INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

INTERNATIONAL FISHERIES DIVISION

OFFICE OF SUSTAINABLE FISHERIES

2000

INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

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PART I. INTERNATIONAL AND REGIONAL MANAGEMENT ARRANGEMENTS

ATLANTIC OCEAN

INTERNATIONAL CONVENTION FOR THE CONSERVATION OF ATLANTIC TUNAS (BASIC INSTRUMENT FOR THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS -- ICCAT)

Basic Instrument

International Convention for the Conservation of Atlantic Tunas (TIAS 6767), 20 U.S.T. 2887, 1969, which was signed on May 14, 1966.

Implementing Legislation

Atlantic Tunas Convention Act (16 U.S.C. 971).

Member Nations

Angola, Brazil, Canada, Cape Verde, China (People's Republic), Côte d'Ivoire, Croatia, Equatorial Guinea, European Community (EC), France (in respect of St. Pierre et Miquelon), Gabon, Ghana, Guinea (Republic of), Japan, Korea (Republic of), Libya, Morocco, Namibia, Panama, Russian Federation, Sao Tome and Principe, South Africa (Republic of), Trinidad and Tobago, Tunisia, United Kingdom (in respect of its overseas territories), United States of America, Uruguay, and Venezuela.

It was agreed at the 1997 annual meeting that all EC Member States would withdraw from the Commission effective 31 December 1997. France and the United Kingdom rejoined in respect of their independent territories.

Commission Headquarters

International Commission for the Conservation of Atlantic Tunas
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28002 Madrid, Spain

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Web address: http://www.iccat.es

Budget

The Commission's Standing Committee on Finance and Administration (STACFAD) approved a budget for calendar year 2000 of 245,752,000 pesetas, which represents about a 26 percent increase over the 1999 budget. The U.S. contribution is 18,545,444 pesetas. The 2000 budget includes funding for (1) adjusting the current salaries and benefits package of the ICCAT Secretariat to conform with the UN Common System, (2) hiring a biostatistician, and (3) revising the ICCAT database system (this last expense to be split equally over 2000 and 2001).

U.S. Representation

A. Appointment Process:

The Atlantic Tunas Convention Act (ATCA) provides that not more than three Commissioners shall represent the United States in ICCAT. Commissioners are appointed by the President and serve 3-year terms. Of the three U.S. Commissioners, one can be a salaried employee of any state or political subdivision thereof, or of the Federal Government. The Government Commissioner is not limited in the number of terms that he or she can serve. Of the two Commissioners who are not government employees, one must have knowledge and experience regarding commercial fishing in the Atlantic Ocean, Gulf of Mexico or Caribbean Sea and the other must have similar knowledge and experience regarding recreational fishing. The non-Government Commissioners are not eligible to serve more than two consecutive 3-year terms.

B. U.S. Commissioners:

Rolland Schmitten (term expires: 02/02)
Deputy Assistant Secretary for International Affairs
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
Herbert C. Hoover Building, Room 5809
14th Street and Constitution Avenue
Washington, D.C., 20230

J. Michael Nussman (term expires: 10/00)
American Sportfishing Association
1033 N. Fairfax Street, Suite 200
Alexandria, Virginia 22314

Glenn Delaney (term expires: 04/99; in extension)
601 Pennsylvania Ave., N.W.
South Building, Suite 900
Washington, D.C., 20004

C. Advisory Structure:

The U.S. Commissioners are required, under the ATCA, to constitute an Advisory Committee to the U.S. National Section to ICCAT. This body shall, to the maximum extent practicable, consist of an equitable balance among the various groups concerned with the fisheries covered by the Convention and is exempt from the Federal Advisory Committee Act. The Committee consists of (1) "not less than five nor more than twenty individuals appointed by the United States Commissioners who shall select such individuals from the various groups concerned with the fisheries covered by the Convention" and (2) the Chairs (or their designees) of the New England, Mid-Atlantic, South Atlantic, Caribbean, and Gulf of Mexico Fishery Management Councils (FMCs). Appointed Committee members serve 2-year terms and are eligible for reappointment. The Committee currently consists of the maximum 20 appointed members and the five FMC representatives.

Upon approval of the Committee and the Department of State, the directors (or their designees) of the fisheries agencies of each of the states, the residents of which maintain a highly migratory species fishery in the regulatory area of the Convention, may be invited to serve as *ex officio* members of the Committee. The Advisory Committee is invited to attend all non-executive meetings of the U.S. Commissioners and, at such meetings, shall have the opportunity to examine and to be heard on all proposed programs of investigation, reports, recommendations, and

regulations of the Commission.

The ATCA also provides that the Commissioners may establish species working groups for the purpose of providing advice and recommendations to the Commissioners and to the Advisory Committee on matters relating to the conservation and management of any highly migratory species covered by the Convention. Any species working group shall consist of no more than seven members of the Advisory Committee and no more than four scientific or technical personnel. The Commissioners have established the following four working groups: billfish, swordfish, bluefin tuna, and BAYS (bigeye, albacore, yellowfin, and skipjack) tunas. In the past, the Commissioner have appointed the maximum 16 technical advisors, as provided by law.

The Chairman of the Advisory Committee is Dr. John Graves, The College of William and Mary, Virginia Institute of Marine Science, School of Marine Science, Gloucester Point, VA 23062. Kim Blankenbeker serves as the Advisory Committee Executive Secretary (see addresses below). The Committee meets at least twice a year. The Committee's Statement of Operating Practices and Procedures is available from its Executive Secretary.

Description

A. Mission/Purpose:

ICCAT was established to provide an effective program of international cooperation in research and conservation in recognition of the unique problems related to the highly migratory nature of tunas and tuna-like species. The Convention area is defined as all waters of the Atlantic Ocean, including the adjacent seas. The Commission is responsible for providing internationally coordinated research on the condition of the Atlantic tunas and tuna-like species, and their environment, as well as for the development of regulatory recommendations. The objective of such regulatory recommendations is to conserve and manage species of tuna and tuna-like species throughout their range in a manner that maintains their population at levels that will permit the maximum sustainable catch.

B. Organizational Structure:

The ICCAT is comprised of a (1) commission, (2) council, (3) executive secretary, and (4) subject area panels. The Commission consists of not more than three delegates from each Contracting Party. The Council is an elected body within the Commission consisting of a chairman, vice-chairman, and representatives of not less than four or more than eight Contracting Parties and which performs such functions as are assigned to it by the Convention or Commission. Although the Council is supposed to meet at least once between regular meetings (which occur every other year), since 1978 Special Meetings of the Commission have been held in lieu of meetings of the Council. The Executive Secretary is responsible for coordinating the programs of investigation, preparing budget estimates, disbursing funds and accounting for expenditures; preparing the collection and analysis of data to accomplish the purposes of the Convention; and preparing scientific, administrative, and other reports for approval by the Commission. Panels are established by the Commission and are responsible for review of the species under their purview; collection of scientific and other information; proposing conservation recommendations for joint actions; and recommending studies by the Contracting Parties. Standing Committees on Research and Statistics (SCRS), Finance and Administration (STACFAD), and Compliance have been established by the Commission. ICCAT also has constituted a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), which met for the first time in 1993. Much of the focus of the PWG is directed toward gaining the cooperation of ICCAT non-members with the conservation and management measures of the Commission.

C. Programs:

The Commission concerns itself with (1) joint planning of research, coordination of research carried on by agencies of the Parties in accordance with its plans, and joint evaluation of the results of such research; (2) the collection and analysis of statistical information relating to the condition of fishery resources in the Convention area; and (3) joint formulation of regulatory recommendations for submission to the Parties.

Recommendations adopted by the Commission are submitted to governments for acceptance. These recommendations become effective for all Parties to the Convention 6 months after their formal submission to all

Parties (unless otherwise stated) provided objections are not made during that period by concerned Contracting Governments. Each Contracting Party has the responsibility for implementing and enforcing the Commission's recommended conservation and management measures.

The Commission has taken conservation actions with regard to several species of Atlantic tunas. It has also established conservation measures for Atlantic swordfish and billfish. The following is a review of the activities of the Commission by subject area panel, standing committee and working group.

Panel 1 - Bigeye, Yellowfin and Skipjack Tunas

In 1972, the Commission recommended a ban on the taking of yellowfin tuna weighing less than 3.2 kilograms (kg), allowing an incidental catch of not more then 15 percent of the number of fish landed per trip. This regulation was extended to bigeye tuna in 1979. In 1993, ICCAT adopted a measure for yellowfin tuna requiring ICCAT Parties to cap effective fishing effort at 1992 levels.

Scientific information available in 1998 indicated that yellowfin tuna is, at a minimum, close to full exploitation and that current fishing effort should not increase and may need to be reduced. The 1999 SCRS stock assessment for bigeye tuna showed that the stock is over-exploited. The SCRS recommended a reduction in overall bigeye tuna catch, and noted particular concern about the excessive harvests of both juvenile bigeye and yellowfin tunas. The 1999 SCRS report also noted that the eastern Atlantic stock of skipjack tuna could be in a state of local overfishing in the equatorial area of maximum fishing concentration on fish aggregating devices (FADs). The analyses conducted for the western stock indicated that it was stable. SCRS has stressed that more research is needed on both stocks of skipjack tuna.

The Commission has been concerned about the high catches of juvenile tunas by purse seine vessels fishing in the Gulf of Guinea using floating objects or FADs. This fishing method tends to attract large amounts of juvenile bigeye (and to a lesser degree yellowfin and skipjack) tunas, including tunas under current minimum sizes. Since 1996, ICCAT has been taking steps to gather data on and to enhance the protection of juvenile tunas in the Gulf of Guinea. At its 1998 meeting, ICCAT adopted a binding measure that closed the Gulf of Guinea to purse seine fishing using floating objects from November 1, 1999 through January 31, 2000. This measure follows on the voluntary closure implemented by French and Spanish purse seiners in 1997-98, which showed promise as a management tool. The SCRS is to continue to evaluate the effectiveness of the closure for conserving juvenile tuna. To assist in the collection of data, the 1998 measure incorporates expanded observer requirements for the fishery. Observers were first recommended by ICCAT for bigeye and yellowfin fisheries, including the Gulf of Guinea fishery, in 1996. At its 1999 meeting, ICCAT extended its Gulf of Guinea time/area closure, and the measure was expanded to encompass all surface fleets. This recommendation prohibits fishing over floating objects from November 1of one year to January 31of the following year. The recommendation also directs the SCRS to analyze the impacts of this action and to use that analysis to recommend management measures. The SCRS will meet intersessionally in 2000 to conduct this analysis. The measure also requires vessels to carry an

observer at all times for both compliance and the collection of biological data, and it requires the establishment of internal procedures by each party to penalize their vessels for non-compliance.

The Commission has also begun to look at other methods to conserve and manage the bigeye fishery in recognition of the need to control the overall catch of this species. Noting the large increases in harvests by Chinese Taipei (the name used by ICCAT since 1997 ro refer to Taiwan), the Commission placed a 16,500 mt cap on Chinese Taipei's bigeye fishery at its 1997 meeting, extended the cap at the 1998 meeting, and additionally, placed a 125 vessel limit on the number of fishing vessels of Chinese Taipei allowed to operate in the bigeye fishery. In 1997, ICCAT began a program to collect basic data on fleet size in a move toward limiting fishing effort. ICCAT followed up this action at its 1998 meeting by adopting a measure requiring the registration of vessels over 24 meters length overall (LOA) fishing for bigeye tuna and authorizing parties to take the necessary measures to prevent vessels not on the registration list from fishing for bigeye tuna. Further, ICCAT adopted a binding measure to limit both the number of vessels larger than 24 meters LOA operating in the bigeye fishery and the capacity of those vessels as a means of limiting effort and catch of ICCAT species. Exceptions were allowed for countries under certain catch levels. Recreational vessels were also excluded.

Finally, recognizing that vessel limitations and capacity controls are interim measures and, taken alone, likely will not lead to the recovery of bigeye tuna, the Commission adopted a resolution in 1998 tasking the SCRS to develop rebuilding plans for this species that take into account all forms of fishing mortality, including dead discards. In its 1999 report, the SCRS noted that more research on the basic biological characteristics of bigeye tuna is necessary and is ongoing in the Bigeye Tuna Year Program. The results of this work should enhance assessment in the near future so that the SCRS can provide improved advice to the Commission. Because of the lack of scientific information concerning bigeye tuna available prior to its 1999 meeting, however, the SCRS has not yet been able to provide rebuilding advice to the Commission.

Panel 2 - North Atlantic Bluefin Tuna and Albacore:

Western Atlantic Bluefin Tuna: The capture of bluefin tuna in the western Atlantic was prohibited in 1981except for a catch quota for continuing scientific monitoring of the stock. This catch was allocated to ICCAT member nations which had actively participated in the fishery (United States, Canada, Japan). Brazil and Cuba, whose catches were less than 50 mt annually, were exempt from these early regulations. The Commission continued in following years to review periodically and adjust catch quotas as deemed appropriate. Other measures were also adopted, such as limiting the catch of bluefin smaller than 120 centimeters in length to no more than 15 percent in weight of the catch limit in the Western Atlantic; prohibiting directed bluefin fisheries in spawning areas such as the Gulf of Mexico; addressing the problem of overages; and encouraging tag and release of fish less than 30 kg.

Given the continued overfished status of western Atlantic bluefin tuna, ICCAT adopted a rebuilding program for the western Atlantic with the goal of reaching maximum sustainable yield (MSY) in 20 years at its 1998 meeting. This represents the first time that ICCAT has articulated a rebuilding goal to guide its management actions and fashioned a plan for achieving that goal. The annual total allowable catch (TAC) under the program is 2,500 mt, inclusive of dead discards. This TAC, which represents total fishing mortality, is consistent with that established in 1996. The program provides flexibility to alter the TAC, the MSY target, and/or the rebuilding period based upon subsequent scientific advice. The 2,500 mt TAC will not be altered unless there is evidence that a catch level greater than 2700 mt or less than 2,300 mt would have at least a 50 percent chance of rebuilding the stock to MSY within the 20-year time frame.

The 2,500 mt TAC is shared by the United States, Japan, Canada, the United Kingdom (in respect of Bermuda) and France (in respect of St. Pierre et Miquelon). Bermuda first received a 4 mt incidental catch allocation during

the 1995 quota negotiations. Although the fishery was fully subscribed, ICCAT noted that the request was limited in scope and determined that denying it could discourage other non-member countries harvesting ICCAT-managed species from joining ICCAT; thus potentially harvesting ICCAT species but remaining outside ICCAT's control. The 1999 quota agreement for western Atlantic bluefin tuna represents the first time St. Pierre et Miquelon requested an allocation.

The 1998 recommendation provides that, after reducing the TAC to account for dead discards (79 mt) and the 4 mt allocation each for the UK and France, the remainder of the TAC (2,413 mt) is to be allocated among the United States, Japan, and Canada. The U.S. share of the landings quota is 1,387 mt (a 43 mt increase in landings over 1997-98 levels). Canada received 573 mt (a 21 mt increase) and Japan received 453 mt of the TAC (equal to their 1998 share). The rebuilding plan has a unique clause that provides an incentive to minimize dead discards. If dead discards are above a country's allowance, they must be counted against that country's quota in subsequent years. If discards are below a country's allowance, half of the underage may be added to the next year's quota while the

other half is conserved. The U.S. dead discard allowance under ICCAT's rebuilding program is 68 mt. Among other things, this recommendation also allows four years to balance the 8 percent tolerance of bluefin under 115 cm, which will facilitate implementation of recreational fishery measures.

Eastern Atlantic Bluefin Tuna: Recognizing the potential impact of mixing between the eastern and western Atlantic stocks of bluefin tuna, the United States again pursued the establishment of effective management measures for the eastern Atlantic and Mediterranean bluefin tuna fishery at the 1998 ICCAT meeting. At that meeting, ICCAT, for the first time, adopted firm quotas for all harvesters of bluefin tuna in the eastern Atlantic and Mediterranean. Previously, ICCAT had established a cap for all countries (except France which received firm quotas beginning in 1996) fishing in the fishery with phased in reductions. These reduction were to start in 1996 and be completed by 1998. As of the 1998 ICCAT meeting, compliance with the catch limits established for eastern Atlantic/Mediterranean harvesters was slim.

Under the terms of the agreement adopted by ICCAT in 1998, the 1999 quota for the eastern Atlantic and Mediterranean fishery will be 32,000 mt and the 2000 quota will be 29,500 mt. These quotas are subdivided into country-specific quotas, and they represent a significant reduction from recent landings of over 40,000 mt. A critical aspect of this agreement is that overharvests from 1997 will be deducted from the 1999 quota level; thus, the adjusted TAC applicable to the eastern Atlantic/Mediterranean should approach 27,000 mt. In real terms, the 1999 catch level will be about a 33 percent decrease over current catch levels and is a significant step toward halting the decline of this fishery. Before the quota agreement for the eastern bluefin tuna fishery came into force, Libya and Morocco lodged objections to the measure. The agreement came into force for all but these two countries on August 20, 1999.

Other conservation measures in effect for the eastern Atlantic include: (1) prohibition on catching bluefin tuna with purse seines during the month of May in the Adriatic Sea and during the period July 16-August 15 in the other areas of the Mediterranean to protect juveniles (previously the entire Mediterranean was closed for the month of August); (2) prohibition on the use of airplanes and helicopters in support of fishing operations in the month of June in the Mediterranean; (3) prohibition on catching bluefin tuna by longline vessels greater than 24 meters in length during June and July in the Mediterranean.

Entire Atlantic: In 1974, a 6.4 kg minimum size limit and a limit on fishing mortality were established for Atlantic bluefin tuna. The minimum size measure allows an incidental catch of not more than 15 percent of fish

(by weight or number) less than 6.4 kg to be landed per trip. An absolute minimum size of 3.2 kg was adopted by ICCAT at its 1998 meeting. This is an increase over the previous absolute minimum size of 1.8 kg. The 1998 absolute minimum size measure prohibits the retention, landing, and sale--including sale in markets in nations bordering the Convention area--of bluefin tuna less than 3.2 kg in the Convention Area by Contracting Parties and non-Contracting Parties.

In 1992, the Commission adopted the Bluefin Tuna Statistical Document (BSD) program, which requires the use of an ICCAT-accepted reporting system to monitor trade in fresh and frozen bluefin tuna. The BSD requires exporters of bluefin tuna to include documents identifying the location and flag of the vessel catching the fish. This information has been used to address the problem of harvests that are contrary to ICCAT rules, especially by non-member countries. In 1994, a Bluefin Tuna Action Plan was adopted by the Commission that linked information gathered thru the BSD Program with Contracting Party compliance and non-Contracting Party cooperation with ICCAT's conservation regime. At this time, the Infractions (now Compliance) Committee was tasked with reviewing Contracting Party activities, while the Permanent Working Group (PWG) was tasked with reviewing the activities of non-Contracting Parties. Information on recent developments with regard to the BSD and Action Plan can be found in the PWG and Compliance Committee sections of this chapter.

The SCRS will conduct its next assessment of Atlantic bluefin tuna during 2000.

Northern Albacore: At its 1998 meeting , ICCAT adopted a measure to limit fishing capacity in the northern albacore fishery. This action is similar to that taken by ICCAT in the bigeye tuna fishery and is intended to prevent further increases in fishing mortality, consistent with scientific advice that the stock is close to full exploitation. Specifically, parties fishing for northern albacore are to limit the number of vessels in this fishery to the average number in the period 1993-95. To control compliance with this measure, parties are to submit a list of the vessels participating in a directed fishery for northern albacore by June 1, 1999, and annually thereafter. The measure exempts recreational vessels and countries harvesting less than 200 mt from these reporting and limitation requirements, although it caps the latter at 200 mt. In addition, Japan is to limit its total catch of northern albacore to no more than 4 percent by weight of its total longline harvest of Atlantic bigeye tuna.

At its 1999 meeting, ICCAT adopted a recommendation directing the SCRS to evaluate the fishing capacity of different fleets/gears that participate in northern albacore fishery with a view to establishing effective fishing effort correspondence, taking as the reference period the years 1993-95. The measure requires all parties that have directed fisheries for northern albacore to provide SCRS with all the information required to establish said fishing effort correspondence and specifies that SCRS may suggest other appropriate management measures needed to limit sufficiently fishing mortality, including different possible stock recovery scenarios.

Panel 3 - South Atlantic Bluefin Tuna and Albacore:

Southern Bluefin Tuna: No management measures have been established by ICCAT for southern bluefin tuna. This stock is distributed among the Indian, Pacific, and Atlantic Oceans. Stocks are assessed and managed by the Commission for the Conservation of Southern Bluefin Tunas (CCSBT). ICCAT collaborates closely with the CCSBT regarding this stock.

Southern Albacore: ICCAT adopted management measures for southern albacore for the first time at its 1994 meeting. Further measures were adopted in both 1996 and 1997. These actions were aimed at arresting the apparent decline of southern albacore. A TAC of 22,000 mt was established for the stock at ICCAT's 1997 meeting for both 1998 and 1999; however, a sharing arrangement for the TAC could not be agreed by the

concerned nations (which included ICCAT members South Africa and Brazil and non-members Chinese Taipei and Namibia). The 1998 scientific advice estimated that replacement yield for the stock was higher than previously thought at 28,200 mt and that current catch levels appeared to be sustainable. Based on this advice, ICCAT adopted a new measure at its 1998 meeting that replaced the 22,000 mt TAC for 1999 with a 28,200 mt TAC. Of that figure, 27,200 mt would be allocated to parties "fishing actively" for southern albacore (i.e., South Africa, Brazil, Namibia, and Chinese Taipei). In an interesting development, these parties will monitor their catches and report those catches to a designated Contracting Party (currently South Africa) within 2 months of the harvest. Every 2 months, a report of the cumulative catch will be made to those actively fishing for southern albacore and to the ICCAT Secretariat. When the total catch reaches 80 percent (21,760 mt) of the 27,200 mt level, multilateral discussions will be initiated in order to decide on steps to be taken to prevent over harvest of the catch limit. Once the established catch limit of 27,200 mt is reached, the parties will stop fishing for southern albacore. Countries not actively fishing for southern albacore, such as the United States and the EC, are subject to an annual catch limit of no more than 110 percent of their average 1992-96 catch levels of that stock. Japan must endeavor to limit its total catch of southern albacore to no more than 4 percent by weight of its total longline catch of bigeye tuna taken in the South Atlantic.

Although there was difficulty on the part of certain countries to monitor their southern albacore fisheries and report in a timely way during 1999, ICCAT agreed at its 1999 meeting to extend this innovative management arrangement for another year. In taking this action, parties agreed to improve their monitoring and reporting. In addition, ICCAT recognized that U.S. catches of southern albacore are incidental to its South Atlantic swordfish fishery and that, according to analyses based on improved data collection, the limitation in effect for the United States for 1998 was not adequate. Thus, the United States was provided a modest increase in its harvest allowance, which is now

expressed as a percentage of its target catch rather than as a quota or catch limit. Specifically, the United States is to limit its total catch of southern albacore to no more than 4 percent by weight of its total South Atlantic swordfish catch taken by longline. This approach is similar to that provided to Japan in this fishery.

Panel 4 - Swordfish, Billfish, Bonito, and Other Species:

Swordfish: In 1990, the Commission adopted management provisions for swordfish that, among other things: reduced fishing mortality on fish weighing more than 25 kg by 15 percent from the 1988 levels in the North Atlantic; prohibited the landing of swordfish weighing less than 25 kg in the entire Atlantic; allowed an incidental catch of not more than 15 percent of the number of fish landed; and limited effort in the entire Atlantic to 1988 levels. However, the 15 percent tolerance (in number) of incidental small fish catch has made this recommendation difficult to enforce. The SCRS reported that a lower minimum size prohibition with no tolerance could be used as the functional equivalent (in terms of fishing mortality) of the current minimum size with tolerance.

In 1992, the Commission instructed the SCRS to consider various measures to rebuild the stock over a reasonable period of time and maintain it at MSY levels. ICCAT also approved a U.S. plan to conduct a 2-year pilot program that would provide for the collection of biological data from dead swordfish discards.

By 1994, new data indicated that current harvest levels were above replacement yield and country quotas for 1995 and 1996 were agreed for all of the primary North Atlantic swordfish harvesting nations. The Commission also established management measures for South Atlantic swordfish for the first time in 1994. These measures required that Contracting Parties whose catches in the South Atlantic were greater than 250 mt not increase their

catches in 1995 and 1996 beyond the higher of their 1993 or 1994 catch level. Further, member nations whose catches in the South Atlantic were less than 250 mt were not to increase their catches in 1995 and 1996 beyond 250 mt.

At its 1995 meeting, the Commission established a long-term sharing arrangement for North Atlantic swordfish to carry over unused quota from year to year and to subtract quota overages from the following year's quota. This arrangement improved the inequities associated with the 1994 swordfish agreement by increasing the U.S. share to a level consistent with past harvests (29 percent of total harvest). In an effort to address the problems associated with the minimum size tolerance and to protect small swordfish, the Commission also adopted a U.S. proposal allowing Contracting Parties to select an alternative swordfish minimum size of 119 cm from the tip of the lower jaw to the fork of the tail, or the equivalent in weight, with no tolerance. Contracting Parties that adopt this alternative minimum size may take the necessary measures to prohibit the landing and sale in their jurisdiction of swordfish and swordfish parts below the alternative minimum size. With regard to swordfish stock recovery, the Commission tasked the SCRS to develop at its 1996 meeting, options for swordfish stock recovery. Specifically, it asked the SCRS to evaluate one or more series of annual total allowable catches that will bring the stocks to levels that would support MSY within 5, 10, and 15 years, with a 50 percent probability. An ICCAT Swordfish Action Plan was also adopted at the 1995 meeting. Further discussion of this plan can be found in the PWG section of this chapter. The 1994 measures for South Atlantic swordfish were extended for 1995 and 1996.

In its 1996 report, the SCRS noted that catches of North Atlantic swordfish in 1995 were considerably higher than the established 1995 TAC of approximately 13,800 mt. North Atlantic swordfish was estimated to be at 58 percent of the level that would produce MSY, and replacement yield was estimated to be 11,360 MT. To address the apparent stock decline, ICCAT established the following TACs for North Atlantic swordfish at its 1996 meeting: 11,300 mt for 1997, 11,000 mt for 1998, and 10,700 mt for 1999. Further, to address compliance issues for this swordfish stock, each of the 3 years covered by the quota agreement are to be considered a separate management period as defined in the recommendation on compliance adopted at the 1996 ICCAT meeting and refined at the 1998 ICCAT meeting. This will facilitate the application of the provisions of the compliance recommendation, if needed. The distribution of the North Atlantic swordfish TAC for the 1997-99 management periods was as follows:

	1997	1998	1999
U.S.	3277.00	3190.00	3103.00
Canada	1130.00	1100.00	1070.00
Japan	706.25	687.50	668.75
Portugal	847.50	825.00	802.50
Spain	4661.25	4537.50	4413.75
Others	678.00	660.00	642.00

A supplemental management measure adopted by the Commission in 1997 specified that parties without specific quotas under the 1996 scheme should reduce their catch for 1998 and 1999 by 45 percent of their 1996 catch levels; that those with 1996 catch levels below 100 mt shall not increase their catch above their 1996 level; that parties without any reported catch in 1996 refrain from developing any directed swordfish fishery in the North Atlantic in 1998 and 1999; and that Bermuda be allocated 28 mt for 1997 that will be decreased during 1998 and 1999 according to the provisions of the 1996 TAC agreement for North Atlantic swordfish.

There was not sufficient time to deal with the issues and concerns raised at the 1996 ICCAT meeting regarding

South Atlantic swordfish; therefore, the Parties agreed to meet intersessionally in 1997. In the meantime, the management measures for South Atlantic swordfish originally established in 1994 were extended through 1997.

Pursuant to an agreement reached in Brazil in 1997 at an informal meeting of ICCAT's Panel 4, ICCAT adopted a recommendation at its 1997 annual meeting that established a TAC of 14,620 mt for the South Atlantic swordfish stock. This agreement also set up a sharing arrangement and specified catch quotas for 1998-2000. The percentage shares for the 3-year period beginning in 1998 for South Atlantic swordfish are as follows:

Brazil	16.00 %
Japan	25.75 %
Spain	40.00 %
Uruguay	4.75 %
Other Contracting Parties	5.50 %
Non-Contracting Parties	8.00 %

It was further agreed that "Other Contracting Parties" as referred to above (which includes the United States) should not increase their catches above the catch of recent years and the TAC for the year 2000 may be revised following
the 1999 Atlantic swordfish stock assessment. At its 1999 meeting, ICCAT did not alter the 2000 TAC. Both the sharing arrangement and the TAC for the South Atlantic stock will be reviewed by ICCAT at its 2000 meeting.

At its 1998 meeting, ICCAT adopted a U.S. resolution tasking the SCRS to develop rebuilding scenarios for the heavily stressed Atlantic swordfish stocks. Among other things, the SCRS was to estimate a series of annual TACs, including dead discards, that are necessary to rebuild to biomass levels that would support MSY with a probability greater than 50 percent within various time periods, including of 5, 10, and 15 years. These analyses were used by ICCAT at its 1999 meeting, during which ICCAT parties committed to rebuild North Atlantic swordfish to the biomass that will produce MSY within 10 years, with a greater than 50 percent probability. The swordfish agreement establishes 3 years of progressively smaller TACs that are inclusive of dead discards (10,600 mt for 2000, 10,500 mt for 2001 and 10,400 mt for 2002). The allowance for dead discards is 400 mt for 2000, 300 mt for 2001 and 200 mt for 2002. The dead discard allowance is taken off the TAC before it is allocated, thus, the catch that can be retained in each of the next three years is 10,200 mt. This retainable catch limit will be allocated according to the 1996 sharing arrangement, as modified in 1999. The U.S. share under this scheme is 29 percent. Canada's share is 10 percent. The EC received 49.85 percent (which represents a 1.1 percent increase to account for its members that were previously harvesting under the "Others" category). The allocation to Japan is 6.25

percent and "Others" receive 4.9 percent (this category was reduced 1.1 percent to account for the increase in the EC allocation). The UK (in respect of its overseas territories) was allocated a quota of 24 mt for each of the next 3 years.

The distribution of the allowance of dead discards is 80 percent for the United States and 20 percent for Canada. If the United States or Canada exceeds their respective dead discard allowances, the amount in excess must be deducted from the catch allocation of that country for the following year. If the United States or Canada has fewer dead discards than provided for in the allowance, the difference will be added to the total catch that can be retained (i.e., 10,200 mt) and redistributed to all parties according to the adjusted sharing arrangement. The rebuilding program calls for a complete phase out of dead discards by the United States and Canada by 2004.

Because of the incidental nature of Japan's swordfish harvests, Japan was originally given a "management period"

of 5 years (1997-2001) within which to comply with its cumulative quota over that time period. The rebuilding program specifies that Japan's landings will be comprehensively reviewed in 2000 and that, pending a satisfactory outcome, Japan may be provided with another 5 year management period. Application of any overharvest from Japan's first 5 year management period to the second 5 year period is provided for in the rebuilding program. The management period to assess compliance for all other parties is one year.

In addition to the rebuilding plan, ICCAT adopted a measure at its 1999 meeting directing the SCRS to analyze and identify possible time/area closures to improve the conservation of juvenile swordfish. This measure also requests that studies be undertaken to determine whether longline gear modifications can reduce catches of undersized swordfish. A Japanese proposal was also adopted that calls on parties to support research that will clarify the stock structure and boundaries of Atlantic swordfish. SCRS is to consider the results of this research at its next swordfish assessment, scheduled for 2002.

Billfishes: At its 1995 meeting, the Commission adopted a resolution focusing on the enhancement of research programs for billfish and calling for voluntary release or tag and release by commercial as well as recreational fishermen. In 1996, the Commission passed a resolution to encourage actions to facilitate the recovery of billfishes. The resolution called for promotion of the use of monofilament leaders to avoid hindering the live release of billfishes; to report at the 1997 ICCAT meeting on costs and benefits of using monofilament leaders; and to improve catch statistics and information about post-release mortality of billfishes released live from commercial and recreational fisheries in order to develop a recovery program for billfishes. The Commission also agreed that funds allocated for the tagging work associated with the bluefin year program would also provide for implementation of the SCRS-proposed billfish tagging program.

At its 1997 meeting, the Commission adopted the first mandatory conservation measures for Atlantic blue and white marlin. The recommendation requires all ICCAT Contracting and non-Contracting Parties, starting in 1998, to reduce landings for each of these species by at least 25 percent from 1996 landings. This reduction is to be accomplished by the end of 1999. The recommendation further: (1) requires Parties to promotes the voluntary live release of these species; (2) calls for the provision of information to ICCAT regarding measures in place to reduce landings or fishing effort in all fisheries that interact with marlins; (3) calls for the submission of base data to the SCRS; (4) calls for SCRS stock assessments for these stocks to be presented and reviewed at the 1999 Commission meeting; and (5) exempts small-scale artisanal fisheries from the above requirements.

Because ICCAT agreed at its 1998 meeting to postpone the blue marlin and white marlin assessment until the year 2000 in order to assess the effectiveness of the 1997 ICCAT marlin recommendation, ICCAT extended the 1997 management measure through 2000. Thus, the landings cap achieved by the end of 1999 will be continued through 2000. In addition, ICCAT directed SCRS to conduct assessments of western Atlantic and eastern Atlantic sailfish in 2001 and to develop stock recovery scenarios for all billfish species that are identified as over-exploited, if possible.

Other Species: No management measures are in place for Atlantic bonito or other Panel 4 species.

Permanent Working Group:

Bluefin Tuna Statistical Document (BSD) Program: The BSD program was established in the early 1990s. It requires the use of an ICCAT-accepted reporting system to monitor trade in fresh and frozen bluefin tuna. It was intended to improve the reliability of statistical information on catches of over-exploited Atlantic bluefin tuna stocks, particularly as regards non-Contracting Parties--since some of these nations do not provide catch data to

ICCAT. The program provides information on the flag state and name of the harvesting vessel, the location of harvest, the point of export, a description of the fish in the shipment and the like. In addition, the document must be validated by a government official of the of the flag state of the vessel that harvested the tuna unless the very specific criteria that allow for exemption of the government validation requirement are met. Various recommendations updating the BSD program have been adopted since the initial program was established.

Bluefin Tuna Action Plan Resolution: As noted earlier, the Commission adopted the Bluefin Tuna Action Plan Resolution in 1994 in order to promote cooperation with ICCAT conservation measures. The plan established a mechanism that could lead to the use of multilateral trade measures against parties deemed to diminish the effectiveness of the ICCAT conservation measures for bluefin tuna. This was the first time such a mechanism had been adopted within an international fisheries management organization.

At its 1995 annual meeting, ICCAT took a step toward a possible recommendation of trade measures by identifying Belize, Honduras, and Panama as nations with vessels fishing in a manner that diminishes the effectiveness of ICCAT's conservation measures for bluefin tuna. Trade data obtained from ICCAT's BSD program and vessel sighting information indicated that non-Contracting Party vessels were fishing in the Mediterranean for bluefin tuna, including fishing on the Mediterranean spawning grounds during the closed season, although these countries reported no bluefin tuna catches to ICCAT.

During its 1996 meeting, the Commission agreed that Belize, Honduras, and Panama had not rectified the fishing practices of their vessels. Therefore, in accordance with the Bluefin Tuna Action Plan Resolution, the Commission recommended its members to take measures to the effect that the import of Atlantic bluefin tuna products in any form from these three countries be prohibited. In the cases of Belize and Honduras, ICCAT recommended that the prohibitions begin when the recommendation entered into force. In the case of Panama, the effective date of the prohibition was January 1, 1998, unless the Commission decided otherwise at its 1997 meeting. The trade measures against Panama were to take effect at a later date because Panama demonstrated what the Commission viewed as a sincere desire to rectify the fishing practices of its vessels. These recommendations for multilateral trade restrictive measures represent the first time that such measures have been authorized by an international fishery management organization to ensure cooperation with agreed conservation and management measures.

The Commission also reviewed the fishing activities of other non-Contracting Parties as called for by the Bluefin Tuna Action Plan Resolution. While information was insufficient to identify any nation, the Commission agreed to send letters to several non-members expressing concern about the status of bluefin stocks in the Eastern Atlantic and
Mediterranean Sea, and encouraging increased cooperation with ICCAT. The Commission also expressed grave concern about the large number of vessels sighted in the Mediterranean that fly no flag and have no other markings of identification.

At its 1997 meeting, the Commission agreed to continue trade restrictive measures on Atlantic bluefin tuna from Belize and Honduras and to include Panama in these embargoes starting on January 1, 1998, as scheduled. These decisions were based on the lack of response by Belize and Honduras to letters from the Commission and on information that fishing activities by vessels of these countries continued. Although the similar letter to Panama did

receive a response and Panama sent an observer to the 1997 meeting, it was agreed that Panama's stated actions were not yet proven and that further review by ICCAT at its 1998 meeting would be required. No other countries were identified under the ICCAT Atlantic Bluefin Tuna Action Plan Resolution.

At the 1998 meeting of ICCAT, the Commission again reviewed the fishing activities of Belize, Panama, and Honduras. ICCAT agreed to continue trade measures for reasons very similar to those previously discussed. It was noted that Panama had taken additional steps to address ICCAT's concerns but that Panama still did not have sufficient control of its fleet. ICCAT also agreed to send a letter to Guinea Bissau expressing concern over the bluefin tuna fishing activities of vessels of that nation. Additionally, ICCAT took note that the Secretariat had sent a letter to the Philippines based on information that at least one vessel of the Philippines was sighted in the Mediterranean during the 1998 closed season.

