

Agenda item 5.1(a)
For information

Council

CNL(05)13

*Report of the Stakeholder Consultation Meetings on
the ‘Next Steps for NASCO’*

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the 'Next Steps for NASCO'***

***Fishmongers' Hall, London, England, 19 January 2005 and
Eastland Park Hotel, Portland, Maine, USA, 25 January 2005***

1. Opening of the Meeting

- 1.1 The London meeting was opened by the Co-Chairs, Mr Andrew Thomson (European Union) and Mr Bjornulf Kristiansen (Norwegian Farmers' Union). Their opening statement is contained in Annex 1.
- 1.2 The Portland meeting was opened by the Co-Chairs, Ms Patricia Kurkul (USA) and Mr Scott Burns (World Wildlife Fund – USA). Their opening statement is contained in Annex 2.
- 1.3 A list of participants at both of the consultation meetings is contained in Annex 3.

2. Report on Progress by the Next Steps for NASCO Working Group

- 2.1 Dr Malcolm Windsor, Secretary of NASCO, made a presentation in which he summarised the work of NASCO in its first 20 years, based on the document NSCM(05)3 entitled 'NASCO at 20 Years' (Annex 4), and outlining some of the options developed by the Next Steps for NASCO Working Group to consolidate progress and to assist NASCO to better achieve its objectives as outlined in Annex 1 of document NSCM(05)4. He indicated that he hoped that the stakeholders present at the consultation meetings would:

- comment on the work of NASCO in its first 20 years;
- advise on where the Organization might focus its efforts in the next decade;
- provide views on the options identified to consolidate progress and better achieve NASCO's objectives;
- suggest new ideas for managing and conserving salmon stocks and for the work of the Organization.

3. Views from Stakeholders

- 3.1 At both the London and Portland meetings, Mr Chris Poupard, Chairman of NASCO's NGOs, made a presentation on behalf of the NGOs on the Next Steps for NASCO, NSCM(05)6 (Annex 5).
- 3.2 At the London meeting a presentation was made by Dr Detlev Ingendahl (State Inland Agency of Ecology, North Rhine-Westfalia, Germany), NSCM(05)7 (Annex 6).
- 3.3 Prior to the London meeting, a document, NSCM(05)11, was submitted by Mr Oystein Aas of the Norwegian Institute for Nature Research (Annex 7).

- 3.4 Following the London meeting a document, NSCM(05)8, was submitted by EU (Finland) (Annex 8).
- 3.5 At the Portland meeting a document entitled ‘Three Proposals for Next Steps’ was tabled by the World Wildlife Fund and the Atlantic Salmon Federation, NSCM(05)9, (Annex 9).
- 3.6 Following the Portland meeting a document entitled ‘The Aboriginal Fishery and the Work of NASCO’ was submitted by the New Brunswick Aboriginal Peoples Council, NSCM(05)10 (Annex 10).

4. General Dialogue and Discussion

- 4.1 At both meetings there were open and frank discussions on the presentations made, and on the future challenges for NASCO. This dialogue is summarised in paragraphs 4.2 and 4.3 below. The text has been made available to all participants at the consultation meetings to allow them to check that their interventions have been correctly recorded and they have been given the opportunity to include new thoughts and ideas after the consultation meetings, which are also reflected in the text below. All written submissions, other than those clarifying an intervention made at the consultation meetings, have been annexed to this report.

4.2 *London Consultation Meeting*

Richard Cowan (Department of the Environment, Fisheries and Rural Affairs, UK) stated that the NGO presentation raised a number of useful points but he expressed some concern about the proposal to change NASCO’s mandate. He believed that the approach proposed by the Next Steps for NASCO Working Group, i.e. the development of action plans for implementation, with binding goals and timetables, was more appropriate than formal mandate change, which could have serious implications. NASCO’s agreements encourage certain actions but they are not precise regulatory texts and to develop such texts would be a very time-consuming process. While he recognised the need to address the issues related to implementation of agreements referred to in the NGO presentation, he urged caution in relation to changing NASCO from a forum for international cooperation to a formal regulatory agency.

Chris Poupart (Chairman of NASCO’s NGOs) suggested that, with respect, the intervention from Mr Cowan was exactly what he would expect from a civil servant. He stated that the NGOs seek to change the status quo so as to improve salmon conservation. While there is no suggestion that the mandate change should enable NASCO to intervene in domestic matters concerning the management of salmon stocks, the objective of the mandate change would be to achieve a firm international framework for actions that would be mandatory on the Parties, not voluntary. He referred to the European Union’s Water Framework Directive which, while setting targets, allows flexibility in how EU Member States achieve these. The NGOs sought a more dynamic and positive way forward. For example, while the Williamsburg Resolution is a good framework, it needs to be tightened up and developed as a mandatory framework. He asked what would happen if a Party did not adhere to the

timescales and goals outlined in the voluntary action plans suggested by the Next Steps for NASCO Working Group. The NGOs do not want NASCO to be in the same position as it is now in a further 20 years' time and the NGOs are therefore proposing that the Working Group's recommendations on action plans be introduced immediately, but that there be a protocol on reporting and that the issue of mandate change be considered further.

Seymour Monro (Atlantic Salmon Trust, Scotland, UK) congratulated NASCO on its achievements over the last 20 years and supported the list of focus areas for the future, with the addition of the issue of predation, as suggested in the NGO document. He also recognised the need to consider other major diseases and parasites of salmon in addition to *Gyrodactylus salaris*. He stressed the need for NASCO to put more pressure on its Parties to fully implement the agreements that have been developed and to better finance the focus areas in future. He indicated that the Atlantic Salmon Trust had allocated £100,000 to key research on salmon at sea as part of the SALSEA initiative and there is a need for NASCO to encourage governments to better support this area of research. In this regard, some NASCO Parties have not contributed any funds to the International Atlantic Salmon Research Board. He hoped that NASCO and NASF would be able to work more closely together in future.

Chris Poupart stated that he fully agreed that some Parties need to contribute more funds to support research on salmon at sea.

Gerard Gough (Electricity Supply Board, Ireland) stated that he was pleased to participate in the consultation meeting, and he noted that NASCO needed adequate 'teeth' to ensure implementation of its agreements. He suggested that most companies want to address environmental issues and he thought it would be helpful if NASCO could consider introducing a certification scheme for practices that were considered 'salmon-friendly'.

Andrew Thomson (Co-Chair) suggested that a 'salmon-friendly' certification scheme was an interesting idea that might be further explored.

Ole Tougaard (DG Fisheries, European Commission, Brussels, Belgium) supported the comments of Richard Cowan and stated that there is a need for caution in considering any change to NASCO's mandate, which would be a minefield as it could conflict with the sovereign rights of the Contracting Parties. He referred to the very effective system used by the Organization for Economic Cooperation and Development's (OECD) Fishery Commission, which involved an obligation, both moral and political, for detailed reporting with thorough scrutiny of the reports made. In this way those Parties that are not doing enough to implement agreements could be identified. He indicated that a report was being drafted by the Commission on interceptory salmon fisheries in European Community waters and that Community legislation concerning interceptory salmon fisheries may follow.

Chris Poupart indicated that this initiative by the Community with regard to interceptory fisheries was extremely promising and that he took the concerns about the mandate change seriously.

Ian Gregg (Association of Rivers Trusts, UK) generally supported the proposals from the NGOs, but he suggested that NASCO might need to concentrate its focus on a few key areas. He referred to an article in the Atlantic Salmon Trust's progress report of November 2004 in which the Chairman of the Trust's Scientific Advisory Panel, Dr Richard Shelton, stated as follows:

"The challenge for the future is to extend the principles of wise salmon husbandry, which are serving us so well in fresh water, to the greater world of the sea. The urgency of the task is underlined by the fact that, over the same period that we have shown greater care in the management of our rivers and estuaries, the survival of salmon at sea has halved. For some populations, notably the early-running fish and those affected by poorly-run cage farms, levels of return are even worse".

Mr Gregg suggested that NASCO should, therefore, concentrate a larger proportion of its resources on what happens to salmon in the 'black hole' of the ocean. He referred to the enormous increase in the amount of work taking place 'in-river' over the last 20 years through the efforts of river trusts in Scotland, England and Wales, while at the same time survival at sea had halved. NASCO can be an important forum for exchange of information on best practice in relation to habitat, diffuse pollution, etc., but its main focus should be on research at sea, including aspects such as the impact of global warming and pelagic trawling, renewed efforts to stop mixed stock interceptory salmon fisheries and on encouraging genetic work. He suggested that more emphasis also needs to be placed on education and communication, and that some effort was required in building a closer working relationship with NASF. He indicated that, subject to possible impacts of global warming, he was optimistic about the future of the wild Atlantic salmon. The EU Water Framework Directive and reform of agricultural policies should help with habitat issues and diffuse pollution, and if NASCO can address the problems facing salmon at sea, then things should look good. He was encouraged by the development of the SALSEA project and the AST's generous donation.

Chris Poupart agreed with Mr Gregg's comments. He referred to the need for NASCO to develop a public awareness and media strategy. He indicated that there is a huge amount of important work being undertaken with regard to the SALSEA programme but it is not being adequately promoted. He suggested that if NASCO's message was more effectively communicated it would show that it was taking the right steps. With regard to the suggestion that NASCO should have only 2 or 3 main focus areas, he expressed concern that if that happened the other areas currently being addressed, and emerging threats, would be ignored. He believed that NASCO is addressing the main current problem areas but it needs to do more and be adequately funded.

Nick Marriner (North-West Regional Fisheries, Ecology and Recreation Advisory Committee, UK) stated that this was his first involvement in a NASCO meeting, which he had found very interesting. He supported the views expressed by Ian Gregg. If NASCO has no 'teeth' it is merely an influential pressure group but the problem is the lack of speed of decision-making and of implementation of agreements. He believed that there are dangers in diluting the efforts of the Organization; its effectiveness in the future could be ensured by focusing more on certain areas. For example, only NASCO can tackle the issues concerning salmon at sea and research on

the marine phase of the salmon's life-cycle should be given a higher priority in the focus areas. The effectiveness of NASCO requires a sound programme of scientific research that allows it to put pressure on its Contracting Parties and other organizations to address issues of concern. He noted that salmon populations are still declining despite major reductions in fishing effort so there is a need for further research to better understand the factors influencing salmon abundance. There is also a need to show the social and economic benefits of such research.

Andrew Thomson stressed that the focus areas identified by the Next Steps for NASCO Working Group included research at the top of the list.

Detlev Ingendahl (State Inland Agency of Ecology, Northrhine-Westfalia, Germany) made a brief oral presentation on behalf of the Northrhine-Westfalian Migratory Fish Programme on the salmon reintroduction programme on the River Rhine. He referred to a detailed description of the programme and the problems it is facing, which had been made available to the consultation meetings, NSCM(05)7 (Annex 6). He hoped that the information provided would be considered further by NASCO in its future deliberations on restoration of salmon populations.

Malcolm Windsor stated that while NASCO had developed good agreements through international cooperation, there can be problems in implementing these agreements, and that is where the stakeholders can play a vital role in influencing governments. With regard to mandate change, he felt that this should be looked at further but that there may be resistance to giving NASCO too many 'teeth'. He noted that in the past the NGOs had not pressed NASCO's Parties hard on the extent of implementation of NASCO's agreements, although in recent years the NGOs had become much better organised. Stakeholders can exert pressure on NASCO's Parties to follow the agreements developed. With regard to salmon at sea, he picked up the clear message that the SALSEA programme was seen as the priority issue. He agreed with the proposal by the representatives from Germany for a workshop on restoration programmes so as to share experiences and encourage others to restore depleted stocks. There is a need for information from Germany, Portugal, France and Spain for inclusion in NASCO's database of salmon rivers, so as to highlight rivers in need of restoration.

Ede Brumund-Rüther (Verband Deutscher Sportfischer - German Anglers Union) stated that there are rivers in Germany other than the Rhine which are being restored, including the Wesser, Elbe and several northern coastal rivers. While there has been government assistance for the work on the Rhine, this is not the case for all rivers. Under the EU Natura 2000 programme, where a river has its original stock of salmon, it has a designation and therefore a high degree of protection, but this is not the case where the river has lost its original stock, and restoration activities are being undertaken. For example, it is possible to establish hydro-power plants in rivers under restoration, and there is no requirement to have existing hydro-power plants upgraded to modern standards to facilitate free passage of migratory fish in both directions. He suggested that rivers under restoration needed some designation and perhaps NASCO could assist in this regard.

Paul Knight (Salmon and Trout Association, UK) raised a number of examples, to support the NGO document, of where the NGOs see NASCO playing an important

international role in future by bringing pressure to bear on individual governments to honour commitments made in NASCO. The extra pressure from NASCO, in addition to that exerted by the NGOs, would be invaluable. Likewise, he felt that NGOs have a role to play in bringing examples of local problems, or best practice, to NASCO's attention.

He referred to the very high winds in Britain in the last two weeks and noted that such extreme events are predicted to become more frequent with climate change. At least 1 million farmed salmon are believed to have escaped from cages in Scotland alone during these storms, highlighting the need for urgent regulation of the fish farming industry. With regard to predation, the NGOs had successfully pressed the Government in England to increase the number of cormorants that can be shot under licence and to extend the shooting season to 1 May to cover part of the period of smolt migration. Rivers Trusts are undertaking excellent work in maximising smolt output but a smolt that is preyed upon by an avian predator cannot be replaced, so unnaturally large cormorant populations can have a massive impact on a river's production. He also stressed the need for a clear NASCO policy on seal management to assist individual governments. He referred to the use of socio-economic information in support of conservation measures for salmon. Rod-caught salmon are worth many more times the value of net-caught salmon to local and national economies. In the UK, 50% of all salmon caught are released, and research on the River Eden has shown that, with careful handling, up to 90% of released fish survive to spawn. Catch and release therefore represents a win-win solution, maintaining socio-economic benefits while controlling exploitation. He stated that the potential for habitat protection under the EU Water Framework Directive is vital for salmonid fish but cautioned that it does not afford protection to sub-catchments under 10km² in area. These small streams are vital for the future of sea trout stocks and probably also for salmon, but are vulnerable to land-use change and diffuse pollution, and must be protected. He then referred to the heavy exploitation, as a by-catch, of sea trout stocks in Finland by coastal whitefish gill netting to the extent that the sea trout were almost wiped out. It is therefore vital to have coordination between factors operating in the sea and in fresh water for various migratory species if protection in fresh water is not to be undermined by events at sea. These are worrying aspects for NGOs who deal with these and many other issues on a daily basis. The NGOs support the NASCO mandate being broadened to include sea trout. He stressed that NGOs can therefore play an important role within NASCO, both at Annual Meetings and during inter-sessional Working Groups.

Chris Poupart referred to two issues that had been raised by NGOs who could not attend the consultation meeting. Firstly, the Federation of Irish Salmon and Sea Trout Anglers had called for NASCO's mandate to include sea trout, particularly given the concerns about the impacts of aquaculture on this species. Secondly, while there was total support among the NGOs for the need for urgent action in relation to the Irish drift net fishery for salmon, the Salmon Net Fishing Association of Scotland believes that the Scottish coastal fishery is different in management terms to the Irish drift net fishery and the North-East Coast of England drift net fishery, and should therefore not be included in the section of the NGO document covering management of homewater fisheries.

Richard Cowan stated that he had never felt that NASCO had no formal ‘teeth’, and all Parties and the EU Member States are well aware that they are under a moral obligation to implement the Organization’s agreements. He believed that even if NASCO’s agreements were binding, there would still be the problem of what action could be taken against a Party that did not implement an agreement since it is difficult to give international organizations real ‘teeth’. He noted that NASCO’s NGOs are good at reinforcing this moral obligation and that NASCO’s Parties take the views of NGOs seriously. He stressed the need to be careful in suggesting that the present arrangements don’t work when in fact, in general, they do.

John Gregory (Institute of Fisheries Management, UK) made four points, the first two relating directly to actions to safeguard the salmon, and the second two relating to the administration of NASCO. Firstly, he indicated that concerted action on research on salmon at sea should be afforded a high priority by NASCO since it cannot be undertaken by others. There is a need for NASCO to focus its efforts on a few priority areas. Secondly, he suggested the need for continuing and enhanced liaison with the salmon farming industry so as to minimise the impacts of aquaculture on the wild stocks, and stressed the need for NGO involvement in the Liaison Group to ensure its success. Thirdly, he suggested that NASCO review its meeting structure to improve its efficiency. He proposed that a three- to five-year cycle be adopted, with greater focus on each area of NASCO’s work. Fourthly, he indicated that there was a need to improve NASCO’s accountability and the stakeholders should be increasingly involved in this process. He stated that the stakeholders would be willing to put forward proposals on how to improve accountability.

Hugh Becker (North-East Regional Fisheries, Ecology and Recreation Advisory Committee, UK) indicated that the extent to which note is taken of an Organization’s statements depends on how credible and consistent the statements are. With regard to climate change and its impacts on the marine survival of salmon, it is important to recognise that there may be nothing that can be done about such macro events in the oceans. He referred to the wide range of values variously attributed to the economic benefit to be gained from a rod-caught salmon and suggested that, as NASCO is seen as a dependable honest broker, it could play a valuable role in disseminating reliable and consistent information on the social and economic values of salmon.

Arni Isaksson (Directorate of Freshwater Fisheries, Iceland) thanked the NGOs for their views on NASCO, which included many positive points. However, he believed that while there had been much talk of NASCO lacking ‘teeth’, it could in fact be the governments that are lacking the ‘teeth’ by failing to implement NASCO agreements. He agreed that emphasis should be given to research on salmon at sea, including studies on predation, but that could be done without changing the mandate. He also noted that habitat restoration and protection could benefit many species in addition to salmon. NASCO has established minimum standards but Iceland has, in some cases, gone further, for example in relation to aquaculture, by introducing regulations establishing aquaculture-free zones.

Godfrey Williams (Environment Agency, UK) indicated that he supported NASCO’s work in the marine environment, which should also consider the implications of climate change for salmon stocks. Further extreme events are predicted and these could affect aquaculture operations and consequently the wild stocks through, for

example, escapes. He noted that while the overall picture for salmon stocks is gloomy, there is also some good news in that many rivers have been restored for salmon production. He believed that it would be useful to review of experiences from these rivers to see if the experience gained could be applied elsewhere. He stated that the Environment Agency had followed the NASCO plan of action for habitat protection and restoration by reviewing measures on important salmon rivers. He indicated that many habitat problems are linked to land management and while fisheries departments participate in NASCO's meetings, other government departments were responsible for these wider issues. NASCO should, therefore, encourage closer cooperation between different government departments responsible for managing aspects that could impact on salmon conservation.

Ian Gregg asked for clarification on three points, as follows:

- the reasons why the Salmon Net Fishing Association of Scotland felt that Scottish net fisheries were different from other interception fisheries;
- the extent of disclosure of NASCO's financial position to NGOs;
- the significance of wind-farm development for salmon conservation.

Chris Poupart replied that the Salmon Net Fishing Association of Scotland had indicated that Scotland had given the lead more than 50 years ago and banned drift net fishing along the coast, and tagging studies had confirmed that the fishery now exploits, in the main, fish native to local rivers. The origin of the net catch may, therefore, be little different to that caught by the rod and line fisheries in the lower sections of rivers.

