

	<p><b>Council</b></p> <p><i>Report of the Special Session of the Council by Webinar on the Evaluation of Implementation Plans under the Third Reporting Cycle (2019 – 2024)</i></p>	<p><b>CNL(21)56rev</b></p> <p>Agenda Item 5(b)</p>
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## ***Report of the Special Session of the Council by Webinar on the Evaluation of Implementation Plans under the Third Reporting Cycle (2019 – 2024)***

### **Background**

At the 2020 Annual Meeting it was agreed that a webinar would be held following the November 2020 meeting of the IP / APR Review Group, to discuss the 2019 – 2024 Implementation Plans fully (the IP webinar). The webinar would be held as an inter-sessional Special Session, in which NASCO’s Parties and accredited NGOs would be able to participate. There would be a time-limited period for inter-sessional correspondence prior to the Special Session to facilitate questions and answers, with the aim of making the webinar as efficient as possible. It was subsequently agreed that this webinar would take place on 5 May 2021.

### **Implementation Plans**

The aim of the Implementation Plans (IPs) and Annual Progress Reports (APRs) is to provide a succinct, transparent, fair and balanced approach for reporting on the implementation of NASCO’s Resolutions, Agreements and Guidelines by the Parties / jurisdictions.

There have been three cycles of IPs and APRs to date:

- [First Reporting Cycle](#) (2007 – 2012);
- [Second Reporting Cycle](#) (2013 – 2018); and
- [Third Reporting Cycle](#) (2019 – 2024)

Following the second reporting cycle, Council expressed a wish to strengthen the IP / APR process further through the third reporting cycle (covering the period 2019 – 2024). In 2018, Council agreed Guidelines for the Preparation and Evaluation of NASCO Implementation Plans and for Reporting on Progress ([CNL\(18\)49](#)), hereinafter the IP Guidelines, and templates for the 2019 – 2024 IPs ([CNL\(18\)50](#)) and APRs ([CNL\(18\)51](#)).

Under the IP Guidelines, the IP / APR Review Group would be tasked with assessing whether the actions contained in each theme area (i.e. management of fisheries, protection and restoration of Atlantic salmon habitat, and management of aquaculture, introductions and transfer and transgenics) were ‘SMART’ (i.e. Specific, Measurable, Ambitious yet Achievable, Relevant and Timely). Where the actions were not ‘SMART’, the Guidelines state that the IP should be referred to the relevant Party or jurisdiction for modification with clear guidance on the way that the Review Group considered that the IP should be improved. IPs would not be accepted until all actions were deemed satisfactory by the Review Group. Additionally, answers to each question in the IP would be assessed as satisfactory or unsatisfactory (including unclear or incomplete answers / information or clear omissions or inadequacies). IPs with acceptable actions that included unsatisfactory answers would also be returned to Parties or jurisdictions for modification with clear guidance on the way that the Review Group considered that the IP should be improved.

### **The First Round of Review**

The 2019 – 2024 IPs were reviewed by the IP / APR Review Group for the first time in early 2019. Full details of the review can be found in document [CNL\(19\)14](#). After this review, one IP (Denmark (in respect of the Faroe Islands and Greenland) – Greenland) was considered to

be acceptable. The Group's initial assessments of the remaining 19 Plans were sent to Parties / jurisdictions with clear guidance, where necessary, on how the Group felt they could be improved. Parties and jurisdictions were requested to submit any revised IPs for review by the Review Group in November 2019.

### **The Second Round of Review**

The IP / APR Review Group met for a second time to review the 2019 – 2024 IPs in November 2019. Full details of the review can be found in document [CNL\(20\)17](#). Following this second round of review, the Review Group considered that two IPs were fully acceptable: Denmark (in respect of the Faroe Islands and Greenland) – Greenland and European Union – Sweden. The Review Group considered that there had been considerable progress by almost all Parties / jurisdictions from the first round to the second round. However, there were still concerns over the lack of acceptable IPs after two review periods and, in particular, the failure by some Parties / jurisdictions to adopt actions specifically aimed at protecting wild salmonids from the adverse impacts of aquaculture escapes and sea lice – in line with the International Goals agreed by NASCO and ISFA. The Review Group's detailed assessments of the revised Implementation Plans were sent to Parties / jurisdictions with clear guidance, where necessary, on how the Group considered they should be revised. Parties and jurisdictions were asked to submit any revised IPs by 1 May 2020, for discussion at a Special Session of the Council at the 2020 Annual Meeting.

Due to the Covid-19 pandemic, the Special Session of the Council on the evaluation of the 2019 – 2024 IPs, planned to take place at the 2020 Annual Meeting, was cancelled.

### **The Enhanced Guidance**

At the 2020 September Inter-Sessional Meeting of the Council, Parties confirmed their commitment to a strengthened IP process in the third reporting cycle and acknowledged that some revision to the process was needed to enable it to work better. Council agreed that 'Enhanced Guidance from the Council of NASCO for the Review of Implementation Plans', [CNL\(20\)55](#), be developed to, among other things, provide further Guidance to the IP / APR Review Group. This Enhanced Guidance differs clearly from the IP Guidelines contained in [CNL\(18\)49](#) in that it included agreement that:

- there will be no overall classification of an IP as 'acceptable' or 'unacceptable';
- instead, section (1), and each area of sections (2), (3) and (4), should be categorised as either 'satisfactory' or 'unsatisfactory':
  - for clarification, IPs are split into four 'sections' (i.e. (1) Introduction; (2) Management of Salmon Fisheries; (3) Habitat Restoration and Protection; and (4) Aquaculture, Introductions and Transfers and Transgenics); and
  - further, within sections (2), (3) and (4), the information sought is grouped into three 'areas' (i.e. responses to questions; threats and challenges; and SMART actions).
- where a section / area is deemed by the Review Group to be unsatisfactory, the Review Group will provide a clear explanation of its decision to the Party / jurisdiction and, where feasible and appropriate, offer specific suggestions / recommendations for how it could be improved;
- Council recognises the use, and review, of SMART actions as recommended in the IP Guidelines. Where the Review Group considers that an action moves the Party / jurisdiction clearly towards the implementation of NASCO's Resolutions, Agreements and Guidelines even if the action is not entirely in line with the SMART criteria, the Review Group may

consider such an action as satisfactory;

- however, where the elements of an action may appear to adhere to the SMART criteria but the action is considered by the Review Group not to move the Party / jurisdiction towards the implementation of NASCO's Resolutions, Agreements and Guidelines, it should be deemed unsatisfactory. The Review Group should give a clear explanation of their assessment in their feedback;

Additionally, in order to strengthen implementation under the third reporting cycle, the Council decided that the NASCO President would write to the relevant Minister or other nominated official of all Parties / jurisdictions with IPs that were not yet considered satisfactory by the Review Group to: request that the Parties / jurisdictions provide revised IPs by the deadline, with an indication of which sections / responses had been modified and an explanation if any of the Review Group's suggestions on modifications had not been, or could not be, addressed. It was also agreed that, following the November 2020 review of the IPs, the President would again write to the relevant Minister or nominated official of any Parties / jurisdictions with IPs that were still considered unsatisfactory by the Review Group. This second letter would include the November review and request a response to include how the Party / jurisdiction will demonstrate progress towards the attainment of NASCO's Resolutions, Agreements and Guidelines in areas where deficiencies have been identified.

### **The Third Round of Review**

The IP / APR Review Group met for a third time to review the 2019 – 2024 IPs in November / December 2020, taking into account both the original IP Guidelines and the Enhanced Guidance from Council referred to above. The report of its meeting is available as document [CNL\(21\)07](#). Of the 21 IPs evaluated, one (Denmark (in respect of the Faroe Islands and Greenland) – Greenland) was considered to be satisfactory in each section / area. However, for the other 20, the Review Group considered that further work was still needed for them to be in line with the IP Guidelines and the Enhanced Guidance and to demonstrate progress towards the achievement of NASCO's Resolutions, Agreements and Guidelines. In accordance with the Enhanced Guidance, the President of NASCO wrote to the relevant Minister, or other nominated official, including the outcome of the November review and requesting a response to include how the Party / jurisdiction will demonstrate progress towards the attainment of NASCO's Resolutions, Agreements and Guidelines in areas where deficiencies have been identified. These letters, and the responses received, are available on the [NASCO website](#).

### **The IP Webinar**

As agreed, a period of inter-sessional correspondence was held in advance of the IP webinar. Parties / jurisdictions and the accredited NGOs had been able to use this time to consider the various documents issued and ask, and respond to, questions relating to the review of the IPs and the IPs themselves. The discussion conducted during the inter-sessional correspondence period can be found in document [CNL\(21\)24](#).

A list of participants at the IP webinar can be found in Annex 1.

The Chair of the IP / APR Review Group gave a presentation during the webinar on the work of the Review Group. The presentation is contained in document [CNL\(21\)55](#).

