

NEA(99)16

Report of the Sixteenth Annual Meeting of the North-East Atlantic Commission of the North Atlantic Salmon Conservation Organization 7-11 June 1999, Westport, Ireland

1. Opening of the Meeting

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

2. Adoption of the Agenda

- 2.1 The Commission adopted its agenda, NEA(99)12 (Annex 1).

3. Nomination of a Rapporteur

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

4. Review of the 1998 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) described the events in the fishery at Faroes in 1998 which had been reported in detail in the advice from ICES. The salmon long-liner M/S "Polarlaks" conducted a research fishery from January to April 1998. The total catch was 5.8t including discards. Details of fishing effort and origin and composition of catch were given. Information from tagging studies indicated that 60% of the salmon in the Faroes fishery were estimated to originate from the Northern group of countries (Scandinavia, Russia and Iceland) and approximately 35% were estimated to originate from the Southern group of countries (rest of Europe). The remaining 5% were estimated to originate from Canada. Farmed salmon were excluded from the analysis. From recoveries of CWTs (microtags) the approximate sea-age composition for the Northern group of countries was 5% 1SW and 95% MSW salmon and for the Southern group of countries was 63% 1SW and 37% MSW salmon. Of the total catch (excluding the Canadian component), the Faroese fishery exploits mainly the MSW Northern group (57%), but also the 1SW Southern group (22%), MSW Southern group (13%) and finally the 1SW Northern group (3%).
- 4.2 The representative of the European Union requested clarification that, in the event of a quota being fished, the catch would be predominantly 2SW salmon destined to return to homewaters to spawn in the same year as the fishery operated. The

representative of Denmark (in respect of the Faroe Islands and Greenland) confirmed that this would be the case.

- 4.3 The representative of ICES, Chairman of the ACFM, Mr Jean-Jacques Maguire, presented the scientific advice from ICES relevant to the North-East Atlantic Commission, CNL(99)12, prepared in response to a request from the Commission at its Fifteenth Annual Meeting. The ACFM Report from ICES, which contains the scientific advice relevant to all Commissions, is included on page xx of this document.
- 4.4 The representative of the European Union sought confirmation that stocks from the Northern group of countries in the Commission area are considered to be within safe biological limits (within their conservation limit) while MSW stocks in the Southern group of countries were considered to be outside safe biological limits. He noted that it was not possible to provide advice at the river stock level, but he asked if it could be assumed that even where stock complexes are within safe biological limits, individual river stocks within these complexes could still be outside safe biological limits. The representative of ICES confirmed this interpretation and indicated that this was a problem with the analysis when carried out for combined stock complexes.
- 4.5 The representative of Iceland referred to the precarious state of the stocks and asked if, in the light of this, the Precautionary Approach would dictate that there should be no fishing in mixed stock fisheries for MSW salmon. The representative of ICES indicated that there could be dangers for some stocks if fishing was to take place, particularly when all indications were that stocks were below their conservation limits as indicated in the scientific advice from ICES.
- 4.6 The representative of the European Union asked for confirmation that for southern MSW stocks the spawning escapement reserve is approximately 555,000 fish. He asked if this was the level of spawners needed to maintain the stock within safe biological limits. The representative of ICES confirmed this interpretation. The representative of the European Union then stated that, even in the absence of a Precautionary Approach, there should be no fishing on these stocks in mixed stock fisheries.
- 4.7 The Chairman thanked the representative of ICES for his report and for his work for the Commission over the past three years.

5. Salmonid Introductions and Transfers

- 5.1 In 1997 the Commission adopted the Resolution to Protect Wild Salmon Stocks from Introductions and Transfers, NEA(97)12. Last year the Commission agreed that in the interests of transparency it would introduce a reporting system for actions taken in accordance with this Resolution.
- 5.2 The Secretary introduced document NEA(99)3, proposing a draft reporting system. Following some modification the Commission adopted a format for reporting actions taken in accordance with the Resolution to Protect Wild Salmon Stocks from Introductions and Transfers, NEA(99)6 (Annex 2).

5.3 A document was tabled by the European Union, NEA(99)10 (Annex 3), summarising recent measures taken in accordance with the Resolution to Protect Wild Salmon Stocks from Introductions and Transfers.

6. Regulatory Measures

6.1 Documents were tabled by Norway, NEA(99)8 (Annex 4), the European Union (United Kingdom), NEA(99)9 (Annex 5), European Union (Ireland), NEA(99)11 (Annex 6), and Iceland, NEA(99)13 (Annex 7) describing the conservation measures they had taken. A joint statement was tabled by the European Union and Norway concerning the Tana and Neiden rivers, NEA(99)7 (Annex 8).

6.2 The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that the Faroe Islands are totally dependent on fisheries and therefore reserves the right to exploit all species which occur in its waters. Regulatory measures need to be set in accordance with Article 9 of the Convention which requires that in exercising its functions, the Commission must take into account a wide range of factors such as “the extent to which the salmon stocks concerned feed in the areas of fisheries jurisdiction of the respective Parties.” This raises the concept of a grazing fee. He further stated that the Faroes accepted the Precautionary Approach for the management of all species including salmon as this is a precondition for survival. The Faroes have shown constraint in exercising their legal right to fish for salmon.

