

**UNITED STATES – IMPORT PROHIBITION OF  
CERTAIN SHRIMP AND SHRIMP PRODUCTS**

Status Report by the United States

Addendum

The following communication, dated 14 January 2000, from the Permanent Mission of the United States to the Dispute Settlement Body, is circulated pursuant to Article 21.6 of the DSU.

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Status Report Regarding Implementation of the Recommendations and Rulings  
in the Dispute regarding  
United States - Import Prohibition of Certain Shrimp and Shrimp Products

On 25 November 1998, the United States informed the Dispute Settlement Body (DSB) of its intention to implement the recommendations and rulings of the DSB in connection with this matter and to do so in a manner which is consistent with our firm commitment to the protection of endangered sea turtles. At that time, the United States also advised the DSB that a "reasonable period of time" would be required to complete this process. On 21 January 1999, the United States and the other parties to the dispute reached agreement on 13 months as a reasonable period for implementation. Therefore, as provided for in Article 21.6 of the Understanding on Rules and Procedures Governing the Settlement of Disputes, this fifth and final report on the status of our implementation is being presented.

The United States has implemented the recommendations and rulings of the DSB during the reasonable period of time. Our implementation steps have both responded to the issues raised by the Appellate Body report, and - with the cooperation of the countries in the Indian Ocean region - have advanced efforts to conserve endangered sea turtles.

Our implementation of the recommendations and rulings of the DSB in this matter has several distinct elements and has included opportunities for input from the other parties to the dispute.

As noted in our first report, on 8 July 1999, the United States Department of State issued revised guidelines implementing our Shrimp/Turtle law. The revised guidelines, in accordance with the recommendations and rulings of the DSB are intended to: (1) introduce greater flexibility in considering the comparability of foreign programs and the U.S. program and (2) elaborate a timetable and procedures for certification decisions, including an expedited timetable to apply in 1999 only. These latter changes are designed to increase the transparency and predictability of the certification process and to afford foreign governments seeking certification a greater degree of due process.

As noted in our third report, on the basis of the revised guidelines, in response to a request from the Government of Australia, the United States has approved imports from the Spencer Gulf Region of Southern Australia. Based on complete and well documented information presented by the Government of Australia and the State of Southern Australia, the Department of State, in consultation with the U.S. National Marine Fisheries Service, found that the shrimp trawl fishery in the Spencer Gulf does not pose a threat of the incidental taking of sea turtles.

More recently, the State Department has scheduled a visit to Pakistan by a team of technical experts the week of 17 January to evaluate Pakistan's sea turtle protection program with a view toward certification under the Shrimp/Turtle law, if warranted. The team will also provide technical assistance to the Government of Pakistan on shrimp fishing methods and technology which will contribute to the effectiveness of the TEDs for Pakistan's fishing environment.

It will be recalled that another key element of our implementation efforts has been an effort to launch the negotiation of an agreement with the governments of the Indian Ocean region on the protection of sea turtles in that region. As noted in our fourth report, the United States Government actively participated in a widely attended work shop on sea turtle conservation hosted by the Government of Australia in Perth, Australia from 19-22 October. The Symposium concluded with a resolution agreeing to hold further consultations aimed at concluding an instrument to be called the Indian Ocean and South-East Asian Regional Agreement on Conservation and Management of Marine Turtles and their Habitats. The resolution calls for efforts to initiate negotiations within the first half of the year 2000. We strongly welcome this cooperative effort and will lend it our full support.

We would also recall our offer of technical training in the design, construction, installation and operation of TEDs to any government that requests it. Any government that wants to receive such training need only make such a request to the United States in writing, through diplomatic channels. The United States will make every effort to meet such requests. Training programs will be scheduled on a first come, first served basis, although special efforts will be made to accommodate nations whose governments are making efforts to adopt and maintain nation-wide TEDs programs and who have not previously received such training. In this connection, we would recall that, based on discussions with the Government of Thailand, we have invited a team of specialists from the Government of Thailand, as well as the Southeast Asia Fisheries Development Center (SEAFDEC), to visit the National Marine Fisheries Laboratory in Pascagoula, Mississippi for additional training in the use and maintenance of TEDs and related gear modifications.

We appreciate the constructive input we have received from the parties to the dispute throughout this process, and we look forward to continuing to work cooperatively with these Governments to advance our common goal of sea turtle conservation.

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