There was a wide and varied discussion on a number of aspects related to the IPs themselves and, to a lesser extent, the IP process. The comments, questions and responses raised during the webinar are contained in Annex 2.

## Issues for Consideration and / or Decision at the 2021 Annual Meeting

During the meetings of the IP / APR Review Group, the inter-sessional correspondence period and the webinar, several issues were raised which require further consideration at the 2021 Annual Meeting. As the United States noted in the Inter-Sessional Correspondence ‘it is important to have a discussion about the IP review process and provide the Review Group with very clear direction for future reviews.’

Therefore, clarification on the following is sought:

1. Council may wish to agree that there will be no major change to the IP process until the Performance Review Panel has reported (noting that the Review Panel has, in its Terms of Reference, [CNL\(21\)22](#), been asked to consider the IP process).
2. Council may wish to request that Parties / jurisdictions either:
  - submit no further revision of their IP until the Performance Review Panel provides advice on how the process might be revised to better meet its objectives (and, therefore, that no further IP reviews take place), recognising that this may not be until the next reporting cycle; OR
  - continue to submit revised IPs, until their IP is considered satisfactory in all sections / areas by the Review Group (and therefore that subsequent IP reviews take place as required).
3. If it is agreed that no major change should take place until the Performance Review Panel has reported, Council may wish to clarify the following issues, to facilitate the process in the interim:
  - a. Council may wish to agree that where ‘fish farms’ are mentioned in the IP template, this relates to all forms of aquaculture, including conservation hatcheries, as per the definition given in Annex 1 of the [Williamsburg Resolution](#);
  - b. Council may wish to decide whether a Party’s / jurisdiction’s national legislation which prevents a satisfactory response to an IP question, should / should not be considered a mitigating circumstance to allow it to be considered satisfactory;
  - c. Council may wish to consider the Review Group’s interpretation of the Guidance ([CNL\(18\)49](#)) and the Enhanced Guidance ([CNL\(20\)55](#)), used in their November 2020 review;
  - d. Council may wish to agree that in future IP revisions, questions / actions deemed satisfactory in November 2020 are not revised (unless clarification is requested), and revised sections are highlighted clearly; and
  - e. Council may wish to agree that future APR reviews only consider actions deemed to be satisfactory by the Review Group.
4. Council may wish to consider whether increased participation from the Parties and jurisdictions in the work and / or meetings of the Review Group would benefit the review process;
5. Council may wish to invite France (in respect of St Pierre and Miquelon) to participate in the Implementation Plan process.

Secretariat  
Edinburgh  
14 May 2021

*List of participants*

**Canada**

Doug Bliss  
Carl McLean  
David Dunn  
Melanie Ang  
Julien April  
Chris Connell  
Peter Cronin  
Aaron Dale  
Susan Farquharson  
Jim Goudie  
Barrie Graham  
Natalie Her  
Dale Marsden  
Isabelle Morisset  
Zoë Tupling

**Denmark (in respect of the Faroe Islands and Greenland)**

Katrine Kærgaard  
Maria Strandgård Rasmussen

**European Union**

Arnaud Peyronnet  
Ignacio Granell  
Ida Ahlbeck Bergendahl  
Ciaran Byrne  
Håkan Carlstrand  
Jaakko Erkinaro  
Clemens Fieseler  
Cathal Gallagher  
Paddy Gargan  
Tapio Hakaste  
Denis Maher  
John McCartney  
Michael Millane  
Vanessa Monteiro de Barros  
Niall Ó Maoiléidigh  
Tom Staveley  
Isabel Teixeira

**Norway**

Raoul Bierach  
Håkon Berg Sundet  
Heidi Ekstrøm

Vegard Haukeland  
Jan Henning L'Abée-Lund  
Sigurd Hytterød  
Katrín Lervik  
Yngve Torgersen

**Russian Federation**

Alexander Lizogub

**United Kingdom**

Ruth Allin  
John Armstrong  
Antje Branding  
Seamus Connor  
Dennis Ensing  
Robert Floyd  
Nora Hanson  
Grant Horsburgh  
Keith Main  
Jane Rougvie  
Lawrence Talks  
Simon Toms  
Alan Walker

**United States**

Kim Damon-Randall  
Steve Gephard  
Kim Blankenbeker  
Julie Crocker  
Daniel Kircheis  
Tim Sheehan  
Rebecca Wintering

**Non-Governmental Organizations**

Paul Knight  
Steve Sutton  
Thomas Chrosniak  
Torfinn Evensen  
Øyvind Fjeldseth  
Niall B Greene  
Jim Haughey  
William Hicks  
Martin McEnroe  
David Meerburg  
Nigel Milner  
Patrick Peril  
Kateryna Rakowsky  
Robert Seward

David Vanderzwaag  
Alan Wells  
Ken Whelan

**Secretariat**

Emma Hatfield  
Wendy Kenyon  
Louise Forero Segovia  
Deanne Cullen

### *Transcription of discussions during the Special Session on the Evaluation of the 2019 – 2024 Implementation Plans*

**Paul Knight (Salmon and Trout Conservation UK):** made the following statement:

Mr Chairman, Heads of Delegation, Delegates and Colleagues.

The NGOs are grateful for this opportunity to present a statement on the 3<sup>rd</sup> Implementation Plan (IP) process, which we believe cuts to the heart of why NASCO is increasingly viewed by those outside of this forum as irrelevant to modern salmon management and conservation. After two years and three rounds of review, most IPs have once again been returned to the Parties and jurisdictions for revision. This situation is viewed by many in the external salmon world as proof that the organisation, as presently constituted, is ineffective at achieving its primary objective of conserving wild Atlantic salmon from anything other than coastal mixed stock fishing.

The Implementation Plans / Annual Progress Report (IP/APR) process was established by NASCO Council as a result of the External Performance Review in 2012, but this 3<sup>rd</sup> cycle has clearly shown a continuing lack of political commitment within home governments to prioritise wild salmon conservation over industries that have been proven to adversely impact the species. The NGOs recognise that the Implementation Plans (IPs) attempt to address many threats and challenges to salmon management and conservation, including marine salmon farming, hydro power, diffuse pollution from intensive agriculture, urbanisation, and barriers to fish migration, together with the increasingly pervasive impact of climate change on the water environment and wild Atlantic salmon. However, we are concerned that NASCO lacks the power to influence those who promote and practise these damaging activities, both nationally and internationally.

So, Mr Chairman, now that most mixed stock fisheries have been brought under control, the NGOs believe that NASCO risks becoming irrelevant if we don't figure out how to address these many wider stressors on the species.

One senior delegation member recently told the NGOs that we are preaching to the converted around this table, that all NASCO delegates broadly agree with the need to improve wild salmon management and conservation. He said the problems arose when delegates returned to their home countries and had to confront the vested interests of these other, seemingly more important industries that hamper attempts to better protect wild fish. While the NGOs believe there is still some work to be done to improve attitudes internally within NASCO, we broadly agree with this sentiment.

Mr Chairman, the NGOs will develop our increasing concerns over the effectiveness of the IP/APR process as part of our contribution to the External Performance Review. The challenge we would now throw out to the Parties and jurisdictions is, how does NASCO achieve the necessary influence within its home country governments to bring about the changes necessary to protect wild Atlantic salmon before they become non-viable, or even extinct, in many areas across their North Atlantic range? This is happening on all our watches, and history will not look kindly on us if we fail in this, our primary conservation objective.

The NGOs fully appreciate and support the need for sound scientific research to underpin salmon management and conservation, and indeed many of our member organisations have scientists heavily involved in salmon research. However, where NASCO Council has requested



SMART actions within the IP process, for instance when connected to the management and regulation of open-net salmon farming, we are frustrated at IPs which continue to hide behind future research, reviews or working groups when we already know the underlying problems and, in many cases, the solutions, around which actions could readily be devised. This prevarication does not move Parties / jurisdictions towards achieving NASCO's goals for conserving wild Atlantic salmon or their water environments, which is the vital objective of the IP / APR process.

We know that many Heads of Delegation and delegates share the same frustrations as the NGOs. Saying the right things around this table is one thing, but NASCO must become more influential in the decision-making processes back home. This must translate into future IPs which contain the genuine, succinct and SMART actions necessary to protect wild Atlantic salmon and allow challenge and testing through review of Annual Progress Reports. This will contribute to the goals agreed within NASCO and demonstrate where actions and resources are limiting and where accountabilities lie.

If we can do that, Mr Chairman, NASCO will place itself at the heart of wild salmon conservation way into the future, but if we cannot achieve political influence across North Atlantic administrations through the NASCO forum, the future for this iconic, cornerstone species is very dismal indeed.

So, Mr Chairman, that's it for the NGO statement, but can I just add a few words on my own experience as – I think – the longest serving member of the Review Group?

Firstly, Cathal has done an excellent job as our Chair and deserves all our thanks. He has made us follow Council's direction to the letter so that we have been more challenging in our reviews.

