

## NEA(01)15

### *Report of the Eighteenth Annual Meeting of the North-East Atlantic Commission of the North Atlantic Salmon Conservation Organization 4-8 June 2001, Mondariz, Spain*

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

- 1.1 The Eighteenth Annual Meeting of the North-East Atlantic Commission was opened by the Chairman, Mr Vladimir Moskalenko (Russian Federation), who welcomed the delegates to Mondariz.
- 1.2 A list of participants at the Eighteenth Annual Meeting of the Council and the Commissions is included on page [ ] of this report.

#### **2. Adoption of the Agenda**

- 2.1 The Commission adopted its agenda, NEA(01)14 (Annex 1), without change.

#### **3. Nomination of a Rapporteur**

- 3.1 The Commission nominated Dr Niall Ó Maoiléidigh (European Union) as its Rapporteur for the meeting.

#### **4. Review of the 2000 Fishery and ACFM Report from ICES on Salmon Stocks in the Commission Area**

- 4.1 The representative of Denmark (in respect of the Faroe Islands and Greenland) informed the Commission that a catch of 8t was taken in the Faroese salmon fishery in 2000 and that this was reported to ICES last year. The catch had been taken by one vessel and a total of 35 long-line sets were fished in early April. Approximately 2,000 salmon were taken including discards. The age composition of the catch was reported to be 10% 1SW salmon, 78% 2SW salmon and 12% 3SW salmon. Tags recovered in 2000 support previous findings that Norwegian salmon comprise a large component of the catches at Faroes. Two pink salmon (*Oncorhynchus gorbuscha*) were caught in a Faroes fjord during the summer and it was suggested that they may have originated from a Russian pink salmon fry stocking programme carried out in the White Sea area.
- 4.2 The representative of Iceland informed the Commission that there had been several incidences of pink salmon occurring in Icelandic rivers in recent years.
- 4.3 The representative of ICES, Mr Tore Jakobsen, Chairman of the ACFM, presented the scientific advice from ICES relevant to the North-East Atlantic Commission, CNL(01)11, prepared in response to a request from the Commission at its Seventeenth Annual Meeting. The ACFM Report from ICES, which contains the scientific advice relevant to all Commissions, is included on page [ ] of this document.

- 4.4 The representative of the European Union sought confirmation that the poor status of stocks in the Commission area was the main reason why ICES had advised against any mixed stock fisheries. The representative of ICES agreed with this interpretation but stated that there were also concerns regarding other fisheries. Compared to the historic levels the state of stocks is poor but there has been some improvement, particularly in northern areas.
- 4.5 The representative of the European Union asked whether the degree of uncertainty and risk was considered by ICES to be the same or greater than that involved when providing advice for the West Greenland Commission. The representative of ICES responded that the degree of uncertainty could be argued. There were concerns also about the mixed character of the fisheries. He explained that although some rivers show a healthy development, mixed stock fisheries do not differentiate among individual rivers and this was a part of the justification for the advice given by ICES.
- 4.6 The representative of the European Union stressed that he needed to have a clear understanding of this issue. He suggested that the model used to set a quota for West Greenland was probably correct but that the quality of the input data being used had deteriorated. On reading the ICES report he had come to the conclusion that because there was far less information available for the NEAC area compared to the West Greenland area, the situation was even more uncertain for the NEAC stocks and he sought clarification from ICES. The representative of ICES agreed with this opinion and confirmed that in situations where there was more uncertainty it was necessary to be even more cautious.
- 4.7 The representative of the European Union suggested that the other delegations should also be very cautious when considering the advice from ICES and be prepared to take decisions which reflect the biological situation. All Parties had agreed to adopt the Precautionary Approach. He pointed out that the general situation was gloomy. In this regard he suggested that while caution with regard to the fishery was urged this should not preclude the Faroes from carrying out a research fishery as this was needed to provide important information. He concluded by saying that the scientific advice cautioning against mixed stock fisheries in the NEAC area was very clear, even more clear than for West Greenland. The European Union noted that no other delegation had taken the floor on this issue and he concluded, therefore, that everyone was in agreement with the position of the European Union and ICES, i.e. that in consideration of the poor condition of the stocks and no clear advice, then the Precautionary Approach should be taken.
- 4.8 The represent of Denmark (in respect of the Faroe Islands and Greenland) remarked that the Faroese delegation had not given the European Union any authority to interpret the ICES advice on their behalf.
- 4.9 The representative of Iceland informed the Commission that there had been a significant reduction in multi-sea-winter (MSW) salmon stocks in northern Iceland over the last 10 years and agreed that there was a need for extreme caution in exploiting MSW stocks in mixed stock fisheries. He asked ICES if aquaculture escapes from southern Europe were occurring in Norwegian coastal waters. The representative of ICES confirmed that there is some evidence that fish farm escapees

