

	<p style="text-align: center;">Inter-Sessional Meeting of the West Greenland Commission</p> <p style="text-align: center;"><i>Report of the Inter-Sessional Meeting of the West Greenland Commission, 4 June 2022</i></p>	<p style="text-align: center;">WGCIS(22)12 (Duplicated as WGC(22)06)</p>
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Report of the Inter-Sessional Meeting of the West Greenland Commission

Edinburgh, UK
(with virtual access for some delegates)

4 June 2022

1. Opening of the Meeting

- 1.1 The Chair, Stephen Gephard (USA), opened the meeting and welcomed participants.
- 1.2 Opening Statements were made by the representatives of Canada, Denmark (in respect of the Faroe Islands and Greenland) (DFG), the European Union (EU), the United Kingdom (UK) and the United States (Annex 1).
- 1.3 A list of participants is included as Annex 2.

2. Adoption of the Agenda

- 2.1 The Commission adopted its Agenda, WGCIS(22)10 (Annex 3).

3. Nomination of a Rapporteur

- 3.1 Wendy Kenyon, NASCO Assistant Secretary, was appointed Rapporteur for the meeting.

4. Consideration of a New Multi-Annual Regulatory Measure to apply to the Atlantic Salmon Fishery at West Greenland from 2022

- 4.1 The Chair reminded the Commission that at the 2021 Annual Meeting of the West Greenland Commission, the ‘Interim Regulatory Measure for Fishing for Atlantic Salmon at West Greenland in 2021’, WGC(21)18, was agreed. This applied to the fishery at West Greenland in 2021 only. In December 2021, the Commission met to consider the West Greenland Atlantic salmon fishery in 2021 and progress made in implementing the interim regulatory measure. At that meeting, members of the Commission agreed to a face-to-face inter-sessional meeting in April, which allowed virtual access for some delegates.
- 4.2 The Chair noted that in April 2022, the Commission met in Copenhagen, when a Commission’s Heads of Delegations meeting also took place. Heads of Delegations discussed the text of the 2021 interim regulatory measure and considered what additional text may be required for a future regulatory measure. DFG agreed to submit a draft document to the Commission’s Heads of Delegations by 6 May 2022 for discussion in a meeting on 12 May.
- 4.3 The representative of DFG informed the Commission that, in light of discussion with the Commission’s Heads of Delegations, DFG had developed a revised draft regulatory measure, which had been circulated as WGCIS(22)09 (Annex 4). She presented the

main changes to the draft regulatory measure that were considered by the Commission's Heads of Delegations. She noted that DFG had not revised the preamble but that some significant changes had been proposed to the Paragraphs, including Paragraph 5 which established a percentage of the TAC as an upper limit, which would require the fishery to close if reached (referred to as 'the percentage' below). DFG hoped this provision would address Commission member concerns raised at the Copenhagen inter-sessional meeting. Paragraph 7 was added to give more information about the requirement for fishers to report their catch within the required timeframe and the measures taken if they failed to do so. Paragraph 8 was a description of ongoing work in salmon management and initiatives discussed at the inter-sessional meeting.

- 4.4 The representative of DFG noted that a number of revisions had been made to Paragraph 11, which she hoped addressed the concerns of members of the Commission. This would allow the regulatory measure to be extended, if, when evaluated, the associated actions were operating well and the TAC was not being exceeded. She informed the Commission that Paragraph 12 was added to allow the regulatory measure to be reviewed when the full scientific advice from ICES becomes available in 2024, and in any case, if the advice from ICES changed during the period of the regulatory measure.
- 4.5 Responding to a question from the representative of Canada, the representative of DFG confirmed that the proposed 30 metric tonne TAC (Paragraph 4) was for the West Greenland fishery only.
- 4.6 The representative of the United States noted a number of significant concerns with the revised draft regulatory measure. She was concerned that the Commission appeared not to be involved in some decisions relating to the fishery: that the TAC, which was for the West Greenland fishery only (not East Greenland) exceeded the level set for 2021; and that the percentage was not appropriately precautionary. In this regard, the representative of the United States explained that a figure of 90% could not be considered precautionary in light of previous overharvest in the fishery. The representative of the United States asked, first, whether DFG could provide the percentages that had been used to determine when the fishery should close in previous years. Second, she asked whether a retrospective analysis could be conducted for previous years, to show what percentage should have been used to close the fishery and prevent overharvest.
- 4.7 The representative of Canada agreed with the United States that the revised draft regulatory measure did not appear to be precautionary. He agreed that a retrospective analysis would be helpful. The representative of Canada noted that the TAC of 30 tonnes found in the revised draft regulatory measure was beyond Canada's mandate to approve.
- 4.8 The representative of the UK noted that the UK would ideally like to see an overfishing clause in a new regulatory measure, similar to the one in the 2018 – 2020 regulatory measure. However, in the absence of such a clause, she said that the UK supported the concept in Paragraph 5 and the closure point coupled with the paragraphs describing further fisheries management actions, in order to provide confidence that the fishery would be managed to quota. However, without a provision to reduce the following year's quota if overfishing occurred, it became even more important to manage the fishery to quota. The representative of the UK said that the details in the revised draft regulatory measure did not provide sufficient confidence that the fishery would be managed to quota.

