

CNL(10)47

Report of the Twenty-Seventh Annual Meeting of the Council Le Château Frontenac, Québec City, Canada

1 - 4 June, 2010

1. Opening Session

- 1.1 The President, Ms Mary Colligan (US) opened the meeting and welcomed delegates to Quebec City. A welcoming address was made by Mr Richard Nadeau, Quebec Regional Director General, Department of Fisheries and Oceans, Canada (Annex 1). The President made an Opening Statement (Annex 2).
- 1.2 The representatives of Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Union, Norway, the Russian Federation and the United States of America made Opening Statements (Annex 3).
- 1.3 An Opening Statement was made by the European Inland Fisheries Advisory Committee (EIFAC) (Annex 4).
- 1.4 An Opening Statement was made on behalf of all the Non-Government Organizations (NGOs) attending the Annual Meeting (Annex 5).
- 1.5 The Secretary read out a message from Mr Arni Isaksson, past President of NASCO (2008 – 2009) (Annex 6).
- 1.6 A statement was made by Mr Jacque Robichaud, past President of NASCO (2000 – 2004) (Annex 7).
- 1.7 The President expressed appreciation for these statements and closed the Opening Session.
- 1.8 A list of participants is given in Annex 8.

2. Adoption of Agenda

- 2.1 The Council adopted its agenda, CNL(10)46 (Annex 9), but agreed to consider agenda item 7.2 ‘Liaison with the North Atlantic Salmon Farming Industry’ before item 6.2 ‘Decisions by the Council in the light of the ‘Next Steps for NASCO’’ Special Session.

3. Election of Officers

- 3.1 The Council elected Ms Mary Colligan (USA) as its President and Mr Steinar Hermansen (Norway) as its Vice-President both to serve for a two year period from the close of the Twenty-Seventh Annual Meeting.

3.2 The President indicated that the Council had offered to extend the present contract of the Secretary by 12 months until July 2012, and the Secretary had agreed.

4. Financial and Administrative Issues

4.1 Report of the Finance and Administration Committee

The Chair of the Finance and Administration Committee, Ms Elena Samoylova (Russian Federation), presented the report of the Committee, CNL(10)5. On the recommendation of the Committee, the Council took the following decisions:

- (i) to accept the audited 2009 annual financial statement, FAC(10)2;
- (ii) to adopt a budget for 2011 and to note a forecast budget for 2012, CNL(10)49 (Annex 10);
- (iii) to appoint PricewaterhouseCoopers (PWC) of Edinburgh as auditors for the 2010 accounts, or such other company as may be agreed by the Secretary following consultation with the Chairman of the Finance and Administration Committee;
- (iv) to adopt the report of the Finance and Administration Committee.

The Chair of the Committee referred to the sound management of the Organization's financial affairs and indicated that a new lease had just been concluded with NASCO's tenants on favourable terms for NASCO which should ensure a substantial income to the Organization over the next ten years. The President thanked Ms Samoylova for her work and for that of the Committee.

5. Scientific, Technical, Legal and Other Information

5.1 Secretary's Report

The Secretary made a report to the Council on the status of ratifications of, and accessions to, the Convention and membership of the regional Commissions. He referred to Iceland's withdrawal from the NASCO Convention with effect from 31 December 2009 as a result of the severe economic crisis in that country. However, Iceland has indicated that it intends to re-accede to the Convention at the earliest possible opportunity.

He reported on fishing for salmon in international waters by non-NASCO Parties. There had been no sightings during the year since 1 April 2009 but surveillance is limited to the summer months.

The Secretary also reported on plans for the 2011 Salmon Summit in La Rochelle, a full report on which is contained in the report of the International Atlantic Salmon Research Board (see paragraph 5.6. below).

In accordance with Financial Rule 5.5, the Secretary reported on the receipt of contributions for 2010. All contributions had been received and there were no arrears.

The Secretary reported, (CNL(10)6), that since the last Annual Meeting of the Council, the Angling Council of Ireland had been granted observer status to NASCO. In total, NASCO currently has 34 accredited NGOs.