from more southerly areas migrate north and end up in Norwegian waters and may enter rivers to spawn. The indication was that they followed the same migration pattern as wild fish but there was no conclusive evidence of this.

- 4.10 The representative of the European Union sought clarification from Denmark (in respect of the Faroe Islands and Greenland) of their interpretation of the ACFM advice.
- 4.11 The representative of Norway agreed that there was a need to be cautious and asked ICES if it was possible to highlight the areas or fisheries in which most harm was likely to occur to stocks. The representative of ICES indicated that there was no specific calculation to illustrate whether this was more significant in one area than in another. Mortality rates would need to be calculated for these different areas. However, the further the catch was taken from the river the greater the uncertainty will be about stock origin.
- 4.12 The representative of the European Union presented paper NEA(01)7 (Annex 2) which outlined progress in the EU-funded concerted action on a co-ordinated approach towards the development of a scientific basis for management of wild Atlantic salmon in the North-East Atlantic.

## **5. Salmonid Introductions and Transfers**

- 5.1 The Secretary introduced papers NEA(01)4 (Annex 3) and NEA(01)6 (Annex 4) detailing the returns under the Resolution to Protect Wild Salmon Stocks from Introductions and Transfers. He also introduced NEA(01)3 (Annex 5) which provides a definition of the term “non-indigenous”. The Commission agreed to further consider a definition of “non-indigenous” at its next annual meeting but to aid the Parties in completing their returns for 2002 the Commission agreed to use the definition adopted by the North American Commission of NASCO for the interim, i.e. “Not originating or occurring naturally in a particular environment, introduced outside its native or natural range”.
- 5.2 The representative of Iceland reminded the Commission that there would be a meeting in Vancouver in 2002 where this issue of “non-indigenous” might be considered. He drew the attention of the Commission to his presentation for the Special Liaison Meeting (CNL(01)42) which includes much information in relation to introductions and transfers.
- 5.3 The representative of Norway stated that he was satisfied with the new format of the returns and suggested that it be used in future years. However, he expressed concern about the movement of non-indigenous fish and of salmon eggs from outside the Commission area into the area, which did not appear to be consistent with the Resolution.
- 5.4 The representative of the European Union indicated that he was unaware of the purpose of the importation to Scotland of 500,000 salmon ova from Tasmania. Similar introductions had taken place since 1995 although he did not have specific details or numbers. The salmon ova originated from the Philips River in Canada and had been introduced to Tasmania in 1988. No further transfers to Tasmania from this source

had taken place since 1988. The importation was subject to a licence issued by the Scottish authorities and conformed to EU Directive 91/67/EC. He reminded the Commission that while NASCO had agreed the guidelines, they were not legally binding. The representative of Norway agreed that while the guidelines were not legally binding it is not good for the credibility of NASCO if the Resolution is not adhered to. The representative of the European Union agreed that this was a weakness in the system and that there is a moral and political obligation to adhere to the Resolution. He undertook to communicate the situation to the relevant Member States.