In reviewing available information on bluefin tuna fishing activities of non-members at its 1999 meeting, ICCAT noted that fishing activity attributable to the vessels of both Belize and Honduras continued in the Convention area and that no substantive responses had been received from either country, although repeated attempts by the Commission to seek information and cooperation had been made. Thus, it was decided that the non-discriminatory, trade restrictive measures in force since 1997 on bluefin tuna products from these countries should continue.
(The fishing activities and compliance issues relative to Panama, a new ICCAT member, were referred to the Compliance Committee.) Further, ICCAT agreed that a letter of identification should be sent to the Philippines based on evidence that vessels flying the flag of the Philippines were operating in the Convention area in a manner that diminishes the effectiveness of the ICCAT bluefin tuna conservation program. It was noted that no substantive information had been provided by the Philippines regarding the activities of these vessels and that no efforts had been made to rectify the situation. In addition, it was agreed that letters should be sent to Turkey, Denmark (on behalf of the Faroe Islands), and Iceland requesting information on the bluefin tuna fishing activities of vessels from these countries. It was also agreed that a letter should also be sent to Sierra Leone requesting continued cooperation with regard to one of its vessels that appears to be fishing for ICCAT species.

Swordfish Action Plan Resolution: In 1995, ICCAT adopted the Swordfish Action Plan Resolution, similar in principle to the Bluefin Action Plan Resolution in that it provides a mechanism that could lead to multilateral trade measures against non-member countries deemed to diminish the effectiveness of ICCAT conservation measures for swordfish. This resolution was adopted because of the declining status of swordfish stocks in the Atlantic and increasing catches by non-Contracting Parties. At its 1996 meeting, the Commission reviewed data on non-Contracting Party fishing activities for swordfish but determined that the available information was insufficient to identify any nation. However, the Commission did approve a letter to be sent to Trinidad and Tobago expressing concern over that nation's fishing activities for swordfish.

At its 1997 meeting, the Commission reviewed catch, trade, and sighting information relative to swordfishing activities. While no countries were identified pursuant to the Swordfish Action Plan, the Commission expressed concern about the fishing activities of several non-members, including Panama, Belize, and Honduras, and sent letters to each reflecting those concerns.

At its 1998 meeting, ICCAT agreed to send letters to a number of non-members concerning harvests of ICCAT species and, more importantly, formally identified Panama, Honduras, and Belize under the first step of the swordfish action plan. In 1999, the Commission reviewed trade and sighting information relating to the fishing activities of vessels of non-members, including Honduras and Belize. (The fishing activities and compliance issues relative to Panama, a new ICCAT member, were referred to the Compliance Committee.) Available information indicated that vessels of Belize and Honduras continued to operate in the Convention area and that no substantive responses had been received from either country--although repeated attempts by the Commission to seek information and cooperation had been made. Thus, ICCAT recommended that its members prohibit the import of Atlantic swordfish and swordfish products from Belize and Honduras upon entry into force of the recommendation (summer 2000). In addition, the Commission identified Singapore based on evidence that vessels flying the flag of

Singapore have been fishing for Atlantic swordfish in a manner that diminishes the effectiveness of the ICCAT swordfish conservation program. In making the identification, ICCAT noted that no substantive information had been provided by Singapore regarding the activities of these vessels, although this information had been requested by the Commission after the 1998 ICCAT meeting, and that no efforts had been made to rectify the situation. ICCAT also agreed to send letters of warning to Vanuatu and Kenya relative to the swordfish fishing activities of their vessels, and a letter to Barbados seeking clarification of the fishing practices of its vessels.

Actions Related to Unregulated and Unreported Fishing: In a significant action, ICCAT adopted the "Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area" at its 1998 meeting. This measure is designed to help address the problems associated with unreported and unregulated catches of tunas by large-scale longline vessels, partly in recognition of the problems associated with so-called "flag of convenience" vessels. The resolution establishes a process for identifying both ICCAT members and non-members whose large-scale longline vessels have been fishing for ICCAT species in a manner which diminishes the effectiveness of the Commission's conservation and management measures. Specifically, the resolution requests parties that import or land frozen tunas and tuna-like fish products, to collect import or landing data and associated information, and submit that information to ICCAT each year for review. Based on this and other information, ICCAT can "identify" countries as mentioned above. Identified countries are requested to take all necessary measures so as not to diminish the effectiveness of ICCAT including, if appropriate, the revocation of vessel registration or fishing licenses of the large scale longline vessels concerned. In situations where identified parties fail to take appropriate actions as requested, the Commission will recommend effective measures, including non-discriminatory trade restrictive measures, to prevent the large-scale longline vessels of identified countries from continuing fishing operations for tuna and tuna-like species in a manner that diminishes the effectiveness of relevant ICCAT conservation measures. In 1999, the Commission identified a number of non-members pursuant to this resolution for the first time. Based on trade data and other information provided by ICCAT members, the Commission identified Belize, Cambodia, Honduras, Kenya, the Philippines, Sierra Leone, Singapore, and St. Vincent and the Grenadines under the above resolution and requested that these countries take all necessary measures to ensure that their large-scale longline vessels cease fishing operations for tuna and tuna-like species in a manner that diminishes relevant ICCAT conservation measures. (For actions taken relative to ICCAT members, see the Compliance Committee section.)

At its 1999 meeting, ICCAT also adopted a proposal calling for further actions against illegal, unregulated and unreported (IUU) fishing activities by large-scale longline vessels in the Convention area and other areas. This non-binding measure calls on parties to ensure that their large-scale longline vessels do not carry out IUU fishing activities. It also encourages parties to take every possible action, consistent with relevant laws, to urge their importers, transporters and others to refrain from engaging in transaction and transshipment of ICCAT species caught by vessels involved in IUU fishing activities; to inform their citizens of IUU activities and urge them not to buy fish harvested by IUU vessels; and to urge concerned business people to prevent their vessels/equipment from being used in IUU fishing operations. The measure also praises Taiwan for its efforts to control IUU fishing and urges Taiwan to continue this effort. Finally, the measure urges Japan and Taiwan to cooperate in scrapping Japan-built vessels engaged in IUU fishing activities.

Cooperating Parties: ICCAT adopted resolutions in 1994 and 1997 that established a process and requirements for obtaining cooperating status in ICCAT. Granting such status helps ICCAT expand and improve its control over the fisheries under its purview. Letters were sent to all non-members regarding becoming a cooperating party. In 1998, ICCAT approved formal requests by Mexico and Taiwan to be granted cooperating status. In 1999, the Commission agreed to maintain cooperating status for both parties. In its decision to confer such cooperating status, ICCAT clearly articulated that cooperating countries/economies must agree to abide by all ICCAT recommendations and that formal quota allocations are made only to ICCAT members. Further, ICCAT

encouraged Mexico to join the Commission. With regard to Taiwan, the Commission underscored the need for Taiwan to continue and to strengthen its efforts to control IUU vessels owned and operated by Taiwan business

entities. A letter will be sent to both Mexico and Taiwan notifying them of the Commission's decision to confer cooperating status and citing some of the rights and obligations afforded by this status. No other applications for cooperating status were received in 1999.

Other Actions: In an effort to improve ICCAT statistics, the Commission adopted at its 1999 meeting a resolution on improving recreational fishery statistics that calls on parties to provide to the SCRS specific data relating to recreational fisheries. Beginning in 2000, parties are also required to include a discussion of such data in their annual national report. In the future, SCRS will carry out an examination of the extent and impact of recreational fisheries on Atlantic tunas and tuna-like species.

Other measures adopted by ICCAT that remain in effect include: (1) a recommendation that Contracting Party fishing vessels and mother vessels can only receive at sea transshipments from other Contracting Party vessels and cooperating parties (adopted in 1997); (2) a recommendation establishing a process for reporting and taking action against stateless vessels and for reporting observed possible violations by both non-Contracting and Contracting Parties (adopted in 1997); (3) a recommendation that prohibits landing and transshipment in ICCAT member ports by non-members under certain conditions (adopted in 1998); and (4) a recommendation to address attribution of catch classified as not-elsewhere included (NEI) to the catch data (Task 1) of the appropriate ICCAT member or non-member (adopted in 1997).

Compliance Committee: At the 1995 meeting, the Commission adopted new terms of reference for its Compliance (then Infractions) Committee that strengthened the Committee's ability to evaluate compliance by Contracting Parties. These terms of reference allow the Committee to make recommendations to the Commission on how to resolve problems of non-compliance by Contracting Parties and provide for the development of measures to ensure proper application of Convention provisions, including the development of international inspection and enforcement schemes.

At its 1996 meeting, ICCAT made international fisheries management history by adopting a recommendation on Contracting Party compliance relative to quotas that are established for the Atlantic bluefin tuna fishery and the North Atlantic swordfish fishery. The measure provides a process for members to first explain how over harvests for the subject species occurred and the actions taken or to be taken to prevent further over harvests. Beginning with the 1997 management period, and in each subsequent management period, members will have to repay 100 percent of any over harvests of these stocks, and ICCAT may recommend other appropriate actions. Further, over harvests of bluefin tuna or of North Atlantic swordfish quotas during two consecutive management periods can result in other penalties, including quota reductions of at least 125 percent of the over harvest and, as a last resort, trade restrictive measures. At its 1997 meeting, the Commission agreed to extend the compliance agreement to the South Atlantic swordfish fishery. Application of these measures was clarified at the 1998 ICCAT meeting.

Prior to the entry into force of the recommendation extending the compliance agreement to the South Atlantic swordfish fishery, Brazil, Uruguay, and South Africa formally objected to the measure. These Governments expressed concern over the possible use of trade measures to encourage compliance with ICCAT measures and with the South Atlantic swordfish quota sharing arrangement. According to the terms of the Convention, these nations are not bound by the provisions of the compliance agreement as they apply to the South Atlantic swordfish stock.

Minimum size compliance relative to all ICCAT species has been an issue for several years. Effective

implementation of existing recommendations by many countries fishing in the eastern Atlantic and Mediterranean has not occurred for a variety of reasons. At the 1997 meeting, an agreement was reached that requires Contracting Parties to explain in detail minimum size over harvests and provides that, beginning in 2000, continued over harvests could result in ICCAT actions to reduce those over harvests, including but not limited to, time/area closures, assignment of small fish quotas, and/or gear restrictions.

At the 1998 ICCAT meeting, progress was made in implementing the 1996 compliance recommendation (regarding bluefin tuna and swordfish catch limits). Consistent with the provisions of the agreement, Spain and Portugal reported that they had reduced their 1998 North Atlantic swordfish quotas by the amount of their 1997 over harvests. As noted in the eastern Atlantic and Mediterranean bluefin tuna section above, harvesters of this stock took a similar action by agreeing to reduce their 1999 quotas by the amount of their 1997 catch limit over harvests. ICCAT also adopted at its 1998 meeting a U.S.-proposed reporting form that will facilitate the evaluation in the future of compliance with ICCAT measures.

At the 1999 ICCAT meeting, additional progress was made in implementing the various compliance recommendations, including submission of reporting tables, although conflicting interpretations of some ICCAT measures made implementation of compliance recommendations difficult at times. Several countries reported quota overharvests and quota reductions are expected, including by Libya and Morocco relative to the eastern Atlantic and Mediterranean bluefin tuna fishery. (These two countries objected to the eastern Atlantic and Mediterranean bluefin tuna quotas for 1999 and 2000, but not to the 1998 catch limits and thus were bound by them.) ICCAT took note of the particular difficulty in assessing compliance with minimum size measures for some countries because of the lack of data. After extensive discussion, ICCAT members reached agreement that the data included in the ICCAT reporting tables adopted in 1998 would be used to assess compliance and that SCRS data will be used for compliance purposes only if a country does not submit reporting tables. Regarding quotas, ICCAT will develop a "Compliance Annex" from reporting tables and, once agreed, will serve as the official record of overharvests and subsequent penalties to be deducted by ICCAT members in cases of non-compliance.

Trade Actions: At its 1999 meeting, ICCAT authorized its members to take trade restrictive measures against one of its members. This is the first time such action has been agreed against a Contracting Party. The binding recommendation requires that ICCAT members prohibit the import of bluefin tuna from Equatorial Guinea pursuant to the terms of ICCAT's compliance recommendation regarding bluefin tuna and swordfish quotas. This action was agreed given the fact that Equatorial Guinea does not have a quota for either stock of bluefin tuna, does not report catch data to the Commission, and has not taken any steps the address concerns expressed by ICCAT in repeated communications. At this same meeting, ICCAT recognized Panama's new status as a Contracting Party and its notable and continuing efforts to control its fleet. A recommendation was adopted that lifts the import prohibition placed on bluefin tuna products from Panama that had been imposed under the Bluefin Tuna Action Plan in 1998. Panama's future compliance will be carefully evaluated under existing compliance agreements.

Actions Related to Unreported and Unregulated Fishing: In 1999, for the first time, the Commission identified ICCAT members pursuant to its "Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area," adopted in 1998. (For a description of this resolution, see the PWG section above.) Upon review of relevant information, the Commission identified three Contracting Parties (Equatorial Guinea, Republic of Guinea, and Trinidad and Tobago) as nations whose large-scale longline vessels have been fishing for ICCAT species in a manner that diminishes the effectiveness of relevant ICCAT conservation and management measures. ICCAT requested that these countries take all necessary measures to ensure that their large-scale longline vessels cease fishing operations for tuna and tuna-like species in a manner that diminishes relevant ICCAT conservation measures. The Commission will consider at its 2000 meeting

whether or not to recommend that trade restrictive measures be placed against any of these three ICCAT members. (For actions taken under this resolution relative to non-members, see PWG section.)

Monitoring and Inspection: During its 1996 meeting, ICCAT agreed to begin looking at a comprehensive international monitoring and inspection scheme that could include elements such as inspections at sea, observers, a vessel monitoring system, port inspections, and vessel sightings reports. ICCAT adopted a scheme for at-sea inspection in 1975, but it has not yet entered into force. In addition, ICCAT had in place a port inspection scheme but it had not been an effective monitoring tool. While no recommendations were made to the Commission regarding preferred approaches, it was agreed that the Commission would hold an intersessional meeting on this topic May 5-7, 1997. The meeting was hosted by the United States. The May 1997 intersessional meeting on monitoring and compliance concluded negotiations with agreement on an improved ICCAT port inspection scheme, a vessel monitoring system (VMS) pilot program, restrictions on transshipment at sea, and procedures to deal with stateless vessels and for reporting vessels that may be conducting activities contrary to ICCAT conservation and management measures. These measures were adopted at the 1997 annual meeting of the Commission.

Other Issues:

At the 1994 ICCAT meeting, Parties agreed to expand the Commission's research activities to include collection of bycatch statistics in tuna fisheries, including shark bycatch. The SCRS established a group to do this which concluded that information on shark bycatch was insufficient. The SCRS then recommended that efforts be undertaken to estimate bycatch for incorporation into ICCAT's statistical databases and to obtain more empirical evidence, such as through a scientific observer program. The Commission adopted a resolution in 1995 encouraging cooperation with FAO on the study of shark stock status and bycatch. ICCAT's Shark Working Group met in 1996 and 1997 to improve statistical information on sharks taken as bycatch in the ICCAT Convention area.

In a significant development, the United States was successful in improving the transparency of ICCAT by getting agreement at the 1998 meeting on meaningful changes to the Commission’s guidelines and criteria for granting observer status at ICCAT meetings. Among other things, these changes resulted in lower participation fees. In addition, representatives from several non-governmental organization participated in the 1999 ICCAT meeting representing their organizations at an ICCAT meeting for the first time.

Also at the 1998 meeting, ICCAT agreed, at the urging of several developing coastal states, to establish a working group to examine criteria for quota allocations. A meeting of this working group was held May 31-June 2 in Madrid, Spain. The working group made progress on the issue and three proposals have been developed for consideration. ICCAT agreed to convene a second meeting of the working group on April 6-8, 2000, in Madrid, Spain.

At its 1999 meeting, ICCAT adopted a “Resolution on the Need for New Approaches to Deter Activities that Diminish the Effectiveness of ICCAT Conservation and Management Measures.” This non-binding measure proposed that ICCAT Contracting Parties, Non-Contracting Parties, Entities and Fishing Entities consider new measures and approaches to address fishing activities that diminish the effectiveness of ICCAT measures beyond those that have been adopted by ICCAT to date. It included provisions (1) endorsing the FAO initiative to develop an International Plan of Action (IPOA) on IUU fishing and encouraging all parties to participate in this undertaking; (2) encouraging all ICCAT members who have not yet done so to consider ratifying/acceding or accepting the 1995 UN Fish Stocks Agreement and 1993 FAO Compliance Agreement; and calling upon all parties to participate in efforts to ensure the sustainability of marine living resources in the ICCAT Convention

area, as called for by the FAO IPOA for the Management of Fishing Capacity. At the 1999 meeting, the Commission also adopted a non-binding measure endorsing the FAO IPOA on the Management of Fishing Capacity and attaching a high priority to its implementation.

The Twelfth Special Meeting of the Commission will be held November 13-20, 2000, in Morocco. The plenary meeting of the SCRS is scheduled for October 16-20, 2000.

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CONVENTION FOR THE CONSERVATION OF SALMON IN THE NORTH ATLANTIC OCEAN (BASIC INSTRUMENT FOR THE NORTH ATLANTIC SALMON CONSERVATION ORGANIZATION -- NASCO)

Basic Instrument

Convention for the Conservation of Salmon in the North Atlantic Ocean (TIAS 10789), 1982.

Implementing Legislation

Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3601).

Member Nations

Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Commission or EC, Iceland, Norway, the United States, and the Russian Federation.

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Budget

The Convention provides that 30 percent of the Organization's budget will be borne equally by the Parties; 70 percent will be based on recent catches of salmon in intercepting fisheries. The Council adopted a budget for 2000 of £326,540, setting the U.S. contribution at £14,111 (approximately $23,000). The Council adopted a forecast budget for 2001 of £353,290, with a U.S. contribution of £15,441.

U.S. Representation

A. Appointment Process:

The Atlantic Salmon Convention Act of 1982 provides that the United States shall be represented on the Council and Commissions by three U.S. Commissioners, appointed by the President to serve at his pleasure. Of the Commissioners, one must be an official of the U.S. Government and two must be individuals (not officials of the U.S. Government) who are knowledgeable or experienced in the conservation and management of salmon of U.S. origin.

B. U.S. Commissioners:

Andrew A. Rosenberg, Ph.D.
Deputy Assistant Administrator
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
1315 East-West Highway
Silver Spring, Maryland 20910

Robert A. Jones
Connecticut River Salmon Commission
76 Deming Street
South Windsor, CT 06074

Ray B. Owen, Jr., Ph.D.
26 Noyes Drive
Orono, Maine 04473

C. Advisory Structure:

The U.S. Section of NASCO was formally constituted to provide the U.S. Commissioners with advice, with particular reference to development of U.S. policies, positions, and negotiating tactics. Membership of the U.S. Section includes public and *ex officio* members. Public members are appointed by the Commissioners and serve for a term of 2 years with eligibility for an additional 2-year term. Public members are limited to 15 in number and must be persons knowledgeable or experienced in the conservation and management of salmon of U.S. origin. *Ex officio* members include:

(1) the Chair (or designee) of the New England Fishery Management Council;

(2) a representative of the fishery agency of each of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut;

(3) the Deputy Assistant Secretary of State for Oceans and Space or her representative;

(4) a representative of the National Oceanic and Atmospheric Administration, Department of Commerce; and

(5) a representative of the Fish and Wildlife Service, Department of the Interior.

In addition, the U.S. Commissioners established the U.S. Atlantic Salmon Assessment Committee, which is composed of staff from State and Federal fishery agencies. The work of this body focuses on assessing New England stocks of Atlantic salmon, proposing and evaluating research needs, and serving the U.S. Section to NASCO. Each year this body meets for an Assessment Meeting from which an assessment document is produced for the use of the U.S. Commissioners.

Description

A. Mission/Purpose:

The Convention applies to the salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal states of the Atlantic Ocean north of 36° N latitude throughout their migratory range. The purpose of NASCO is: (1) to promote the acquisition, analysis, and dissemination of scientific information pertaining to salmon stocks in the

North Atlantic Ocean, and (2) to promote the conservation, restoration, enhancement, and rational management of salmon stocks in the North Atlantic Ocean through international cooperation.

B. Organizational Structure:

NASCO consists of: (1) the Council; (2) three regional Commissions (North American Commission or NAC, West Greenland Commission or WGC, and North-East Atlantic Commission or NEAC); and (3) the Secretariat.

The Council (which consists of representatives of all Contracting Parties): (1) provides a forum for the study, analysis, and exchange of information on salmon stocks subject to the Convention; (2) provides for consultation and cooperation concerning salmon stocks beyond Commission areas; (3) coordinates the activities of the Commissions; (4) establishes working arrangements with the International Council for the Exploration of the Sea (ICES) and other fisheries and scientific organizations; (5) makes recommendations concerning scientific research; (6) supervises and coordinates the administrative, financial, and other internal affairs of the Organization; and (7) coordinates the Organization's external relations.

The three Commissions each have the following functions: (1) to provide for consultation and cooperation among their members; (2) to propose regulatory measures for intercepting salmon fisheries; and (3) to make recommendations to the Council concerning scientific research.

Canada and the United States are members of the NAC. Canada, the EU, the United States, and Denmark (in respect of Greenland), are members of the WGC. Denmark (in respect of the Faroe Islands), the EU, Iceland, Norway, and the Russian Federation are members of the NEAC. In the case of the NAC, the EU may submit and vote on proposals for regulatory measures concerning salmon stocks originating in the territories of its member States. Canada and the United States each have similar rights in the case of the NEAC.

C. Programs:

Scientific Advice: Scientific advice is provided to NASCO by ICES. The Advisory Committee on Fishery Management (ACFM), a standing committee within ICES, provides information on catch statistics and associated research results in response to the specific requests from NASCO. At the 1992 annual meeting, the NASCO Council established a Standing Scientific Committee (SSC), composed of a scientist and a management representative from each of NASCO's three geographic commissions, to formulate requests for future scientific advice from ICES. The SSC is designed to ensure that questions to the scientific working groups are formed to reflect accurately the information desired by managers. This arrangement is being continued as it seems to be working well.

Non-Contracting Party Fishing: Fishing for Atlantic salmon by non-Contracting Parties to the NASCO Convention has been an issue for the organization for some time. At the 1992 meeting held in Washington, D.C., the Council approved a protocol to the NASCO Convention for signature by non-Contracting Parties to NASCO. The protocol was designed to provide non-Contracting Parties with a legal instrument for the creation and enforcement of domestic legislation and regulations. It calls upon non-members to prohibit the fishing of Atlantic salmon stocks beyond the areas of fishing jurisdiction of coastal states and to take appropriate actions to enforce the provisions of the protocol. The NASCO Council also approved a resolution calling upon NASCO Parties to encourage non-Contracting Parties fishing for salmon on the high seas to comply with the protocol, and to obtain and compile information on such fishing. The NASCO Secretariat was given the task of devising a mechanism by

which parties to the NASCO Convention may approach states in which vessels observed to be fishing on the high seas for Atlantic salmon are registered and of documenting and disseminating information on high seas fishing activities contrary to the protocol.

To date, no non-Contracting Parties have become bound by the protocol, although certain non-Contracting Parties (i.e., Panama and Poland) have taken actions to address the problem of salmon harvesting vessels registered in their countries. There have been no sightings of non-Contracting Parties fishing for salmon since February 1994;

however, there have been few surveillance flights conducted over the winter and spring periods preceding NASCO annual meetings. Past estimates of catch taken by non-member vessels fishing in international waters has been 25-100 metric tons (mt).

The Council considered and did not pursue a proposal to conduct a pilot project to assess the utility of radar satellite data for the detection of salmon fishing by non-Contracting Parties in international waters; however, NASCO agreed to continue to consider the usefulness of satellite surveillance systems in this regard. Toward that end, NASCO will hold a follow-up meeting to its 1993 meeting in the next few years with coast guard/fishery protection agencies to review the results of a study of Norwegian satellite surveillance systems. NASCO will also continue to liaise with the Northwest Atlantic Fisheries Organization and the North-East Atlantic Fisheries Commission (NEAFC) with a view to obtaining relevant information on sightings.

Unreported Catch: ICES recommended that measures be taken to improve accounting for the significantly high amount of salmon catch currently reported as "guess-estimates." At its 1997 meeting, NASCO approved a proposal for refining the estimates of unreported catch and adopted a proposal that the NASCO Secretariat carry out a review on such catches. A review of catch statistics at the 1998 NASCO meeting indicated that approximately 25 percent of the total North Atlantic salmon harvest was attributable to unreported catch. To improve reporting of salmon catch statistics, the Parties agreed to provide data to ICES on a stock basis and to try to categorize this catch in accordance with specified criteria. At its 1999 meeting, NASCO noted continuing concern about the high level of unreported catches and agreed to refine the process developed in 1998 to assist in addressing this problem.

Research Fishing: At its 1995 Annual Meeting, NASCO first considered conditions under which research fishing by Contracting Parties might be undertaken. It was agreed that harvesting salmon for scientific research purposes could provide valuable management information; however, there was concern that such research fishing could be contrary to Article 2 of the NASCO Convention. Following the 1995 Annual Meeting, the Parties considered a resolution to establish such a procedure, but for various reasons, NASCO was not able to adopt the resolution as presented. At the 1996 Annual Meeting, the Parties considered revised resolutions on the topic and adopted a resolution setting forth a procedure to allow research fishing. The measure does not distinguish where such fishing occurs (i.e., within areas of national jurisdiction or on the high seas) and allows research fishing provided certain safeguards are observed. Prior to adoption of the resolution, NASCO had unanimously approved scientific research fishing by Canada, EU (Scotland), and Norway. Since the adoption of the resolution, NASCO has approved research fishing proposals from several of its members. The most recent proposals approved by NASCO included a request from the EU (Scotland) to conduct research during April and May 1998 and a proposal from Norway to conduct research during the period April to October in each year from 1998-2002.

Precautionary Approach: In 1997, the Council agreed to establish a working group to consider how the precautionary approach might be applied to NASCO's work. Its first meeting was held in January 1998 and representatives of ICES and FAO were invited to attend. At its 1998 annual meeting, NASCO adopted an

agreement on adoption of the precautionary approach, which was largely developed at the 1998 intersessional. The key provisions of the agreement were: (a) NASCO and its Contracting Parties agree to adopt and apply a precautionary approach; (b) NASCO and its Contracting Parties should apply the precautionary approach to the entire range of NASCO salmon conservation and management activities; and (c) the application of the precautionary approach should focus on (1) management of North Atlantic salmon fisheries, (2) the formulation of management advice and associated scientific research, and (3) introductions and transfers including aquaculture impacts and possible use of transgenic salmon. To further this work, NASCO adopted the Action Plan for the Application of the Precautionary Approach to Salmon Management at its 1999 meeting. The action plan provides a framework to further implement the precautionary approach in NASCO and establishes a standing committee to oversee this work. The action plan addresses such issues as: management of fisheries; socioeconomic issues; unreported catches; scientific advice and research requirements; stock rebuilding programs; introductions, transfers, aquaculture and transgenics; habitat issues; and bycatch. A meeting of the standing committee on the precautionary approach was scheduled for March 21-23, 2000, in Miami, Florida. The agreement by NASCO to apply the precautionary approach to its work represents a significant milestone in cooperation by the Parties. The NASCO Parties recognized that ultimate development of the precautionary approach will take many years and will seriously challenge the resources of the organization and its members.

Transgenic Salmon: The Council considered a resolution on transgenic salmon at its 1996 meeting that would begin to address concerns about the possibility that transgenic salmon (i.e. salmon that have had genes from another organism introduced into them) will interact with and negatively affect wild salmon stocks. Due to disagreements over procedure, this resolution was not adopted at or after the 1996 meeting. At its 1997 meeting, NASCO again considered this issue. "Guidelines for Action on Transgenic Salmon" were adopted in lieu of a resolution. Under these guidelines, the Parties agreed to advise NASCO of any proposal to permit the rearing of transgenic salmonids, providing details of the proposed method of containment and other measures to safeguard the wild stocks. NASCO will be considering this issue further in its precautionary approach sub-body.

Oslo Resolution: In 1994, NASCO adopted a resolution directed at minimizing impacts from salmon aquaculture on wild salmon stocks. At its 1997 meeting, the Council agreed to hold an intersessional meeting in early 1998 of its Working Group on Implementation of the Oslo Resolution to consider further the implementation of the Resolution in light of information arising from the 1997 ICES/NASCO symposium on the interaction between cultured and wild salmon. (Information presented at the symposium suggested that the abundance of cultured salmon in the wild is large and has resulted in a mixing of fish from different populations to an extent never before seen. Such interactions could have serious adverse impacts on the wild stocks.) At the 15th annual (1998) meeting of NASCO, all of the Working Group's recommendations were adopted and the Secretary was charged with preparing a document containing both the Oslo Resolution and the newly adopted recommendations. Further, in response to one of the Working Group recommendations, the NASCO Parties submitted for review at the 1998 meeting detailed information on their efforts under the Oslo Resolution. Based on this review, NASCO decided to hold a special session, in conjunction with the 1999 NASCO annual meeting, and each year thereafter, to review and evaluate implementation of the Oslo Resolution by two individual NASCO members. In 1999, Canada and Norway made such reports. Two EC Member States will make similar reports at the 2000 NASCO meeting. These special sessions are open to non-governmental organization participation.

In addition, NASCO has recognized the need to involve the salmon farming industry in efforts to protect the wild stocks through improved salmon farming management. Toward that end, NASCO established a Wild and Farmed Salmon Liaison Group with the International Salmon Farmer's Association (ISFA) to effect closer cooperation with the salmon farming industry. As of January 1999, the Liaison Group had met twice but progress has been slow. In addition, Liaison Group participation was limited in that not all Parties' aquaculture industries are included in the ISFA. Recognizing the need to develop closer, more open and broader cooperation, it was agreed

at the 1999 NASCO meeting that the third liaison meeting should include all the aquaculture industries in the North Atlantic. This meeting was convened on February 10-11, 2000, in London, England, to discuss the development of guidelines on physical containment and husbandry practices.

Bycatch: During its 1997 meeting, the Council requested ICES to investigate possible increases in salmon bycatch due to expansion of pelagic fisheries for herring and mackerel in the northeast Atlantic in 1997, noting that even a very small percentage of catch of salmon post-smolts could mean significant losses. At its 1998 meeting, NASCO agreed that it needed further information on the possible bycatch of salmon in pelagic fisheries and asked the Secretariat to request such information from the Contracting Parties and from the NEAFC. At the 1999 NASCO meeting, the Parties expressed continuing concern about the bycatch issue, noted that investigations into the issue were being initiated, and again agreed to provide any available information for consideration.

Other Issues: During the 1997 Annual Meeting, NASCO adopted catch and release guidelines, which have now been published. NASCO is considering developing draft guidelines on stocking for future consideration. NASCO has expressed interest in meeting with the North Pacific Anadromous Fish Commission and the International Baltic Sea Fisheries Commission to discuss habitat and salmon management issues of mutual concern but such a meeting has not yet occurred. Similarly, NASCO parties agreed in 1999 that a joint meeting with the International Commission for the Conservation of Atlantic Tunas, the Northwest Atlantic Fisheries Organization and the North East Atlantic Fisheries Commission would be useful. Issues of mutual concern that could be discussed at such a meeting include implementation of the precautionary approach, control and enforcement schemes, and data collection. These possible joint meetings will be further discussed at the 2000 annual meeting of NASCO.

Actions Taken by NASCO's Three Regional Commissions:

NAC Discussions/Actions: Over the last few years, Canada has reported significant new management measures for Atlantic salmon within the Canadian Exclusive Economic Zone (EEZ), including closing certain fisheries for several years and buying back and retiring commercial salmon fishing licenses. Until 1998, the commercial salmon fishery off Labrador was open, although Canada had taken steps to reduce this mixed stock, interceptory fishery through license buy-outs, delayed fishing seasons, and reduced quotas. Due to the tenuous condition of the stock, Canada placed a moratorium on its commercial Labrador interceptory fishery for the first time in 1998 and continued its moratorium on its Newfoundland commercial fishery (first implemented in 1992). A subsistence salmon fishery will continue in Labrador. Canada also announced implementation in 1998 of a voluntary buy-back program of commercial salmon licenses in the lower north shore of Quebec region. Additional restrictions were implemented for recreational fisheries throughout Atlantic Canada in 1998. In light of the 1999 scientific advice that salmon abundance was the lowest recorded in the 1993-98 time-series and that there should be no commercial harvest in the NAC area, except in rivers where the spawning escapement had been reached or exceeded, Canada announced a three year moratorium (beginning in 1999) for the Labrador and Newfoundland commercial interceptory fisheries.

The United States has no commercial Atlantic salmon fishery. Further, it is illegal to retain any sea-run Atlantic salmon in the United States, but there is a target harvest fishery in the Merrimack River for reconditioned brood stock. Formerly, the United States allowed a bag limit of 1 fish per year for the recreational fishery in Maine. (The season creel limit in 1994 was one grilse or 1 sea-winter salmon only and no retention of multi-sea winter salmon.) The bag limit was reduced to zero in 1994 to support further conservation efforts. Catch and release angling has been permitted in Maine. In 1994, catch and release figures totaled 249 fish. The 1995 and 1996 catch and release numbers increased due to favorable fishery conditions. In 1995, 292 fish were caught and released, and in 1996, 542 sea-run Atlantic salmon were caught and released (a 46% increase over 1995). The catch and release figure for 1997 was 333 and for 1998 was 270. The preliminary figure for 1999 is 216. Salmon runs in Maine rivers

remain in a severely depressed state, and Maine closed it catch and release fishery as of December 1999.

The NAC discussed the harvest of salmon by St. Pierre et Miquelon (islands off the coast of Newfoundland that are French territories). St. Pierre et Miquelon had a reported catch of 837 kg in 1995, 1,568 kg in 1996, and 1,491 kg in 1997. The 1998 harvest was 2,307 kg, which represents a 55 percent increase of 1997 levels. French authorities have indicated that salmon harvests by St. Pierre et Miquelon are for subsistence purposes (meaning no salmon from the wild stock is exported). This fishery is a mixed stock fishery and because of the poor status of North American salmon runs, ICES had recommended closure of these fisheries in the NAC area. Because France is not a member of NASCO, the NAC has not been able to control the salmon harvest levels of these islands; however, Canada reported at the 1995 NAC meeting that it had completed a 10-year agreement with France in which specific reference was made to the responsibility of both France and Canada to comply with salmon conservation measures adopted by NASCO. Canada reported at the 1998 NAC meeting that French authorities have agreed to improve their reporting procedures so as to avoid future data discrepancies such as those previously noted by the NAC. (In the past, one set of statistics has been reported to NASCO by ICES and a different set has been reported by French fisheries authorities.) In view of the strong conservation measures adopted in the United States and Canada and the 55 percent increase in the St. Pierre et Miquelon catch from 1997 to 1998, NASCO agreed to send a letter to French authorities expressing its concern about this mixed stock salmon fishery.

The NAC also heard a report from its Scientific Working Group on Salmonid Introductions and Transfers. This Working Group developed protocols for the introduction and transfer of salmonids for stocking and aquaculture purposes, which were adopted in 1992 and were widely distributed among relevant North American agencies. Canada initiated implementation of the protocols in June 1993. Within the United States, the protocols have not been promulgated as a separate set of regulations but have been nearly fully adopted and integrated into existing state and federal policies and regulations. In 1997, the Commission approved the format of a consolidation of the protocols as outlined in the 1997 Working Group report. The Commission also approved the production of a pocket sized version of the protocols as well as a schedule for revising the protocols. This work continued at the 1998 NASCO meeting. Adoption of further modifications to the protocols and the quick-reference protocol handbook is expected at future NASCO meetings.

WGC Discussions/Actions: Within the WGC, devising a management regime that could reduce interceptions of North-American origin salmon in the commercial fishery off West Greenland was the focus of U.S. efforts at the 1993 Annual Meeting. Agreement was reached in principle on a reduced 1993 quota (213 mt) and on a 5-year science-based management regime, which was later ratified by postal vote. At the time, it was agreed that quotas over the next 4 years would be derived from ICES scientific advice, on the basis of a mathematical model. The 1994 quota was set at 159 mt. It was expected that spawning escapement (of multi-sea winter fish that return from Greenland to spawn in homewater rivers in North America) would increase significantly due to this management effort.

At the 1995 annual meeting, there was disagreement concerning the use of the advice provided by ICES on the 1995 quota level for the West Greenland fishery. ICES recommended that the fishery in the WGC area be closed in 1995 instead of proceeding at the quota level derived from the abundance model. Further analysis of the model seemed to indicate that it was overestimating pre-fishery abundance levels and, therefore, any catch might have a negative impact on the number of salmon returning to North American waters. The United States and Canada encouraged the Commission to accept ICES advice; however, Denmark (in respect of Greenland) argued for a quota for West Greenland of 77 mt as provided by the original agreement. Ultimately, a 77 mt quota was adopted.

Scientific catch advice for 1996 called for a reduction of fishing mortality to the lowest possible level in the WGC area and that there should be no landings of salmon for the WGC in 1996. This advice was based on the results of

applying a refined abundance model, which was developed to take into consideration the problems observed with the model in 1995. Over the course of the 1996 meeting, no agreement could be reached on the appropriate scientific model to use to arrive at a quota for West Greenland. Denmark (in respect of Greenland) argued for a 271 mt quota, while the United States, Canada, and the EU pushed for a quota in accordance with the ICES scientific advice. The meeting ended without establishment of an agreed NASCO quota. After the 1996 meeting, Denmark (in respect of Greenland) unilaterally set a quota of 174 mt and harvested 92 mt.

To avoid another impasse, discussions regarding future quota setting procedures for West Greenland took place prior to the 1997 annual meeting. This led to the adoption of an addendum to the 1993 agreement that specified that the quota allocated to West Greenland would be the higher of the Calculated Quota (as calculated according to the 1993 agreement using a pre-fishery abundance forecast at a 50 percent probability level) and the Reserve Quota, which is based on an allocation to Greenland, for 1997, of 6 percent of the forecast pre-fishery abundance level using the biological parameters provided by ICES in 1996. In accordance with the amended agreement, the WGC set a reserve quota of 57 mt which was inclusive of all forms of catch (including an estimated 20 mt of local sales and subsistence fishing). Greenland reported that its 1997 harvest was 63 mt. The slight over-harvest was due to landing reports that were submitted after the fishery was closed. The 1993 agreement, as amended, expired at the end of the 1997 salmon fishing season.

