

## CNL(21)62

### *Report of the Thirty-Eighth Annual Meeting of the Council of the North Atlantic Salmon Conservation Organization*

#### *By Video Conference*

*27 May – 4 June 2021*

#### **1. Opening of the Meeting**

- 1.1 The President, Serge Doucet (Canada), opened the meeting and made a statement on behalf of the Organization (Annex 1).
- 1.2 The President noted that for the second time, NASCO's face-to-face Annual Meeting had been cancelled, due to the Covid-19 pandemic. Parties had agreed that NASCO's business would be conducted through inter-sessional correspondence and video conference. He thanked all delegates for their flexibility and willingness to participate during this extraordinary period.
- 1.3 The representatives of Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Union, Norway, the Russian Federation, the United Kingdom and the United States made Opening Statements (Annex X).
- 1.4 Opening Statements were made by the following Inter-Governmental Organizations: the International Council on the Exploration of the Sea (ICES) and the North Pacific Anadromous Fish Commission (NPAFC) (Annex X).
- 1.5 An Opening Statement was made on behalf of the Non-Government Organizations (NGOs) (Annex X).
- 1.6 The President reminded participants that the period for inter-sessional correspondence ran from 3 May until 14 May. An Annotated Agenda, CNL(21)25A, which includes the inter-sessional correspondence, was issued to all delegates on 21 May. The inter-sessional correspondence for the Council can be found in full in Annex X. The Chair noted that the Agenda, CNL(21)25, was adopted by correspondence on 30 April prior to the inter-sessional correspondence period.
- 1.7 A list of participants at the Thirty-Eighth Annual Meeting of the Council of NASCO is given in Annex X.

#### **2. Financial and Administrative Issues**

##### **a) Report of the Finance and Administration Committee**

- 2.1 The report of the Finance and Administration Committee (FAC), CNL(21)06, was introduced by the Chair of the FAC, Clemens Fieseler (European Union).
- 2.2 On the recommendation of the Committee, the Council took the following decisions:
  - to adopt the Audited Accounts for 2020, FAC(21)03;
  - to adopt a Budget for 2022 and to note a Forecast Budget for 2023, CNL(21)59 (Annex X);
  - that the Secretary will liaise with ICES to request revision of the proposed revised

MoU with ICES as agreed in the FAC, that the resulting document will be considered by the FAC by correspondence, inter-sessionally, and that Council will adopt the finalised MoU thereafter, inter-sessionally, by correspondence;

- the President will write to the Chair of OSPAR, prior to 23 June 2021, concerning the OSPAR Commission's upcoming status assessment of Atlantic salmon;
- the Secretary will establish, in consultation with the President and FAC Chair, if there is another suitable accountancy firm in Edinburgh interested in tendering a bid to audit NASCO's 2021, 2022 and 2023 accounts, and to appoint Saffery Champness as auditor for the 2021, 2022 and 2023 if no appropriate firm is available; and
- to adopt the report of the Finance and Administration Committee, CNL(21)06.

2.3 The Council also took note that the FAC intended to hold a virtual meeting early in 2022 to consider possible clarifications and potentially other improvements to the Staff and Staff Fund Rules, including related to the payment of a lump sum upon the retirement of Secretariat staff. This inter-sessional work is intended to set the stage for a decision on these matters in 2022.

### **3. Scientific, Technical, Legal and Other Information**

#### **a) Secretary's Report**

3.1 The President noted that the Secretary's report to the Council, CNL(21)09, which contains information on procedural, administrative and financial matters had been circulated prior to the meeting. The Secretary reported that contributions had now been received from all Parties. She also noted that the new NASCO website was live for an Annual Meeting for the first time and stated that feedback on its functioning would be welcome.

#### **b) Report on the Activities of the Organization in 2020**

3.2 In accordance with Article 5, paragraph 6 of the Convention, the Council adopted the Report on the Activities of the Organization in 2020.

#### **c) Announcement of the Tag Return Incentive Scheme Grand Prize**

3.3 The President noted that NASCO operates a Tag Return Incentive Scheme. Each year a Grand Prize of £1,500 is awarded together with three prizes of £1,000, one in each of NASCO's three Commission areas.

3.4 He announced that the Grand Prize winner is Steinar Egeland from Norway. The tag was applied to a 15.6 cm salmon smolt tagged on its seaward migration in the river Imsa in southern Norway on 19 March 2019 and recaptured with a fly rod in the river Figgjo in southern Norway on 13 July 2020. It was 57 cm long and 1.7 kg when it was recaptured. This fish was tagged in an index river as part of a project to measure sea survival of salmon smolts. The President congratulated Mr Egeland.

#### **d) Scientific Advice from ICES**

3.5 The representative of ICES presented the report of the Advisory Committee (ACOM), CNL(21)11 (Annex XX) during a webinar on 28 May. The ICES presentation is available as document CNL(21)58 (Annex XX). The discussions held on the presentation during the webinar are contained in Annex XX.