The problem for the NGOs is that it has always been agreed we take what is written in IPs and APRs at face value. However, as a collective from around the North Atlantic, we know that a significant number of actions are just smokescreens – they use prevarication, verbosity and, dare one say in a few cases, even economies of truth to hide the fact that very little is being done to address a particular threat, yet the NGOs can do nothing about it in the review process – it would just be our word against a government's. And please remember, actions in one country often have repercussions in another – Atlantic salmon do not recognise national boundaries, so governments have international and well as national responsibilities for the species.

Mr Chairman, the NGOs know that political decisions have to be taken back home and that often this is a juggling act for governments. Our problem is that the juggling rarely falls in favour of protecting wild salmon, especially when faced with the vested interests of salmon farming, intensive agriculture, hydro power, forestry or any of the other threats to the species.

So, if wild salmon are to survive and flourish, that has to change. This isn't just another fish species, it is an international indicator to the ecological health of both freshwater and marine environments, yet time and time again we have seen priority given to industries or activities that impact the species or their habitats. If wild Atlantic salmon are struggling, the chances are that the environments in which they exist are struggling too, and the world is fast waking up to the fact that environmental protection is critical to all our futures.

So, Mr Chairman, however well-meaning delegations are at taking decisions within this forum, we must find ways to influence political decisions within home governments that will progress us all to achieving NASCO's conservation goals for wild Atlantic salmon. The IPs need to include those genuine actions, so that APRs can report on real progress towards achieving timely objectives every year.

In other words, Mr Chairman, we have to find a way in which NASCO remains relevant in today's world to the urgent need to conserve wild salmon and protect the ecosystems on which they, and ultimately all of us, depend.

Thank you, Mr Chairman.

**Ciaran Byrne (European Union) / Chair:** Thank you, Paul, for that quite extensive statement on behalf of yourself and the NGOs. I think that most of us on the call have heard a lot of what you've said before and understand and can sense some of the frustration, you feel. You did throw out a couple of challenges there, very important challenges, and one that we all face in our agencies is remaining relevant to be at the decision-making table. So, without further ado, I open the floor to anybody, any Parties, that may have a question in response to the presentation by Cathal.

**Ignacio Granell (European Union):** Thank you, Ciaran. Thanks a lot for the presentation. I think, despite what we've heard, the work done by the Working Group has been very useful. I think it's a crucial process where all the Parties have shown a high level of commitment. And I think that shows that NASCO ultimately remains a relevant organisation. In this area, for instance, the letter of the President at the end of 2020, was well received by other jurisdictions. Cathal also mentioned in his presentation that one of the jurisdictions actually came back with comments, incorporating some of the elements in the IP process.

And just to show a little bit of a message of optimism about the work that has been done and the response that we have received from the jurisdictions. They are reviewing the plans and they will submit additional comments, as Cathal said, probably by the end of the year. But all in all, I think it's a constructive process that we can, all of us, be satisfied with for the time being.

**Niall Greene (Salmon Watch Ireland):** First of all, I should say that you'll probably be a bit bemused by some of the questions I'm going to ask, because they're really capable of being handled at national level, without elevating them to a NASCO Special Session. But the truth of the matter is, in Ireland, we have no forum, either formal or informal, well, maybe a little bit informal, but certainly no formal forum where NGOs can contribute to the IP and APR processes.

So, we're left in a position of objecting to things and appealing things. Secondly, I'd like to endorse, if it's any way necessary, what Paul Knight had to say. There is a lot of frustration out there. Not every person concerned with salmon conservation is deeply involved in NASCO, but the symbol of NASCO as an international body that stands up for the wild salmon is certainly somewhat dented at this point.

And thirdly, I would like to join in the thanks and congratulations that have been extended to Cathal and the Review Group for their work. The outcome is not only impressive, but the amount of work that went into it in the process of getting those outcomes was humungous. I know this from talking with Paul and Steve. And large parts of their lives, and that of the other members of the Review Group, have been devoted to this exercise, when there are plenty of other things they could have been doing. I'm going to confine my questions to the section of the Irish IP that deals with salmon farming. That doesn't mean that we're uncritical of the other sections of the report. But in general, despite the fact that our salmon management efforts were rated, or responses were rated, in the second review, or the third review, as unsatisfactory, in general, they represent a pretty honest and fair assessment of where we are and what needs to be done. And I'm just going to leave it at that.

The Irish IP declares, and it declares it, that current Irish policy on sea lice control is not aligned with NASCO goals, and we know what the NASCO goals are. I wonder if anybody on the Irish

side of the EU delegation is willing to say when efforts are going to be made to bring it into alignment. This is not helped, of course, by the structural nature of responsibility for salmon farming in Ireland, where both the development and the regulation of salmon farming reside in the one governmental department with anybody else with a concern for wild salmon, having very little opportunity of inputting it. But they can't go on ignoring the NASCO goals and they have to come into alignment. So, what are they going to do about it? There's a similar consideration with regard to containment, where the NASCO goal is to have 100% of farmed fish retained. The Irish IP and APR process resides a lot behind the no reported escapes report. I know this is an IP session, but on the most recent APR, 'no reported escapes' is there again, despite the fact that farmed fish have been turning up in rivers adjacent to farms. So, where did they come from? Now, my question is: what steps are going to be taken to improve the reporting of escaped from farms?

Clearly, they're not being properly reported and that is a serious problem. Moving on, the IP states there are no current plans to introduce additional smart measures. Now, that's not something to boast about. We're all very familiar with the old mantra, if you don't measure it, you can't manage it. So, when can we expect some progress on achieving smart actions? Now, I know that's a focus of the Review Group's assessment as well, but it's a problem.

The IP contains no plans to deal with a major issue acknowledged both inside and outside government in Ireland to be a major barrier to proper regulation. And that's the lack of any graded penalties for transgressions of whatever rules are there. The nuclear option of revoking a licence has only been resorted to once, and that farm continues to operate, while appeals are mired in the courts. That's not a functioning regulatory system. We'd like to know what plans there are to deal with the absurd situation that exists where no Irish salmon farm now has a current licence. This is a result of a piece of legislative sleight of hand some years ago that if an operator signifies their intention to apply for a licence extension, they are automatically granted one without any assessment of their environmental impact or going through any other regulatory process. Some of these licences go as far back as the late 1980s, before any of the current environmental rules were in place. So, we'd like to know how it is we're going to address that and when.

We'd also like some more information on what research efforts are going to be put into deepening our knowledge and understanding of the transfer of pathogens from farmed salmon to wild fish. A matter that's referred to in the IP, but left dangling, although it's a matter of major concern.

So, these are not rocket science issues. They are part of a really active and committed management of our wild salmon resource. The mind boggles as to why government, and indeed, the industry, itself, is not doing something to clean up its act on these issues. So, I'll leave it at that, Chairman, and thank you for the opportunity to make an intervention.

**Denis Maher (European Union):** Good afternoon to everybody. Niall raises some very important questions, and I've said at this forum, on many occasions, that my job is in relation to wild fish and the protection of the same. I am not in the department that regulates or develops aquaculture. And to be frank, I share the frustration from the point of view of being the most senior manager on the wild fish side. So, all I can do, Niall, and I do share your frustration and that of other NGOs, I'm going to take these questions back to the Department of Agriculture, Food, and Marine, and ask them clearly for some frank answers. Because I need them as much as you do. So, I would be obliged, Niall, if you could set out those questions in a short email and I will ask them. I have also asked, and the Department of Agriculture, Food, and Marine officials have agreed, to attend the Special Session on Aquaculture at the forthcoming Annual Meeting. So, there's an option there for direct contact as well. So, I appreciate that that may be

less than satisfactory, but I certainly don't have the confidence to respond to the questions you asked now. Although I do acknowledge the rapid science, as you say. But the licensing process, which you correctly pointed out in relation to the current situation, and the general position of salmon farming in Ireland is a matter for that one. And I will ask the questions on your behalf. And I will ensure that answers are forthcoming directly. [*Please see the addendum below which sets out the questions and answers referred to here.*]

**Ciaran Byrne (European Union) / Chair:** Thank you, Denis, for that response to Niall. So, you're going to take it bilaterally, and I'm hearing you say that there's another opportunity, potentially, in the Special Session of Aquaculture to maybe get a more detailed response to Niall's queries.

**Denis Maher (European Union):** Ciaran, before you divert away, yes, definitely, they have agreed to attend the Special Session, the senior officials on the Aquaculture side. And I think it is an opportunity. Because I have taken similar questions from Niall and others, and Paul, at this forum, and it is frustrating not having the ability to address them. So, there is that opportunity, and I think it would be very useful to take that opportunity when it arises. So, I'm going to keep in touch with them on that, and make sure that it happens. And also, to put Niall's questions directly to them. And hopefully, I will be recommending to DAFM, hopefully, that we will have answers to those questions before the Special Session, so that they can be explored.

