

CNL_IS(20)11

NGO Position Statement for Autumn Inter-Sessional Council Meeting

Following emails from the NGOs to the President and Secretariat last year, and discussions within the NGO community since then, we wish to advise the new President, Heads of Delegation and Delegates through a single paper detailing NGO concerns ahead of debate at the September Intersessional meeting. Whilst we appreciate that recent unprecedented events have limited NASCO meetings and decisions, the lack of transparency in the decisions taken by Heads of Delegations, especially last year following the Annual Meeting in Tromsø, and the handling of NGO concerns since then, have undermined NGO trust in NASCO. We wish to discuss these issues at the Intersessional Council meeting and clear the air so that we can again work together effectively in the interests of wild salmon conservation.

The NGOs are extremely concerned about the lack of transparency in the handling of unfinished business in the aftermath of the 2019 Annual Meeting and the delays to the third reporting cycle, which is now almost two years late. We do now need decisions to be taken by Council that will benefit wild salmon and strengthen commitment and adherence by all Parties / jurisdictions to NASCO agreements. NASCO's credibility is at stake within the wider salmon management and conservation worlds in light of the continuing crisis for the species across its north Atlantic range. Observers from all jurisdictions are looking to NASCO for strong international leadership at this intersessional Council meeting

- The Council previously recognised the need to strengthen commitment to NASCO agreements, in particular with increased focus on minimising impacts from salmon farming – a totally man-made stressor which we can reverse, if we have the political will to do so - but recent decisions and lack of robust actions within Implementation Plans (IPs) have seriously undermined NGO trust that the Parties are committed to this ambition. The lack of openness/transparency in the way NASCO work has been handled this past 18 months and its general *modus operandi* must be urgently addressed. This is an issue which will come under close scrutiny at the imminent external performance review
- The NGOs would remind Parties / jurisdictions that they are bound to abide by NASCO Resolutions, Agreements and Guidelines through their agreement in Council at various past meetings. To retain credibility, NASCO Parties / jurisdictions must adopt appropriate actions in their IPs that adhere to these Resolutions, Agreements and Guidelines, which include:
 - NASCO Guidelines for the Management of Salmon Fisheries, [CNL\(09\)43](#). This document guides NASCO Parties in the management of wild salmon;
 - NASCO Guidelines for the Protection, Restoration and Enhancement of Atlantic Salmon Habitat, [CNL\(10\)51](#). This document guides NASCO Parties in making further progress in implementing NASCO's agreements for the protection and restoration of salmon habitat;
 - Resolution by the Parties to the Convention for the Conservation of Salmon in the North Atlantic Ocean to Minimise Impacts from Aquaculture, Introductions and Transfers, and Transgenics on the Wild Salmon Stocks, [CNL\(06\)48](#), the 'Williamsburg Resolution'. This agreement consolidated a series of previous agreements and added new elements related to mitigation and corrective measures, implementation, burden of

proof, risk assessment, stocking Atlantic salmon, river classification and zoning to guide NASCO Parties and jurisdictions in these areas;

- Guidance on Best Management Practices to Address Impacts of Sea Lice and Escaped Farmed Salmon on Wild Salmon Stocks, [SLG\(09\)5](#). This guidance document was agreed by NASCO and the International Salmon Farmers' Association in 2009. It is intended to supplement the Williamsburg Resolution and to assist the Parties and jurisdictions in managing salmon aquaculture (in co-operation with their industries), and in developing NASCO Implementation Plans, among other things.
- The IP/Annual Performance Review (APR) process is the only way in which NASCO Parties and jurisdictions can be held to account for their actions – or lack of them - in conserving wild Atlantic salmon. Unless the IP/APR process can be made truly challenging for Parties / jurisdictions, and they held accountable for their actions, the NGOs fail to see how NASCO can retain credibility as a wild salmon conservation forum.
- The decisions taken ‘behind closed doors’ to weaken the *Guidelines for the Preparation and Evaluation of NASCO Implementation Plans and for Reporting on Progress, CNL(18)49, ('the Guidelines')* adopted unanimously by all Parties in 2018, are extremely concerning and the NGOs urge that these be reconsidered in the interests of protecting wild salmon. In particular, the decision by Heads of Delegations to change the classification of Implementation Plans from ‘Acceptable/Satisfactory’ or ‘Unacceptable/Unsatisfactory’ to ‘Acceptable’ and ‘Acceptable subject to Revision’ and to allow reporting on Implementation Plans that have not been accepted by the Review Group in accordance with criteria specified in the Guidelines is not acceptable to the NGOs. While we fully appreciate that NGOs are represented on the Review Group that accepted this decision, it was presented to us as a *fait accompli*, even though it fundamentally undermined the whole review process.
- The NGOs were extremely angry that they were not permitted to view revised IPs before the second Review Group meeting in November 2019, and so discussion within the NGO community was just not possible prior to that meeting, thus undermining the effectiveness of the evaluations. We are pleased that this issue has now been resolved by Council's agreement that revised Implementation Plans will be uploaded to the NASCO web site after the November 1st 2020 deadline for submission. However, the NGOs also note that this agreement has yet to be officially incorporated into the Guidelines and we therefore request that this is addressed as a matter of urgency
- There is increasing frustration among the NGOs at some of the actions included in IPs. For example, one party persists in the political decision to allow 30% of wild smolts to be killed by the adverse impacts of salmon farming before remedial action is required under regulation, but this is completely contrary to NASCO's main objective of conserving wild Atlantic salmon and inconsistent with the agreed goal that there be no impacts of sea lice emanating from salmon farms on wild salmon. NGOs are also aware that actions within IPs have to be accepted by the Review Group at face value, when it is known amongst observers that some actions are not supported by political commitment to deliver – for example, one jurisdiction has promised a new fish passage order for at least the past 12 years, but it has never been delivered, despite the relevant IPs and APRs regularly incorporating the action
- The background paper from the Secretariat for this meeting, CNL_IS(20)3, indicates that the third reporting cycle has been considerably strengthened, not least by the requirement for SMART actions. Perhaps the major change was a requirement for Ambitious actions,

