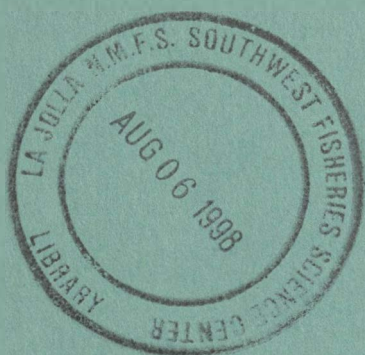


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**INTERNATIONAL AGREEMENTS CONCERNING
LIVING MARINE RESOURCES OF
INTEREST TO NOAA FISHERIES**



1998



UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 Silver Spring, Maryland 20910

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MEMORANDUM FOR: *Distribution

FROM: Dean Swanson *Dean Swanson*
 Chief
 International Fisheries Division

SUBJECT: International Living Marine Resource Agreements

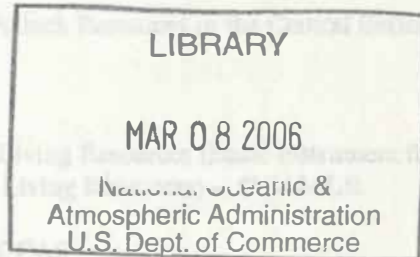
Our Office has again coordinated revisions to the summary of international agreements concerning living marine resources of key interest to NOAA Fisheries, including descriptions of commissions established by many of these agreements (attached). We have received contributions from several headquarters and field offices, and we are grateful for them. We also thank this year's editor, Annie Hillary.

This information 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 (301-713-2276 or Dean.Swanson@NOAA.GOV).

Attachment

*Distribution

- F F/NWR
- F/DAA F/SWR
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- F/NER
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**INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE
RESOURCES OF INTEREST TO NOAA FISHERIES**

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Electronic Reporting: Dr. Robert Roberts, Lead
 Phone: 511-74-1418-5226 FAX: 511-74-1415-4222
 Web Site: <http://www.noaa.gov>

The Organization's Standing Committee on Finance and Administration (STAC/FAN) approved a budget for calendar year 1998 of 194.3 million pesos, which represents about a 4.5 percent increase over the 1997 budget. The U.S. contribution will be approximately 15.1 million pesos. The 1998 budget is available for six expenditures at two important research programs for the first time, namely, the Bayeye Tuna Year Program and the Enhanced Billfish Research Program.

1.2.2. Governance

A. Appointment Process

The Spanish Tuna Commission Act provides that not more than three Commission members shall represent the United States in STAC/FAN. Commission members are appointed by the President and serve 2-year terms. Of the three U.S. Commission members, one may be a national member, one may be a political appointee thereof, or all may be Political

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, the People's Republic of China, Croatia, Côte d'Ivoire, Equatorial Guinea, the European Community, Gabon, Ghana, Republic of Guinea, Japan, the Republic of Korea, Libya, Morocco, the Russian Federation, Sao Tome and Principe, the Republic of South Africa, the United States, Uruguay, and Venezuela.

It was agreed at the 1997 annual meeting that all European Community member States will withdraw from the Commission effective 31 December 1997. France and the United Kingdom may rejoin on behalf of their independent territories (St. Pierre et Miquelon and Bermuda, respectively).

Commission Headquarters

International Commission for the Conservation of
Atlantic Tunas
c/ Corazon de Maria, 8
6-Planta,
28002, Madrid, Spain

Executive Secretary: Dr. Adolfo Ribeiro Lima
Phone: 011-34-1-416-5600 FAX: 011-34-1-415-2612
Web Site: <http://www.iccat.es/iccat>

Budget

The Commission's Standing Committee on Finance and Administration (STACFAD) approved a budget for calendar year 1998 of 184.5 million pesetas, which represents about a 4.5 percent increase over the 1997 budget. The U.S. contribution will be approximately 15.1 million pesetas. The 1998 budget is notable for its contribution to two important research programs for the first time; namely, the Bigeye Tuna Year Program and the Enhanced Billfish Research Program.