#### **e) Report of the International Atlantic Salmon Research Board**

- 3.6 The Report of the Meeting of the International Atlantic Salmon Research Board (the Board), CNL(21)12 (Annex XX), was introduced by the Board's Chair, Ciaran Byrne (European Union).
- 3.7 Dr Byrne informed the Council that he had been re-elected as Chair of the Board for a further period of two years, to commence from the close of the 2021 Annual Meeting. He reported on the main items for consideration at the meeting. He noted that the Board had agreed on the Terms of Reference for a Review of the Metadatabase of Salmon Survey Data and Sample Collections, to be conducted inter-sessionally. This would include consideration of other areas of the Board that may require review. Dr Byrne also noted that the Board considered a potential successor to SALSEA-Track. Two presentations were made, the first about the ROAM programme from the Board member for the United States, and the second on a project proposal 'Developing an International Atlantic Salmon Modelling and Management Initiative' (ISSMI) by the representative of the NGOs. The Board decided it would refer the ISSMI proposal for a technical review to the Board's Scientific Advisory Group, inter-sessionally. The Board would consider this technical review inter-sessionally, if appropriate, and then determine next steps.
- f) **Consideration of the NASCO Rivers Database**
- 3.8 The President reminded delegates that in 2020, the Council agreed that the Secretary should work with Parties / jurisdictions to explore why they had not used the Rivers Database as had been agreed in 2016. The Rivers Database was used only partially to inform the 2019 State of North Atlantic Salmon Report, instead of providing the sole basis of information as had been envisaged originally. The Rivers Database was originally envisaged as a centrepiece of the NASCO website to make it relevant to visit, to provide information on what is happening with the stocks, and to raise NASCO's profile. Document CNL(21)13, 'The Future for the NASCO Rivers Database', lays out the various difficulties encountered and concerns related to the current incarnation of the database.
- 3.9 The representative of Canada said the primary purpose of the Rivers Database should be to provide a basis for future State of North Atlantic Salmon Reports and, therefore, he considered it to be a communications tool rather than a scientific tool. He felt it should be accessible on the NASCO website in a map-based format.
- 3.10 The representative of Norway noted that the Rivers Database is very important and is keen that it continue because NASCO should be the Organization that holds such information. He agreed with Canada that it should be made available through a map-based application, and that if populating the database could be made simpler for everyone, that would be positive.
- 3.11 The representative of the EU agreed with Norway that NASCO is the Organization that should hold this database and when people are looking for information on salmon stocks, they should come to NASCO. He also noted that there have been difficulties in updating the Rivers Database because it involves considerable work for the Parties / jurisdictions and the Secretariat. He proposed a Working Group be established to consider, amongst other things, how it might be more easily updated. The representative of the United States agreed that a Working Group that included persons with a range of expertise was needed.
- 3.12 The representative of the UK noted that the Rivers Database was a communications tool and not a decision-making tool. She stated that NASCO would hold the overview,

but that Parties / jurisdictions would remain the authority on their own data and would need to make the data available for inclusion in the Rivers Database in an efficient manner. She also noted that some work was needed on the baselines in the Rivers Database, for example, there were too many Scottish rivers included, and not enough English rivers.

3.13 The representative of the NGOs agreed that the Rivers Database was important for NASCO and suggested that an IT expert would be needed on any Working Group. An observer to the meeting, NPAFC, noted that it has tasked its Stock Assessment Working Group to develop a status of salmon report due in May 2022 and would be interested in an exchange on this as it may be relevant for the IYS symposium in 2022.

3.14 The Council agreed:

- that NASCO should retain a website-accessible Rivers Database; to caveat the Rivers Database with the appropriate disclaimers; and that the Secretariat should make the Rivers Database available in a map-based form on the website as soon as possible;
- to establish a Working Group to address the following high-level issues with respect to the Rivers Database, and to report back to the Annual Meeting in 2022:
  - its purpose – i.e., communications, rather than a decision tool;
  - its scope – i.e., stock status in rivers; including impact factors; concentrating on a few clearly-defined metrics;
  - its data and coverage – i.e., stringent agreed stock classification or ‘read across’ and the categories;
  - its display and provision of the data – i.e., html, GIS version, spreadsheet data provision;
  - frequency of updates – i.e., every five years to provide updates for the State of Salmon report; and
  - other decisions.

3.15 The Secretariat will contact Parties and NGOs seeking nominees for the Working Group after the Annual Meeting. More detailed Terms of Reference will be developed by the Secretariat and agreed by the Council, by correspondence, inter-sessionally.