**Ciaran Byrne (European Union) / Chair:** Thank you, Denis. And just for clarity, DAFM is the Irish ministry that deals with commercial fisheries and Denis works for the ministry that deals with conservation, fisheries, and salmon. So, that's that interplay there.

**Doug Bliss (Canada):** Thank you, Mr Chair, and thank you, Cathal, for that presentation. Just as you walked us through the presentation and talked about the three rounds of IP process and the iterations that you've gone through, we just want to recognise the enormous amount of work that the Review Group has put into this. Not only recently, but in previous years. We recognise it is a tremendous amount of work.

Regardless of the proportion, in terms of Canada's position, we have full confidence in all of you who are on the Review Group that you were thorough, fair, and consistent. So, I just wanted to reflect, because my comments that will follow are not reflectively of the Review Group at all. But, indeed, reflective of what we have serious concerns about whether the process that we have established at NASCO is meeting its intended consequences. So, we were quite interested in commentary of the Review Group, itself. And I don't think we have time to go into this sort of thing. But it is something that we've brought up in our letter back to the President that we think that NASCO does need to do some reflection and understand why, from our belief, that the implementation planning process that we have established does not seem to be meeting its intended consequences of having adaptive management and continual improvement, as we move through the years.

So, we wanted to make that comment and thank the Review Group and the great work that you've done. In terms of just how we approach the reviews, the directions have been quite clearly that all categories have to be satisfactory, in order to move forward. I think just the way we report is perhaps part of the discussion that we have moving forward. From our assessment of the, ... 62 or so questions, Canada ended up having ranked at 73%, which is a C grade, admittedly. It doesn't reflect that, the way it's reported. It's either yes or it's no. So, we've gone through three IP process. We're about to enter a Performance Review of considering whether the processes that we have set up are having the intended consequences. It doesn't seem like they are, so I think it's an opportune time for Council and the Parties to consider

whether we should reflect on the process and make changes. Because, as Paul said, and I agree with him, we are all interested in the conservation of salmon and we'd like to be able to move this forward. And I'm not sure the implementation planning process is helping us do that.

I'll leave it at that. Thank you very much, Mr Chair, and I want to thank the Review Group again for the extensive and comprehensive work that you've done. Thank you.

**Cathal Gallagher (European Union):** Firstly, thanks very much, Doug, for the kind comments. I agree that the Review Group has worked very hard and diligently. But it's really not for us to comment. All we are doing is implementing the review process as it has been given to us. We did have a brief discussion at the end of the APR review about that. And I think we have some comments, but we're not firm on them yet. But really, we're just guided by what we've been requested to do and we try to implement that. ... When we read the guidance a number of times, we're pretty clear on what we were expected to do. And if I can be helpful in any way, while Council is deciding to provide me feedback or input, I'd be more than happy to do that. But the Review Group did discuss this at the end of our latest session and felt that we weren't in a position yet to offer that insight. And maybe after one or two more reviews, we might have some comments.

**Ciaran Byrne (European Union) / Chair:** Thank you for that clarification, Cathal. Doug, I think you've referenced, in your contribution, that it might be for a Council discussion.

**Steve Sutton (Atlantic Salmon Federation):** Thank you. I'll just make a comment on some of the points Doug just raised from Canada's perspective, and then I've got a couple of questions, one of which is actually for Canada. I won't speak on behalf of the Review Group. As Cathal said, we're not ready to make recommendations or comments, but from my own perspective, I do agree with Doug that in some ways, many ways, the process is not necessarily getting us where we want to be. We're lacking actions on many of the key issues across the board. But one of the things I think this revised process has done is it has helped to highlight some of the deficiencies where various Parties are not maybe taking the appropriate action.

So, my question is for Canada. I note that Canada has had difficulty in developing acceptable actions around sea lice and containment in aquaculture and still hasn't got any approved management actions in the most recent version of the IP. One of the reasons that Canada cites for difficulties in getting to those actions involves jurisdictional issues within Canada. And specifically, in Canada on the East Coast, the provincial governments have a lot of authority over aquaculture management. And so, that seems to be an impediment to developing these effective actions around aquaculture. I, and some of the other NGOs, have a little bit of difficulty understanding what the issue is here and what the rationale is for that reason. It's my understanding that despite the provinces having significant authority over aquaculture, the Federal Government of Canada does retain jurisdiction for protecting wild fish and wild fisheries from the impacts of aquaculture and other activities. And, of course, the Federal Government has made the commitment to NASCO for management of sea lice and containment. So, it's difficult to understand exactly what the issue is, that is impeding the development of actions around aquaculture in terms of the jurisdiction. It's difficult to understand why the government of Canada is not doing more, given that they retain the jurisdiction to do so. And so, I'm wondering if Canada could shed a bit more light on what those jurisdictional issues are and how it is exactly that they are impeded in their ability to reach those actions on aquaculture.

**Doug Bliss (Canada):** Thank you for the question, Steve. I'm not in a position to ... provide many more details about the ins and outs of memoranda that we may have with individual

provinces or not, in terms of natural resource management. I, myself, am not familiar with that. We'd be able to get the information.

I guess the best answer I could give you at this point, Steve, as we have with health, education, and many other areas, there's always this interplay between the Federal Government and the Provincial Governments. In that context, this is something that is not unusual, in terms of Canada and having a continual dialogue with provinces on the back and forth between the Federal Government and the Provincial Governments. That's all I can say at this point in time, that it's the nature of our federation sometimes that we don't work within a perfect jurisdictional system. But I can assure you that, my Department of Fisheries and Oceans Canada works regularly with all the provincial jurisdictions on aquaculture. Thank you very much.

**Jim Haughey (Ulster Angling Federation Limited):** Good afternoon, everyone. My name's Jim Haughey of the Ulster Angling Federation in Northern Ireland, United Kingdom. We are a small angling representative organisation. We have 55 member clubs, about 5,000 or 6,000 members. We have been, through Paul Knight, involved in the reviews of the IPs. I would like to reiterate what other speakers have said that there has obviously been a great deal of work gone into these reviews and we thank all the participants who have been involved who have been working on our behalf. I'd like to make some observations and then end up with a couple of quite broad-based questions for probably UK, and to a lesser extent, Ireland, the two governments. I'd like to support the comments that Paul Knight made in his opening statement. The information that NASCO delegates broadly agree with a need to improve wild salmon management and conservation is reassuring, at one level, but disappointing on another level that everybody seems to know what we need to do, but everybody realises it's not really happening. Paul's other observation, that how does NASCO achieve the necessary influence for home country governments to bring about the changes necessary to protect wild Atlantic salmon, is one of the critical factors for us. How does NASCO become more influential in forcing or generating decision making processes and home governments? There has been success on the netting front, but that needs to be translated now into successes in other areas.

We have a problem in Northern Ireland in relation to protection of the environment. We have an environment agency, which is not independent. It is the only area of the United Kingdom or Ireland, which does not have an independent environment agency. Our environment agency is a subsidiary department of the Department of Agriculture here, which is disastrous. It means that all decisions that are taken there have to be filtered through the requirements of other competing departments. It appears that the environment always seems to lose.

Some of the issues that arise out of this are water quality. Our water quality is getting worse and has been for quite some time. Only the other day, we had another major fish kill, but even apart from the individual fish kills, our major problem is continuing low level, deteriorating water quality from agriculture practices and sewage. Because our environment agency is a subsidiary of our Department of Agriculture, our Department of Agriculture is promoting policies of evermore intensified agriculture, expanding intensified agriculture, there is a constant battle from agriculture to reduce or minimise the protections given the water quality against problems from agriculture. To the point that, maybe even across the EU, or certainly, across the UK, there's a suggestion of a movement now to reduce standards in water quality monitoring, in order to make the picture look a bit better.

Some of the other issues that arise are predators. We felt that our Implementation Plan did not address the problem of predation. We have quite a problem with cormorants and seals in some parts of the province. We have a proliferation of micro hydroelectricity, and we feel the protections against that for fish migration are not sufficient. We have the European Union

Water Framework Directive, which was requiring work to ameliorate or remove barriers to fish migration. We are now out of the European Union insofar as environmental law is concerned, but there has been no progress in trying to address the problem of barriers. We have hundreds, if not thousands, of these on our rivers, as a result of the linen industry and old scale industrial practices. The crux of the whole thing is, as Paul Knight and Niall Greene, in relation to salmon farms, have said, everybody's on the same wavelength, as far as the fisheries go. But the real question is how do we influence the other departments and other bits of government whose actions are so severely impacting on fisheries? As I've said, in Northern Ireland, we have a severe problem with our environment agency. Ireland has a problem with fish farms. How do we influence those departments who aren't fisheries departments? NASCO don't seem to be in that ballpark at the minute. To me, that's a major question. Thank you.

**Ciaran Byrne (European Union) / Chair:** Thank you, Jim, for your comments and setting the scene very nicely. You raised a couple of issues of the departments, predation, the hydroelectricity. But really, as you said, the crux is really the relevance piece.