Seymour Monro indicated that there is much interest in developing wind-farms in some areas of Scotland. In Lewis, for example, there is a proposal to install more than 200 wind turbines, many of which will be located in the vicinity of important spawning burns and nursery habitat. He noted that the UK Government is pushing forward with renewable energy projects but there is a need to carefully consider objections to these proposals on environmental grounds. In the opinion of the salmon fisheries trust's biologist on Lewis, the development of wind-farms is a serious threat to salmon, possibly as significant as aquaculture development. People are not familiar with the negative aspects of renewable energy projects and that's why reference had been made to them in the habitat section of the NGO submission.

Malcolm Windsor referred to the method of calculating the Contracting Parties' contributions to NASCO, in which 30% of the budget is fixed and divided equally among all Parties, and the remaining 70% is related to catch. NASCO's budgets are documented in the annual reports of the Council, but there are no implications for NGOs since NASCO, unlike some other Fishery Commissions, has decided not to charge an NGO fee for attending meetings. He noted that NASCO could certainly improve its public relations work, but at present the Organization has no budget to do this, and no particular skills in this area. The larger NGOs to NASCO have considerably more PR resources and expertise. He noted that currently around £4.6 million is being spent annually by NASCO's Contracting Parties on research on salmon at sea, and the Board has sought to better coordinate this research and raise new funds from the private sector. In this regard the Board hopes to use the NGOs' skills in fund-raising efforts.

Andrew Thomson indicated that in the light of the outcome of the review of the future focus for NASCO, there may be a need for the Parties to contribute additional funds to support the work of the Organization.

Roger Furniss (South West Rivers Association, UK) stated that there is a need to identify a clear ‘big picture’ for public relations purposes so as to engage the public, the media and the politicians. He indicated that it would be important to consider what level of abundance NASCO sought for salmon stocks, and whether or not it is appropriate to continue to consider wild Atlantic salmon as a food resource, given the socio-economic values of the resource.

Bjornulf Kristiansen (Co-Chair) referred to the difficulty for individual governments in addressing predator-related mortality of salmon, and suggested it would be useful if this issue could be addressed by NASCO.

Paul Knight stated that since predator control is a very emotive subject, it would be useful to have international support in the form of Resolutions with ‘teeth’ so as to assist individual governments in considering issues such as control of seals.

Seymour Monro referred to a seminar on predation organised by the Atlantic Salmon Trust. He noted that there is a need to strike an appropriate balance in nature between the salmon and its predators, but at the moment the balance favours the predators, partly because public perception favours mammals and birds rather than fish which cannot be seen. He referred to a £250,000 research project on salmon/seal interactions in Scotland which it is hoped will provide a basis for government action to redress the balance in favour of the salmon. He stressed that support from NASCO in relation to the predation problem would be useful.

Richard Cowan advised the meeting that the UK Fisheries Minister, Ben Bradshaw, had acted in relation to cormorants but seals might be more problematic to deal with. The European Union would have difficulties in agreeing to any Resolution developed in NASCO which suggested the need for action other than the protection of seals. Despite best efforts, the interplay between fisheries and the environment Directorate Generals in the European Commission is not as good as it might be, and this problem also existed in government departments. There is a need to develop a mechanism with governments and the EU to address the issue of seal predation on salmon.

Ole Tougaard raised the question of the need for an EU salmon policy, since such a policy does not currently exist.

Malcolm Windsor indicated that, with regard to predation, NASCO had held a Special Session in 1996, and last year considered information on the impact of predation and the predator management measures being used by Contracting Parties. He recognised that there are gaps in our understanding of the impacts of predation and of the benefits arising from management measures but agreed that NASCO should review the facts and consider its future policy on this issue.

Boris Temkin (Association of Tourist Enterprises of Murmansk Region, Russia) expressed his pleasure at being able to participate in the consultation meeting and

noted that many of the issues under discussion are of relevance to the Murmansk region of Russia. While not familiar with the history of the development of NASCO, he wished to highlight two points – the need for close cooperation between NASCO and its Contracting Parties with regard to implementation of agreements, and the need for appropriate legislation to ensure conservation and to protect the property rights of individuals and companies. He stated that the agreements adopted by NASCO are only a first step, and there is a need to make them binding so that governments fully implement them. He suggested that this might require changes to the Convention. He indicated that the process of developing fisheries legislation in Russia is slow, although major new freshwater fisheries legislation had recently been introduced, so it is important to continue to collaborate within NASCO so as to ensure the Contracting Parties introduce appropriate legislation to conserve salmon.

Hugh Campbell-Adamson (Association of Salmon Fishery Boards, Scotland, UK) indicated that this was his first NASCO meeting and that he was faintly depressed by what he had heard concerning the status of salmon stocks. He referred to the economic value of angling in Scotland, estimated at £78 million. He felt that NASCO should not need ‘teeth’ since the governments should respond to the commitments made, but where this does not occur it should be the Council of NASCO, not the NGOs, that applied pressure for action. He indicated that he shared the view that seven focus areas may be too much for the NASCO Secretariat to handle, and that the main focus should be on salmon at sea. He believed that the consultation meeting had highlighted the role NGOs can play in NASCO and that all concerned with salmon conservation should be working together. With regard to the statement from the Salmon Net Fishing Association of Scotland, he referred to a paper published in 1976 by Willie Shearer, the adviser to that Association, which indicated that less than 2/3 of the fish caught in the net fishery were destined for local rivers. He concluded that the goodwill expressed during the consultation meeting should be a cause for optimism about the future of the wild salmon.

Paddy Byrne (National Anglers Representative Association, Ireland) stated that many problems had been referred to, but that a major problem attributed to Ireland is the interception in the Irish drift net fishery of salmon destined for other parts of Europe. He welcomed the announcement of a review of interception fisheries by the European Commission but stressed the need for clear definitions of the terms ‘interception fishery’ and ‘mixed stock fishery’.

Ole Tougaard reiterated concerns about the proposal for a change in the NASCO mandate to allow it to develop mandatory agreements. He noted that all international Conventions allow for objections and that a mandate change would require unanimous approval. This, he felt, was unlikely to occur. He stressed the need for a public relations strategy for NASCO and felt that partnership with the NGOs in such a strategy would be a good opportunity for enhanced collaboration. He also felt that a joint approach to fund-raising to support research on salmon at sea would be valuable. With regard to the suggestion for further Working Group meetings, he felt it would be useful if the NGOs met to further develop their ideas for presentation to the Council since some Parties would not be able to commit resources to further meetings. He thanked the NGOs for their valuable input and indicated that he would be willing to meet with them before NASCO’s next Annual Meeting to further discuss their ideas.

Chris Poupart indicated that he had noted the comments about mandate change but the NGOs, which represent millions of stakeholders, would be pressing for further consideration of this issue. In response to earlier comments from Richard Cowan, he stated that he did not believe that salmon conservation could be left to the goodwill of civil servants and politicians acting in relation to a moral obligation. He indicated that it had taken 30 years of campaigning to bring about the end of the North-East Coast drift net fishery in England and it was not appropriate to rely on the goodwill of civil servants to end the Irish drift net fishery. It is the role of NASCO to bring pressure to bear on governments but he referred to the need for NGOs to be a little less polite and more critical in future in relation to assessing the actions of the Parties. NGOs are not bound by any need to follow diplomatic protocol so increasing their role in the work of the Council would facilitate more critical assessment of the actions of the Parties. However, there is a fine line between criticising the Parties and efforts to build trust.

Andrew Whitehead (North Atlantic Salmon Fund (UK)) indicated that he had found the proceedings very interesting and he was very impressed by the list of NASCO's achievements in its first 20 years. However, he knew little of the Organization's work. He noted that NASCO would, in future, need to be more active in influencing politicians and the press and he believed that NASCO's strength is not just in developing binding regulations but in using the moral obligation through political and media pressure. With regard to fund-raising in the UK, he indicated that the voluntary sector had been fortunate in getting public support for the buy-out of the North-East Coast drift nets and he paid tribute to Richard Cowan's efforts in this regard.

George O'Doherty (Department of Communications, Marine and Natural Resources, Ireland) noted that civil servants do not decide on the management of salmon fisheries in Ireland but rather it is a political decision. The policy in Ireland is to have a commercial salmon fishery alongside a recreational fishery. The Irish government is well aware of the work of NASCO and contributes fully to it, and had welcomed the opportunity to present information about the Irish fishery at NASCO meetings. He suggested that there might be scope for further Special Sessions in future, if that would be helpful to the NGOs. The commercial salmon catch in Ireland has been almost halved in 3 years and the likelihood is that for 2005 the quota will be set in line with the scientific advice. He indicated that Ireland is committed to the review of interceptory salmon fisheries being undertaken by the European Commission. He suggested that there is a need for caution in involving NGOs in decision-making for binding regulations and that perhaps there was a need for a quality control system with regard to admitting new NGOs. He expressed disappointment that FISSTA could not be represented at the meeting, and with regard to the proposal that NASCO should also consider sea trout conservation, he indicated that in Ireland sea trout are afforded the same protection as salmon. He noted that many stakeholders, such as netsmen, tourism and agriculture organizations, are not represented in NASCO.

Ian Calcott (Scottish Anglers National Association, UK) stressed the need for urgent action in relation to the Irish drift net fishery. He indicated that the consultation meeting had been very useful and had allowed a full and frank exchange of views.

Chris Poupart accepted that there had been progress in relation to managing the Irish drift net fishery but believed that if there was an international framework for

managing mixed stock fisheries it would be easier for a government to implement difficult measures. He noted that a valid point had been raised about whether or not NGOs should be screened, since there are vast differences in the organizations that had been admitted, e.g. Greenpeace, Coomhola Trust Limited, etc. With regard to NGO participation, it is important to create a framework for debate which maximises the NGO contribution to the decision-making process without compromising the legislative and executive responsibilities of the Parties. This framework must be based on the principles of openness and transparency.

Ede Brumund-Rüther stated that from an angler's point of view the management of the Irish fishery is unwise, since at the end of the season anglers were restricted to one salmon a day after drift nets had taken 200,000 salmon. Furthermore, one haul of an Irish drift net could undermine 15 years of restoration efforts in German rivers where stocks are very weak. He questioned the sense of spending vast sums on restoring rivers only to harvest them for food. Each returning spawner is worth far more when caught by anglers than when harvested for food.

George O'Doherty responded that the total commercial catch in Ireland in 2004 was 143,000 salmon. During the 7½ week season there had been evidence that there had been a poor run of fish so the Salmon Commission had advised the Minister to reduce the permitted angling catch from 3 salmon per day to 1 salmon per day in the month of September.

Patrick Martin (Fondation Saumon, France) indicated that he is new to NASCO but had been surprised to find no French representatives at NASCO's meetings. Consequently he had worked with the NASCO Secretariat to organise the 2005 Annual Meeting in France. He stressed the importance that a delegate from France participate so as to address questions about the St Pierre and Miquelon salmon fishery and to put additional pressure on other governments in relation to mixed stock fisheries. The meeting in France will also allow pressure to be brought to bear on the French government, since they afford a low priority to salmon because of the small harvest (3 tonnes). He believes NASCO is a very important organization in which minimum standards are defined, and NGOs can then press for implementation of appropriate measures.

Malcolm Windsor agreed that it is important that NASCO meets in different countries, close to salmon communities, so as to publicise its work and encourage local people working for salmon conservation. Referring to the intervention by Hugh Campbell-Adamson, he responded that the Secretariat does not undertake all the work, but rather there is involvement of all NASCO governments, which is important when considering appropriate resourcing. Through the chemistry of international cooperation agreements are developed and there is then a need for stakeholders to bring political pressure to bear on governments to honour the commitments made.

Ken Whelan (President of NASCO) indicated that he was pleased at the positive response to the SALSEA programme and stressed the importance of taking it forward. Once the consultations on the draft SALSEA programme are complete, there will then be a master plan of research for which funds will be needed. However, he noted that in addition to raising new funds it may be possible to free up additional funds by reprioritising existing research expenditure. He expressed appreciation to the Atlantic

Salmon Trust for their initiative in funding research. He noted that, in future, there would be a need to engage more biologists in the programmes and if the Board is as successful as NASF in its fund-raising the programme will be initiated quickly.

Chris Poupart reiterated the NGOs' appreciation to NASCO for the opportunity to contribute to a review of its future and he hoped that the results of the exercise would justify the effort. The NGOs would be willing to work with NASCO to ensure that the exercise is worthwhile.

4.3 *Portland Consultation Meeting*

Jaime Geiger (US Fish and Wildlife Service) congratulated the Secretary of NASCO on his excellent presentation on the work of the Organization and suggested that, as part of NASCO's outreach initiatives, this presentation be made available to all participants at the consultation meetings.

Bill Townsend (Maine Rivers, USA) referred to two recent broadcasts on a Maine radio station, one of which highlighted the plight of 21 species of albatross, 19 of which are at risk of extinction from human activities, while the other broadcast had referred to the exploration of space in the search for new life. He indicated that an important challenge facing governments is to preserve the diversity of life on earth and money spent on space exploration was, in his opinion, poorly spent.

Sebastian Belle (Maine Aquaculture Association, USA) asked for clarification as to whether the position of NASCO's accredited NGOs on mandate change is the same as the view expressed in the WWF/ASF paper.

Chris Poupart (Chairman of NASCO's NGOs) indicated that this was broadly so, but stressed that these were initial ideas only that would need further consideration.

Tim Young (Department of Fisheries and Oceans, Canada) stressed that the Next Steps for NASCO Working Group had not ruled out mandate change, but that its current thinking is that it is probably not necessary.

Andrew Thomson (DG Fisheries, European Commission, Brussels, Belgium) referred to the history of NGO involvement in NASCO and to the increasing role the NGOs are playing in the work of the Organization. He noted that an important role of the Next Steps for NASCO Working Group is to clarify the future relationship between the NGOs and NASCO's Contracting Parties.

Chris Poupart noted that the NGOs had high hopes for NASCO when it was established, many of which have been fulfilled. The NGOs recognise that their primary role is to criticise and pressurise governments into taking appropriate action. He indicated that it is important to create a framework for debate within NASCO which maximises NGO involvement in the decision-making process without compromising the legislative and executive responsibilities of the Parties. Getting the right balance is a fine tightrope to negotiate.

Andrew Thomson noted that while the Working Group had not ruled out mandate change, it is important to consider what such a change would achieve. If NASCO was

changed so that its recommendations obliged Contracting Parties to take certain actions, then any Party could object to a recommendation. He believed that much could be achieved through the present arrangement where NGOs pressure governments to implement NASCO agreements. Secondly, any proposal to amend the Convention does not take effect until all Parties have ratified the change, and that could take many years. No Member State would agree to a change that would affect issues of sovereignty. In the case of the European Union, it now has 25 Member States, each with sovereignty rights. The challenge is, therefore, to apply pressure to ensure the Parties take appropriate action. For example, as a result of pressure from NGOs and other factors, the European Community is now influencing the management of the mixed stock salmon fisheries.

Chris Poupart stressed that the NGOs were just recommending that the issue of mandate change be considered further. The approach suggested by the NGOs is that the Next Steps for NASCO Working Group's proposals should be implemented without delay, and that a small Working Group including NGOs and the Parties be asked to further consider the issue of mandate change. This may be needed because it may not be enough to rely on the goodwill of governments to act. He referred to NGO campaigns over a period of 30 years or so in relation to both the North-East Coast drift net fishery in England and the Irish drift net fishery. The hope is that the Next Steps for NASCO's Working Group's proposals will lead to more rapid action in future by NASCO's Parties, but it is not appropriate to rely solely on the moral obligation on civil servants to implement agreements. For example, he noted that ICES had been recommending that there be no exploitation of salmon in mixed stock fisheries for many years but this advice had not been implemented. He referred to the EU Water Framework Directive which aims to achieve good ecological quality in all surface waters by 2015 through a framework of targets and timescales set by the EU but with the Member States deciding on how to achieve these. He suggested that this approach might be an appropriate model for NASCO to consider.

Jaime Geiger indicated that he believed the purpose of the consultation meetings was to solicit comments from all participants but not to debate what was or was not feasible. He believed that it would be appropriate to give further consideration to the need for mandate change. Furthermore, he suggested that if regulatory measures could be established for 2- or 3-year periods, that would free up time at NASCO's meetings and allow ICES time to develop robust scientific analyses. He suggested that NASCO needed to develop political support for its work so as to give it more 'teeth'. Finally he noted that a great strength of NASCO is the excellent relationship between its Parties and its NGOs and it is vital that this is maintained in future.

Pat Kurkul (Co-Chair) indicated that the meeting was intended to be a round-table debate between stakeholders in the public and private sectors, and while no suggestion would be ruled in or out at the meeting, there would be an opportunity for clarification of any issues raised.

Ed Baum (Atlantic Salmon Unlimited, USA) welcomed NASCO to the State of Maine and indicated that he believed that it was an excellent initiative to seek the views of stakeholders on the future challenges for salmon management. He noted that while there are clearly many problems facing salmon at sea, issues in fresh water and in estuaries should not be ignored. He referred to the very poor performance of

stocked fish in some US rivers. He noted that while *Gyrodactylus salaris* had been identified as a focus area for future work, it would be important for NASCO to also consider the impacts of sea lice and Infectious Salmon Anaemia on the wild stocks. He supported the focus areas for NASCO but questioned if the Organization was adequately funded to address these. He thanked NASCO for its work over the last 20 years, which had greatly reduced the interception of salmon from rivers in Maine.

Colin Cunningham (New England Fishery Management Council, USA) supported the recommendation for NASCO to adopt an ecosystem approach to management since it is important that NASCO can work on a broad front to address the wide range of issues, including fisheries for other species, that may affect Atlantic salmon. However, he did not know how this approach would fit under the existing Convention. He noted that with regard to the impacts of aquaculture there is a need to better understand and manage the impacts of forage base removal for fish-meal production. He agreed with the proposals from the NGOs but felt that transgenic salmon should not be completely dismissed since if they were reared in secure cages on land, that might offer benefits to the wild stocks compared to current salmon farming practices.

Bill Townsend indicated that he felt the opportunity for an exchange of ideas between stakeholders had been very valuable and he encouraged NASCO to hold such consultation meetings more frequently, possibly annually on both sides of the Atlantic. He stressed that NGO involvement in NASCO's work is vital. He noted that it was important for NASCO to effectively communicate its work, including the scientific advice from ICES, to a wide audience of stakeholders. He suggested that NASCO had been hiding its light under a bushel and one approach to improve the Organization's outreach might be to commission a book on the first 20 years of NASCO which conveyed the story in a straightforward and lively manner.

David Reid (Nova Scotia Salmon Association, Canada) stressed the need for consideration of the impacts of acid rain on Atlantic salmon in an international forum so as to draw on experience in other countries. In Nova Scotia, the salmon in 50 out of 65 rivers are considered to be extremely threatened or extinct, and there is therefore a need for NASCO to give this issue some careful consideration.

Jacob van de Sande (Downeast Salmon Federation, USA) supported the need to consider the impacts of forage base removal and acid rain on Atlantic salmon. He highlighted the need for NASCO to increase public support for its work which would, in turn, increase political support. To do this NASCO needs to better communicate to the public what NASCO is and the work it is undertaking. There needs to be greater focus on PR and education. If salmon stocks are to be restored there is a need to ensure that NASCO is an effective international forum.

Steve Rideout (US Geological Survey) supported the need to study the forage base of salmon in the marine environment. He suggested that rather than just focusing on salmon stocks which are under stress, valuable lessons could be learned by studying those stocks which are performing well. He supported the view expressed by others that while there are significant marine survival issues that need to be addressed, freshwater and transition (fresh water to salt water) survival issues should not be

ignored as there is evidence from both the US and Canada that serious survival issues at these life-stages are affecting restoration and recovery efforts.