- 5.5 The representative of Norway thanked the representative from the European Union for this response and further enquired whether he had any information regarding the importation to the United Kingdom of rainbow trout eggs from South Africa. The representative of the European Union indicated that he had no information at this time and that he would provide information on this at a later date.
- 5.6 The representative of the Russian Federation provided details of the pink salmon stocking programme in Russian waters which had been carried out since 1956. In some years up to 50 million fry had been released. These had been imported from the Far East. The last import in 1998 had been of 5 million ova but there were very high mortalities and only 160,000 larvae were released. From this release 8,000 fish returned to rivers in 2000. Eggs were obtained from adult pink salmon returning to the River Umba on the Kola peninsula in 1999. Forecast returns from these releases were between 30,000 and 40,000 fish. He stated that he understood that these introductions may be of some concern to NASCO but that they were very important locally from a socio-economic perspective. He indicated that virtually self-sustaining runs of pink salmon had become established in some rivers, with returns every second year, and that there were plans to collect eggs in 2001 for release in future years.
- 5.7 The representative of Norway suggested that this issue also touched on the issue of defining “non-indigenous” and asked whether this was the first time this had been carried out in the River Umba. The representative of the Russian Federation replied that stocking had been carried out for 40 years and that there was a hatchery for incubating imported eggs on this river.
- 5.8 The representative of Norway pointed out that Article 4 of the Resolution states that “no non-indigenous fish should be introduced into a river containing Atlantic salmon without a thorough evaluation of the potential adverse impacts on the Atlantic salmon population(s) which indicates that there are no risks of adverse ecological interactions”.
- 5.9 The representative of Iceland stated that in 1965, 140 pink salmon had been recaptured in Icelandic rivers in one year and that he understood that Norway had also reported high numbers. He asked for clarification from the representative of Norway as to whether there may have been self-sustaining populations of pink salmon in Norway. The representative of Norway replied that to the best of his knowledge Norway has never had any self-sustaining populations of pink salmon.

## **6. Application of the Precautionary Approach to the Work of the Commission**

- 6.1 The Chairman of the Commission referred to the provisional adoption by the Council last year of the decision structure for mixed stock and single stock fisheries contained in Annex 4 of document CNL(00)18. This was to be applied to a number of rivers with different stock status and where different management policies applied and the Contracting Parties had agreed to present specific examples in 2001 with a view to carrying out a full review of the decision structure by the SCPA in 2002.
- 6.2 Documents were tabled by the European Union, NEA(01)12, Norway, NEA(01)8, and the Russian Federation, NEA(01)9 which provided initial comments based on examples of applying the decision structure for fisheries management.
- 6.3 The Secretary noted that some of the reports had indicated that there were clearly some improvements that could be made to the decision structure and these might be usefully considered at the SCPA meeting in 2002.

## **7. Regulatory Measures**

- 7.1 The representative of the European Union presented NEA(01)10 (Annex 6) relating to new measures taken in 2001 in the UK and Ireland to protect salmon stocks, and NEA(01)11 (Annex 7) which provided background information on European Union measures taken to protect salmon. The representative of Iceland reminded the Commission of the measures he had outlined in CNL(01)42 and agreed to make available to the Commission a translation of the Freshwater Fisheries Act next year. He pointed out that there were no changes to regulations in Iceland since the last notification.
- 7.2 The representative of Norway referred to reductions in fishing seasons and to the establishment of two new Working Groups to examine the scientific basis for regulating fisheries and quota-based management.
- 7.3 The Chairman of the Commission noted that no quota had been set for 2001 but noted that Denmark (in respect of the Faroe Islands and Greenland) had committed to managing the fishery on the basis of ICES advice and in a precautionary manner.
- 7.4 The representative of Denmark (in respect of the Faroe Islands and Greenland) indicated that the regulatory measure for 2001 was a politically balanced solution and that they could agree to this arrangement for another year.
- 7.5 The representative of the European Union asked the representative of Denmark (in respect of the Faroe Islands and Greenland) to indicate what measures had been applied in 2001 and whether there had been any fishing so far and to comment on whether there would be a fishery towards the end of the year. The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that it was usual to fish in spring but that there had been no catch in spring 2001. Management was on the basis of individual boat licences with specific limitations on effort and the gear permitted.