5.2 Report on the Activities of the Organization in 2009

In accordance with Article 5, paragraph 6 of the Convention, the Council adopted a report to the Parties on the Activities of the Organization in 2009, CNL(10)39.

5.3 Announcement of the Tag Return Incentive Scheme Grand Prize

The President announced that the winner of the \$2,500 Grand Prize was Mr Ted Stewart, Matthews Settlement, New Brunswick, Canada. The winning tag was of Canadian origin and had been applied to a one-sea-winter salmon in the Northwest Miramichi River, New Brunswick in July 2009 as part of an assessment and research programme to monitor the Atlantic salmon run in the Miramichi River. The fish was angled 2 days later from an upstream branch of the Northwest Miramichi River. The Council offered its congratulations to the winner.

5.4 Scientific Advice from ICES

The representative of ICES presented the report of the Advisory Committee (ACOM) to the Council, CNL(10)8 (Annex 11).

5.5 Scientific Research Fishing in the Convention Area

The Secretary reported to the Council that there had been no applications to conduct scientific research fishing in the Convention area during 2010. Detailed reports on scientific research fishing conducted during 2009 were made to the IASRB (see paragraph 5.6 below).

5.6 Report of the International Atlantic Salmon Research Board

The report of the meeting of the Board, CNL(10)9 (Annex 12), was presented by its Chairman, Professor Ken Whelan. He outlined the substantial progress that has been made through SALSEA Merge, SALSEA North America, SALSEA West Greenland and telemetry studies in eastern Canada.

5.7 Report of the Standing Scientific Committee

The Chairman of the Standing Scientific Committee, Dr Peter Hutchinson, presented a draft request to ICES for scientific advice. Upon the recommendation of the Committee, the Council adopted a request for scientific advice from ICES, CNL(10)10 (Annex 13).

6. Next Steps for NASCO

6.1 Special Session: Progress with the Next Steps Strategy

- (a) Final Report of the Habitat Protection, Restoration and Enhancement Focus Area Review Group

Focus area reports (FARs) are intended to provide in-depth assessments of the actions taken on the particular focus area under consideration and provide a basis for review of the actions taken and their efficacy in achieving NASCO's objectives. The second focus area is habitat protection, restoration and enhancement. The Council had established an *Ad Hoc* Review Group to review and analyse the habitat FARs and highlight issues to be raised with the Parties and jurisdictions. This work had been presented to the Council at a Special Session held in 2009 in the Group's interim report, CNL(09)12. The Group had been asked to complete its work by reviewing any new FARs submitted by the revised deadline of 1 September 2009, by recommending best practice and by preparing a comparative overview of scientific and management approaches to addressing challenges as identified in the FARs.

The final report of the Habitat Protection, Restoration and Enhancement Focus Area Review Group, CNL(10)11 (Annex 14), was presented in a Special Session and there was considerable discussion of the findings. The Group had completed its Terms of Reference. Habitat FARs had been reviewed for Canada, IP(09)3; EU – Denmark, IP(09)12; EU - Finland, IP(09)4; EU – France, IP(09)20; EU - Ireland, IP(09)10; EU - EU (Sweden), IP(09)19; EU - UK (England and Wales), IP(09)5; EU - UK (Northern Ireland), IP(09)14; EU - UK (Scotland), IP(09)8; Iceland, IP(09)6; Norway, IP(09)11; Russian Federation, IP(09)13; USA, IP(09)7. A compilation of these Habitat FARs is contained in CNL(10)13 (available on CD) and all the FARs are available on the NASCO website. It is clear from the Group's assessments that while much habitat has been lost in recent years there have been some notable gains. Two documents were tabled by the European Union: 'Information for the Compilation of a NASCO Implementation Plan and NASCO Focus Area Report for Spain', CNL(10)36, and a Habitat Focus Area Report for Germany, IP(09)23. These two documents have not been reviewed by the Habitat Review Group.