Prior to the 1998 annual meeting of NASCO, Greenland indicated its readiness to accept a 1998 quota based on application of the 1997 reserve quota formula. Use of the reserve quota system would have resulted in a 33 mt quota; however, concern was expressed by the United States and Canada that the pre-fishery abundance estimates were uncertain and likely too high. Revisions to the 1997 pre-fishery abundance indicated that, under the reserve quota formula, West Greenland would have been limited to subsistence fishing only in 1997. Because of the poor stock condition and the uncertainty surrounding the pre-fishery abundance, an agreement was reached that limited the salmon fishing activity in West Greenland to internal consumption only during 1998. In the past, this internal consumption fishery has been estimated at approximately 20 mt. The reported catch figure for 1998 was 11 mt. In addition, the Greenland Home Rule Government estimated that there was an unreported catch of about 11 tons. A key element of the 1998 agreement was recognition of improvements in salmon catch monitoring and reporting in Greenland. Significantly, Canada's action regarding Labrador (discussed in the NAC section above) together with the regulatory measure adopted for West Greenland meant that for the 1998 fishing year, commercial fisheries for Atlantic salmon in the northwest Atlantic were virtually eliminated.

During the 1999 NASCO meeting, the WGC noted scientific information indicating salmon abundance continued to decline. In fact, the WGC area prefishery abundance (PFA) estimate for 1999 was about 79,000 salmon, the lowest PFA estimate since ICES has been providing scientific advice. ICES recommended that there be no exploitation of the 1998 smolt class as non-maturing 1SW fish in North America or at Greenland in 1999, and also recommended that the class should not be exploited as mature 2SW fish in North America in 2000. Ultimately, the WGC agreed to a regulatory measure for both the 1999 and 2000 fishing seasons similar that in place during the 1998 season. Specifically, Greenland's harvest of salmon would be restricted to internal consumption purposes with no commercial exports from Greenland. As noted above, the internal consumption fishery (exclusive of unreported catch) is not expected to exceed 20 mt per year. Preliminary information indicates that the 1999 salmon harvest by Greenland in the WGC area was 19.5 mt. Any estimate of unreported catch for the 1999 fishing season would likely become available at the 2000 NASCO meeting. As in past years, Denmark (in respect of Greenland) noted that the regulatory agreement reached in 1999 in no way abrogated its right to fish for salmon in West Greenland. The WGC members agreed to cooperate to improve the collecting of scientific data in West Greenland waters.

NEAC Discussions/Actions: The NEAC provides for the management of the intercept salmon fishery off the Faroe

Islands. Although quotas have been established through NASCO for the Faroese fishery for many years, there has been no commercial fishery in the Faroe Islands since 1991. Until 1998, a private sector quota purchase arrangement bought the quota harvesting rights. In 1998, no purchase agreement was reached for the NASCO established 380 mt quota, but only a 6 mt research fishery was prosecuted. During negotiations in 1997 regarding the 1998 quota, Denmark (in respect of the Faroe Islands) stressed that it would not accept further reductions in the Faroese quota without appropriate "burden sharing" by other NEAC members. (The 1997 quota established for the Faroese fishery was 425 mt.) Ultimately, a regulatory measure was adopted for 1998 that established the 380 mt quota mentioned above and established other restrictions on season and gear. Denmark (in respect of the Faroe Islands) indicated that, if fishing licenses were granted for 1998, not more than 330 mt of the quota would be allocated. Noting the very serious condition of this stock, ICES advised in its 1998 report that great caution should be exercised regarding the exploitation of this stock. At the 1998 NASCO meeting, the NEAC agreed to a 1999 quota of 330 mt for the Faroese fishery, of which Denmark (on behalf of the Faroe Islands) agreed to harvest only 290 mt. In a significant development, the NEAC recognized the importance of establishing conservation limits on a river stock basis within the NEAC area.

At the 1999 NASCO meeting, the NEAC again noted the ICES advice that great caution should be exercised regarding the exploitation of the northeast Atlantic salmon stock. After difficult negotiations, the NEAC agreed to a quota of 300 mt for the 2000 Faroese fishery, of which Denmark (with respect of the Faroe Islands) noted it would allocate no more than 260 mt. Additional restrictions to reduce fishing effort and season length and to protect undersized salmon were also agreed.

In a disturbing development first discussed in 1994, sampling of Swedish west coast rivers for the period 1988-93 showed significant and alarming decreases in abundance of salmon fry. A cause of this decrease was originally thought to be changes in environmental conditions in the Atlantic feeding areas as well as rivers. However, information eventually pointed to an outbreak of the parasite *Gyrodactylus salaris*, which was spread from stocking rivers with infected farmed fish. The NEAC agreed to establish a Working Group to examine the question of introductions and transfers of salmonids due to concerns about the potential negative effects on wild salmon stocks (such as disease transmission) associated with cultured salmon. The Working Group has been developing guidelines that are similar to the NAC Protocols. At the 1995 Annual Meeting, the Working Group submitted a report to NASCO for consideration. It was adopted, but it was determined that more work was needed on the classification of rivers and on the concept of zones designed to reduce the spread of diseases and parasites. Work proceeded in this area during 1996 and, at the 1997 meeting, the NEAC adopted a resolution to protect wild salmon from introductions and transfers, which includes recommendations on river classifications and the development of management measures; zones to protect the spread of unknown diseases and parasites; and transgenic salmon. The NEAC agreed that a regular reporting system for measures taken in accordance with the resolution should be developed and a format for this system was adopted at the 1999 NASCO meeting.

Recognizing the potential trade implications of regulating salmonid introductions and transfers, NASCO asked its Secretary to liaise with the World Trade Organization (WTO) to arrange a consultative meeting later in the year. The results of the consultations indicated that there is scope under the WTO agreements to restrict or prevent trade to protect fish life and health and to prevent or limit other damage, taking into account internationally agreed standards. NASCO is the relevant organization to deal with salmon conservation issues and the consultation had indicated that if measures are agreed to protect the wild stocks there is nothing in the WTO agreement to prevent resolution of disputes within NASCO rather than through WTO procedures.

The Council agreed to hold its Seventeenth Annual Meeting in Miramichi, New Brunswick, Canada, June 5-9, 2000. The Eighteenth Annual Meeting of NASCO is tentatively scheduled to be held in Edinburgh, Scotland, June 4-8, 2001.

Staff Contacts

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CONVENTION ON FUTURE MULTILATERAL COOPERATION IN THE NORTHWEST ATLANTIC FISHERIES (BASIC INSTRUMENT FOR THE NORTHWEST ATLANTIC FISHERIES ORGANIZATION -- NAFO)

Basic Instrument

Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (entered into force January 1, 1979).

Implementing Legislation

Northwest Atlantic Fisheries Convention Act of 1995 (Title II of P.L.104-43).

Member Nations

Current members of NAFO include: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, the European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Latvia, Lithuania, Norway, Poland, Republic of Korea, Romania, the Russian Federation, Ukraine, and the United States. The United States acceded to the Convention on November 29, 1995, and participated for the first time as a Contracting Party at the 1996 Annual Meeting (the United States attended earlier annual meetings as an observer).

Commission Headquarters

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Budget

NAFO adopted a budget for 2000 of Can$1,157,000, of which the U.S. contribution is expected to be approximately Can$205,740.

U.S. Representation

A. The Appointment Process:

The Northwest Atlantic Fisheries Convention Act of 1995 provides that not more than three U.S. Commissioners and not more than three U.S. Representatives to the NAFO Scientific Council (see below) shall represent the United States in NAFO. Commissioners and Representatives are appointed by the Secretary of Commerce and serve at his pleasure. Each Commissioner and Representative is appointed for a term not to exceed 4 years, but is eligible for reappointment.

Of the three Commissioners, one (but no more than one) must be an official of the U.S. Government, at least one a representative of the commercial fishing industry, and one a voting (non-government employee) member of the New England Fishery Management Council. Commissioners must be knowledgeable and experienced concerning the fishery resources to which the NAFO Convention applies. Of the three U.S. Representatives to the NAFO Scientific Council, at least one must be an official of the U.S. Government. All Representatives must be knowledgeable and experienced concerning the scientific issues dealt with by the Scientific Council.

B. U.S. Representatives (term expirations in parentheses):

U.S. Commissioners:

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C. Advisory Structure:

The Northwest Atlantic Fisheries Convention Act of 1995 further requires that the Secretaries of Commerce and State establish jointly a Consultative Committee to advise the Secretaries on issues related to the Convention. Each member of the Consultative Committee shall serve for a term of 2 years and shall be eligible for reappointment. The membership of the Committee shall consist of representatives from the New England and Mid-Atlantic Fishery Management Councils, the States represented on those Councils, the Atlantic States Marine Fisheries Commission, the fishing industry, the seafood processing industry, and others knowledgeable and experienced in the conservation and management of fisheries in the Northwest Atlantic. There are currently twelve members of the NAFO Consultative Committee.

Description

A. Mission/Purpose:

NAFO is the successor organization to the International Commission for the Northwest Atlantic Fisheries (ICNAF). Its mission is: (1) to provide for continued multilateral consultation and cooperation with respect to the study, appraisal, and exchange of scientific information and views relating to fisheries of the Convention Area and (2) to conserve and manage fishery resources of the Regulatory Area, i.e., that part of the Convention Area which lies beyond the areas in which coastal states exercise fisheries jurisdiction. The Convention Area is located within the waters of the Northwest Atlantic ocean roughly north of 35° north latitude and west of 42° west latitude. (Note: The Convention applies to all fishery resources of the Convention Area with the exception of: salmon; tunas, swordfish, and marlins; cetacean stocks managed by the International Whaling Commission or any successor organization; and sedentary species of the Continental Shelf.)

B. Organizational Structure:

NAFO consists of a General Council, Fisheries Commission, Scientific Council, a Secretariat, and seven standing committees. The General Council provides executive guidance for the Secretariat and provides a forum for member nations' approval of programs and regulations. The Scientific Council provides a forum for the exchange of scientific information and views relating to the fisheries of the Convention Area; compiles, maintains, and publishes statistics pertaining to the fisheries, including environmental and ecological factors in the Convention Area; provides scientific advice to coastal states when requested to do so; and provides scientific advice to the NAFO Fisheries Commission. The Fisheries Commission is responsible for the management and conservation of the fishery resources of the Regulatory Area. The Standing Committees consider and make recommendations in

the areas of (1) finance and administration; (2) the fishing activities of non-Contracting Parties in the regulatory area; (3) inspection and control; (4) fishery science; (5) research coordination; (6) publications; and (7) fisheries environment.

C. Programs:

Background: NAFO has established and maintained conservation and management measures in its Regulatory Area since 1979. These measures currently include: total allowable catches (TACs) and member nation quota allocations by species; data recording and reporting requirements; vessel monitoring system (VMS) and observer requirements; minimum size limitations; mesh size and chafing gear requirements; and notification, registration and hailing requirements for fishing vessels operating in the NAFO Regulatory Area (NRA). In addition, NAFO has a scheme of joint international inspection and surveillance in the NRA.

The principal species managed by NAFO are cod, flounders, redfish, American plaice, Greenland halibut (turbot), capelin and shrimp. Occasionally, a significant squid fishery occurs in the Regulatory Area as well. During the late 1980s and early 1990s, unregulated fishing in the NRA by non-member States (sometimes by reflagged vessels of member States); under-reporting of catches; overharvesting by Canada of stocks that straddle the line between Canada's exclusive economic zone and the NRA; and fishing by a NAFO member under objection (the EU) all contributed to the eventual collapse of eight of the thirteen stocks managed by NAFO. (The NAFO Convention provides that a management measure is not binding on any contracting party that formally objects to it.) As a result, NAFO was forced to impose moratoria on fishing on these stocks in the NRA. At the 1999 annual meeting, this trend continued when the NAFO Scientific Council advised the Fisheries Commission that many NAFO-regulated species were at all-time low levels or the lowest ever recorded, and recommended that NAFO-imposed moratoria should continue for these eight stocks in 2000.

U.S. Allocations**:** For 2000, the United States received the following country-specific allocations in the NRA: Division 3M redfish (69 mt); Division 3L shrimp (67 mt); Subareas 3+4 illex squid (453 mt); and an effort allocation of 100 fishing days for 1 vessel for Division 3M shrimp. U.S. fishermen are also entitled to harvest, on a first-come-first-served basis, any allocation for which an “Others” category has designated, provided there is not a country-specific allocation to the United States for that fishery.

Other Issues**:** Although the NAFO conservation and management measures (particularly with regard to monitoring and enforcement) are considered somewhat weak, steps have been taken in recent years to strengthen these and other aspects of the organization.

Monitoring and Enforcement: In 1995, NAFO agreed, inter alia, to implement a pilot project for 100 percent observer coverage of all vessels fishing in the NRA; on the installation of satellite vessel monitoring systems (VMS) on 35 percent of such vessels; on new procedures for processing information from at-sea inspections; to modifying the hail system to require vessels entering or leaving the NRA to have provided 6-hour advance notification and
vessels transshipping at sea to have provided 24-hour advance notification; and to require NAFO Contracting Parties to inspect the fishing vessels of other Contracting Parties during port calls to verify species and quantities caught.

Further discussions on compliance and enforcement took place at the 1996 and 1997 annual meetings and a number of intersessional meetings of the Standing Committee on International Control (STACTIC) were held to examine the challenges of joint international inspection and surveillance. At the 1998 annual meeting, NAFO made permanent the pilot project requiring the use of observers on 100 percent of Contracting Party vessels

operating in the NRA beginning in 1999. NAFO also agreed to make permanent a requirement for 100 percent use of VMS on Contracting Party vessels operating in the NRA not later than January 1, 2001. This represents an extension of the pilot project measure, which only required 35 percent VMS coverage. At the 1999 annual meeting, NAFO agreed that an intersessional meeting should be held in June 2000 to discuss further details relating to implementation of both the observer and VMS requirements.

Non-Contracting Party Fishing: Another area in which NAFO has strengthened its conservation and management measures is by adopting, at the 1997 annual meeting, the "Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO." The Scheme presumes that a Non-Contracting Party vessel that has been sighted fishing in the NRA is undermining NAFO conservation and enforcement measures. If such vessels enter the ports of Contracting Parties, they must be inspected. No landings or transshipments are permitted in Contracting Party ports unless such vessels establish that certain species on board were not caught in the NRA, and for certain other species that the vessel applied the NAFO conservation and enforcement measures. Contracting Parties must report the results of inspections to NAFO and all other Contracting Parties. Coordinated joint demarches have also been made by NAFO Contracting Parties to the governments of non-Contracting Parties whose vessels had been observed fishing in the NRA requesting that the activity be stopped. At the 1998 annual meeting, NAFO amended its Conservation and Management Measures to implement the scheme adopted in 1997.

NAFO continues to have difficulties with non-Contracting Party fishing activities (although the number of vessels is greatly reduced from historical levels). In January 1999, as a result of NAFO and U.S. diplomatic demarches, the Government of Sierra Leone deregistered two vessels of particular concern. However, information obtained later in 1999 indicated that these vessels continued to fish in the NRA claiming flags of various nations. As a result of these developments, NAFO examined at its 1999 Annual Meeting how to deal with the issue of fishing activities in the NRA by vessels that appear to be without nationality. At this meeting NAFO agreed: that the Scheme should also apply to suspected vessels without nationality; that NAFO Contracting Parties may board, inspect, and apply actions in accordance with international law against such vessels; and that NAFO Parties are encouraged to "examine the appropriateness of domestic measures to exercise jurisdiction over such vessels." In addition, NAFO agreed to demarche a number of nations to attempt to confirm the registries of a number of non-Contracting Party vessels sighted fishing in the NRA. NAFO also took measures at the 1999 meeting to strengthen information sharing among relevant regional fisheries management organizations regarding the fishing activities of non-Contracting Party vessels.

Allocation of Fishing Rights: At the 1997 NAFO Annual Meeting, the United States offered a proposal to reform NAFO's practice of allocating fishing rights among Contracting Parties and asked for a special meeting of the Fisheries Commission to discuss it. The Fisheries Commission agreed instead to form an Allocation Working Group (WG), which first met in March 1998 to begin what will probably be a lengthy process leading to the reform of NAFO's fishing rights allocation practice. Discussion at this meeting primarily focused on whether or not the current NAFO quota allocation scheme needed revision and, if so, what range of changes should be considered. The WG agreed on guidelines for future discussions, including: exploring the meaning of the term "real interest" in relation to future new members; considering adoption of a broad strategy to guide expectations of future new

members with regard to fishing opportunities in the NRA; development of a broad strategy to allocate future fishing opportunities for stocks not currently allocated; and exploring in connection with stocks under TACs possible margins to accommodate requests for fishing opportunities.

Very little discussion relating to the NAFO allocation process took place at the 1998 NAFO annual meeting, however, it was agreed that a second meeting of the WG should be held in April 1999. Discussion at this meeting

of the WG focused on the topics as agreed at the previous WG meeting and a number Contracting Parties submitted useful working papers regarding these topics. These discussions resulted in some forward movement by the WG and a "Draft Resolution to Guide the Expectations of Future New Members with Regard to Fishing Opportunities in the NAFO Regulatory Area" was adopted noting that: any state may accede to the NAFO Convention; all Contracting Parties are members of the General Council; membership in the Fisheries Commission is limited to Contracting Parties who either presently fish or have an immediate intent to begin fishing in the NRA; and new Contracting Parties admitted into the Fisheries Commission can expect fishing opportunities to be limited to new
fisheries or the quota allocation available to all Contracting Parties without a national quota (the "others" category) for stocks presently under TACs for the foreseeable future. This resolution was adopted at the 1999 NAFO Annual Meeting and it was agreed that the Allocation WG should meet again in March 2000.

Other issues of particular importance to the United States involve implementation of the provisions of the UN Straddling Stocks Agreement dealing with the use of the precautionary approach, transparency in decision making processes and settlement of disputes.

Precautionary Approach: At the 1996 NAFO Annual Meeting, the United States introduced a draft paragraph for inclusion in the request for advice from the Fisheries Commission (FC) to the Scientific Council (SC). This paragraph noted the importance of early action to implement provisions of the precautionary approach and requested that the SC provide a report examining specific elements of these provisions and how they might be implemented in NAFO. In the years that followed this request, support among members of the Fisheries Commission for the implementation of the precautionary approach has been guarded but generally positive.

During this time the SC has, at the request of the FC (and with some FC participation): developed a conceptual framework and Action Plan for implementing the Precautionary Approach in NAFO; collaborated with other relevant fisheries organizations that had similar initiatives underway (i.e., ICES, FAO and others); held a workshop of the precautionary approach in March 1998; examined theoretical, general and specific considerations regarding NAFO stocks; examined the role of scientists and fisheries managers in relation to the Precautionary Approach; and initiated and conducted simulations of a precautionary approach to management for three categories of NAFO fish stocks. At the most recent meeting of the Joint SC/FC Working Group in May 1999, it was recommended that both the SC and FC consider elements in designing and formulating further action in respect to implementation of the Precautionary Approach for the three stocks used in the simulation and that similar actions be taken for other NAFO stocks as the implementation of the Precautionary Approach progresses.

At its 2000 Annual Meeting, the FC adopted a U.S.-proposed resolution to guide the implementation of the precautionary approach within NAFO that addresses many of the U.S. concerns. It was also agreed that the joint FC/SC Working Group should meet in 2000 to continue work on this issue. A Canadian-proposed agenda was also adopted for this meeting.

Transparency: The United States first raised this issue at the 1996 NAFO Annual Meeting and a working group was created, with the United States serving as Chair, to examine applicable rules of other organizations and arrangements. Subsequent intersessional meetings of the working group in 1997 and 1998 were contentious, with the Nordic countries (i.e., Iceland, Denmark, and Norway) particularly resistant, and only limited headway was made on the issue. As a result of the difficulty of the discussions, in 1988 the Chair tabled a highly bracketed paper,

"Procedures for Observers," designed to address the concerns of all parties. Although some progress was made at

the 1999 working group intersessional, several disagreements remained on terms for admitting observers to NAFO meetings.

At the 1999 NAFO Annual Meeting, Canada presented a compromise text that set criteria for observer eligibility and stipulated that groups can participate in sessions of the General Council and FC unless a majority of Contracting Parties vote to exclude them. It also allowed NGOs to participate in meetings of subsidiary bodies unless one or more Contracting Parties objected. The new rules would be in place for two years, after which NAFO could evaluate the success of the program. In the end, the General Council adopted a modified version of this proposal as presented by Denmark. Observers will only be able to sit in on sessions of the General Council and Fisheries Commission, not subsidiary bodies. The NAFO Secretariat will receive applications from interested observers and determine if they meet the eligibility criteria, which include a written statement that the organization supports the goals of NAFO. The Secretariat will then notify all Contracting Parties which groups have been deemed eligible; they will be allowed to participate unless a Contracting Party objects for cause in writing. Any objection will lead to a mail vote among all members on the issue. The guidelines stipulate that the vote be conducted according to the usual NAFO decision-making rules; we interpret this to mean that once a party makes a motion to exclude the group, it can participate unless a majority of Contracting Parties agree to exclude. As in the Canadian proposal, NAFO can reevaluate these rules any time after 2001.

Dispute Settlement: NAFO continues to explore the desirability and feasibility of establishing a formal dispute settlement procedure for the organization. A working group, chaired by Norway, has held three meetings to consider a proposal put forth by Canada which is designed, in effect, to limit the use of the objection procedure and to enforce those limitations through compulsory, binding dispute settlement. In response, the EU has presented various counter proposals that have broader implications for NAFO. There is a common element to all the EU proposals: each would create a dispute settlement procedure for all NAFO disputes, not just those arising from the use of the objection procedure.

At the most recent meeting of the working group in February 1999, Canada stated that it was now unsure that a dispute resolution mechanism, modeled along the way that the EU contemplates it, would be desirable. Conversely, the EU--which had originally resisted the proposal--has worked along with Norway to create a proposal whereby a broad number of disputes would initially be sent to an ad hoc dispute settlement panel (i.e. a non-binding procedure) and ultimately to binding dispute resolution as contemplated by the Fish Stocks Agreement.

At the 1999 NAFO Annual Meeting, Contracting Parties disagreed widely on the utility of continuing the Working Group. Canada argued that the UN Fish Stocks Agreement (UNFSA) is rapidly acquiring enough ratifications to enter into force. They noted that, as UNFSA includes procedures for settling disputes within regional fisheries organizations, NAFO should simply adopt those procedures. Canada did not think the DSP Working Group should continue to try to devise a separate NAFO procedure. Other Contracting Parties, most notably the EU, felt strongly that the DSP Working Group should continue. They argued that the UNFSA procedures were too slow to resolve a dispute within a single fishing season and would not apply to NAFO-regulated discrete stocks. Prompted by the United States, the General Council decided the DSP Working Group would continue, but under new terms of reference that focus on devising means to implement the UNFSA provisions in a NAFO context.

The 2000 NAFO Annual Meeting will occur September 11-15 in Boston, Massachusetts.

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PACIFIC OCEAN

CONVENTION FOR THE ESTABLISHMENT OF AN INTER-AMERICAN TROPICAL TUNA COMMISSION (IATTC)

Basic Instrument

Convention between the United States of America and the Republic of Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, 1949 (TIAS 2044)

Implementing Legislation

Tuna Conventions Act of 1950 (64 Stat. 777), as amended (16 U.S.C., 951-961)

Member Nations

Costa Rica, Ecuador, El Salvador, France, Japan, Mexico, Nicaragua, Panama, the United States, Vanuatu, and Venezuela.

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Budget

As defined by the Tuna Conventions Act, the expenses of the Commission are to be shared by the Contracting Parties in relation to the proportion of the total catch from the fisheries covered by the Convention utilized by each Party. "Utilized" is defined as eaten fresh, or processed for internal consumption or export. Thus, tunas landed by a Party and subsequently exported in the round are not included in computing that Party's contribution, but those which are exported canned are included. The Party proportions are calculated from statistics compiled by Commission staff for calendar years previous (about 3 years) to the Fiscal Year (FY) budget in question. Historically, the United States has paid the bulk (80-90 percent) of the Commission's budget. However, U.S. utilization of the catch, as defined by the Convention, from the eastern Pacific Ocean (EPO) has greatly diminished since the U.S. tuna market became "dolphin safe" in mid-1994, thereby causing the U.S. required contribution to be diminished. The IATTC budget for FY 1999 was $4,553,226; the United States contributed $3,139,188. The recommended budget for FY 2000 is $4,713,333, however, the U.S. contribution has not yet been determined. It is hoped that a new framework for determining contributions, agreed to in La Jolla in February 1998, will allow the Commission to continue functioning at its current level.

U.S. Representation

A. Appointment Process:

The Tuna Conventions Act of 1950 provides that the United States shall be represented by a total of not more than four Commissioners, of which at least one must be an officer of NOAA, one must be chosen from a nongovernmental conservation organization, and not more than one can reside elsewhere than in a state whose vessels maintain a substantial fishery in the area of the Convention. The Commissioners are appointed by and serve at the pleasure of the President.

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C. Advisory Structure:

The Act requires the U.S. Commissioners to appoint an Advisory Committee composed of not less than 5 nor more than 15 persons selected from the groups participating in the fisheries included under the Convention and from nongovernmental conservation organizations. The terms of the Advisory Committee members are fixed by the Commissioners. The Advisory Committee members are invited to attend all non-executive meetings and given opportunity to examine and to be heard on all proposed programs, reports, recommendations, and regulations of the Commission.

Description

A. Mission/Purpose:

The IATTC was established to "(1) study the biology of the tunas and related species of the EPO with a view to determining the effects that fishing and natural factors have on their abundance, and (2) to recommend appropriate conservation measures so that the stocks of fish can be maintained at levels which will afford maximum sustainable catches." The Commission's duties were broadened in 1976 to include work on the problems arising from the tuna-dolphin relationship in the EPO.

B. Organizational Structure:

The IATTC consists of a Commission composed of national sections and a Director of Investigations.
The Commission selects a Chairman and a Secretary from different national sections for 1-year terms to be succeeded by representatives of different nationalities.

The principal duties of the Commission are (1) to study the biology of the tropical tunas, tuna baitfish, and other kinds of fish taken by tuna vessels in the EPO and the effects of fishing and natural factors upon them, and (2) to recommend appropriate conservation measures, when necessary, so that these stocks of fish can be maintained at levels which will afford the maximum sustained catches. Each national section has one vote. Approval of decisions, resolutions, recommendations and publications is only by unanimous vote of the Commission. National sections may consist of from one to four members appointed by the governments or the respective Contracting Parties. Each national section may establish an advisory committee which is invited to attend non-executive sessions of the Commission meetings. The Director of Investigations is appointed by the Commission and is responsible for drafting programs of investigations, budget formulation, accounting and administrative support, directing technical staff, coordinating Commission work with other organizations and preparing administrative, scientific, and other reports of the Commission.

C. Programs:

To fulfill its mission, the Commission carries out an extensive research program. This program is conducted by a permanent, internationally recruited staff selected and employed by the Director of Investigations, who is responsible to the Commission.

Yellowfin Tuna: The IATTC recommends proposals for joint action by the member governments aimed at maintaining yellowfin tuna resources at a high level (generally at maximum sustainable yield). From 1966 through 1979, the Commission set annual catch quotas on yellowfin tuna, usually below 200,000 mt, and member nations implemented them. Beginning in 1979, however, this conservation program was effectively nullified, in large part, because several important member countries, including Mexico, withdrew from the Commission. As a result, the remaining member nations became reluctant to agree to implement a total catch quota when there was no assurance that non-member fishing countries, such as Mexico, would abide by the quota. Nevertheless, the Commission continued to recommend an annual international yellowfin tuna catch quota within the Commission Yellowfin Regulatory Area (CYRA) as the basis for all participants in the fisheries to evaluate the conservation needs of the resource.

Member countries agreed to resume implementing the annual yellowfin tuna quota system in 1998, in part, because of the resolution of the tuna-dolphin issue (discussed below). As the productivity of the yellowfin tuna stock apparently has been quite good in recent years, the overall catch quotas for 1998 and 1999 were over 250,000 mt. The quota was reached in both years.

Bigeye Tuna: Beginning in 1998, the Commission set a catch quota for bigeye tuna in the EPO purse seine fishery out of concern that the increasing purse seine effort on floating objects and fish aggregating devices (FADs) was resulting in unsustainable harvests of small bigeye tuna. Such harvests could result in long-term damage to the productivity of the bigeye tuna stock. The 1998 and 1999 bigeye tuna quotas were set at 45,000 and 40,000 mt, respectively. The quota was not reached in 1998, but was reached in 1999. The 2000 bigeye tuna quota was set at 40,000 mt. In addition, the Commission adopted resolutions to prohibit the use of tender vessels and to prohibit the at-sea transfer of purse seine-caught tuna. These actions were taken to limit effective fishing capacity and reduce the risk of overcapacity and overfishing.

The Commission clearly is interested in taking an aggressive position in fishery management in the future. There are now four work groups dealing with specific fishery management issues: (1) bycatch, (2) control of the fishery on floating objects/FADs, (3) fleet capacity, and (4) potential revisions to the Convention establishing the Commission.

Dolphin Conservation: In 1976, the Commission embarked upon an international program to address the problem of the incidental take of dolphins in the EPO tuna purse seine fishery. The Commission agreed on a policy to maintain tuna production near current levels and at the same time maintain dolphin stocks at or above levels that would ensure their survival in perpetuity. In connection with this policy, the Commission authorized a program for dolphin research which focused on (1) the recruitment and training of scientific technicians who will collect data from vessels at sea on the stocks of dolphin in the eastern Pacific and (2) workshops to evaluate and disseminate dolphin-saving techniques and gear technology. The scientific technician program was initiated in January 1979.
In 1987, the Commission also approved a resolution on the incidental take of dolphin, calling upon all interested nations whose flag vessels participate in the EPO purse-seine fishery to take appropriate steps to encourage their fishermen to employ fishing gear and procedures that have proven effective in reducing dolphin mortality. At the 1989 Annual Meeting, considerable time was spent discussing the changes in U.S. law which required the countries fishing in the region to document that they have dolphin protection programs and kill rates comparable to U.S. programs in order to export tuna to the United States.

Beginning in 1990, the IATTC scheduled a number of special meetings to explore the establishment of an international dolphin conservation program (IDCP). The objectives of such a program were (a) in the short term, to achieve a significant reduction in dolphin mortality and (b) over the long term, to make every effort to reduce dolphin mortality to insignificant levels approaching zero. Elements of the program would include: (a) limits on dolphin mortality; (b) 100 percent observer coverage; (c) research programs to improve existing fishing gear and techniques, to assess the dynamics of the fishery, and to develop alternative fishing methods; and (d) training programs to achieve the highest standards of performance throughout the international fleet. By the end of 1991, the United States was reassessing the most effective way of accomplishing these objectives.

Finally, at the IATTC Annual Meeting held in La Jolla, California, on June 16-18, 1992, representatives of Colombia, Costa Rica, Ecuador, Mexico, Nicaragua, Panama, Spain, the United States, Vanuatu, and Venezuela agreed on a mechanism to implement a dolphin conservation resolution adopted during an IATTC Special Meeting on April 21-23, 1992, to reduce progressively dolphin mortality in the EPO tuna purse-seine fishery to levels approaching zero through the setting of annual limits. The resolution provided a dolphin mortality limit on the international tuna fleet in the EPO at 19,500 for 1993, which was to be lowered over a 7-year period to less than 5,000 in 1999. Compliance with the new IDCP (also known as the La Jolla Agreement) was accomplished through the implementation of individual vessel quotas or DMLs (Dolphin Mortality Limits). A Review Panel was established to monitor vessel compliance with the new program's DMLs. The Panel was comprised of government representatives of Colombia, Costa Rica, Ecuador, Mexico, Panama, Vanuatu, Venezuela, and the United States. The Panel also included two fishing industry and two environmental representatives, who were non-voting members selected by the government representatives. In addition, a Scientific Advisory Board was established to assist the IATTC in expanding research pertaining to (1) modifications of purse-seine gear to reduce dolphin mortalities and (2) alternative means of catching large yellowfin tuna.

The IDCP program enjoyed unexpected success. Total annual dolphin mortalities since 1993 have been below 5,000 for the EPO tuna fishery. These levels were reached much faster than was anticipated in the schedule developed by the participating nations.

Panama Declaration: The United States, Belize, Colombia, Costa Rica, Ecuador, France, Honduras, Mexico, Panama, and Spain negotiated the Panama Declaration in 1995. The Panama Declaration reaffirmed the commitments and objectives of the IDCP and, inter alia, announced the intention of the governments participating in the IDCP to strengthen and formalize it as a binding legal instrument, to be open to all coastal states bordering the EPO or states with vessels fishing tuna in the region. The signing nations agreed that, if the United States

changed its Marine Mammal Protection Act (MMPA) to allow EPO yellowfin tuna to be imported from countries participating in the international dolphin conservation program, they would enter into a binding international agreement to continue dolphin protection.

Agreement on the International Dolphin Conservation Program: At a meeting of the IATTC and interested nations in February 1998, the international agreement envisioned in the Panama Declaration was concluded. The agreement was signed on May 21, 1998, by the United States, Colombia, Costa Rica, Ecuador, Mexico, Nicaragua, Panama, and Venezuela. Subsequently, Honduras, Vanuatu, El Salvador, and the European Union also signed the agreement. It entered into force on February 15, 1999, when the fourth country, Mexico, deposited its instrument of ratification with the United States, the Depositary. To date, the United States, Panama, Ecuador, El Salvador, Venezuela, Nicaragua, Costa Rica, Honduras, and Mexico have ratified the agreement. On March 3, 1999, the U.S. Secretary of State certified to Congress that the Agreement on the IDCP was in force, and as a result, key provisions

of the 1997 International Dolphin Conservation Program Act went into effect. The Act primarily amends provisions in the MMPA dealing with the EPO tuna purse seine fishery and the importation of yellowfin tuna products from nations participating in this fishery

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CONVENTION FOR THE PRESERVATION OF THE HALIBUT FISHERY OF THE NORTHERN PACIFIC OCEAN AND BERING SEA (BASIC INSTRUMENT FOR THE INTERNATIONAL PACIFIC HALIBUT COMMISSION -- IPHC)

Basic Instrument

Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, 1953 (TIAS 2900).

Implementing Legislation

Northern Pacific Halibut Act of 1982 (as amended: 50 Stat. 325; 67 Stat. 494; 79 Stat. 902; 97 Stat. 78).

Member Nations

The United States and Canada.

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Budget

The base budget for the fiscal year running from October 1, 1999, through September 30, 2000, is $1,600,000. The figure for the succeeding year is the same. The budget is supplemented by funds generated by Commission staff from the sale of halibut gathered during stock assessment cruises. The United States and Canada, by treaty, contribute equal shares to fund the base budget. However, the Commission is considering additional ways to ensure that research and management programs are funded.

U.S. Representation

A. Appointment Process:

The United States is represented on the IPHC by three Commissioners who are appointed by the President for a period of 2 years (with eligibility for reappointment). Of these Commissioners, one must be a NOAA official, one must be a resident of Alaska, and one must be a nonresident of Alaska. In addition, one of these three Commissioners must be a voting member of the North Pacific Fishery Management Council. The Secretary of State, in consultation with the Secretary of Commerce, may designate from time to time Alternate U.S.

Commissioners to the IPHC.

B. U.S. Commissioners:

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C. Advisory Structure:

There are no formal provisions for a U.S. Advisory Committee to IPHC, although informal groups made up of U.S. and Canadian industry representatives, known as the IPHC Conference Board and the Processor Advisory Group, do attend and provide recommendations to annual Commission meetings.

Description

A. Mission/Purpose:

The IPHC was created to conserve, manage, and rebuild the halibut stocks in the Convention Area to those levels which would achieve and maintain the maximum sustainable yield from the fishery.

The halibut resource and fishery have been managed by the IPHC since 1923. The IPHC was established by a Convention between the United States and Canada, which has been revised several times to extend the Commission's authority and meet new conditions in the fishery. The most recent change, a protocol, was concluded in 1979, and involved an amendment to the 1953 Halibut Convention.

"Convention waters" are defined as the waters off the west coasts of Canada and the United States, including the southern as well as the western coasts of Alaska, within the respective maritime areas in which either Party exercises exclusive fisheries jurisdiction. For purposes of the Convention, the "maritime area" in which a Party exercises exclusive fisheries jurisdiction includes without distinction areas within and seaward of the territorial sea or internal waters of that Party.

B. Organizational Structure:

The IPHC consists of a Commission and staff. The Commission consists of six members; three representatives appointed by each Contracting Party. All decisions of the Commission are made by a concurring vote of at least two of the Commissioners of each Contracting Party. The research programs and regulatory actions of the Commission are coordinated by the IPHC staff, in consultation with the Commissioners. The IPHC staff currently

consists of over 30 employees, including fishery biologists, administrative personnel and support staff.

In addition, the Commission is advised by a Conference Board, a Processor Advisory Group (PAG), and a Research Advisory Board. The Conference Board is a panel representing U.S. and Canadian commercial and sport halibut fishers. Created in 1931 by the Commission, the Board provides the industry/sport fishermen's perspective on Commission proposals presented at Annual Meetings. Members of the Board are designated by union and vessel owner organizations from both nations. Created in 1996, the Processor Advisory Group (PAG) represents halibut processors. Like the Conference Board, the PAG lends its opinion regarding Commission proposals and offers
recommendations at IPHC Annual Meetings. In 1999, the IPHC membership created the Research Advisory Board (RAB), which consists of both fishers and processors who offer suggestions to the Director and staff on where Commission research should focus.

C. Programs:

Under the Protocol to the Convention, the Commission retains a research staff and recommends, for the approval of the Parties, regulations designed to achieve the purpose of the Convention. The Protocol provides for: (1) the setting of quotas in the Convention Area, and (2) joint regulation of the halibut fishery in the entire Convention Area under Commission regulations. Neither U.S. nor Canadian halibut fishing vessels are presently allowed to fish in the waters of the other country. In 1991, Canada implemented an individual vessel quota (IVQ) system; a similar, individual fishing quota (IFQ) system for Alaska was implemented by the United States in 1995.