**g) Report of the Standing Scientific Committee**

3.16 The President informed the Council that Articles 3 and 4 of the Convention require NASCO to take into account the best scientific evidence and establish working arrangements with ICES. During the Annual Meeting, the Standing Scientific Committee (SSC) which assists the Council and Commissions in formulating their questions to ICES, met to develop a Draft Request for Scientific Advice from ICES for consideration by the Commissions and the Council. The Chair of the SSC, Paddy Gargan (European Union), presented the draft request to ICES for scientific advice.

3.17 The representative of Norway asked about the impact of the one-year regulatory measure agreed in the West Greenland Commission (WGC) on the alignment of regulatory measures in the coming years. The Secretariat replied that this issue required further consideration.

- 3.18 The Council adopted the Request for Scientific Advice from ICES, CNL(21)14 (Annex XX). The adopted document included slight updates to the questions considered by the North American Commission and adopted in principle by that Commission, so the SSC could provide revised advice related to a one-year regulatory measure in the WGC.

#### **4. The Third Performance Review: Update to the Council**

- 4.1 The President reminded delegates that at the December 2020 Inter-Sessional Meeting, the Council agreed that NASCO's third performance review would report in 2023. The Secretary provided an update on planning for NASCO's Third Performance Review, CNL(21)15.

- 4.2 The Secretary reported that the following candidates have agreed to sit on the Review Panel: Jean-Jacques Maguire (an expert in fisheries science); Philip McGinnity (an expert in salmon management and conservation); and Erik Molenaar (an expert in marine / fisheries law). She noted that at least two members of the Panel would require the daily consulting fee. The Secretary plans to arrange a meeting this summer with the members of the Review Panel to designate a Chair, who will be invited to attend the 2022 NASCO Annual Meeting.

#### **5. Conservation, Restoration, Enhancement and Rational Management of Atlantic Salmon under the Precautionary Approach**

- a) (i) **Theme-based Special Session: Minimising Impacts of Salmon Farming on Wild Atlantic Salmon: Supporting Meaningful and More Rapid Progress Towards Achievement of the International Goals for Sea Lice and Containment**

- 5.1 In 2020, the Council agreed to hold a Theme-based Special Session (TBSS) during its 2021 Annual Meeting, on aquaculture. A Steering Committee, comprising John Campbell (Canada), Julie Crocker (USA), Paddy Gargan (EU, Chair), Heidi Hansen (Norway), Paul Knight and Steve Sutton (NGOs) was established to work with the Secretariat in developing a programme and objectives for the session.

- 5.2 The overarching objective for the TBSS was to stimulate urgent action to implement further measures to protect wild salmon from the impacts of salmon farming, and to ensure demonstrable progress by Parties / jurisdictions towards achievement of the international goals for sea lice and escaped farmed salmon, taking into account the recommendations from the Steering Committees of the 2016 TBSS and the 2019 IYS Symposium, CNL(19)16. It involved:

- reviewing critically the extent to which NASCO Parties / jurisdictions are meeting the international goals for sea lice and escaped farmed salmon;
- updating the current state of scientific knowledge of the adverse impacts of escaped farmed salmon and sea lice on wild Atlantic salmon;
- highlighting advances in best management practices and new technologies (infrastructure / biological etc.), their efficacy in mitigating adverse impacts on wild Atlantic salmon and challenges to their urgent implementation, and how to incentivise industry to move towards implementing these new technologies; and
- exploring in depth how Parties / jurisdictions can move more rapidly towards the achievement of the international goals.

- 5.3 A report of the Theme-based Special Session will be prepared by the Steering Committee for publication.

(ii) **Decisions Taken Following the Theme-based Special Session**

5.4 The Chair of the Steering Committee, Paddy Gargan (EU) presented the draft recommendations from the TBSS Steering Committee. The President noted that given the preliminary nature of the TBSS Steering Committee recommendations, Council may wish to consider the recommendations, in principle, and look forward to seeing the finalised recommendation in the TBSS report, which will be published in the coming weeks. The Council considered the following draft recommendations.

1. *‘Council establish a Working Group to draft a NASCO report which provides the latest scientific knowledge on the impacts of sea lice and escaped farmed salmon on wild salmon (State of Knowledge Report on lice and escaped farmed salmon). The Secretariat will explore if this report could be a NASCO / ICES joint venture.’*

5.5 The representative of the UK noted that the UK was very supportive of this recommendation, indicating that such a report should be scientifically robust and peer reviewed. She suggested that there should be a policy brief in addition to the scientific report, that is accessible to non-scientists and decision-makers. The representative of the UK indicated that the UK would like to nominate a person to serve on such a Working Group.

5.6 The representative of the EU noted that the EU was supportive of the recommendations made by the TBSS Steering Committee, in particular the state of knowledge report on the impacts of sea lice and escaped farmed salmon on wild salmon. He agreed that ICES should be involved, noting that the report needs scientific credibility.

5.7 The representative of the United States also noted support for this recommendation and indicated that the United States would be willing to forward a representative to serve on this group.