**Seamus Connor (United Kingdom):** It's probably fair comment to say that many of the issues that you have raised are ones that don't necessarily just lie within fisheries. You only have to look at things like fish farms – you need probably three or four permissions to enable fish farms to operate, be that from the discharge, or abstraction, or from the various other bits and pieces. In certain cases, it can be complex to get through the various approvals. They seek to make changes within this year. I know within our own Implementation Plan, we have sought the fact that we are now all within DAERA for many of these areas of works, and that has been a help, rather than a hindrance, because we have been able to address issues directly with them.

I don't think we're hiding behind the fact that, the plans set out on the Water Framework Directive to improve and enhance the water quality hasn't met the success, that people thought that it might do. We're certainly very much focused on issues like nitrogen and phosphorous, and ammonia. There are a number of steps that have been taken by the Department that, unfortunately, will take a bit of time to kick in. There are various programmes which are looking at, for example, keeping animals back from rivers in these areas, in particular, where water quality has significantly gone down, maybe through the agriculture. So, there are a number of measures that were taken there.

You mentioned hydro as well. We are very focused on trying to improve and enhance those, and we have a number of schemes there, particularly where we're tagging smolts, where we're looking at individual impacts. It does take a bit of time to dissect these things. I'm very familiar with some of the works being carried out by people affiliated to yourselves, in particular, on the six-mile water. I think that's an issue they had within a relatively small area, and it took a long time to address, even with their determination of trying to isolate the various impacts and trying to home in. It highlights how difficult these things are to address. The easy ones are the ones where it's a large pollution event that's easy to be seen. It's probably less easy for those that are diffuse... We are into the third round of WFD, and we're currently consulting on those measures as we finish this year. So, there are many opportunities to influence how we think. We can do a lot from inside, but we also recognise that people, like yourselves, people like Paul, have a significant part to play, because they can also gain influence, particularly when you've the option to participate in consultation or to talk to MLAs on our side, or MPs, or your local representative.

**Kim Damon-Randall (United States):** Thank you, Mr Chairman. I wanted to thank the Review Group for their great work. I know it was a substantial workload over a long period of time, and I really appreciate all the effort that you all put in. Cathal already mentioned some of

our overarching questions that we posed during the intersessional correspondence period and that we'd like to discuss more during the Annual Meeting of the Council.

I did have a question for you, Cathal, based on your presentation. I found the infographic on slide 16, which had the various colours that showed where some progress was being made on some of the unsatisfactory components of the plans really useful. I was wondering if the Review Group had thought about, for the next round of reviews, creating a similar infographic. The infographic on slide 19 is just the green and red. It doesn't really show if progress is being made. I was wondering if the Review Group had considered updating the infographic on slide 16 to show where there are components that are unsatisfactory, but where Parties or jurisdictions are making some progress. That might get to what the NGOs were talking about, in terms of transparency and making sure people understand what is being addressed and what is not. Thank you.

**Cathal Gallagher (European Union):** That sort of feedback is really, really welcome, and if there's any way we can improve the reporting, we can take that onboard. I think we'll discuss that at the start of our next review. I did feel that generally, while the results may not be where we want to get to, some of the reporting gives a clear picture in that sort of table format that was very good. But we'd be delighted to do that. I need to discuss with the Review Group, but certainly, I'd be supportive of that going forward.

**Emma Hatfield (Secretary of NASCO):** Just a clarification on your question, Kim. Because of the Enhanced Guidance, the basis for the review had changed from the second round of reviews to the third round of reviews. It didn't seem entirely appropriate to compare progress from the second round to the third round. For example, in the third review 'unsatisfactory' was in place for all sections and areas, smart actions could be considered unsatisfactory, even though they were smart. And non-smart actions could be considered satisfactory, if they were moving Parties towards achieving NASCO's Resolutions, Agreements, and Guidelines. It didn't seem appropriate to compare the progress from the second round to the third round, given the review process was changing. But certainly, the way that the scores were done for the infographic at the end of the second round of reviews, again, is different from the way that the scores had been done in the third round of reviews. It's something that I can have a look at in the intervening period and then make some suggestions to the Review Group for possible ways forward. I'd be happy to do that.

**Dave Meerburg (Atlantic Salmon Federation):** We all know that accurate and complete catch statistics on Atlantic salmon are key to our assessments and our estimates of returns to rivers. They're key also to the budget of NASCO. How the NASCO budget is divided is based, in part, on the catch statistics for each Party. We've heard from the IP group on their great success and their commendations to Greenland on their success in getting accurate catch statistics and very good reporting rates, approaching 90%, by their fishermen. I think a good part of that success in Greenland has been a result of them putting in a mandatory requirement that catches have to be reported and if they're not reported, individuals will not get a licence the following year. In Canada, with the exception of the Recreational Fishery in Quebec, there is no mechanism to have individuals report their catch. Because of that we see, in our aboriginal first nation fisheries, some groups not reporting at all. Someone from either the provincial or Canadian government provides an estimate or a guess of what their fishery catch may have been. In other cases, such as the Labrador Food Fishery on the coast, we get logbook returns this past year in the range of 65% or 67% of logbooks are being returned. That compares to Greenland, where we're seeing about 90%.

On other fisheries, for example the Recreational Fisheries in Newfoundland and in Nova Scotia, we're in the range of reporting by fisherman of a few percent up to maybe 20%. Then



in the case of New Brunswick, we're so low that we haven't had a catch estimate for the province of New Brunswick since 1997, that's almost 25 years with no catch statistics for the Recreational Fishery in the province of New Brunswick. There are very big, famous rivers, like the Restigouche and the Miramichi where those catches that were estimated prior to 1997, for example, the Miramichi, are being used to estimate the catches currently. I think that is an abysmal situation. When I read through the IPs and APRs, I see some common theory on action. But I don't see that the IP group thought that this was good enough. The management of Canada Salmon Fisheries did not get a green score, for example. This is similar to the aquaculture situation, it's a shared jurisdiction. The provinces are the ones they're licensing to salmon fishery, but it's the government in Canada that uses the numbers of licenses and any estimates that come from the recreational fisheries to develop stock assessment information, etc.

So, if Doug Bliss, on behalf of Canada, can answer and others from the various provincial jurisdictions can talk about what progress they're really making towards developing accurate catch statistics in the fisheries. A secondary comment is – would progress be improved, if they went to some sort of mandatory requirement, like Quebec has, that people have to report their catch, or they won't get a licence for the future year.

**Doug Bliss (Canada):** The only thing we could really say, at this point in time, is reporting is an ongoing discussion in fisheries management circles. Within the Federal Government, and also, within the provincial governments, there are lots of discussions going on about how to improve reporting. It's recognised as an issue. Getting a better grasp on that information is an important thing to go forward. So, that's all I can say at this point in time, that we recognise there's an issue and we're trying to move forward to improve that. I can't comment on whether things should be mandatory or not. That's for discussions between governments about the best path forward and become policy decisions.

**Nigel Milner (Institute of Fisheries Management):** Like others, I think the work of the Review Group has been excellent. I'd also like, in advance of my question, to congratulate what has been done in England and Wales. My question concerns the IP from England and Wales. I was a bit hesitant about asking it, because it's something which is a national level question, but I think it may have application more widely. It concerns the smartness of actions, particularly in the associated robustness and penetration of stock assessment specifically for freshwater phases. I think the IP England and Wales sets out a number of very useful looking actions. All of which are likely to benefit salmon, to some extent, some more so than others. The key question for salmon management should be how much benefit arises? Is it enough? What else needs to be done? The fundamental prerequisite for this is to have some sort of national, explicit inventory of river habitat, as is advised by the NASCO Habitat Guidelines. Because that's the template on which all salmon production assessment and selection improvement measures should take place.

In 2010 Habitat Guidelines from NASCO advised that a) managers should assess the expected effects of management actions and the timescale in which they will occur prior to implementation. And b) managers should also monitor the outcomes of the management actions to determine whether they have achieved the desired results. We are referring here, to process smart objectives. We agree with that, but I'd ask three related questions, directed to UK. Is there a functioning, spatially explicit river habitat inventory for England and Wales? The second question is – how are a) and b), these two pieces of advice from the Habitat Guidelines, being addressed? And are the current measures in place through the IPs enough to protect stocks? Lastly, if they're not, then I suspect with the best will in the world, the answer isn't going to be terribly positive on that. What factors are limiting this delivery, and what actions might be in hand to address that shortfall. I've focussed on the UK implementations

plans, but I've looked at some of the others as well. I get a sense that there's hope over expectation, in those IPs, when it comes to smart objectives. I don't think, half the time, that the objectives are actually smart. I don't think that mechanisms are in place to evaluate the outcomes of the measures which are put in place in the Implementation Plans. That is, to me, a serious shortfall because we're deluding ourselves that we can actually measure the benefits of what we're trying to do. Thank you.