- (b) Draft Report of the Aquaculture and Related Activities Focus Area Review Group

The draft report of the *Ad Hoc* Focus Area Review Group on Aquaculture, Introductions and Transfers and Transgenics was presented, CNL(10)12 (Annex 15). The Group had been asked to: review and analyse the FARs on Aquaculture, Introductions and Transfers, and Transgenics and make recommendations and/or provide feedback on each FAR where additional actions may be helpful to ensure implementation of the commitments within the Williamsburg Resolution; prepare an overview of common management and scientific approaches to challenges, as reported in the FARs; and compile recommended best practice with the intention of increasing the collaborative learning aspect of the Next Steps Process. In 2009, the Council had adopted 'Guidance on Best Management Practices to Address Impacts of Sea Lice and Escaped Farmed Salmon on Wild Salmon Stocks', SLG(09)5, hereinafter referred to as 'BMP Guidance' intended to assist NASCO's jurisdictions in the management of salmon aquaculture, in developing future NASCO

Implementation Plans and in preparing their Focus Area Reports for the 2010 review and subsequently. This BMP Guidance had been developed by a Task Force established by the ISFA/NASCO Liaison Group. The Review Group had, therefore, not developed further guidance on best practice but had reviewed and offered some comments on this BMP Guidance. The Guidance had been incorporated in the Council's guidance to the Parties and jurisdictions on the format for the FARs

FARs had been reviewed for Canada, IP(10)16; Denmark in respect of the Faroe Islands, IP(10)14; EU - Denmark, IP(10)11; EU - Finland, IP(10)5; EU - France, IP(10)9; EU - Germany, IP(10)6; EU - Sweden, IP(10)8; EU - UK (England and Wales), IP(10)3; EU - UK (Northern Ireland), IP(10)10; EU - UK (Scotland), IP(10)15; Norway, IP(10)13; Russian Federation, IP(10)4; and the USA, IP(10)7. After the Group's meeting a FAR had been received for EU-Ireland, IP(10)23.

The Group presented its interim report during the Special Session and there were subsequent discussions. Comments on the Review Group's report from the International Salmon Farmers Association (ISFA) were tabled, CNL(10)33 (Annex 16). A response to these ISFA comments was tabled by the NGOs, CNL(10)37 (Annex 17).

(c) **Progress in implementing a Public Relations Strategy**

A report on the Public Relations Sub-Group's activities since last year was presented by its Chairman, Mr Chris Poupard. This included a report by the Assistant Secretary on progress with further development of the NASCO and IASRB websites and on incorporating the rivers database information on the NASCO website. The Council welcomed the excellent progress made and agreed that the Secretariat should request that all jurisdictions be asked to verify the information for inclusion in the rivers database by 31 December 2010 with a view to it being made available on the website with map displays before the next Annual Meeting. The PR Sub Group was also asked to develop a press release from the meeting. The Chair of the PR Sub-Group indicated that he wished to stand down with immediate effect.

6.2 **Decisions by the Council in the light of the 'Next Steps for NASCO' Special Session**

Habitat Protection, Restoration and Enhancement

The Council adopted 'Guidelines for the Protection, Restoration and Enhancement of Salmon Habitat, CNL(10)51 (Annex 18). These guidelines are not prescriptive or mandatory but are intended to assist jurisdictions in making further progress in implementing the NASCO Plan of Action for the Application of the Precautionary Approach to the Protection and Restoration of Atlantic Salmon Habitat.

Aquaculture and Related Activities

The Council agreed that the Review Group should complete its Terms of Reference so that its final report can be considered by the Liaison Group at its meeting in March 2011 and by the Council at its Twenty-Eighth Annual Meeting. In finalising its report, the Group was asked to take into account the comments on its draft report from

the Parties, ISFA and the NGOs during the Special Session. The Parties were asked to provide any written comments by 31 October 2010. The Review Group was also asked to review the FAR submitted by EU-Ireland and the relevant sections of the document provided by EU-Spain, CNL(10)36.