U.S. Representation

A. Appointment Process:

The Atlantic Tunas Convention Act 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. (A NOAA official has served as a U.S. representative to ICCAT since its formation.) 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:

Will Martin (term expires: 10/00)
Deputy Assistant Secretary
for International Affairs
National Oceanic and Atmospheric Administration
Room 5230 Herbert C. Hoover Building
14th and Constitution, NW
Washington, D.C. 20230

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

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

C. Advisory Structure:

The U.S. Commissioners are required, under the Atlantic Tunas Convention Act, to constitute an Advisory Committee of not less than five nor more than twenty individuals selected from the various groups concerned with the fisheries covered by the Convention. The U.S. Commissioners appoint Advisory Committee members for a term of 2 years, with eligibility for re-appointment. The Advisory Committee is invited to attend all non-executive meetings of the U.S. Commissioners and at such meetings have the opportunity to examine and to be heard on all proposed programs of investigation, reports, recommendations, and regulations of the Commission.

The current 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).

Description

A. Mission/Purpose:

The 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 harvest recommendations for consideration by the Convention Parties. 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.nOrganizational Structure:n

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.

C.nPrograms:n

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 within 6 months of their formal submission to all Parties (unless otherwise stated) provided objections are not made during that period by concerned Contracting Governments. Each Party to the Convention has the responsibility for implementing and enforcing the Commission's recommended conservation measures.

The Commission has taken conservation actions with regard to four species of Atlantic tunas: yellowfin, bigeye, southern albacore and bluefin tuna. 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 and standing committee.

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 than 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 1997 indicated that yellowfin tuna is at a level close to full exploitation. The 1997 SCRS stock assessment for bigeye tuna showed that current fishing mortality is far in excess of the MSY level. The SCRS has noted that increased effort would be detrimental to both stocks.

The Commission has been concerned regarding the steadily increasing catches of juvenile tunas by purse seiners fishing in the Eastern Atlantic and Mediterranean (Gulf of Guinea) using artificial floating objects (fish aggregating devices or FADs). This fishing method tends to attract large amounts of juvenile bigeye (and to a lesser degree yellowfin and skipjack) tunas, including tuna under current minimum sizes, which are then

harvested. In an effort to address the harvests of juvenile bigeye and yellowfin tunas, the Commission adopted at its 1996 meeting, a recommendation on tropical tunas that requires establishment of a national observer program for longliners, purse seiners, and baitboats to collect time/area data and catch composition data.

At the 1997 ICAT meeting it was reported that French and Spanish purse seiners had voluntarily agreed to implement a closed season for fishing on floating objects from November through January in the Gulf of Guinea. It is expected that bigeye and to a lesser extent yellowfin and skipjack stocks will benefit from this voluntary action. Additional binding and non-binding measures were adopted in 1997 by the Commission to reduce juvenile and total catches of bigeye tunas, increase scientific monitoring of these stocks and to monitor and eventually limit the number of vessels in the bigeye fishery. A cap was also placed on the bigeye fishery of Chinese Taipei. Note: at the 1997 meeting of the Commission, it was agreed that henceforth Taiwan would be referred to as Chinese Taipei.

Panel 2 -North Atlantic Bluefin Tuna and Albacore: In 1974, a 6.4 kg minimum size limit and a limit on fishing mortality were established for Atlantic bluefin tuna. The capture of bluefin tuna in the Western Atlantic was prohibited in 1981 except 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) while Brazil and Cuba, whose catches were less than 50 mt annually, were exempt from these regulations.

The Commission continued in following years to review periodically and adjust catch quotas as deemed appropriate. Other measures were also adopted to: limit 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; prohibit directed bluefin fisheries in spawning areas such as the Gulf of Mexico; address the problem of overages; encouraging tag and release; and set targets and timetables to assist in the recovery of both eastern and western bluefin tuna stocks.

In 1992, the Commission also adopted a bluefin 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.

At its 1995 annual meeting, the Commission tasked the SCRS to develop at its 1996 meeting separate recovery options for both the eastern and western management stocks of bluefin tuna, taking into account stock mixing. Specifically, it asked the SCRS to evaluate one or more series of annual TACs that will bring the stocks to levels that would support MSY within 10, 15, and 20 years, with a 50 percent probability. In addition, the SCRS was asked to consider in the recovery options for the eastern stock, the effect of banning fishing by nets as well as longline gear in the Mediterranean during spawning months and to take into consideration the problem of catch by non-Contracting Parties. Pursuant to the terms of a 1994 resolution adopted by the Commission, ICCAT already bans fishing in the Mediterranean spawning grounds by longline vessels greater than 24 meters in length during spawning months (June and July).