- 7.6 The representative of the European Union asked if the specific regulations from 2000 had remained in force to manage a fishery if it took place. The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that the new agreement had superseded the 2000 regulatory measure. The representative of the European Union reiterated that the agreement for 2001 was a politically based agreement and questioned whether any legal basis existed to restrict the fisheries. If this was not the case he asked how the Faroese authorities intend to manage the fishery if it takes place.
- 7.7 The representative of Norway asked for confirmation that Denmark (in respect of the Faroe Islands and Greenland) would operate the fishery to ensure that relevant scientific information could be obtained. He asked the representative of Denmark (in respect of the Faroe Islands and Greenland) to confirm that the fishery had not been conducted so far in 2001 and that if it commenced this information would be passed to NASCO. The representative of Denmark (in respect of the Faroe Islands and Greenland) confirmed this and indicated that the Faroese authorities had not received any applications to fish. If and when this occurs the conditions for the fishery will be specified on the licence.
- 7.8 The representative of Norway indicated that they had supported the agreement last year because Faroes had indicated that they would act in a responsible manner. He sought confirmation that Faroes would continue to act in a responsible manner. This was confirmed by the representative of Denmark (in respect of the Faroe Islands and Greenland).
- 7.9 The representative of Iceland suggested that while he was not in support of mixed stock fisheries, it would be very useful to have information for the scientific work of ICES.
- 7.10 The representatives of the European Union and Norway sought further clarification of the proposed management intentions of the Faroese authorities with respect to a fishery in 2001 and beyond.
- 7.11 The representative of Denmark (in respect of the Faroe Islands and Greenland) reminded the Commission that they had already made a proposal to retain the same regulatory measure in 2002 as applied in 2001. In this regard, the fishery would be carried out with due attention to ICES advice on managing the fishery in a precautionary manner. NASCO would be informed of all licences issued and the conditions of these licences including catch allocation, gear, seasons, minimum fish size, etc. It was pointed out, however, that no catch had been taken in 1999, only a small catch of 8 tonnes was taken by one boat in 2000 and no applications had been received to date for fishing for the rest of 2001, and it is not anticipated that there will be interest in salmon fishing in 2002. This is probably because fishermen are more interested in fishing for cod which appeared to be abundant and which were commanding higher prices than usual.
- 7.12 The representative of the European Union expressed his amazement at the suggestion that the Commission should continue with the same regulatory measure in 2002 which had applied in 2001 as there had been no genuine measure for 2001. He reminded the Commission that as a compromise, starting in 1994, the Commission had decreased

the TAC by 30 to 40 tonnes each year in order to improve the biological status of the stocks concerned. This stopped in 2000 when Denmark (in respect of the Faroe Islands and Greenland) refused to decrease the TAC below 300 tonnes for political reasons but had undertaken to fish only 260 tonnes. He was worried about the lack of assurance from the representative of Denmark (in respect of the Faroe Islands and Greenland) although he noted their intention to fish in accordance with the Precautionary Approach and restrain the fishery. He questioned whether this should be interpreted as a commitment by Faroese not to catch more than 260t.