**Ruth Allin (United Kingdom):** Thank you very much for raising the question, Nigel. As you're aware we're managed by conservation limits in the UK. We're constantly looking at whether our stocks are meeting the limits. I think you're right. You asked, are we doing enough? Are we seeing improvements from our management action? And overall, the trend isn't positive. I think the challenge is, what more can we do? It comes back to the question that's been posed several times in this discussion already. How do we drive forward salmon conservation domestically? I think we can all agree that it's a very challenging space. I'll hand over to Simon, to provide a bit more detail.

**Simon Toms (United Kingdom):** As Nigel is fully aware, this has been a long-standing issue for the Environment Agency in England, collecting habitat inventory data. It is extremely costly. And there needs to be a clear protocol set in place to make sure that it's collected consistently. What we are doing in England, is reviewing our salmon stock assessment processes, including the setting of conservation limits. We're reviewing what has been undertaken by other jurisdictions. Having a consistent approach across the NASCO family, would be a very good idea, in our view. We are currently reviewing it, Nigel. We are looking at what is going on elsewhere, and then comparing that to our conservation mix in the process.

I hope that, in part, answers your question. Clearly, getting a thorough habitat inventory for all principal salmon rivers in England, would be a very large exercise. Probably one that would need a much more funded approach, perhaps through some sort of funding programme, across NASCO, I would suggest. Thanks.

**Sigurd Hytterød (Norway):** Good afternoon, and thanks to the Review Group for great work. On behalf of Norwegian salmon rivers, I have a few comments and a question on the aquaculture section in the IP for Norway. We think the plan is slightly underestimating the status for genetic impact from farmed salmon in wild Atlantic salmon populations in Norway. The IP states a declining trend in escapees, and a steady decrease in the prevalence of escaped farmed salmon in the Norwegian rivers. The monitoring of the genetic introgression in Norway does however, not show a decrease, but a small increase in the number of salmon population genetically impacted. We would like to argue that counting the number of escaped salmon in selected rivers does not give the current picture of the trends in genetic impact. Results from genetic analysis does. Thus we would kindly ask NASCO to explain why the IP for Norway does not focus more on the trends from monitoring of the genes. Thank you.

**Raoul Bierach (Norway):** Yes, thank you. I will ask Yngve Torgersen from the Ministry of Trade and Industry and Fisheries to give an answer to that question. Although we do monitor both aspects, as you said. Not only of the presence of escaped farmed salmon in rivers, but we're also monitoring the effects in genetic changes in the wild stocks. So, we do a little bit of both.

**Yngve Torgersen (Norway):** My name is Yngve Torgersen, and I'm the Head of the Department for Aquaculture in the Ministry of Trade, Industries and Fisheries. I think Raoul pointed at the right answer. Yes, we do monitor the prevalence of farmed salmon in the salmon rivers. That is a sort of snapshot of the current year. The genetic impact, however, shows the consequences of the long-term impact. Of course, even if the prevalence in the river could have

been zero percent for consecutive years, if the prevalence had been high, let's say ten years ago, you will still be able to monitor that as a genetic shift. I think that's the main reason why there are, seemingly, some discrepancy between the two results. The answer to your question is that the genetic shift also represents data from many years of genetic impact. Thank you.

**Steve Sutton (Atlantic Salmon Federation):** Thank you. My question is on aquaculture, around the management of sea lice. I want to note that in Norway's most recent Annual Progress Report, they acknowledged that sea lice, along with escaped farmed salmon represent what they say is, the greatest anthropogenetic threat to wild salmon. I would like to thank Norway for making that statement. I think it's very helpful. It's very clear. With that one statement, I think Norway goes much further than many other Parties and jurisdictions in acknowledging the potential impacts, or the impacts, of aquaculture on wild salmon. So, thank you for being forthright in that. I also note that Norway does actually have a framework for managing sea lice, that they call the traffic light system. That was implemented a few years ago.

There are several concerns the NGOs have with that system, though. Perhaps the greatest is that it permits up to 30% mortality on wild smolts from sea lice, from aquaculture farms, which, of course, is not consistent with the NASCO goal of zero mortality. Again, Norway acknowledges that in their Implementation Plan. I thank Norway for acknowledging that.

There are also some other concerns around, for example, the spatial scale at which the management of sea lice occurs. It's at the level of production zones for aquaculture, rather than at the population level for wild salmon. And there's some concerns about whether the management action that is triggered when sea lice are at unacceptable levels. Whether the management action is sufficient to address the issue.

Those are a few of the concerns that the NGOs have, with the traffic light system, the management system for sea lice in Norway. My question is, in two parts. One is very general, and it is simply, recognising that there are deficiencies with the system, and it is not currently in line with NASCO's goal for sea lice, does Norway have plans to continue to refine the system, to bring it into alignment with NASCO's goals?

Secondly, I have a specific question. I note that in the Implementation Plan, section 4.2, there's mention of a new regulation for sea lice that is being developed and was due to be implemented in 2021. In the Implementation Plan, it doesn't seem to have made it into one of the actions, although I may be misunderstanding that. My specific question is – what exactly, is that regulation that is being brought in? Will it help bring the traffic light system into alignment with NASCO's goals? And can we get an update on whether that will be implemented in 2021?

**Raoul Bierach (Norway):** Thank you for the question. I will ask Yngve to elaborate, but I just wanted to say that, of course, the assessment of the stressors that we refer to in our Implementation Plan is based on what's happening or our assessment for Norway. That's how we assess it. We can't speak for other areas or countries. They have to assess their own picture. But when it comes to details about regulations and plans for the traffic light system, Yngve has the latest information.

**Yngve Torgersen (Norway):** First of all, let me remind you, that the traffic light system is a system to decide in what areas of the country the aquaculture industry should be allowed to increase their production. It's a decision-making tool to help politicians make a decision. The system as such, has been implemented and now we have used it for some years. We never accept the purposeful mortality of wild fish. You have to see the traffic light system together with the sea lice regulation, which addresses the individual fish farms and the sea lice management in the fish farms. We have, on several occasions, over the last couple of years by

order from the Food Safety Authority, reduced the biomass at individual fish farms by 50%. Mainly, let's say a fish farm is authorised to have a maximum biomass of, say 4,000 tonnes, if they can't manage the sea lice load and sea lice management at that individual fish farms, at the next production cycle, they can be ordered to reduce the biomass at the individual fish farm, to 2,000 tonnes. Then, before they can go back up again, they have to demonstrate that they are able to manage the sea lice levels. The traffic light system is subject to continuous refinements.

Both methods for estimating the impact of sea lice on wild salmon are under continuous development, and of course, I will be very surprised if the system wouldn't look different in the year to come, because the scientific methodology behind the system develops. That's a continuous process. The sea lice regulations are also under continuous scrutiny, however, whether the sea lice regulation will come completely in line with the NASCO goal of zero percent increased mortality, I hardly can foresee that.

When the Norwegian Parliament decided on the traffic light system, they decided on three levels of impact. That's an acceptable impact, that's a moderate impact, and an unacceptable impact. Thank you.

**Ciaran Byrne (European Union) / Chair:** Thank you, Yngve and Raoul, for those clarifications. And heartening to hear that you're constantly refining the traffic light system.

**Paul Knight (Salmon and Trout Conservation UK):** Thank you, Mr Chairman. On behalf of two NGOs who can't attend, first Scottish Anglers' National Association, I would like to make a statement.

#### **On behalf of the Scottish Anglers National Association**

The Scottish IP is much better than in previous years, reflecting good wild salmon stocks and conservation efforts by the Scottish Government and its agencies, although the pace of this work has been impacted by the COVID-19 pandemic. Commitment to a Wild Salmon Strategy is greatly welcomed, as is new legislation to aid transparency in the monitoring and enforcement of policy on sea lice management in marine salmon farming. On the latter theme, we are concerned about continuing sea lice impacts on wild salmon but are encouraged by recent reports of at least partial closed rearing technology being adopted at some cage sites in western sea lochs. Having spoken to many other NGOs recently, we believe that NASCO should do its utmost to forge an international agreement replacing open cage production with closed containment technology. We strongly support the aspirations of zero escapes and zero parasitic and disease interactions with wild salmon populations, nearly all of which may be considered endangered at this time. However, there needs to be a greater sense of shared international responsibility for urgent action. Meanwhile, we keenly await the results and conclusions from both the Scottish national survey of genetic introgression from salmon farm escapes and those from the survey of predation in fresh water by piscivorous birds.