The Commission also passed a recommendation in 1995 that allowed Bermuda an incidental catch of 4 mt of bluefin tuna for their small-scale domestic fishery in 1996, and required Bermuda to closely monitor and obtain scientific data on its incidental catch. The western Atlantic bluefin tuna fishery was fully subscribed; however, since Bermuda's request was quite limited in scope, to deny it could discourage other non-member countries harvesting ICCAT-managed species from joining ICCAT.

At its 1996 meeting, the Commission established an annual quota of 2,354 mt for Western Atlantic bluefin tuna for 1997-98 based upon the scientific advice of SCRS that 2,500 mt (including discards) was expected to be sustainable and should allow the spawning stock to increase gradually to twice the present level in 20 years. The shares of this quota are as follows:

Canada	552.6 MT
Japan	453.6 MT
United States	1,344.4 MT
United Kingdom	4.0 MT
(Dependent Territory of Bermuda)	

The U.S. share of 1,334.4 mt represents a 33 mt increase from the 1996 quota. The U.S. and Canadian shares of the 1997-98 quota increase are lower than the Japanese share for this period in order to repay in part Japan's recent voluntary contribution to the U.S. and Canadian quota shares.

Contracting Parties also agreed at the 1996 meeting to monitor, report, and minimize their discards and the United States agreed to adopt national measures designed to reduce discards during 1997-98. By the reduction of discards, and other miscellaneous adjustments, the quota was increased slightly without increasing total catch or total mortality over 1995-96 levels. This and future north Atlantic bluefin tuna quota agreements (for both Western and Eastern Atlantic stocks) are subject to the terms of the compliance recommendation negotiated at the 1996 meeting to ensure that Contracting Parties abide by their international obligations for this species. Other conservation and management measures relative to western bluefin tuna were not altered.

For the eastern Atlantic Ocean and the Mediterranean Sea, the Commission agreed in 1994 that efforts must be made to reduce the current level of fishing mortality on bluefin tuna. In 1995, the ICCAT members fishing in that area were to prevent any increase in the fishing mortality rate. Starting in 1996, they were to take steps to reduce their catches of bluefin tuna by 25 percent by the end of 1998. At the 1995 annual meeting, France reported a dramatic increase in its 1994 catch levels. If the 1994 level were used as the base for France's 25 percent reduction, there would have been no benefit to the stock; therefore, an agreement was reached which will result in more reasonable annual quotas for France for the period 1996-98.

The 1996 stock assessment for the eastern Atlantic and Mediterranean stock of bluefin tuna indicated that harvest levels have increased despite the establishment of catch limits and other management measures. Projections indicated that a catch of 25,000 mt was sustainable and that there was a 50 percent probability that the spawning stock would show a gradually increasing trend over a period of 20 years. At the 1996 meeting, it was noted that the 1995 catch was the highest on record at approximately 40,000 mt. Despite this, no additional catch reductions were adopted, as Contracting Parties that fish on the eastern Atlantic and Mediterranean stock argued that the scheduled 25 percent reduction would be sufficient if the fishing activities of Non-Contracting Parties were controlled. Other conservation measures that were adopted by the Commission in 1996: (1) prohibit the catching bluefin tuna with purse seines during the month of August in the Mediterranean; (2) prohibit the retention, landing, and sale of age 0 (less than 1.8 Kg) bluefin tuna in the Convention Area by Contracting Parties and non-Contracting Parties; (3) prohibit the use of airplanes and helicopters in support of fishing operations in the month of June in the Mediterranean; and (5) requires that adequate measures be taken in 1997 to guarantee greater transparency of transactions with the aim of identifying the origin of catches.

At the 1997 meeting of the Commission, a supplemental management measure was adopted to prohibit the landing, possession or sale of age 0 (less than 1.8 Kg) Atlantic bluefin tuna in markets in nations bordering the Convention Area. It was also agreed that the SCRS would develop at its 1998 meeting additional recovery scenarios for this species. The SCRS was also asked to examine options for time-area closures to purse seiners in the Mediterranean with a view to optimizing the conservation of the bluefin tuna stock.