5.8 The representative of Norway also expressed support for a state of knowledge report on the impacts of salmon farming on wild fish. He indicated that the target audience should be decision-makers and that it was important that the work was done by the best wild fish experts. He noted that the report needs to be perceived as independent and scientific.

5.9 The representative of Canada also supported this recommendation, noting that representatives on the Working Group should be chosen due to their expertise.

5.10 Council agreed to establish a Working Group to draft a NASCO report which provides the latest scientific knowledge on the impacts of sea lice and escaped farmed salmon on wild salmon. The Secretariat was asked to work with the Steering Committee to identify experts to be invited to serve on this Working Group and to liaise with ICES accordingly.

2. *‘A NASCO statement be issued to:*

a) *promote adoption of innovative and alternate technologies, at sea and on land, to help achieve 100% containment of farmed fish and for 100% of farms to have effective sea lice management such that there is no increase in sea lice loads, for the protection of wild salmon and sea trout; and*

b) *that any wild salmon smolt mortality or genetic introgression of salmon stocks caused by salmon farming is unacceptable when referenced as part of an Implementation Plan action and cannot be considered under the*

*review process as progressing the relevant party or jurisdiction towards achieving NASCO's goals.'*

- 5.11 The representative of the UK indicated that the UK could agree to NASCO issuing a statement on aquaculture, but that it was not clear whether this was intended as an internal or external statement. She further stated that the UK could not agree to the text contained within sub-bullet b) as progress also needs to be recognised.
- 5.12 The representative of the EU stated that the EU supported a NASCO statement on aquaculture, requesting that Parties take action. He suggested that this statement could be included in a letter to be written by the President to the Parties. The representatives of the United States and Norway supported including a statement on aquaculture in the letters to the Parties.
- 5.13 The representative of Norway indicated that the contents of such a statement need to be considered. He noted that Norway had provided alternative text for consideration, which addressed the comment from the UK regarding recognising progress in working towards goals as well as in achieving the goals. The representative of the EU also provided text for possible inclusion in a statement reflecting the need for more consistency with the objectives of the TBSS and, in particular, the need to take urgent action. These are included in Annex XX.
- 5.14 The Council briefly considered these texts and agreed that the Secretariat would prepare a draft statement, taking the discussions into account. The Secretariat would distribute this draft statement to the Council for inter-sessional agreement by correspondence.
3. *'A renewed request be made from the NASCO Council that all Parties and jurisdictions with salmon farming produce SMART actions in their revised Implementation Plans for the management of lice and escapes. These actions should reflect strong and sustained progress towards meeting the goals of 100% containment of farmed fish, and for 100% of farms to have effective sea lice management. Monitoring of sea lice and escapes should only be a secondary activity to research or assess the effectiveness of the main action.'*
- 5.15 Council agreed to adopt this recommendation from the TBSS Steering Committee.
- 5.16 A representative of the UK (Antje Branding) stated that she would like to refute a statement made at the TBSS on behalf of the NGOs regarding the Scottish Environment Protection Agency's (SEPA) inferred view on the impacts of aquaculture on wild salmon. Dr Branding noted that the claim was made that an official from SEPA acknowledged publicly that aquaculture has no impact on wild salmon stocks. She believed that this claim stems from evidence given by a SEPA senior ecologist to a Scottish Parliament inquiry into aquaculture in November last year. The Scottish Parliament report sets out the context and SEPA's statement in full, and demonstrates clearly that there is no claim that aquaculture has no impact on wild salmon. Rather, SEPA cites the complex, multiple factors contributing to the decline of wild salmon, and states that there is concern that the additional pressure of sea lice is significant as wild stocks are now at such low levels.
- 5.17 The representative of the NGOs acknowledged that the quote made in the TBSS was a partial one, but said that it was being used by some, out of context, to argue that there is no impact from salmon farming. The NGOs are frustrated by this. Agreement on the recommendations of the TBSS Steering Committee may help in this regard.

- 5.18 The representative of the EU emphasised the importance of a clear statement from NASCO on the negative impact of salmon farming on wild salmon. He noted that there have been challenges to the view that there is a negative impact, and NASCO needs to take action given the evidence that is available.
- 5.19 The representative of the UK strongly supported consolidation of the latest scientific research on the impact of salmon farming on wild Atlantic salmon. She noted that the Scottish Government has published a review on the same matter.
- 5.20 Council agreed that the next TBSS would be held in 2023. The overarching theme would be climate change. A Steering Committee would be established to consider the appropriate structure to ensure that tangible recommendations from the TBSS would be available to NASCO. Parties and NGOs would be asked to provide nominations for representatives to serve on the Steering Committee following the 2022 Annual Meeting.
- 5.21 The representative of Norway noted that this would be a new format for NASCO TBSS, as climate change affected all aspects of NASCO's work, not one key area.

