new Commission will carry on many of the basic objectives of the INPFC, because the Convention encompasses species ecologically-related to anadromous stocks.

*Question.* Article IV proposes that Parties independently take measures to prevent vessel reflagging as a means of avoiding the restrictions under this Convention. Why was this approach taken rather than the concerted approach taken by the North Atlantic Salmon Conservation Organization in their draft protocol for States not Party to the Convention for the Conservation of Salmon in the North Atlantic Ocean?

*Answer.* As a matter of fact, the Parties to the new Convention have begun consideration of a protocol along the lines of the one recently adopted by NASCO. Because such a protocol in the North Pacific context might address both the reflagging problem and the illegal market in Pacific salmon, its negotiation may prove to be more complex than the NASCO protocol.

*Question.* Article VII provides for scientific observer programs. What lessons have been learned from observer programs authorized under existing law which can result in better data collection under this new Convention?

*Answer.* NOAA's National Marine Fisheries Service probably has more experience designing and operating scientific fisheries observer programs than any other entity in the world. Whether the program is domestic or international, the keys to success are detailed planning for information collections, selection and training of capable observers, providing for adequate communications and observer safety, and debriefing of observers, not only to maintain data quality control, but to make appropriate adjustments to the program. The Service's training manuals and other documentation represent the "state of the art" which have been sought by and provided to many foreign nations.

*Question.* Article IX suggests enactment of a program for certificates of origin for salmon. Where have certificates of origin been used successfully? How have these existing programs worked? What has been the enforcement record for actions taken on fraudulent certificates of origin?

*Answer.* Certificates of origin for fisheries is a new idea. However, a certificate of origin-type requirement currently exists for imports of textiles into the United States. Additionally, plants and animals listed on Appendix 3 of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) must be accompanied by a certificate of origin. More than 100 species are listed on the appendix, including the American Black Bear. And, of course, we now have a certificate of origin program for tuna being enforced in the United States. However, we have not yet worked out a fisheries certificate of origin program where our objective was to have foreign countries respect U.S. or other producing states' certificates of origin. Thus, the question here is different from other certificate of origin programs, since we must ensure that salmon importing states, such as Thailand and Singapore, have effective rules for confirming that their salmon imports are legal exports from the producing states.

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PREPARED STATEMENT OF BEN DEEBLE, OCEAN ECOLOGY CAMPAIGNER, GREENPEACE USA

#### INTRODUCTION

I appreciate this opportunity to submit testimony on behalf of Greenpeace with regard to the Convention for the Conservation of Anadromous Stocks in the North

Pacific Ocean. Greenpeace is an international environmental organization with offices in 24 nations and approximately 5 million supporters, including 1.8 million in the United States. Greenpeace supports Senate advice and consent to ratification of the Convention, believing the Convention represents a significant advancement in international cooperation for the conservation of salmon, steelhead trout, and other species in the North Pacific.

#### EFFORTS TO CONTROL DESTRUCTIVE FISHING PRACTICES

For several years Greenpeace has been actively involved in investigating, commenting upon, and working for appropriate scientific assessment, environmental review, regulation, and effective enforcement of marine fisheries. Specifically we have been involved in monitoring, publicizing, and calling for a global prohibition of large-scale pelagic driftnet fishing. The United Nations has resolved that all large-scale driftnet fishing on the high seas should cease by December 31, 1992. This destructive fishing method as conducted in the North Pacific has direct relevance to anadromous fish stocks, other fisheries, and the larger marine ecosystems of the region. Large-scale driftnet fisheries may continue to impact anadromous stocks and ecosystems of the Pacific, particularly if they continue to operate within coastal waters of the region or illicitly on the high seas.

However, large-scale driftnet fishing is only one particularly obvious example of a general failure to adequately control or understand the impacts of fisheries. Such trends as overcapitalized fleets moving to international waters to exercise their "freedom" to fish on the high seas are now being recognized as fundamentally contradictory to the goal of ensuring the long-term integrity and productivity of marine ecosystems. Other trends such as significant increases in exploitation levels, and the introduction of more powerful or efficient technologies, should be, but often are not, conducted on an experimental basis where their operation is increased incrementally with complete evaluation every step of the way. We will continue to work to bring appropriate monitoring, management practices, regulation, and environmental review to other potentially destructive fisheries conducted in waters of the North Pacific and elsewhere.

#### CONVENTION BENEFITS

In our view the measures contained within the Convention, if effectively implemented, can form in part a basis for more comprehensive means of addressing protection of the marine environment from destructive fishing practices. For example, halting all high seas harvests of salmon and other anadromous fish within the Convention Area is critical to establishing meaningful programs and practices for the long-term conservation of these ecologically and culturally vital fish stocks.

Provisions contained within the Convention prohibiting trade in illicitly harvested fish, and agreement to take action to prevent non-Convention parties from harvesting salmon in the Convention Area, are very positive. In addition prohibiting vessel reflagging as a means to circumvent the Convention's fishing restrictions, reciprocal boarding rights, and provisions for the arrest and detention of Party vessels believed violating the Convention's terms, represent a much more direct means of enforcing compliance than has historically been available. Similarly, the Convention articles allowing for scientific observation of Convention Area fisheries, cooperative scientific research, and data exchange on anadromous species and ecologically related species are critical.

Annex II to the Convention (related to incidental taking of anadromous species in fisheries targeting other species) requires that the Party whose nationals or vessels are conducting the fishery in question be responsible for demonstrating that it is in compliance with the Annex before continuing. Where sufficient information is lacking or impossible to collect, the practical result of such precautionary fisheries management means the creation of a generous margin of safety. This precautionary approach, placing the burden of proof upon the Party conducting the fishery, is a particularly notable and important conservation policy contained within the Convention.

#### CONVENTION SCOPE

The North Pacific Anadromous Fish Commission established under the Convention, must consider and incorporate environmental and ecosystem concerns when establishing the scope and nature of the measures it will recommend to assure the conservation of anadromous stocks and associated species. This could be accomplished through a commitment to have such views represented directly within the advisory staff of the Commission. Additional means of facilitating such consideration is through inviting participation from, or granting observer status to, non-govern-

mental organizations, thereby allowing full access to the information and deliberations of the Commission.

Such representation and access could assist the Commission in acting to recommend measures likely to ensure the long-term viability of the anadromous fish and ecologically related species of the ecosystems contained within and adjacent to the Convention Area. A wide range of concerns, from the effects of increased UV-B radiation on the pelagic food web, to the loss of fresh water and coastal habitats critical to anadromous species, could be considered by the Commission for cooperative research, or as the subject of recommendations to appropriate national and international agencies.

#### CONCLUSION

Greenpeace supports Senate advice and consent to ratification of the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, as the Convention contains several elements which represent advances in multilateral cooperation for the conservation of marine resources. Several of the policies and practices outlined in the Convention will have almost immediate positive results. Other components of the Convention will require further development if they are to become effective mechanisms for addressing the wide range of issues threatening the long-term survival of salmon and associated species in the North Pacific. Thank you very much for the opportunity to comment.

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