D. Conservation and Management Measures:

1999 Interim Meeting: The IPHC held its Interim Meeting September 28-29, 1999, in Seattle, Washington. At its 1999 Interim Meeting, IPHC staff and Commissioners discussed the 1999/2000 Commission budget and related financial items, preliminary reports on 1999 research activities, and fishery and management issues for the upcoming year. The IPHC staff also presented progress reports of the 1999 fishery to date. In addition, a preliminary report was presented on the implications of extending the commercial season and the status of live fish landings in Canada. The Commission also identified topics for discussion at a joint meeting with the North Pacific Fisheries Management Council scheduled for October 12, 1999, in Seattle.

While catch limits and stock assessments were not discussed at the 1999 Interim Meeting, it was agreed that the Commission would make recommendations for catch limits by early December. A final determination would then be made at the IPHC Annual Meeting in January 2000, with appropriate input from the Conference Board and PAG.

2000 Annual Meeting**:** The 76th Annual Meeting of the IPHC was held in Seattle, Washington, on January 10-13, 2000. At the 2000 Annual Meeting, the Commission considered the input of its scientific staff, the Conference Board and the PAG, and agreed to a catch limit for 2000 totaling 67.5 million pounds, down from 74.06 million pounds in 1999. This reduction was largely due to the 1999 Pacific halibut stock assessment, which lowered the pre-1993 IPHC setline survey catch rates to account for a bait change. This, in turn, reduced the population estimates by 20-30 percent in the eastern and central Gulf of Alaska (Areas 2 and 3A). In addition, a continuing decline in size-at-age has also affected the estimated biomass in Areas 2C and 3A. The assessment estimated a low recruitment in Area 3A in recent years, implying a rapidly declining biomass in that area. However, trawl surveys indicated a relatively high abundance of sub-legal fish in that area, so the assessment may have been overly pessimistic. Nevertheless, it was clear that recruitment in all areas had declined from the high levels of 1985-1995. Farther west in Areas 3B and 4, size at age and recruitment had also declined, but the lower

exploitation rate in those areas has moderated the decline in biomass relative to the central Gulf of Alaska.

2000 Catch Limits: The following catch limits (in pounds) for 2000 were adopted for Area 2A (California, Oregon, and Washington), Area 2B (British Columbia), Area 2C (southeastern Alaska), Area 3A (central Gulf), Area 3B (western Gulf), Area 4A (eastern Aleutians), Area 4B (western Aleutians), Area 4C (Pribilof Islands), Area 4D (northwestern Bering Sea), and Area 4E (Bering Sea flats):

Area	Catch Limit (Pounds)
2A (total)	830,000
2B	10,600,000
2C	8,400,000
3A	18,310,000
3B	15,030,000
4A	4,970,000
4B	4,910,000
4C	2,030,000
4D	2,030,000
4E	390,000
Total:	67,500,000

The catch limits for Regulatory Areas 4C, 4D, and 4E reflect the catch-sharing plan implemented by the North Pacific Fishery Management Council (NPFMC). The NPFMC catch sharing plan in Area 4 allows the Commission to set biologically-based catch limits for Areas 4A, 4B, and a combined Area 4C-D-E. The catch limits for the fisheries in Area 2A reflect the catch-sharing plan implemented by the Pacific Fishery Management Council (PFMC). Area 2A catch sharing is as follows:

2A Non-treaty directed commercial fisheries (south of 2A-1)	138,632
2A Non-treaty incidental catch in salmon troll	24,464
2A Treaty Indian commercial	305,000
2A Treaty Indian ceremonial and subsistence	10,500
(year-round)	188,307
2A Sport - North of Columbia River	163,097
2A Sport - South of Columbia River	830,000
Total	

2000 Seasons: The staff reported to the Commission on its investigation of the biological, regulatory, enforcement, and logistical considerations associated with an extended halibut fishing season. Based primarily on concerns about interceptions of migrating fish from different regulatory areas during winter fishing and administrative concerns identified by the Parties, the staff recommended no change to the existing March 15-November 15 season.

The Commission therefore recommended that the treaty Indian commercial fishery in Area 2A, the Canadian

Individual Vessel Quota (IVQ) fishery in Area 2B, and the United States Individual Fishing Quota (IFQ) fisheries in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E commence at 12 noon local time on March 15 and terminate at 12 noon local time on November 15.

In Area 2A, six 10-hour fishing periods for the non-treaty directed commercial fishery were recommended for July 5, July 19, August 2, August 23, September 6, and September 20. All fishing periods will begin at 8:00 am and end at 6:00 pm local time, and will be further restricted by fishing period limits. Fishing dates for an incidental commercial catch halibut fishery will be established under United States domestic regulations established by National Marine Fisheries Service (NMFS), and will be concurrent with salmon troll fishing seasons in Area 2A. The remainder of the Area 2A catch-sharing plan, including sport-fishing seasons, will be determined under regulations promulgated by NMFS.

2000 Regulatory Changes: The Area 2A licensing regulations remained the same as in 1999. The Commission will issue vessel licenses for the sport charter halibut fishery, the directed commercial halibut fishery, and the incidental
commercial halibut fishery. The deadline dates for receiving license applications remain the same--April 30 for the directed commercial fishery and March 31 for the incidental commercial fishery. A vessel that has a commercial halibut license cannot be used for sport fishing for halibut.

The Commission changed the regulations applicable to the United States to make the operator or owner of the vessel responsible for offloading all halibut from the vessel once offloading commences. Previously, the processor or buyer was responsible. The Commission reauthorized for another 2 years the regulation allowing Community Development Quota (CDQ) fishers in Area 4E to retain undersized halibut caught with commercial gear for personal use (not to sell or barter the halibut). The regulations again require the managers of the authorized CDQ organization that allows persons to harvest halibut in Area 4E CDQ fishery to report annually the total number and weight of undersized halibut to the Commission. The report must include the methodology on how the data were collected and be received by IPHC prior to December 1.

The Commission also held extensive discussions on the present and future status of landing and holding live halibut for subsequent sale after the halibut fishing season closes. Although a Commission regulation requiring that fish be offloaded with gills and entrails removed effectively prohibits live fish landing. Canada has specifically chosen to reject this regulation. The existing Commission regulation was implemented to improve fish quality and address sampling concerns, rather than to prohibit live fish landing. The Commission will continue to examine the issue of live fish landing but made no changes to its existing regulation requiring the dressing of fish prior to offloading.

Other Actions: The recommended regulations for the 2000 halibut fishery will become official as soon as they are approved by the Canadian and United States Governments. The Commission will publish and distribute regulation pamphlets.

The Canadian Government Commissioner, Richard Beamish, was elected Chairman for the coming year. The United States Government Commissioner, Steven Pennoyer, was elected as Vice Chairman.

Future Meetings: The next Annual Meeting of the Commission will be held in Vancouver, British Columbia, Canada, from January 22-25, 2001.

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CONVENTION FOR THE CONSERVATION OF ANADROMOUS STOCKS IN THE NORTH PACIFIC OCEAN (BASIC INSTRUMENT FOR THE NORTH PACIFIC ANADROMOUS FISH COMMISSION -- NPAFC)

Basic Instrument

Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, 1992 (hereafter referred to as the "Convention," Senate Treaty Document 102-30, 102d Congress, 2d Session).

Implementing Legislation

The North Pacific Anadromous Stocks Act of 1992 (Title VIII of P.L. 102-567).

Member Nations

Canada, Japan, the Russian Federation, and the United States.

Commission Headquarters

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Budget

The approved NPAFC budget for Fiscal Year (FY) 1999/2000 (July 1, 1999-June 30, 2000) is Can$546,000, with each Party contributing Can$135,000. At the Seventh Annual Meeting of the NPAFC held on October 24-29, 1999, in Juneau, Alaska, the Commission approved a general fund budget of Can$589,000 for FY 2000/2001. The total contribution from each Party, however, will remain the same as in FY 1999/2000, with the shortfall being offset by interest income and monies from the working capital fund.

U.S. Representation

A. Appointment Process:

The United States is represented on the Commission by not more than three U.S. Commissioners who are appointed by the President and serve at his pleasure. Each U.S. Commissioner is appointed for a term not to exceed 4 years, but is eligible for reappointment. Of the three Commissioners, one must be an official of the U.S. Government, one a resident of the State of Alaska, and the third a resident of the State of Washington. Candidates for the non-Federal Commissioner positions must be knowledgeable or experienced concerning anadromous stocks

and ecologically-related species of the North Pacific Ocean.

In addition, the Secretary of State, in consultation with the Secretary of Commerce, may designate from time to time Alternate U.S. Commissioners to the NPAFC. The number of Alternate Commissioners that may be designated to a Commission meeting is limited to the number of authorized U.S. Commissioners that will not be present.

B. U.S. Commissioners:

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National Marine Fisheries Service, NOAA
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Guy R. McMinds
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Frances Ann Ulmer
Lieutenant Governor, State of Alaska
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Juneau, AK 99811

C. Advisory Structure:

The North Pacific Anadromous Stocks Act of 1992 established an Advisory Panel to the United States Section of the NPAFC. The Advisory Panel shall be composed of: (1) the Commissioner of the Alaska Department of Fish and Game; (2) the Director of the Washington Department of Fisheries and Wildlife; (3) one representative of the Pacific States Marine Fisheries Commission; and (4) 11 members (6 residents of the State of Alaska and 5 residents of the State of Washington) appointed by the Secretary of State, in consultation with the Secretary of Commerce, from among a slate of 12 persons nominated by the Governor of Alaska and a slate of 10 persons nominated by the Governor of Washington. There must be at least one representative of commercial salmon fishing interests and one representative of environmental interests on each of the Governors' slates. As is the case with NPAFC Commissioners, Advisors must be knowledgeable of North Pacific anadromous stocks and ecologically related species. Advisors serve for a term not to exceed 4 years, and may not serve more than two consecutive terms.

Description

A. Mission/Purpose:

The NPAFC serves as a forum for promoting the conservation of anadromous stocks and ecologically-related species, including marine mammals, sea birds, and non-anadromous fish, in the high seas area of the North Pacific Ocean. This area, as defined in the Convention, is "the waters of the North Pacific Ocean and its adjacent seas, north of 33° North Latitude beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured." In addition, the NPAFC serves as the venue for coordinating the collection, exchange, and analysis of scientific data regarding the above species within Convention waters. It also coordinates high seas fishery enforcement activities by member countries (the Convention prohibits directed fishing for salmonids and includes provisions to minimize the incidental take of salmonids in other fisheries in the Convention area).

B. Organizational Structure:

The NPAFC has three standing committees: the Committee on Enforcement, the Committee on Finance and Administration, and the Committee on Scientific Research and Statistics. The committees are responsible for providing accurate and timely advice to the Commission in the areas relating to the finances of the Secretariat and the scope of the enforcement activities and scientific research conducted under the auspices of the Commission.

C. Programs:

The NPAFC held its Seventh Annual Meeting on October 24-29, 1999, in Juneau, Alaska. Delegations from each of the member nations (Canada, Japan, the Russian Federation, and the United States) consisted of official Representatives plus a number of experts and advisors. Representatives from the North Pacific Marine Science Organization (PICES), and the North Atlantic Salmon Conservation Organization (NASCO) attended the meeting as observers.

As is the norm for NPAFC Annual Meetings, the majority of the work of the Commission took place at the committee level. The recommendations of each committee on its various issues were presented to the Commission in the form of a report for its consideration. These reports were formally adopted by the Commission at its final plenary session. The major issues for each committee are briefly discussed below.

Committee on Enforcement (ENFO):

Unauthorized Fishing: The ENFO Committee reviewed unauthorized fishing activities in the Convention Area in 1999. The cooperative enforcement efforts of the Parties resulted in the detection of 10 large-scale driftnet vessels engaged in illegal fishing operations in or near the Convention Area. Of the 10 vessels, 3 were seized.

Due to continued unauthorized high seas salmon fishing in the Convention Area, all Parties pledged to maintain 2000 enforcement activities at levels equal to those of 1999, to ensure sufficient enforcement presence in the area to deter the threat of potential unauthorized fishing activity. The Parties also agreed to hold annual pre-season enforcement planning and coordination meetings beginning in 2000.

Enforcement Symposium: The Commission held a 2-day Enforcement Standardization Symposium at the U.S. Coast Guard's North Pacific Regional Fisheries Training Center in Kodiak, Alaska, in March 1999. All Parties agreed that the symposium was very beneficial in building cooperation, understanding the capabilities of the Parties, and coordinating enforcement efforts for 1999. All Parties participated in the symposium, as did China. Based on the success of this meeting, the commission intends to conduct similar symposiums every 2-3 years.

Committee on Finance and Administration (F&A):

Upon the recommendation of the F&A Committee, the Commission approved the FY 2000/2001 budget (discussed in the budget section of this document). The F&A Committee also presented for the Commission's consideration at the 2000 annual meeting the budget forecast for FY 2001/2002.

Committee on Scientific Research and Statistics (CSRS):

The CSRS exchanged scientific research information on a broad range of issues concerning North Pacific salmonids and ecologically related species. The CSRS reviewed approximately 50 documents related to scientific

research activities, salmon catches, and salmon enhancement activities. It also coordinated research plans for 2000. NPAFC scientists are continuing to gather data on climate and salmon runs from around the Pacific Rim. The CSRS agreed to hold a Research Planning and Coordination Meeting in La Jolla, California, March 27-28, 2000, immediately following the symposium, "Beyond El Nino: A Conference on Pacific Climate Variability and Marine Ecosystem Impacts, from the Tropics to the Arctic."

The total salmon catch among the Parties in 1998 was 808,593 metric tons, down from 838,802 metric tons in 1997. In addition, nearly 4.5 billion juvenile salmon were released into the North Pacific Ocean from hatcheries in 1998.

2000 Symposium: The Parties agreed to sponsor a one-day workshop, "Factors Affecting Production of Salmon Ecology between the East and West North Pacific Ocean" on October 29, 2000, in conjunction with the Eighth Annual Meeting of the NPAFC in Tokyo, Japan.

Other Issues:

Joint NPAFC, North Atlantic Salmon Conservation Organization (NASCO), and the International Baltic Sea Fishery Commission Meeting: NASCO had proposed that a 2-day meeting of the above organizations be held in March 2000, in La Jolla, California, in conjunction with the El Niño symposium. The purpose of the meeting would be to share scientific, management and enforcement information and experience related to salmon among the three organizations. The NPAFC Parties decided that since the CSRS was also planning to meet in La Jolla in conjunction with the El Niño conference, this meeting should be postponed until the 2001 NPAFC Annual Meeting.

Deputy Director: The term of the current Deputy Director, Hiroko Omori, will expire November 30, 2000. The Parties approved a hiring procedure for the new deputy director.

Election of Officers: Ms. Fran Ulmer, U.S. NPAFC Commissioner, was elected to a 2-year term as President of the NPAFC. Vladimir Izmailov (Russia) was elected Vice-President. Vincent O'Shea, U.S. Coast Guard, was elected chair of the ENFO Committee, and Dr. Yukimasa Ishida (Japan) was elected chair of the CSRS.

Future Meetings: Japan will host the Eighth Annual Meeting in 2000 in Tokyo, Japan. Canada will host the Ninth Annual Meeting in 2001, and the Russian Federation will host the Tenth Annual Meeting in 2002.

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TREATY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CANADA CONCERNING PACIFIC SALMON (BASIC INSTRUMENT FOR THE PACIFIC SALMON COMMISSION -- PSC)

Basic Instrument

Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon, 1985.

Implementing Legislation

Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3631).

Member States

The United States and Canada.

Commission Headquarters

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Budget

The approved Commission budget for Fiscal Year 1999-2000 (April 1, 1999-March 1, 2000) is Can$2,360,933. Each Party will contribute Can$800,000. The remainder will be funded by carry-over, interest and other income.

U.S. Representation

A. Appointment Process:

The appointment process for U.S. members of the PSC includes several unique features. The legislation implementing the treaty specifies: "The United States shall be represented on the Commission by four Commissioners who are knowledgeable or experienced concerning Pacific salmon, to be appointed by and serve at the pleasure of the President. Of these, one shall be an official of the U.S. Government who shall be a non-voting member of the U.S. Section; one shall be a resident of the State of Alaska and shall be appointed from a list of at least six qualified individuals nominated by the Governor of that State; one shall be a resident of the States of Oregon or Washington and shall be appointed from a list of at least six qualified individuals nominated by the Governors of those States; and one shall be appointed from a list of at least six qualified individuals nominated by the treaty Indian Tribes of the States of Idaho, Oregon, or Washington. Two of the initial appointments shall be

for 2-year terms; all other

appointments shall be for 4-year terms." Legislation also provides for the designation of an Alternate Commissioner for each Commissioner. In the absence of a Commissioner, the Alternate Commissioner may exercise all functions of the Commissioner.

B. Commissioners:

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Mr. Curt Smitch (U.S. Chair)
Special Assistant, Office of the Governor
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Alternate Commissioners:

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Mr. Ted Strong
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C. Advisory Structure:

No formal advisory group currently exists.

Description

A. Mission/Purpose:

The PSC's mission is to serve as a forum for cooperation between the United States and Canada in the establishment of general fishery management regimes for the international conservation and harvest sharing of intermingling North Pacific salmon stocks. Implementation of the principles of the Pacific Salmon Treaty should enable the two countries, through better conservation and enhancement, to "prevent overfishing and provide for optimum production; and provide for each Party to receive benefits equivalent to the production of salmon originating in its waters." The Commission also serves as a forum for consultation between the Parties on their salmonid enhancement operations and research programs.

B. Organizational Structure:

The Commission has a complex organizational structure which includes three regional Panels (Northern, Fraser River, and Southern) consisting of 16 U.S. Panel Members (9 of whom are appointed by the Secretary of Commerce). The Northern Panel's stocks of concern are those originating in rivers between Cape Suckling in Alaska and

Cape Caution in British Columbia. The Fraser River Panel is the only panel with regulatory responsibility. It is responsible for stocks of sockeye and pink salmon originating in the Fraser River. The Southern Panel is concerned with stocks originating in rivers south of Cape Caution (not including the Fraser River).

The Panels are responsible for providing advice to the Commission on the management regimes for the intercepting salmon fisheries in those regions, i.e., those in which one or both countries intercept salmon spawned in the other country. This is done by reviewing technical data on annual fishing plans, regulations, and the salmon enhancement programs of each country. Based on the advice provided by the Panels, the PSC formulates management recommendations, including catch limits and related regulations, to present to the two governments. These recommendations become effective upon approval by both governments.

C. Programs:

On June 30, 1999, the United States and Canada signed a new Pacific Salmon Agreement, thereby resolving one of the most contentious issues in the U.S.-Canada relationship. The agreement concludes 7 years of negotiations and establishes new fishing regimes under the 1985 Pacific Salmon Treaty to protect and rebuild salmon stocks.

The long-term agreement secures a management and harvest-sharing framework for the next decade. Most of the new fishery arrangements will be in effect for 10 years, beginning in 1999. The arrangement concerning the management of Fraser sockeye and pink salmon will be in effect for 12 years, also beginning in 1999.
The agreement establishes abundance-based fishing regimes, based on run strength, for the major salmon intercepting fisheries in the United States and Canada. Larger catches will be allowed when abundance is higher and catches will be constrained in years when abundance is down. These regimes are designed to implement the conservation and harvest sharing principles of the Pacific Salmon Treaty.

Also under the agreement, two bilaterally-managed regional funds were established. The funds will be used to improve fisheries management and aid efforts to recover weakened salmon stocks. Subject to availability of appropriated funds, the United States will contribute U.S.$75 million and U.S.$65 million to a northern and southern fund, respectively, over a 4-year period. The agreement also highlights the importance of habitat protection and restoration to achieving the log-term objectives of the Parties relative to salmon. It also includes a commitment by the two countries to improve how scientific information is obtained, shared, and applied to the management of the resource.

Overview of the Agreement:

Transboundary Rivers (Chapter 1): This agreement specifies arrangements for sockeye, coho, chinook, and pink salmon management for several rivers that flow from Canada to the Pacific Ocean through the Alaskan panhandle, including the Stikine, Taku and Alsek rivers. An attachment to the agreement describes programs and associated costs for joint enhancement of sockeye salmon in the Taku and Stikine rivers.

Northern British Columbia and Southeast Alaska (Chapter 2): This agreement addresses the management of

sockeye, pink and chum salmon fisheries in southeast Alaska and northern British Columbia. It specifies how the fisheries will be managed to achieve conservation and fair sharing of salmon stocks that intermingle in the border area. The fixed catch ceilings contained in the expired agreements are replaced with abundance-based provisions that allow harvests to vary from year to year depending on the abundance of salmon. Of particular note, because they resolve long-contentious issues, are agreements governing the harvest of sockeye in Alaska's purse seine fisheries near Noyes Island (District 104) and the gillnet fishery at Tree Point (District 101), and Canada's various marine net fisheries for pink salmon and its troll fishery for pink salmon in Canadian Area 1.

Chinook Salmon (Chapter 3): Because they pass through fisheries regulated by many jurisdictions in both Canada and the United States, chinook salmon have been the focus of increasing concern and controversy in recent years. Although some chinook populations are relatively healthy, particularly the "far north migrating stocks" that tend to migrate to the marine waters near Alaska to grow and mature, others have been so diminished in recent years that they have been listed by the U.S. federal government under the Endangered Species Act. The new chinook regime encompasses marine and certain freshwater fisheries in Alaska, Canada, Washington, and Oregon. All chinook fisheries will be managed based on abundance, replacing the fixed catch quotas that applied in previous regimes. Two types of fisheries have been designated: (1) those that will be managed based on the aggregate abundance of chinook salmon present in the fishery, and (2) those that will be managed based on the status of individual stocks or stock groups in the fishery.

The agreement provides a degree of flexibility to allow management agencies to decide how best to distribute the harvest impacts across their various fisheries to reflect domestic fishery priorities, provided the over-all reductions are achieved. For some chinook stocks, the total reductions will have to be much greater than the general obligation, due to the need to provide extra protection for certain very depressed stocks. The general obligation will not apply to hatchery stocks or healthy natural stocks that are achieving escapement objectives and can support harvest. In addition to predetermined harvest schedules, the agreement contains provisions that specify conditions under which even greater harvest reductions will apply. These so-called "weak stock" provisions serve as a safety valve to afford additional protection to stocks that may fail to respond to the recovery programs.

Fraser River Sockeye and Pink Salmon (Chapter 4): Although much of the structure of the previous agreements relating to the Fraser River is retained, the new agreement requires a reduction of the U.S. share of Fraser sockeye, which will be phased in over the next three years. When completed, the U.S. share in Washington State will be 16.5 percent of the total allowable catch. (By way of contrast, the U.S. share specified in the first 4 years of the Pacific Salmon Treaty was approximately 26 percent.) The U.S. share of Fraser pink salmon will be 25.7 percent of the total allowable catch.

Coho Salmon (Chapter 5): The coho agreement essentially provides a blueprint and specifications (biological criteria) for a conservation-based regime for border area fisheries in southern British Columbia and Washington State. The specifics of the regime will be cooperatively and bilaterally developed over the next year, in time to implement in 2000. The new regime will include rules that will establish harvest limits in specified border area fisheries. The rules will be designed to limit exploitation rates on natural coho stocks to sustainable levels, taking into account all fisheries affecting the stocks, thereby improving the long term prospects of sustainable, healthy fisheries in both countries.

Southern British Columbia and Washington State Chum Salmon (Chapter 6:. This chapter incorporates certain refinements to the provisions that trigger fisheries directed at chum salmon in the Strait of Georgia and Puget Sound. These refinements will have only a minor impact on the allocations of catches, but will improve the

effectiveness of the regime. Additionally, at the request of the United States, Canada has agreed to require the live release of chum salmon in certain of its net fisheries in its southern boundary areas at those times of the year when "summer chum"--a species recently listed as threatened under the ESA--may be present in the areas. Both countries agreed to collect better data relating to these fish.

The agreement can be found at: http://www.state.gov/www/global/oes/oceans/990630salmon_index.html

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CONVENTION ON THE CONSERVATION AND MANAGEMENT OF POLLOCK RESOURCES IN THE CENTRAL BERING SEA

Implementing Legislation

There is no implementing legislation for the Convention.

Parties

Japan, People's Republic of China (China), Republic of Korea (Korea), Republic of Poland (Poland), Russian Federation, and the United States.

Description

A. Mission/Purpose:

The objectives of the Convention are:

> "1. to establish an international regime for conservation, management, and optimum utilization of pollock resources in the Convention Area [the high seas area of the Bering Sea beyond the U.S. and Russian 200-mile jurisdictions];
>
> 2. to restore and maintain pollock resources in the Bering Sea at levels which will permit their maximum sustainable yield;
>
> 3. to cooperate in the gathering and examining of factual information concerning pollock and other living marine resources in the Bering Sea; and
>
> 4. to provide, if the Parties agree, a forum in which to consider the establishment of necessary conservation and management measures for other living marine resources in the Convention Area as may be required in the future."

B. Organizational Structure:

The Convention does not provide for a commission. It does, however, specify that Parties will convene an Annual Conference and establish a Scientific and Technical (S&T) Committee. The functions of the Annual Conference are, among other things, to establish an annual harvest level (AHL) for pollock in the Convention Area, establish an annual individual national pollock quota for each Party, adopt appropriate pollock conservation and management measures, establish a Plan of Work for the S&T Committee, and discuss cooperative enforcement measures and receive enforcement reports from each Party. Parties may also use the Annual Conference to determine the scope of any cooperative scientific research on, and conservation and management measures for, living marine resources other than pollock covered by the Convention.

The S&T Committee has the charge to "compile, exchange, and analyze information on fisheries harvests, fish stocks, and other living marine resources covered by this Convention in accordance with the Plan of Work established by the Annual Conference, and shall investigate other scientific matters as may be referred to it by the Annual Conference." The S&T Committee also makes recommendations to the Annual Conference regarding the

conservation and management of pollock, including the AHL.

C. Advisory Body:

No formal U.S. advisory body has been legislated for the Convention. However, the Department of State has invited the 12-member "North Pacific and Bering Sea Fisheries Advisory Body," appointed to advise the U.S. Representative to the U.S.-Russia Intergovernmental Consultative Committee (ICC), to serve informally as the advisory body. This group consists of the following individuals:

-- The Director of the Department of Fisheries and Wildlife of the State of Washington;
-- The Commissioner of the Department of Fish and Game of the State of Alaska;
-- Five members appointed by the Secretary of State from a list of 10 nominees provided by the Governor of Alaska; and,
-- Five members appointed by the Secretary of State from a list of 10 nominees provided by the Governor of Washington.

D. Background:

The development in the mid-to-late 1980s of an extensive pollock fishery in the central Bering Sea area of the Aleutian Basin, beyond the U.S. and Russian 200-mile zones, was of great concern to U.S. and Russian fishing interests. The United States closed a domestic fishery as a result of the adverse impact this unregulated fishery, which was being prosecuted mostly by distantwater fishing nations, was having on U.S. pollock stocks. Concern also extended to bycatch problems associated with the fishery.

The central Bering Sea pollock fishery was being conducted by trawl vessels from China, Japan, Korea, Poland, and the former Soviet Union. Catch data submitted by these countries indicated that annual harvests in the area rose to approximately 1.5 million metric tons (mt) in the years leading up to 1989. Largely due to drastic declines in catch and catch-per-unit-effort from 1990, leading to a total catch of under 300,000 mt in 1991 and under 11,000 mt in 1992, the governments involved agreed to a voluntary suspension of fishing in the area for 1993-94. During the 2-year suspension of fishing, an agreed scientific monitoring program was carried out that showed no evidence of the recovery of the resource.

On February 11, 1994, the Parties completed 3 years of negotiations and initialled the Convention on the Conservation and Management of Pollock Resources in the central Bering Sea. Its major principles include: no fishing permitted in the Convention area unless the biomass of the Aleutian Basin stock exceeds a threshold of 1.67 million mt (if the parties cannot agree on an estimate of the biomass, the estimate of the Alaska Fisheries Science Center and its Russian counterpart will be used); allocation procedures; 100 percent observer and satellite transmitter coverage; and prior notification of entry into the Convention area and of transshipment activities.

On June 16, 1994, the Convention was signed by China, Korea, the Russian Federation, and the United States. Japan and Poland signed it on August 4, 1994, and August 25, 1994, respectively. The Convention entered into force on December 8, 1995, for Russia, Poland, China, and the United States, December 21, 1995, for Japan, and January 4, 1996, for Korea.

Current Status

Representatives of the six member countries met in Pusan, Korea, on November 8-12, 1999, for the Fourth Annual

Conference of the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea. The Conference was chaired by Mr. IM Hong-jae, Deputy Director-General, International Economic Affairs Bureau, Ministry of Foreign Affairs and Trade, Korea. The U.S. delegation was led by Mr. Steven Pennoyer, Alaska Regional Administrator, National Marine Fisheries Service. The first three days of the meeting were devoted to an S&T Committee meeting. Plenary sessions of the Annual Conference were conducted during the final two days.

As mentioned above, the major functions of the Convention's Annual Conference are, among other things, to establish an AHL for pollock in the central Bering Sea for the following year, establish an annual individual national pollock quota for each Party to the Convention, adopt appropriate pollock conservation and management measures, and to establish a Plan of Work for the S&T Committee..

AHL: The Convention directs the Annual Conference to establish by consensus of the Parties the pollock AHL for the central Bering Sea for the succeeding year, based upon the assessment of the total Aleutian Basin pollock biomass by the S&T Committee. At this Conference, all Parties agreed with the S&T Committee's conclusions that information was not available to directly determine the total Aleutian Basin pollock biomass. When this is the case, the Annex to the Convention allows the coastal states (the United States and Russia) to establish the biomass based on the best available scientific data. If the coastal states still have insufficient information to establish the biomass, the Annex contains a default mechanism that deems the pollock biomass of the "Specific Area," a subset of the Bogoslof Island area in the U.S. zone, to represent 60 percent of the Aleutian Basin pollock biomass. Per the Annex, if the extrapolated estimate of the total Aleutian Basin pollock biomass is less than 1.67 million mt, the AHL is set at zero and there is no directed fishing for pollock in the central Bering Sea for the succeeding year.

The best available information in 1999 to estimate the biomass indirectly was obtained from a midwater echo integration-trawl survey conducted by the Fisheries Agency of Japan (FAJ), in cooperation with the Alaska Fisheries Science Center. The survey was carried out by the R/V *KAIYO MARU* in the Bogoslof Island area, including the Specific Area, from January through March 1999. This area has been routinely surveyed by the U.S. R/V *MILLER FREEMAN* since 1988. The *MILLER FREEMAN* was undergoing repairs at the time, however, and was unable to participate in the survey. Japanese and U.S. scientists estimated the pollock biomass for the Specific Area to be 392,537 mt--nearly 40,000 mt less than the 1998 biomass estimate. Using the default mechanism mentioned above, the total Aleutian Basin pollock biomass was estimated to be 654,228 mt, 1.02 million mt below the 1.67 million mt threshold that would trigger a commercial fishery pursuant to the Convention.

Other Research/Trial Fishing: In addition to the Japanese research cruise, Korea conducted a research cruise in May-June 1999 with the R/V *TAMGU NO. 1*. The survey area covered the Bogoslof Island area and the central Bering Sea, including parts of the eastern Bering Sea shelf. The Koreans characterized the catch density for pollock in the central Bering Sea outside of the Bogoslof area as "almost zero." The Korean research cruise did make an interesting discovery, however. An unusually cold water mass (1°-3° C) was found at the 50-180 m layer from the central Bering Sea through the Bogoslof Island area. Korean scientists postulated that this cold water mass may be influencing the distribution of pollock in the Convention area.

Regarding trial fishing, Poland conducted three trial fishing cruises in the central Bering Sea in 1998-1999. The Poles caught exactly two pollock per cruise, providing further evidence that pollock stocks have not recovered. Although final data were not available for the third trial fishing cruise, the Polish delegation reported that two pollock were caught during 12 days of fishing in the eastern part of the central Bering Sea.

2000 AHL: Despite the overwhelming evidence provided by 1999 research and trial fishing results that pollock stocks are still at a very low level in the central Bering Sea, China, Japan, Korea, and Poland made a protracted

effort to get consensus on setting an AHL for 2000. They argued that the Convention allows the Parties to set an AHL for any level of biomass, as long as it is done by consensus, and that such an AHL needs to be set. They specifically argued that:

1) The 1.67 million mt "trigger" level for a commercial fishery is unrealistically high, has no scientific basis, and will likely never be reached. They believe there is scientific support for an AHL at some minimum level and fishing at that level will not harm the stocks. Levels proposed ranged from 5,300 mt (Japanese proposal) to 42,380-50,700 mt (Korean proposal).

2) Establishing a minimal AHL will allow the Parties to "test" the management measures they have set up for a full-scale commercial fishery in the central Bering Sea once pollock stocks have recovered.

3) Establishing a minimum AHL, even if the AHL is not commercially fishable, would give the Parties' fishermen hope that a commercial fishery will eventually resume in the central Bering Sea; i.e., that their abstention from fishing in the Convention Area for 7 years was not in vain. Such an AHL would be "symbolic."

4) The catch data resulting from an AHL would provide additional information on the pollock stock status in the Convention area.

The United States provided rebuttals to these arguments. Among other things, the U.S. delegation explained that the United States is very sympathetic to the concerns of the other Parties and their fishermen that the Aleutian Basin pollock stock has not recovered and that harvests are not being realized by the Parties despite the suspension of fishing on these stocks for 7 years. It pointed out that U.S. fishermen had foregone harvests in the U.S. zone in the Bogoslof Island area amounting to $25 million per year over the 7-year period, if the U.S. had assumed that the Bogoslof stock was independent of the Aleutian Basin stock. The U.S. delegation said it believes that the harvest foregone at Bogoslof by U.S. fishermen is the most significant measure the Parties are taking to rebuild the stock.

The Korean delegation demanded an explanation from the coastal states for the failure of the Aleutian Basin stock to rebuild, stating that improper coastal state management practices could be one of the causes. The U.S. delegation responded that the pollock harvest in the central Bering Sea by the fishing states totaled over 7 million mt from 1984 to 1991--a very significant removal, and the primary reason why the pollock stock hasn't recovered. The U.S. delegation explained that fishing stocks to such low levels may lead to long periods of decline and, even if environmental conditions are good, recovery may be slowed by a lack of brood stock.

The U.S. delegation agreed with the other Parties that further research is needed on stock composition and biomass strength in the Aleutian Basin, and that trial fishing and stock assessment at other times and with expanded frequency may be desirable. However, it stated that the AHL levels proposed by Japan and Korea were too low to be considered commercially significant and that the United States does not advocate misleading fishermen with a symbolic AHL, even if it is known that such an AHL is not economically viable. Any benefits of doing so are minimal in contrast with the potential risks to the rebuilding of the resource. The U.S. delegation reiterated that there is no indication of significant populations of pollock in the Aleutian Basin, either from trial fishing or biomass surveys conducted by the Parties and no forecast that the previous levels will be reached any time soon. The United States could not agree with the fishing countries' conclusion that resumption of a commercial enterprise in the central Bering Sea is warranted at current stock levels and that the 1.67 million mt biomass minimum is not realistic and should be modified. The United States supported setting the AHL at zero for 2000.

When it became clear that there was no consensus for establishing a pollock AHL for 2000, the fishing countries

finally agreed to set the AHL at zero. Consequently, no individual national quotas could be established for 2000.

Central Bering Sea Pollock Workshop: As a result of intense pressure to set an AHL, the United States agreed to participate in a "Central Bering Sea Pollock Workshop" prior to the year 2000 Annual Conference to review the status of Aleutian Basin pollock stock, factors affecting recovery of the stock, including prey-predator relationships, and the effects of the moratorium and its continuation. The Workshop will also consider proposals for strategies to rebuild and/or reassess the Aleutian Basin stock with a shared goal of resuming fishing operations as soon as possible consistent with sound biological principles, and to consider methodologies to determine allowable harvest levels. The United States agreed to develop the Workshop agenda in consultation with a designated contact from each Contracting Party via e-mail. The Workshop will be held in the United States or Japan.

The Establishment of the Terms and Conditions for Trial Fishing in 2000: Although there will be no commercial pollock harvest in the central Bering Sea in 2000, trial fishing for pollock will be permitted. The Annual Conference adopted measures on trial fishing similar to those employed in previous years. Included are provisions that no more than two vessels from each Party to the Convention at any time may conduct trial fishing for pollock, information on the vessels that will engage in the trial fishing will be provided to all Parties in advance of fishing operations, and vessels engaged in trial fishing will have scientific observers of the flag-State on board and will accept at least one scientific observer of other Parties to the Convention in accordance with arrangements to be made between the flag-State of the vessel and the other Parties. China, Korea, and Poland indicated that they intend to conduct trial fishing in the Convention Area in 2000.

Maintaining the status quo on trial fishing terms and conditions proved difficult. When the coastal states rejected setting an AHL, Korea said that it still needed to reward its fishermens' patience. It proposed to raise the number of trial fishing vessels to five vessels for each country. Korea said that it would be better to have more vessels in the Convention Area to conduct scientific surveys. The United States pointed out that two vessels were sufficient; that it had never received research plans from any of the other Parties that necessitated five vessels. In addition, 30 trial fishing vessels (5 from each Party) is a sizeable fleet to manage--in actuality a full-scale fishery. Such a large fishery could have a negative impact on the recovery of the stocks. The U.S. delegation also pointed out that the Parties have not yet completed a management system for such a fishery in the central Bering Sea.

Central Bering Sea Management System: The Parties discussed several outstanding components of the fisheries management system and reached consensus on a Korean proposal for bi-weekly data reporting once a commercial fishery resumes in the Convention Area. Parties still need to agree on the number and priority placement of observers on fishing vessels, the number of vessels to be allowed to fish, and the fishing season. The Chairman of the Enforcement/Management Group (a subcommittee of the S&T Committee) will try to resolve the observer placement issue via mail or e-mail. If this task proves impossible, a workshop on the issue will be held prior to the next Annual Conference.

