

Agenda item 6.9
For decision

Council

CNL(04)24

***Progress Report and Future Actions in Relation to Application of the
Precautionary Approach***

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Progress Report and Future Actions in Relation to Application of the Precautionary Approach

Introduction

1. Under the Council's Action Plan for Application of the Precautionary Approach adopted in 1999 the following areas for application of the Precautionary Approach are identified:
 - management of North Atlantic salmon fisheries;
 - scientific advice and research requirements;
 - habitat protection and restoration;
 - aquaculture, introductions and transfers and transgenics;
 - unreported catches;
 - by-catch;
 - stock rebuilding programmes;
 - socio-economic issues.
2. During the five years since the Action Plan was adopted rapid progress has been made in developing guidelines for applying the Precautionary Approach to the Organization's work. A brief summary of this progress is presented below.

Actions to Date

Management of North Atlantic salmon fisheries

3. Following evaluation of, and revision to, an earlier document in the light of the Parties' experiences in its application in 2002 the Council adopted, a 'Decision Structure to Aid the Council and Commissions of NASCO and the Relevant Authorities in Implementing the Precautionary Approach to Management of North Atlantic Salmon Fisheries'. A format was used by the Parties for the first time last year to report to the Council on progress in implementing the Decision Structure. It was recognized that the Decision Structure was being used both to provide a record of decisions taken and to provide guidance to managers on how to reach management decisions. The Council agreed a new format for reporting on the use of the Decision Structure and this will be used for the 2004 returns which are presented in CNL(04)15.

Scientific advice and research requirements

4. The Standing Committee on the Precautionary Approach (SCPA) had noted that it is not for NASCO's scientific advisors to take on the role of implementing the Precautionary Approach but rather it is their role to advise on: the status of stocks; appropriate biological reference points needed to meet management objectives; the effectiveness of management regimes and the potential impacts and effectiveness of proposed management measures; areas of uncertainty and how they might be reduced; and the research required in support of the Precautionary Approach. NASCO's requests to ICES for scientific advice have been formulated to reflect these needs.

Habitat protection and restoration

5. At its 2001 Annual Meeting the Council adopted a 'Plan of Action for the Application of the Precautionary Approach to the Protection and Restoration of Atlantic Salmon Habitat'. In 2002 a Special Session was held, with reports by the Parties on the steps being taken to develop and implement habitat protection and restoration plans. Last year a reporting format was developed and used for the annual returns by the Parties on progress in developing and implementing habitat plans. The Council agreed this reporting format for use by the Parties for subsequent annual returns. The returns for 2004 will be presented, CNL(04)16.
6. To measure progress in meeting the objective of the Plan of Action the Contracting Parties and their relevant jurisdictions should establish inventories of salmon rivers. The SCPA had previously asked the Council to decide if a central database should be established to hold the information in the inventories developed by the Parties. Last year the US advised the Council that it had begun the development of a database to hold the US rivers data and that it would welcome input from the other Parties. The Council agreed to establish a Working Group to work by correspondence to further develop this database. This Group will report to the Council at the Twenty-First Annual Meeting, CNL(04)17.

Aquaculture, introductions and transfers and transgenics

7. Last year the Council adopted the 'Resolution by the Parties to the Convention for the Conservation of Salmon in the North Atlantic Ocean to Minimise Impacts from Aquaculture, Introductions and Transfers and Transgenics on the Wild Salmon Stocks,' the 'Williamsburg Resolution'. This Resolution restructured NASCO's existing agreements into one new 'umbrella' Resolution amended so as to include elements on burden of proof, risk assessment, mitigation and corrective measures, implementation and reporting. A new annex with guidelines on stocking had also been added. It was recognized that the Resolution is a 'living document' that will evolve in the light of experience with its implementation, consultations, improved scientific understanding of the impacts on the wild stocks and developments in measures to minimize them. Since its adoption, additional work has been carried out to further develop Annex 1 (Definitions), Annex 4 (Guidelines on Stocking of Atlantic Salmon) and Annex 5 (Guidelines for Action on Transgenic Salmon). Recommendations for revisions to these elements of the Resolution will be presented, CNL(04)18. A new reporting format has been developed in relation to the Williamsburg Resolution and will be used on a trial basis for this year's returns, CNL(04)19.

Unreported catches

8. The Council has developed a format for annual reporting of information on unreported catches in a transparent manner and has encouraged the introduction of measures to minimize unreported catches. Last year the President indicated that he believed that these actions were consistent with the Precautionary Approach. The returns for 2004 will be presented, CNL(04)21.

By-catch

9. The Council has previously expressed concern about the level of by-catch of post-smolt Atlantic salmon in fisheries for pelagic species of fish, particularly mackerel, in the North-East Atlantic. The need to further improve these estimates of by-catch was recognized and the Council had recommended to the International Atlantic Salmon Research Board that research proposals to assess by-catch should be afforded a high priority. Last year, consistent with the Precautionary Approach, the Council agreed that it would: encourage and seek appropriate funding for research *inter alia* on the distribution of salmon at sea and on by-catch in pelagic fisheries; encourage pilot studies on technical adjustments to the deployment of gear in pelagic fisheries so as to minimize by-catch; review the results of this research at its 2005 Annual Meeting; continue to ask ICES to provide information on by-catch; and request, if appropriate in the light of these findings, the Parties, non-Parties and fisheries Commissions to make adjustments to fishing methods so as to minimize by-catch of salmon. The Council considered that these actions would constitute adoption of the Precautionary Approach to by-catch. The Parties will be asked to report on any research undertaken since the last Annual Meeting in relation to by-catch.