Malcolm Windsor indicated that NASCO wants to base its management decisions on sound scientific advice but asked for the views of the scientists present on how frequently the Organization would need to request advice. At present NASCO seeks advice from ICES annually but the advice changes little and it is possible that the scientific manpower could be used more effectively in future.

Niall O'Maoileidigh (Marine Institute, Ireland) agreed that with regard to catch options, the advice had not changed for a number of years. However, ICES has also been working on other important aspects such as trajectories for stock rebuilding, and he suggested that it would be important to maintain the impetus in these areas. However, it might be possible to continue this work within another forum in ICES.

Kevin Friedland (University of Massachusetts, NOAA, USA) suggested that as the scientists have to wear many hats at their individual laboratories, it is important to have international support for the work they are doing domestically on salmon.

Jaime Geiger indicated that there are benefits for both managers and scientists of international review of scientific programmes. He supported the suggestion that NASCO needs to focus more on education and that there is a need for increased attention to monitoring to support adaptive management.

Malcolm Windsor referred to the formula by which the financial contributions to NASCO are calculated, and indicated that while there are adequate resources to deal with the present workload, additional funding would be required to support public relations and education initiatives. This might be difficult given the financial constraints under which governments operate. However, NASCO is not just the Secretariat; all NASCO's Parties and the NGOs have a role to play in promoting the work of the Organization. He referred to the chemistry in the inter-governmental meetings which allows the Parties to work fast, but it is important to continue the momentum between meetings. He congratulated the NGOs on their useful ideas. He indicated that outreach was not an area in which the Secretariat currently had expertise but that it would be possible to learn from those who did, including the NGOs.

George Lapointe (Maine Department of Marine Resources, USA) agreed that outreach initiatives require specialist knowledge and there would be a need to draw on the expertise in the Parties and NGOs. There may also be a need for a specialist within the Secretariat. With regard to the use of transgenic salmon, he noted that the Food and Drug Administration would first consider the licence application with regard to human and environmental health issues, and the application would then be considered by the Federal and State fishery and wildlife agencies.

Mary Colligan (NOAA Fisheries, USA) referred to the proposals on reporting and to make the Parties more accountable for actions taken to implement agreements. She suggested that an alternative to mandate change might be to develop clear questions to facilitate improved reporting with targets and milestones being set so performance in implementation of agreements could be reviewed. One option might be to have

external reviews of progress or alternatively to appoint a compliance committee with representatives of the Parties and the NGOs to assess each Party's reports. The purpose of reporting is not only to assess the extent of implementation of agreements but also to promote exchange of information.

Chris Poupart referred to the proposal from the NGOs for a new protocol on reporting, which would make reporting a formal requirement under each agreement.

Pat Kurkul indicated that the Next Steps for NASCO Working Group had afforded a high priority to the need to improve, in the short term, accountability of the Parties through improved reporting and review of measures implemented.

Kim Blankenbeker (National Marine Fisheries Service, USA) referred to the idea of mandate change, noting that simply making something a binding obligation under a treaty does not necessarily result in compliance. For example, many organizations have clear obligations under their treaties to report data or make budgetary contributions, yet it is not uncommon for Parties to fail to meet those obligations. In large measure, it comes down to the will of the Parties to do what is required. Having said that, she noted that organizations have an important role to play in encouraging compliance by its membership. Finding effective ways of encouraging compliance, however, is a significant challenge. Depending on the circumstance, some organizations have looked at suspending voting rights or limiting fishing possibilities. She suggested that it would be important to identify what actions could be taken by NASCO to enhance its ability to encourage compliance with reporting and other rules.

Jamie Geiger suggested that increased accountability would lead to increased credibility and that one approach would be to develop action plans or strategic plans under which the goals and objectives of the Parties are detailed with timescales for implementation and requirements for evaluation and monitoring to assess progress.

George Lapointe indicated that in developing action plans it would be important to focus on the needs of the salmon and minimise the time spent in building the structures for reporting.

Ed Baum noted the recommendations in Annex 1 of the Discussion Document, which he felt were 'motherhood and apple pie'. He asked for clarification of what the Next Steps for NASCO Working Group meant by external review and heritage rivers.

Malcolm Windsor indicated that a criticism of NASCO was that while it had developed good agreements, they had been poorly implemented. In a diplomatic environment the Contracting Parties are reluctant to criticise one another, so the Next Steps for NASCO Working Group had suggested that an independent external review panel might be appointed to undertake this assessment. He suggested that this could be an important role for the NGOs and while in the past they have been rather reluctant to criticise the Parties, they are now better organised.

George Lapointe noted that, in the past, NASCO Parties did not appreciate criticism from the NGOs and there is therefore a need to develop a clearly defined and focussed role for the NGOs in NASCO's work. However, he believed that it would not be

appropriate for NGOs to carry out the review of progress in implementing NASCO's agreements, and that this should be undertaken by specialist reviewers.

Chris Poupart agreed that it is vital to improve the accountability of the Parties and that until recently the NGOs had been poorly organised. However, the NGOs have been working to build trust and relationships with the Parties, and there is a fine line to tread. The NGOs could certainly play a role in naming and shaming those Parties which are performing poorly in implementing agreements, but this would require that time be given to the NGOs so that they can contribute more fully. In this regard, the NGOs had welcomed the opportunity at the last Annual Meeting to direct questions to one particular Party in relation to management of homewater fisheries.

Scott Burns (Co-Chair) noted that there were issues of non-compliance and failed implementation in other international fisheries organizations, and there may be benefits from reviewing initiatives in those organizations with regard to improving implementation of agreements.

Tim Young indicated that he was involved in the work of the North Pacific Anadromous Fish Commission (NPAFC) and the Pacific Salmon Commission (PSC). With regard to NPAFC, its focus is not on formal reporting but exchange of information among the Parties on research and enforcement. This exchange has been valuable in understanding the factors affecting Pacific salmon stocks. In contrast, the PSC has more formal reporting in relation to harvest allocation. Different approaches are therefore being employed by different fisheries organizations.

Andrew Thomson indicated that he had experience of the work of the Northwest Atlantic Fisheries Organization, the North-East Atlantic Fisheries Commission and the International Baltic Sea Fisheries Commission, all of which have fewer reporting requirements than NASCO. He noted that there is little that can be done when a Party fails to implement agreements, but rather there is a moral obligation on the Parties to act, which can be reinforced by the NGOs. The Next Steps for NASCO Working Group is not, therefore, proposing mandate change at this stage, but rather has developed a range of options to improve accountability.

Chris Poupart referred to the proposals in the NGO response in relation to improved accountability. He suggested that the issue of designating heritage rivers was worthy of further consideration. In Norway, national salmon rivers and fjords have been designated and in the US and Canada salmon populations have been listed under the Endangered Species legislation. Similarly, in the EU the Habitats Directive allows designation of freshwater habitats for salmon and consideration could be given to extending this designation to marine habitats. The Parties could introduce designation of rivers without the need for mandate change.

Bill Townsend expressed some reservations about designating heritage rivers since, while the intention is to raise the profile of these rivers, it could inadvertently lower the profile of other non-designated rivers. His personal belief is that all rivers are equally worthy of protection and while he likes the idea of raising the profile of salmon conservation, he did not believe that the designation of heritage rivers is the best way to achieve this.

Stephen Gephard (State of Connecticut Department of Environmental Protection, USA) indicated that he supported the suggestions for improving accountability through an internal review, comprising representatives of the Parties and the NGOs, which would objectively review the achievement of goals and objectives within the specified timescales. This group might report in writing to the Council so that its findings could be included in the report of the meeting.

Joan Trial (Maine Atlantic Salmon Commission, USA) indicated that much of the reporting to NASCO of statistics and other data comes from ICES, so if advice was requested less frequently than on an annual basis this information would have to be sought from other sources.

Joe McKeon (US Fish and Wildlife Service) supported the need to increase accountability of the Parties and to improve NASCO's profile through an outreach programme. NASCO could also play an important role in supporting domestic programmes.

Tim Young indicated that in Canada there is a long coastline with many salmon rivers (>600), some of which are in very remote areas and without names. Obtaining information can, therefore, be difficult and reporting is a considerable undertaking.

Malcolm Windsor indicated that the present reporting process can be opaque and asked Peter Hutchinson to comment.

Peter Hutchinson (NASCO Secretariat) indicated that reporting in order to fulfil an obligation to implement agreements may be very different in scope to reporting in order to exchange information and expertise among the Parties and to promote the work of the Organization and the Contracting Parties. In order to allow a comprehensive review of the measures being taken there may, therefore, be a requirement to develop new reporting formats and to consider the frequency of reporting. Under the present system NASCO seeks reports on progress in implementing agreements annually, and only requests information on new measures introduced since the last notification. As a result it is not possible to review the suite of measures that may have been introduced over time. Less frequent, but focussed reporting, perhaps on a three- or four-year cycle, may lead to more detailed returns and facilitate review of progress.

Sebastian Belle indicated that he was not speaking for the entire industry, just his Association. As he had not had a chance to review the NGOs' proposals he could not comment on them in detail, but would be willing to submit written comments on them. With regard to the statement that it was not appropriate to rely on the moral obligation on civil servants to implement measures, he stressed that very tough measures had been introduced with regard to aquaculture. Furthermore, it was not the aquaculture industry's experience that NASCO did not have 'teeth'. With regard to *Gyrodactylus salaris*, he stressed that the spread of the parasite in Norway had been through movements of fish for stocking, not farming, and that there is a need for an aggressive programme to eradicate the parasite. He also questioned whether transgenic salmon would increase productivity in farming four-fold, and noted that while there is an application before the US Food and Drug Administration, much of the work on transgenic salmon is being conducted in Canada with Canadian

government funding. He suggested that if NASCO is concerned about the use of transgenic salmon, Chile should be invited to become a signatory to the NASCO Convention since it has the largest industry, and is likely to be the first place where transgenics will be used. He indicated that the US industry is at a competitive disadvantage with Chile because of environmental regulations and many of the US farms are about to go out of business. It would not be in the wild salmon's interests if the farms subject to the most stringent environmental regulations failed. With regard to the Liaison Group, his experience of negotiations involving government, industry and NGOs had not been favourable, and he would not, therefore, favour NGO participation in the Liaison Group at this stage, but rather would suggest that the NGOs and salmon farming industry meet for open and frank bilateral discussions. The industry is also sceptical about NGO participation in the Liaison Group because of the problems NASCO has experienced with some NGOs and the media at its Annual Meetings. He also noted that the way in which the Williamsburg Resolution had been taken forward by NASCO seriously compromised the trust that had been built in the Liaison Group and had jeopardised its future. At this stage, therefore, inclusion of NGOs in the Liaison Group was premature. He also suggested that with regard to the review of NASCO's agreements, there is no such thing as an independent panel.

Lorne Anderson (Canadian Aquaculture Industry Alliance) indicated that with regard to suggestions that consumers may be switching from farmed to wild salmon, the Salmon of the Americas Group ran taste tests among 80 chefs which found that most (a ratio of 3:1) preferred farmed salmon. He indicated that misinformation from NGOs and the media about health risks associated with farmed salmon was putting pressure on the wild stocks. In Canada, the salmon farming industry is highly regulated by both Federal and Provincial governments and there is a strong national code on introductions and transfers. The industry is complying fully with the NASCO agreements on containment and reports appropriate information to the Liaison Group. The Canadian industry does not support the use of transgenic salmon and will not do so until such time as their use is approved by Health Canada and there is consumer demand for them. He expressed concern about increasing NGO participation in NASCO. He supported further work by NASCO on sea lice and Infectious Salmon Anaemia, which are important areas for the industry. He indicated that the industry in Canada is working with the Federal and Provincial governments to develop a National Aquatic Animal Health Programme.

Dwayne Shaw (Downeast Salmon Federation, USA) expressed concern about the use of Atlantic salmon in the Pacific Ocean. He supported the comments about Chilean involvement in NASCO's work. With regard to the issue of accountability he indicated that the power in criticising others lies in putting your own house in order first, and he referred to management of the Greenland fishery in this regard. He noted that with regard to impacts of acid rain, in addition to rivers in Nova Scotia, downeast rivers of Maine have also been affected and the US needs to act to address this issue. He suggested that NASCO might have a role to play with regard to other anadromous species of fish that have synergies with Atlantic salmon. He believed that there should be improved partnership between NASCO and its NGOs in future, but in the case of the salmon farming industry, partnership was different since the industry is regulated.

Andrew Goode (Atlantic Salmon Federation, USA) stated that ASF feels strongly that there is a role for the NGOs in the Liaison Group. In the US there has been progress on aquaculture issues as a result of pressure from the NGOs through collaborative initiatives and legal action. ASF is involved in research in relation to aquaculture impacts and could bring this expertise to the Liaison Group. With regard to the industry's concern about NGO contact with the media, there could be confidentiality agreements developed which should address this concern. He indicated that ASF supports strengthening the NASCO mandate. He expressed concern that the West Greenland fishery could develop again if Canadian stocks recovered, since this could seriously affect the US stocks which are also harvested in that fishery. He suggested that there could be a role for NASCO in agreeing compensation agreements for not fishing quotas, and in developing alternative economic activities for fishermen. He stressed the need to effectively communicate details of NASCO's work to the many NGOs not involved in the Organization.

Chris Poupart expressed disappointment at the comments from Sebastian Belle with regard to NGOs and the media. This had involved a small number of NGOs whose accreditation to NASCO had been suspended because they could not accept the Organization's media guidelines. He believed this could be resolved through a joint approach to the media. With regard to the Liaison Group he referred to dialogue in Scotland involving the industry, NGOs and government representatives through the tripartite working group, which had led to real progress. NASCO's NGOs are demonstrating increasing organization and while he appreciates the industry's sensitivity, it is vital that NGOs participate in the Liaison Group and, with goodwill from both sides, this could be achieved.

Jaime Geiger urged NASCO to increase its focus on habitat protection and restoration and to consider establishing a fund for landscape-based improvements to which the private sector could be invited to contribute. In some areas, habitat problems remain the main issue. He also referred to the success of the Adopt a Salmon programme in New England and suggested that there could be benefits from an international outreach initiative. He also indicated that NASCO's Special Sessions have been very useful and there is a need to take action in the light of the information presented.

Peter Cronin (New Brunswick Department of Natural Resources, Canada) welcomed the positive suggestions for improving NASCO and he believed there was a considerable amount of common ground in the visions of the NGOs and the Parties. In undertaking the review of the Organization's work and the consultations, there was some fear of the unknown, but it is important to grasp the opportunity to improve NASCO through a strategic approach. In the discussion document it is stated that a goal for NASCO is to conserve and, wherever possible, restore the natural capacity for salmon production to ensure that salmon habitat is fully utilised by salmon and the salmon stocks provide the greatest possible benefits to society and individuals. At present, reporting is linked to tasks that should be undertaken but the focus should, in future, be on timeframes and goals, with detailed reporting on which measures have had benefits and which have failed.

Sebastian Belle indicated that with regard to NASCO's work on socio-economic factors, he hoped that the impact on the industry of NASCO's measures in relation to

aquaculture would be included in the economic impact assessment. The impacts of regulations on the salmon farming industry have been significant and there would be socio-economic impacts on the industry elsewhere if they had to apply the same measures that applied in the US. He suggested that there is a need for NASCO's research board to consider the implications of ecosystem shifts on Atlantic salmon. With regard to a joint media approach between NASCO and the NGOs, he stressed the need for caution. While NGOs may have skills in media that NASCO could access, if care is not taken a joint media approach could de-legitimise NASCO.

Ken Whelan indicated that with regard to the ecosystem approach, there is much confusion as to what it means. Research into the factors causing mortality of salmon at sea is challenging but scientists around the North Atlantic have invested great effort in developing a cooperative programme of work (SALSEA) which should be finalised in the next few weeks. While recognising that aspects such as habitat protection and restoration and acid rain must not be forgotten, the marine survival of Irish salmon stocks has fallen to 50% of its level in the 1970s and this threatens to undermine all the good work done in fresh water. While the Research Board aims to raise new funds from the private sector, progress can also be made in implementing the SALSEA programme through re-prioritising existing government research funding. The SALSEA programme includes hypotheses in relation to ecosystem shifts and by-catch which can be tested.

Andrew Thomson agreed that there is a need to much more effectively communicate the work of NASCO through development of a media strategy. The NGOs could be very helpful in assisting in the development of such a media strategy, which may require additional resources from the Parties to implement it effectively.

Kim Blankenbeker added that NASCO's media strategy must have clear objectives. She noted that a main focus of an education and outreach effort should be to get the word out about the plight of salmon, what is being done internationally to conserve salmon, and what individuals can do. In development of an education/outreach strategy, NASCO needs to define who it is reaching out to in order to target its audience effectively.

Malcolm Windsor agreed that an outreach programme should focus on the situation facing the salmon and the need for international cooperation to address it, rather than go into the detail of NASCO's work. There is a need for a sense of urgency and to raise the profile, perhaps through involving well-known politicians to influence opinion. In this regard the NGOs could also assist.

Chris Poupart thanked NASCO for undertaking the Next Steps review and the consultation meetings. He believed it was unique for an international organization to do this and he hoped that the Next Steps for NASCO Working Group and the Council of NASCO would take the suggestions made forward in a positive manner.

5. Report of the Meeting

- 5.1 Dr Malcolm Windsor advised the meeting that a draft report of the meeting would be prepared following the consultation meetings and sent to all participants within a period of three weeks after the meetings. All participants could submit written

statements to the NASCO Secretariat within a period of ten days after the consultation meetings for inclusion in the report. Participants would be given a period of three weeks to comment on the draft report or to add new ideas in the light of what they had heard at the meetings. The report would then be distributed to the Next Steps for NASCO Working Group ahead of its next meeting scheduled for early April. All participants at the consultation meetings will also be invited to participate in an Open Session at NASCO's Twenty-Second Annual Meeting when the recommendations of the Next Steps for NASCO Working Group will be presented to the Council for its consideration.

6. Close of the Meeting

- 6.1 In closing the London meeting, Mr Bjornulf Kristiansen indicated that he had attended many meetings but that this consultation meeting had been rather special and had resulted in some very useful ideas for NASCO to consider. He hoped that the Next Steps for NASCO Working Group would give these ideas careful consideration in formulating its recommendations to the Council. Andrew Thomson then thanked all participants for their contributions to the meeting, which had allowed for a very valuable dialogue. He stressed that as custodians of the wild Atlantic salmon, it is our task to ensure that future generations can enjoy the resource for sport, food or just to admire. That is our challenge. He wished all participants a safe journey home.
- 6.2 In closing the Portland meeting, Mr Scott Burns thanked the participants for a very valuable dialogue and the useful ideas that had been put forward, and which will be reported in full to the Next Steps for NASCO Working Group at its meeting in April. Ms Pat Kurkul also thanked participants and referred to the common themes that had emerged at both the London and Portland meetings. She indicated that the consultations had been a very valuable process and the Next Steps for NASCO Working Group will have much to consider when it meets in April.

**Opening Remarks by the Co-Chairs at
the London Consultation Meeting
19 January 2005**

Ladies and Gentlemen, let me introduce myself. I am Andrew Thomson. I work for the Fisheries Directorate at the European Commission in Brussels, and I am one of the representatives of the EU at NASCO. On behalf of the Council of NASCO, and along with my Co-Chair, Mr Bjornulf Kristiansen, I would like to welcome you all to this Consultation Meeting.