No measures were proposed in 1997 regarding North Atlantic albacore. The European Community noted that it will be providing data on standardization of fishing effort of albacore fisheries to assist in the evaluation of effort limitation issues.

Panel 3- South Atlantic Bluefin Tuna and Albacore: No management measures are in place for south Atlantic bluefin tuna. This stock is distributed among the Indian, Pacific, and Atlantic oceans. Stocks are assessed by the

Commission for the Conservation of Southern Bluefin Tunas (CCSBT) and the stock is comprehensively managed by this body. ICCAT collaborates closely with the CCSBT regarding this stock.

Regarding southern Albacore, in 1994 the Commission passed a recommendation calling for all countries that fish for southern albacore to limit their catch during 1995 to not more than 90 percent of their respective average annual catches over the period 1989-93. This action was aimed at arresting the decline of southern albacore, which had fallen below maximum sustainable yield (MSY). In 1996, the SCRS reported that this stock continued to be exploited beyond MSY and that current catch levels are not sustainable. At the 1996 ICCAT meeting, a 1997 catch limit of 22,000 metric tons (mt) for southern albacore was set for the "parties actively participating in this fishery" (i.e. South Africa, Taiwan and Namibia). This catch limit was based on the scientific advice that such a catch level would return the stock to MSY by the year 2000 (the current catch is approximately 26,000 mt). Since Namibia and Taiwan are not members of ICCAT, the recommendation directed that bilateral and multilateral discussions with South Africa be undertaken to decide country allocations consistent with the agreed upon catch limit.

In 1997, South Africa offered a recommendation on implementation of the annual southern albacore catch limit in which countries that have an average annual catch of southern albacore in the Atlantic of more than 1000 mt over the period 1992-96 be considered to be "fishing actively" for this stock. Namibia was considered under this category. These countries would be capped at a total of 22,000 mt annually for 1998 and 1999. This recommendation also contained provisions for: countries and entities which have reported catches less than 1,000 mt from 1992-96; countries and entities developing new fisheries for albacore; and longline fishing countries and entities not directly fishing for albacore. An informal intersessional meeting is to be held by this panel to establish national quotas for those actively fishing for this stock based on the 22,000 mt TAC.

Panel 4- Swordfish, Billfish, Bonito and Others: 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 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 250mt.

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 maximum sustainable yield, 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 three 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. 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 is as follows:

	<u>1997</u>	<u>1998</u>	<u>1999</u>
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

Since there was not sufficient time to deal with the issues and concerns raised at the 1996 ICCAT regarding South Atlantic swordfish, the Parties agreed to meet intersessionally in 1997. In the meantime, the management measures for South Atlantic swordfish originally established in 1994 were, again extended through 1997.

A recommendation establishing the percentage shares of a 14,620 mt South Atlantic swordfish TAC and catch quotas for 1998-2000 was adopted at the 1997 meeting of the Commission. The percentage shares for the three-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 U.S.) should not increase their catches above the catch of recent years. It was also specified that the TAC for the year 2000 may be revised following the 1999 Atlantic Swordfish stock assessment. Discussions will continue within Panel 4 to review the appropriate criteria for the allocation of South Atlantic swordfish.

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 promote 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.

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

Permanent Working Group: 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 multilateral trade measures against Non-Contracting Parties deemed to diminish the effectiveness of the ICCAT conservation measures for bluefin tuna. This was the first known mechanism within an international fisheries management body to provide for the recommendation of multilateral trade sanctions against nations fishing contrary to agreed conservation measures.

At its 1995 annual meeting, ICCAT took a second 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 (BSD) and 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 such 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 Parties 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 enters into force. In the case of Panama, the effective date of the prohibition is January 1, 1998, unless the Commission decides otherwise at its 1997 meeting. The trade measures against Panama 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 Action Plan Resolution. While information was insufficient to identify any nation, the Commission agreed to send letters to the EU regarding the fishing activities of Italy and Greece; similar letters will also be sent directly to Croatia, Algeria, Tunisia, and to the General Fisheries Council for the Mediterranean. The letters express concern about the status of bluefin stocks in the Eastern Atlantic and Mediterranean Sea, and encourage 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. 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 at the 1998 meeting of the Commission would be required. New letters will be sent to each of these three countries. No other countries were identified under the ICCAT Atlantic Bluefin Tuna Action Plan.

