

Agenda item 6.4(c)
For decision

Council

CNL(04)20

Liaison with the Salmon Farming Industry

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1. The Council will recall that there was to have been a meeting of the Liaison Group with the North Atlantic salmon farming industry in Boston, USA on 17 March 2004. However, several delegations expressed concern about proceeding with this meeting because of:
 - the failure of the industry to fulfil the commitment to hold a joint Workshop in conjunction with the Liaison Group meeting;
 - the industry's response on the Williamsburg Resolution which had been seen as unhelpful and opaque;
 - the industry's responses on reporting in relation to the containment guidelines which were, in some cases, absent or inadequate.

In short, a number of delegations felt that there was a lack of commitment by the industry to their obligations under the liaison process.

2. For these reasons a small delegation was asked to meet with industry, not for a full Liaison Group meeting but to see if the liaison process could be put back on a firmer footing with a higher level of commitment. We held that meeting in Boston on 17 March and the report of the meeting is attached. The overall view of the NASCO representatives present is that this was a frank and useful meeting. The failures in communication and in mutual understanding of processes were explored. It is clear from the statements made by the industry that it felt it was not an equal partner with NASCO in the liaison process, and that it wishes all issues concerning salmon farming being considered by NASCO to be brought to the Liaison Group, where practicable, prior to decision. In order to avoid the risk of these failures in communication and understanding from happening again, a Statement of Commitment was agreed by both sides. This statement is contained in Annex 4 of the report. We suggest that the Council considers adopting the commitments in that statement. These include NASCO continuing to provide administrative support for the Liaison Group meetings which it is proposed NASCO will, in future, host. We do, however, see this as a step-by-step process. If the commitments are not fulfilled, we believe that there would be no point in continuing with the liaison process.
3. It should be noted that although the intention had been to hold the next Liaison Group meeting in conjunction with the Workshop, the industry's view was that it wanted to hold the Liaison Group meeting prior to NASCO's 2005 Annual Meeting so that it will have an input to that meeting. The proposal is to hold this Liaison Group meeting in conjunction with the ISFA meeting in Brussels in May 2005. However, the industry felt that the Workshop was best held at a time and place where there would be good attendance and availability of speakers from industry. For this reason the proposal is to hold the Workshop at the same time as the AquaNor Exhibition in Trondheim in August 2005.

4. The Council is asked to consider the report of the meeting and in particular the Statement of Commitment and decide how it wishes to proceed.

Secretary
Edinburgh
8 April, 2004

***Report of ISFA/NASCO Meeting
Radisson Hotel, Boston
Wednesday 17 March, 2004***

1. Introduction

- 1.1 Mr James Ryan opened the meeting and welcomed participants to Boston. He indicated that at a meeting on 16 March he had been appointed President of ISFA. Dr Malcolm Windsor thanked ISFA for making the arrangements for the meeting, congratulated Mr Ryan on his appointment as President of ISFA and indicated that the NASCO representatives looked forward to a productive meeting though it would be different in scope from that originally intended.
- 1.2 The meeting adopted its agenda.
- 1.3 A list of participants is contained in Annex 1.

2. Future of the Liaison Group

- 2.1 A statement was made on behalf of ISFA by Mr James Ryan (Annex 2).
- 2.2 A statement was made on behalf of NASCO by Dr Malcolm Windsor (Annex 3).
- 2.3 The Group first discussed the perceptions that there had been a failure in the liaison process.
- 2.4 The industry felt that due process had not been followed in developing the Williamsburg Resolution which, although based on NASCO's existing agreements, contained new elements such as the burden of proof which could have serious implications for the industry. The industry indicated that it had only been involved in the development of the Guidelines on Containment of Farm Salmon not the other agreements incorporated in the Resolution. Furthermore, the industry felt that the Williamsburg Resolution had been rushed through and the comments developed by ISFA on the Resolution had not been taken into account by the Council of NASCO before adoption of the Resolution. The Liaison Group's Guiding Principles state that the Parties will work cooperatively when consideration is given to the application of the Precautionary Approach to salmon aquaculture. The industry assumed that the Williamsburg Resolution would be handled in the same way as the Guidelines on Containment of Farm Salmon but this had not been the case and the industry did not, therefore, feel like an equal partner in the liaison process which had consequently lost credibility. The industry representatives wanted the liaison process to continue but on the basis of being equal partners in the future. They would like to have the opportunity for a detailed discussion on the Williamsburg Resolution at the next Liaison Group meeting. If that group felt that valid concerns were being raised these should be referred to the Council of NASCO with the Group's backing. The industry representatives also indicated that they were surprised that NASCO had expressed concern about the standard of reporting on escapes. The industry believes that considerable progress had been made in Williamsburg and that, while not perfect, this had been the first year of the reporting process which should improve with time.