**b) Report of the Inter-Sessional Implementation Plan Special Session**

- 5.22 The President noted that a Special Session webinar was held on 5 May to discuss the evaluation of the 2019 – 2024 Implementation Plans (IPs). A period of inter-sessional correspondence related to the IPs and their review took place prior to the webinar from 12 – 23 April. The President referred delegates to the Report of the Inter-Sessional Implementation Plan Special Session, CNL(21)56rev. The Chair of the IP / APR Review Group, Cathal Gallagher (EU) made a presentation about the Special Session.
- 5.23 The Chair referred to page 4 of the Report of the Inter-Sessional Implementation Plan Special Session, which seeks clarification on a number of issues. The Council considered each of these in turn.

*'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).'*

- 5.24 The representative of Denmark (in respect of the Faroe Islands and Greenland), who is also a member of the IP Review Group, expressed the view that there is no need for major change to the IP process. She noted that the strengthened process with the Enhanced Guidance provides a robust approach, and this should continue.

- 5.25 The Council agreed that there should be no major change to 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).'*

- 5.26 The representative of the EU noted that whilst some jurisdictions may not wish to submit a revised IP, it is important to allow Parties / jurisdictions the opportunity to improve their IP. He proposed that Parties / jurisdictions should be able, on a voluntary basis, to make changes to unsatisfactory sections and submit a revised IP for review. The representative of the United States agreed and noted that the United States is

revising its IP with the aim of demonstrating progress towards NASCOs Resolutions, Agreements and Guidelines, and would like to submit it for review.

5.27 The representative of the NGOs agreed that Parties should be allowed to voluntarily revise their IPs, but that some consideration is needed about how the revised IPs will be reviewed. The Chair noted that discussion on this may arise later.

5.28 The Council agreed that Parties / jurisdictions may, on a voluntary basis, submit a revised IP for review.

*‘3a. 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’*

5.29 The Council considered the terms used in the IP template relating to ‘fish farms’, and ‘aquaculture’. The representative of Norway noted that these terms are used inconsistently, and clarification should be provided. He noted that in the Williamsburg Resolution, CNL(06)48, ‘aquaculture’ includes everything – fish farming, conservation hatcheries etc. The ‘Guidance on Best Management Practices to address impacts of sea lice and escaped farmed salmon on wild salmon stocks’, SLG(09)5, refers to ‘farmed fish’. The Chair of the IP Review Group agreed that it should be clear in the IP template, what information was being requested. The representative of the United States noted that they had been including conservation hatcheries in their IP in order to be open and transparent, and felt that the relevant questions in the IP should pertain to all forms of aquaculture.

5.30 Based on Norway’s examination of the Williamsburg Resolution, CNL(06)48, the ‘Guidance on Best Management Practices to address impacts of sea lice and escaped farmed salmon on wild salmon stocks’, SLG(09)5, and the IP template, the Secretariat indicated revisions to the IP template which would clarify this issue. However, the representative of the UK reminded the Council that it had agreed not to change the IP guidance. She suggested that changes are not made in the middle of this reporting cycle but prepared for the next reporting cycle.

5.31 The Council agreed that with respect to the inclusion of the terms ‘fish farms’ and ‘aquaculture’ in the IP template, the status quo should be maintained until the fourth reporting cycle, at which point the IP template should be revised to clarify what information is being requested.

*‘3b. 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.’*

5.32 The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that all Parties had signed up to the Convention and NASCO’s Resolutions, Agreements and Guidelines, and, therefore, national legislation should not be considered a mitigating circumstance, allowing otherwise unsatisfactory actions to be satisfactory. All Parties and the NGOs agreed with this assessment.

5.33 The Council agreed that national legislation should not be considered a mitigating circumstance to allow otherwise unsatisfactory IP actions to be satisfactory.

*'3c. 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.'*

- 5.34 The Council agreed that the report of this Council meeting provides adequate direction to the Review Group and that no further revision to guidance documents is required.

*'3d. 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.'*

- 5.35 The representative of the EU stated that although an IP section may be accepted, there may be additional progress that the Party / jurisdiction wants to present. Therefore, Parties / jurisdictions should be able to modify satisfactory actions.

- 5.36 The Council agreed that Parties / jurisdictions should be able to make revisions to accepted questions / actions. If a change is made to an IP, whether to a satisfactory or unsatisfactory question / action, the Party / jurisdiction should clearly identify what has been changed and why.

*'3e. Council may wish to agree that future APR reviews only consider actions deemed to be satisfactory by the Review Group.'*

- 5.37 The representative of Canada noted that this would limit the Parties' ability to report on progress, and on matters that may make an action satisfactory. He proposed that future APR reviews should include all actions. However, he recognised that if meetings of the IP / APR Review Group had to be conducted by video conference, this may be impractical and flexibility should be provided, for such circumstances. The representative of the UK agreed that all actions should be reviewed.