- 7.13 The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that the political circumstances prevailing last year were still valid this year.
- 7.14 The representative of the European Union stated that he was sad to see that a Contracting Party of NASCO could not accept a TAC for political reasons but wanted an open-ended contract to fish. This was not, in his opinion, acceptable and he wished to underline this emphatically. He stated that he wanted to make it very clear that the European Union believes that a TAC of 200 tonnes for 2002 would be appropriate. He noted that the discussion was more like a monologue from the European Union delegation as only he and the Chairman had spoken substantially on the issue. In order to correct the balance of the discussion he proposed that there should be a small round-table dialogue from all delegations in plenary to inform the Commission what each felt would be an appropriate regulatory measure in 2002. As only opinions and remarks made during plenary can be inserted in the report this would ensure that the report was properly balanced.
- 7.15 The representative of Iceland stated that Iceland's view on mixed stock fisheries was well known and that it was clear from the ICES advice that the situation for two-sea-winter salmon in the North-East Atlantic is very bad. It was the view of his delegation that there should be no mixed stock fisheries on these stocks for the next year and that this was consistent with the precautionary principles which NASCO had adopted.
- 7.16 The representative of Norway referred to Norwegian interventions at last year's Commission meeting which were still valid. The message had been clear that they could support a very small research fishery only and this was an obvious conclusion in the light of the ICES advice. When Norway agreed to the measure last year it was on the basis that they believed that the Faroese would act in a responsible and precautionary manner and they had proven this. There would be two main reasons why Norway would support a similar regulation this year. These were the belief that Faroese would again act responsibly and the high likelihood that any catch would be small given the current circumstances at Faroese. However, while he would accept a similar regulation in 2002 he was more concerned about what would happen in the fishery in subsequent years.
- 7.17 The representative of the Russian Federation stated that he supported what had been said by the representatives of the European Union, Iceland and Norway. He noted that it was vital to reduce and eventually close the fishery on mixed stocks at Faroese. His delegation would like to see concrete practical steps aimed at reducing the fishery at Faroese.

- 7.18 The representative of the European Union highlighted a number of points. He noted that the Faroes have a right to fish but such a fishery can only be allowed under regulatory measures agreed by NASCO when the state of the stocks permits. Some fishing is necessary to allow the status of the stocks to be monitored and fishing on mixed stocks should be restricted to experimental or research fisheries designed to increase knowledge of the stocks. However, he accepted the proposal made earlier by the representative of Denmark (in respect of the Faroes Island and Greenland) and Norway, that the agreement applying to 2001 could also apply in 2002. He made the following statement:

“I must also this year put on record the European Union’s regret that the Faroe Islands have authorised the resumption of a commercial fishery for salmon. Any significant increase in the size of this fishery would mean an increase in the level of exploitation of Northern and Southern European stocks in mixed fisheries. Such an increase is clearly contrary to the advice we received from ICES which is that great caution should be exercised in the management of these stocks, particularly in mixed stock fisheries, and exploitation should not be permitted to increase. I note that the Faroe Islands has not voiced any disagreement with ICES analyses and advice. I am, therefore, reassured by the commitment that the Faroe Islands has given to manage this fishery in a precautionary manner, with a view to sustainability, taking into account relevant factors. In the view of the European Union, the advice from ICES is a highly relevant factor. I note that in recent years there has been either no catch or a very low catch of salmon by Faroese vessels. In 2000, only 8 tonnes were caught. If, however, there is a significant increase in exploitation in the Faroe Islands fishery, contrary to the ICES advice, I must reserve the right of the European Union to call for a special meeting of this Commission”.

- 7.19 The representatives of Norway and Russia stated that they supported the statement of the European Union. The representative of Iceland stated that while he agreed with the statement he would abstain from voting.

- 7.20 The representative of Denmark (in respect of the Faroe Islands and Greenland) made the following statement:

“Mr Chairman, When at our last annual meeting we decided on the regulatory measures for the Faroese fishing of salmon for the year 2001, the representative of Denmark (in respect of the Faroe Islands and Greenland) made a statement (contained in Annex 8 of this report) which outlined how the Faroese fisheries authorities understood the arrangement and its context. I want to draw your attention to that statement. The operative parts of it will still be valid for 2002. I can also make some remarks which reflect the substance of that statement. We still note that the really serious problems faced by particular stocks, notably in the southern part of Europe, were not created by the Faroese fisheries. Those problems will primarily have to be addressed at their source, in the river states. We have often invited river states to make binding commitments to NASCO on specific actions, but always in vain. We do not say, however, that the river states are doing nothing. But, apparently they prefer to decide themselves what to do, and inform NASCO afterwards. This procedure corresponds well to the arrangement, which we went into last year for 2001, and which we prefer to continue in 2002. As we undertook last year for 2001, we undertake this year for 2002, that we will manage a possible fishery in accordance