Plan of Work for the S&T Committee: The main elements of the Committee's Work Plan for 2000 consist of (1) pollock research cruises in the Bering Sea conducted by Korea (Bogoslof area and central Bering Sea), the United States (Bogoslof area and eastern Bering Sea) , and Russia (western Bering Sea and Navarin Basin area; (2) the Central Bering Sea Pollock Workshop previously mentioned; (3) a pollock Stock Identification Workshop Follow-up Plan (a continuation of discussions at the Pollock Stock Identification Workshop held in Japan in September 1999); and (4) formal review of "The Issue Paper on Ecosystem Approach for Proper Management of Pollock Resources in the Central Bering Sea" presented by Japan prior to the Fourth Annual Conference. Japan is conducting a research cruise in the central Bering Sea in November-December 1999, but has no plans to conduct Bering Sea research in 2000.

Transparency: No progress was made on the issue of transparency and the attendance of non-governmental observers at Annual Conferences. The United States and Russian Federation tabled a revised transparency proposal nearly identical to the observer rules approved this year at the Northwest Atlantic Fisheries Organization (NAFO) Annual Meeting. Of the Parties to the Central Bering Sea Convention, only China is not a member of NAFO and the United States believed that the Parties could accept these rules. However, China and Korea did not support the U.S./Russian proposal and Japan said that it needed more time to review it. The Parties agreed to further discuss the matter at the Fifth Annual Conference. In the interim, the Parties agreed to the same observer rules for 2000 that were used in 1998 and 1999. These rules do not address attendance by non-governmental observers, only observers from regional and intergovernmental organizations.

Fifth Annual Conference: China will host the Fifth Annual Conference of the Parties on November 6-10, 2000, in Shanghai. Mr. Zhong Ying Qi, President of Shanghai Fisheries University, will chair the Conference. Poland agreed to host the Sixth Annual Conference in 2001.

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TREATY ON FISHERIES BETWEEN THE GOVERNMENTS OF CERTAIN PACIFIC ISLAND STATES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA (SOUTH PACIFIC TUNA TREATY -- SPTT)

Implementing Legislation

South Pacific Tuna Act of 1988 (54 FR 4033, January 27, 1989; 56 FR 19312, April 26, 1991).

Parties

The United States, Australia, Cook Islands, Federates States of Micronesia (FSM), Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, and Samoa.

Description

The SPTT entered into force in 1988. After an initial 5-year agreement, the SPTT was renewed in 1993 and is scheduled to expire on June 14, 2003. The current agreement allows access for up to 50 U.S. purse seiners, with an option for 5 more if agreed to by all parties, to the EEZ's of the following countries: Australia, Cook Islands, FSM, Fiji, Kiribati, Marshall Islands, New Zealand, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, Samoa. The overall SPTT area is 10 million square miles.

The Treaty is said to be working efficiently and to the benefit of all involved. It has been viewed as a model of international and fishery cooperation. Issues that arise typically are addressed in formal annual consultations between U.S. Government and Pacific Island States representatives, or during informal discussions which also have taken place on an annual basis for the last 5 years. The Department of State has specific authority to act for the United States.

Budget

Of the total cost for access under the SPTT, the U.S. tuna industry, as coordinated by the United States Tuna Foundation (USTF), provides $4 million each year to the Forum Fisheries Agency (FFA) located in Honiara, Solomon Islands. The FFA Director and staff act as the SPTT Administrators for the Pacific Island Governments party to the agreement. The FFA deducts a small amount for treaty administration, after which 15 percent of the revenue is divided equally among FFA members, with the remaining balance (85 percent) distributed on a *pro rata* basis depending on the weight of tuna landed in each respective EEZ. The Director of the FFA is currently Victorio Uherbelau (telephone: 677-21124; fax: 677-23995; e-mail: victorio.uherbelau@ffa.int). The FFA Staff Treaty Administrator is Felix Punjaboe (e-mail: felix.punjaboe@ffa.int).

Also associated with the SPTT is an economic assistance agreement between the U.S. Government (U.S. Agency for International Development) and the FFA. The U.S. Government pays $14 million, due on June 15 of each year, into an economic development fund administered by the FFA. The FFA ensures that the fund is used to support economic development programs in the region. Under the terms of the SPTT, both the U.S. tuna industry and the U.S. Government annual payments must be made before any fishing licenses will be issued.

In addition to paying access fees, the U.S. tuna industry also pays the FFA all costs associated with an agreed upon observer coverage rate of 20 percent (including training), vessel monitoring system deployment and associated

recurring costs, and a regional registration fee.

Although the major beneficiaries vary from year to year, on average the Governments of Papua New Guinea, FSM, the Solomon Islands, and Kiribati receive the greatest share of the funds distributed. For the FSM and Kiribati, revenues derived from tuna access agreements can make up 30-40 percent of the total monies available to those Governments.

U.S. Administration

U.S. operational, administrative, and enforcement commitments under the SPTT are carried out by the National Marine Fisheries Service (NMFS). These responsibilities are implemented by the NMFS Southwest Regional Administrator. The NMFS Southwest Region maintains a field station in Pago Pago, American Samoa, to collect fishery data required by the SPTT, while the Southwest Fisheries Science Center (SWFSC), located in La Jolla, California, is responsible for related data collation and summarization. SPTT catch and effort data generated by U.S. purse seine vessels are sent on a bimonthly basis from the SWFSC to the FFA. The USTF also plays an integral role in the SPTT with coordination of all payments and participation in all treaty matters.

In October 1997, the NMFS Assistant Administrator approved an initiative of the Southwest Regional Admistrator to consolidate all matters relating to fishery policy and management pertinent to the western and south Pacific in the Pacific Islands Area Office (PIAO), located in Honolulu, Hawaii. The PIAO Administrator is responsible for the day-to-day administration of the SPTT.

Current Status of the U.S. Fleet

There are currently 35 U.S. vessels active in the fishery. During the previous 5 years, the average was approximately 43. Participation by U.S. vessels is on the decline. At present, there are a total of 180 purse seiners operating in the central and western Pacific (major fleets also from Japan, Korea, and Taiwan) and the capacity of Pacific Island countries, currently at 10 percent of total landings, is growing rapidly. Overall, total effort appears on the increase and in 1998 a record 1,158,300 mt were landed by purse seiners in the western, central, and south Pacific, representing more than 60 percent of world canned tuna landings. There also appears to be excess capacity in the tuna canning and processing sector.

In 1998, the U.S. fleet landed 177,000 mt--the highest since 1994. Skipjack tuna comprised 135,000 mt, with yellowfin and bigeye tuna making up the balance. Almost all of the U.S. fleet's production historically is landed in American Samoa, where there are two canneries. The recent ex-vessel price of fish has been less than $500/ton, placing the U.S. fleet in a situation where revenues may be below opportunity costs (estimated to be around $700/mt). Many vessels have joined in a marketing cooperative in an attempt to increase the price.

Current Issues

Increased capacity is of concern to the U.S. industry: With current low ex-vessel prices and coming off the largest landing year in the history of the Pacific, the U.S. fishery is in weak economic condition. The largest U.S. vessel owner went bankrupt in 1996, causing the loss of 10 vessels to the U.S. fleet. Vessel owners indicate that despite recent good fishing, making ends meet is growing increasingly difficult.

It should be noted that currently the South Pacific Commission (SPC) Oceanic Fisheries Programme believes that western, central, and southern Pacific skipjack stocks are in good condition, while yellowfin tuna stocks are fully

exploited. The current condition of the bigeye tuna resource is unknown (bigeye tuna is not typically a large component of purse seine landings in the Pacific). The SPC biological assessments for skipjack and yellowfin tuna are considered to be some of the best in the world.

Recently, the Government of Kiribati reportedly agreed to allow up to 14 additional Spanish purse seiners fish within its EEZ. The Spanish fleet reportedly includes some of the largest and most modern vessels in the world (an average U.S. seiner has approximately 1,200 mt carrying capacity–at least one of the Spanish vessels has a 3,000 mt carrying capacity). The Spanish have no history of fishing in the western Pacific.

The actions of Kiribati are in apparent conflict with recent declarations of the Multilateral High-Level Conference for the Conservation and Management of Tuna in the Western and Central Pacific process. At a recent plenary session, the Pacific Island countries put forth a resolution to cap capacity.

Shark finning: Recently, the U.S. tuna purse seine industry operating in the western and central Pacific under the auspices of the USTF, banned the practice of shark finning on all vessels.

Future Meetings: The next annual formal consultation between the Parties will be held in Niue on March 6-10, 2000.

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SOUTHERN OCEAN

CONVENTION FOR THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES (BASIC INSTRUMENT FOR THE COMMISSION FOR THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES -- CCAMLR)

Basic Instrument

Convention for the Conservation of Antarctic Marine Living Resources (TIAS 10240), 1982.

Implementing Legislation

Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2431).

Member Nations

Argentina, Australia, Belgium, Brazil, Chile, European Community, France, Germany, India, Italy, Japan, Republic of Korea, New Zealand, Norway, Poland, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay (note: Bulgaria, Canada, Finland, Greece, the Netherlands, and Peru have acceded to the Convention, but are not members of the Commission).

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Budget

(Amounts are in Australian dollars) The Commission approved a budget for 2000 of $2,077,800. The 2000 U.S. contribution will be $78,807.

U.S. Representation

A. Appointment Process:

The Secretary of State, with the concurrence of the Secretary of Commerce and the Director of the National Science Foundation, appoints an officer or employee of the United States as the U.S. representative to the Commission.
The Secretary of Commerce and the Director of the National Science Foundation, with the concurrence of the Secretary of State, designates the U.S. representative to the Scientific Committee.

B. U.S. Representative to the Commission:

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C. Advisory Structure:

The U.S. Representative to the Scientific Committee is responsible for providing scientific advice to the Commissioner on the operation of the U.S. Antarctic Marine Living Resources (AMLR) directed research program; on the status of krill, finfish, squid, marine mammal, and bird populations; on data requirements; on the long-term program of work of the Scientific Committee; and on recommendations for conservation and management measures. Permanent Working Groups on Fish Stock Assessment (WG-FSA) and Ecosystem Monitoring and Management (WG-EMM) have been constituted to develop and review research proposals and results. The Commission is currently assisted by an ad hoc Working Group on Incidental Mortality Arising from Longline Fishing (WG-IMALF).

Description

A. Mission/Purpose:

The 1982 Convention established CCAMLR for the purpose of protecting and conserving the marine living resources in the waters surrounding Antarctica. The Convention is based upon an ecosystem approach to the conservation of marine living resources and incorporates standards designed to ensure the conservation of individual populations and species and the Antarctic marine ecosystem as a whole.

The Convention applies to the Antarctic marine living resources of the area south of 60° South latitude and to the Antarctic marine living resources of the area between that latitude and the Antarctic Convergence which form part of the Antarctic marine ecosystem. The Antarctic Convergence is deemed to be a line joining the following points along parallels of latitude and meridians of longitude: 50°S, 0°; 50°S, 30°E; 45°S, 30°E; 45°S, 80°E; 55°S, 80°E; 55°S, 150°E; 60°S, 150°E; 60°S, 150°E; 60°S, 50°W; 50°S, 50°W; 50°S, 0°.

B. Organizational Structure:

CCAMLR is comprised of the Commission, Executive Secretary, and the Scientific Committee. The Commission consists of one representative from each member nation and is responsible for facilitating research, compiling data on the status of and changes in Antarctic marine living resources, ensuring the acquisition of catch and effort data, publishing information, identifying conservation needs, adopting conservation measures, and implementing a system of observation and inspection. The Executive Secretary handles the administrative matters for the Commission. The Scientific Committee is comprised of scientific advisors from the member nations. It sponsors the permanent working groups and recommends research programs and conservation and other measures to the Commission. There are working groups for Fish Stock Assessment (WG-FSA) and Ecosystem Monitoring and Management (WG-EMM).

U.S. participation on the Scientific Committee and in WG-FSA and WG-EMM is supported by the activities of the U.S. Antarctic Marine Living Resources (AMLR) Directed Research Program, conducted by the National Marine Fisheries Service's Antarctic Ecosystem Research Group (AERG), Southwest Fisheries Science Center, La Jolla, California.

C. Programs:

The Commission adopted its first conservation measures during the 1984 session (CCAMLR III). At its Eighteenth Meeting in Hobart, Tasmania, October 25 to November 5, 1999, the Commission adopted additional, or extended previously adopted, conservation measures pertaining to fishing in the CCAMLR Convention Area in Antarctic waters. These were agreed upon in accordance with Article IX of the Convention for the Conservation of Antarctic Marine Living Resources.

The measures restrict overall catches and bycatch of certain species of fish, krill, squid and crab; limit participation in several new and exploratory fisheries; restrict fishing in certain areas and to certain gear types; set fishing seasons; require vessel and gear marking; continue previously adopted reporting requirements; specify licensing and inspection obligations of Contracting Parties; encourage cooperation between Contracting Parties to ensure compliance with CCAMLR conservation measures; mandate the use of Automated Satellite-Linked Vessel Monitoring Systems (VMS) on Contracting Party vessels fishing in the Convention Area; and establish a Catch Documentation Scheme to track and monitor trade in toothfish. The full text of CCAMLR conservation measures can be found at the Publications link to the CCAMLR website (www.ccamlr.org).

CCAMLR approved several fisheries as new or exploratory fisheries for the 1999/2000 fishing season. These fisheries are limited participant and total allowable catch (TAC) fisheries, and, with the exception of an exploratory fishery for M. Hyadesi (squid) in Statistical Subarea 48.3, are open only to the countries which notified CCAMLR of an interest by their fishers in the fisheries. The United States was not a notifying country, and, thus, U.S. fishers are not eligible to participate in these fisheries. The new fisheries are for: longline fishing or trawl fishing for Dissostichus species (toothfish) in areas other than 48.3; and a new trawl fishery for Chaenodraco wilsoni, Lepidonotothen kempi, Trematomus eulepidotus, Pleurogramma antarcticum in Statistical Division 58.4.2.

Participation in the Convention Area crab fishery continues to be limited to one vessel per Commission member. Applications for a crab permit must be received no later than 90 days prior to intended harvesting and will be considered in order of application. If there are multiple applicants, the one U.S. crab permit will be issued on the basis of: (1) order of receipt of applications; (2) criteria for harvesting permits appearing in 50 CFR 300.112; (3) willingness to participate in CCAMLR pilot programs; and (4) record of previous participation, if any, in the crab fishery.

The Commission concluded that there continued to be substantial reductions in seabird bycatch during longline fishing in the Convention Area during 1998/99. The trend has been evident over the past three years and is directly attributable to improved compliance with the conservation measure requiring techniques to mitigate bycatch and to the later commencement of the fishing season in most areas. The Commission also concluded that if illegal, unreported, and unregulated fishing in Convention Area longline fishing was to be eliminated, seabird bycatch would practically stop.

CCAMLR continued its discussion of trade-related measures as a means of facilitating compliance and adopted a catch certification scheme (CDS) for potentially threatened toothfish (often marketed in the United States as "Chilean Seabass"). The scheme, proposed by the United States, attempts to reduce the excessive unreported and illegal fishing for toothfish currently taking place in the Convention Area and adjacent waters. It does this by requiring that toothfish landed in the ports of CCAMLR parties, transshipped to their vessels or through their ports, or imported into their territories be documented. The United States will adopt regulations giving effect to the CDS by mid-2000.

D. Activities and Meetings

The United States, United Kingdom, Japan, and Russia will cooperate during January-February 2000 in a survey of krill abundance in Statistical Area 48 (CCAMLR-2000 Survey). A key result of the survey will be an estimate of krill biomass that will be used in the krill yield model (KYM) to set a new precautionary catch limit in Area 48 (the Atlantic sector).

The CCAMLR Scientific Committee will hold the following intersessional meetings:

Krill Biomass Workshop
Two week period during May-June 2000
La Jolla, California

Working Group on Ecosystem Monitoring and Managing
July 17-28, 2000
Taormina, Italy

Working Group on Fish Stock Assessment
October 9-19, 2000
Hobart, Tasmania

The next annual meeting of the Commission is October 23-November 3, 2000.

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CONVENTION FOR THE CONSERVATION OF ANTARCTIC SEALS (CCAS)

Basic Instrument

Convention for the Conservation of Antarctic Seals (29 UST 441, TIAS 8826)

Implementing Legislation

None.

Member Nations

Argentina, Australia, Belgium, Chile, France, the Federal Republic of Germany, Japan, Norway, Poland, South Africa, the Russian Federation, the United Kingdom, and the United States of America.

Commission Headquarters

The Convention did not establish a Commission. The United Kingdom serves as the Depositary Government.

Budget

None.

U.S. Representation

The United States is represented at Meetings of Contracting Parties to the Convention by a delegation, headed by the Department of State and including representatives of the National Marine Fisheries Service, the Marine Mammal Commission, and the environmental community.

Description

A. Mission/Purpose

The Convention for the Conservation of Antarctic Seals was signed in London on February 11, 1972. It entered

into force on March 11, 1978, and calls for Contracting Parties to meet within 5 years of entry into force, and at least every 5 years thereafter, to review the operation of the Convention. The purpose of the Convention is to promote and achieve the objectives of protection, scientific study and rational use of Antarctic seals, and to maintain a satisfactory balance within the ecological system.

The Convention applies to the seas south of 60° South Latitude, in respect of which the Contracting Parties affirm the provisions of Article IV of the Antarctic Treaty.

B. Organizational Structure

There is no Commission. The Scientific Committee on Antarctic Research (SCAR) of the International Council of Scientific Unions, through its Group of Specialists on Seals, receives reports from and advises the Contracting Parties on the number of seals killed or captured, the status of stocks, and the need, if any, for conservation and management measures.

C. Programs

Because there had been no commercial sealing in the Antarctic after the Convention entered into force in 1978, an offer by the United Kingdom, as Depositary Government, to host a 1983 meeting of Parties, was declined. The first and, to date, only meeting of Parties, held in 1988, was occasioned by a 1986/87 Soviet commercial sealing expedition and research cruise.

The 1988 meeting limited its recommendations to amendments to the Annex to the Convention or to Contracting Parties and other institutional action independent of the terms of the Convention. The Meeting agreed that Contracting Parties should restrict the number of seals killed or captured by special permit. It also agreed to encourage cooperative planning among holders of special permits for scientific research and detailed the scientific information which should be reported. The meeting recommended that the Annex be amended to increase the period of notification by a Contracting Party to other Contracting Parties prior to leaving home port for a commercial sealing expedition from 30 to 60 days. The final report of the meeting noted, however, that Contracting Party countries are unlikely to engage in commercial sealing in the foreseeable future.

In 1992, the United Kingdom proposed, but the Parties did not feel it necessary, to hold a further meeting.
In October 1993, the United Kingdom hosted an informal meeting of the Parties to review the operation of the Convention. The meeting was held in the margins of the twelfth meeting of the Commission for the Conservation of Antarctic Marine Living Resources. As a result, the Parties noted the need to: improve the submission and exchange of data; endorse scientific programs on seal research; provide SCAR with contact points of CCAS parties; and circulate copies of reports from the SCAR Group of Specialists to CCAS Parties. In response to an inquiry, the United Kingdom confirmed that the recommendations adopted by the 1988 Meeting of Parties entered into force on March 27, 1990.

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GREAT LAKES

CONVENTION ON GREAT LAKES FISHERIES BETWEEN THE UNITED STATES AND CANADA (BASIC INSTRUMENT FOR THE GREAT LAKES FISHERY COMMISSION -- GLFC)

Basic Instrument

Convention on Great Lakes Fisheries between the United States and Canada signed September 10, 1954; entered into force October 11, 1955. 6 UST 2836; TIAS 3326; 238 UNTS 97.

Implementing Legislation

Great Lakes Fisheries Act of 1956 (16 USC 932).

Member Nations

U.S. and Canada.

Commission Headquarters

2100 Commonwealth Boulevard
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Ann Arbor MI 48105-1563
Telephone: (313) 662-3209
Fax: (313) 741-2010
Web address: http://www.glfc.org

Budget

The Commission approved a budget of $13.7 million for FY 2000. The U.S. contribution is $9.4 million.

U.S. Representation

A. Appointment process:

The United States is represented by 4 Commissioners appointed by the President. Of the Commissioners, one is to be an official of the U.S. Government and three are individuals who reside in different Great Lakes States and who are knowledgeable regarding the fisheries of the Great Lakes; one of these three must be an official of a Great Lakes state. The term of office for Commissioners is 6 years, and an Alternate Commissioner shall perform the duties of a Commissioner in the absence of a Commissioner, or when a Commissioner vacancy occurs. There are no set guidelines for the nomination process.

B. U.S. Commissioners:

Jamie Rappaport Clark
Federal Commissioner
Director, U.S. Fish and Wildlife Service
(appointed June 1998)

Bernard J. Hansen (Committee Vice-Chair)
Alderman, 44th Ward
City of Chicago

(appointed September 16, 1994)

Joseph Day
Executive Director, Indian Affairs Council
State of Minnesota
(appointed November 21, 1997)

Dr. Roy A Stein
Director, Aquatic Ecology Lab
Ohio State University
(appointed 1998)

C. Advisory structure:

There is no statutory requirement that the Commission establish an advisory body. However, an extensive advisory network has been developed by the Commission (see Description below).

Description

A. Mission/Purpose:

The GLFC was established to manage Great Lakes fisheries and to control and eradicate sea lamprey. Atlantic sea lamprey entered the Great Lakes via canals constructed in the nineteenth century and quickly decimated important commercial and recreational fisheries. Specific responsibilities of the Commission are:

1) to formulate research programs to sustain maximum productivity of fish stocks in the Convention area that are of common concern to the United States and Canada, to coordinate research done pursuant to such programs, and, if necessary, to undertake such research itself;

2) to recommend appropriate measures to the Contracting Parties based on the findings of such research programs;

3) to formulate and implement a program for eradicating or minimizing sea lamprey populations in the Great Lakes basin; and

4) to publish the scientific findings obtained in the performance of its duties.

Over the years, as new organizations and new ecological challenges have arisen, the Commission has sought to coordinate fisheries-related activities with other agencies and the public.

B. Organizational Structure:

The GLFC secretariat handles the day-to-day operations of the organization. The Commission meets in plenary session annually, in mid-June. Commissioners convene an Interim Meeting in early December, and special meetings of the Commissioners take place as needed.

C. Programs:

Lamprey Control: The lamprey eradication and control mandate of the Commission consumes the bulk of the Commission's budget and is carried out by the Commission's "control agents" in the United States and Canada.

The U.S. agent is the U.S. Fish and Wildlife Service (USFWS). The Commission contracts for the application of chemical lampricide by USFWS employees in the lakes and in their tributaries. The Department of Fisheries and Oceans provides this function for Canada.

Re-registration: The chief lamprey control chemicals (TFM and Bayluscide/niclosamide) are currently undergoing re-registration, required by the U.S. Environmental Protection Agency (EPA) under 1990 amendments to the Federal Insecticide, Fungicide, and Rodenticide Act. This process ensures that the chemical does not have harmful environmental effects, and is a mandatory requirement of U.S. law. EPA has advised the GLFC via the Upper Mississippi Science Center (UMSC) that at least three additional environmental fate studies on niclosamide will have to be completed before the EPA will finalize its decision. Indications are, however, that the EPA will approve re-registration pending the correction of data deficiencies the three studies will provide. These studies were initiated last year and will be completed in FY-2000. Although the re-registration process is not yet complete, EPA pledged that the GLFC would still be permitted to use the lampricide in U.S. waters. In Canada, the Commission is working to transfer TFM registration to a new manufacturer, as the previous contractor has stopped production of the chemical. Health Canada must conduct a regulatory review; until it is complete, TFM manufactured by the new contractor may not be used in Canada.

GLFC and Its Stakeholders: The Commission operates through a broad-based, grass roots committee structure, with a basin-wide series of local level committees which cooperate with state and federal officials in monitoring fish (and lamprey) populations in local waters. This information is passed to "lake committees," which present reports to the Commission at its annual meeting. The Board of Technical Experts (BOTE) draws from academic and industry experts in environmental issues, biology and pesticide use. Other experts serve on a fish disease control committee. The Committee of the Whole (ComW) advises the Commission on technical and "political" matters. ComW members include senior State or Provincial officials with fisheries responsibilities. The Commission, assisted by these groups, has developed the Joint Strategic Plan for Management of Great Lakes Fisheries, although the Convention does not vest the Commission with direct fishery management authority. The Joint Strategic Plan is currently undergoing a periodic review by officials from various state, federal, provincial and tribal fisheries and environmental management agencies.

Commission Issues

Current lamprey control activity is focusing on the St. Mary's River, which produces more sea lampreys than all other Great Lakes areas combined. The control strategy should reduce sea lamprey populations in Lake Huron and northern Lake Michigan by at least 85 percent. Cost-effective sea lamprey control on the St. Mary's River was once thought to be impossible because of the size of the river and because of the widespread distribution of sea lamprey larvae. However, state-of-the-art lamprey assessment and modeling technologies, combined with the development of a new lampricide formulations, have provided the tools to accurately target concentrations of larval lampreys and to effect a significant level of control at the least possible cost.

The GLFC is making progress towards reducing their dependency on chemical lampricide, with a 50 percent reduction from 1990 levels targeted to take place by this year. Although the Commission already uses alternatives to chemical lampricides to control lamprey, such as barrier dams and a program to introduce sterile males into the lamprey population, they hope to improve and expand these programs in the next few years. In a first step, a recent change to the Water Resources Development Act will allow the U.S. Army Corps of Engineers to work with the Commission to fund and build new barrier dams. The GLFC is also developing research programs into new alternate controls to further reduce their dependence on chemical lampricides.

The GLFC Secretariat estimates that the Commission has reduced TFM use by 35 percent since 1991 through a

combination of refinements in the application process, improved stream selection, and investments in alternative controls. Virtually no TFM is being used in the St. Mary's River project. The primary control agent there is granular Bayluscide, which does not affect the entire water column and can be applied to discrete areas with remarkable precision.

After years of level funding, the United States increased its annual contribution in FY-2000 to begin the St. Mary's River project. The United States plans further increases in the next few years to allow the development of alternative control techniques. Canada has also committed to raising its funding amount in FY 2000 and beyond.

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GLOBAL

CONVENTION ON BIOLOGICAL DIVERSITY (CBD)

Basic Instrument

The Convention was opened for signature at the United Nations Convention on Environment and Development in Rio de Janeiro, June 1992; signed by President Clinton on June 4, 1993, and transmitted it to the Senate for advice and consent, along with an interpretive statement to clarify how the United States understands certain provisions that have caused concern. The treaty entered into force on December 29, 1993.

Implementing Legislation

The CBD is awaiting Senate ratification. No implementing legislation to carry out the terms of the treaty was sent to the Congress, because current law was considered sufficient to meet the U.S. obligations.

Member Nations

As of December 1999, 175 nations and the European Community had ratified or acceded to the CBD. The United States has signed but not yet ratified the Convention.

Secretariat Headquarters

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Canada
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Fax: (1) 514-288-6588
Web address: http://www.biodiv.org
Executive Secretary: Mr. Hamdallah Zedan

Budget

The Conference of the Parties at its Fourth Meeting (COP-4) in May 1998, approved a budget of $5.7 million for 1999 and $5.985 million for 2000. The United States is not yet a Party and therefore currently is not obligated to contribute directly to the Convention Budget.

In addition to the CBD budget, the implementation of the Convention in developing countries is funded through a Financial Mechanism. The Global Environment Facility (GEF) is the institution designated by the Conference of the Parties to operate the Financial Mechanism on an interim basis. The United States pledged U.S. $430 million to the current replenishment of the GEF (1999-2002). For more details on the GEF see description below.

U.S. Representation

The Department of State is the lead U.S. agency to the CBD negotiations. The Department of Commerce (including NOAA), Department of the Interior, the Environmental Protection Agency, the U.S. Agency for

International Development, and a number of other Agencies participate actively in the interagency process and on delegations to CBD negotiations.

The National Marine Fisheries Service has been designated the lead NOAA Line Office on marine and coastal CBD issues, working in close consultation with the NOAA International Liaison Staff and other NOAA agencies.

Description

A. Mission/Purpose:

The objectives of the Convention on Biological Diversity (CBD) are:

(1) the conservation of biological diversity,
(2) the sustainable use of its components, and
(3) the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

B. Organizational Structure:

The Convention on Biological Diversity (CBD) is governed by a Conference of the Parties (COP) made up of all the Parties to the Convention. During the first 3 years (1994-1996), the COP met annually. COP-IV met in May 1998 in Bratislava, Slovakia, and COP-5 is scheduled for June 2000 in Nairobi, Kenya. At the COP, countries report on steps taken under the Convention and consider measures for strengthening the treaty.

In addition to the COP, a Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) has been set up to provide advice to the COP. The SBSTTA is also composed of representatives of governments that are Parties and has its own Bureau. SBSTTA generally meets annually. The next SBSTTA meeting is scheduled for June 1999 in Montreal, Canada.

The CBD is far reaching and the COP has the capacity to set up standing or *ad hoc* committee to deal with specific issues. The CBD can also serve as a framework for binding protocols. The first such protocol, on biosafety, is scheduled to be completed in February 1999.

A Secretariat, located in Montreal, Canada, provides administrative support to the Convention under the auspices of the United Nations Environment Program. The Secretariat also manages an electronic clearing-house mechanism to promote and facilitate technical and scientific cooperation (http://www.biodiv.org/).

C. Programs:

General Provisions of the Treaty: The Convention on Biological Diversity affirms that conservation of biodiversity is a common concern of humankind and reaffirms that nations have sovereign rights over their own biological resources. Implementation depends principally on action by Parties at the national level. In this respect, the Convention provides general guidance on best practices, but does not currently include any sanctions for countries that do not adhere to these practices. The Convention covers *both* terrestrial and marine biota, and Parties are explicitly required to implement the CBD consistent with the rights and obligations of States under the law of the sea.

The major commitments made by Parties to the Convention encompass nearly all aspects of NMFS work and responsibilities. These commitments include:

- To develop national strategies, plans, etc., for conservation and sustainable use of biodiversity; and to integrate, as far as possible and appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans (Art. 6).

- To identify and monitor the components of biodiversity and activities which have or might have significant adverse impacts (Art. 7).

- To establish protected areas or areas where special measures are needed and to regulate or manage biological resources important to biodiversity; to promote protection of ecosystems and natural habitats; and to promote environmentally sound and sustainable development in areas adjacent to protected areas; to prevent introduction of species from outside a country that could threaten native ecosystems or species; to develop or maintain necessary legislation and other regulatory provisions for protection of threatened species and populations; and to establish means to regulate, manage or control risks associated with use and release of living modified organisms from biotechnology with likely adverse environmental effects (Art. 8).

- To adopt measures for the *ex-situ* conservation of components of biological diversity (Art. 9).

- To integrate consideration of the conservation and sustainable use of biodiversity resources into national decision-making; adopt measures relating to the use of biological resources to avoid or minimize adverse impacts on biological diversity; to preserve and maintain knowledge and practices of indigenous and local communities embodying traditional lifestyles that are compatible with conservation or sustainable use requirements; support remedial action in degraded areas; and encourage cooperation between the government and private sector to develop methods for sustainable use (Art. 10).

- To adopt economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity (Art. 11)

- To establish programs for scientific and technical education and training in identification, conservation, sustainable use of biodiversity and promote research that contributes to biodiversity (Art. 12).

- To promote programs for public education and awareness (Art. 13).

- To require environmental impact assessments that address impacts on biodiversity and to minimize such impacts. (Art. 14).

- To create conditions to facilitate access to genetic resources on mutually agreed terms, recognizing sovereign rights of States over their natural resources; and to share in a fair and equitable way the results of research, development, and the commercial utilization of genetic resources with contracting Parties providing such resources (Art. 15).

- To encourage access to, and transfer of, technology relevant to the conservation and sustainable use of biological diversity or that makes use of genetic resources and does not cause significant damage to the environment (Art. 16).

- To facilitate the exchange of information and scientific and technical cooperation in the field of the conservation and sustainable use of biological diversity (Art. 17&18).

- To encourage biotechnology research, especially in developing countries; ensure the fair and equitable sharing of benefits from biotechnology; and address safety concerns related to the transfer, handling and use of living modified organisms (Art. 19).

In addition to these general provisions, developed country Parties are required to provide "new and additional financial resources" to assist developing country parties meet the incremental costs of implementing measures that fulfill the obligations of the CBD. These resources are provided through the GEF (Art. 20 & 21).

Marine and Coastal Biodiversity: The 2nd Conference of the Parties in November 1995 adopted the *"Jakarta Mandate on Marine and Coastal Biodiversity"* adopted at COP-2 in November 1995. The *Jakarta Mandate* identified five priority areas for action:

(1) Promoting integrated marine and coastal area management as the framework for addressing human impacts on biological diversity.

(2) Establishing and maintaining marine and coastal protected areas.

(3) Using fisheries and other marine and coastal living resources sustainably. This was the most controversial recommendation, including issues of overcapacity, subsidies and bycatch.

(4) Ensuring that mariculture practices are environmentally sustainable.

(5) Preventing the introduction of, and controlling or eradicating, alien species that threaten ecosystems, habitats or species.

The first meeting of experts was held in Indonesia March 7-10, 1997. This meeting was the beginning of a process to identify priorities and actions for the Parties in the five thematic areas. COP-4 developed the outline of a three year program of work to implement the *Jakarta Mandate*.

Recent Marine-Related Activities

COP 4: The Fourth Conference of the Parties (COP-4) of the CBD met in Bratislava, Slovakia, May 6-17, 1998. Of particular importance to NOAA, COP-4 approved work programs to implement the *Jakarta Mandate* and to address the conservation and sustainable use of inland water ecosystems. The *Jakarta Mandate* workprogram includes activities to be implemented by the CBD Secretariat and expert groups on biodiversity aspects of integrated marine and coastal area management, fisheries, marine protected areas, mariculture, and alien species.

Expert's Consultation on Coral Bleaching:: The United States helped fund this meeting in the Philippines in October 1999 to review the impact of the 1997/98 global coral bleaching event.

SBSTTA 4 & 5: The 4th and 5th meetings of the Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) were held in Montreal in June 1999 and January 2000. SBSTTA reviewed the marine and coastal work program. SBSTTA 5 endorsed the recommendations of an expert's consultation on coral bleaching. And recommended that COP integrate coral bleaching into the marine and coastal programme of work under the *Jakarta Mandate*; liaise and cooperate with the International Coral Reef Initiative and the Global Coral Reef Monitoring Network; urged Parties to identify and implement actions to reduce stresses on coral health, and concluded that climate change is "a primary cause of coral bleaching" and warrants remedial action by the

Framework Convention on Climate Change. SBSTTA-5 also developed terms of reference for two *ad hoc* Technical Experts' Groups on Mariculture and Marine Protected Areas.

Intersessional Meeting on the Operations of the Convention: In June 1999, an intersessional meeting was held to try and improve the operations of the Convention. Particular attention was paid to mechanisms to better incorporate science into the operations.

Biosafety Protocol: On January 29, 2000, ministers and senior officials from over governments finalized a legally binding agreement for protecting the environment from risks posed by the transboundary transport of living modified organisms (LMOs) created by modern biotechnology. Under the Cartagena Protocol on Biosafety, governments will signal whether or not they are willing to accept imports of agricultural commodities that include LMOs by communicating their decision via an internet-based Biosafety Clearing House. In addition, shipments of these commodities that may contain LMOs are to be clearly labeled. Stricter Advanced Informed Agreement procedures will apply to seeds, live fish, and other LMOs that are to be intentionally introduced into the environment. In these cases, the exporter must provide detailed information to each importing country in advance of the first shipment, and the importer must then authorize the shipment. The aim is to ensure that recipient countries have both the opportunity and the capacity to assess risks involving the products of modern biotechnology. The United States, while not a Party to the CBD, nevertheless supported the final outcome of the Protocol.

Upcoming Activities

COP 5: The Fifth Conference of the Parties (COP-5) will be held in Nairobi, Kenya, May 15-26, 2000. Marine items on the agenda include major items on the agenda include: (1) Conservation and sustainable use of biological diversity in dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems; (2) Sustainable use, including tourism; and (3) Access to genetic resources. COP-5 will also review the operatiuons of the Convention and existing work programs, including the program of work to implement the *Jakarta Mandate* on marine and coastal biodiversity. COP-5 is expected to approve the terms of reference for the *ad hoc* Technical Experts' Groups on Mariculture and Marine Protected Areas.

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CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES)

Basic Instrument

Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087, TIAS 8249).

Implementing Legislation

Endangered Species Act (16 USC 1531-43).

Member Nations

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalem , Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, People's Republic of, Colombia, Comoros, Congo, Congo, Democratic Republic of, Costa Rica, Cote d'Ivoire, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Korea, Republic of, Latvia, Liberia, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwandese Republic, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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Web address: http://www.wcmc.org..uk/CITES/eng/index.shtml

Budget

The budget for 1998 approved by the Conference of the Parties is CHF 7,381,160 ($5,161,650). The U.S. contribution averages $1.4 million.

U.S. Representation

The Endangered Species Act designates the Fish and Wildlife Service of the Department of Interior, with the assistance of the Department of State to implement the Convention. FWS is also responsible for inspections of shipments of wildlife through designated ports of entry. The bulk of CITES-listed species are under the management jurisdiction of FWS. However, many species are managed by NMFS, including all the great whales, all the dolphins, all the marine turtles, six seal species, queen conch and all hard coral species listed either on Appendix I or II.

The National Marine Fisheries Service draws on the expertise of its regional offices and science centers in order to participate fully in the inter-agency collaboration necessary to implement CITES in both scientific and management concerns.

The Animal and Plant Health Inspection Service of the Department of Agriculture inspects imports of plant species listed on the treaty.

Description

A. Mission/Purpose:

Provides for international co-operation for the protection of certain species of wild fauna and flora against over-exploitation through international trade.