- 2.5 The NASCO representatives indicated that, in their view, due process had been followed in handling the Williamsburg Resolution. First, the Terms of Reference for the meeting of the Standing Committee on the Precautionary Approach (SCPA) in relation to application of the Precautionary Approach to aquaculture, introductions and transfers and transgenics had been made available for comment by the industry through the Liaison Group at its 2002 meeting. Then, the draft Williamsburg Resolution had also been made available to the industry at the 2003 Liaison Group meeting, the day after it had been developed by the SCPA and before it had even been considered by the Council of NASCO. No other stakeholder was afforded this opportunity and NASCO believed the industry had had ample opportunity between March and June to further review the document since not one word of the Liaison Group's containment guidelines had been changed. The comments from ISFA were then tabled at NASCO's Twentieth Annual Meeting but the Council did not delay because there were no specific proposals for changes to the Resolution. NASCO was also very concerned at the unilateral decision by ISFA not to proceed with the joint Workshop in accordance with the commitment made at the last Liaison Group meeting. This was important to NASCO not only because of the subject matter but because NGO participation had been agreed. A further problem had been difficulties in communications with ISFA. NASCO representatives then indicated that one of the problems could be that there are differences in perceptions as to the role of the Liaison Group. The Liaison Group cannot veto NASCO's decisions just as NASCO's accredited NGOs could not. The containment guidelines were developed at the request of the Liaison Group so the process was different to that followed in the work of the SCPA which had also been dealing with issues other than salmon farming, e.g. the development of guidelines on stocking. Nonetheless, the Williamsburg Resolution is a living document that will evolve in future in the light of experience with its implementation, consultations, improved scientific understanding of impacts and developments in measures to minimise them. NASCO representatives also indicated that they believed that the liaison process would be strengthened through NGO participation.
- 2.6 The Group agreed that the Liaison Group forum offered the opportunity for international cooperation on many issues affecting the two sectors. There would be many instances where countries could learn from each other on issues such as containment, area management and control of sea lice. The Group recognised that there had been some different expectations of the role of the Liaison Group but understood that it could not veto NASCO's decisions although it could provide a very useful forum for consultations on issues of mutual concern and for developing recommendations for action. The industry representatives agreed to provide specific comments on the Williamsburg Resolution well in advance of the next Liaison Group meeting.
- 2.7 The Group stressed that it wished to see the Liaison Group continue and developed a Statement of Commitment (Annex 4). It was recognised that if these commitments were not fulfilled the future of the liaison process would be placed in jeopardy.

3. The Williamsburg Resolution

- 3.1 The Group's discussions in relation to the Williamsburg Resolution are reflected in paragraph 2 above.

4. Proposed Joint Workshop to take forward SALCOOP proposals

- 4.1 There was support for proceeding with a one-day joint Workshop to be held in conjunction with the AquaNor Exhibition in Trondheim, Norway in August 2005. The Liaison Group had agreed that the Steering Group for the Workshop should consist of two representatives from NASCO and two representatives from the North Atlantic salmon farming industry. Dr Ken Whelan and Dr Peter Hutchinson were appointed as the NASCO representatives and Mr James Ryan and a representative to be nominated by Norway were appointed as the salmon farming industry representatives. The Steering Group was asked to develop a programme for the Workshop and to consider the financial implications. They should report back to the Liaison Group by correspondence so that the Workshop could be held in August 2005.

5. Any Other Business

- 5.1 A brief update on plans for a major international symposium on interactions between aquaculture and wild Atlantic salmon and other diadromous fish species was presented. The symposium is being co-convened by NASCO and ICES and is planned for 2005. In the light of the decision to hold a Workshop in August 2005, it might be proposed to ICES that the symposium be delayed until 2006.
- 5.2 The industry representatives provided a brief overview of the challenges presently facing the industry.
- 5.3 NASCO again raised the question of a representative of its accredited NGOs being able to observe the Liaison Group's meetings. This would be a step forward in improving the relations between the two sectors. The industry representatives indicated that they would wish to see the liaison process put back on a firm footing before considering admitting a representative of NASCO's accredited NGOs to the Liaison Group's meetings.

6. Report of the Meeting

- 6.1 A report of the meeting was agreed. NASCO representatives indicated that they would have to take the report of the meeting back to the Council meeting in June to obtain a mandate to proceed.