6.3 Arrangements for a review of the ‘Next Steps’ process

Commencing in 2004, NASCO undertook a comprehensive and critical review of its work. This review, called the ‘Next Steps’ for NASCO, identified the challenges facing NASCO in the management and conservation of wild Atlantic salmon and ways to address these; reviewed the management and organizational structure of NASCO; and considered the procedural aspects of NASCO and the relationship between the Organization, its Parties and stakeholders. This work was conducted by a Working Group comprising representatives of the Parties and the NGOs and involved open consultation meetings with stakeholders in Europe and North America. It resulted in the adoption of a Strategic Approach for NASCO’s ‘Next Steps’, CNL(05)49, which contained recommendations for action in relation to three main challenges: Implementation, commitment and accountability; Transparency and inclusivity; and raising NASCO’s profile. The Council had moved rapidly to address these challenges.

During the implementation of the recommendations in the Strategic Approach for NASCO’s ‘Next Steps’, the United Nations’ General Assembly adopted a Resolution (61/105) in December 2006 concerning sustainable fisheries. This Resolution includes recommendations concerning the performance of Regional Fisheries Management Organizations (RFMOs). In 2007 and 2008, the Council discussed the need for a further performance review of NASCO’s work in the light of the UN General Assembly Resolution 61/105. It was recognized that the timing of any further review of NASCO’s work would be critically important given that the Organization was in the midst of implementing the core elements of the ‘Next Steps’ process. However, the Parties committed to set up, at the 2010 Annual Meeting, a Review Group to assess the Next Steps process and to advise on the need for, and format of, a further performance review.

The Council adopted ‘Terms of Reference for a Review of the ‘Next Steps’ Process, and Council Decision Concerning a Further Performance Review’, CNL(10)48 (Annex 19).

7. Conservation, Restoration, Enhancement and Rational Management of Atlantic Salmon under the Precautionary Approach

7.1 Annual Reports on Implementation Plans

The Council’s Guidelines for the Preparation of Implementation Plans and for Reporting on Progress, NSTF(06)10, indicate that reports to the Council should be provided in two formats: written annual reports and focus area reports (FARs) presented at Special Sessions and subject to review. The primary purpose of the annual returns is to track progress in implementing the actions contained in the

Implementation Plans. Last year, the Council had agreed a simple reporting structure for these annual reports.

A summary of these returns was presented, CNL(10)15. Returns had been received from Canada, CNL(10)26; Denmark (in respect of the Faroe Islands and Greenland) - Faroe Islands, CNL(10)31; Denmark (in respect of the Faroe Islands and Greenland) - Greenland, CNL(10)32; EU - Denmark, CNL(10)30; EU-France, CNL(10)38; EU-Germany, CNL(10)28, EU-Finland, CNL(10)25; EU - Ireland, CNL(10)27; EU-Sweden, CNL(10)22; EU-UK (England and Wales), CNL(10)20; EU-UK (Northern Ireland), CNL(10)23; EU-UK(Scotland), CNL(10)35, Norway, CNL(10)21; the Russian Federation, CNL(10)29; and the USA, CNL(10)24.

The representative of the European Union advised the Council that decision 2010/221 EU of 15 April had been adopted with the effect that the guarantees provided in Article 4.3 of Directive 2006/88 relating to *G. salaris* would continue to apply. This would mean that certain jurisdictions (Ireland, UK, and specified river catchments in Finland) would be able to continue to take protective measures against the parasite. He indicated that these were the guarantees sought by NASCO and he had provided a copy of the decision to the Secretariat.