#### **On behalf of Salmon & Trout Conservation Scotland**

Scotland's APR refers to 'significant changes to its sea lice policy', coming into force in March 2021, requiring mandatory weekly sea lice reporting by salmon farms. The APR states that 'this will help the Fish Health Inspectorate to monitor and enforce policy on sea lice management'. In 2019 Scottish Government introduced a threshold of 2.0 lice for enforcement. We have analysed the data since then and some farms have maintained a monthly sea lice average above the 2.0 threshold for very long periods, with a few at this elevated level almost constantly through the production cycle. Scottish Government's enforcement policy relies on weekly sea lice data and the enforcement clock is reset every time the weekly sea lice figure

dips below 2.0. So long as the weekly number occasionally drops below 2.0, no enforcement action can be taken. Why should additional self-generated reporting requirements make any difference to what is a non-existent enforcement regime? Indeed, why should any reasonable observer conclude otherwise than that the so-called enforcement policy is anything but a sham?

Action F2 in Scotland's APR refers to the problem of illegally deployed gill nets being used to catch salmon and an 'aspiration' to introduce legislation to remedy this. Successive APRs from 2017 have alluded to this 'recurrent issue' and indeed generally employed the same text. When is Scottish Government actually going to take action to sort out this problem, rather than trotting out the same aspirational platitudes on an annual basis? Thank you, Mr Chairman.

**Antje Branding (United Kingdom):** I very much welcome SANAs (Scottish Anglers National Association) acknowledgement on the salmon strategy and the work that's going on within Scottish Government that recognises that the conservation of this iconic specie is of great importance. It's taken very seriously in Scotland. We, of course, involve various groups of stakeholders in the development of the strategy, which will bring together quite a lot of different pieces of legislation and policies to support salmon conservation. We hope to publish the strategy later on this year. Under gill net legislation and the delays in taking this issue forward, I note the comments that, for a number of years we have been making the same responses and the same comments in our plans. I wanted to point out that some hard work and research we had hoped to undertake in 2020 could not be progressed due to the pressures and restrictions of challenges arising from the Coronavirus pandemic. We hope to catch up on the work once we are fully staffed again in the team. Once the work on the pandemic and the diversion of staff resources will allow us to do so. With that, I just want to hand over to my colleague now, to Jane Rougvie from the aquaculture team, to address the specific questions on aquaculture and sea lice.

**Jane Rougvie (United Kingdom):** Thank you for the opportunity to discuss sea lice. I am afraid I can't answer the question that's been addressed about the enforcement policy, because that doesn't fall within my remit. I'm happy to take that away and come back to you. I can say that we did produce legislation that came into effect on 31 March. Where we are reporting statistics on a weekly basis in arrears. That's about all I can say on that policy, but I am happy to take it back and come back to you. Thank you.

**Ciaran Byrne (European Union) / Chair:** Thank you, Antje and Jane, for your contributions. Paul, on behalf of Salmon and Trout Scotland, will be happy to hear the response offline, as to how that issue's been dealt with. Thank you for committing to go back on that.

**Torfinn Evensen (Norske Lakseelver):** Thank you for an interesting special session. There are questions on the Norwegian IP. We expect more ambitious steps for the environmental improvement in the duration of the terms of hydro power production licences. In action H22, there is an owner list or licence under revisions, but nothing specific or measurable about environmental improvements for those rivers that go through these revisions. For example, there is a river called Aura. It is one of the rivers which is highest priority for environmental improvements. There is now no action for getting more environmental flow through this river. If the action, which is now discussed, is ... It's a loss of seven or nine kilometres of the salmon habitat in the river. The loss of power production to environmental flow in this small river is less than 5%. Where are the ambitions? Does this meet the Water Framework Directive or the new taxonomy in the EU? If no more actions are taken, the salmon population of the Aura needs to be kept artificially alive through hatchery and stopping activities in all eternity. In the end, Norway needs to be more specific on what they want to achieve in their revisions, in terms of hydropower production licence. So, are there any new actions in the future? Thank you.

**Raoul Bierach (Norway):** The best person suited to answer this question for Norway is Katrin Lervik, who is working at the Ministry of Petroleum and Energy. That's the Ministry in charge of those processes.

**Katrin Lervik (Norway):** For the question on the case in Aura. The case in question is a revision of terms in Aura in a hydro powered licence. It's an ongoing case, so I can't comment on the outcome of it yet. It's a priority in the Water Framework Directive, for a higher environmental goal, which needs environmental flow. Our Directorate, NV, has not recommended to let environmental flow. This is a cost benefit assessment which is not yet concluded, so it's too early to tell whether this will be a case where the Norwegian Government chooses to let the environmental flow for the wild salmon. Or they find the cost is too high. Therefore, I can't be more specific, unfortunately.

**Paul Knight (Salmon & Trout Conservation UK):** I think the Review Group would really like to hear from some of the Parties as to what they think of the process. We hear rumours, but perhaps some of the Parties might come in and say what they think, whether it was too onerous, not onerous. It would just be nice to get some interaction with it. But, over to Dave, before we do that.

**David Vanderzwaag (Marine and Environmental Law Institute):** It's a question for Canada. I understand the political tensions and complications with the provinces in Canada. However, you look at what happens in management of aquaculture in the British Columbia context. It's largely run by the federal government, after some lawsuit out there, the Morton case. A question to Doug. There are federal responsibilities under NASCO. The question is, we have regulations being drafted, general aquaculture regulations, a new federal Aquaculture Act being proposed. Is Canada considering its responsibilities under NASCO in the drafting of the regulations and in the proposed aquaculture legislation? It seems like there is an opportunity to clarify the federal role. Perhaps strengthen the federal role. I know it's a sensitive issue, but again, once you've been thinking about NASCO responsibilities, it's part of that federal mandate.

**Doug Bliss (Canada):** In the context of aquaculture, and I think it relates to Steve's previous question about the interplay between provincial and federal jurisdictions, we are going through the process of developing an Aquaculture Act, which will be a federally based Act, that will be associated with the Fisheries Act, but will be a piece of legislation as well. To answer your question directly, Dave, in the consideration and the writing of these bills, all applicable treaties etc are brought into play, in terms of when the drafters go through that. So, I can probably say, although I'm not personally involved in that, but those sorts of things are being considered. We are hopeful that the Aquaculture Act, when it gets put in place (it hasn't been tabled in Parliament yet) will help provide a clearer foundation for how things are managed in Canada.

**Ciaran Byrne (European Union) / Chair:** Paul, you'd thrown it out to the Parties. Are there any comments to the Review Group, in terms of the process, how they felt it was?

**Ruth Allin (United Kingdom):** Thank you for the opportunity to come in on the IP review process. I think what the UK hasn't yet had an opportunity to say is that like others, we'd like to echo their acknowledgement of the work that the IP Review Group has done, and has put in to continuing to shine a spotlight on the IPs. I thank the Review Group for the time and effort that they've invested in this work. Like others, we need to revise and improve our Implementation Plans and make further clarifications, ahead of resubmission in November. We're also interested to hear whether the revisions that we've set out in our letter to the President would see our Implementation Plans meeting the criteria. We've welcomed the rigour that the process has brought to date and we do agree that it's important to explore some

of the questions that Cathal raised in his presentation, around how long the annual review should continue for. We agree that it's important to ensure that the process is continuing to drive meaningful improvements to our salmon conservation work, and that we're not locked in a process, for process's sake. So, we do feel that it's important to balance those things.

**Ciaran Byrne (European Union) / Chair:** Thank you, Ruth, for coming forward with that. I'll invite Raoul in, from Norway, to make comment.

**Raoul Bierach (Norway):** We agree with a lot of assessments that were made by Steve Sutton, about what we have achieved with the new way of doing things. That does not mean that there might be other ways of doing the same thing even more effectively. We are open to discuss that. In general, our view is that we would like to have changes that might be more effective, but not weaken the process, because it's a core function that NASCO has. That's also something Paul said, and we would tend to agree

There are some other areas, where we have to do better, we are collectively seeing that, that there are still some challenges that we have to work on. That might take time, but the mechanism that NASCO has put into place, to highlight where we have to do better, it's certainly helpful, also for us in Norway, as we are more and more achieving the goals in salmon fisheries management. We know, from an international perspective, where we should focus. Also, we have to maintain how we have been doing so far. Altogether, I think the review from the group was good and helpful. We don't have any major opinions that they have done something wrong. We are open to discuss whether we can improve and make the process more effective, but at the same time, not weaken it. Thank you.

**Ciaran Byrne (European Union) / Chair:** Thank you, Raoul, for those very complimentary comments. That's a key point there, to keep seeing that we're effective, but not weaken the process. And I think certainly, this is going to be, from what I hear from the participants, something that's discussed in other fora, perhaps Council, going forward.

**Sigurd Hytterød (Norway):** I would like to follow up the section on aquaculture in Norway with a short statement. First, the traffic light system definitely allows too high smolt mortality. It does not give sufficient protection to wild salmon, as it is today. The system is not in line with NASCO's goals, and we think it needs to be revised. Second, we state that the number of farmed salmon in open pens poses the greatest threat to the Norwegian Atlantic salmon. The number exceeded 419 million individuals by the end of 2019. We also state that the biomass in open pens must be reduced and we need a shift towards closed containment. Finally, we would like to mention that the Ministry of Fisheries in Norway argued with socio-economics to overrule the biological advice when setting the traffic light colours for the period 2020 to 2021. Increased production was allowed in areas with unacceptable impacts from lice on wild salmon stocks. We state that NASCO's goals will not be achieved if economics is put in front of biology.