B. Organizational Structure:

The CITES framework includes a Standing Committee which handles administrative matters and recommends policy actions to the Parties. In addition, there are separate committees on animals and plants, which review scientific matters, including management questions, and make recommendations to the Standing Committee. All the committees meet approximately once a year on their own schedules. Conferences of the Parties are convened approximately every two years.

C. Programs:

Under CITES, species are listed in Appendices according to their conservation status. In addition, listed species must meet the test that trade is at least in part contributing to their decline. Appendix I species, for which there is no international trade permitted, are "threatened with extinction." Appendix II species are "not necessarily

threatened with extinction," but may become so unless trade is strictly regulated. This regulation usually takes the form of a requirement for documentation from the country of export, monitoring of imports and, in some cases, export quotas. Imports from countries which are not CITES members still require what is called "CITES-equivalent documentation." Appendix III includes all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in the control of trade.

In order to determine whether such limitation is necessary, the Animals Committee of CITES undertakes reviews of Appendix II species for which there are significant amounts of international trade, from which recommendations for conservation of the species are made.

Of special interest to NOAA Fisheries are significant trade studies for queen conch and hard corals, implementation of a resolution calling for a review of the effects of international trade on sharks species, cooperative efforts with the International Whaling Commission to control illegal trade in whales, and recent efforts by the Government of Cuba to re-open international trade in hawksbill turtle shells.

Recent Activities

The following is a report of marine issues discussed at the 10th Meeting of the Conference of the Parties (COP10), convened 6-20 July 1997 in Harare, Zimbabwe:

Note: Decisions of substance need a 2/3 majority for passage.

Resolutions:

A report on the Biological and Trade Status of Sharks, the production of which was facilitated for the Animals Committee by the Untied States, was adopted by consensus. In a Decision, the Parties adopted the recommendations contained in the report and assigned the Chair of Animals Committee as liaison with FAO.

A proposed resolution to establish a Marine Fish Working Group, which would have created a group to address permitting issues for marine fish which might be listed in CITES lost by a vote of 49-50.

A resolution to rescind CITES Resolution 2.9 (which would have repealed link between IWC and CITES) lost by a vote of 27-51.

The Parties adopted a Decision which calls for increased enforcement cooperation, particularly in DNA testing, and reporting of stockpiles of whale meat

Species proposals:

Votes on species proposals were the following:

To change the following whale species from Appendix I to Appendix II (would reopen international trade)

(5) Gray - lost 47-61-8

(6) Okhotsk Sea minkes - lost 45-65-7
(7) Southern hemisphere minkes - lost 53-59-4
(8) North Atlantic minkes - lost 57-51-6
(9) Bryde's whales - withdrawn by proponent

To change hawksbill turtles from Appendix I to Appendix II (would reopen international trade)

(10) initial vote in Committee I - lost 53-39-18
(11) Plenary vote - lost 55-49-7

To list sawfish in Appendix I - lost 24-50

To list all sturgeon in Appendix II - modified proposal with implementation delayed until April 1, 1998, passed; intervening time will be used to work out "implementation issues".

Upcoming Activities

The next Conference of the Parties will be convened April 10-20, 2000, in Nairobi, Kenya. Issues related to marine species will be the following:

- Proposal of the United States and Georgia to transfer from Appendix II to Appendix I the Black Sea, Sea of Azov population of Bottlenose dolphin, *Tursiops truncatus ponticus*;
- Proposals by the Government of Japan to transfer from Appendix I to Appendix II the following species/populations of whales:

    - Eastern North Pacific stock of Gray whale, *Eschrichtius robustus*
    - Southern Hemisphere stock of Minke whale, *Balaenoptera acutorostrata*
    - Okhotsk Sea-West Pacific stock of Minke whale, *Balaenoptera acutorostrata;*

- Proposal by the Government of Norway to transfer from Appendix I to Appendix II the Northeast Atlantic stock and the Northcentral Atlantic stock of Minke whale, *Balaenoptera acutorostrata;*
- Proposal by the Government of Cuba to transfer from Appendix I to Appendix II the Cuban population of 0Hawksbill sea turtle, *Eretmochelys imbricata*;

- Proposal by the United States to list in Appendix II Whale shark, *Rhincodon typus*;

- Proposal by the United States and Australia to list in Appendix I Great white shark, *Carcharodon carcharias*;

- Proposal by the United Kingdom to list in Appendix II Basking shark, *Cetorhinus maximus*;

- Proposal by France and Germany to list in Appendix I Coelacanth, *Latimeria spp.*; and

- Proposal by Indonesia to list in Appendix I Coelacanth, *Latimeria menadoensis.*

In addition, resolutions or background papers on the following issues will be discussed:

- Procedure for the review of criteria for amendment of Appendices I and II.

- Synergy with the United Nations Food and Agriculture Organization (FAO)(proposed by the United States)
- Relationship with the International Whaling Commission (proposed by Norway and Japan)
- Reaffirmation of the Synergy Between CITES and the IWC (proposed by the United States)
- Interpretation and Implementation Of Article III(5), Articles IV(6) and (7), and Articles XIV(4), (5) and (6) Relating to Introduction from the Sea (proposed by Australia)
- Trade in Seahorses and Other Members of the Family Syngnathidae (proposed by Australia and the United States)
- Identification and Reporting Requirements for Trade in Specimens of Hard Coral

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INTERNATIONAL CONVENTION FOR THE REGULATION OF WHALING (BASIC INSTRUMENT FOR THE INTERNATIONAL WHALING COMMISSION -- IWC)

Basic Instrument

International Convention for the Regulation of Whaling, 1946, (TIAS 1849); Protocol amending 1956 (TIAS 4228).

Implementing Legislation

Whaling Convention Act of 1949 (64 Stat. 421, 16 U.S.C. 916-9161).

Member Nations

Antigua and Barbuda, Argentina, Australia, Austria, Brazil, Chile, Costa Rica, Denmark, Dominica, Finland, France, Germany, Grenada, India, Ireland, Italy, Japan, Kenya, Republic of Korea, Mexico, Monaco, Netherlands, New Zealand, Norway, Oman, People's Republic of China, Peru, Russian Federation, Senegal, Solomon Islands, South Africa, Spain, Sweden, Switzerland, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, United Kingdom, United States, and Venezuela.

Commission Headquarters

International Whaling Commission
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Cambridge, CB4 9NP, United Kingdom

Secretary: Dr. R. Gambell
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Web address: http://ourworld.compuserve.com/homepages/iwcoffice/

Budget

The Commission approved a budget of 1,599,421pounds sterling for 1999-2000. The U.S. contribution amounts to 49,784 pounds sterling for 1999-2000.

U.S. Representation

A. Appointment Process:

The Commissioner is appointed by the President, on the concurrent recommendations of the Secretary of State and the Secretary of Commerce, and serves at his pleasure. The President may also appoint a Deputy U.S. Commissioner.

B. U.S. Commissioner:

Dr. D. James Baker
Under Secretary for Oceans and Atmosphere
National Oceanic and Atmospheric Administration
Department of Commerce
Washington, D.C. 20230

Deputy Commissioner:

Dr. Michael F. Tillman
Director, Southwest Fisheries Science Center
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
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C. Advisory Structure:

U.S. representation in the IWC has no formal (legislated) advisory structure. The IWC Commissioner does consult, however, with the "IWC Interagency Committee," which includes representatives of the Department of State, the Marine Mammal Commission, other Federal agencies, conservation organizations, and other interested parties.

Description

A. Mission/Purpose:

The 1946 Convention has as its objective the proper conservation of world whale stocks, thus making possible the orderly development of the whaling industry. The Convention established the IWC to provide for a continuing review of the condition of whale stocks and for such additions to or modifications of the agreed conservation measures as might appear desirable.

B. Organizational Structure:

The IWC consists of the Commission, Secretariat, and subject area committees. The Commission is composed of one member from each Contracting Government, and may be accompanied by one or more experts and advisors. Each member government has one vote. Decisions of the Commission are by simple majority of those members voting, except that a three-fourths majority of those members is required for actions to amend the provisions of the Schedule (which contains the binding decisions of the Commission). The Commission can determine its own rules of procedure and may appoint its own Secretary and staff. The Committees may be set up by the Commission from its own members and experts or advisors to perform such functions as it may authorize. At the 1997 IWC Annual Meeting, the Commissioner from Ireland, Michael Canny, was elected to Chair the IWC for the next three years, with Sweden's Commissioner, Bo Fernholm, to serve as the Vice-Chair.

C. Programs:

The IWC normally meets once a year to review the condition of whale stocks and to modify conservation measures as appropriate. The Commission has used various means of regulating commercial whaling including the fixing of open and closed seasons, open and closed areas, protected species, size limits for each species, and limits on the catch of whales in any one season. The IWC recognizes two distinct types of whaling: commercial whaling and aboriginal subsistence whaling.

Past actions by the IWC include establishment of a whale sanctuary in the Indian Ocean area and in the Southern Ocean (in most of the waters south of 40° S. latitude), prohibition on the use of cold grenade (non-exploding)

harpoons to kill whales for commercial purposes, a moratorium on all commercial whaling from the beginning of the 1985-86 pelagic and 1986 coastal seasons, and the adoption of a separate and distinct management scheme for aboriginal subsistence whaling. Criteria for evaluating research involving the killing of whales under special permits were established because of concerns that some countries would use special permits for scientific research as a means of circumventing the zero catch limits for commercial whaling. The 1946 Convention allows countries to issue special permits authorizing the taking of whales for scientific research.

The 51st IWC Annual Meeting was held in St. George's, Grenada, from May 24-28, 1999. The United States led the passage of several resolutions, including one reaffirming the cooperation between the IWC and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and requiring the IWC Secretariat to advise the CITES Secretariat that the IWC has not yet completed a revised management regime that ensures that future commercial whaling catch limits are not exceeded and that whale stocks can be adequately protected.

U.S. Commissioner Dr. D. James Baker gave a presentation under the Environmental Threats agenda item, which led to the IWC's adoption of a U.S.-proposed resolution providing for increased financial support for the Southern Ocean Whale and Ecosystem Research (SOWER) 2000 and POLLUTION 2000+ research programs. In addition, the IWC adopted by consensus a resolution calling for additional research on the human health effects from the consumption of cetaceans and for further coordination with the World Health Organization.

Other actions in 1999 included the passage of a resolution requiring the Scientific Committee to provide advice on genetic identification methods which would allow tracking under the Revised Management Scheme, a resolution expressing concern over the increased catches of Dall's porpoise in Japanese fisheries, and a resolution encouraging the submission of relevant information to the whale killing methods working group and the development of more accurate time to death indicators. Furthermore, as it has done for the past 11 years, the Commission denied, based on its commercial elements, Japan's request for an interim quota of minke whales for its small-type coastal whalers. Scientific whaling is allowed under the Convention, and Japan is engaged in lethal research on minke whales in the Southern Ocean Sanctuary and in the western North Pacific. Nonetheless, the IWC has concluded that these programs are contrary to its conservation goals, and, in 1999, passed again a resolution condemning these lethal scientific whaling programs.

The IWC continues to maintain the moratorium on commercial whaling. However, Norway lodged a timely objection to the 1982 moratorium decision, and therefore is not bound by that decision. Thus, it continues to authorize takes of minke whales from the northeast Atlantic. In 1998, as it has done in previous years, the IWC passed a resolution condemning Norwegian whaling outside the Commission. In 1997, in an attempt to resolve some of the long-standing challenges to the IWC's ability to control commercial whaling, the Irish Government introduced a proposal to establish a whale sanctuary in the high seas, in exchange for allowing the resumption of limited coastal commercial whaling. The proposal remains under discussion.

At the 1997 Annual Meeting, the Commission approved a combined quota of bowhead whales to meet the needs of the Eskimos in Alaska and Russia which allows an average of 56 bowhead whales to be landed each year. The Alaska Eskimos have been conducting aboriginal subsistence hunts with approval of the IWC since the Commission began regulating such hunts in the 1970s. At the same time, the IWC adopted a quota that allows a 5-year aboriginal subsistence hunt of an average of four non-endangered gray whales a year by the Makah Indian Tribe, combined with an average annual harvest of 120 gray whales by Russian natives of the Chukotka region. Russia, the U.S., Denmark (for Greenland), and St. Vincent and the Grenadines (for Bequia) have quotas from the IWC for aboriginal subsistence whaling.

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PART II. BILATERAL CONSULTATIVE ARRANGEMENTS

NORTH AMERICA

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CANADA ON FISHERIES ENFORCEMENT

Basic Instrument

Agreement between the Government of the United States of America and the Government of Canada on Fisheries Enforcement of September 26, 1990 (House Document 102-22, 102d Congress, 1st Session).

Authorities

Magnuson Fishery Conservation and Management Act, 16 U.S.C. 1822(a), which authorizes the Secretary of State to negotiate international fisheries agreements, and 16 U.S.C. 1855(d), which authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Canada.

Meetings

Parties meet annually, alternating meetings between the United States and Canada.

Description

The Parties have agreed to take appropriate measures consistent with international law to ensure that their nationals, residents and vessels do not violate, within the waters and zones of the other Party, the national fisheries laws and regulations of the other Party. Such measures shall include prohibitions on violating the fisheries laws and regulations of the other Party respecting gear stowage, fishing without authorization, and interfering with, resisting, or obstructing in any manner, efforts to enforce such laws and regulations; and may include such other prohibitions as each Party deems appropriate.

Bilateral enforcement meetings are held to review past practices and discuss new standards, policies, and strategies for enforcement cooperation. Communications, prosecution practices, evidentiary requirements, regulation interpretation, notification procedures, and hot pursuit comprise the core of discussions.

Recent Activities

The Seventh Annual Implementation Meeting under the Agreement was held in Leamington, Ontario, on September 29-30, 1999. The two sides reviewed law enforcement actions taken since the previous meeting on October 1-2, 1998, in Silver Spring, Maryland. They also discussed new developments in law enforcement and explored areas of future cooperation.

Highlights: Delegations provided overviews of cooperative and enforcement actions by region, including the

Pacific and Atlantic Coasts and the Great Lakes. There were no incidents reported that required the exchange of evidence under the Agreement.

The Ontario Ministry of Natural Resources and the U.S. Coast Guard gave separate reports which provided an overview of the Lake Erie fishery. The overview included the size of the fishery, gear types, quota system, Dockside Monitoring Program, enforcement resources, and estimated annual earnings from the fishery.

The Great Lakes Fisheries Commission provided a brief explanation of the Commission and its mandate.

The National Marine Fisheries Service provided an update on the U.S.-Canada Enforcement Exchange Program under the International Convention for the Conservation of Atlantic Tunas (ICCAT). The report highlighted similarities and differences between the enforcement programs in the two countries.

The U.S. Coast Guard reported on the incursions of foreign trawlers into the U.S. Exclusive Economic Zone at the U.S.-Russian Maritime Boundary Line in the Bering Sea.

There was discussion on how to disable vessels that refuse to stop when requested. Both sides expressed a need to find additional means of disabling a vessel than those currently available to enforcement officials.

Canada provided a presentation on the new digital photography being used as part of its Air Surveillance Program.

The Eighth Annual Meeting will be held in spring 2000, prior to the fishing season. The U.S. Coast Guard agreed to host the meeting in the Pacific Northwest, at a date to be determined.

The two sides closed the meeting by expressing agreement on the importance of continuing to work closely together to coordinate and ensure the effective delivery of fishery law enforcement programs along the international boundary and to continue to share information that will improve the effectiveness of enforcement programs.

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CENTRAL AMERICA

UNITED STATES-MEXICO FISHERIES COOPERATION PROGRAM

Basic Instrument

There is no formal instrument establishing the United States-Mexico Fisheries Cooperation Program. The U.S. National Marine Fisheries Service (NOAA Fisheries) and the predecessor agency to the Mexican Secretaría de Mexico Ambiente, Recursos Naturales, y Pesca (SEMARNAP) informally agreed in 1983 to meet annually to review the broad range of issues involved in the bilateral fisheries relationship. Additional discussions are held as a small part of the annual Bi-National Commission (BNC) meeting held to review the overall United States-Mexican bilateral relationship. There are three memoranda of understanding (MOU) since agreed to by NOAA Fisheries and SEMARNAP to formalize different aspects of the fisheries relationship: (1) MEXUS-Gulf research program,
(2) MEXUS-Pacífico research program, and (3) information exchange. The research MOUs have proven highly effective, but NOAA Fisheries has been unable to arrange continuing reciprocal exchanges under the information exchange MOU and it is currently inactive.

Implementing Legislation

Two laws provide the legal authority for the Cooperation Program. The Magnuson Fishery Conservation Act, 16 U.S.C. 1822(a) authorizes the Secretary of State to negotiate international fishery agreements. Another law, 16 U.S.C. 1855(d), authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Mexico.

Budget

There are no funds specifically budgeted for the program; costs are assumed in the operating budgets of the participating NOAA Fisheries offices. Annual costs of the program including staff time, travel, translation services, and miscellaneous expenses total about $60,000 annually. This does not include the cost of various working group meetings, such as the annual MEXUS-Gulf and MEXUS-Pacífico meetings or special meetings like the shrimp management and enforcement meetings held during 1997 and the bycatch reduction device (BRDs) meeting held in 1998.

Representation

The annual Fishery Cooperation Talks (FCTs) are coordinated by NOAA Fisheries and SEMARNAP's Subsecretaría de Pesca (PESCA). Both agencies often invite other agencies to participate in the meetings. NOAA Fisheries has invited representatives from other NOAA line offices, the Food and Drug Administration, Department of Interior (U.S. Fish and Wildlife Service), U.S. Coast Guard, and the Department of State, as well as state government officials. PESCA has invited other SEMARNAP units (the Oficina de Asuntos Internacionales,

the Instituto Nacional de Pesca, and the Procurator General para el Ambiente [PROFEPA]), the Secretaría de Comercio, the Secretaría de Salud, and the Secretaría de Relaciones Exteriores.

Description

A. Mission/Purpose:

The participants have agreed to periodically review the United States-Mexican fisheries relationship. The BNC and FCT discussions serve to reinforce the longstanding cooperative relationship between the United States and Mexico
on fishery issues. Formal and informal sessions provide opportunities to exchange information and discuss major issues.

B. Programs:

NOAA Fisheries and SEMARNAP normally meet annually, alternating meetings between the United States and Mexico. The parties also discuss priority fishery issues as part of the annual BNC meeting. More detailed discussions are then conducted at the FCTs. Working group meetings are held as needed. The two science working groups, MEXUS-Gulf and MEXUS-Pacífico, meet annually. Other working group meetings are held as required on such matters as enforcement, management, aquaculture, and other issues.

Initially, the participants decided to omit the most contentious issues and focus on those issues where it was possible to reach some agreement on mutually beneficial projects. As a result, considerable progress was made during the 1980s in expanding cooperative research programs and better understanding each country's fishery laws and policies. The relationship matured during the 1990s; recent meetings have included discussions on management, enforcement, recreational fisheries, marine mammals and endangered species. The meetings help to inform participants of national programs affecting the other country. The participants in recent years have widened the scope of some research projects to include coordinated management and other issues.

C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals and endangered species (especially turtles and mammals) were for several years the focus of discussions, but Mexican officials for many years objected to discussions on the management of commercial fishery resources. Mexican officials in recent years, however, have responded more favorably to NOAA Fisheries suggestions that the two countries initiate information exchanges and share management experiences on various fishery resources. Shark and shrimp management and bycatch reduction in particular have been discussed in some detail. Mexico has even taken the initiative in pursuing possible cooperation on Gulf of Mexico shrimp management, but agreement at the Federal level is complicated by the important role of state agencies.

D. 1999 Meeting

The annual Fishery Cooperation Talks between fishery officials of the United States and Mexico were held in Mexico City, Mexico, on September 14-15, 1999. The meeting marked the nineteenth session held with Mexican fishery officials since 1984. The two delegations were headed by the Subsecretario de Pesca, Lic. Carlos Camacho, and Penny Dalton, NOAA Assistant Administrator for Fisheries. The Mexican delegation included representatives of different units of SEMARNAP: Subsecretaria de Pesca (PESCA), the Instituto Nacional de Pesca (INP), and the Office of the Federal Procurator of Environmental Protection (PROFEPA). The U.S. Delegation included

participants from various NOAA Fisheries offices, the State Department, and the U.S. Embassy in Mexico City. The discussions in Mexico City explored cooperative efforts in eight major issue areas: (1) research, (2) administration/management, (3) aquaculture, (4) enforcement, (5) tuna/dolphin, (6) sea turtles, (7) multilateral initiatives, and (8) other matters. A full report of the meeting is available from F/ST3.

E. Future Meetings:

NOAA Fisheries invited SEMARNAP to the United States for the 2000 FCT session. No specific dates have been set, but the FCT will probably be held during the fall of 2000.

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SOUTH AMERICA

UNITED STATES-CHILE FISHERIES COOPERATION PROGRAM

Basic Instrument

The basic instrument establishing the United States-Chile Cooperation Program is a Memorandum of Understanding (MOU) between the U.S. National Marine Fisheries Service (NOAA Fisheries) and the Chilean Servicio Nacional de Pesca (SERNAPESCA) signed in 1995.

Implementing Legislation

Two laws provide the legal authority for the Cooperation Program. The Magnuson Fishery Conservation Act, 16 U.S.C. 1822(a) authorizes the Secretary of State to negotiate international fishery agreements. Another law, 16 U.S.C. 1855(d), authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Chile.

Budget

There are no funds specifically budgeted for the program; costs are assumed in the operating budgets of the participating NOAA Fisheries offices. Annual expenditures for the program including staff time, travel, translation services, and miscellaneous expenses total about $50,000 annually.

Representation

The meetings are coordinated by NOAA Fisheries and SERNAPESCA. Both agencies often invite other agencies to participate in the meetings. NOAA Fisheries has invited representatives from other NOAA line offices, the Food and Drug Administration, U.S. Coast Guard, and the State Department. SERNAPESCA routinely invites other units of the Ministerio de Economía (the Subsecretaría de Pesca and the Instituto de Fomento Pesquero) as well as industry representatives. SERNAPESCA has also invited representatives of the Chilean Navy and Ministerio de Relaciones Exteriores (Foreign Ministry) to attend some sessions.

Description

A. Mission/Purpose:

The participants have agreed to periodically review the United States-Chilean fisheries relationship. The resulting Fishery Cooperation Talks (FCT) provide a forum for U.S. and Chilean fishery officials to review fishery issues of mutual concern. Formal and informal sessions provide opportunities to exchange information and discuss major issues, resulting in a frank exchange of views and information.

B. Programs:

NOAA Fisheries and SERNAPESCA have agreed to hold annual meetings during the first few years of the cooperative program. In the future, as the relationship matures, it may not be necessary for all of the participants to meet annually. It is likely that some of the working groups, however, may require annual consultations. Recent meetings have included discussions on management, enforcement, recreational fisheries, marine mammals and endangered species, research, environment, aquaculture, and information exchange. The meetings help to inform participants of national programs affecting the other country.

C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals was initially the primary focus of the meetings and continues to be an important element. NOAA Fisheries has additionally raised some concerns about Pacific sea turtles, especially leatherbacks. Other important conservation and management issues discussed include enforcement, management strategies and systems, and recreational fishing. Discussions on these issues as well as information exchanges and visits have enabled NOAA Fisheries and Chilean fishery agencies to exchange ideas and experiences in formulating domestic policies as well as to work further on species of mutual interest.

D. 1999 Meeting:

The annual Fishery Cooperation Talks between fishery officials of the United States and Chile were held in Pacific Grove, California, on November 3-4, 1999. The meeting marked the fifth session held with Chilean fishery officials since 1995. The two delegations were headed by the Chilean Under Secretary for Fisheries, Juan Manuel Cruz, and Andy Rosenberg, NOAA Deputy Assistant Administrator for Fisheries. The Chilean delegation included representatives of different units of the Fisheries Under-Secretariat (SUBPESCA), the National Fisheries Service (SERNAPESCA), the Fisheries Development Institute (IFOP), the Chilean Navy (General Directorate of Maritime Territory and the Merchant Marine), and the Chilean Embassy in Washington. The U.S. Delegation included participants from various NOAA Fisheries offices and the U.S. Coast Guard. The discussions in Pacific Grove explored cooperative efforts in six major issue areas: (1) research, (2) enforcement, (3) administrative/management, (4) multilateral initiatives, (5) aquaculture, and (6) environment. A full report of the meeting is available from F/ST3.

E. Future Meetings:

SERNAPESCA invited NOAA Fisheries to Puenta Arenas, Chile, for the 2000 session. No specific dates were decided on, but it will probably take place in October 2000.

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ASIA

UNITED STATES-JAPAN CONSULTATIVE COMMITTEE ON FISHERIES

Basic Instrument

There is no formal instrument per se. The two countries agreed to the Consultative Committee via an exchange of diplomatic notes on January 27, 1992.

Implementing Legislation

None.

Member Nations

The United States and Japan.

Meetings

The Committee meets on an annual basis, or at other times as may be considered appropriate, in the United States or Japan. The venue for the Committee is decided prior to each meeting.

U.S. Representation

The Committee consists of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Mary Beth West, Deputy Assistant Secretary of State for Oceans and Space, Department of State.

Description

The U.S.-Japan Consultative Committee on Fisheries was formed to promote bilateral cooperation in the field of fisheries and fisheries research. It replaced the more formal Governing International Fisheries Agreement (GIFA)

between the United States and Japan that expired on December 31, 1991. The Consultative Committee holds regular high-level bilateral consultations on fishery issues of mutual concern.

Recent Activities

Government delegations from the United States and Japan met at the Ministry of Foreign Affairs in Tokyo, Japan, on June 15-16, 1999, to conduct the Seventh Meeting of the U.S.-Japan Consultative Committee on Fisheries. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary for Oceans, Fisheries, and Space, Department of State, and Mr. Minoru Morimoto, Deputy Director-General of the Fisheries Agency of Japan, led the Japanese delegation.

The two delegations exchanged views on the full range of issues in the U.S.-Japan fisheries relationship. Topics of discussion included implementation of the United Nations (UN) Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the UN Food and Agriculture Organization (FAO) Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. Representatives also discussed the conservation and management of tuna stocks in the Atlantic and Pacific Oceans, as well as fisheries in the central Bering Sea and northwest Atlantic Ocean. They also exchanged views on the implementation of the FAO International Plans of Action on Conservation and Management of Sharks, the Reduction of Incidental Catch of Seabirds in Longline Fisheries, and the Management of Fishing Capacity, as well as on other issues of mutual concern, such as the World Trade Organization and the International Whaling Commission. A report of the meeting can be obtained from the National Marine Fisheries Service staff contact below.

The delegations of both countries reaffirmed the value of maintaining and further strengthening the long-standing cooperation between the United States and Japan in these and other fisheries issues. They also confirmed that recent years had witnessed remarkable accomplishments in the international fisheries arena.

The United States will host the eighth meeting of the Committee at a time in 2000 to be mutually decided.

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EUROPE

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS ON MUTUAL FISHERIES RELATIONS (BASIC INSTRUMENT FOR THE U.S.-RUSSIA INTERGOVERNMENTAL CONSULTATIVE COMMITTEE -- ICC)

Basic Instrument

Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Mutual Fisheries Relations of May 31, 1988, as amended (TIAS 11442, the U.S.-Soviet Comprehensive Fisheries Agreement). Note: The obligations of the former Soviet Union under this agreement have devolved on the Russian Federation.

Implementing Legislation

Public Law 100-629 (An untitled Act that implemented the Comprehensive Fisheries Agreement. Enacted November 7, 1988).

Member Nations

The United States and the Russian Federation.

Meetings

The ICC meets alternately in the United States and Russia, on an annual basis, at the discretion of the heads of delegation.

U.S. Representation

Under the Rules of Procedure established for the ICC, the United States and Russia are to designate a Representative and an Alternate Representative. The current U.S. Representative is Mary Beth West, Deputy Assistant Secretary of State for Oceans and Fisheries Affairs. To date, the United States has not identified an Alternate Representative.

Pursuant to Section 5 of Public Law 100-629, a 12-member "North Pacific and Bering Sea Fisheries Advisory Body" was established to advise the U.S. Representative to the ICC. This body consists of the following individuals:

(A) The Director of the Department of Fisheries and Wildlife of the State of Washington;
(B) The Commissioner of the Department of Fish and Game of the State of Alaska;
(C) Five members appointed by the Secretary of State from a list of ten nominees provided by the Governor of Alaska; and,
(D) Five members appointed by the Secretary of State from a list of ten nominees provided by the Governor of Washington.

Description

The United States and the Russian Federation maintain the bilateral ICC fisheries forum pursuant to the U.S.-Soviet Comprehensive Fisheries Agreement, signed on May 31, 1988. The ICC is responsible for furthering the objectives of the Comprehensive Fisheries Agreement. These objectives include maintaining a mutually beneficial and equitable fisheries relationship through (1) cooperative scientific research and exchanges; (2) reciprocal allocation of surplus fish resources in the respective national 200-mile zones, consistent with each nation's laws and regulations; (3) cooperation in the establishment of fishery joint ventures; (4) general consultations on fisheries matters of mutual concern; and, (5) cooperation to address illegal or unregulated fishing activities on the high seas of the North Pacific Ocean and Bering Sea.

Current Status

Representatives from the United States and the Russian Federation conducted the Tenth Session of the ICC at the National Marine Fisheries Service (NMFS) Alaska Fisheries Science Center in Seattle, Washington, on January 13-15, 1999. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary of State for Oceans, Fisheries and Space, and the Russian delegation was led by Mr. Vladimir Izmailov, Deputy Minister, Ministry of Agriculture and Food.

The following mutual fisheries issues were discussed at the ICC meeting:

Information Exchange on Salmon Fishing with in the Framework of Arrangements of the 1992 Agreement: The United States reported on the significantly lower returns of Bristol Bay sockeye salmon in 1997 and 1998. The 1998 Yukon-Kuskokwim River chum salmon runs were also much lower than predicted, resulting in severe economic hardship for the local population. The United States expressed concern that fishing activities outside the U.S. EEZ may be partly responsible for the run declines.

The United States reviewed the 1992 Bilateral Salmon Agreement in which both sides agreed to ban directed fishing for Pacific salmon in specific areas beyond 25 nautical miles from the baselines from which the breadth of the territorial sea is measured, in the North Pacific, including the Bering Sea. Under this Agreement, both sides agreed to the establishment of joint scientific programs to exchange information on salmonid stocks and fisheries. The United States specifically requested detailed catch data of salmon fishing operations by Russian fishermen and third party countries in the Russian EEZ, biological samples for stock identification, and results of research fishing by Russian fishermen and third parties. Additional objectives of the joint program were to understand and identify interceptions of Russian and North American salmon; to study the effects of artificially produced salmon on Russian and U.S. stocks; to facilitate the exchange of personnel; hold annual meetings; and to exchange information on scout/research vessels. Finally, the United States summarized the U.S. and Russian efforts to carry out these objectives.

The Russian side responded that the status of Russian sockeye salmon has declined considerably in recent years. Russia is complying fully with the area prohibited for salmon fishing by the 1992 Agreement and that only research vessels with driftnets are used in these areas. Russia reiterated the need to exchange data in order to understand the status of the stocks and added that both sides must agree on a standardized format for the data. Russia described its research program on Lake Mino-Pealgin. The main objective was to study the migration and abundance level of the sockeye stocks. The Russian side explained that the stocks within this population, at

present, are not good, necessitating the strict limitation of fishing effort in research activities. The research is directed by the Kamchatskiy-TINRO Fisheries Research Institute using driftnets, seines, and longline gear. In 1997, two vessels, the *ECCO PACIFIC* and *SERICHEVO*, were used. A total of 57,880 individual fish were caught equaling 199.7 metric tons. Of this, 22,706 of the fish were sockeye, totaling 76.85 metric tons (average weight of 3.38 kg per fish). In 1998, three vessels, the *SERICHEVO*, *KAMCHATSKIY-LOSOS*, and *ARCHA-33*, had permission to operate, but the quota was reduced by half because of poor stock status. East of 170˚ East Longitude these vessels caught 34,204 individual fish, totaling 98.5 metric tons, including 16,309 sockeye salmon weighing 46.15 metric tons (average weight of 2.83 kg per fish). Also in 1998, the Chukotski-TINRO program, using the *ECCO PACIFIC*, caught 63,234 individual fish equaling 184.4 metric tons. Of this, 20,595 were sockeye totaling 62.98 metric tons. These data indicate a decline in the salmon resource. Russia believes the major causes of this decline are environmental.

The United States thanked Russia for providing this information and asked about the procedure for exchanging the other types of data required by the 1992 Agreement. Russia responded that this was the detailed information that was specified in the Agreement. The Russian delegation said that if Russia gave the United States samples, scales, data on migration routes, or management information, this information would all pertain to Russian-origin salmon and additional time would be required to prepare such information. Russia identified two aspects requiring agreement by the two sides: (1) the identification of the species that migrate from Russia to U.S. waters and vice versa and (2) determination of the harvest level. In order to agree on a format for this information, a meeting of scientific and enforcement officers would be necessary. Russia had no objections to a meeting in Petropavlovsk-Kamchatskiy at a mutually agreeable time. Scientists from both Parties met informally to discuss a preliminary format for the data exchange and will continue the process at the NPAFC Scientific Research Coordination Meeting in March 1999 in Vancouver.

Information Exchange Re: Fisheries in the Sea of Okhotsk: Regarding the Agreement between the Government of the Russian Federation and the Government of the United States of America on the Conservation of Straddling Fish Stocks in the Central Part of the Sea of Okhotsk, the Russian delegation reported that arrangements pursuant to the Agreement are being completed. Bilateral agreements have been concluded with the Republic of Korea (ROK), the People's Republic of China (PRC), and Poland, and there is currently no unregulated fishing in the Sea of Okhotsk. However, despite the conservation and management measures being taken by Russia, the downward trend in the Sea of Okhotsk pollock stocks is continuing. The fisheries catch in 1998 was 1.3 million metric tons (mt), down from 2 million mt in 1995-96. The Russian side explained that the central Sea of Okhotsk remains closed to pollock fishing, as are several other areas in the Sea of Okhotsk where pollock spawn. To protect juveniles and undersized pollock, the minimum trawl net mesh size has been increased. The overall total allowable catch (TAC) for the Sea of Okhotsk has also been reduced and Russia is considering a reduction in the number of fishing vessels in 1999. The U.S. side asked if Russia could provide copies of its bilateral agreements with third countries. In reply to a U.S. request for copies of the general fishing regulations in the Sea of Okhotsk, the Russian side said that pollock fisheries close in April, when spawning begins, and reopened in November-December.

Russian scientists are currently studying the interaction between pollock and herring in the Sea of Okhotsk. There appears to be an inverse relationship between the two species---when pollock stocks decline, herring stocks increase. This relationship appears to be true for the Bering Sea as well. In response to a U.S. request, the Russian Federation will provide information on this problem through the U.S. Embassy in Moscow.

The U.S. Representative expressed concern regarding possible transfer of fishing effort from the central Sea of Okhotsk to the Russian EEZ in the western Bering Sea. The Russian delegation pointed out that there is no such

transfer and the countries that fished in the central Sea of Okhotsk now fish in the Russian zone of that sea. The volume of their catch decreases with a decrease in the TAC.

Mutually Agreed Scientific Research Cruises: The two sides exchanged overviews of their 1999 research programs. The U.S. delegation gave a brief presentation on a planned pollock stock survey cruise by the R/V *MILLER FREEMAN* in the Bering Sea in summer 1999, and provided the Russian delegation with two copies of the cruise request filed with the Russian Ministry of Foreign Affairs on December 15, 1998. The U.S. side noted that the ICC has been supportive of similar research proposals in the past, but that the Russian Government has not permitted the research since 1994. The Parties agreed on the need to conduct cooperative pollock research; the U.S. side asked the Russian delegation for help in obtaining permission to conduct research in the Russian zone.

Russia will deploy the R/V *PROFESSOR KAGANOVSKIY* in the western Bering Sea from August through October to conduct a trawl acoustic survey to assess the biomass of pollock in the pelagic and near-bottom layers and offered that if the R/V *MILLER FREEMAN* is still undergoing repairs at that time, the R/V *PROFESSOR KAGANOVSKIY* might be used to conduct the U.S. pollock survey. The U.S. side requested a copy of the 1999 cruise plan for the R/V *PROFESSOR KAGANOVSKIY*. The Russian Representative agreed to provide the plan once approved.

The Russian delegation informed the U.S. side that a new Law on the Economic Zone of the Russian Federation has revised the internal review procedures for research permit applications. The Russian delegation provided the U.S. delegation with a copy of the new law.

Assessment of Progress on the Implementation of the UN Fish Stocks Agreement: The Parties agreed to facilitate expeditious entry of the UN Fish Stocks Agreement into force.

A Discussion of Issues Relating to the Conference of the Parties to the Donut Hole Convention: After hearing the reports of the representatives, the Parties noted with satisfaction agreement on their positions with regard to this issue and the productive cooperation during the Third Annual Conference in Tokyo in November-December 1998, and confirmed their intention to work together in the future.

The Issue of Incidents of Large-scale Driftnet Fishing in the North Pacific Ocean: The U.S. delegation applauded the efforts of the Russian Federal Border Guard and the U.S. Coast Guard (USCG) for enforcement cooperation during 1998. This cooperation resulted in the interdiction and seizure of four vessels, two by Russia and two by the United States, that were conducting illegal large-scale high seas driftnet fishing. For 1999, the USCG intends to conduct high seas patrols from April through August. In addition, the USCG intends to continue its practice of promptly notifying Russia of fishing activity observed in or near the Russian zone, as it has done in the past. The U.S. delegation informed Russia on incidents of large scale driftnet fishing observed in 1998 by the USCG.

The Russian side confirmed the possibility of providing U.S. authorities with salmon samples from seized vessels in the event of their detention. For that purpose, national experts will work out procedures for providing such samples. The Russian delegation also agreed to provide the USCG a list of Russian vessels which will conduct research fishing in 1999.