We are holding this consultation meeting today here in London. Next week, we are doing the same in Portland, Maine, in the USA. Why? We are doing this now because NASCO is 20 years old. Not very old in human terms! In NASCO, we feel that this Organization has done a very good job over the last 20 years. Have a look at the document "NASCO at 20 years", which you have all received. Personally, I think it is remarkable what we have achieved together. With my experience in a number of other international fishery bodies, I know that NASCO is well at the forefront in both its actions and in its spirit.

Despite all these actions, the situation for the wild salmon stocks is serious. We are facing many difficulties in conserving the stocks, and despite all the sacrifices made around the North Atlantic, the stocks do not, so far, seem to have responded.

What is our aim today? We want to seek the views of all the Stakeholders on the future focus for NASCO. We are here today to listen to you, the Stakeholders. What do we mean by Stakeholders? We mean those organizations or individuals who have responsibilities for, utilise, depend on, or are simply concerned about and interested in the wild Atlantic salmon. This is a fairly wide remit.

I see that we have a number of people from the private sector here. We very much welcome your views. There are also people from official bodies, agencies and statutory bodies. You are also major stakeholders and we want to hear from you, too. There is no party line – you must talk and we must all listen.

We welcome all views, however wide-ranging or narrowly focused. You are completely free to suggest major or minor changes. In the discussion document NSCM(05)4 you have just a few options for changes which have been developed by our 'Next Steps for NASCO' Working Group. We want your views on these and any new suggestions you may have for how NASCO as an organization can be made more effective in meeting the challenges facing the wild salmon resource. Nothing is ruled out and nothing is ruled in. We will listen to every suggestion and proposal made and, in a few short weeks, we will let you see a record of this meeting so that you can be sure that we have captured all the points made. You can even add further points later if you think of other such points after the meeting when you have seen the report.

You will appreciate, however, that we cannot give you a response today on whether or not we can accept the ideas put forward. All the ideas and comments, and I must stress all, not just from this meeting but from the parallel meeting in Portland next week, will go back to the

Working Group which NASCO has established. All the suggestions will be considered by this Working Group, which will subsequently make recommendations to the NASCO Council as to what the “Next Steps” should actually be. You will be given a copy of the paper which will go to the Council. You will also be invited to participate, if you wish, in the Open Session of the June NASCO Council Meeting in Vichy, France. All the points will be debated by all those concerned at that time.

This, ladies and gentlemen, is a genuine attempt to involve you in our work and in our planning. As far as we are aware, we are the first International Fisheries Organization to do this. I am sure the others will follow closely behind!

My Co-Chair today is Bjornulf Kristiansen from Norway. I am particularly delighted that he has agreed to serve as Co-Chair today because he has been a very active member of our NGOs. I would like to invite him to say a few words of introduction.

Good morning, Ladies and Gentlemen. My name is Bjornulf Kristiansen and I represent the Norwegian Farmers Union, a long-standing NGO to NASCO. To my Organization’s members the Atlantic salmon represents an important cultural and economic resource which augments the income they derive from farming the land. This consultation meeting is very important in developing ideas to improve the situation facing the Atlantic salmon. I hope we will have a lively and valuable debate focusing on what can be done for the salmon in a cooperative atmosphere. Because of the life-cycle of the Atlantic salmon rational management can only be achieved through international cooperation and I believe that NASCO has achieved much in its first 20 years. Our challenge is to ensure that it has the ability to meet the future challenges that lie ahead.

Thank you, Bjornulf. Malcolm Windsor, the NASCO Secretary, will now make some announcements about today’s meeting and how we will handle its outcome. Following this, he will make a presentation about “20 Years of NASCO”. This will help to summarise where we are today and highlight some of the options developed by the ‘Next Steps’ Working Group. Remember that this Working Group was established to ensure that NASCO is well positioned to meet future challenges in salmon conservation and management. Having heard from all of us, we will then be seeking your views on where we should be going in future. Remember, ladies and gentlemen, we want to hear your views and we want to hear your views on these views. I want to hear from everyone today, however much you have to contribute. This way, we will guarantee that NASCO can go forward and meet the challenges to ensure the future of the wild salmon.

**Opening Remarks by the Co-Chairs at
the Portland Consultation Meeting
Portland, 25 January 2005**

Ladies and Gentlemen, my name is Pat Kurkul and I am the Regional Administrator for the North-East Region of the National Marine Fisheries Service. I am also Head of the US Delegation to NASCO. On behalf of the Council of NASCO my Co-Chair, Mr Scott Burns, and I would like to welcome you all to this Consultation Meeting. We are holding this meeting today here in Portland and we held another parallel one last week in London. The reason that we are doing this now is because NASCO is 20 years old. We all feel that this Organization has done a very good job over these years and when you look at the document "NASCO at 20 years", which you have all got, I think it is remarkable what has been achieved. I have experience of a number of international fishery bodies and I can tell you that NASCO is well in the forefront in its actions and in its spirit.

Nevertheless, the situation for the wild salmon stocks is serious, we face many difficulties in conserving the stocks and, in spite of all the sacrifices made around the Atlantic, the stocks do not, so far, seem to have responded.

Our aim now is to seek the view of all the Stakeholders on the future focus for NASCO. So we are here today mainly to listen to you, the Stakeholders. By Stakeholders we mean those organizations or individuals who have responsibilities for, utilise, depend on, or are simply concerned about and interested in the wild Atlantic salmon. I see that we have a number of people from the private sector here and we very much welcome your views. There are also people from official bodies, agencies and statutory bodies. You are also major stakeholders and we want to hear from you, too. Today there is no party line!

Let me make it clear that we welcome all views, however wide-ranging or narrowly focused. We want you to feel completely free to suggest major or minor changes. In the discussion document NSCM(05)4 you have some options for changes which have been developed by our 'Next Steps for NASCO' Working Group and we would like your views on these and any new suggestions you may have for how the Organization can be made more effective in meeting the challenges facing the resource. Nothing is ruled out and nothing is ruled in. We will note every suggestion and proposal made and we will let you see a record of this meeting so that you can be sure that we have captured the points made. If you think of other points after the meeting when you see the report you can even add these.

I am sure you will appreciate, however, that we cannot give you a response today on whether or not we can accept the ideas put forward. All the ideas and comments, not just from this meeting but from the parallel meeting in London last week, will go back to the Working Group that NASCO has put together for this purpose. This Working Group will sift through all of the suggestions and will make some recommendations to NASCO Council as to what the "Next Steps" should actually be. We will show you the paper which will go to the Council. We will also invite you to participate, if you wish, in the Open Session of the June Council Meeting in Vichy, France where all this will be debated.

So this is a genuine attempt to involve you in our work and in our planning and, so far as we are aware, we are the first International Fisheries Organization to do this.

I have mentioned that my Co-Chair is Scott Burns from WWF and we are particularly delighted that he has agreed to serve as Co-Chair today. So first I would like to invite him to say a few words.

Good morning, Ladies and Gentlemen. It is my pleasure to co-chair this important consultation meeting and to welcome you here today. I work for the World Wildlife Fund and direct its marine conservation programme. Today, as Pat has indicated, we seek your views on the changes that might be needed to ensure that NASCO can meet its future challenges. I would like to thank NASCO and its Contracting Parties for the way in which they have decided to explore the Organization's future through open consultation meetings in London and now today in Portland. I would encourage this meeting to pay special attention to the proposals for change which have been developed by the Next Steps for NASCO Working Group as detailed in the discussion document which has been distributed. I look forward to an open and frank discussion.

Thank you, Scott. I would now like to ask our Secretary, Malcolm Windsor, to make some announcements about today and how we will handle the outcome of this meeting. He will then make a presentation to us about "20 Years of NASCO" so as to summarise where we are today and highlight some of the options developed by the 'Next Steps for NASCO' Working Group to ensure that NASCO is well positioned to meet future challenges in salmon conservation and management. Then, of course, we will be seeking your views on where we should be going in future.

Stakeholder Consultation Meetings on the ‘Next Steps for NASCO’

List of Participants

London, 19 January 2005

Mr Hugh Becker	North-East Regional Fisheries, Ecology and Recreation Advisory Committee, Barnard Castle, County Durham, England
Ms Carmen Beraldí	Secretaria General de Pesca, Madrid, Spain
Mr Raoul Bierach	Directorate for Nature Management, Trondheim, Norway
Ms Liz Black	Environment Agency, Cumbria, England, UK
Mr Ede Brumund-Rüther	German Anglers Union, Jade, Germany
Mr Patrick Byrne	National Anglers Representative Association, Newbridge, Co Kildare, Ireland
Mr Ian Calcott	Scottish Anglers National Association, Falkirk, Scotland, UK
Mr Hugh Campbell-Adamson	Association of Salmon Fishery Boards, Edinburgh, Scotland, UK
Mr Paul Chapinal	Department of Environment, Fisheries and Rural Affairs, London, UK
Ms Mary Colligan	National Marine Fisheries Service, Gloucester, Massachusetts, USA
Mr Richard Cowan	Department of Environment, Fisheries and Rural Affairs, London, UK
Mr Roger Furniss	South West Rivers Association, Exeter, UK
Dr Paddy Gargan	Central Fisheries Board, Dublin, Ireland
Mr Gerard Gough	Electricity Supply Board Fisheries Conservation, Ardnacrusha, Co Clare, Ireland
Mr Ian Gregg	Association of Rivers Trusts, Penrith, Cumbria, England, UK
Mr John Gregory	Institute of Fisheries Management, Powys, Wales, UK
Mr Guðmundur B Helgason	Ministry of Agriculture, Reykjavik, Iceland
Mr Timothy Hoggarth	Atlantic Salmon Trust, Surrey, England, UK

Dr Peter Hutchinson	Assistant Secretary, NASCO
Dr Detlev Ingendahl	State Inland Agency of Ecology NRW, Kirchhundem, Germany
Mr Arni Isaksson	Directorate of Freshwater Fisheries, Reykjavik, Iceland
Mr Paul Knight	Salmon and Trout Association, London, UK
Mr Bjornulf Kristiansen	(Co-Chair), Norges Bondelag (Norwegian Farmers Union), Oslo, Norway
Dr Svetlana Krylova	Murmanrybvod, Murmansk, Russia
Ms Patricia Kurkul	National Oceanic and Atmospheric Administration Fisheries, Gloucester, Massachusetts, USA
Mr Nick Marriner	North-West Regional Fisheries Ecology and Recreation Advisory Committee, Warwick on Eden, Carlisle, UK
Mr Patrick Martin	Fondation Saumon, Langeac, France
Dr Ursula Monnerjahn	Information Centre for Biological Diversity (IBV)/ZADI, Bonn, Germany
Major Gen. Seymour Monro	Atlantic Salmon Trust, Pitlochry, Perthshire, Scotland, UK
Mr Armin Nemitz	Fisheries Association of Northrhine-Westfalia, Germany
Mr George O'Doherty	Department of Communications, Marine and Natural Resources, Dublin, Ireland
Mr Chris Poupart	Chairman of NGOs, Truro, UK
Dr Boris Prischepa	Murmanrybvod, Murmansk, Russia
Ms Elena Samoylova	PINRO, Murmansk, Russia
Dr H Schulze-Wiehenbrauck	Ministry of Environment of Northrhine-Westfalia, Dusseldorf , Germany
Mr Boris Temkin	Association of Tourist Enterprises of Murmansk Region, Murmansk, Russia
Mr Andrew Thomson	(Co-Chair), European Commission, Brussels, Belgium
Mr Ole Tougaard	European Commission, Brussels, Belgium
Dr Ken Whelan	Marine Institute, Newport, Ireland
Mr Andrew Whitehead	North Atlantic Salmon Fund (UK), Kinross, Scotland, UK
Mr Godfrey Williams	Environment Agency, Cumbria, England, UK

Dr Malcolm Windsor	Secretary, NASCO
Mr J Humphrey A. Wood	South West Rivers Association, London, UK
Mr Tim Young	Department of Fisheries and Oceans, Ottawa, Ontario, Canada

Portland, 25 January 2005

Mr Lorne Anderson	Canadian Aquaculture Industry Alliance, Ottawa, Ontario, Canada
Mr Edward Baum	Atlantic Salmon Unlimited, Hermon, Maine, USA
Mr Sebastian Belle	Maine Aquaculture Association, Hallowell, Maine, USA
Ms Kimberly Blankenbeker	National Marine Fisheries Service (SF4), Silver Spring, Maryland, USA
Mr Scott Burns	(Co Chair) World Wildlife Fund, Washington DC, USA
Ms Mary Colligan	National Marine Fisheries Service, Gloucester, Massachusetts, USA
Mr Peter Cronin	New Brunswick Department of Natural Resources, Fredericton, New Brunswick, Canada
Mr Colin Cunningham, Jr	New England Fishery Management Council and Massachusetts Marine Fisheries Commission, Boston, Massachusetts, USA
Dr Adria Elskus	United States Geological Survey, Orono, Maine, USA
Dr Kevin Friedland	University of Massachusetts Amherst and the National Oceanic and Atmospheric Administration, Cooperative Marine Education and Research Programme, Amherst, Massachusetts, USA
Dr Jaime Geiger	United States Fish and Wildlife Service, Hadley, Massachusetts, USA
Mr Stephen Gephard	State of Connecticut, Department of Environmental Protection, Inland Fisheries Division, Old Lyme, Connecticut, USA
Mr Andrew Goode	Atlantic Salmon Federation, Brunswick, Maine, USA
Dr Peter Hutchinson	Assistant Secretary, NASCO
Mr Ralph Keef	Maine Council, ASF, Hermon, Maine, USA
Mr Patrick Keliher	Maine Atlantic Salmon Commission, Augusta, Maine, USA

Ms Patricia Kurkul	(Co-Chair), National Oceanic and Atmospheric Administration Fisheries, Gloucester, Massachusetts, USA
Mr George Lapointe	Maine Department of Marine Resources, Augusta, Maine, USA
Mr Sandy McGeachy	New Brunswick Department of Agriculture, Fisheries and Aquaculture, Fredericton, New Brunswick, Canada
Mr Joseph McKeon	United States Fish and Wildlife Service, Nashua, New Hampshire, USA
Dr Niall O'Maoileidigh	Marine Institute, Dublin, Ireland
Mr Chris Poupart	Chairman of NGOs, Truro, UK
Mr David Reid	Nova Scotia Salmon Association, Bedford, Nova Scotia, Canada
Mr Steve Rideout	United States Geological Survey, Leetown Science Center, Turners Fall, Massachusetts, USA
Mr Gordon Russell	United States Fish and Wildlife Service, Old Town, Maine, USA
Mr Jacob van de Sande	Downeast Salmon Federation, Columbia Falls, Maine, USA
Mr Dwayne Shaw	Downeast Salmon Federation, Columbia Falls, Maine, USA
Mr Andrew Thomson	European Commission, Brussels, Belgium
Mr Clinton Townsend	Maine Rivers, Skowhegan, Maine, USA
Ms Joan Trial	Maine Atlantic Salmon Commission, Bangor, Maine, USA
Dr Ken Whelan	Marine Institute, Newport, Ireland
Dr Malcolm Windsor	Secretary, NASCO
Mr Jed Wright	United States Fish and Wildlife Service, Portland, Maine, USA
Mr Tim Young	Department of Fisheries and Oceans, Ottawa, Ontario, Canada
Dr Gerard Zegers	Downeast Salmon Federation, Machias, Maine, USA

NASCO at 20 years

The wild salmon brings many jobs and brings pleasure to many who will never fish it. It symbolises environmental quality. Over 2,000 salmon rivers flow into the North Atlantic and the wild stocks migrate widely. Rational management of the North Atlantic salmon can therefore only be achieved through international cooperation. Since 1984, NASCO has provided that forum for conservation, restoration, enhancement and rational management of Atlantic salmon. This 20-year period has, however, proved a difficult one, since stock abundance has declined. Environmental changes, particularly at sea, may have very significant impacts on abundance. In this situation, stringent management measures have been required on all factors that might impact on the resource. The milestones in the 20-year period follow:

- NASCO's Convention prohibited fishing for salmon beyond areas of fisheries jurisdiction and in most parts of the North Atlantic beyond 12 nautical miles, and thereby created a large protected zone free of fisheries in the North Atlantic;
- NASCO successfully addressed the problem of fishing for salmon in international waters by non-Contracting Parties but there is a need for vigilance as market demand for wild salmon could increase;
- NASCO agreements greatly reduced the interception by a Party of salmon originating in the rivers of other Parties. These fisheries accounted for 30% of the total harvest at their peak prior to 1984, but for less than 0.5% of the harvest in 2003;
- These NASCO regulatory measures stimulated management measures in "home water" fisheries which have also greatly reduced harvests. There is a requirement under the Convention which effectively requires the process of 'putting your own house in order' before expecting others to make sacrifices;
- NASCO considerably broadened its base from an organization which focused only on the fisheries to one which is now addressing a very wide range of threats to the resource (see below);
- NASCO introduced the concepts of the Precautionary Approach to all of its work so as to give priority to conserving the productive capacity of the resource and avoid irreversible change. In this regard, NASCO developed guidelines/agreements in relation to:
 - management of North Atlantic salmon fisheries;
 - habitat protection and restoration;
 - by-catch;
 - stock rebuilding programmes;
 - salmon aquaculture;
 - introductions and transfers;
 - and transgenics.

- NASCO identified all the social and economic values of the wild Atlantic salmon and is now developing guidelines on how to incorporate socio-economic factors in application of the Precautionary Approach without undermining its effectiveness;
- NASCO took steps to prevent the further spread of the parasite *Gyrodactylus salaris*;
- NASCO stimulated scientific research and advice so as to provide a basis for its actions;
- NASCO introduced a minimum standard for catch statistics, it has analysed the sources of unreported catches on an annual basis, and it has encouraged measures to minimise unreported catch;
- NASCO developed guidelines for catch and release fishing and for the establishment of gene banks;
- NASCO stimulated an exchange of statistics and information among the Parties and has established a number of databases related to the salmon and its conservation;
- recognising that a major factor influencing salmon abundance is increased mortality at sea and that the causes of this are poorly understood, NASCO established an International Atlantic Salmon Research Board in order to stimulate research and links with NGOs and with the private sector on this issue;
- NASCO established a Liaison Group with the international salmon farming industry with a view to developing agreements on how to minimise impacts of this industry on the wild stocks;
- NASCO developed its transparency and admitted 30 observer organizations, a very much larger number than most fishery organizations, to its meetings. The contributions they make have been welcomed;
- NASCO is considered to be a very stable organization financially and one which has made excellent investments for the future;
- In NASCO, over 100 delegates, all with differing experience and backgrounds in wild salmon, gather annually in a cooperative international spirit to do their best to conserve the wild stocks.

None of these elements existed prior to NASCO and not many international inter-governmental organizations have come this far in this timescale. Nonetheless, the situation for the wild stocks is still serious and the Organization will now consider how to monitor implementation of its agreements and how it can ensure its effectiveness for the next decade.

NSCM(05)6**Next Steps for NASCO**

A Joint Response from the Non-Governmental Observer Organisations

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Introduction

The North Atlantic Salmon Conservation Organization (NASCO) was formed in 1984. Over the succeeding 20 years wild Atlantic salmon have continued to decline and in some parts of their range are in an endangered state. These bare facts have been used by some observers as justification of their claim that NASCO has failed as an organization. This criticism is unfair, because in those 20 years a number of new threats to salmon have emerged or been identified that did not appear relevant or significant when NASCO was formed. In 1984 the primary cause of concern was exploitation of salmon in their feeding grounds on the high seas, and the NASCO mandate was constructed specifically to deal with that threat. In this respect, NASCO has been successful; illegal fishing for salmon on the high seas has been virtually eliminated, and exploitation in the principal feeding grounds at West Greenland and the Faroes has either been suspended or reduced to a minimum for subsistence consumption. NASCO's success has been built on scientific advice from ICES, tough negotiation and a growing trust between the Parties, with assistance over the years by various private initiatives brokered by the North Atlantic Salmon Fund (NASF).