although this has, in many cases, been ignored by Parties and jurisdictions, particularly as regards actions on salmon farming and then negated by the decision by Heads of Delegations to weaken the evaluation process and proceed with unacceptable plans. Some NASCO agreements were adopted many years ago. International goals for sea lice and containment were adopted by ISFA and NASCO in 2009, yet the industry is still inadequately regulated in all jurisdictions to safeguard wild stocks and most Parties fail to demonstrate any meaningful progress towards achievement of those goals. If, as the Parties propose, unacceptable Implementation Plans form the basis of Annual Progress Reports, then the NGOs have little confidence that any meaningful progress will be made over what remains of the five-year reporting cycle. Indeed, most Parties / jurisdictions have failed to confirm in their Annual Progress Reports that they intend to change their Implementation Plans in line with the Review Group's findings; others have stated that no changes are planned.

- The NGOs will never support decisions which are contrary to NASCO goals and that will not benefit the conservation of wild Atlantic salmon

The NGOs therefore look to this Intersessional Council meeting to re-establish the trust between NASCO Parties / jurisdictions which was built following the previous external performance review in 2012. NASCO's credibility is now at stake in the wider salmon conservation world at this critical time for the species. The NGOs request that Council revisits its decisions in relation to transparency and the Implementation Plan process, including the strengthening of commitments to NASCO agreements. We strongly urge the President and Heads of Delegation to show much-needed international leadership to, as the recommendations for the 2019 IYS Symposium clearly state, the conservation and restoration of wild Atlantic salmon stocks, as required by the Convention, to which all Parties and Jurisdictions are formally committed. The NGOs are ready and willing to play their part, but unless NASCO decision makers take their international responsibilities more seriously than has been evident recently, wild Atlantic salmon face a very bleak future indeed. If that grim situation does occur, it will be on this NASCO 'watch' that history will report the lack of decisive action from people in whose power it was to conserve and protect this keystone species.

The NGOs urge NASCO Council to take the decisions that will inspire and empower those at the coal face to really make a difference and restore their faith in the organisation. Failure to do so is unthinkable and no longer an option. We therefore request that Council now:

1. applies pressure on those Parties and jurisdictions with unacceptable IPs to revise them urgently in line with NASCO's goals. The NGOs agree with the widespread opinion that we cannot continue to have unacceptable IPs continually resubmitted and reviewed, with all the time and resource expenditure that entails. If this situation continues, it will inevitably be the central focus for the imminent external performance review, and NASCO will surely be reported at that stage as being ineffective at conserving wild Atlantic salmon;
2. provides sufficient time and structure within future Annual meeting agendas to properly discuss Annual Performance Reviews and allow the NASCO NGOs/observers to cross-examine Parties / jurisdictions over their wild salmon conservation policies. This would inevitably be challenging for Parties / jurisdictions but would give both internal and external observers more confidence that NASCO is genuinely abiding by its main objective of conserving wild salmon;
3. incorporates into the IP/APR Guidelines the decision to upload revised IPs after the deadline for submissions to NASCO Secretariat and before the relevant review meeting – as noted in the discussion suggestion under section 2 of CNL IS(20)03:

Council may wish to discuss whether to make future revisions of Implementation Plans under the third reporting cycle freely available on the NASCO website prior to their review and, if so, revise the IP Guidelines accordingly;

4. reconsiders the decision to allow annual reporting on IPs that are not completely acceptable to the Review Group,

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