7. Date and Place of next Liaison Group Meeting and Workshop

- 7.1 The Group agreed that it would plan to hold the next Liaison Group meeting in May 2005, in conjunction with the ISFA meeting in Brussels, and prior to the Annual Meeting of NASCO so that the industry's comments on the Williamsburg Resolution could be made available to the Council.
- 7.2 The Chairman thanked the participants for their contributions and closed the meeting.

List of Participants

Ms Mary Colligan	National Marine Fisheries Service, Gloucester, Massachusetts, USA e-mail: mary.a.colligan@noaa.gov
Mr William Crowe	Scottish Quality Salmon, Perth, UK e-mail: wcrowe@scottishsalmon.co.uk
Mr Phil Gilmour	Scottish Executive Rural Affairs Department, Edinburgh, UK e-mail: phil.gilmour@scotland.gsi.gov.uk
Ms Nell Halse	New Brunswick Salmon Growers' Association, New Brunswick, Canada e-mail: nbsganh@nb.aibn.com
Mr Knut Hjelt	FHL Aquaculture, Trondheim, Norway e-mail: knut.a.hjelt@fhl.no
Dr Peter Hutchinson	NASCO Secretariat, Edinburgh, UK e-mail: hq@nasco.int
Mr James Ryan (Chairman)	Ireland e-mail: jryan@anu.ie
Dr Ken Whelan	The Marine Institute, Newport, Co. Mayo, Ireland e-mail: ken.whelan@marine.ie
Dr Malcolm Windsor	NASCO Secretariat, Edinburgh, UK e-mail: hq@nasco.int

Statement on behalf of ISFA

First I would like to stress that the salmon farming industry is here today because we want to see the liaison process with NASCO continue. That process has made progress in moving from a situation characterised by lack of trust to one in which there is improved communication and understanding of each sector's position. The development of containment guidelines and a reporting procedure represented real progress and the Liaison Group had also identified other areas for cooperation. So the Group had achieved considerable success in a period of four to five years at considerable cost and effort to all participants.

Then NASCO developed the Williamsburg Resolution which was like a hand grenade being thrown into the liaison process. The industry's main concern is not with the content of that Resolution as such but that NASCO did not follow due process in its development. The SCPA had been working in parallel with the Liaison Group which should have been more directly involved in the process. The salmon farming industry had anticipated that the draft Williamsburg Resolution would be made available to the Liaison Group and that a similar process would be followed to that used to develop the containment guidelines. That was not the case and it is the industry's view that the Williamsburg Resolution was rushed through and past the industry to the extent that the impression gained was that a 'fast one' was being pulled. This led to a feeling in the industry of betrayal of the trust that had been carefully built up over the previous years.

The industry was of the opinion that all issues concerning NASCO's work on salmon farming would be passed through the filter of the Liaison Group but NASCO now appears to be taking a different view and is being selective in what it makes available to the Group with the effect that the industry no longer considers that it is an equal partner in the liaison process. The Liaison Group's Constitution states that the Group will work by consensus but that did not happen with regard to the Williamsburg Resolution. Furthermore, under the Liaison Group's Guiding Principles, it is stated that the parties will work cooperatively when consideration is given to the application of the Precautionary Approach to aquaculture. This was not the case and dealing with an important Resolution by correspondence was not a satisfactory way to proceed. Furthermore, the comments on the Williamsburg Resolution provided to NASCO by ISFA were not taken into account by the Council of NASCO before adopting the Resolution.

The industry representatives have committed much time, effort and resources to the Liaison Group but this process has lost credibility with ISFA members who, at a time of economic difficulties, are seeing no return on their investment. The liaison process is no longer a successful partnership and while the industry wants to see the process continue it must be on the basis of an equal partnership approach.

Statement on behalf of NASCO

The Council of NASCO, and its Contracting Parties, very much value the links which have been established with the international salmon farming industry. Clearly there are interactions between wild and farmed salmon and, in our view, these need to be assessed and managed in a collaborative way. It is efficient to do this internationally and offers the industry some guarantee of a level playing-field.

We welcome the new willingness in the industry to look at and seek out areas for active cooperation. We believe that the SALCOOP project has put together very useful ideas for ways in which our two sectors can work together rather than the hostility which has sometimes characterised past relations. We think the time is now right to look closely, in cooperation with the industry, at area management agreements, restoration initiatives and the pros and cons of using sterile salmon in farming.

NASCO is committed to a liaison process with the international salmon farming industry, although this has often been marked by delay. We wish to discuss commitments which would assure the Liaison Group of a solid future.