7.2 **Liaison with the North Atlantic Salmon Farming Industry**

The Chairman of the Liaison Group, Mr Sebastian Belle, presented the report of the Group's meeting, CNL(10)16 (Annex 20). He indicated that last year, the Liaison Group had established a Task Force to develop best practice guidelines and standards to address the impacts of aquaculture on wild salmon stocks. This Task Force had considered that the Williamsburg Resolution remains valid but needs to be strengthened in its interpretation and application, particularly in terms of defined goals and assessment of outcomes. The Task Force developed 'Guidance on Best Management Practices to Address Impacts of Sea Lice and Escaped Farmed Salmon on Wild Salmon Stocks', ATF(09)5. These Guidelines were adopted by both the International Salmon Farmers Association (ISFA) and NASCO. The Task Force had met again in November 2009 and had developed an Explanation of Terms Used in the BMP Guidance. At its meeting during 29 – 30 April 2010 in London, the Liaison Group had reviewed the report of the second meeting of its Task Force, considered matters arising from the Task Force report and reviewed the report of the Aquaculture, Introductions and Transfers and Transgenics Focus Area Review Group. Detailed comments from ISFA on the Review Group's draft report are contained separately in document CNL(10)33 (see section 6.1b above). The Liaison Group considered that the Task Force had now completed its work.

The Council agreed the Explanation of Terms Used in the BMP Guidance and minor changes proposed to the BMP Guidance to improve consistency.

The Council discussed that the best way forward to facilitate implementation of the BMP Guidance and agreed with the proposal of the Liaison Group that a group should be tasked with advising on reporting requirements in relation to the BMP Guidance. The Council agreed that, given the success of the Task Force in developing the BMP Guidance, that Group should be tasked with providing this advice.

The Council thanked the Chairman of the Liaison Group for his report.

7.3 New or Emerging Opportunities for, or Threats to, Salmon Conservation and Management

In accordance with the ‘Strategic Approach for NASCO’s Next Steps’, this item had been included on the Council’s agenda and ICES had been requested to provide relevant information, which is contained in document CNL(10)8. The President indicated that there was valuable information in document CNL(10)15 and in the ACOM report from ICES, CNL(10)8. The US tabled document CNL(10)40 (Annex 21) which referred to initiatives in the US to explore, expand and implement alternative energy projects. The paper seeks information from other countries on how different near and offshore energy technologies may affect salmon survival and behaviour.

7.4 Incorporating Social and Economic Factors in Salmon Management

Under the Strategic Approach for NASCO’s ‘Next Step’, CNL(05)49, the key issues identified in relation to the social and economic aspects of the wild Atlantic salmon are:

- ensuring that appropriate emphasis is given to the social and economic aspects of the wild Atlantic salmon;
- strengthening the socio-economic data as a basis for managing salmon;
- integrating socio-economic aspects in decision-making processes; and
- disseminating socio-economic information to ensure due weight is given to the salmon compared to other important commercial and public interests

To progress these issues the Council had established a Socio-Economics Working Group which had reported in 2008. It had commenced work in collating social and economic information relating to the Atlantic salmon. Last year a report on the work of a Sub-Group of the Socio-Economics Working Group was presented by its Chairman, Dr Oystein Aas. The Council welcomed this presentation which is contained in CNL(09)50. The Council agreed a work programme in order to make further progress in addressing the tasks assigned to the Sub-Group.

A progress report on the work of the Sub-Group was presented by the Assistant Secretary, CNL(10)17 (Annex 22). The Sub-Group had proposed tables for presenting social and economic values associated with wild Atlantic salmon, a format for presentation of socio-economic information on the website and initial proposals for a Special Session in 2011. The Council agreed that the Parties should be given an opportunity to respond to the Sub-Group’s proposals concerning the tables for presenting social and economic information and on the format for the website, and that any feedback should be provided to the Secretariat by 31 October 2010. With regard to the arrangements for the Special Session, it was recognised that there was already a Special Session to allow for presentation of the final report of the aquaculture FAR Review Group and the report of the ‘Next Steps’ Review Group and that there may be limited time to hold a second Special Session. The Secretariat was asked to make appropriate arrangements to allow for consideration of social and economic issues either as a regular agenda item or if time permits a Special Session.

The representative of Canada made a presentation on Aboriginal and Treaty Rights in Canada's Atlantic Salmon Fisheries: Policy, Regulation and Best Practices.