6.3 The representative of the European Union acknowledged the reference to Article 9 of the Convention but stated that this Article also covered other factors. These include measures taken and other factors both inside and outside the Commission area that affect the salmon stocks concerned. He stressed that the States from which the salmon originate in the North-East Atlantic Commission area have taken considerable steps to reduce, as far as possible, the exploitation of MSW salmon, and further measures will be implemented. The representative of the European Union pointed out that the ACFM had advised that great caution should be exercised in the management of these stocks in mixed stock fisheries for MSW salmon if the objective was to bring stocks back within safe biological limits. The representative of ACFM had also given a clear statement that a continuation of fishing in mixed stock fisheries could lead to damage to some stocks and that this must be avoided. All of the evidence presented, together with a commitment to the Precautionary Approach, led to only one conclusion, i.e. that there should be a substantial reduction in, or cessation of, the fishery at Faroes, which exploits mainly MSW salmon. The representative of the European Union stated that he would be happy to work with all members of the Commission to develop a regulatory measure but the evidence presented must be taken into account.

6.4 The representative of Norway supported the views expressed by the representative of the European Union and stated that the scientific advice had clearly indicated that there should be no fishing at Faroes other than research fishing. He stressed that he was not questioning the right of the Faroe Islands to fish but how that right was to be used, and urged consideration of the concept of burden-sharing by all members of the Commission. The representative of Norway indicated that in 1996 the Faroes quota was 10% of the catch but this had increased in 1997 to 20%, and he questioned

whether this was fair burden-sharing. He stressed that the quota at Faroes must be significantly reduced and ways should be found to ensure that the quota is not fished.

- 6.5 The representative of the Russian Federation drew attention to the lower catch per unit effort (CPUE) in the Faroes fishery in 1998 compared to the period 1981-95 and suggested that this was an indication that the number of salmon was declining. He stated that this was sufficient justification for a reduction in the quota for the Faroes of between 10 and 15%.
- 6.6 The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that the Faroes had not exercised their right to fish in recent years and drew attention to the high level of unreported catch which had increased from 732t in 1997 to 1,108t in 1998, an increase of 47%. He also drew attention to an increase in the reported catch in the Commission area and questioned why the Faroes quota needed to be reduced.
- 6.7 The representative of the European Union stressed that it was not appropriate to compare mixed stock fisheries for MSW salmon with other types of fisheries. He stated that the fisheries in States of origin are predominantly on 1SW salmon which are above the safe biological limits and which could sustain exploitation. He further stated that the Faroese fishery could have a very negative effect on individual stocks and questioned how this could be reconciled with adoption of a Precautionary Approach and the desire of the Faroe Islands to fish under these circumstances.
- 6.8 The representative of Denmark (in respect of the Faroe Islands and Greenland) indicated that the question of the Faroes commencing a commercial fishery again was still an open political issue and therefore an open question but that they would certainly proceed with a research fishery.
- 6.9 The representative of Iceland reiterated that the ACFM had confirmed the critical status of 2SW stocks, and the need for precaution and a significant reduction in the quota.
- 6.10 The representative of the Russian Federation stressed that the Precautionary Approach must be applied in the first instance to the Faroes mixed stock fishery.
- 6.11 The Commission considered a proposal from the Chair for a Regulatory Measure for Fishing of Salmon in the Faroe Islands for the calendar year 2000, NEA(99)14.
- 6.12 The representative of Denmark (in respect of the Faroe Islands and Greenland) reiterated that the Faroe Islands are totally dependent on fisheries and support the Precautionary Approach for all marine resources including salmon. It is a precondition for survival. He stressed the Faroe Islands' rights to a share of the salmon resources and to exercise these rights. The advice from ICES recommends that the research fishery at Faroes should be continued and his delegation, therefore, intends to provide more scientific information from the salmon in the Faroese zone. He noted that the Parties agreed last year that they would undertake to examine measures in their homewaters taking full account of the advice given by ICES. The representative of Denmark (in respect of the Faroe Islands and Greenland) noted the large increase in the unreported catches in the North-East Atlantic Commission area,

which led to an overall increase in homewater catches of nearly 20%. ICES had advised not to increase the catches of salmon in 1998, and specifically to reduce the catches of the stocks from the southern area (southern Europe). He stressed that this increase in catches of salmon by the other Parties is not in compliance with the advice given by ICES in recent years.