- 4.9 She further noted that paragraph 5 makes provision for responsive management i.e. setting of ceiling based on past experience. However, the 90% figure proposed for year one did not appear to reflect past experience. The UK's understanding was that closing the fishery when the reported catch was 76% of the TAC in 2021 resulted in a total catch 48% above the agreed TAC. She also noted that the level of overharvest was similar in the previous three years. Additionally, she noted that paragraph 4 proposed a West Greenland TAC of 30 tonnes. This is three tonnes greater than 2021. Given the ICES advice for zero catch the UK did not support an increase in TAC for West Greenland.
- 4.10 The representative of the EU noted that the EU would be more comfortable with the TAC in the 2021 regulatory measure and that 30 tonnes was too high.
- 4.11 In response to comments from the United States, the representative of DFG informed the Commission that it did not currently have data on the percentage for years prior to 2021. She explained that this would have been estimated during the fishery each year, based on a number of variables. Additionally, she noted that different data were now used for the different management areas. She explained that the figure of 90% was proposed to allow some flexibility for DFG in the management of the fishery and because the impact of the new measures being implemented to improve reporting was currently unknown. She hoped that these new measures would improve the level of catch reporting. Additionally, she noted that 90% was proposed as an upper limit and that the fishery would likely be closed before then. She noted that new initiatives were being implemented and existing initiatives were still becoming established. The representative of DFG said she was willing to discuss the exact percentage used but was keen to maintain flexibility with managing the fishery.
- 4.12 The representative of Canada reminded Commission members that there were interconnected elements to any new regulatory measure, including the TAC, the length of the fishery and so on. He noted that members of the Commission based their views on the evidence from previous years, and, therefore, an upper limit of 90% could not be considered precautionary. He requested that DFG show some flexibility.
- 4.13 The representative of the United States acknowledged the comment from the representative of DFG that no data were available for previous years. However, she asked what data were available to increase confidence in any percentage in the regulatory measure. She asked whether, if the fishery had been closed at 90% last year, the overharvest would have been higher. She proposed that a retrospective analysis might still be possible, and that it may provide confidence for members of the Commission.
- 4.14 The representative of DFG responded that DFG was able to provide data for the 2021 fishery: one management area was closed at 86% of TAC and another at 76% of TAC. She noted that the fishery progressed differently in different areas. She also noted that in determining when to close the fishery, DFG took numerous factors into account. She reiterated that DFG had already implemented measures to improve the reporting of harvest by fishers and more were being implemented. These efforts should be taken into account when determining the percentage that should be used in a new regulatory measure.
- 4.15 In response to DFG's willingness to discuss the exact percentage, the representative of Canada asked to begin that discussion. DFG noted comments from members of the Commission about the need to be precautionary and asked what percentage they felt

would reflect this.