**Torfinn Evensen (Norske Lakseelver):** There's some questions which I didn't get an answer on. It's about the ambitions against the smart method in the hydro power production. When are they going to have this revision process? What's the ambition for the environmental improvements during these revisions? In the list of the outcomes there is no explanations for the ambitions. That's why I ask the Norwegian delegate what they are going to do to be more specific on these ambitions?

**Katrin Lervik (Norway):** Right now, the Norwegian Government has not set a smart target, as there are a number of revisions per year, but we do have the targets in the Water Framework Directive. That's a number of rivers that has a higher ambition and there's a timeline there. Maybe we should have copied those in the Implementation Plan, to make them visible and also in the NASCO system. That is something we might take into consideration, but we don't have

a specific number for revision cases per year in the NASCO plan. That's probably a deficiency, as you mentioned.

**Ciaran Byrne (European Union) / Chair:** Thank you for that response, Katrin. There has been an overwhelming sense of positivity towards the work, the huge work of the Review Group. So, I think there's an awful lot to take from the Review Group, the work that they did. There's been a huge amount of progress. I think that everybody's reflected the progress. The questions have been asked have been, in some cases, general, in some cases statements, and in some cases, very specific. And thanks to all Parties, who've really tried their best to provide answers, insofar as they can. I also could detect and sense, in some cases, a frustration, by some of the NGO groups about the progress, and even some of the Parties mentioned it. We know what needs to be done and there seems to be a disjoint between getting it done and knowing what needs to be done. People mentioned along the way the idea of relevance and relevance back home in NASCO. So, there's a lot of common themes coming through.

Finally, it was a pleasure and an honour to be able to step in on behalf of the President and the Vice-President, who are indisposed. So, between now and the Annual Meeting, please stay safe, thank you and goodbye.



**Responses to questions asked by Niall Greene (Salmon Watch Ireland),  
see pages 10-12 above**

**Questions for the Irish Aquaculture Authorities**

**NASCO inter-sessional 5 May 2021**

**Responses to questions forwarded by Denis Maher (DECC) set out  
hereunder.**

**Questions:**

- 1. The Irish IP declares that current Irish policy on sea lice control is not aligned with the NASCO goal which is that 100% of salmon farms have effective sea lice management such that there is no increase in sea lice loads or lice-induced mortality of wild salmonids. What efforts are being made to bring it into alignment?**

**Response:**

The Department of Agriculture Food and the Marine does not agree with the assertion that *“current Irish policy on sea lice control is not aligned with the NASCO goal”*. The details of the sea lice monitoring programme in Ireland are clearly laid out in Appendix 1 of the Implementation Plan following the format proposed in the NASCO guidance on Best management Practises (SLG(09)5). It is evident that 100% of marine Atlantic salmon farms are subject to independent inspection by the Marine Institute on an ongoing basis.

- 2. The IP hides behind national averages for sea lice infestation in May of each year disguising the fact that in each year there are major delinquencies during the critical smolt migration period of March to May as is evidenced by the monthly monitoring reports and the issue of Notices to Treat by the regulator. Some farms are persistent offenders with only two farms in the whole history of Irish salmon farming since 1988 having been required to harvest early what plans does the Regulator have for enhanced sea lice enforcement, including penalties?**

**Response:**

The Department of Agriculture Food and the Marine and the Marine Institute strongly rejects the assertion by the NGO group that *“The IP hides behind national averages for sea lice infestation in May of each year disguising the fact that in each year there are major delinquencies during the critical smolt migration period of March to May”* As the NGOs and NASCO are aware, sea lice data collected from the monitoring programme is circulated on a monthly basis along with a notification of named farms which have been issued with a notice to treat (NTT). On an annual basis, all data collected is published in an annual report which is available as open access on the Marine Institute website. The annual report includes an annex with the monthly counts for each site along with the name, location and year-class of Atlantic salmon stocked.

- 3. While the IP claims that current policy on containment is such that 100% of framed fish be retained in all production facilities we know that in practice this is not the case**

even though we also know that a lot lies behind the ‘No reported escapes’ frequently included in Irish APRs – there seems to be little willingness to investigate the source of farmed salmon that turn up in rivers adjacent to salmon farms. What steps are proposed to improve the reporting of escapes from farms?

**Response:**

The Department of Agriculture Food and the Marine has no knowledge in relation to the allegation by the NGO group above that *“we also know that a lot lies behind the ‘No reported escapes’ frequently included in Irish APRs”*. If such evidence exists the Department would be most grateful to receive sight of same.

- 4. The IP states that ‘there are no current plans to introduce additional SMART actions’ when we know that these are essential to the effective management of any process – if you don’t measure it, you cannot manage it. When can we expect SMART actions?**

**Response**

Please refer to the Department’s response to No. 1 above.

- 5. The IP contains no plans to deal with a major issue that is acknowledged both inside and outside government to be a major impediment to proper regulation – the lack of any graded penalties for transgressions of whatever rules are there. The option of revoking a licence has only been resorted to once and that farm continues to operate while appeals are mired in the courts. That is not a functioning regulatory system. What plans do the responsible Department have to bring the legislation into a state that is more closely aligned with the needs of salmon farming regulation?**

Aquaculture Licences are subject to regulation in accordance with applicable legislation. The Department notes the comments above and can confirm that the legislation will be subject to ongoing review.

- 6. What plans are there to deal with the absurd situation where no Irish salmon farm now has a current licence? This is as a result of a legislative slight-of-hand that provides that if an operator signifies their intention to apply for a licence extension they are automatically granted one without any assessment of their environmental impact or going through any other regulatory process. Some of these licences go back as far the late 1980s before many of the current environmental rules were in place and the operators are now able to avoid those rules altogether.**

**Response**

The reference to *“a legislative slight-of-hand”* “is both regrettable and unacceptable. NASCO and the associated NGOs will be aware that in 2007 the European Court of Justice (ECJ) issued a negative judgement against Ireland for breaches of the EU Birds and Habitats Directives. A large element of the judgement concerned a failure by the State to put in place a system for data collection, definition of scientific interests and adequate assessment of

aquaculture licence applications in Natura 2000 areas. In order to address the judgement a process was agreed with the European Commission which would lead to full compliance by Ireland with the relevant EU Directives. This Department and its Agencies and the National Parks and Wildlife Service (NPWS) agreed a “Roadmap towards the Management of Fisheries and Aquaculture in Natura 2000 sites”. This Roadmap involved:

- Data collection in all relevant bays,
- Setting of Conservation Objectives to be met in each site,
- Carrying out Appropriate Assessments by reference to the detailed Conservation Objectives,
- Determination of licences on the basis of the Appropriate Assessments and other relevant factors.

The production of the Appropriate Assessments has been resource intensive and very time consuming not least because of tidal cycles and seasonality issues in relation to data gathering on bird migrations and other environmental events. The work involved multiple survey events carried out by a range of contractors. Profiling of aquaculture industry activities was carried out for all designated bays in order to define the likely interactions with conservation features of sites.

The backlog on shellfish licences has in recent years been effectively eliminated as an issue affecting that industry. The Department is currently actively progressing all marine finfish applications (new and renewal) and these will be subject to all relevant national and EU legislation. The process involves both public and Statutory Consultation.

- 7. The one area in which salmon farming section of the IP shows some signs of taking a systematic approach is in relation to diseases afflicting farmed salmon – the relative success with IPN and pancreas disease and the growing problem with AGD. These are, however, being addressed from a farmed salmon welfare standpoint only - with a passing reference to the possible impact on wild fish. What plans are there to deepen our knowledge of the transfer of pathogens from farmed to wild fish?**

#### **Response**

The Department has consulted with the relevant scientific advisors in the Marine Institute in relation to this matter and notes the acknowledgement in the question, of the main focus of effort with regard to controlling diseases in farmed salmon, relates to prevention and reduction of diseases in salmon farms. This should have the effect of reducing the potential for disease spread from the farms to wild salmon. The Marine Institute are currently not aware of any evidence of the spread of infectious disease from farmed salmon to wild salmon in Ireland. Outside of the current programme for monitoring for the presence of *G. salaris* there are no plans for systematic monitoring for infectious disease in wild fish stocks. In the absence of evidence of disease in wild populations to assist targeted surveillance the Marine Institute consider such an approach to be impracticable and could only meaningfully be done following sacrifice of significant numbers of healthy wild salmon.

Of course, where there is evidence of disease in wild salmon the Marine Institute actively participates in investigation of dead and moribund fish with IFI. This was

evidenced in 2019 and 2020 when “red skin disease” was observed in returning salmon in a number of countries. Working with IFI the Marine Institute tested a number of dead and moribund salmon for a suite of pathogens. No pathogens were detected.