During the past 20 years NASCO has done its best to respond to the new threats to salmon as they have emerged. It has adopted the principle of the Precautionary Approach to the management of salmon stocks and developed guidelines for habitat restoration, the impact of aquaculture, introductions and re-stocking. These are laudable initiatives, but to outside observers the pace at which they have been introduced and the rate at which they have been applied by the Parties leaves much to be desired; and salmon stocks have continued to decline.

At the 20th anniversary meeting in Reykjavik in June 2004, the WWF and ASF published a critical Review of NASCO's work, together with a Vision for the future of the organisation. This document was independently authored by four individuals from quite different backgrounds with long experience of NASCO. Their central conclusion was that the work of the Organization was constrained by the original mandate, and they called on the Council of NASCO to set up a working party to consider the future of the Organization. This recommendation was supported by all the NGOs present in Iceland, in addition to a number of specific recommendations, which will be discussed later. A parallel paper, tabled by the USA, suggested a review of NASCO meetings and procedures.

NASCO was formed out of an idea put forward by some NGOs in 1979. We felt that 25 years on, it was highly appropriate that a new direction for the Organization should again be stimulated by an initiative put forward by NGOs.

At Reykjavik, the Council of NASCO agreed to set up a working party, the "Next Steps" process, and invited representatives of the NGOs to contribute to a discussion about the format and content of the consultation exercise in Dunkeld, Scotland in October 2004. As a result, two consultation meetings, open to all with an interest in wild Atlantic salmon, are to be held in London on January 19th 2005 and Portland, Maine on January 25th 2005. The meetings will be co-chaired by representatives of the Contracting Parties and the NGOs.

The NGOs applaud the positive and open way in which NASCO has set up the consultation meetings, and we look forward to making a significant contribution to the "Next Steps" process.

GENERAL PRINCIPLES

1. Scope and objectives of Next Steps process

The NGOs have welcomed the open approach taken by NASCO and its Contracting Parties. However, there is always a danger in any organisation that the processes of the organisation can become more important than its objectives. The principal aim of NASCO should remain the conservation, restoration and improvement of Atlantic salmon stocks. This is the criterion on which NASCO will continue to be judged. The outcome of the consultation process and any changes to the way NASCO operates must be oriented towards improving performance in achieving these objectives.

Recommendation 1

The outcome of the consultation process and any changes to the way NASCO operates must be primarily oriented towards improving performance in the conservation, restoration and improvement of Atlantic salmon stocks.

2. The need for an ecosystem-based approach

It is now widely accepted that fisheries management cannot be successful without the adoption of an ecosystem-based approach. This principle was formally recognized in the FAO *Code of Conduct for Responsible Fisheries* (1995) and the ecosystem approach has had a fundamental influence on the *United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks*.

The ecosystem approach is highly relevant to the management of Atlantic salmon stocks, which have a complex life-cycle and are vulnerable to threats at each stage of their development, covering spawning areas, juvenile habitat, migration routes and feeding areas in the ocean. A major implication of this approach is that all the complex interactions from human activity – including water abstraction, agricultural practice, industrial processes, urban run-off, hydro-power generation, angling, aquaculture, net fishing and so on, – must be addressed by NASCO and its Contracting Parties.

The eco-system approach is particularly relevant to NASCO in terms of its international role in addressing the impact of fishing, and not just fishing targeted on salmon, but fishing for other species in areas of salmon migration or high seas feeding grounds (see section 10).

Recommendation 2

The role of NASCO must be based on the ecosystem-based approach to the management of Atlantic salmon stocks.

3. Adoption of the Precautionary Approach

NASCO has led the way, compared with other international fishery organisations, in developing a precautionary approach to the management of wild Atlantic salmon stocks, approving the principles in 1998.

However, to observers, the pace of progress by the Parties in applying these principles has been very slow. This has been described as applying the Precautionary Approach to its implementation. For example, there are growing concerns, first highlighted by the NGOs at

NASCO in 1998, that pelagic trawlers in the North and Norwegian Seas may be taking a substantial by-catch of salmon post-smolts. The Precautionary Approach clearly states that “*the absence of scientific proof should not be used as an excuse to avoid taking management action*”, yet NASCO’s response to this potentially serious threat has been simply to take a lead in co-ordinating research into the subject (see 10 & 11).

Recommendation 3

NASCO must apply the Precautionary Approach with much greater urgency and vigour.

IMPROVING THE EFFECTIVENESS of NASCO

4. The need for a broader mandate

The main conclusion of the *Vision* document was that NASCO required a new mandate to enable it to address the range of new threats to Atlantic salmon. The document argued that NASCO’s authority to carry out its treaty obligations was limited by Article 4.2. This rules out any decision concerning “*the management of salmon harvest within the area of fisheries jurisdiction of a Party*”. In practice this has meant that the Council of NASCO can do no more than make recommendations on such issues as the Precautionary Approach to fisheries management, regulation of aquaculture and exploitation of salmon in home waters.

A good example has been given by the Secretary: interception of Spanish salmon in Faroese waters is within NASCO jurisdiction; interception of Spanish salmon in Irish waters is not. This is clearly a nonsense in terms of international salmon management.

Despite these limitations, NASCO has done its best in tackling a wide range of threats to salmon beyond its original mandate. It has adopted the principle of the Precautionary Approach to the management of salmon stocks and developed guidelines for habitat restoration, reducing the impact of aquaculture, introductions and re-stocking. However, progress has been entirely dependent on the voluntary adoption of these measures by the Parties, which has been extremely variable in terms of both scope and speed of implementation.

Reporting procedures have been similarly mixed and there has been little critical examination of such reports by other Parties. Often, individual Parties have managed to present a smokescreen, obscuring their lack of action; in some instances, Parties have simply not reported at all. The impact of attempts by NGOs to highlight these failures have been reduced, in the early days by lack of co-ordination, by time constraints on opening statements and the limited participative opportunities currently available during the NASCO annual meeting (see section 20). Even in Special Sessions, lack of structure in the meetings and crowded agendas have militated against robust criticism.

In short, NASCO has no teeth to require the implementation of its guidelines.

This is not good enough when there has been a continued decline of salmon stocks across the North Atlantic. This situation must be addressed as part of this Review.

The NASCO Working Party (which only comprises representatives of the Parties) has concluded, in advance of this Review, that a new mandate is not required. They point out that opening up the Treaty for revision would be a time-consuming process; that any changes

would require unanimous adoption and they highlight the danger of the “*law of unintended consequences*” – that ultimately unfavourable changes might be incorporated during the revision process.

The NGOs do not consider this to be a serious risk. Any changes require unanimous approval by the Parties. While our suggestions would strengthen the mandate, counter-arguments which might weaken the mandate would also require unanimity, and we believe such negative changes would be unlikely to gain approval.

NASCO Action Plans

As an alternative, the Parties have suggested that “*Commitments might be made which would achieve a similar result to changing the Convention. For example, the NASCO Parties could produce action plans relating to the NASCO agreements which would commit them to achieve implementation of elements of these agreements by certain dates. These action plans would be submitted to the Council of NASCO for its consideration.*”

Other options were suggested to improve implementation and reporting:

- Restructure the format of annual meetings, with alternate years focussing on reporting on implementation of agreements, so as to allow for a review of progress, with perhaps an intense focus on particular agreements every few years.
- Progress reports to be made at *Special Sessions of Council* which would extend NGO participation. The programme for such sessions could be developed well in advance to include fundamental questions to assess the extent of implementation.
- Reconsider reporting formats to facilitate comprehensive reports (rather than just new measures) and facilitate database entry of information.
- Commission an independent panel to undertake a critical external review of the actions taken by Parties to implement agreements.

In addition, the NGOs recommend that a new protocol to the Convention, specifying the obligations of the Parties to report to NASCO under existing agreements, should be drawn up. This would ensure that

- (i) Reporting requirements are formal requirements under the Treaty;
- (ii) The reporting requirements are adequate in scope, with the types of measures to be reported clearly defined; and
- (iii) That the data reported can be readily measured against targets and timescales.

The response from ASF and WWF will provide more detail in this area.

The NGOs recognize one particular problem associated with opening the Convention - the timescales involved, and time is not on our side. We believe that the suggestions made by the NASCO Working Party represent an immediate way forward and should be adopted as soon as possible.

If these new measures are adopted, their success will be judged by how enthusiastically the Parties embrace them. The NGOs hope to play a key role in their critical evaluation.

Changing the mandate

Unfortunately, without mandate change, these measures remain voluntary, and the question of what action can be taken against Parties who fail to meet targets remains. The NGOs do not believe that the idea of mandate change should be discarded. We understand that the process of amending the Convention is straightforward: any of the Parties may propose an amendment 90 days before a meeting. Achieving unanimity may be more difficult, but if broadening the mandate is essential to the Organization achieving its purpose, it should be difficult for any Party to justify a vote against this change.

The principal reason for changing the mandate is to give NASCO the regulatory authority in regard to the broader issues on which it can only currently make recommendations. We believe this could be achieved by simple amendments to Articles 1 and 4.2 of the Convention. Our colleagues in North America are formulating more detailed proposals.

The idea that NASCO could “interfere” in the management of salmon in home waters is likely to be viewed with apprehension by some Parties, but in practice, of course, it will be the Parties who continue to manage their own stocks; but instead of discretion to implement NASCO agreements there would be a measure of compulsion. We believe such a change would actually help some governments faced with difficult political decisions at home, for example in the case of management of mixed stock fisheries or the regulation of aquaculture.

The NGOs therefore propose a “**twin-track**” approach:

- A. Immediate adoption of the NASCO Working Party suggestions for the introduction of **action plans**, requiring the Parties to develop commitments for the introduction of NASCO agreements, with timescales, together with robust reporting mechanisms and a critical review process.
- B. Establish a small working group, including representatives from the Secretariat, Parties and NGOs, to examine the mechanisms for and feasibility of **mandate change**.

It is important to remember that mandate change may be required if the new measures proposed are ineffective, new threats to salmon emerge, or the stock situation deteriorates drastically (e.g. major climatic event), and opening the Convention may need to be implemented as a matter of urgency.

Recommendation 4

The NGOs recommend a “**twin-track**” approach:

- A. Immediate adoption of the NASCO Working Party suggestions for the introduction of **action plans**, requiring the Parties to develop commitments for the introduction of NASCO agreements, with timescales, together with robust reporting mechanisms and a critical review process, as follows:
 - 4.1 Require each Party to develop a plan of action for implementation of all NASCO’s agreements, including milestones for implementation. Such Plans should establish quantifiable goals for implementation of particular elements of an agreement in a given time frame.

- 4.2 Restructure the format of annual meetings, with alternate years focussing on reporting on implementation of agreements, so as to allow for a review of progress, with an intense focus on particular agreements every few years. Where appropriate, more use could be made of inter-sessional meetings to speed up the reporting and implementation process.
 - 4.3 Require reports to be made at *Special Sessions of Council*, which would extend NGO participation. The programme for such sessions could be developed well in advance to include fundamental questions to assess the extent of implementation.
 - 4.4 In addition, the NGOs recommend that a new protocol to the Convention, specifying the obligations of the Parties to report to NASCO under existing agreements, should be drawn up. This would ensure that
 - (i) Reporting requirements are formal requirements under the Treaty;
 - (ii) The reporting requirements are adequate in scope, with the types of measures to be reported clearly defined, and
 - (iii) That the data reported can be readily measured against targets and timescales.
 - 4.5.1 Commission an independent peer review panel to undertake a critical external review of the actions taken by Parties to implement agreements. Representatives of NGOs should be invited to participate in this panel.
- B. Establish a small working group, including representatives from the Secretariat, Parties and NGOs to examine the mechanisms for and feasibility of **mandate change**.

5. Other ideas to improve implementation by the Parties

Enhancing the status of NASCO agreements

Parties should give greater weight to NASCO agreements by recognizing them as binding International Directives.

An example is the European Union Water Framework Directive. This sets out a framework for member countries to achieve good ecological status in all surface waters by 2015. It is up to EU member countries how they implement the Directive. Countries not meeting the timetable, or standards required, may be subject to infraction proceedings.

EU member countries have a treaty obligation to the EU and the member countries are signed up to the Directive. The NASCO Parties have already signed up to the Convention and it would be up to them whether they chose to agree to an enhanced designation for particular NASCO agreements, but this would not involve mandate change. An obvious weakness is that NASCO would not be able to institute infraction proceedings. In practice, some member governments already treat NASCO agreements as Directives, so this is a question of emphasis rather than enforcement.

Species/stock/catchment designation

Atlantic salmon are already designated under the EU Habitats Directive in fresh water. This gives a measure of protection to the species throughout its European range. In addition, some river systems are designated as Special Areas of Conservation (SACs) for a range of features which often include salmon.

In Norway, 50 salmon rivers are in the process of designation as National Salmon Rivers and 31 aquaculture exclusion zones are being developed as National Salmon Fjords.

On the north and east coasts of Scotland there is a presumption against aquaculture development, though expansion of existing farms has been permitted.

In the USA, a number of salmon stocks have been given endangered status.

Such measures are promoted by individual Parties, but they make it much simpler to promote internal regulation measures and conservation of salmon, so they must be encouraged.

Recommendation 5

- 5.1 The Parties should recognize NASCO agreements as binding International Directives.
- 5.2 The EU should consider designating Atlantic salmon as a protected species across its range in both fresh and sea water (within EU waters) to enhance the ability of EU member governments to protect and conserve Atlantic salmon stocks. We would urge other Parties to also adopt this approach
- 5.3 The NGOs commend Norwegian initiatives in creating National Salmon Rivers and Fjords. We urge other Parties to adopt this process and welcome the suggestion from the working party to create Salmon Heritage Rivers. NASCO should play a key role in co-ordinating this process.
- 5.4 The NGOs have already called for a NASCO initiative on endangered populations. We support the suggestion from the working party to seek identification of threatened or endangered populations and /or special measures introduced for their protection, and establish and maintain an inventory of this information.

REVIEW of NASCO ACTIONS

6. Habitat protection and restoration

The *Vision* document called for NASCO to strengthen its role in habitat conservation and restoration.

NASCO has already established itself as the international forum for discussion and dissemination of methods for salmonid habitat protection and restoration. NASCO should continue to refine its guidelines with the aim of establishing best practice and encouraging implementation by the Parties.

The EU Water Framework Directive could well provide a template for comparative measurement of improvements in habitat across the waters of the Parties. The threats posed by diffuse pollution and acid rain must be emphasized. The need for more rapid reform of agricultural and forestry practice as part of this process must be included.

NASCO must also take note of threats posed by small hydro-power plants and windfarms as they affect water catchments across Europe and North America. The drive for renewable energy has resulted in legislation promoting small hydro-schemes with little or no protection for salmon, eels and other species. We urge the Parties to take note of these concerns and impose additional measures.

NGOs support regular reporting to Special Sessions of Council as suggested by the working party.

Recommendation 6

NASCO should continue to refine its habitat guidelines with a view to promoting best practice. We highlight the dangers of diffuse pollution and acid rain, and draw attention to the threat posed by some small hydro-schemes and the construction of wind farms.

7. Predation

Predation is an integral part of ecosystem management and its omission as a topic from the briefing paper is a glaring omission.

Predation of juvenile salmon and pre-smolts by fish-eating birds and other fish species contribute to substantial mortality in many countries. Predation by seals is also of serious concern across the North Atlantic. Just because the topic is contentious or politically sensitive does not mean it should be omitted.

A programme bringing together bird and fisheries scientists (REDCAFE/INTERCAFE) has been proceeding in Europe for four years, with the eventual aim of creating a Europe-wide management plan for the European cormorant. While derogations are possible throughout Europe to allow for protection of designated species (such as salmon in fresh water) by shooting specified numbers of birds, the only sustainable solution in the long-term is a Europe-wide plan.

The growth of the seal population in both Europe and North America gives rise to problems not only with salmon but also white fish stocks.

Such problems may be politically difficult but they are not going to go away. We believe that NASCO should provide the forum at an international level for sharing information about predator numbers, impacts on salmon and control measures.

Recommendation 7

NASCO should provide the international forum for sharing information about predator numbers and impacts on salmon, as well as control measures.

8. Management of home-water fisheries

The NASCO Working Party recognised that not all mixed stock fisheries are subject to regulatory measures, and called for a fair balance between the management of distant and home-water fisheries. The NGOs have been arguing for such fairness since before NASCO was created.

In distant waters we recognise the restraint shown by Greenland and the Faroes in restricting fishing to a subsistence level or not fishing at all. While we recognise the right of such communities to fish, any future quotas must be sustainable and based firmly on scientific advice. In home waters certain Parties have been notoriously slow in implementing regulatory measures, mostly for domestic political reasons, where taking more rapid action would be unpopular with some sections of society.

While the NASCO decision structure on management of home-water fisheries is a valuable tool, it is of course entirely voluntary; its use is also confounded by allowing the Parties to determine what constitutes a mixed stock fishery.

The use of genetic fingerprinting should be introduced as soon as possible to help identify mixed stock fisheries and aid Parties in their application of the Decision Structure.

Exploitation of salmon in mixed stock fisheries has long been condemned as bad fisheries management and for many successive years ICES has called for no exploitation of mixed stocks of southern European salmon in home waters. We applaud the actions of the USA, Canada, Norway and the UK in reducing commercial exploitation. The fact that substantial exploitation of such mixed stocks still continues in the home-waters of some Parties is a disgrace and NASCO must ensure that the practice ends as soon as possible.

The NGOs call on the Parties to commit to close all mixed stock salmon fisheries in home waters, and to phase out all commercial salmon fisheries where individual stocks are not meeting their conservation limit. Where appropriate, fair compensation must be paid, and due note should be taken of the value of private/public partnerships in fund-raising as demonstrated by previous NASF-led initiatives.

If implemented, this would achieve fairness with distant-water fisheries at a stroke.

This topic will be the one on which the success of the NASCO Review will probably be judged first by external stakeholders.

Rod fisheries where stocks are not meeting their conservation limit must also be subject to controls. Conservation limits are essential tools to enable managers to determine sustainable levels of exploitation. NGOs urge the adoption of this or similar measures on all catchments supporting or capable of supporting Atlantic salmon.

Recommendation 8

- 8.1 The NGOs suggest that genetic fingerprinting should be incorporated into the NASCO decision structure on management of home-water fisheries.
- 8.2 The NGOs call on the Parties to commit to close all mixed stock salmon fisheries in home waters, and to phase out all commercial salmon fisheries where individual stocks are not meeting their conservation limit, with fair compensation as appropriate. Rod fisheries where stocks are not meeting their conservation limit must also be subject to controls.

9. Regulation of aquaculture

The introduction of the *Oslo Resolution* (1994) aimed at minimising the impact of aquaculture on wild Atlantic salmon was a major step forward for NASCO and the incorporation of other related measures in the *Williamsburg Resolution* (2000) augmented that process.

The Oslo Resolution demonstrated the best and worst of NASCO. A laudable attempt at imposing a set of international standards on the aquaculture industry, let down by poor reporting by the Parties, clearly illustrating NASCO's lack of teeth.

As a result, it would be foolish to claim that the industry is properly regulated and that impacts on wild fish have been minimised. However, after a slow start and noticeable reluctance from the industry, the position has improved, though it is far from perfect.

This is a clear case where firmer action by NASCO, commitments from Parties with timescales, and better reporting, should be beneficial (see also section 4).