- 4.16 A representative of Canada asked DFG how changes in reporting planned for 2022 would work. He noted that the understanding of how these measures would work would not be available until after the 2022 fishing season, by which point there could already be an overharvest. He suggested that Canada would be looking for a much lower percentage, at least in the early years of a new regulatory measure. He suggested that if the measures proved to be effective, it may be appropriate to increase the percentage in later years.
- 4.17 A representative of Canada referred to the retrospective analysis proposed by the United States. He noted that there may be some value in examining past quota uptake and that such analysis might provide a basis for discussion about the percentage in a new regulatory measure.
- 4.18 The representative of the UK said that she would expect a figure lower than 90% in a new regulatory measure. She noted that the UK would be more comfortable with a figure of around 50%, but that it is the rationale for the figure that is key in providing confidence. She noted that an alternative way to provide confidence would be to allow any overharvest to be subtracted from the TAC for the following year.
- 4.19 The representative of the United States noted that there appeared to be a difference in how the members of the Commission were thinking about the percentage. Most members of the Commission required a percentage that prevented overharvest. DFG appeared to require a percentage that would ensure the full TAC to be harvested.
- 4.20 The representative of the NGOs welcomed the revised draft regulatory measure. However, he expressed disappointment that it included no penalty for going over the TAC. He noted that in 2018 there was a payback and was disappointed that there had been little mention of this concept so far. Additionally, he noted that the 30 tonnes contained in Paragraph 4 was higher than in the previous regulatory measure and felt that such an increase was unwarranted.
- 4.21 The representative of the United States suggested that two Working Groups be established to enable progress to be made. One Group would consider data and the percentages related to the closure of the fishery in past years. The second Group (including the Commission Chair) would consider the text of the revised draft regulatory measure and propose further changes. The Commission agreed to the two Working Groups and adjourned to enable their work.
- 4.22 When the Commission reconvened, a representative of the 'Data Working Group' summarised its discussions. He reported that good progress was made in agreeing what data might be used to support the analysis but that the data processing was not yet complete. Once completed, the analysis would allow a verification of the percentage uptake at the point at which the fishery was closed, and an estimation of when, in previous years, fishery management areas might have been closed to ensure the TAC was not exceeded. It was agreed that the Working Group would continue its work and provide a short paper of its analysis / presentation to the Commission for consideration at its Annual Meeting.
- 4.23 The Chair of the Commission presented the latest version of the revised draft regulatory measure that the 'Text Working Group' worked on. Many of the draft changes were discussed and clarifications were made by the Chair and DFG. The Commission was unable to finish its initial review of the document provided by the Text Working Group. Therefore, the Chair indicated he would prepare a further revision of the draft

regulatory measure in light of the Commission's input provided during the inter-sessional meeting and to put forward this revised version for consideration by the Commission at its Annual Meeting.

5. Other Business

5.1 There was no other business.

6. Report of the Meeting

6.1 The Commission agreed a report of the meeting.

7. Close of the Meeting

7.1 The Chair closed the meeting.

Opening Statements by Members of the Commission

Opening Statement to the Inter-Sessional Meeting of the West Greenland Commission by Canada

Mr. Chairman, Madam Vice Chair, Fellow Delegates:

Canada would like to thank the members of the West Greenland Commission (WGC) for their ongoing cooperation during the various inter-sessional meetings and correspondence of the WGC, following the negotiation in 2021 of an interim regulatory measure for the West Greenland salmon fishery. As we continue to partake in important discussions this week to determine a new regulatory measure, we hope that this time the outcome will be satisfactory for all WGC members.

Canada recognizes that harvesting is not the only contributor to the ongoing decline in wild Atlantic salmon stocks. Other factors, such as climate change, should also be appropriately managed if we ever want to see stocks rebuild for the benefit of future generations. However, it is disappointing to see that despite Greenland's efforts at controlling overharvest and ensuring timely reporting, very little progress has been made in this regard in recent years. Canada believes that increased conservation efforts are imperative in fisheries, like West Greenland's, for which the International Council for the Exploration of the Sea has advised that there should be no catch to allow the contributing regions of Eastern North America and Southern Europe to meet their corresponding spawning requirements back in home waters.

Canada is confident that the return to a face-to-face Annual Meeting will allow members of the WGC to collaborate meaningfully toward a positive conclusion of the negotiation for a new regulatory measure.

Opening Statement to the Inter-Sessional Meeting of the West Greenland Commission by Denmark (in respect of the Faroe Islands and Greenland)

Mr. Chairman, Ms. Secretary, distinguished Delegates, Observers, Ladies and Gentlemen,

First of all, Greenland would like to thank the Secretariat for their extensive work, under ever changing circumstances, to facilitate yet another meeting of the West Greenland Commission.