General Fisheries Enforcement Issues: A USCG representative reported on improved enforcement cooperation between the two sides. He presented data on areas of high levels of fishing activity near the maritime boundary, and on changes in fishing activity observed by the USCG between 1997 and 1998. The USCG representative informed Russia on the need to improve interaction in enforcement on the high seas. The two sides agreed that a consultation could take place at the Kodiak NPAFC Enforcement Standardization Symposium in March 1999.

The Russian side suggested that the United States revise U.S. data to show the effectiveness of Russia's change from a two-mile to a five-mile buffer zone in its EEZ near the U.S.-Russia maritime boundary in the Bering Sea. The Russians also suggested that the analyses should consider all fishing effort in each zone, rather than be limited to the area along the maritime boundary. The two sides agreed to exchange full sets of data on effort in the Russian and U.S. zones. This exchange will include the names of enforcement vessels.

Development of National Plans of Action Regarding Seabird Bycatch, Management of Sharks, and Management of Fishing Capacity Within the Context of Developing FAO Initiatives: The United States advised Russia of the recent developments with regard to the FAO initiatives and pointed out the importance of participation in them by the Russian Federation and by all responsible fishing states. The Russian side indicated that, while it was not an FAO member, it is studying and complying with these three initiatives.

Other Regional Fisheries Issues: The two sides exchanged views with respect to fishery issues under consideration within a number of regional organizations. These organizations included the Northwest Atlantic Fisheries Organization (NAFO), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the North Atlantic Salmon Conservation Organization (NASCO), Asia-Pacific Economic Cooperation (APEC), and the Southeast Atlantic Fisheries Organization (SEAFO). They also discussed the status of the FAO Compliance Agreement. The Russian side stated it supports the major provisions of the Compliance Agreement, both domestically and internationally and that Russia is currently considering becoming a party to the Agreement.

Pollock Stock Assessment and 1999 Fishery Description: The United States explained the changes in the pollock fishery in the U.S. EEZ as a result of the listing of steller sea lions as "endangered" under the U.S. Endangered Species Act, following 20 years of population decline in Alaskan waters. In summary, pollock exploitation rates will not change, but the timing and locations of the fishery openings will be adjusted to protect the sea lions. In addition, the decline in pollock stocks in the U.S. EEZ will result in a reduction of the TAC from 1,100 million metric tons (mmt) in 1998 to .992 mmt in 1999. The United States agreed to provide details of changes in biomass estimates and regulations to the Russian side.

The Russian Federation responded with a description of the decline in pollock stocks, beginning in the southern part of its range, near Hokkaido, and spreading up the Kuriles and into the Russian Zone in the Sea of Okhotsk and eastern Kamchatka. Concurrently, herring stocks in those areas are on the increase. With respect to Navarin pollock stocks, the Russian Federation provided a detailed description of how biomass estimates obtained by different methods and using different catchability rates are used to establish TAC's in the Russian EEZ.
The Russian side also described general provisions of the Russian fishery regulations that will be provided in full to the U.S. Embassy in Moscow.

Port Calls Under Article XII of the Mutual Agreement on Fisheries: The Russian delegation described problems concerning the application of U.S. visa procedures to fishing vessel crews whose vessels are being repaired and re-equipped in U.S. shipyards and requested that State Department officials assist in arriving at a practical solution. The U.S. side informed the Russian delegation that these issues have been raised in the Gore-Primakov process and progress in solving them has been made. It was agreed that this work should be continued. At the Russian side's request, the U.S. side agreed to contact Immigration and Naturalization Service (INS) officials in the Department of Justice in an effort to resolve the matter.

Industry Question Concerning Fishing Opportunities: The Russian Representative raised an issue of the opportunities for receiving fish from the U.S. fishers by the Russian processors in the U.S. EEZ. It was agreed that the matter would be referred to the ICC Industry Group.

Place and Time of the Next Meeting.

The two sides agreed that the Eleventh Session of the Committee would be held in the Russian Federation in late 1999. Unfortunately, they were unable to find a mutually agreeable time to meet in late 1999, hence the Eleventh ICC meeting will be held in early 2000.

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PART III. SCIENTIFIC ORGANIZATIONS AND COUNCILS

PACIFIC OCEAN

NORTH PACIFIC MARINE SCIENCE ORGANIZATION (PICES)

Basic Instrument

Convention for a North Pacific Marine Science Organization (PICES)

Implementing Legislation

No implementing legislation. Self-executing treaty; under the general authority of the Secretary of State.

Member Nations

Canada, Japan, People's Republic of China, Republic of Korea, Russian Federation, and the United States of America

Organization Headquarters

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U.S. Representation

A. Appointment Process

The United States is represented on the PICES Governing Council by two delegates appointed by the Secretary of State in consultation with interested agencies and institutions: one from a major Federal Government research agency and one from a research university or other academic institution. The United States is represented on the Scientific Committees and Working Groups created by the Governing Council by individuals appointed by the

Secretary of State in consultation with interested agencies and institutions.

B. U.S. Delegates:

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D. Working Groups

Currently active PICES Working Groups are:

WG8- Practical Assessment Methodology
WG12-Crabs and Shrimps
WG13-Carbon Dioxide in the North Pacific
WG14-Effective sampling of micronekton to estimate ecosystem carrying capacity
WG15-Ecology of Harmful Algal Blooms in the North Pacific
WG16-Implications of Climate Change to Fisheries Management

Description

A. Mission/Purpose:

The area which the activities of PICES concern is defined by the Convention as the temperate and sub-Arctic region of the North Pacific Ocean and its adjacent seas, especially northward from 30°North Latitude. Activities of the organization may, for scientific reasons, extend farther southward in the North Pacific Ocean.

The primary role of PICES is to coordinate research efforts undertaken by the Parties and to facilitate the exchange of scientific and technical information on a broad range of scientific disciplines. The organization provides an international forum to promote greater understanding of the biological and oceanographic processes of the North Pacific Ocean and its role in global environment.

B. Organizational Structure:

PICES is comprised of (1) a Governing Council, (2) a Science Board (3) such permanent or ad hoc scientific groups and committees as the Governing Council may from time to time establish, and (4) a Secretariat. The Governing Council has both scientific and administrative functions.

The scientific functions of the Governing Council are to identify research priorities and problems pertaining to the Convention Area and appropriate methods for their solution; to recommend coordinated research programs and

related activities pertaining to the Convention Area which shall be undertaken through the national efforts of the participating Contracting Parties; to promote and facilitate the exchange of scientific data, information and personnel; to consider requests to develop scientific advice pertaining to the Convention Area; to organize scientific symposia and other scientific events; and to foster the discussion of problems of mutual scientific interest. The administrative functions of the Governing Council are to adopt and amend the Rules of Procedure and Financial Regulations; to consider and recommend amendments to the Convention; to adopt the annual report of the organization; to examine and adopt the annual budget and financial accounts of the organization; to determine the location of the Secretariat; to appoint the Executive Secretary; to maintain contact with other international organizations; and to manage the activities of the organization.

C. Recent Activities:

The eighth Annual Meeting of PICES was held at the Hyundai Hotel inVladivostok, Russia in October 1999. At this meeting, it was reported that Dr. Alexander Bychkov was appointed Executive Secretary of PICES effective June 1, 1999, and that Dr. Stewart McKinnel was appointed Assistant Executive Secretary of PICES effective September 7, 1999.

Major outcomes of the Vladivostok meeting included the following:

1. The Ninth Annual Meeting will be held in Hakodate, Hokkaido, Japan, on October 23-28, 2000.

2. The Tenth Annual Meeting will be held in Victoria, British Columbia, Canada, probably at the end of October or early November 2001 following the annual meeting of the North Pacific Anadromous Fish Commission, also to be held in Victoria in late October 2001. This will be PICES tenth anniversary meeting, and special events will be planned in connection with the meeting. A small committee was created to initiate planning, and it was pointed out that extra contributions will be needed. A request will be sent to the Contracting Parties for voluntary contributions to support the Tenth Annual Meeting and special events related to PICES tenth anniversary;

3. The Governing Council adopted a resolution instructing the Chairman to vigorously pursue the possibility of having Mexico accede to the PICES Convention by sending a letter to appropriate authorities to encourage the Mexican Government to move ahead, and by making high-level personal contacts.

4. A total budget of CDN $590,000, and a transfer of CDN $58,400 from the 1999 Working Capital Fund surplus to the General Fund was approved, to reduce the fees for each Party to CDN $88,7600.

5. The Council agreed to establish a fund-raising committee to seek outside funding consistent with the goals of the organization.

6. A PICES intern program was approved, subject to the availability of funds. The Program will start in 2000, and Contracting Parties should submit their nominations to the Executive Secretariat by March 1, 2000. The United States proposed contributing CDN $7,000 in addition to its regular assessment to support this program.

7. A decision was made to pursue new sources of support for PICES to satisfy such PICES needs as replenishing the Trust Fund and supporting the Intern Program.

8. After a discussion of the issue of timely payment of national dues, a decision was made to contact appropriate authorities in each nation explaining the importance of prompt payment in accordance with the Rules of

Procedure, and requesting compliance.

9. Council confirmed that the practice of transferring surpluses from the Working Capital Fund to the Trust Fund should continue in future years, and recommended that PICES explore other options for the Trust Fund replenishment.

10. The Chairman will send a letter to appropriate authorities requesting prompt payment of annual contributions by the first day of the PICES fiscal year (January 1).

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ARCTIC OCEAN

PROGRAM FOR THE CONSERVATION OF ARCTIC FLORA AND FAUNA (CAFF)

Basic Instrument

The Program for the Conservation of Arctic Flora and Fauna was established to address the special needs of Arctic species and their habitats in the rapidly developing Arctic region. It forms one of four programs the Arctic Council created by the Declaration on the Establishment of the Arctic Council, signed September 19, 1996 in Ottawa, Canada. The Arctic Council succeeded the Arctic Environmental Protection Strategy (AEPS), adopted through a Ministerial Declaration at Rovianemi, Finland in 1991.

Implementing Legislation

None.

Member Nations

Canada, Denmark/Greenland, Finland, Iceland, Norway, Russia, Sweden, and the United States.

Organization Headquarters

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Budget

The cost of the Secretariat is borne largely by Iceland, the host country, supported by voluntary contributions from Member countries. The U.S. contribution for 1999/2000 is $40,000, provided by the U.S. Fish and Wildlife Service (FWS), Alaska Region.

U.S. Representation

A. Appointment Process

The U.S. Department of State has designated the FWS as the lead Federal agency for CAFF. The FWS Alaska Region Assistant Regional Director for International Affairs serves as the U.S. National Representative to CAFF and leads the U.S. delegation to the biannual meetings of CAFF.

B. U.S. Delegates and Scientific Advisers

U.S. delegates and scientific advisors are provided to CAFF by the Department of State, FWS, the National Oceanic and Atmospheric Administration/National Marine Fisheries Service, Alaska Department of Fish and Game, and non-governmental organizations.

C. Interagency Arctic Policy Group (APG)

U.S. participation in CAFF is also informed and advised by the Interagency Arctic Policy Group convened on a monthly basis by the Department of State.

Description

A. Mission/Purpose:

CAFF's main goals are to:

(1) conserve Arctic flora and fauna, their diversity and their habitats; (2) protect the Arctic ecosystem from threats; (3) improve conservation and management, laws, regulations and practices for the Arctic; and (4) integrate Arctic interests into global conservation.

Its guiding principles are:

(1) the involvement of indigenous and local people and the use of traditional ecological knowledge; (2) the use of a broad, ecosystem-based approach to conservation and management; (3) cooperation with other conservation initiatives and the other Arctic Council programs (AMAP, the Arctic Monitoring and Assessment Program; PAME, the Program for the Protection of the Arctic Marine Environment; and EPPR, the Program for Emergency Prevention, Preparedness, and Response) to minimize duplication and to increase effectiveness; and (4) effective communication with respect to CAFF programs.

B. Organizational Structure:

CAFF operates through a system of Designated Agencies and National Representatives responsible to CAFF and their respective countries. The National Representatives and Permanent Participants meet several times a year to guide the administration of CAFF work and to prepare CAFF reports to meeting of Senior Arctic Affairs Officials and Arctic Ministers under the AEPS. CAFF meets annually to assess programs and to develop CAFF Work Plans. It is directed by a chair and vice-chair which rotate among the Arctic countries, and is supported by an International Secretariat. As needed, CAFF also establishes Specialist and Expert Groups to address program areas.

Most of CAFF's work is carried out through a system of lead countries as a means of sharing the workload. Whenever possible, CAFF works in cooperation with other international organizations and associations to achieve common conservation goals in the Arctic.

C. Recent Activities:

Coordination with Other Arctic Council Working Groups

There is an expectation and a trend towards increased collaboration between Arctic Council Working Groups. The Arctic Monitoring and Assessment Program (AMAP) and CAFF, along with International Arctic Science Commission (IASC), are undertaking a joint assessment of the impacts of climate change and UV-B on Arctic flora and fauna. CAFF, the Working Group for the Protection of the Arctic Marine Environment (PAME), and the International Union for the Conservation of Nature (IUCN) co-sponsored a Circumpolar Marine Workshop in the fall of 1999. Additional potential Working Group collaboration includes efforts with the Working Group on Emergency Prevention, Preparedness and Response's (EPPR) on its Circumpolar Map of Resources at Risk from Oil Spills in the Arctic, and on the Regional Program of Action developed by PAME.

U.S. Support for CAFF

CAFF projects with a U.S. lead reported good progress: the *Atlas of Rare Endemic Vascular Plants of the Arctic* was published as CAFF Technical Report No 3; the U.S. hosted the 3rd International CAVM meeting in Anchorage, Alaska during the period of June 1-8, 1998; with respect to seabird conservation, national overviews were prepared for CAFF Technical Reports No's 1 and 2, a 5-year *Alaska Murre Conservation Action Plan* and a *Framework for Monitoring Murres in the Circumpolar Region* were completed in 1998, an *Alaska Eider Conservation Action Plan* is nearing completion, and a CAFF Technical Report on the Harvest of Seabirds in the Arctic will be completed; the United States is actively participating in the Circumpolar Protected Area Network (CPAN) project; the United States and Canada collaborated to generate a proposal on assessing impacts of climate change using caribou and reindeer as indicators and are further collaborating on a proposal for an Arctic workshop on seabird bycatch in commercial fisheries; the United States circulated for CAFF VII a discussion paper on *Incorporating ringed seals into CAFF and AMAP monitoring programs* and; the United States has secured funding for a U.S. participant on the Editorial Team in charge of drafting the CAFF Overview.

Seventh Meeting of CAFF

At its Seventh Meeting, April 26-30, 1999 in Yellowknife, Canada, CAFF adopted a Plan of Work for 1999-2000.

The CAFF Work Plan 1999-2000, specifies actions agreed upon by the eight Arctic countries to be undertaken by CAFF under the auspices of the Arctic Council during the period of April 1999 to October 2000. The CAFF Work Plan 1999-2000 follows the format of, and represents steps towards, implementing the "Strategic Plan for the Conservation of Arctic Biological Diversity," which was endorsed by the Arctic Ministers in 1998 as a framework for future CAFF activities.

The priority elements of the Strategic Plan are those to:

(1) enhance efforts to monitor Arctic biodiversity, paying particular attention to species, populations, habitats, and ecosystems which are of greatest ecological, cultural, social, economic, or scientific value;

(2) support and implement measures for the conservation of Arctic genetic resources, species, and their habitats;

(3) establish protected areas in the Arctic region where they contribute to the conservation of ecosystems, habitats, and species;

(4) manage activities outside protected areas in order to maintain the ecological integrity of protected areas and to ensure the conservation of biodiversity; and

(5) identify approaches and develop strategies by which information on the conservation of Arctic biological

diversity can be made available in an appropriate manner to those making socioeconomic decisions.

The specific activities related to these priorities agreed to for 1999/2000 are to:

1.1. Design a program to monitor circumpolar biodiversity for consideration by the second Arctic Council meeting in the year 2000. Hold an expert workshop in Iceland in fall 1999 to initiate this process and develop a first draft program for consideration by countries (Iceland/CAFF Secretariat).

2.1. Continue efforts to complete the critical annotated checklist of Pan-Arctic Flora and revise the list of rare non-endemic plants of circumpolar conservation concern. Provide a status report to CAFF VII (Russia).

2.2. Work towards completion of the Circumpolar Arctic Vegetation Map in year 2001 as per time line provided in at CAFF VI in Nuuk 1997. Conduct a field transect in the Canadian Arctic during the summer of 1999 to verify the North-American continental map (USA).

2.3. Assess CAFF's role with respect to Arctic flora conservation in light of other circumpolar and international initiatives and provide a discussion paper to CAFF VIII (USA/Russia).

2.4. Coordinate the national and circumpolar implementation of the International Murre Conservation Strategy and Action Plan and report on progress to CAFF VIII and to the second Arctic Council Meeting (All/CSWG).

2.5. Coordinate the national and circumpolar implementation of the Circumpolar Eider Conservation Strategy and Action Plan and report on progress to CAFF VIII and to the second Arctic Council Meeting (All/CSWG).

2.6. Complete by fall 1999 a CAFF Technical Report on Harvest of Seabirds in the Circumpolar Region (All/CSWG).

2.7. Prepare recommendations to CAFF and the Arctic Council concerning incidental mortality of seabirds in commercial fisheries in the Arctic region. Conduct a workshop on this topic in Halifax, Canada, in spring 2000 (Canada/USA).

2.8. Evaluate recommendations of the CAFF Technical Report No. 4, "Global Overview of Conservation of Arctic Migratory Breeding Birds Outside the Arctic" and address other issues related to protection of Arctic migratory birds for consideration of CAFF and the Arctic Council. Conduct a workshop on this topic in Wageningen, The Netherlands, in spring 2000 (Russia/The Netherlands)

3.1. Finalize by fall 1999 a report summarizing the jurisdictional responsibilities and national frameworks for conservation of the Arctic marine environment (Canada)

3.2. Advance circumpolar efforts by CAFF, PAME and IUCN to protect the Arctic marine environment. Cosponsor a Circumpolar Marine Workshop in Montreal, Canada, November 1999 (All/PAME/IUCN).

3.3. Establish by fall 2000 a Pan-Arctic Protected Areas Registry (PAPAR) as specified in the CPAN Strategy and Action Plan (Norway/UNEP GRID-Arendal).

3.4. Develop ways to enhance support and sustainability of Russia's Arctic protected areas. Hold a workshop on this topic in Anchorage, Alaska, October 1999 (USA/Russia).

3.5. Review and evaluate recommendations made by CAFF VII with respect to CPAN and prepare by CAFF VIII a discussion paper on ways to advance CAFF's CPAN effort (USA).

4.1. Prepare, in collaboration with AMAP and IASC, an assessment on impacts of climate change and UV-B on Arctic ecosystems (Sweden).

5.1. Prepare an authoritative, illustrated report, "Arctic Conservation Issues: Status and Trends of Arctic Flora, Fauna and Habitats." Submit an advanced draft to the second meeting of the Arctic Council in year 2000, anticipating publication in year 2001 (Finland/CAFF Secretariat).

5.2. Develop by fall 1999 a draft CAFF communications strategy for consideration by Senior Arctic Affairs Officials (Iceland).

D. Meetings:

CAFF meets on an every 2-year basis. The next plenary meeting of CAFF will be hosted by Norway in Tromso in September 2000. The National Representatives to CAFF meet on an approximately every 6-month basis to address administrative and organizational matters.

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GLOBAL

GLOBAL ENVIRONMENT FACILITY (GEF)

Basic Instrument

Instrument for the Establishment of the Restructured Global Environment Facility. The Instrument was approved by participating countries in March 1994.

Implementing Legislation

No new implementing legislation needed. U.S. participation in the GEF is dependent on contributions from the Treasury Department to the GEF Trust Fund, through annual appropriations.

Member Nations

As of January 1999, a total of 156 countries, including both recipient countries and donors such as the United States, were participants in the GEF.

Secretariat Headquarters

The GEF Secretariat
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Fax: (202) 522-3240 or 522-3245
Web Site: http://www.gefweb.org/html

GEF Chief Executive Officer: Mohamed El-Ashrey

Budget

In 1998, donors including the United States, pledged nearly US$2 billion to the second replenishment of the restructured GEF (GEF-2; 1999-2002). The United States pledged the largest amount, $430 million to be contributed over several fiscal years. Current U.S. contributions to the GEF come from the Department of the Treasury. Contributions to the GEF are meant to be "new and additional," i.e., over-and-above existing official development assistance. Between 1991 and September 1998, the GEF invested nearly $2 billion in environment projects.

U.S. Representation

The Department of the Treasury has the lead for the U.S. government. The Deputy Assistant Secretary of the Treasury, William Schuerch, represents the United States on the GEF Council, and Deputy Assistant Secretary of State Rafe Pomerance is his alternate. NOAA has consistently played an important advisory role at both the policy and project level. The NOAA International Liaison Staff has had the lead on GEF issues for NOAA.

Description

A. Mission/Purpose:

The GEF is the primary multilateral financial mechanism to protect the global environment through projects and programs in four focal areas: conserving biological diversity, mitigating climate change, reducing pollution of international waters, and phasing out the production and use of stratospheric ozone depleting substances (in countries not covered by the Montreal Protocol Fund). The GEF provides grants and concessional funding to recipient countries (developing countries and countries with economies in transition) to cover the incremental costs to achieve global environment benefits in the focal areas. The GEF operates the financial mechanisms for the U.N. Framework Convention on Climate Change and the Convention on Biological Diversity. GEF projects must be country driven, incorporate consultation with local communities and, where appropriate, involve non-governmental organizations in project implementation.

B. Organizational Structure:

The GEF is governed by a 32-member GEF Council representing constituencies of over 160 donor and recipient country governments. The GEF Council meets at least twice a year to review and approve the work programs, policies, and administration of the GEF. The United States has one of the seats on the Council. A universal GEF Assembly meets approximately every 3 years. The first meeting of the Assembly occurred in 1998.

GEF projects and programs are managed through three implementing agencies: the World Bank, the United Nations Development Programme (UNDP), and the United Nations Environment Programme (UNEP). The World Bank and UNDP manage the lion's share of the projects. The GEF Secretariat, which is functionally independent from the three implementing agencies, reports to and services the Council and Assembly of the GEF. A Scientific and Technical Advisory Panel, convened by UNEP, provides advice on technical issues at the request of the Council and manages a roster of experts that provides technical reviews of individual projects.

C. Programs:

The GEF was created as a multilateral mechanism to fund the incremental costs of achieving global environmental benefits in developing countries and countries with economies in transition. In particular, it was designed to fund agreements expected to be achieved at the 1992 U.N. Conference on Environment and Development in Rio de Janeiro, Brazil. It began as a 3-year pilot-phase Facility in 1991. During the Pilot Phase, the United States did not contribute directly to the GEF core fund, but instead pledged and funded $150 million in "parallel-financed" GEF projects funded and managed by the U.S. Agency for International Development.

The Facility was restructured and replenished with over US$ 2 billion in 1994 (GEF-1), to cover the agreed incremental costs of activities that benefit the global environment in four focal areas: climate change; biological diversity; international waters; and stratospheric ozone. Both the Framework Convention on Climate Change and the Convention on Biological Diversity have designated the GEF as their funding mechanism on an interim basis. The second replenishment (GEF-2) was completed in early 1998.

Countries may be eligible for GEF funds in one of two ways: (1) if they are eligible for financial assistance through the financial mechanism of either the Framework Convention on Climate Change or the Convention on Biological Diversity; or (2) if they are eligible to borrow from the World Bank or receive technical assistance

grants from UNDP through a Country Program. A country must be a party to the Climate Change Convention or the Convention of Biological Diversity to receive funds from the GEF in those focal areas. GEF projects must be country driven, incorporate consultation with local communities and, where appropriate, involve non-governmental organizations in project implementation.

To date, the GEF has approved proposals more than 625 projects in 125 countries, totaling over $2 billion in GEF financing and leveraging an additional $5 billion in cofinancing. The majority of these projects are in the climate change (38 percent) and biodiversity (46 percent) focal areas. Approximately 10 percent of GEF funds have been allocated to International Waters projects. Project quality has shown steady improvement over the history of the GEF. NOAA has provided limited technical support for the development of several projects.

Marine Issues: Marine projects of interest to NMFS may be funded under either the biodiversity focal area or the international waters focal area. Coastal, marine, and freshwater ecosystems represent one of four operational programs in the biodiversity focal area. The objective of the program is the conservation and sustainable use of biological resources in these ecosystems. The GEF has recently funded several World bank projects in developing countries specifically related to marine fisheries, and will play a key role in the World Bank's Sustainable Fisheries Forum. The GEF is showing increasing flexibility and breaking new ground both in types of projects and as a coordination mechanism among U.N., bilateral, and multilateral development bank assistance mechanisms. NOAA has only begun to utilize the many opportunities for collaboration and leverage that the GEF provides.

Recent Activities

In 1998, the GEF Trust Fund was successfully replenished and the first Participant's Assembly met in New Delhi, India. The Assembly gathered Ministers and high-level officials from GEF Member governments to exchange views on the policies and operations of the GEF. More than 900 participants attended the Assembly, representing 119 GEF Member governments, international organizations, and 185 non-governmental organizations. Participants endorsed the central tenets of the GEF. The Assembly formulated and endorsed the New Delhi Statement of the First GEF Assembly, which stressed that for the GEF to meet its potential and fulfill its missions, it should:

- remain innovative, flexible and responsive;
- ensure that its activities are country-driven;
- increase efforts to ensure sustainability of global environmental benefits;
- streamline the project cycle;
- undertake long-term planning;
- make incremental cost calculation more trans-parent and pragmatic;
- strengthen its monitoring and evaluation functions;
- better define linkages between land degradation and the four focal areas
- allow for Implementing Agencies to promote measures to achieve global environmental benefits within their regular portfolios;

- build strong relationships with the global scientific community
- promote greater coordination with and co-financing by other funding sources; and
- strive to mobilize additional resources from public and private sources.

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INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA (ICES)

Basic Instrument

The Council was established by an exchange of letters on July 22, 1902, in Copenhagen, Denmark, with eight country representatives in attendance (Denmark, Germany, Norway, Russia, Finland, the Netherlands, Sweden, and the United Kingdom of Great Britain). The United States joined the Council on July 22, 1912. From 1902 until 1964, the Council operated in a kind of "gentlemen's agreement" fashion. Then, on September 12, 1964, the Council membership concluded the Convention for the International Council for the Exploration of the Sea, 1964 (TIAS 7628), giving it true and full international status. The Convention fixed the seat of the Council at Copenhagen and, by the end of 1967, all Contracting Parties had ratified the Convention, which came into force on July 22, 1968.

Member Nations

Belgium, Canada, Denmark, Estonia, Finland, France, Germany, Iceland, Ireland, Latvia, Netherlands, Norway, Poland, Portugal, Russia, Spain, Sweden, United Kingdom of Great Britain, and the United States of America.

Council Headquarters

International Council for the Exploration of the Sea
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Budget

The 2000 budget is 22, 688,835 DKK. (approximately $3,489,800). The U.S. contribution is 957,150 DKK (approximately $147,650).

U.S. Representation

A. Process:

NMFS, through NOAA and DOC, and the National Science Foundation, provides the Department of State with recommendations for the U.S. representatives (delegates and advisors) to the annual meeting.

B. U.S. Representation:

Both U.S./ICES Delegates participated in the 1999 Annual Science Conference, 87th Statutory Meeting, held in Stockholm, Sweden, September 29-October 2, 1999.

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C. Committees and Working Groups:

U.S. representation in ICES has no formal (legislated) advisory structure. During 1999/2000, the United States has members on all 9 Committees and more than 60 Working/Study Groups.

Description

A. Mission/Purpose:

ICES is the oldest oceanographic organization in the North Atlantic area and is the premier body for giving advice at the international level on scientific and policy matters relating to fisheries, pollution and other marine environmental issues. ICES provides advice on pollution matters to the London, Oslo and Helsinki Conventions for Marine Pollution, and on fisheries matters to the Convention for the Conservation of Salmon in the North Atlantic Ocean (NASCO); the United States is a party to all of these conventions. ICES also advises the North-East Atlantic Fisheries Commission (NEAFC)and the International Baltic Sea Fishery Commission. ICES also has strong formal ties to the Intergovernmental Oceanographic Commission (IOC), to which the United States belongs, and the annual ICES meeting is the major forum for coordinating the planning and execution of ICES/IOC joint research on living marine resources in the North Atlantic.

The United States has been a member of ICES since 1912 and, in recent years, has strengthened its leadership role, particularly in the Advisory Committees on Marine Pollution and on Fisheries Management, in order to direct the organization's work towards issues and concerns of U.S. interest. U.S. representatives serve on all of the nine Advisory and Standing Committees which meet in concurrent session during the Annual Science Conference to plan the work of ICES and to conduct its business.

B. Organizational Structure:

The Council consists of the President, who presides at all meetings of the Council and the Bureau and two delegates from each participating country. The Bureau, the executive body of the Council, meets intercessionally and consists of the President, a First Vice President and five Vice Presidents elected from the delegates, each for a 3-year term. On completion of his term of office a member of the Bureau is not eligible for re-election to the same office for the succeeding term.

The Council does most of its work through two Advisory and seven Standing Committees. The chairmen of these Committees constitute the Consultative Committee, whose chairman is elected by the committee, but not necessarily from its members. The chairman of this committee is also the chairman of the Liaison Committee, which provides advice to the North-East Atlantic Fisheries Commission.

The chief executive officer of the Council is the General Secretary who is responsible to the Bureau for the management of the Council's staff and office. He is appointed by the Council, on the advice of the Bureau.

The Service Hydrographique is under the immediate direction of the Council's Hydrographer. The Statistician acts as Secretary of the Liaison Committee and to the various working groups established by the Council. He also provides advice on such statistical matters as may come within the scope of his office.

Delegates of participating countries may be accompanied by experts at annual or other meetings of the Council. Each annual meeting of the Council has a formal opening presided over by the President which may be attended by delegates, the experts appointed by member countries, observers appointed by the various international organizations which have received invitations from the Council, and guests, usually persons from non-member countries wishing to take part in the meeting. All other meetings of the Council proper are restricted to delegates. Certain committees, such as the Consultative, Liaison, Finance and Editorial Committees are not open to non-members.

The Advisory and Standing committees produce reports at each annual meeting, which are considered, together with any recommendations, by the Consultative Committee. The recommendations of the Consultative Committee are passed to the full Council for decision, which if agreed, are binding on the Council. The Council as a scientific body is only concerned with scientific matters. Its constitution prohibits it from dealing with non-scientific matters.

The current scientific committees are: Oceanography Committee, Marine Habitat Committee, Living Resources Committee, Resource Management Committee, Fisheries Technology Committee, Mariculture Committee, and Baltic Committee. The Resource Management, Fisheries Resources, Marine Habitat, and Oceanography Committees are intended to promote integrated scientific programs, whereas the other three committees are more specialized committees that have been retained from the previous structure because they have broad support from their members.

Using the information provided by the Working Groups, the Advisory Committee on Fishery Management (ACFM) provides advice, upon direct request, to regulatory fishery commissions on behalf of the Council. ACFM meets twice a year and its findings and advice are supplied to the member countries of ICES, the Commission of the European Communities, and to three fishery commissions.

Since 1902 the Council has met in a number of places in Europe and North America, including Copenhagen, its seat.

ICES continues to be an organization with a lot of diverse scientific activities supported by an active scientific community.

Recent Activities

The 1999 Annual Science Conference (ASC), 87th Statutory Meeting, of ICES took place in Stockholm, Sweden, September 29-October 2, 1999. There were about 550 conference participants and nearly 300 scientific papers and posters were presented in theme sessions. The occasion was honored with a welcoming address by the King of Sweden.

Highlights of the 1999 ASC:

(A) The open lecture titled "On the Evolution of ICES" was presented by former ICES president David de G. Griffith of Ireland. Centenary lectures were on (a) Otto Pettersson, the founder of ICES, (b) the role of ICES in ocean exploration, (c) the overfishing problem, and (d) environmental issues. ICES plans a series of centenary events leading up to a celebration in 2002 in Copenhagen.

(B) The 19 theme sessions included: Plans for major International Programmes in the North Atlantic over the next decade: Should ICES be involved?; The language of fisheries science and management; The M-74 syndrome and similar reproductive disorders in marine animals; Applications of coupled bio-physical models in studies of zooplankton and ichthyoplankton advection and dispersion; Nordic Sea exchanges; Relationship between fishing capacity, effort and mortality; The Northeast Atlantic environment-the current status; Sustainability criteria; On management and mitigation for harmful algae; Size based processes in the sea; Cod and haddock recruitment processes – integrating stock and environmental effects; Evaluating complete fishery systems – economics, social and ecological analyses; The Bayesian approach to fisheries analysis; Application of acoustic techniques to bottom trawl surveys; Microprocessors and smart things that swim in the ocean – smart tags in
the study of marine life; Health and welfare of cultivated aquatic animals; Global change aspects; 4-D sampling of oceans at micro- to mesoscales; Ecosystem management – can we make it operational.

(C) The seven science committees and two advisory committees of ICES met during the course of the meeting.

(D) David de G. Griffith of Ireland was appointed to a 6-year term (beginning January 2000) as General Secretary of ICES. Prof. C.C.E. Hopkins, the outgoing General Secretary, did not seek a second term.

(E) The following individuals were elected or appointed: Dr. Anthony Calabrese (USA) elected chair of the Mariculture Committee; Dr. Tore Jakobsen (Norway) was elected chair of the Advisory Committee for Fisheries Management, Prof. Hein-Rune Skjoldal (Norway) was elected chair of the Advisory Committee on Marine Environment; Dr. Tomas Linkowski (Poland) and Johan Siguronsonn (Iceland were elected to the Bureau; and Dr. Thomas Linkowski (Poland) and Gerard van Baesfoort (Netherlands) were appointed to the Finance Committee.

(F) An "Initial Strategic Plan" for ICES was adopted and it was agreed that ICES would engage in extensive consultations within member countries, commissions advised by ICES, and other stakeholders during the coming year. A "Centenary Strategic Plan" to guide ICES in its second hundred years will be prepared and adopted in 2002 in Copenhagen.

(G) ICES' system for preparing scientific advice for fishery and environmental managers is under review. There is general agreement that the current system cannot be sustained under its heavy workload. It is also agreed that the system needs to be improved with respect to being able to provide integrated advice on complicated ecosystem issues, and that it needs to be more flexible and responsive to deal with the needs of managers. A

the annual meeting in 2000. The Working Group was chanrged with widely consulting with the ICES community and with users of ICES' scientific advice. Dr. M. Sissenwine of the United States is a member of

(H) A complete set of ICES papers from 1998 are now available on a compact disc. A routine for searching by

Leadership

U.S. scientists chair two committees, the Mariculture Committee and the Baltic Committee, and several working/study groups.
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Future Meetings

The 2000 ASC, 88th Statutory Meeting, will be held in Bruges, Belgium, September 25-October 3, 2000. Some tentative examples of theme sessions are: Evaluation of the impact and incorporation of external factors in marine resource surveys; Environmental effects on plankton communities; Involving the fishing industry in fishery science; Fish-zooplankton linkages; Sustainable aquaculture development (including the precautionary approach, genetic improvements, extensive aquiculture); State of the art of recent developments in marine instrumentation; Spatial and temporal patterns in recruitment processes; Trophic dynamics of top predators-forage strategies and requirements,

and consumption models; Sustaining biodiversity in the North Atlantic and adjacent seas; Population dynamics and management of shellfish; Experimental fisheries biology; Marine biological invasions- retrospective for the 20th century and prospective for the 21st century.

The 2001 ASC, 89th Statutory Meeting, will be held in Oslo, Norway, September 24-October 2, 2001; the 2002 ASC, 90th Statutory Meeting, in Copenhagen, Denmark, October 1-8, 2002; the 2003 ASC in Tallin, Estonia; and the 2004 ASC in Spain.

A follow-up (to last year's meeting in Nantes) dialog meeting with fishery commissions in London will be held during February 2000. Dr. Sissenwine of the United States is a member of the Steering Committee.

A dialog meeting concerning advice on the marine environment and marine ecosystems will be held near the time of the ASC in autumn 2000. Dr. M. Reeve of the United States is a member of the Steering Committee.

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JOINT FAO/WHO INTERNATIONAL CODEX ALIMENTARIUS FOOD STANDARDS PROGRAMME

Basic Instrument

The Codex Food Standards Programme was established in 1962 when FAO and WHO recognized the need for international standards to protect the health of consumers and facilitate trade among member nations. The Codex Alimentarius Commission (CAC) is charged with developing food standards for adoption and use by member countries. These international food standards are contained in 14 volumes that have been adopted by the CAC. The purpose of these standards is to protect the health of consumers and facilitate fair practices in food trade. These texts are in the form of Specific Food Standards, Codes of Practice and Recommendations. The CAC includes provisions for food hygiene, food additives, pesticide residues, contaminants, labeling and presentation and methods of analysis and sampling.

Member Nations

Albania, Algeria, Angola, Antigua, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Barbuda, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Democratic Republic of Congo, Republic of Costa Rica, Cote D'IVOIRE, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Islamic Republic of Iran, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritania, Mauritius, Mexico, Micronesia Federated States, Moldova, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Sultanate of, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovak Republic, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syria, Tanzania, Thailand, The Former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Uruguay, Vanuatu, Venezuela, Vietnam, Yemen, Zambia, and Zimbabwe.

Non-member Country

Bahamas

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Budget

The total budget for the Codex Programme is $5.7KK. Seventy-five percent is contributed from FAO and 25% is contributed from WHO.

Organizational Structure

The Programme is operated by an International Commission through an Executive Committee and has various subsidiary bodies. Subsidiary bodies or Committees are both vertical and horizontal--or cross-cutting in nature. For example, specific food commodity committees such as the Codex Committee on Fish and Fishery Products (CCFFP) would be an example of a vertical committee. The Codex Committee on Food Hygiene (CCFH), which must address the hygienic considerations in all of the outputs of the Codex Alimentarius Programme is an example of a horizontal or cross-cutting Committee. Additionally, there are regional Committees that are also cross-cutting in nature which address special needs of specific geographical regions. In addition to member nations, Codex relies on scientific support from three prestigious committees sponsored by other specific United Nations Programmes. These are the Joint Expert Committee on Food Additives, the Joint Meeting on Pesticide Residues, and the International Consultative Group on Food Irradiation. A fourth expert committee is currently being formed to pass expert judgement on microbiological risk assessments which are offered to the Codex Committee on Food Hygiene. Each member country maintains a country contact point.