7.5 St Pierre and Miquelon Salmon Fishery

Last year, the Council was advised that the outcome of an inter-ministerial consultation in France was that full membership of NASCO by France (in respect of St Pierre and Miquelon) did not appear to be appropriate given the low level of the catch which is taken in a traditional fishery which has limited impact on the economic development of the archipelago. France (in respect of St Pierre and Miquelon) therefore wished to have its representation at NASCO as an observer confirmed. The Council authorised the President to write to France (in respect of St Pierre and Miquelon) to express disappointment at this decision and referring to concerns about the increased catch in 2008 which was the second highest in the time-series and was approximately 80% higher than in 2007. The President was also asked to express the Council's support for expanding the sampling programme at St Pierre and Miquelon to include genetic analysis and to request that information on the fishery and the sampling programme be made available earlier in the year in time for the ICES Working Group on North Atlantic salmon. The representative of the NGOs said that they would consider how to support this initiative.

As requested by the Council, the Acting President had written to the French authorities on 11 January 2010. The Minister of Fisheries and Oceans in Canada had also written, as had the NGOs (see CNL(10)18).

The representative of France (in respect of St Pierre and Miquelon) introduced document CNL(10)34 (Annex 23) containing information on management of the fishery, details of catches and of the number of licenses issued and studies in progress. France (in respect of St Pierre and Miquelon) had reiterated that it wishes to retain its observer status and to increase its collaboration with NASCO through strengthening monitoring and supervision of the fishery and continuing some scientific studies which commenced in 2008 in the 'Belle Rivière'. The provisional 2009 catch of 3.464 tonnes was the second highest in the ten year time-series and similar to the catch in 2008. The number of licenses issued (8 professional and 50 recreational) is lower than in 2008 (9 professional and 55 recreational) and 2007 (66 licenses in total). No sampling programme was undertaken in 2009 but it is planned to recommence this annual programme in 2010, including genetic sampling of 70 fish each year. In response to a question from the European Union, the representative of France (in respect of St Pierre and Miquelon) indicated that for professional fishermen, the landings are all reported but it is not known if there is any unreported catch in the recreational fishery. She agreed to provide feedback on this matter to the competent authorities in St Pierre and Miquelon to see if information on estimated unreported catch could be obtained. She also confirmed that the annual sampling programme will recommence in 2010 and would include genetic sampling (70 fish each year).

The representative of the United States welcomed the re-initiation of the sampling program but expressed disappointment that France (in respect of St Pierre and Miquelon) had decided not to join NASCO given their continued interest in the species. She also noted with concern that the catch at St Pierre and Miquelon had increased once again. She stressed that the fishery might be unsustainable give the

status of the stocks contributing to it and that a fishery failure would be difficult on local communities in St Pierre and Miquelon.

The Council expressed its appreciation to France (in respect of St Pierre and Miquelon) for the information provided, for initiating genetic sampling and for participating in NASCO's Annual Meeting.

7.6 Reports on the Work of the Three Regional Commissions

The Chairman of each of the three regional Commissions reported to the Council on the activities of their Commission.

8. Other Business

8.1 At the 2008 Annual Meeting, it was agreed to seek close cooperation on matters concerning Baltic salmon through the European Union and the Russian Federation. In response to a question from the NGOs, the representative of the European Union indicated that work is progressing on the development of a salmon management plan for the Baltic and he suggested that there might be benefits from an exchange of reports between NASCO and the Baltic RAC. He agreed to make further information available to the NGOs through the Secretariat.

8.2 The Council agreed that Iceland should be invited to attend future Annual Meetings as an observer so that it can be aware of developments in NASCO and to contribute information.

8.3 There was no other business.

9. Date and Place of Next Meeting

9.1 The Council accepted an invitation from Denmark (in respect of the Faroe Islands and Greenland) to hold its Twenty-Eighth Annual Meeting in Ilulissat, Greenland during 7 - 10 June 2011. The Council recognised that there may be a need for flexibility regarding precise timing.

9.2 The Council agreed to hold its Twenty-Ninth Annual Meeting during 5 - 8 June 2012 at a place to be decided.

9. Report of the Meeting

9.1 The Council agreed the report of the meeting.

10. Press Release

10.1 The Council agreed a press release, CNL(10)50 (Annex 24).