We had very constructive discussions in Copenhagen and we hope to continue in the same manner. Greenland has continued to be open and fully transparent on our subsistence fishery with the other members in the West Greenland Commission and we will continue to be so.

We look forward to the coming meeting.

Thank you, Mr. Chair.

Opening Statement to the Inter-Sessional Meeting of the West Greenland Commission by the European Union

Good morning. I also want to thank the Secretariat for organising the meeting here and I am looking forward to see if we can achieve further results following the meeting we had in Copenhagen. Hopefully we will build on that and reach a good conclusion.

Opening Statement to the Inter-Sessional Meeting of the West Greenland Commission by the United Kingdom

The UK would also like to thank the Secretariat for all their work in getting us together here. We very much look forward to a constructive negotiation over the coming days.

Opening Statement to the Inter-Sessional Meeting of the West Greenland Commission by the United States

The United States would also like to thank the Secretariat for their great preparations. We are very happy to be here in person. I think it is very valuable to be able to sit across from each other and talk to each other. Thank you also to DFG for their work in getting us to this point. I think we can have some really good discussions and I am hopeful that we will be able to agree to a new Regulatory Measure.

*List of Participants for the June 2022 Inter-Sessional Meeting of the
West Greenland Commission*

***Denotes Head of Delegation**

Canada

*Doug Bliss
Cindy Breau
David Dunn
Dale Marsden
Carl McLean
Isabelle Morisset
Melissa Nevin
Martha Robertson

Denmark (in respect of FI & G)

*Katrine Kærgaard
Sissel Fredsgaard
Magnus Thuun Hansen

European Union

*Ignacio Granell
Cathal Gallagher
Seamus Howard
Denis Maher

United Kingdom

*Ruth Allin
Charlotte Gildersleeve
Alexander Kinninmonth
Alan Walker

United States

*Kim Damon-Randall
Steve Gephard (Chair)
Kimberley Blankenbeker
Erika Carlsen (virtual participant)
Tim Sheehan
Rebecca Wintering (virtual participant)

NGOs

Dave Meerburg (NGO Representative)
Thomas Chrosniak (virtual participant)
Elvar Fridriksson (virtual participant)

Secretariat

Emma Hatfield
Wendy Kenyon

WGCIS(22)10

Inter-Sessional Meeting of the West Greenland Commission

Dalmahoy Hotel & Country Club, Edinburgh, Scotland

4 June 2022

Agenda

1. Opening of the Meeting
2. Adoption of the Agenda
3. Nomination of a Rapporteur
4. Consideration of a New Multi-Annual Regulatory Measure to apply to the Atlantic Salmon Fishery at West Greenland from 2022
5. Other Business
6. Report of the Meeting
7. Close of the Meeting

WGCIS(22)09

Revised Draft Regulatory Measure for Fishing for Atlantic Salmon at West Greenland (Submitted by Greenland)

RECALLING the responsibilities that the Convention for the Conservation of Salmon in the North Atlantic Ocean confers on the West Greenland Commission (WGC), including Article 9;

FURTHER RECALLING the longstanding scientific advice from the International Council for the Exploration of the Sea (ICES) that, in line with the management objectives agreed by the North Atlantic Salmon Conservation Organization (NASCO) and consistent with the Maximum Sustainable Yield (MSY) approach, there are no mixed-stock fishery options at West Greenland;

RECOGNISING the dependence of Greenland on fisheries and that Greenland has been conducting an internal-use fishery that is important to the people of Greenland and that exploits many different Atlantic salmon stocks originating from the rivers of other Commission members, including populations that are at risk of extinction;

CONSIDERING the interest to balance, to the extent possible, both the scientific advice provided to NASCO by ICES and stock conservation needs – in particular, those related to minimising impacts on the weakest salmon stocks – with the prosecution of a fishery.