with precautionary principles, paying due heed to the advice received from ICES. We will inform NASCO of licences issued, conditions attached to such licences, and the total effort and/or catch allowed, seasonal restrictions, allowed fishing gear, minimum fish size rules, etc. We can also reiterate that the fishery will be monitored closely, and organised in a way which will render the best possible input of scientific knowledge, to the benefit of all salmon regulation in the North-East Atlantic area. We also want to reiterate that we do not necessarily see this arrangement as the permanent solution of the question of how to deal with the rights of the Faroes to an equitable share of the harvestable surplus of salmon in the North-East Atlantic. We should still strive to develop a permanent, mutually acceptable and consistent regime for the management of salmon in the area covered by the North-East Atlantic Commission.”

- 7.21 The representative of Norway stated that he appreciated the statement made by the representative of Denmark (in respect of the Faroe Islands and Greenland). However, he pointed out that the points made on homewater regulatory measures were not relevant as it was not within the scope of the North-East Atlantic Commission to make binding homewater regulations.
- 7.22 The representative of the European Union endorsed this view but suggested that there was another point regarding the form of the non-regulatory measure to be agreed and the way it was constructed. There was a clear difference between a regulatory measure and a decision as the latter could not be objected to. He asked the Secretary to ensure that the decision was presented in conformity with the Convention.
- 7.23 The representative of Denmark (in respect of the Faroe Islands and Greenland) acknowledged the response of the representative of Norway to their statement but pointed out that the Convention was a very special arrangement which was not symmetrical and this had caused problems from the outset. There were, however, some elements included in the Convention to bring the balance back more on the side of the mixed stock fisheries in distant waters. These elements related to the overall management of the resource. He suggested that there was more to the Convention than a mechanical application of a fishery model, noting that there were also sections dealing with fishing rights and implications for the distribution of wealth among Parties. He noted that there must be balance between the actions of each Party. Denmark (in respect of the Faroe Islands and Greenland) were expected to make sacrifices which certainly benefited Norway when it could have benefited other fishermen. There was a safety valve in the Convention in this regard. He concluded by stating that his intention was not to have a discussion on polemics but to clarify the interpretation of the regulatory measure by the delegation of Denmark (in respect of the Faroe Islands and Greenland).
- 7.24 The Chairman noted that Faroes had a right to fish and that was also accepted by the Commission. However, he pointed out that the Parties were concerned about the status of stocks. They clearly wanted to see a reduction in catches in the Faroese zone as this was the area where the Convention applied.
- 7.25 The Commission adopted a decision regarding the salmon fishery in Faroese waters for 2002, NEA(01)13 (Annex 9).

**8. Announcement of the Tag Return Incentive Scheme Prize**

8.1 The Chairman announced that the winner of the Commission's \$1,500 prize was Mrs Arny Kleiveland, Kleppe, Norway. The Commission offered its congratulations to the winner.

**9. Recommendations to the Council on the Request to ICES for Scientific Advice**

9.1 The Commission reviewed the relevant sections of Document SSC(01)3 and agreed to recommend them to the Council as part of the annual request to ICES for scientific advice. The request to ICES as agreed by the Council, CNL(01)66 is included on page [ ] of this report.

**10. Other Business**

10.1 There was no other business.

**11. Date and Place of Next Meeting**

11.1 The Commission agreed to hold its next annual meeting in conjunction with the Nineteenth Annual Meeting of the Council during 3-7 June 2002.

**12. Consideration of the Report of the Meeting**

12.1 The Commission agreed a report of the meeting, NEA(01)15.