- 5.38 The Council agreed that all actions should be reviewed by the Review Group during future APR reviews. If a virtual meeting was needed, the Council agreed that it would be up to the discretion of the Chair of the IP / APR Review Group and Secretary to determine the best approach. However, any decisions reached must be clearly communicated to the Parties.

- 5.39 The representative of the NGOs stated his view that this decision was a retrograde step. He was concerned that a review of unsatisfactory actions would allow Parties / jurisdictions to be complacent. He said that the NGOs did not agree with this decision and thought the performance review would pick up on this. The NGO Co-Chair considered how the Review Group would give feedback on progress reported on unsatisfactory actions and asked whether there is guidance on how best to do that. He questioned whether the guidance on the review of acceptable actions was appropriate for the review of unacceptable actions. The President replied that this could be part of the conversation between the Secretary and the Chair of 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;'*

- 5.40 The representative of the EU felt there was room to build improved interaction between Parties / jurisdictions into the process. The representative of the United States agreed that being able to seek clarification on comments made by the Review Group would be helpful in improving actions, but acknowledged that the timing of such interaction would need to be carefully considered. She noted that as the Review Group would only need to consider revised sections of an IP, it may not be too onerous to increase

communication. She suggested that the Secretary work with the Chair of the Review Group establish how this might happen.

- 5.41 The representative of Norway noted the importance of maintaining the integrity and independence of the Review Group. The final decision on whether IP sections are satisfactory should be for the Review Group alone, but this judgement should be based on the best possible information, and therefore he would welcome improved communication. The representative of Canada would welcome the opportunity for a simple process which gave the opportunity for a conversation with the Review Group. The representative of the EU noted that the process would need to be flexible for both the Parties and the Review Group, and that this communication may save time in the long run.
- 5.42 The President suggested that the communication should take place before the IP review was finalised and that the Secretary work with the Chair of the IP Review Group to establish how the dialogue would occur. However, the representative for DFG suggested that the communication between the Review Group and the Parties / jurisdictions might best take place before the Parties revised their IP, so that they could better understand the feedback already available. She noted that this could work annually, if need be. The representative of the NGOs asked whether the Parties / jurisdictions were looking for more detailed written responses and asked how this communication might work. He agreed that the Chair of the Review Group and the Secretary should consider how best this might take place.
- 5.43 The Council agreed that the review process would be revised to enable a dialogue between the Review Group and Parties / jurisdictions on the unsatisfactory elements of their IPs. The Council agreed that the Secretary and Review Group Chair should determine the timeline for this dialogue, whilst ensuring that the timing for the APR process is adhered to.

*'5. Council may wish to invite France (in respect of St Pierre and Miquelon) to participate in the Implementation Plan process.'*

- 5.44 The representative of Canada encouraged France (in respect of St Pierre and Miquelon) to join NASCO, which would allow France (in respect of St Pierre and Miquelon) to be included in the IP process. He proposed that the President write a letter to ask them to join NASCO and also highlight the importance and value of the IPs. All Parties supported this.
- 5.45 The Council agreed to write again to France (in respect of St Pierre and Miquelon) to invite them to join NASCO. In the letter the President will emphasise how NASCO's IP process will enable France (in respect of St Pierre and Miquelon) to highlight their positive actions for salmon management.
- 5.46 Additionally, the representative of the EU acknowledged the many positive actions in the IPs and noted that he would welcome more recognition of them. He suggested that more might be done to give credit and recognition to those who do a good job. The representative of DFG agreed and suggested that the Secretariat could create news items for the website and social media about such positive action.
- 5.47 The Council agreed that the Review Group should also provide positive feedback to the Parties / jurisdictions on those aspects of the IPs that the Review Group considers are moving the Parties / jurisdictions clearly towards the achievement of NASCO's Resolutions, Agreements and Guidelines. These can be highlighted on the website and twitter.