The NGOs believe that a framework for international regulation of the aquaculture industry should be welcomed by the Parties. In some countries, the aquaculture industry represents a powerful economic force and political lobby. Governments are therefore often unable or unwilling to regulate the industry to the standards set in Williamsburg. The existence of an internationally accepted framework should ease that internal political process considerably.

However, the standards set by NASCO resolutions must continue to be best practice, and not represent the lowest common denominator accepted by the industry.

NASCO already acts as a forum for debate with the industry through the International Salmon Farming Liaison Group; this should offer further opportunities to share best practice in regulation with all countries where salmon aquaculture is practised. Unfortunately, NGOs are currently excluded from this Group. Our membership is supported by the Parties but opposed by the industry. We believe this is a short-sighted approach. The NASCO NGOs are not opposed to salmon farming, we support dialogue with the industry aimed, like NASCO, at creating a sustainable industry with minimal impacts on wild fish. Dialogue in Scotland and Norway has led to significant co-operation between farming and wild fish interests resulting in better regulation.

The NGOs call on the Parties, and particularly on the International Salmon Farmers Association, to support representative NGO attendance at Liaison Group meetings. We regard Industry agreement to our participation as an indicator of their intentions to meet the aspirations of both NASCO and the NGOs to move towards a sustainable salmon farming industry.

Recommendation 9

- 9.1 NASCO should continue to develop the *Williamsburg Resolution* as an international framework for the regulation of salmon aquaculture. Firm commitments should be sought from the Parties to establish action plans with targets and timescales (see 4), using NASCO as a forum to establish best practice. This should be accompanied by introduction of a transparent reporting system which can be critically assessed.
- 9.2 The NGOs, the principal representatives of wild salmon interests, believe that their continued exclusion from the Liaison Group is indefensible. We urge the Parties to exert maximum pressure for our inclusion, or consider their future involvement in the Liaison Group.

10. By-catch

NGOs first raised the issue of by-catch at the NASCO annual meeting in 1998. A Russian trawler operating in the North Norwegian Sea had reported a by-catch of post-smolts, which if extrapolated across the mackerel fishery would have amounted to a large proportion of the annual northern European smolt output. Subsequent reporting to NASCO in succeeding

years confirmed the possibility of a substantial by-catch in the pelagic fishery, but despite a programme of locating observers on Russian trawlers over a two-year period (2001- 2003), it has not so far been possible to establish quantifiable data within reasonable limits of confidence.

NASCO formed the International Atlantic Salmon Research Board (IASRB) in 2001 (see 11) and agreed that the by-catch problem should be given high priority. Although existing research data are now being co-ordinated, some data sets remain to be included, and the comprehensive research programme promoted by the IASRB and designed to establish the place of wild Atlantic salmon in the marine food web is unlikely to get underway before 2005. There are, of course, substantial funding implications.

In the information circulated by NASCO prior to this Review, it is claimed that NASCO has addressed the by-catch issue. The NGOs believe this is misleading. We are extremely disappointed that NASCO has taken so long to come to grips with an international problem which only it as an organization can address. We refer earlier to the application of the ecosystem approach to salmon management; the Vision document calls for close co-operation with NEAFC and NAFO on this issue, and we believe that neither NASCO, nor the individual Parties concerned, have approached these other organisations with the robustness and urgency required. We also refer to the Precautionary Approach, which has not been applied in this case.

Recommendation 10

NASCO should continue to address the by-catch issue as a high priority as part of the IASRB programme but must make more urgent and robust approaches to NEAFC and NAFO to ensure their co-operation, citing the application of the Precautionary Approach.

11. International Atlantic Salmon Research Board

From its inception in 2001 as a vehicle for co-ordinating international research on salmon, the scope of the Board's work has expanded, first to prioritise work, and now to actively promote a co-ordinated programme of research across the North Atlantic and to raise funds to support it. While this is a sensible evolution, the NGOs remain concerned at the time taken with this process.

Initially NGOs were excluded from the Board, but after intensive lobbying, in 2003 one representative was admitted to the Board, and one representative to the Scientific Advisory Group. We believe that NGOs have much to offer the IASRB in terms of advice on programme content and priorities, fund-raising and media awareness. In a crowded market place a close dialogue with NGOs is essential, and we urge NASCO to develop closer links and contributions from NGOs in this area.

Recommendation 11

NASCO should build on the initial contributions by NGOs to the IASRB by establishing a partnership aimed at increasing their involvement and contribution.

12. Introductions and movements (including *Gyrodactylus*)

The protocols developed by NASCO for the various Commissions represent a best practice manual, and again provide a clear case where NASCO has, and should continue to, develop international or Regional frameworks for implementation by Parties.

The NGOs remain extremely concerned by the threat posed by *Gyrodactylus salaris*. In particular the NGOs are concerned at regulation of fish movements within and by the aquaculture industry. It is alleged, though never proven, that ISA (Infectious Salmon Anaemia) was introduced to Scotland from Norway in 1998 by well-boat. In this respect the NGOs express concern at the potential relaxation of EU Fish Health regulations in support of the aquaculture industry. We urge the relevant authorities to remain vigilant.

NGOs call for a *Gyrodactylus* eradication programme in the countries affected, and the allocation of sufficient funds to implement it. There is also a clear case for a targeted public awareness campaign amongst the angling public and visitors to infected areas in Norway, Sweden and Finland.

Recommendation 12

- 12.1 NASCO should continue to refine its protocols for introduction and movements.
- 12.2 The NGOS continue to express their concern at the threat posed by *Gyrodactylus salaris* and the regulation of fish movements by and within the aquaculture industry.
We suggest a public awareness campaign targeted at the angling community.

13. Stock rebuilding programmes

The subject of re-stocking is contentious on many river systems. The NGOs express their support for the stock rebuilding protocols developed by NASCO. Again, these illustrate best practice and provide an international framework for implementation by the Parties.

Recommendation 13

- NASCO should continue to refine its protocols for stock rebuilding programmes.

14. Transgenics

The NGOs remain fundamentally opposed to the practical application of genetically modified salmon in aquaculture. In our view, even in land-based systems, risks of escape and contamination of the wild gene pool will remain.

The introduction of transgenic salmon into sea cage systems must be prevented at all costs. We remain highly nervous about the current application in the USA, and call on NASCO and the relevant Parties to do all they can to influence the process and secure its refusal.

Recommendation 14

- The NGOs are fundamentally opposed to the practical application of transgenic salmon. We urge both NASCO and the relevant Parties to resist the current US application.

THE FUTURE for NASCO

15. International role and relationship with NASF and other NGOs

The criticism of NASCO's performance referred to in the Introduction has been taken further by some observers who suggest that the Organization should be replaced by an unspecified new body based on the principle of concerted voluntary action developed by NASF.

This represents a somewhat monocular vision and perhaps a lack of understanding of the international political process. Salmon conservation transcends national boundaries, and any organization dedicated to that objective requires a forum in which decisions on necessary measures can be taken, which are binding on member governments and will be acted upon in law. It follows that an effective salmon organisation must therefore be inter-governmental, rather than non-governmental.

Governments also need sound science on which to base those decisions. In this respect, the value of ICES advice and the contribution from research cannot be over-estimated, but, as we argue elsewhere, it must be co-ordinated, well-targeted and urgently applied.

This does not mean there is no role for either NASF or other salmon-oriented NGOs. On the contrary, NASF has played a lead role in highlighting the international decline of salmon, developed ground-breaking initiatives pioneering the "quota buy-out" concept, and led the way in raising very substantial funds in pursuit of those objectives, often in partnership with governments.

The NASCO NGOs have persisted, albeit with a much lower profile, keeping the pressure on NASCO and particular Parties, slowly making progress towards the conservation objectives we all share. It is arguable that the current Review would not have happened without the WWF/ASF initiative. The challenge for NASCO is to respond positively to this Review and address the major failing highlighted above – the need for binding agreements on the Parties. The suggestions made by the NASCO working party (see section 4) are a step in the right direction, and are supported by the NGOs as an interim measure. However, NASCO will be judged on whether it can make the new ideas work, speed up its labyrinthine processes, and ultimately, whether it can build on recent encouraging signs of a stock recovery in some parts of the North Atlantic.

Recommendation 15

NASCO is the inter-governmental treaty organization for Atlantic salmon conservation and all NGOs should work in partnership with it to improve its effectiveness.

16. Future focus

The NASCO working party has suggested that NASCO should focus on the following topics in future:

- Research on survival of salmon at sea (including by-catch)
- Habitat restoration
- Impacts of aquaculture
- Transgenics
- *Gyrodactylus salaris*
- Social and economic factors

The NGOs remain concerned that Predation (section 7) has been omitted from this list.

Recommendation 16

The NGOs support the working party topics, with the important addition of predation.

17. Identification of, and response to, emerging threats

NGOs agree that NASCO has shown an ability to identify and respond to new threats to salmon, with the issue of transgenics as a notable example. NGOs agree with the three suggestions from the working party, *viz*

- An annual Council agenda item on the subject
- Seeking advice from the Standing Scientific Committee
- Using the NASCO website to publicise new threats

Recommendation 17

In addition to the measures identified by the working party, NASCO should encourage NGOs and other stakeholders to identify and report new or emerging threats to Atlantic salmon, including management failures.

18. Obtaining and using comprehensive knowledge

The NASCO working party has suggested a number of options in this regard, including:

Social and economic factors

- Greater emphasis on social and economic aspects, and the establishment of a new socio-economic working group to advise on these issues.

This is an important and developing area for NASCO, from which the NGOs have so far been excluded. Yet the NGO community, many of whom actually manage salmon fisheries and have promoted or taken part in government studies on the subject, are intimately familiar with the socio-economic importance of salmon. There is a clear case for working in partnership.

Recommendation 18.1

NASCO should invite representatives of the NGOs to participate in the working group developing the application of social and economic factors to salmon management.

ICES advice

- Continued liaison with ICES, but development of regulatory measures on a biennial basis, with improvements to quality and clarity of presentation.

NGOs have already stressed the importance of ICES advice; over the past few years salmon stocks have been relatively stable at an historically low base, showing a slow decline. There is a clear risk, particularly from accelerating climate change, that a move to biennial reporting might allow significant changes in the salmon stock to escape scrutiny. We appreciate the motives, in terms of cost saving and freeing-up time during Council meetings, but believe a Precautionary Approach should be applied.

Recommendation 18.2

NGOs urge caution before changing the frequency of ICES reporting.

International Atlantic Salmon Research Board

NGOs have already expressed their support for, and wish for a closer involvement with, the IASRB (see Recommendation 11).

19. Resources of the NASCO Secretariat

Recommendation 19

Following the outcome of the Next Steps process it will be important to ensure that the NASCO Secretariat has sufficient resources to continue running the Organization efficiently.

20. NGO participation

The history of NGO participation at NASCO until very recently has been one of slow attrition. Until 2002, the NGOs were restricted to a very brief opening statement to Council, extended in 2003 to include an opening statement to each of the three Commissions. There are 28 accredited NGOs, of whom some 20 or so regularly attend the Annual Meeting. Since there are no more than 30 minutes in which to deliver Opening Statements, the NGOs have evolved a growing co-operation and organisation, generally promoting one joint statement to Council (and now the Commissions) highlighting major issues of concern; written statements are used to amplify those concerns in detail. The ability to participate in “Special Sessions of Council” has been intermittent, but valuable. In 2004, for the first time, the President of NASCO declared an individual Council item as a *Special Session* to permit NGO participation. This process of evolution has led, despite some inevitable hiccups, to a growing trust between the NASCO NGOs, the NASCO Secretariat, and the Parties.

The NGOs, through their organisations, represent many millions of stakeholders with a direct and indirect interest in the wild salmon resource. NGOs also represent a huge pool of expertise in all areas, from salmon science and practical fisheries management to media relations. The lack of full engagement by NASCO with the NGO community over the past 20 years represents a missed opportunity for all parties and salmon in particular.

The NGOs therefore welcome the suggestions from the working party, which recognise the potential contribution of NGOs to the NASCO process. We also note the cautionary comments, which highlight the difference between NASCO, as an inter-governmental body and the NGOs, as non-governmental organisations. The NGOs recognize that their primary role is to criticize and pressure governments in to taking appropriate action in respect of their published objectives. The role of Government is to make legislative and subsequently executive decisions on the scope and timescale of such actions, bearing in mind their socio-economic implications. NASCO has the added complication, as an international body, of reaching agreement on measures with member governments. It is the nature of this debate that NASCO will never go as far, or as quickly, as the NGOs would like, but it is the NGOs role to continue to press for those actions. In examining the role that NGOs have to play at NASCO, it is important to create a framework for debate, which maximises their contribution to the decision-making process, without compromising the legislative and executive responsibilities of the Parties. It must be based on the principles of openness and transparency.

The NASCO working party has made a number of suggestions, which the NGOs support:

Recommendation 20

- 20.1 Council.** NGO participation at Council should be encouraged by allowing interventions from the Chairman of the NGO Group, or his/her designated spokesperson at the discretion of the President.
- 20.2 Special Sessions.** NGOs should be consulted on future topics for Special sessions. If Special Sessions are adopted for thorough evaluation of the Parties' performance on certain topics, full consultation should take place with the NGOs during agenda preparation.
- 20.3 Media and public relations.** Detailed recommendations are made in section 21.

In addition the NGOs have already recommended:

- 20.4 External Review.** NGOs should be invited to participate in any panel established to review the performance of the Parties in implementation of action plans (see 4.5).
- 20.5 Salmon farming liaison group.** NGOs request full participation (see 9).
- 20.6 IASRB.** NASCO should develop a closer partnership strategy with NGOs (see 11).
- 20.7 Socio-economic working group.** NGOs should be invited to participate (see 18.1).

21. Public awareness and media relations

It is widely accepted that NASCO requires an effective public relations strategy aimed at increasing public awareness of its fundamental role and progress by Nations in salmon conservation and in meeting agreements.

The NGOs support the working party conclusions, which call for a commitment to a new public relations strategy and make some 16 detailed recommendations.

In particular the NGOs support the call for a partnership between NASCO and its NGOs to develop a media strategy. It is accepted that some NGOs have considerable in-house media expertise, and partnerships should be explored before committing NASCO to budgetary expenditure in this area.

Recommendation 21

- 21.1 NGOs urge NASCO to consider setting up a small working group consisting of representatives of the Parties, NGOs and Secretariat, to explore joint working on a media strategy. This group would consider all 16 ideas put forward by the working party and determine which areas were suitable for co-operation and advise on the employment of third parties.
- 21.2 Re-design of the NASCO web-site is an important component of the public outreach programme. We draw attention to detailed proposals by ASF and WWF in this regard.
- 21.3 NASCO should consider issuing an annual report, in plain English, on the status of Atlantic salmon stocks and a brief summary of its work over the previous year. This was the final recommendation of the WWF/ASF *Vision* document.

NSCM(05)7

The reintroduction of Atlantic salmon in the River Rhine catchment, Germany – a project of the diadromous fish programme of the Ministry of Environment and Conservation, Agriculture and Consumer Protection of the Federal State of North Rhine-Westphalia (NRW) and the Fisheries Association NRW

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Abstract

The re-introduction of Atlantic salmon into the River Rhine started 15 years ago. Since then 20 million juveniles have been stocked in selected tributaries and 2,500 upstream-migrating salmon have been recorded. Recent investigations showed that the return rate from smolt to adult is probably less than 1%. In the context of high mortality during freshwater downstream and upstream migration as well as salmon mortality during the ocean phase, the reintroduction of salmon to European rivers will be a difficult and long-term task. For this reintroduction to succeed, advice is needed from NASCO to coordinate all activities aiming at higher survival rates of salmon at every stage of its complex life-cycle.

Introduction

Only 100 years ago the River Rhine was one of the most important salmon rivers in Europe with a maximum of 250,000 salmon reported caught in 1885. But from the beginning of the 20th century a dramatic decline was observed and by the end of the 1950s the salmon was extinct throughout the Rhine catchment. Since the 1980s the use of modern sewage treatment has led to a significant improvement in water quality and to an ecological recovery at least to some extent.

In the framework of measures intended to favour ecological rehabilitation of the River Rhine, a reintroduction project for Atlantic salmon started in North Rhine-Westphalia in 1988 and was extended to tributaries of the River Rhine in other countries. To date, 20 million salmon juveniles have been stocked in the River Rhine catchment. During the last 5 years, more than two million juveniles were stocked annually. The first adult salmon was captured as early as 1990 in a small tributary of the River Sieg, which flows into the River Rhine. The first natural reproduction of salmon was observed in the spawning season 1993/94 in the same river.

First results

Since 1990 more than 2,500 adult salmon have been recorded on their spawning migration in the River Rhine. Since the year 2000 permanent monitoring stations have recorded salmon in

the River Sieg at Buisdorf and in the upper part of the River Rhine at the fish passage facility in the Iffezheim weir at the French-German border. Since then, annual adult salmon records increased to about 500 per year (mean for the period 2000-2003). During this period other migratory species such as sea and river lamprey, sea trout and some individuals of the formerly extinct allis shad have reoccurred within the catchment.

These first, and encouraging, results have been obtained due to the huge and on-going stocking activities in several parts of the Rhine system. The actual habitat area available for juvenile salmon is estimated to be in the range of 323 hectares, but not all of this area may be colonized by returning adults due to the presence of dams which lack appropriate fish passage facilities. Spawning grounds and successful natural reproduction have been identified in several tributaries of the River Rhine, but until now natural spawning has proved to be insufficient to sustain the population in a significant way. The proportion of natural reproduction to smolt output appears to be less than 10%. Stocking activities, therefore, will probably have to be continued for many years.

In many parts of the River Rhine stocking of salmon has been combined with measures aimed at enhancing fish migration (construction of fish passes, eradication of old redundant dams) and restoring riverine habitats for all migratory fish species. Mortality of down-stream migrating smolts due to hydropower turbines is now considered a major problem for the restoration of salmon in many of the tributaries as well as in the upper part of the Rhine itself. Effective gear at the inflows to protect migratory fish is still lacking at most hydropower plants.

Actual status of the reintroduction

During the years 2000-2002 a smolt monitoring programme was conducted in order to estimate the smolt output of the River Sieg, with the most intense stocking activities in North Rhine-Westphalia. The number of smolts ranged between 47,000 in 2002 and a maximum of 85,000 in 2000 based on mark-recapture experiments. In comparison with the number of up-stream migrating adult salmon in corresponding years, the rate of smolt-to-adult return is less 0.7 per cent for all years investigated. This rate is, of course, lower than in salmon rivers with a native genetically adapted population. In the River Rhine catchment a variety of different donor strains from Ireland, France and Sweden is used at present. But it may turn out that this rate is far too low to conduct a salmon restoration project successfully during the next years. Until now the number of up-stream migrating adults has even been too low to sustain egg production by stripping the returners for stocking all available habitat capacity in tributaries with a high stocking intensity. Therefore the importation of salmon eggs from ranched or freshwater-reared salmon will continue in future.

During the next years financial and logistic support by the public for large stocking activities may decrease if the number of returning adults does not increase to expected levels. Even if a good ecological state of rivers is required by EU legislation, ambitious projects aimed at the rehabilitation of migrating fish species may be difficult to maintain due to a lack of immediate success directly visible by the public. Therefore an array of concerted national and international activities is needed in the near future to continue and improve restoration success in the River Rhine.