- 6.13 The representative of Denmark (in respect of the Faroe Islands and Greenland) indicated that he was concerned about the impact on the salmon stocks of unreported and illegal catches, an issue of much more importance than the legitimate, controlled fishery approved by NASCO. However, conscious of the scientific advice on the state of the salmon stocks, and accepting the Precautionary Approach, the Faroe Islands will manage its resources in a responsible way, and he reiterated their right to a share of the salmon resources and to exercise this right. He stated that the Faroe Islands intends to continue the research fishery on salmon in the Faroese fishery zone. The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that his delegation has reached the point where they require to see the effect of what has been done by the other NASCO Parties. He expressed appreciation for the management measures taken by the other Parties in effort regulations and on new regulatory measures, but the Faroese delegation wishes to see the effect of these measures on the fisheries and on the condition of the stocks. He stated that the share of burden by continuously reducing the quota taken and fishing effort by the Faroese authorities shows their responsibility in this respect.
- 6.14 The representative of the European Union referred to the regulatory measure under discussion and noted that it contained the same elements as last year. He welcomed the reduction in the TAC and further limitation of fishing effort and stated that this was progress. However, he sought further clarification from the representative of Denmark (in respect of the Faroe Islands and Greenland) of the full package of measures regarding allocation of the quota and other effort reductions. He welcomed the acknowledgement by the Faroes of the current status of stocks and particularly their support for the Precautionary Approach.
- 6.15 The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that the Faroe Islands have reluctantly agreed to make further reductions in order to maintain the spirit of the Precautionary Principle, as follows:
- reduce the quota from 330 to 300 tonnes, but when the licences are issued no more than 260 tonnes will be allocated;
 - reduce the number of boats by 20% from 10 to 8 boats licensed to fish;
 - reduce the number of fishing days from 150 to 120 fishing days, thus reducing the fishing season to the period from 20 January to 30 April, and from 1 November to 20 December.

The representative of Denmark (in respect of the Faroe Islands and Greenland) indicated that the Faroe Islands will further seek to work towards adapting the size of the quota to be a reflection of the homewater catches. He noted that the Faroe Islands have thus taken their share of the burden in regard to the salmon stocks in the spirit of the Precautionary Approach and now eagerly look for effects of the reported conservation measures taken by the other member countries resulting in reductions of the catches of salmon in the North-East Atlantic, as advised by ICES.

- 6.16 The Chairman put the proposal to a vote. Denmark (in respect of the Faroe Islands and Greenland), the European Union, Norway and Russia voted in favour of the proposal. Iceland abstained from the vote. The regulatory measure as adopted is contained in NEA(99)15 (Annex 9).
- 6.17 The representative of the European Union indicated that last year the Commission had developed an understanding of how to proceed with regard to the Faroese quota. Great care had been taken in drafting the relevant paragraph of the Commission report so as to accurately capture the pertinent points made by all Parties. He indicated that it had been his hope that this year a substantial step forward could have been taken in order to bring about a satisfactory solution with regard to potential fishing of salmon in the mixed stock fishery at Faroes. This had not been possible and he expressed the hope that another effort would be made next year in order to achieve a desirable result. He indicated that he is conscious of the fact that all Parties are facing a painful situation, even if the figures are only on paper and there are many considerations. The European Union delegation had voted in favour of the proposal after careful consideration and balancing of the pros and cons and concluded that it was better to proceed with an agreement rather than have one Party opt out. After deep reflection the European Union had voted for, rather than against, the proposal.
- 6.18 The representative of Norway indicated that he supported the views expressed by the European Union. He could support the proposal in view of the statement made by Denmark (in respect of the Faroe Islands and Greenland) that they are fully conscious of the status of the stocks and scientific advice and of the Precautionary Approach. Furthermore, there was a commitment from Denmark (in respect of the Faroe Islands and Greenland) to manage the fishery in a responsible way. For Norway, the priority is salmon conservation but there is a need for fair sharing and Norway appreciated the comment from the Faroes that they intend to work towards adapting the size of the quota to reflect the real picture of catches and the burden-sharing principle in the Commission area.
- 6.19 The Chairman indicated that he shared the views expressed by the Parties and stressed that the principal goal is to conserve and protect the Atlantic salmon.

7. Announcement of the Tag Return Incentive Scheme Prize

- 7.1 The Chairman announced that the draw for prizes in the Tag Return Incentive Scheme was made by the Auditors at NASCO Headquarters on 31 May 1999. The winner of the Commission's prize was Mr Gordon Henry, Aberdeen, Scotland. The Commission offered its congratulations to the winner.

8. Recommendations to the Council on the Request to ICES for Scientific Advice

- 8.1 The Commission reviewed the relevant sections of document SSC(99)3 and agreed to recommend them to the Council as part of the annual request to ICES for scientific advice. The request to ICES, agreed by the Council, CNL(99)46, is contained in Annex 10.

9. Other Business

- 9.1 The Commission agreed to adopt the decisions of the Council on the Precautionary Approach.

10. Date and Place of the Next Meeting

- 10.1 The Commission agreed to hold its next meeting during the Seventeenth Annual Meeting of the Council, 5-9 June 2000, in Canada.

11. Consideration of the Draft Report of the Meeting

- 11.1 The Commission agreed the draft report of the meeting, NEA(99)5.
- 11.2 The Commission expressed appreciation to the Chairman for his work.