5.48 In summary, the Council agreed that:

- there should be no major change to the IP process;
- Parties / jurisdictions may, on a voluntary basis, submit a revised IP for review;
- with respect to the inclusion of the terms ‘fish farms’ and ‘aquaculture’ in the IP template, the status quo should be maintained until the fourth reporting cycle, at which point the IP template should be revised to clarify what information is being requested;
- national legislation should not be considered a mitigating circumstance to allow otherwise unsatisfactory IP actions to be satisfactory;
- the record in this report of the Council meeting provides adequate direction to the Review Group and that no further revision to guidance documents is required;
- that Parties / jurisdictions should be able to make revisions to accepted questions / actions. If a change is made to an IP, whether to a satisfactory or unsatisfactory question / action, the Party / jurisdiction should clearly identify what has been changed and why;
- all actions should be reviewed by the Review Group during future APR reviews. If a virtual meeting was needed, the Council agreed that it would be up to the discretion of the Chair and Secretary to determine the best approach. Any decisions reached must be clearly communicated to the Parties;
- the review process would be revised to enable a dialogue between the Review Group and Parties / jurisdictions on the unsatisfactory elements of their IPs. The Council agreed that the Secretary and Review Group Chair should determine the timeline that would be necessary to enable this dialogue, whilst ensuring that the timeline for the APR process is adhered to;
- to write again to France (in respect of St Pierre and Miquelon) to invite them to consider joining NASCO. In the letter the President will highlight how NASCO’s IP process will enable France (in respect of St Pierre and Miquelon) to highlight their positive actions for salmon management; *and*
- the Review Group should provide positive feedback to the Parties / jurisdictions on those aspects of the IPs that the Review Group considers are moving the Parties / jurisdictions clearly towards the achievement of NASCO’s Resolutions, Agreements and Guidelines. In addition, significant improvements by the Parties should be communicated on the NASCO website and social media.

c) **Evaluation of Annual Progress Reports under the 2019 – 2024 Implementation Plans**

(i) **Special Session: Evaluation of Annual Progress Reports under the 2019 – 2024 Implementation Plans**

5.49 The President noted that the purpose of the evaluation of the Annual Progress Reports by the Review Group is to ensure that Parties / jurisdictions have provided a clear account of progress in implementing and evaluating the actions detailed in their Implementation Plans. In addition, under Article 15 of the NASCO Convention Parties are required to report catch statistics and other information to the Council annually. This is achieved through the submission of Annual Progress Reports (APRs).

- 5.50 The Chair of the IP / APR Review Group, Cathal Gallagher (EU), presented the Report of the Meeting of the IP / APR Review Group for the Review of Annual Progress Reports. The transcript of the discussion session with all delegates is provided in Annex X.
- (ii) **Decisions Taken Regarding the Evaluation of Annual Progress Reports under the 2019 – 2024 Implementation Plans**
- 5.51 The Council agreed that the Secretary and the Chair of the Review Group should arrange a meeting of the Review Group in April 2022 to undertake the review of the 2021 APRs.
- d) International Year of the Salmon Legacy Activities**
- 5.52 The Secretary provided an update on International Year of the Salmon Legacy Activities, CNL(21)19. She noted that in 2019, Council agreed that, with regard to the legacy of the IYS, a periodic Symposium and State of Salmon Report should be delivered by the Secretariat.
- 5.53 In 2020, Council agreed that a joint NASCO / NPAFC IYS Concluding Symposium should be held in Vancouver, Canada, in September 2022, if possible, or October 2022 at the latest and accepted the Terms of Reference for the Steering Committee of the joint NASCO / NPAFC IYS Concluding Symposium. The Steering Committee was formed in 2020 with six members with a mandate to discuss the planning of a world-class Symposium to report on and synthesise the accomplishments of the IYS and consider its legacy and recommendations for the future. The Steering Committee has considered the format, date and location for the Symposium.
- 5.54 The representative of the United States asked about supporting a hybrid meeting. The Secretary noted that the Steering Committee had felt that a hybrid symposium would be difficult because of time-zone differences, but that the presentations would be made available online, in order to make it accessible to those who cannot physically attend.
- 5.55 The representative of DFG suggested that during the 2022 Annual Meeting a Special Session on the recommendations from the IYS Tromsø Symposium Steering Committee be held. She proposed that NASCO could discuss each of the recommendations and consider how it might be addressed. The representative of the NGOs said that the NGOs would welcome this, as they were keen for some commitment from the Parties on the Tromsø recommendations.
- 5.56 The representative of Norway proposed that, in addition to a short Special Session to consider the Tromsø recommendations, it may be possible to hold a Theme-based Special Session (TBSS). He noted that it could otherwise be another two years before another TBSS was held. The representative of the United States supported this suggestion, but noted that if a regulatory measure needed to be negotiated in 2022, time may be short during the meeting. The representative of the NGOs suggested that consideration of the Tromsø recommendations could be combined with a TBSS on climate change.
- 5.57 The Council agreed to:
- approve the NASCO / NPAFC IYS Concluding Symposium Steering Committee's choice of venue; and
  - approve the IYS Concluding Symposium dates, 4-6 October 2022;
  - consider the timing and structure of the next State of North Atlantic Salmon report,