Future actions

In order to increase the number of adult salmon and the return rate for a new salmon stock in the River Rhine, action is urgently needed in a number of areas:

- Improvement of stock(-ing) management: secure good quality of stocked juveniles, optimization of smolt stocking, reconditioning of returners for multiple stripping; exchange of rearing techniques is required
- Enhancement of fish migration: facilitate access of salmon to spawning areas in all tributaries where stocking takes place; protection of salmon smolts during downstream migration at hydropower plants; information about new developments in the field of fish-saving technology research for hydroelectric power plants should be gathered and interchanged
- Reduction of smolt and adult salmon mortality during freshwater migration: cooperation with the Netherlands to monitor migration in the Rhine delta and to take action to reduce by-catches in commercial and non-commercial fisheries
- International cooperation through NASCO and other institutions to assess causes of increased marine mortality and to reduce mixed stock exploitation for example in drift net fisheries in Ireland
- Improvement of exchange of information on salmon tagging.

In future the diadromous fish programme of North Rhine-Westphalia is willing to contribute via the Ministry and EU to good cooperation in NASCO and is asking NASCO to consider the special implications of salmon reintroduction programmes in Europe when discussing and addressing the state of Atlantic salmon, especially management and conservation of populations.

NASCO is asked to consider the implementation of a (sub-) working group on salmon reintroduction projects and to organize in the near future a scientific workshop or conference about advances in salmon restoration.

Fig. 1: Number of juvenile salmon stocked in different Federal states of Germany and countries along the River Rhine 1999-2003

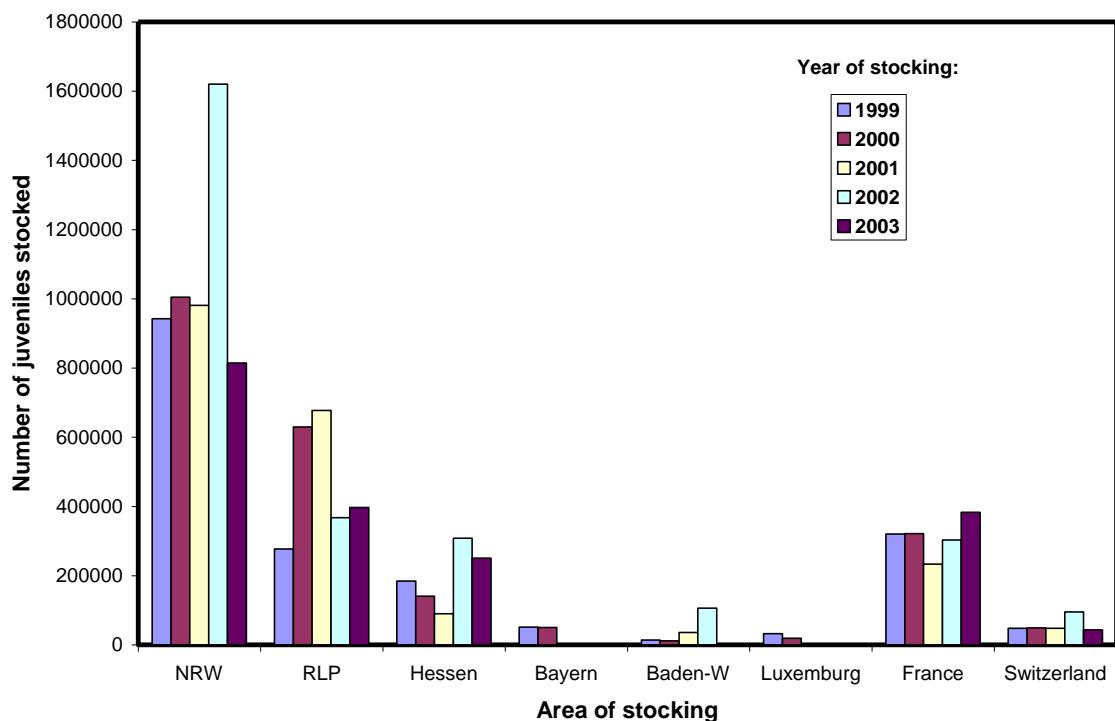
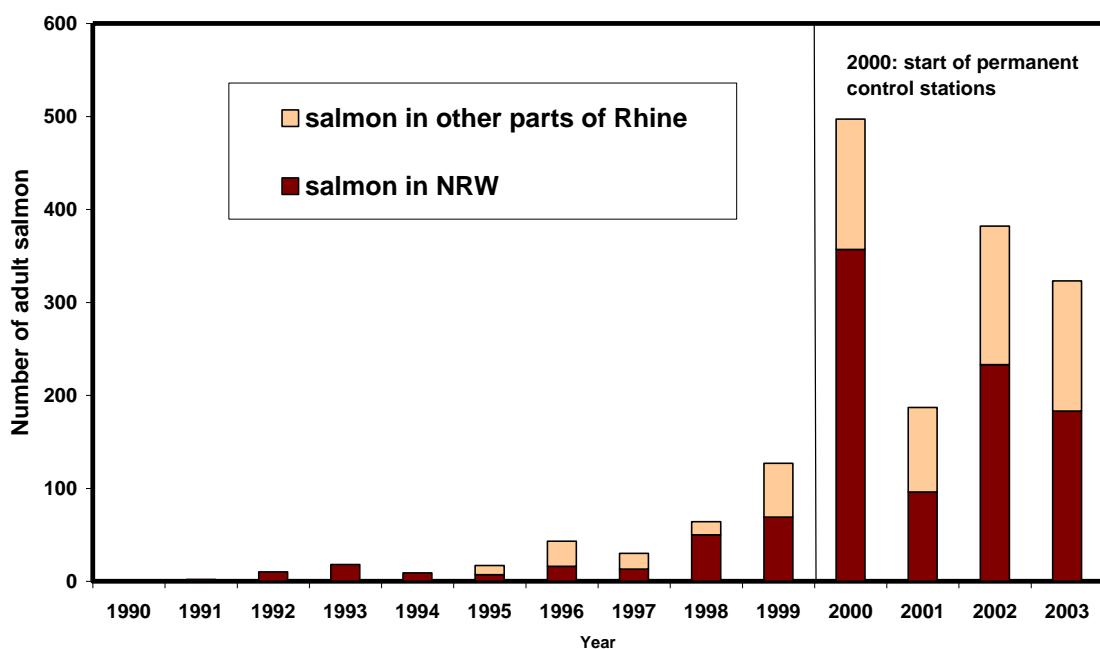


Fig. 2: Number of adult salmon recorded in the River Rhine 1990-2003 (catches by fyke-nets, electrofishing and trap stations)



NSCM(05)11

**Contribution to the Next Steps for NASCO Consultation Meetings
from Dr Oystein Aas,
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Having had the opportunity to review the report of the meeting of the Next Steps for NASCO Working Group held in Dunkeld, Scotland during 5-8 October 2004, I would like to offer the following personal thoughts on the options developed.

1. There are too many focus areas which are too bureaucratic and not important enough according to the challenges that face wild Atlantic salmon. There should be fewer, more focused themes and themes such as research and socio-economics should not be focus areas in their own right, as they primarily should be supportive of core issues for NASCO.
2. NASCO's current role needs to be expanded through giving it a stronger mandate to act on issues that are currently being addressed by its Contracting Parties. This is important for the Organization's future given that, at least for the time being, the issue of harvests in distant water fisheries has been addressed.
3. Expanded role on harvest regulations: NASCO could be given a role in regulating fisheries in Contracting Parties' "home waters" where these fisheries intercept salmon from more than one country (e.g. the Irish drift net fishery, the bend net fishery in Finnmark, Norway).
4. Expanded role on habitat protection: NASCO should designate international salmon heritage rivers and consideration should be given to a role for NASCO in protecting these rivers in a similar way that wetlands are designated and managed by RAMSAR with the RAMSAR Secretariat, responding to threats to designated wetland as these arise. Intervention from NASCO with regard to a decision that could adversely affect a designated salmon river will hopefully have more impact than intervention from the local authorities.
5. Generally, the work of NASCO is in essence political. The NGOs have a considerable responsibility for making NASCO relevant and political but the international aspects of wild salmon management are not high up the political agenda at present. There should be greater involvement of politicians in the work of NASCO.

These suggestions are offered in support of NASCO and the wild Atlantic salmon. The opinions are those of Dr Aas personally, and not necessarily those of NINA.

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Next Steps for NASCO - NASCO's activity and its development

Pentti Munne, Ministry of Agriculture and Forestry, Dept of Fisheries and Game, Helsinki, Finland

Finland considers the activity of NASCO highly important. NASCO was established only a couple of decades ago, but it has already made significant contributions to the measures and efforts concerning the conservation and restoration of salmon stocks in many sectors. We can justifiably say that NASCO has occupied a central position in the conservation of North Atlantic salmon, while the fact that the salmon stocks have not yet recovered as was hoped for, poses a challenge for the future activity of NASCO. When evaluating the achievements of NASCO to date it should be borne in mind that all the factors influencing the survival of salmon are not yet fully known. In addition to this, the countries involved have different kinds of decision-making and implementation procedures, which take their own time.

From the Finnish perspective the activity of NASCO in reducing the mortality of salmon at sea has been particularly valuable.

In the opinion of some, NASCO has been considered to lack real influence, because it cannot issue binding orders to the Member States but only recommendations, whose implementation depends on the will and possibilities of the members. However, in my view the fact that NASCO has been capable of taking rapid action to combat new threats to the survival of salmon stocks is due to the recommendations which all the stakeholders have considered important. Stricter and more binding recommendations would very likely lead to slower and increasingly complex decision-making. If the status of the NASCO's recommendations is changed to make them more binding, the actions must be directed at particular, clearly defined sectors.

NASCO's most important and natural territory of operation is the sea, except for the coastal waters, and the sea should continue to be the key area in the future as well. Proposals have also been made on the extension of NASCO's activities to the Baltic Sea. However, I do not consider this to be necessary or appropriate, because the Baltic Sea has salmon stocks and decision-making procedures of its own, as well as extensive salmon stocking activity. Obviously we need to cooperate in matters where there are common interests or problems, such as combating the parasite *Gyrodactylus salaris*.

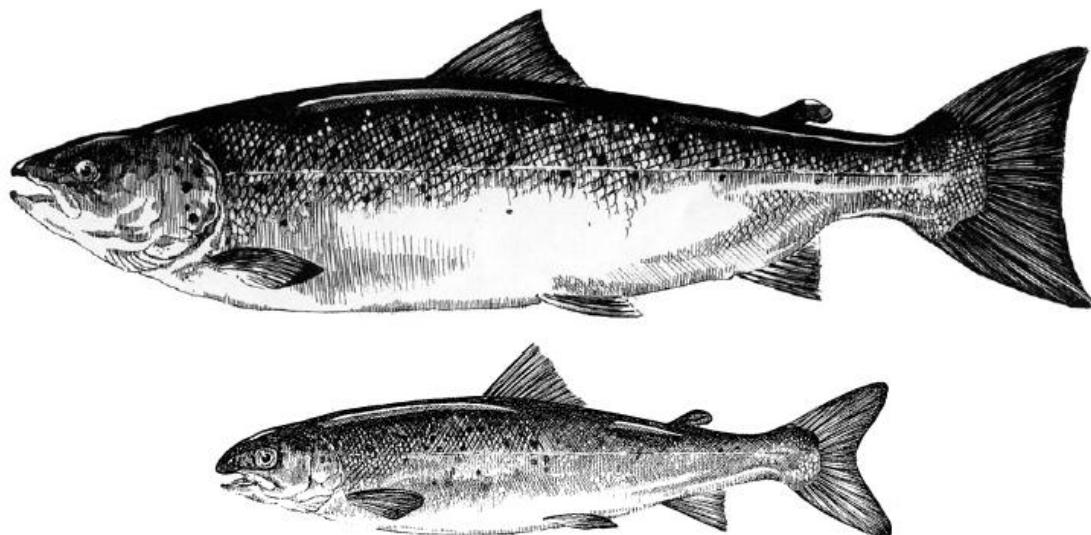
It is very useful to discuss the possibilities to develop the activity of any organization from time to time, and this applies to NASCO as well. I do not see any need for major changes in the activity. In my view the Organization functions quite well at present. During its 20-year existence NASCO has gradually expanded its operations and changed its practices, for example by increasing its work between annual meetings. However, the list below presents some issues within the NASCO operations which, in my view, would call for development:

- Drawing up national action plans to implement NASCO recommendations, including timetables and deadlines.
- Development of reporting from annual reports to more comprehensive reports which cover a certain time period.
- Annual meetings every second year, sessions on specific themes between these.
- Increased cooperation with NGOs.
- Making NASCO's activities better known to the public at large through annual newsletters and surveys, providing that this will not cause too extensive a workload to the small but efficient Secretariat.

The development of NASCO's activities need not take place all at once, but it should be a gradual process carried through on the basis of a definite plan.



NEXT STEPS FOR NASCO



A Submission by
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Three Proposals for “Next Steps”

World Wildlife Fund and Atlantic Salmon Federation

In creating the Working Group on “The Next Steps for NASCO,” NASCO has indicated its willingness to seriously consider new initiatives for making the Organization more effective in meeting the daunting challenges facing conservation of wild Atlantic salmon. In *NASCO’s Future: A Vision Statement*, four individuals with long experience in NASCO have put forward a number of ideas in its “agenda for action” that are worthy of consideration by this Working Group. This paper develops in further detail the proposals in that document for amending the Convention to strengthen the Organization’s mandate, for an improved system of reporting and for an initiative to increase public awareness.

1. Amending the Convention to Strengthen the NASCO Mandate

NASCO’s Future: A Vision Statement notes that the NASCO Council lacks legal authority to make decisions on some of the most important issues now facing the Organization. Article 1 limits the Convention’s authority to “salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal states.” Article 4.2 of the Convention limits the scope of the Organization’s authority to make recommendations by providing that “no recommendation shall be made concerning the management of salmon harvests within the area of fisheries jurisdiction of a Party.” Thus NASCO has no legal mandate to make “recommendations” on issues such as habitat protection, conservation limits and aquaculture management that clearly pertain to the stocks within the jurisdiction of a Party to the Convention. The Secretariat’s note in the Working Group paper NS(04)3 confirms that point. “It is important to recognize,” it says, “that NASCO does not have regulatory authority with regard to the broader aspects of work involved [with the preceding issues] but has provided guidance to the Parties on recommendations to minimize damage to the wild salmon stocks.”

Given the general acceptance among the Parties that the threats to wild Atlantic salmon are no longer confined to fisheries outside the jurisdiction of the Parties but are now focused largely within those jurisdictions, it is timely to make adjustments to NASCO’s mandate. To ensure the integrity of the consultation process, we recommend that the Working Group keep all avenues of change on the table. The Working Group should not assume as is stated in the Discussion Document from Stakeholder Consultation Meetings “that NASCO is well positioned to meet the challenges that face Atlantic salmon today and into the future”, until all avenues and perspectives are well considered. It is important to proceed with the consideration of strengthening NASCO by revising the treaty’s language to broaden its legal mandate.

Article 19 of the Convention provides a straightforward process for amending the Convention. We understand that the Convention would require changes to articles 1 and 4.2. For example, changing Article 4.2 would entail deleting the phrase that reads “provided that no recommendation shall be made concerning the management of salmon harvests within the area of fisheries jurisdiction of a Party”. That amendment would make it clear that the Council can speak authoritatively on issues affecting salmon stocks within a Party’s

jurisdiction. Article 1 would have to be amended to similar effect. Other language could be drafted to the Convention, such as adding the new issues to the Council's mandate, but this is not necessary to achieve the required broadening of its authority.

Article 19 indicates that one or more Parties must propose the amendment at least 90 days before the meeting at which the amendment is to be considered, and it must be approved by all the Parties present, and casting an affirmative or negative vote, to be adopted. Getting unanimity for such a change in the Convention is obviously a major challenge. However, broadening the mandate of the Council is so important to the Organization's ability to achieve its purpose that it would be difficult for any Party to justify a vote against this change. It would obviously be inconsistent with the fundamental purpose of NASCO to explicitly prevent it from making formal recommendations on the very issues that are acknowledged to be central to its work.

An argument raised against proposing an amendment to the treaty is that it could backfire. The Secretariat warns, "Other organizations have re-opened their conventions, sometimes with unintended, and perhaps undesirable, consequences." It should be noted, however, that offering an amendment to the Convention does not "reopen" the treaty in any legal sense, since the treaty is always open for amendment in any case. The implication of this argument against an amendment is that, if a proposal is made for revising the language of the treaty to broaden the mandate, another proposal might be made to *weaken* its authority. We believe that the danger of a move to weaken the treaty in response to the amendment changes is very slight. Proponents of such a weakening amendment would also have to obtain unanimous approval for it, and we are confident that such a proposal could not succeed.

While urging an in-depth and serious consideration by NASCO of mandate change, we recognize that there are other more immediate steps that could and should be taken to assist Parties to the Convention in being more accountable in their home jurisdictions to the agreements they have reached at NASCO. One of these methods is to adopt a new protocol on reporting that would eliminate any ambiguity about whether compliance is voluntary or not and provide information in a very transparent and factual way on how well Parties to the Convention are implementing the agreements they have made at NASCO.

2. A Protocol on Reporting of Implementation of NASCO Agreements

The four authors of "NASCO's Future: A Vision Statement" have proposed that the Organization require "more transparent reporting" by Parties to the Convention. We suggest that this idea might best be implemented by adopting a new protocol on reporting of progress in implementing existing NASCO agreements.

The Secretariat paper on the Working Group on "The Next Steps for NASCO" highlights the importance of reporting "in a concise, meaningful and interesting way on the measures taken" by NASCO. It suggests that the Working Group "consider how progress in implementing our various guidelines and agreements can best be reported and experiences shared and how to make this process stimulating, useful and transparent." The paper notes that annual returns "can be opaque" and suggests a more informal workshop approach to reporting.

We agree that the form in which reporting has been done up to now has not provided either NASCO or the citizens of Parties to the Convention with a clear idea of the degree to which they have achieved the specific elements of each agreement. Substituting informal discussion within NASCO for public reporting, however, would only reduce the transparency of the

reporting system, and the system would be unable to fulfill its primary function of holding state Parties accountable. The availability to the public of the data reported by state Parties is centrally important to the success of NASCO in meeting the challenges it faces in conserving salmon stocks, must be a top priority for the Working Group on “Next Steps.”

What is needed, therefore, is a system of reporting in which: (1) reporting requirements are clearly understood to be formal commitments under the treaty; (2) reporting requirements are adequate in scope and clearly defined as to the types of measures to be reported (legislation, regulatory requirements, monitoring and enforcement activities); and (3) the data from the reporting can be readily converted into a clear, concise and visual presentation of the progress made and remaining to be achieved.

Based on these three requirements, we recommend that a new protocol to the Convention for the Conservation of Salmon in the North Atlantic Ocean specify the obligations of Parties to the Convention to report to NASCO on the main NASCO agreements: the Williamsburg Resolution, the Plan of Action for Application of the Precautionary Approach to the Protection and Restoration of Atlantic Salmon Habitat, and the Decision Structure for the Management of North Atlantic Salmon Fisheries. Adopting such a protocol would make it clear that reporting on the progress on these agreements in accordance with specified formats in each case is not merely recommended but required under the Convention.

The Working Group should revisit the reporting requirements for each NASCO agreement to ensure that they are adequate in scope and in specificity. The present format for reporting under the Williamsburg Resolution, for example, does not distinguish between actions taken by industry voluntarily and measures enacted by governments to regulate industries. Although reporting on voluntary initiatives by industry that support norms in the Resolution are certainly welcome, they should not be regarded as a substitute for reporting of government actions called for by the Resolution. The reporting requirements should therefore specify, where appropriate, that Parties to the Convention are to report on their own legislation and regulations and their systems for monitoring and enforcement of such official requirements, as well as industry performance on the relevant norms.