Last year in Williamsburg there was a clear commitment to hold the 2004 Liaison Group meeting at the same time as a Joint Workshop. It seems that the industry has decided unilaterally to drop this commitment and only wishes to discuss the Workshop again. This Workshop is important to us, not only in exploring and cooperating on issues such as area management and the use of sterile fish, but also as an opportunity for NASCO's NGOs to participate, thereby enhancing the transparency of the process. You will appreciate that separating the Workshop and Liaison Group Meeting can add significantly to costs. We also believe that NGO participation in the Liaison Group as observers is important in making the process transparent.

We are also concerned by the industry's statements made in Edinburgh in June 2003 about the Williamsburg Resolution in which it was suggested that due process had not been followed and that the Williamsburg Resolution threatens the liaison process. Indeed, we saw the correspondence from ISFA on this issue as unhelpful and not based on facts. The Council has recognised that the Williamsburg Resolution will evolve in future in the light of experience with its implementation, consultations, improved scientific understanding of the impacts of aquaculture, introductions and transfers and transgenics on the wild stocks and developments in measures to minimise them.

Therefore, the President, in consultation with the Parties, has asked this small delegation to meet with you today in Boston in order to see if the Liaison Group can be put back on a firmer footing.

This meeting today, while not a Liaison Group Meeting proper, might be seen as planning for a more productive relationship in future. To this end, we are, of course, eager and willing to listen to the industry today on your perceptions of the Liaison Group. We are also willing to hear views on any aspects of this work of concern to you. More concretely, today we are ready to set up a Steering Group for the Joint Workshop, and to nominate our participants for that Steering Group. We would also like to agree, conditional on full commitment by all parties, on a date and place for the next Liaison Group Meeting to be held in conjunction with

this Workshop. The Council of NASCO will consider the feedback from the industry before committing itself to any future meeting of the Liaison Group.

Statement of Commitment

The North Atlantic Salmon Conservation Organization (NASCO), its Contracting Parties and the North Atlantic salmon farming industry, reaffirm their commitment to the liaison process and, recognising the importance of conserving and restoring wild salmon stocks and of supporting a sustainable salmon farming industry, agree to make the following commitments in order to strengthen and improve the future of the Liaison Group:

- to hold a Liaison Group meeting on an annual basis, or at more or less frequent intervals if they so decide, in order to explore issues of mutual interest and to make recommendations for action. These meetings will be organised by NASCO in consultation with the salmon farming industry and hosted by NASCO;
- in order to facilitate improved communication between NASCO and the North Atlantic salmon farming industry the President of ISFA will serve as the point of contact for his members and the NASCO Secretariat on all matters concerning the Liaison Group as they arise. NASCO will liaise directly with the non-ISFA salmon farming industries in the North Atlantic. The President of ISFA shall serve as the Liaison Group Chairman or Rapporteur depending on which of these posts is held by the industry;
- in accordance with the Liaison Group's Guidelines on Containment of Farm Salmon, to exchange information annually on:
 - progress in developing Action Plans on Containment;
 - the level and causes of escapes;
 - progress on implementation of, and compliance with, the Action Plan;
 - the effectiveness of the Action Plan in minimizing escapes;
 - identification of areas for research and development in support of the Action Plan.

The responsibility for this reporting will be agreed between the industry in each country and the relevant authorities and confirmed to NASCO. Such reports should be made available to the NASCO Secretariat by each country not less than one month before the Liaison Group meeting so that they can be distributed to all participants well in advance of the meeting;

- to exchange information annually on the status of wild stocks of Atlantic salmon and their management;
- to hold the next meeting of the Liaison Group in conjunction with the 2005 meeting of ISFA in Brussels in May. In addition to reports in relation to the Guidelines on Containment of Farm Salmon, the meeting will allow for a full discussion of the Williamsburg Resolution. The industry agrees to make their comments on this Resolution available to the NASCO Secretariat no later than the end of February 2005;

- to hold a Workshop in conjunction with the AquaNor Exhibition in Trondheim, Norway in August 2005. The focus of this Workshop will be on area management initiatives, restoration programmes and the pros and cons of using sterile salmon in farming and possible opportunities for cooperative trials, as identified by the SALCOOP project. This Workshop will be open to all interested parties, including NGOs. NASCO and the salmon farming industry will each nominate two representatives to serve on a Steering Committee for the Workshop. NASCO's representatives will be Drs Ken Whelan and Peter Hutchinson. The industry representatives will be Mr James Ryan and a representative from Norway to be confirmed. The Steering Group will develop a programme for the Workshop and consider the financial implications and report back to the Liaison Group by correspondence;
- to bring relevant issues concerning salmon farming being considered by NASCO to the Liaison Group for full discussion in a timely manner, where practicable prior to decision-making by NASCO;
- to explore other areas for cooperation, including those identified in the SALCOOP report.