Stock rebuilding programmes

10. A stock rebuilding programme has been defined by the Council as an array of management measures, including habitat improvement, exploitation control and stocking, designed to restore a stock above its conservation limit. These management measures are being addressed by the Council in application of the Precautionary Approach. However, the Council agreed that it would be useful to develop guidelines for stock rebuilding programmes and at its 2003 Annual Meeting preliminary guidelines on the use of stock rebuilding programmes were adopted. It was agreed that an *ad hoc* Working Group should further refine these guidelines prior to the Twenty-First Annual Meeting and the Group's recommendations will be presented, CNL(04)22.

Social-economic issues

11. The wild Atlantic salmon has many aspects to its value, including those associated with the fisheries. In addition, however, there are values associated with the existence of the salmon. These values are difficult to assess but so widespread that they may greatly exceed the values associated with the fisheries. In January 2003 a Technical Workshop attempted to explore all of these values and developed a template for assessing the social and economic values of the wild Atlantic salmon. The Council agreed that a further Technical Workshop should be held to develop a decision structure for incorporating social and economic factors into management decisions under a Precautionary Approach. The report of this Workshop will be presented at the Twenty-First Annual Meeting, CNL(04)23, and the Council will be asked to decide on appropriate action in the light of this group's recommendations.

Future Actions

12. As noted by the President at the Twentieth Annual Meeting, NASCO has made great strides in developing its thinking on application of the Precautionary Approach, to the extent that NASCO is perceived as being at the forefront of the fishery Commissions in applying the Precautionary Approach to its work. This progress has been achieved through excellent cooperation by all the Parties. As a result, almost all of the elements of the Action Plan have now been addressed although the Council will still need to consider the recommendations from the various Groups working inter-sessionally in relation to: further refinement of the Williamsburg Resolution; development of guidelines on the use of stock rebuilding programmes; development of guidelines for incorporating socio-economic factors into decisions under a Precautionary Approach; and the development of a database for inventories of salmon rivers.
13. After five years of sustained activity on application of the Precautionary Approach we might now anticipate a period of consolidation where the emphasis will be on implementation and detailed and transparent reporting under the various agreements. These reports will also give the Council the opportunity to review how well the agreements work and the need for amendments in the light of experience gained. Reporting formats have been developed and are now being used in relation to: management of salmon fisheries; unreported catches; habitat protection and restoration; by-catch; and aquaculture, introductions and transfers and transgenics, although the reporting format in relation to the latter is preliminary. The nature of reporting on the stocking guidelines, stock rebuilding programmes and social and economic aspects is still to be resolved.
14. However, there is now a substantial annual reporting burden. The Council has tried to minimize this burden without compromising the need for full and transparent reporting by only seeking details of new measures taken over the twelve-month period since the last notification. While this reduces the burden on the Parties somewhat, it does not necessarily facilitate a clear overall view of the framework of measures in existence. An alternative arrangement that the Council might wish to consider would be to take each major element of the Action Plan and to report through a Special Session devoted to the subject every three or four years. In this way, the Parties could each be allocated a reasonable period of time in which to describe in more detail, using the existing reporting formats as a basis, the measures in place on each element of the Precautionary Approach. Our accredited NGOs would be free to comment on the progress of the Parties. This arrangement worked well when a Special Session on habitat protection and restoration was held in 2002. The presentations made by the Parties during these Special Sessions could then be collated by the Secretariat and issued as a report to all delegates. In this way more comprehensive but less frequent reporting could be achieved, thereby easing the annual burden on the Parties.
15. If this procedure was acceptable to the Parties there might, in future, be Special Sessions based on a three-year cycle; for example, as follows: management of fisheries (years 1 and 4); habitat protection and restoration (years 2 and 5); aquaculture, introductions and transfers and transgenics (years 3 and 6). Information on how social and economic factors have been incorporated into management decisions could be included in each of these sessions or in a separate Special Session.

It is not clear whether a Special Session will be needed for stock rebuilding programmes since these programmes include actions in relation to stocking, habitat protection and restoration and exploitation control and these aspects are addressed in the sessions referred to above. The Parties would continue to report annually on measures taken in accordance with Articles 14 and 15 of the Resolution, on catch statistics, on unreported catches and on any proposals to rear transgenics. The reporting burden on these issues is not substantial. In 2005, the Parties would also be asked to report on measures taken in accordance with the Council's decision on by-catch but, again, this burden is not likely to be substantial.

16. Finally, one issue not addressed in the original Action Plan, but which has been raised at previous meetings, is how predator-related mortality of salmon should be handled under a Precautionary Approach. Last year the Council asked that each Party appoint a coordinator in order that a compendium of information could be prepared for the Twenty-First Annual Meeting. This information will be presented, CNL(04)25, and the Council will be asked to consider what action it wishes to take in relation to this matter.
17. The Council is asked to consider the future actions it wishes to take in relation to the Precautionary Approach in general and, in particular, to consider future arrangements to ensure transparent reporting of all measures taken. There are also decisions to be made in relation to the recommendations on a decision structure for incorporating social and economic factors into management decisions and on stock rebuilding programmes, for amendments to the Williamsburg Resolution and in relation to the inventories of salmon rivers, but these are dealt with under separate agenda items. The Council might then wish to consider if all the agreements should be reviewed with regard to their consistency.

Secretary
Edinburgh
8 April, 2004