U.S. Representation

There are currently 22 different commodity and subject matter committees within Codex. The U.S. delegate is nominated by the U.S. Codex Office and affirmed by the Interagency Codex Policy Steering Committee, chaired by the USDA Undersecretary for Food Safety. The Steering Committee consists of: the U.S. Manager for Codex; and administrative appointed senior level policy personnel being the Deputy Commissioner for Policy, Food and Drug Administration; the Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, U.S. Environmental Protection Agency; the Assistant Secretary, Marketing and Regulatory Programs, Department of Agriculture; the Undersecretary of Farm and Foreign Agricultural Services, Department of Agriculture; the Special Assistant to the Secretary, Department of Agriculture; the Assistant Administrator for Fisheries, National Marine Fisheries Service; Special Trade Ambassador for Agriculture, Office of the U.S. Trade Representative; the Director of the Office of Agricultural and Textile Trade, Department of State; the Undersecretary, Food, Nutrition and Consumer Services, Department of Agriculture; the Undersecretary of Research, Education, and Economics, Department of Agriculture; and the Vice Chairman, Codex Alimentarius Commission. There is also an interagency technical committee for U.S.A. Codex consisting of career senior level SES executives. The Director of NMFS/Office of Sustainable Fisheries serves on this interagency technical committee. U.S.A. delegates to the Committee meetings are led by the U.S.A. Delegate and are comprised of other governmental and NGO advisors which include academia, industry, state government officials, trade associations, consumer organizations, etc.

Programs

The output products of the Codex Alimentarius Food Standards Programme generally relate to four specific areas, for example, (1) the development of General Principles to be followed in the international trade of food commodities, (2) specific Codex Commodity Standards for individual food commodities, or processing requirements, (3) the establishment of Codex Guidelines for specific actions or procedures, and (4) recommended Codes of Hygienic Practice which are similar to our GMP concepts that are to be followed when producing and/or

manufacturing specific food commodities. A country's adherence to these Codex outputs provides the country a "safe harborage" in the settlement of GATT disputes by WTO. The Codex Programme provides a forum for the world's leading experts to discuss, debate, and reach a scientific consensus on the food safety issues that affect international trade. Further, governmental participation allows access to the world's most current and complete body of scientific food safety information. Without a doubt, Codex has upgraded global food manufacturing practices which have dramatically resulted in improved global consumer protection. Such improvements lessen expensive regulatory efforts for importing countries during a time of shrinking resources. The United States has benefitted substantially from its participation in Codex. Action of the Codex Alimentarius Programme can greatly influence world regulatory food control activities since Codex work products represent a consensus of opinion on regulatory issues by the more than 140 member countries that in turn represent more than 97 percent of world's population.

Recent Activities

Since Codex was established in 1962, its commodity committees have published more than 200 commodity standards, including those for various types of processed fruits and vegetables; meat and fish products; cereals, pulses, and legumes; fats and oils; milk and milk products; soups and broths; and foods for special dietary uses. In addition to Codex standards, there are more than 35 Guidelines and Codes of Practice for food production and processing which have been prepared by the general subject committees. Historically, the U.S.A. has a low rate of acceptance of Codex Standards. To date the United States has accepted 981 pesticide standards and it has taken a position on about 70 commodity standards accepting most with specified deviations. The low rate of acceptances of Codex standards is generally not a result of specific health concerns, but rather due to the current regulatory workload's forcing regulatory agencies to give Codex a reduced priority. This low priority is changing as a result of the increasing recognition in U.S. agencies on the role Codex can play in mitigating WTO disputes.

Codex has recently standardized the Hazard Analysis Critical Control Point (HACCP) Food Inspection Program. Likewise it has enumerated the General Principles and Guidelines for the Conduct of Microbiological Risk Assessments as well as for the Application of Microbiological Criteria for Foods. It has developed numerous Standards and Codes of Practice for various fishery products and other foodstuffs.

The current "hot" topics being debated by the Codex include defining Acceptable Levels of Protection (ALOP) and Food Safety Objectives (FSO); procedures for judgement of equivalency of control measures for food safety and possible Technical Barriers to Trade (TBT); regulatory approaches among and between different country food inspection and certification systems; the use of "precautionary approaches" in Risk Management decision making; providing for General Principles and Guidelines for use in conducting Microbiological Risk Management; and the labeling of biotech-derived foods. All of these issues have, or will have, relevance to similar fishery management debates, (although in a different context and domain) expected to be carried out by ICCAT and other regional fishery bodies.

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PART IV. OTHER INTERNATIONAL ARRANGEMENTS OF INTEREST

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO) COMMITTEE ON FISHERIES (COFI)

nutrition and standards of living, to improve agricultural productivity, and to better the condition of rural populations.

the EC (Member Organization) and more than 1,500 professional staff. The Organization's 2000-2001biennial budget is set at $650 million and FAO-assisted projects attract more than $3000 million per year from donor

The Organization offers direct development assistance, collects, analyses, and disseminates information, provides policy and planning advice to governments and acts as an international forum for debate on food and agriculture

and social policy, investment, nutrition, food standards and commodities and trade. It also plays a major role in dealing with food and agricultural emergencies. A specific priority of the Organization is encouraging sustainable

It aims to meet the needs of both present and future generations through programs that do not degrade the environment and are technically appropriate, economically viable, and socially acceptable.

out by the organization and approve a Program of Work and Budget for the next biennium. The Conference elects a Council of 49 Member Nations to act as an interim governing body. Members serve 3-year, rotating terms.

will begin a second 6-year term in January 2000.

The Organization's work falls into two categories. The Regular Program covers internal operations, including the

planning and service a wide range of development needs. It is financed by Member Nations, who contribute according to levels set by the Conference. The Field Program implements FAO's development strategies and

national governments and other agencies. More than 60 percent of Field Program finances come from national trust funds and 22 percent is provided by the United Nations Development Program. FAO contributes about 16

The Committee on Fisheries (COFI), a subsidiary body of the FAO Council, was established by the FAO Conference at its Thirteenth Session in 1965. The Committee presently constitutes the only global inter-

and recommendations addressed to governments, regional fishery bodies, NGOs, fishworkers, FAO and international community, periodically on a world-wide basis. COFI has also been used as a forum in which global

COFI membership is open to any FAO Member and non-Member eligible to be an observer of the Organization. Representatives of the UN, UN bodies and specialized agencies, regional fishery bodies, international and

COFI is empowered to establish subcommittees on specific issues. These subsidiary bodies meet in the intersessional period of the parent Committee. At present, COFI has established a Sub-Committee on Fish Trade and is developing terms of reference for a Sub-Committee on Aquaculture.

The next meeting of the Sub-Committee on Trade (Seventh Session) will be March 22-25, 2000 in Bremen, Germany.

The two main functions of COFI are to review the programs of work of FAO in the field of fisheries and aquaculture and their implementation, and to conduct periodic general reviews of fishery and aquaculture problems of an international character and appraise such problems and their possible solutions with a view to concerted action by nations, by FAO, inter-governmental bodies and the civil society. The Committee also reviews specific matters relating to fisheries and aquaculture referred to it by the Council or the Director-General of FAO, or placed by the Committee on its agenda at the request of Members, or the United Nations General Assembly. In its work, the Committee supplements rather than supplants other organizations working in the field of fisheries and aquaculture.

The next meeting of COFI (Twenty-fourth Session) will be February 26-March 2, 2001, in Rome, Italy, at FAO headquarters. In the interim, FAO will be hosting a number of technical and expert consultations to advance major global fisheries issues. These include a consultation of the Reduction of Fishing Capacity and consultations to develop an International Plan of Action to address Illegal, Unregulated, and Unreported (IUU) Fishing.

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UNITED NATIONS GENERAL ASSEMBLY (UNGA)

The United Nations General Assembly (UNGA) was not known as a forum for the discussion of fisheries issues through most of its history, but this changed in the 1990s when it took up the problem of large-scale, pelagic driftnet fishing on the high seas. UNGA Resolution 44/225, adopted in 1990, called for a moratorium on the use of this fishing gear on the high seas by June 30, 1992. This Resolution was supplanted by UNGA Resolution 46/215, which delayed the effective date of the moratorium until December 31, 1992. Since that time, UNGA has adopted resolutions at least biennially inviting information on implementation for inclusion in a report of the Secretary General prepared for a future meeting of UNGA. NOAA Fisheries has worked with the Department of State to prepare a U.S. submission at every such opportunity. In addition, UNGA regularly considers and adopts resolutions on unauthorized fishing in zones of national jurisdiction and on the high seas; fisheries bycatch and discards; promoting the entry into force of the Food and Agriculture Organization Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; and

Convention on the

Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and

these topics as well.

Web address: http://www.un.org/Depts/los/

MULTILATERAL HIGH-LEVEL CONFERENCE ON THE CONSERVATION AND MANAGEMENT OF HIGHLY MIGRATORY FISH STOCKS

The MHLC is a series of conference negotiations striving to design and implement a conservation and management regime for highly migratory fish stocks in the western and central Pacific Ocean. There have been 5

to include representatives of Australia, Chinese Taipei, Cook Islands, Federated States of Micronesia, Fiji, France, French Polynesia, Indonesia, Japan, Kirabati, Marshall Islands, Nauru, New Caledonia, New Zealand, Niue, Palau,

Tuvalu, United States, Vanuatu, and Wallis and Futuna.

MHLC2, held in Majuro, Marshall Islands, June 10-13, 1997, set an agenda and defined success for the process.

over a 3-year period, a legally binding conservation and management regime for western and central Pacific highly migratory fish stocks. These stocks support fisheries that produce over 50 percent of the world's tuna catch, and

Fortunately, of the tuna stocks likely to be covered, all are believed to be in healthy condition, with the possible exception of bigeye tuna. Achieving the stated goal may be what was called the most significant potential

WESTERN CENTRAL ATLANTIC FISHERY COMMISSION (WECAF)

WECAF is the FAO regional fishery body for the Caribbean region. Its main functions are to facilitate coordination

and to promote rational management of resources that are of interest for two or more countries. It operates through committees including the Committee for the Management and Development of the Lesser Antilles, a Working

Web address: http://www.fao.org/fi/body/body.asp

FISHERY COMMITTEE FOR THE EASTERN CENTRAL ATLANTIC (CECAF)

CECAF is the FAO regional fishery body for the Eastern Central Atlantic. It is organized to promote programs of development for the rational utilization of fishery resources; assist in establishing bases for regulatory measures; and encourage training. It operates through a Sub-Committee on Management of Resources Within Limits of National Jurisdiction; a Joint Working Party on Resources Evaluation; a Joint Working Group on Sardines, Horse Mackerels and Mackerels of the northern CECAF area; a Joint Working Party on Hakes and Deep-Sea Shrimps; and a Joint Working Party on Small Pelagics or Demersals of the Western Gulf of Guinea; a Sub-Committee on Fishery Development.

Web address: http://www.fao.org/fi/body/body.asp

DRAFT CONVENTION ON THE CONSERVATION AND MANAGEMENT OF FISHERY RESOURCES IN THE SOUTHEAST ATLANTIC OCEAN (SEAFO)

A Convention to establish a new regional fisheries conservation and management organization for the Southeast Atlantic Ocean, the Southeast Atlantic Fisheries Organization (SEAFO), is currently being negotiated. SEAFO would manage fishery resources on the high seas, but not those under national jurisdiction, nor highly migratory species. The next round of negotiations are scheduled to take place May 8-12, 2000, in Namibia. Negotiators hope this will be the final negotiating session.

NORTH PACIFIC INTERIM SCIENTIFIC COMMITTEE FOR TUNA AND TUNA-LIKE SPECIES (ISC)

The ISC was formed by the United States and Japan in January 1995 as a first step toward creating a fishery management and conservation organization for North Pacific pelagic fish stocks. The purposes of ISC are to (1) enhance scientific research and cooperation for conservation and rational utilization of the species of tuna and tuna-like fisheries which inhabit the North Pacific Ocean during all or part of their life cycle; and (2) establish the scientific groundwork, so at some future time a multilateral regime for the conservation and rational utilization of the region's pelagic fish stocks may be created. Membership in the ISC is open to all coastal States of the region, as well as States whose vessels fish for tuna or tuna-like species in the region. Canada, China, Taiwan (Chinese Taipei), Japan, Korea, Mexico, the United States, and several regional organizations have participated in past meetings.

On a practical level, the ISC regularly assesses and analyzes fishery and other information, prepares reports, formulates research proposals, and to the extent possible, coordinates international and national research programs

on the relevant species. Four Working Groups have been established by the ISC: (1)the Swordfish Working Group, (2) Bluefin Tuna Working Group, (3) Bigeye Tuna Working Group, and (4) the Data Collection Systems Working Group.

The second meeting of the ISC took place in Honolulu, HI, on January 20-23, 1999. Participants described their countries' fisheries for tuna and tuna-like species and the overall status of stocks for those North Pacific highly

migratory species which have been the focus of ISC scientific work–primarily northern bluefin tuna, swordfish, and bigeye tuna. Species working groups reported on their work and provided guidance on further research efforts and priorities for consideration by the ISC.

The third meeting of the ISC will be held in Japan in 2001.

WESTERN PACIFIC YELLOWFIN TUNA RESEARCH GROUP (WPYRG)

The WPYRG, an informal organization of scientists and fisheries officers, was organized in 1990 to promote cooperation and to facilitate collaborative research on the yellowfin tuna populations of the central-western Pacific Ocean. The Group's initial efforts produced answers to key fishery management questions concerning the safe level of exploitation and yield for the yellowfin tuna stock, the level of large-scale fisheries interaction, and factors contributing to local depletion. Follow-up efforts include extending investigations to associated species, such as bigeye tuna, and improving the precision of estimates of population parameters.

STANDING COMMITTEE ON TUNA AND BILLFISH OF THE SOUTH PACIFIC COMMISSION (SCTB)

The SPC'S Oceanic Fisheries Program (OFP, formerly the Tuna and Billfish Assessment Program), is an integrated program of fishery data collection, syntheses, analysis and scientific research on behalf of SPC member countries, that aims to generate the resource information necessary for the rational exploitation and sound management of the international tuna fisheries in the SPC area. The OFP has two major components: the Fisheries Statistics Section and the Tuna Research Section, both of which provide scientific advice on the status of stocks in the western Pacific tuna fishery. The work of the Tuna Research Section is reported to the Standing Committee on Tuna and Billfish, which meets annually. The SCTB will next meet in Tonga in June or July 2000.

Web address: http://www.spc.org.nc/oceanfish/

ASIA-PACIFIC FISHERY COMMISSION (APFIC)

APFIC was organized in 1948 as the Indo-Pacific Fishery Council (later, Commission), an FAO regional fishery

body. It has been redesignated as the Asia-Pacific Fishery Commission. APFIC operates through subsidiary bodies including: a Joint Working Party on Fish Technology and Marketing; a Committee on Aquaculture and Inland Fisheries; and a Committee on Marine Fisheries. In conjunction with the Twenty-sixth Session of APFIC, held in Beijing in September 1998, the organization held a Symposium on Fish Utilization in the Asia-Pacific Region. In 1999, *ad hoc* working groups on capture fishery data collection and food safety were convened.

Web address: http://www.fao.org/fi/body/body.asp

INDIAN OCEAN FISHERY COMMISSION (IOFC)

The IOFC is an FAO regional fishery body. It operates through a Committee for the Development and Management of Fisheries in the Bay of Bengal; the Bay of Bengal Program; the Committee for the Development and Management of the Gulfs; and the Committee for the Development and Management of Fisheries in the Southwest Indian Ocean. With negotiation of the Indian Ocean Tuna Commission (a fisheries management organization), IOFC discontinued its Committee for the Management of Indian Ocean Tuna. Because the United States is neither a coastal State nor a State whose nationals fish in the area covered by the Agreement, it is not a member of the IOTC.

Web address: http://www.fao.org/fi/body/body.asp

INTERNATIONAL OCEANOGRAPHIC COMMISSION (IOC)

The United States is supporting the Ocean Science in Relation to Living Resources (OSLR) program of the IOC, which includes support for the Global Ecosystem Dynamics (GLOBEC) and Small Pelagic Fishes and Climate Change (SPACC) programs, Large Marine Ecosystems (LMEs), Harmful Algal Blooms (HAB), the Global Coral Reef Monitoring Network (GCRMN), and the Living Marine Resources Module of the Global Ocean Observing System (LMR GOOS). The (GLOBEC) Science Plan has been finalized and an implementation plan is beinig developed. Planning for LMR GOOS should be completed in 2000.

Web address: http://ioc.unesco.org/iocweb/

GLOBAL ECOSYSTEM DYNAMICS (GLOBEC)

GLOBEC is an IOC activity. Conceived as a study of zooplankton in relation to their physical environment (and thus to future climatic change), it has developed strong fisheries components. Active programs include **?**Cod and Climate Change." a GLOBEC-ICES program in the North Atlantic. The **?**Small Pelagic Fishes and Climate Change **?** (SPACC) and PICES-GLOBEC **?**Climate Change and Carrying Capacity" programs are in planning.

Web address: http://cbl.umces.edu/fogarty/usglobec/

GLOBAL OCEAN OBSERVING SYSTEM (GOOS)

GOOS is an internationally coordinated system for systematic operational data collection (measurements), data analysis, exchange of data and data products, and technology development and transfer. The objective of GOOS is to ensure the establishment of a permanent system of global and systematic observations adequate for forecasting climate variability and change; for assessing the health or the state of the marine environment and its resources, including the coastal zone; and for supporting an improved decision-making and management process, which takes into account potential natural and man-made changes in the environment and their effects on human health and

marine resources. GOOS is coordinated by the Intergovernmetal Oceanographic Commission (IOC). Four GOOS design panels (Coastal, Living Marine Resources, Health of the Oceans, and Climate) are in the process of identifying the observations and resources required to meet GOOS objectives.

Web address: http://ioc.unesco.org/goos/goos.htm

INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE (IPCC)

The IPCC was established to provide an authoritative statement of scientific opinion on climate change. Several hundred scientific experts serve on three Working Groups. Their work has been broadly peer-reviewed and subjected to full governmental reviews. Working Group I deals with the science of climate change. Working Group II deals with impacts and response strategies. Working Group III deals with broad socioeconomic issues, such as the costs and benefits of global mitigation efforts in energy, forestry and agriculture.

All of the significant fisheries materials are included in the 1995 Working Group II reports. The National Marine Fisheries Service (NMFS) Office of Science and Technology had significant roles in Working Group II, including the designation as Co-Convening Lead Author for the Polar Regions report, which was completed and published as a special areas report of the IPCC. The current IPCC effort is being developed as a regional assessment. NMFS was a reviewer of the regional sections to ensure that fishery interests were adequately addressed for each region.

ASIA PACIFIC ECONOMIC COOPERATION (APEC)

APEC was established in 1989 to promote open trade and economic cooperation among economies around the Pacific Rim, and, under APEC, the Fisheries Working Group (FWG) was formed in 1991. The FWG meets annually, and deliberates on a broad range of living marine resource issues and specific project proposals. The 21 APEC Economies are invited to these FWG meetings. In recent years, the FWG has concentrated in the areas of management; trade and marketing; seafood inspection training; aquaculture; and various environmental issues. In addition, a special ad hoc workshop on fisheries management was held in Kesennuma City, Japan, in July 1999.

Web address: http://www1.apecsec.org.sg/

ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT (OECD)

OECD is a Paris-based international organization that provides a forum for consultations on a wide range of economic issues among developed countries. The OECD Committee for Fisheries meets twice annually (in the spring and fall) and occasionally holds ad hoc technical meetings. In recent years, the OECD Committee for Fisheries has emphasized management-related studies, and, currently, is completing a multifaceted studies program that focuses on the transition to sustainable fisheries, using a case study approach. To assist the Committee in the completion of these studies, NMFS has provided four papers and submissions on (1) the economic costs and benefits (2) social implications; (3) the role of post-harvest practices; and (4) the effects of government financial transfers, all relating to the transition to responsible fisheries. The last case study, which deals with the role of government financial transfers, has turned out to be the most difficult and controversial, in large part because its central theme has obvious implications for the negotiation of an agreement on fishery subsidies. The next meeting of the OECD Committee for Fisheries will take place in March 2000, where it is hoped that the current studies will be finalized and discussions will begin on the next work program.

Web address: http://www.oecd.org/

WORLD TRADE ORGANIZATION (WTO)

The WTO (formerly the General Agreement on Tariffs and Trade) was established in 1947, and is the international organization that negotiates and enforces trade rules, and periodically convenes multilateral trade negotiations, the last of which, the Uruguay Round, began in 1986 and concluded in 1994. The United State has three broad fishery-related interests in WTO: (1) defending our conservation laws in WTO dispute settlement; (2) negotiating fisheries tariffs ands non-tariff barriers in the trade rounds; and (3) more recently, participating in meetings of the WTO Committee on Trade and Environment. During the past year, attention has focused on preparations for the next multilateral trade round, in which NMFS would be substantively engaged in two negotiating issues: first, on fishery product tariffs, and, secondly, on fishery subsidies. Unfortunately, the WTO Ministerial in Seattle that was to kick off this new round in early December 1999 ended in failure, and, and a result, the above tariff and subsidies issues are temporarily on hold.

Web address: http://www.wto.org/

COMMISSION FOR SUSTAINABLE DEVELOPMENT (CSD)

The CSD was established after the 1992 UNCED-convened “Green Summit: in Rio, and its main purpose is to monitor progress made in meeting the goals of the 1992 Rio meeting, in particular Agenda 21. CSD holds meetings annually in New York, and reviews documents and resolutions that address, inter alia, various global fishery issues in light of the charges in the 1992 Rio declarations. As such, the CSD provides a convenient

barometer for gauging opinions in the United Nations on global fishery and LMR issues. The Seventh Session of the CSD, held in April 1999, had Oceans and Seas as one of its four themes. The others included, small island developing states, sustainable tourism and consumption and production. The 2000 session of the CSD (8) will focus on (1) integrated planning and management of land resources; (2) financial resources/trade and investment, and; (3) agriculture and forests.

Web address: http://www.un.org/esa/sustdev/csd.htm

COMMISSION FOR ENVIRONMENTAL COOPERATION (CEC)

The signing of the North American Free Trade Act (NAFTA) in 1993 created the world's largest trading bloc. At the same time, the NAFTA partners sought to build environmental safeguards into the trade liberalization pact and signed the North American Agreement on the Environmental Cooperation, creating the North American Commission for Environmental Cooperation (CEC).

The CEC funds projects in four major areas: 1) Trade and the Environment; 2) Conservation of Biodiversity; 3) Pollutants and Health; and 4) Law and Policy. Projects focus on the protection of the North American environment, and therefore trilateral environmental problems, issues and cooperation are given priority in funding. The CEC work program to date has focused primarily on terrestrial, air transport and chemical issues, but it is beginning to address the marine environment as well.

Web address: http://www.cec.org/english/index.cfm

U.S.-CHINA MARINE AND FISHERIES SCIENCE AND TECHNOLOGY PROTOCOL

This Protocol, initiated in May 1979, is part of an umbrella science and technology agreement. The cooperative activities under the Protocol are managed by a Joint Working Group which consists of a co-chair and an executive secretary on each side. OAR provides the U.S. Co-chair. Within the Joint Working Group framework, a Living Marine Resources (LMR) Panel was established to address cooperative projects in fisheries and aquaculture. The 14th Joint Working Group Meeting took place in Hanzhou, China, in September 1999. At this time, NOAA Fisheries discussed future cooperative research plans with China.

U.S.- FRANCE COOPERATIVE PROGRAM

The 14th Joint Session of the U.S.-France Cooperative Program in Oceanography is scheduled to take place in France in 1998. The Director of the Northeast Fisheries Science Center serves as the U.S. Program Leader for the Living Resources Panel. French and American Scientists are currently working on projects including: (1) Technological Interactions in Multi-Species Fisheries; (2) Age Composition of Fisheries Catch; (3) Genetic Manipulation: Shellfish and Marine Invertebrates; (4) COADS (Comprehensive Ocean-Atmosphere Data Set) Data Bank for Fisheries; (5) CEOS (Climate and Eastern Ocean Systems); (6) Spatio-temporal Scales in the Dynamics of Exploited Populations; and (7) Automated Image Processing Techniques for Classification and Assessment of Living Resources.

U.S.-IRELAND JOINT STATEMENT

The *Joint Statement to Pursue Collaboration in the Programs of Marine Research and Technology Development, Sustainable Development, Coastal Zone Management, and Marine and Coastal Protected Areas* was signed by Commerce Secretary Ron Brown and the Irish Minister of the Marine Sean Barrett in December 1995. A $5 million/5-year collaboration between NOAA and the Marine Institute of Ireland was initiated in October 1999. Projects under development focus on the use of satellite imagery and remote sensing in the generation and application of oceanographic models for predicting the occurrence of harmful algal blooms and fish recruitment. Projects involving Atlantic salmon are also being considered.

U.S.- KOREA SCIENCE AND TECHNOLOGY AGREEMENT

The U.S.- Korea Science and Technology Agreement was concluded in 1988, and has been renewed twice since that time. NMFS involvement with this S&T has been minimal, with most cooperative research activities taking place through regional frameworks such as PICES or through ad hoc bilateral arrangements.

U.S.- MOROCCO COOPERATION

The United States established fisheries ties with the Government of Morocco in 1975 when a U.S. Regional Fisheries Attache position was established in Casablanca. These ties were formalized by a series of agreements signed in Washington, D.C., in May 1983. The agreements call for cooperative exchanges between Moroccan and U.S. fishery scientists as a part of an agreement linking the NMFS Southeast Fisheries Science Center and the

Institute Scientifique des Peche Maritimes in Casablanca. The most recent exchanges took place in early December 1996. Fifteen projects for potential cooperation were identified, including scientific exchanges needed to help Morocco create a fisheries management program established on a solid scientific basis.

U.S.- SOUTH AFRICA COOPERATIVE PROGRAM

The Conservation, Environment, and Water Committee of the U.S.- South Africa Binational Commission was established, in part, to assist South Africa maintain its high quality of oceanographic and fisheries science through increased cooperation with international marine scientists and organizations, and to seek increased participation of under-represented communities in marine sciences.

UNITED STATES-VIETNAM FISHERIES COOPERATION PROGRAM

A bilateral fisheries relationship with Vietnam began in earnest during 1998 and was initiated with the exchange of several fishery scientists from both sides. In October 1998, NOAA Fisheries Assistant Administrator Schmitten led a U.S. fisheries delegation composed of both government and private sector representatives to Vietnam. The visit resulted in agreement to continue cooperative exchanges which will provide benefits to both sides. In March 1999, Vietnam's Vice Minister of Fisheries led a Vietnamese delegation to the United States which met with AA Schmitten to discuss cooperative activities during 1999. As a result of this meeting, Dr. Richard Neal (F/SWC) visited Vietnam in May 1999 to discuss cooperative work in aquaculture and Dr. Mark Holliday (F/ST) visited Vietnam in July 1999 to discuss cooperative work in fisheries statistics. In addition, Dr. Dang Van Thi of Vietnam participated on a NOAA Fisheries research cruise in the Gulf of Mexico and visited F/AKC in Seattle in June/July 1999 to learn about ongoing NOAA Fisheries research efforts. A team of NOAA Fisheries seafood inspection staff also visited Vietnam in May 1999 to provide training in this area. It is anticipated that discussion of cooperative activities for the year 2000 will take place when a Vietnamese delegation visits the United States in March 2000.

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UNITED NATIONS ATLAS OF THE OCEANS PROJECT

The United Nations (UN) Oceans Atlas will be CD-ROM and Internet-based, containing information relevant to sustainable development of the oceans and to the advancement of ocean science. It is designed for use by policy makers needing to become familiar with ocean issues and by scientists and resource managers needing access to underlying data bases and approaches to sustainability.

The Atlas will include: (1) background on the oceans--from how they were formed, to their physiology, biology, and climatology; (2) the uses of the oceans--from food to shipping, mining, energy, etc.; and (3) ocean issues--such as sustainability, food security, global change, and pollution. The Project has been funded by the UN Foundation. Six UN agencies (e.g., UNEP, WMO, IOC) have committed fiscal resources to the project. FAO will conduct the project on behalf of the UN because of its expertise in building atlases in support of global decision making and research. Dr. John Everett of NMFS is the manager of the project, working from NOAA offices in Silver Spring, Maryland, and FAO Headquarters in Rome, Italy. He will coordinate the development of materials by a dozen UN agencies and several collaborating nations and contractors, through to the production of the Atlas product.

PART V. APPENDICES

APPENDIX A

GOVERNING INTERNATIONAL FISHERY AGREEMENTS (GIFAs) BETWEEN THE UNITED STATES AND FOREIGN ENTITIES

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), foreign fishing within the U.S. 200-mile Exclusive Economic Zone may only be conducted under a GIFA.

Although many GIFAs have been concluded since the enactment of the Magnuson-Stevens Act, the following list includes only active agreements that are currently in force or in the process of extension.

Status as of February 1, 2000:

Country	Expiration Date	Status
Estonia	6-30-00	In Force
Latvia	12-31-99	In Extension
Lithuania	12-31-01	In Force
People's Republic of China	7-01-01	In Force
Poland	12-31-99	In Extension
U.S./Russia Mutual Fisheries Relations Agreement	12-31-03	In Force

APPENDIX B

NATIONAL MARINE FISHERIES SERVICE
SCHEDULE OF INTERNATIONAL MEETINGS AND EVENTS

JANUARY 1 -DECEMBER 31, 2000

Dates	Location	Activity
Jan. 10-13	Seattle, WA	IPHC Annual Meeting
Jan. 10-14	Portland, OR	PSC Panels and Commission Meeting
Jan. 18-20	Rovaniemi, Finland	Persistent Organic Pollutants (POPs) in the Arctic: Human Health and Environmental Concerns
Jan. 21	Boston, MA	NAFO Consultative Committee Meeting
Jan. 22-30	Montreal, Canada	Final Negotiating Session for the Biosafety Protocol Under the Convention on Biological Diversity (CBD)
Jan. 23-27	Santiago, Chile	FAO Conference on Monitoring, Control, and Surveillance in Fisheries
Jan. 25-26	Vancouver, B.C.	U.S.-Canada Pacific Hake Allocation Negotiations
Jan. 30-Feb. 4	Montreal, Canada	5th Meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) of the CBD
Feb. 10-11	London, England	NASCO Aquaculture Liaison Group Meeting
Feb. 7-11	Vancouver, B.C.	PSC 15th Annual Meeting
Feb. 14-18	Tokyo, Japan	U.S.-Japan Annual Bilateral Trade Negotiations
Feb. 14-19	Kingston, Jamaica	Intergovernmental Meeting of the Protocol Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region (SPAW).
Feb. 20-25	Bangkok, Thailand	FAO Conference on Aquaculture in theThird Millennium

SCHEDULE OF INTERNATIONAL MEETINGS AND EVENTS (cont.)

Dates	Location	Activity
Feb. 29-Mar. 2	Brussels, Belgium	NAFO Precautionary Approach Meeting
	Orlando, Florida	20th Intel Symposium on Sea Turtle Biology and Conservation
	Mexico City, Mexico	U.S.-Mexico Shrimp Import Reg. Negotiations
	Washington, D.C.	4th Meeting of the U.S. Coral Reef Task Force
	MA & NJ	U.S.-EU Herring & Mackerel Mission
Mar. 6-7	Silver Spring, MD	ICCAT Advisory Committee Species Working Group Meeting
Mar. 17-21	Paris, France	OECD Fisheries Working Group
Mar. 20-25	Bonn, Germany	POPs Intergovernmental Negotiating Committee
Mar. 21-23	Miami, FL	NASCO Precautionary Approach Intersessional
Mar. 22-25	Bremen, Germany	FAO Subcommittee on Trade Meeting
Mar. 27-30	Washington, DC	NAFO Quota & Shrimp
Mar. -?	Silver Spring, MD	U.S.-Vietnam Cooperative Talks
Mar. / Apr.-?	United States	U.S.-Mexico Binational Commission
	Moscow, Russia	U.S.-Russia Annual ICC Meeting
Apr. 6-8	Madrid, Spain	ICCAT Intersessional Meeting Allocation Criteria
Apr. 6-7	Akureyri, Iceland	Conference on International Economics, Trade, and Subsidies in Fisheries
Apr. 10-20	Nairobi, Kenya	CITES Conference of the Parties
Apr. 11-19	Honolulu, HI	MHLC6
May 7-12	Anchorage / Seattle	APEC Fisheries Working Group

May 8-12	Namibia, Africa	SEAFO Negotiations
May 9-11	Washington, D.C.	Global Environmental Facility (GEF) Council Meeting
May 9-11	Brussels, Belgium	European Seafood Show

SCHEDULE OF INTERNATIONAL MEETINGS AND EVENTS (cont.)

Dates	Location	Activity
May 12-15	Europe	U.S.-EU Mackerel & Herring Mission
May 15-19	Sydney, Australia	Technical Consultation on IUU Fishing
May 15-26	Nairobi, Kenya	5th Conference of the Parties of the CBD
May 29-31	Copenhagen, Denmark	NAFO Dispute Settlement Working Group
May -?	Seattle, WA	11th APEC Fisheries Working Group Meeting
May -?	American Samoa	5th Meeting of the U.S. Coral Reef Task Force
May -?	Boston, MA	NASCO - U.S. Section Meeting
June 5-9	Miramichi, Canada	NASCO Annual Meeting
June 6-29	St. Johns, Nfld.	National Observer Program
June 7	California	Russia-America Binational Joint Commission on Economic and Technical Cooperation
June 26-30	Dartmouth, Canada	NAFO Standing Committee on International Control
June -?	Suva, Fiji	MHLC
July 3-6	Australia	International Whaling Commission
July 17-28	Taormina, Italy	CCAMLR Working Group on Ecosystem Monitoring and Management (WG-EMM)
July -?	Washington, D.C.	U.S.-EU Cooperation Meetings
Aug. -?	Boston, MA	NAFO Consultative Committee Meeting
Sept. 18-22	Boston, MA	NAFO Annual Meeting
Aug. -Oct.	East Coast & Gulf	ICCAT Advisory Committee Regional Meetings

Sept. -?	Seattle, WA	IPHC Interim Meeting
Sept. -?	Rome, Italy	FAO Advisory Committee on Fishery Research Working Party I
Sept. -?	Tromso, Norway	CAFF VIII Meeting

SCHEDULE OF INTERNATIONAL MEETINGS AND EVENTS (cont.)

Dates	Location	Activity
Oct. 2-6	Rome, Italy	Technical Consultation on IUU Fishing
Oct. 4-11	Amman, Jordan	IUCN World Congress
Oct. 7-11	Bali, Indonesia	9th International Coral Reef Symposium
October 9-19	Hobart, Tasmania	CCAMLR Working Group on Fish Stock Assessment (WG-FSA)
Oct. 23-Nov. 3	Hobart, Tasmania	CCAMLR 19th Meeting
Oct. -?	Vancouver, B.C.	ICCAT Trilateral Meeting
Oct. 23-28	Hakodate, Japan	PICES Annual Meeting
Oct. 31-Nov. 3	Beijing, China	World Fisheries Congress
Oct. -?	Bangkok, Thailand	FAO Expert Consultation on Indicators of Sustainable Aquaculture Development
Oct. -?	Silver Spring, MD	ICCAT Advisory Committee Meeting
Oct. -?	Rome, Italy	FAO Advisory Committee on Fishery Research Working Party II
Nov. 1-3	Washington, D.C.	GEF Council Meeting
Nov. 6-10	Shanghai, China	5th Annual Central Bering Sea Pollock Conference
Nov. 13-16	Philippines	Asia-Pacific Fishery Commission (27th Session)
Nov. 13-20	Morocco	ICCAT Annual Meeting
Nov. 28-Dec. 1	Rome, Italy	FAO Expert Consultation on Economic Incentives and

		Responsible Fisheries
Nov. -?	Puenta Arenas, Chile	U.S.-Chile Cooperation Talks
Nov. -?	Puerto Rico (?)	6th Meeting of the U.S. Coral Reef Task Force
Nov. -?	?	FAO Expert Consultation on Safety and Trade Impact of Salmonella in Fishery Products
Dec. 6-10	Bangkok, Thailand	FAO Expert Consultation on Strategies and Investment Needs for the Transition to Responsible Fisheries in the Asian Region

SCHEDULE OF INTERNATIONAL MEETINGS AND EVENTS (cont.)

Dates	Location	Activity
Dec. -?	Bangkok, Thailand	FAO Technical Consultation on Best Practices and Institutional Arrangements in Shrimp Culture
Dec. -?	United States	U.S.-Mexico Fishery Cooperation Talks

UNSCHEDULED MEETINGS:

	Rome, Italy	Open Working Party to Review FAO Draft Criteria for Evaluating Marine Fisheries Species for CITES Listings
	Brussels, Belgium	U.S.-EU Equivalency - Seafood Inspection, etc.
	Geneva, Switzerland	WTO - Market Access Negotiations
	Brunei	APEC Committee on Trade and Investment
	Mexico	APEC Workshop on Shrimp Virus Trade Regulations

MEMORANDUM FOR: *Distribution

FROM: Dean Swanson
Chief, International Fisheries Division

SUBJECT: International Living Marine Resource Agreements

The International Fisheries Division has again coordinated revisions to the summary of international agreements concerning living marine resources of key interest to NOAA Fisheries, including descriptions of commissions established by them, where applicable. We have received contributions from several headquarters and field offices, and we are grateful to those individuals who provided them. This year's update (attached) has been expanded to reflect more accurately the breadth of the Agency's international activities.

This information is in the public domain and is for your reference and use. Most sections conclude with staff contacts who can provide further information. For other questions or additional copies, please contact me at (301) 713-2276 or Dean.Swanson@noaa.gov.

Attachment

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