ACKNOWLEDGING the regulatory measure adopted by the WGC in 2018, which included, inter alia, important monitoring, control, and reporting provisions and noting Greenland's significant efforts to implement those and other provisions broadly to ensure a comprehensive and consistent approach to management; and

NOTING Greenland's national legislation for Atlantic salmon, its development of a new management plan for Atlantic salmon, and its commitment to their effective implementation;

Thus, the members of the Commission agree as follows:

- (1) Denmark (in respect of the Faroe Islands and Greenland) agrees to maintain and further develop, where necessary, monitoring, management, control and surveillance measures for the West Greenland Atlantic salmon fishery, as defined in the Management plan for Atlantic salmon in Greenland. At a minimum, these shall include: (a) maintaining the fishing season within the period between August and November; (b) ensuring full and timely catch data collection and reporting to ensure effective in-season monitoring and quota management; (c) requiring all fishers for Atlantic salmon to have a licence to fish; (d) prohibiting fishing for Atlantic salmon without a licence or after any failure by fishers to report catch data as required, including zero catches; and (e) permitting only professional fishers to sell their catch and only to open-air markets and local institutions.
- (2) As a condition of the licence, Denmark (in respect of the Faroe Islands and Greenland) agrees to continue to require fishers to allow sampling of their catches on request, in support of the NASCO sampling programme.

- (3) Denmark (in respect of the Faroe Islands and Greenland) agrees to continue (a) the ban on export of wild Atlantic salmon and its products from Greenland and (b) the prohibition of landings and sales of Atlantic salmon to fish processing factories.
- (4) Denmark (in respect of the Faroe Islands and Greenland) agrees to restrict the total allowable catch (TAC) for all components of the Atlantic salmon fishery at West Greenland to 30 metric tonnes. Denmark (in respect of the Faroe Islands and Greenland) agrees not to carry forward any underharvest into a future year.
- (5) In the first year of this regulatory measure, Denmark (in respect of Faroe Islands and Greenland) agrees to close the fishery in the North West and South West management areas before an upper limit of 90% of the TAC has been reported caught. Giving Denmark (in respect of Faroe Islands and Greenland) full flexibility to adjust the timing of the closure within this limit based on the development of the fishery. The exact percentage will be based on data collected during the current and previous fishing seasons, taking in to account multiple variables that differ from year to year such as development of catch numbers and weather conditions. Following the first year, Greenland can adjust the percentage for the following years based on the experiences from the previous year and based upon the expected effect of new initiatives to enhance the salmon reporting. Greenland agrees to inform the West Greenland Commission of any adjustments.
- (6) In support of the efforts to enhance timely reporting and registration to ensure that the TAC is respected, Denmark (in respect of Faroe Islands and Greenland) agrees to compile and register catch data on a daily basis and to further strengthen the timely reporting by municipalities and fishers. Denmark (in respect of Faroe Islands and Greenland) agrees to report back on the efforts of these actions to the West Greenland Commission.
- (7) Denmark (in respect of Faroe Islands and Greenland) agrees to continue to ensure that license holders that do not report catch or 0-catch in a timely manner, in accordance with the at all times applicable legislation, are not permitted a license for salmon fishery in the following year and to follow up on non-reporters in order to improve reporting.
- (8) Denmark (in respect of Faroe Islands and Greenland) agrees to focus on implementing new measures in accordance with the Management plan for Atlantic Salmon in Greenland. Targeting will, at a minimum, include: (a) improving contact information on license holders; (b) focusing reminders on daily reporting at the license holders with the highest catch number; (c) information campaigns during the fishing season; (d) personal and public reminders on daily reporting and (e) information campaign post-season on the results of the fishery and regulatory compliance. The above mentioned targets are subject to revision based on feedback from post-season interviews with license holders and implementation of initiatives.
- (9) Denmark (in respect of the Faroe Islands and Greenland) agrees to, in a timely manner, inform NASCO and, as appropriate, ICES, of any significant changes in the monitoring, management, control and surveillance of the West Greenland Atlantic salmon fishery and to provide an annual report on the implementation of this measure and the outcome of the fishery.
- (10) Commission members agree to share experiences on monitoring, management, control and surveillance in their salmon fisheries.
- (11) This regulatory measure shall apply to the fishery at West Greenland in the period 2022-2023, the period of the regulatory measures can be extended with the elements of the

regulatory measure being subject of evaluation. If the West Greenland Commission agrees based on the evaluation, the period of the regulatory measure can be extended to 2025, which corresponds to the period of the Greenland management plan for salmon.

- (12) Taking into consideration that NASCO request ICES to provide a full advice every three years and that the next full advice will be submitted in 2023, the regulatory measure will undergo an evaluation, if the advice from ICES changes in the period of the regulatory measure.