Another area in which current reporting requirements are weak is *compliance* with official rules and regulations. A Party to the Convention may report that a particular law has been adopted in accordance with a NASCO agreement, but NASCO has no way of knowing how much difference that law will make without detailed reporting on what is being done to ensure compliance and the degree of compliance actually achieved. The reporting requirements for the Williamsburg Resolution, for example, do not require Parties to report on aquaculture industry compliance with regulations on fish husbandry and fish escapes. Some governments keep confidential all information on compliance with regulations of central importance to the health of wild salmon. The lack of reporting on monitoring, enforcement and compliance substantially reduces the transparency of the entire reporting system on the Williamsburg Resolution.

The reporting protocol should require data that is specific enough to distinguish among different degrees of achievement of desired results. For example, the reporting format for the Williamsburg Resolution should require specific information, not only on the legal status of regulation of fish husbandry practices, but on the degree of rigor of those requirements, such as length of fallowing and stocking density limits. Such data would provide a more

meaningful description of the adequacy of measures taken to minimize impacts of aquaculture on wild salmon.

The protocol should establish a commitment by NASCO to make public all the data reported under this protocol in a form that is accessible and that accurately portrays the level of achievement of the provisions of NASCO agreements. A provision covering the publication of data reported would be a mandate for a new format for presenting the status of progress in implementing the main NASCO agreements in the most accurate and meaningful way possible.

WWF and ASF used one such system of presenting data in 2003 in its report on progress in implementing the NASCO agreement on aquaculture management for the protection of wild salmon. (See *Protecting Wild Atlantic Salmon from Impacts of Salmon Aquaculture: a Country-by-country Progress Report*, WWF and ASF, May 2003). That system tried to measure quantitatively how effective measures taken by Parties had been for each of ten criteria drawn directly from the Oslo Resolution. That quantitative system for measuring progress allowed the data on implementation to be presented in a way that showed clearly where NASCO stood at that point in carrying out the Oslo Resolution. We recognize that there are other ways to organize and present the data, but we suggest that the Working Group discuss and adopt not only a format for reporting specific to each agreement, but a format for presenting the data reported that will be clear, concise and informative.

3. An Initiative to Increase Public Awareness

As the “Vision Statement” has observed, and the NASCO Secretariat has agreed, NASCO has not given sufficient attention to public awareness of the need to do more to conserve and restore North Atlantic salmon populations. The Secretariat has welcomed the suggestion in the Working Group document for a NASCO initiative for public awareness in partnership with NGOs. Such an initiative could have three main components, which would be closely related and mutually supportive: (1) a media outreach program, (2) publication of regular reports on the “State of Salmon” and how NASCO signatories are progressing in meeting the obligations of the Organization’s agreements, and (3) redesign of the NASCO website to support the media and public outreach. These activities would help increase public knowledge of the issues confronting NASCO and increase public support for the actions needed to save and rebuild salmon populations, which is crucial to the success of NASCO’s work.

The first step in a public awareness initiative would be to create a special NASCO Working Group on public outreach to include representatives of the Secretariat, the Parties and NGOs, with a mandate to prepare a work plan for Council approval.

A media outreach program

The first component of a NASCO public awareness initiative would be a program for promoting greater media coverage of problems facing the conservation of salmon, of the programs that NASCO has adopted, and the actual progress that has been made toward conserving salmon. Increased media coverage of Atlantic salmon issues and NASCO programs would raise the profile of efforts in each NASCO Party and thus give greater impetus to measures to protect and restore the remaining wild Atlantic salmon populations.

The planning and implementation of such a media outreach program should be based on a recognition that any news coverage on wild Atlantic salmon issues and of the role of NASCO in conservation will help NASCO accomplish its mission, unless the coverage dismisses the Organization as irrelevant. NASCO should therefore be prepared to go beyond a public relations exercise that presents the rosiest possible picture of progress in implementing NASCO policies and programs. NASCO will receive the respect and support of the citizens of the Parties to the Convention when its media releases reflect issues of substance and report authoritatively and accurately on both progress and lack of it. A media outreach program should also represent a partnership among member governments, NGOs and the NASCO Secretariat.

The working group on public outreach should first agree on a few priority issues and programs that are likely to have the greatest potential news value. The members of the working group would then work out a strategy to maximize coverage in print and electronic media within the NASCO Parties. They could agree on a division of labor in making media contacts based on their personal and institutional knowledge of and access to each of the targeted media. A media outreach program should result in a new level of media interest in both the status of wild salmon in each NASCO country as well as what each NASCO member government is doing to implement one or two NASCO agreements, such as habitat restoration and protection or regulation of aquaculture to protect wild salmon.

A logical corollary to this media outreach program would be a relaxation of existing rules governing participation in NASCO meetings, which forbid NGOs who attend the meetings from talking to the media and public during the annual meeting. NASCO cannot pursue a media outreach strategy while at the same time enforcing a gag order on its meetings. It should be welcoming, rather than discouraging, media attention.

Regular Report on the “State of Salmon” and Conservation Progress by Nations

As the “Vision Statement” suggests, NASCO should issue a regular report on the status of wild Atlantic salmon stocks that documents trends, including any changes, favorable or unfavorable, that have taken place in the period since the previous report. The report would draw on the scientific data gathered in the reports by the ICES Advisory Committee on Fisheries Management to NASCO each year, but it should translate that data into language that can be readily understood by non-specialist readers and utilize eye-catching graphics.

In addition to reporting on the state of salmon stocks throughout the range of North Atlantic salmon, the reports could also provide progress accounts of the major initiatives that NASCO has taken to protect and rehabilitate salmon habitats, establish and enforce systematic river-by-river conservation limits, and protect wild salmon from aquaculture operations, introductions and transfers and transgenics. The progress reports should be provided in a public- and media-friendly format, which shows at a glance how a state Party’s progress compares both with that of other state Parties and with the NASCO requirements for that issue.

The 2003 report on the Oslo Resolution was released to the public by WWF and ASF and received a significant amount of media interest. We urge NASCO to release to the media the reports on the outcomes of the implementation of NASCO agreements by member states. We urge NASCO to adopt its own system for organizing and presenting the data on progress in implementing NASCO agreements that truly informs the public and provides an incentive for state Parties to improve their performance.

The regular publication of the “State of Salmon” reports, including the data on progress in NASCO agreements on salmon conservation, would mark a major step forward in media and public awareness of NASCO. Once a report has been published and has achieved media coverage, it would help establish name recognition for NASCO among print and electronic media. That would in turn make it easier for NASCO to get media coverage of stories about the status of salmon and what is being done to improve it in each Party to the Convention in the future.

Redesigning the NASCO website

The final component of a public outreach program would be a transformation of the NASCO website from an essentially intra-NASCO communication device into a vehicle for reaching a much wider audience. NASCO’s low profile results in individuals being unaware that the Organization has a salmon information website and, when they do utilize search engines to find NASCO, much higher profile organizations with the same acronym come up. Making the website into an effective outreach tool would require redesign of the site so that it becomes very useful, i.e. a site that various types of people access to get relevant, up-to-date information that is presented factually and in a straightforward, interesting and readable manner. The redesign could utilize interactivity, attractive graphics, short features on the latest happenings in the salmon world, suggestions for ways that people can get involved, and links to other sites with pertinent information on wild Atlantic salmon. The redesign of the site should be aimed at both maximizing the number of people who use it and whetting the appetite of those who are concerned or merely curious about wild Atlantic salmon.

A program for outreach to selected interest groups, including the media, and institutions could draw the attention of thousands of people to the website as a way of engaging them further in salmon issues and conservation. The reports on the state of salmon and progress by Parties towards obligations made in NASCO agreements would be a featured attraction of the website. The site could provide a dynamic, international accounting of “what is going on” in salmon conservation, including conferences, research, government and NGO initiatives, and provide contact lists for those involved in salmon conservation. Consideration should be given to translating the material to ensure that as many people around the North Atlantic as possible can utilize the site.

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NORTH ATLANTIC SALMON CONSERVATION ORGANIZATION

“NEXT STEPS FOR NASCO”

STAKEHOLDER CONSULTATION MEETING

***THE ABORIGINAL FISHERY
AND THE WORK OF NASCO***

SUBMISSION

January 25, 2005 Portland, Maine, USA

NSCM(05)10

The Aboriginal Fishery and the Work of NASCO

Overview

NASCO's 20 years of effort to regulate and improve the management of wild salmon stocks, particularly while at sea, deserves to be applauded, particularly in addressing such challenges as non-Party commercial fishing and the elimination of all commercial fishing by the Parties beyond the 12 mile limit.

As a mature organization, NASCO is now looking to refine its mandate and activities, as proposed in the Discussion Document, NSCM(05)4 and its Annex. In doing this, it will be important that developments in respect of domestic law concerning Aboriginal rights over the past two decades be taken directly into account and, moreover, taken advantage of in order to expand the effectiveness of measures to restore salmon stocks, protect salmon habitat and refine management and co-management structures.

In Canada, from Labrador to New Brunswick, there is not a salmon stream or river that is not within claimed aboriginal rights, title or Treaty territories, and which has not been utilized and been made a part of Aboriginal culture and society over the course of thousands of years. As a result, the devastating losses to the wild salmon stock have and continue to wreck an intimate and intense impact on our peoples, our societies, and our economies. From any vantage – including traditional knowledge, social and cultural dependence on the resource, or priority resource rights – Aboriginal people must be at the centre of any successful salmon management regime, locally, regionally, nationally and internationally.

The New Brunswick Aboriginal Peoples Council (NBAPC) wishes to advance NASCO's success in the future by commenting on the various options proposed by the Working Group for the consideration of stakeholders. More specifically, our comments and recommendations are framed by three broad principles:

- Aboriginal management efforts and knowledge should be progressively incorporated into the formulation and implementation of NASCO guidelines and North American Commission regulations, both in relation to harvesting and to enhance habitat protection and restoration efforts;
- Aboriginal authorities should be better integrated into the processes of NASCO and the North American Commission's decision-making, as has occurred in relation to the management of Pacific salmon, particularly in order to enhance the ability of guidelines and regulations to be implemented in full respect of Aboriginal and Treaty rights; and
- In the short term, the effectiveness of international and regional salmon protection and management decisions can be promoted by giving Aboriginal salmon fishery rights, and goals, a priority focus in NASCO's planning efforts.

Background

The New Brunswick Aboriginal Peoples Council represents Mi'kmaq, Maliseet and Passamaquoddy communities outside of the *Indian Act* reserve system: a population that

constitutes the majority of First Nation people in the province, living adjacent to and utilizing all the wild salmon streams and rivers in the province. Some of these, such as the Mirimichi, remain world-class salmon rivers under threat due to habitat erosion as well as low returns of spawning stock due to offshore losses. Others, such as the St. John, were once considered world-class but have seen the devastating impacts of poor habitat management in the face of logging and hydro developments.

Along with the reserve-based communities in the province, NBAPC has been participating in the Aboriginal Fishery Strategy (AFS) introduced by Canada in 1992 after the Canadian Supreme Court upheld aboriginal fishing rights for subsistence, cultural and ceremonial purposes as the first priority in law after conservation. The AFS, under-funded and increasingly falling behind the co-management entitlements of Aboriginal peoples, has been able to make only modest advances on the goals of habitat restoration and stock re-building. As a program, it has too often been focussed locally, and failed to address watershed-based management needs, something that is now, however, tentatively being recognized in the new Aboriginal Aquatic Resource and Oceans Management Program (AAROM). At best, in relation to wild salmon, the AFS to date has provided a modest vehicle for Aboriginal participation in managing the very difficult social and economic transition from extensive reliance upon salmon for food and for trade or sale to limited social and subsistence catches. Aboriginal peoples have often borne the greatest brunt of the destruction of salmon stocks, whether by off-shore over-fishing, or by habitat destruction.

As most NASCO participants will know, the Supreme Court expanded the protections for Aboriginal fishing rights considerably in its decision in *Marshall*, in 1999, which upheld our Treaty right to trade or sell fish for a moderate livelihood, as a priority call on the stock after conservation and ahead of recreational or commercial uses of the resource. This clarification of the law has raised even greater pressures on our communities, and on our internal capacities for resource management – and poses challenges for any successful international, regional or national resource management regime.

Of importance to east-coast salmon fishery management, Canada has now accepted the comprehensive claim asserted jointly by the NBAPC and the fifteen reserve communities via the two reserve-based tribal councils – MAWIW and the Union of New Brunswick Indians (UNBI). Over the coming years, this will mean the development of a number of interim and negotiated arrangements – including ones on fisheries co-management. As a result, NBAPC looks forward to an increased role in the management of the salmon fishery, and to sponsoring measures to enhance the increase in stocks, commensurate with our constitutional authorities.

Specific Comments

The Working Group has proposed a number of options for achieving NASCO's objectives in the coming years. NBAPC's comments on these follow:

(a) Implementation of agreements and effective reporting procedures

- Requirements for more timely and transparent implementation plans are essential, but need to emphasise the consultative obligations of the Parties with respect to Aboriginal peoples, where the latter have rights or legal interests at stake, such as for both Parties to the North American Commission;

- Auditing implementation activities via an independent panel is key to accountability, but should include Aboriginal expertise that is itself accountable to interested and involved Aboriginal NGOs and governmental entities;
- The designation of Salmon Heritage Rivers with special protection is supported, subject to the requirement that all Aboriginal interests in respect of such rivers must be fully consulted and respected; and
- Dispute resolution mechanisms, whether generally or in relation specifically to international trade agreements, should include the consideration of Aboriginal interests, and the formal participation in dispute resolution of Aboriginal authorities where their powers or interests are directly involved.

(b) External relations, public and political support

- Aboriginal peoples have frequently felt the brunt of negative public or media attention, and in some cases this has emerged as a result of salmon fishery interests active within NASCO. While supportive of additional public relations efforts by NASCO – which are essential to garner support for added resources for restorative measures – NBAPC would call for the involvement of Aboriginal NGOs in any media/public relations considerations.
- Greater liaison and sharing of best-practices with other international organizations, such as the Pacific Salmon Commission, is encouraged, noting in particular the direct role that First Nations play in the latter commission, out of respect for their Treaty entitlements to both terminal and coastal fisheries; and
- Regarding practical efforts to publicize NASCO’s efforts, the NBAPC would encourage such measures as web-based links to our own site and enhancing information for Aboriginal fishermen about NASCO’s Tag Return Incentive Scheme.

(c) Enhanced NGO and other stakeholder involvement

- While respecting the inter-state nature of NASCO, Aboriginal interests in the salmon fishery are unique, as governmental or collective in nature. Accordingly, while NBAPC does encourage enhanced involvement of non-Party stakeholders, we take the view as well that Aboriginal representation and interests require direct acknowledgement in the work of NASCO and the North American Commission. We also note that this is a practical matter as well as a legal or jurisdictional one. Aboriginal interests in the salmon fishery are essential to the effective implementation of NASCO’s work, particularly in relation to restorative measures. As co-managers, with collective interests and the right of self-government in relation to our resources, it is essential we be fully involved in all levels of management;
- NBAPC would recommend in particular that a special session be developed bringing together the indigenous organizations and authorities along the Atlantic coasts in order to address such matters as co-management, habitat protection and regulatory measures to respect indigenous interests in the resource and capacities to enhance stock restoration; and
- it is recommended that a special Aboriginal or Indigenous Sub-Committee, Council or Liaison Group be formed within NASCO, and within the North

American Commission, in order to regularize the flow of information and cooperation between the NASCO and the many Aboriginal interests concerned in the management of wild salmon and related fisheries, including aquaculture.

(d) Identification of, and responsiveness to, new or emerging threats

- Responsiveness in identifying new threats is essential. New threats are often identified at the local level – in terminal fisheries for example – in which Aboriginal people are heavily engaged. Given the combination of Aboriginal monitoring capacities and indigenous traditional knowledge, it is recommended that the Standing Scientific Committee include expertise in this area, in consultation with Aboriginal NGOs;
- NBAPC notes in particular a growing concern with aquaculture – whether of farmed Atlantic salmon or of Pacific species – and the controversies surrounding the adequacy of contemporary measures to avoid transfers, transgenics and competition between wild and introduced species. As Aboriginal peoples are increasingly considering entering into aquaculture (with federal government support) we are quite concerned to ensure that aquaculture management be more closely supervised and informed by the best science. While this has been the topic of NASCO guidelines in the past, we feel it must be considered as an on-going threat requiring constant vigilance and oversight.

(e) Obtaining and using comprehensive knowledge

- Aboriginal peoples are very concerned with decisions on conservation – not only in order to ensure the survival and re-establishment of the stocks, but in order to determine what levels of subsistence, Treaty-based, recreational and/or commercial effort are sustainable, and/or required. Accordingly, we are very strongly of the view that Aboriginal perspectives, needs and positions be given special emphasis in the development of comprehensive scientific and socio-economic information to inform NASCO decisions.

(f) Management of fisheries

- Aboriginal organizations such as NBAPC are engaged in collective mixed-stock fisheries, at present entirely in coastal waters. However, by far the greatest involvement of relevance to salmon is in terminal fisheries, and as a result it is with watershed and river habitat protection and restoration that we are most concerned. Accordingly, we have a direct concern with how distant-water fisheries might impact on salmon stocks originating in our rivers. We therefore encourage the inclusion of Aboriginal interests in assigning any determination of fairness or balance in management of such fisheries.

(g) Changes to the Convention

- As suggested by the Working Group, strengthening NASCO's mandate by amending the Convention would seem a requirement if recommendations concerning the implementation of guidelines are not pursued or prove insufficient. However, should the Convention be re-opened, it is recommended

- that specific attention to the recognition, respect for and reflection of Aboriginal rights and related Treaties and agreements be included within the Organization's mandate, and within the mandate provisions for those Commissions in which Aboriginal peoples are present; and
- In respect of any dispute resolution mechanism, it would be important for those Parties with Aboriginal peoples to be encouraged to consult with them in respect of any dispute within the Convention's mandate that may reasonably have an impact on Aboriginal interests.

CONCLUDING POINTS

The NBAPC recommends that NASCO, as well as the North American Commission, advance the involvement and participation in decision-making of Aboriginal peoples. Aboriginal peoples are the still major stewards of the rivers in which salmon are spawned and return to spawn, and this stewardship will only witness an increase as historic and modern treaties concerning Aboriginal rights and claims are resolved.

Accordingly, it is in NASCO's interest and in the interest of the salmon that Aboriginal management involvement, expertise and traditional knowledge become more effectively incorporated into the formulation and implementation of NASCO guidelines and North American Commission regulations, both in relation to harvesting and to enhance habitat protection and restoration efforts. As noted above, the establishment of a special Sub-Committee, Council or Liaison Group with Aboriginal organizations and authorities could advance this goal.

Secondly, Aboriginal authorities should be better integrated into the decision-making processes of NASCO and the North American Commission, as has occurred in relation to the management of Pacific Salmon. This will enhance the ability of guidelines and regulations to be implemented in full respect of Aboriginal and Treaty rights.

Finally, in the short term, NASCO can promote the effectiveness of international and regional salmon protection and management decisions by giving Aboriginal salmon fishery rights, and goals, a priority focus in its planning efforts.

NBAPC looks forward to working with, and within, NASCO in order to further our common goal: to restore the Atlantic salmon to sustainable harvest levels in order to return this gift of the Creator to its rightful place in our cultures and economies.