once the Rivers Database Working Group has reported; and

- hold a Special Session on the Tromsø Symposium Steering Committee Recommendations during the Annual Meeting in 2022.
- e) **Progress in Implementing the ‘Action Plan for Taking Forward the Recommendations of the External Performance Review and the Review of the ‘Next Steps’ for NASCO’, CNL(13)38**
- 5.58 In 2013, the Council adopted an ‘Action Plan for taking forward the recommendations of the External Performance Review and the review of the ‘Next Steps’ for NASCO’ (CNL(13)38). The President noted the report on progress in implementing the recommendations in the Action Plan, CNL(20)23.
- f) **Liaison with the Salmon Farming Industry**
- 5.59 In 2013, the Council agreed that an item should be retained on its Agenda entitled ‘Liaison with the Salmon Farming Industry’, during which a representative of the International Salmon Farmers’ Association (ISFA) would be invited to participate in an exchange of information on issues concerning impacts of aquaculture on wild Atlantic salmon. The regular meetings of the Liaison Group would not continue, but, if a specific need arose, consideration could be given to convening a joint ad hoc group. ISFA was represented at the Thirty-Eighth Annual Meeting by Mark Lane, who presented a short statement to the Council (Annex XX).
- g) **New or Emerging Opportunities for, or Threats to, Salmon Conservation and Management**
- 5.60 In accordance with the ‘Strategic Approach for NASCO’s Next Steps’, this item is included on the Council’s Agenda annually and ICES is requested to provide relevant information. Section 1.2 of The Report of the ICES Advisory Committee, CNL(21)10, provides this information. Relevant information is also presented in the summary of Annual Progress Reports, CNL(21)18.
- 5.61 A representative of ICES, Dennis Ensing, presented the advice relevant to this Agenda item in a webinar on 28 May. The ICES presentation is available as document (Annex XX).
- h) **Management and Sampling of the St Pierre and Miquelon Salmon Fishery**
- 5.62 A report on the Management and Sampling of the St Pierre and Miquelon Salmon Fishery had been submitted by France (in respect of St Pierre and Miquelon), CNL(21)21. This report had also been considered in the North American Commission. The representative of France (in respect of St Pierre and Miquelon), Camille Servetto, presented the highlights of the report.
- 5.63 Ms Servetto noted that substantial work has been undertaken to increase awareness among fishers to improve the quality of the available data for sampling and inspections. The legislation that applies to this fishery is subject to dedicated inspection programmes. She stated that with the sampling programme, the main concern is to improve understanding of the biological characteristics and the origin of salmon harvested in the fishery at St Pierre and Miquelon. In 2020, the sampling program of salmon harvested at sea was continued by IFREMER. 116 salmon were measured and weighed, compared with 64 in 2019. This increase is explained by the important involvement of recreational fishers who collaborate closely with IFREMER.
- 5.64 Ms Servetto said that the collaboration set up in 2013 between IFREMER-St Pierre et

Miquelon and DFO-Newfoundland and Labrador continued in 2020. Scales and tissue samples were transmitted by IFREMER to the DFO laboratory in St John's, Newfoundland for age determination and genetic analyses. She thanked Canada for ongoing co-operation and constructive partnership on sampling work. Finally, she said that France (in respect of St Pierre and Miquelon) shares concerns about the abundance of North American stocks and is fully involved on the management of the Salmon Fisheries and works to improve its monitoring and control.

5.65 The representative of Canada noted appreciation for co-operation on the sampling programme and encouraged France (in respect of St Pierre and Miquelon) to join NASCO.

**i) Reports on the Conservation Work of the Three Regional Commissions**

5.66 The activities of the North-East Atlantic Commission were reported to the Council by the Vice-Chair. The activities of the North American and West Greenland Commissions were reported to the Council by their Chairs.

5.67 The representative of Canada made the following statement:

*'We know that the stresses on Atlantic salmon populations are many and varied not the least of which are the fundamental changes undergoing in the world's marine and freshwater ecosystems. But this should not prevent us from taking action to control the impact of human activities on this very iconic species, this King of Fish. Looking forward Canada encourages all Parties to roll up their sleeves and put their collective shoulder to the wheel to provide conditions whereby this iconic species does not continue to diminish, but indeed survives in the decades to come.'*

5.68 The representative of the United States concurred with this statement from Canada.

**6. Other Business**

6.1 Upon the resignation of the current President, the Council elected the current Vice President, Arnaud Peyronnet (European Union), as its President (proposed by the representative of Canada, seconded by the representative of Norway) for a period of two years, to commence from the close of the 2021 Annual Meeting.

6.2 The Council elected Kim Damon-Randall (USA) as its Vice-President (proposed by the representative of Norway, seconded by the representative of the United Kingdom) for a period of two years, to commence from the close of the 2021 Annual Meeting.

**7. Date and Place of the Next Meeting**

7.1 The Council agreed that the Thirty-Ninth Annual Meeting would be held in Edinburgh during 7 – 10 June 2022.

7.2 The Council confirmed the dates for its Fortieth Annual Meeting as 6 – 9 June 2023.

**8. Report of the Meeting**

8.1 The Council adopted the Report of the Meeting.

**9. Close of the Meeting**

9.1 The President thanked the Parties and observers for their contributions and closed the Thirty-Eighth Annual Meeting of NASCO.