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 Chinese Taipei, Trinidad and Tobago, Belize, Honduras, Panama, Chile, Costa Rica, Ecuador, and Barbados and agreed to send letters to each reflecting those concerns. In addition, CARICOM will receive a letter urging it to use its best offices to encourage its members to cooperate with ICCAT in the future.

The PWG also adopted measures at the 1997 meeting of the Commission that: (1) establish a process and requirements for becoming a cooperating party, cooperating entity, or cooperating fishing entity to ICCAT; (2) provide that Contracting Party fishing vessels and mother vessels can only receive at sea transshipments from other Contracting Party vessels and cooperating parties; (3) establish a process for reporting and taking action against stateless vessels and for reporting observed possible violations by both non-Contracting and Contracting Parties; (4) update the BSD to allow the re-export of bluefin tuna products using a re-export certificate together with the original BSD; and (5) attempt to attribute catch classified as not-elsewhere included (NEI) to the catch data (Task 1) of the appropriate Contracting Party or non-Contracting Party.

The 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 overharvests for the subject species occurred and the actions taken or to be taken to prevent further overharvests. Beginning

with the 1997 management period, and in each subsequent management period, members will have to repay 100 percent of any overharvests of these stocks and ICCAT may recommend other appropriate actions. Further overharvests 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 overharvest 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.

During its 1996 meeting, ICCAT also 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 has in place a port inspection scheme but, thus far, it has 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.

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. In 1996, the United States tried unsuccessfully to get agreement that small fish should be covered by the compliance recommendation. At the 1997 meeting, an agreement was reached that requires Contracting Parties to explain in detail minimum size overharvests and provides that, beginning in 2000, continued overharvests could result in ICCAT actions to reduce those overharvests, including but not limited to, time/area closures, assignment of small fish quotas, and/or gear restrictions.

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.

The 11th Special meeting of the Commission will be held on November 16-23, 1998, in Santiago De Campostela, Spain.

Staff Contacts

NOAA Fisheries:

Kim Blankenbeker, F/SF4
Room 14229
1315 East-West Highway
Silver Spring, MD 20910
Phone: (301) 713-2276

Rebecca Lent, F/SF1
Room 14853
1315 East-West Highway
Silver Spring, MD 20910
Phone: (301) 713-2347

Department of State:
Brian Hallman
OES/OMC
Department of State
Washington, D.C. 20520-7818
Phone: (202) 647-2335

(WASCO)

State Department

Commission for the Conservation of Endangered Species in the North Atlantic Ocean (COMNANO)

International Convention

Atlantic Salmon Convention Act of 1993 (16 U.S.C. 3691)

The U.S. Office of NOAA is currently conducting a study to determine the feasibility of a Convention for the Conservation of Endangered Species in the North Atlantic Ocean (COMNANO). The Convention would provide for the conservation of the Atlantic salmon and related species in the North Atlantic Ocean. The Convention would provide for the conservation of the Atlantic salmon and related species in the North Atlantic Ocean. The Convention would provide for the conservation of the Atlantic salmon and related species in the North Atlantic Ocean.

(1) the Chair (or Deputy) of the North Atlantic Salmon Conservation Commission (NASCO);
(2) a representative of the primary agency of each of the States of the United States, the United Kingdom, and the Government of the Isle of Man;

(3) the Deputy Assistant Secretary of State for Ocean Affairs and Policy, or his or her designee;

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

(5) a representative of the Department of the Interior, or his or her designee. The Convention provides that the budget for the Convention shall be determined by the States of the United States, the United Kingdom, and the Government of the Isle of Man. The Convention provides that the budget for the Convention shall be determined by the States of the United States, the United Kingdom, and the Government of the Isle of Man.

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**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 Union or EU, Iceland, Norway, the United States, and the Russian Federation.

Commission Headquarters

North Atlantic Salmon Conservation Organization
11 Rutland Square
Edinburgh, EH1 2AS Scotland
United Kingdom
Secretary: Dr. Malcolm Windsor
Phone: 031-228-2551

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 1998 of £324,800 (approximately \$532,280), setting the U.S. contribution at £13,920 (approximately \$22,812). The Council adopted a forecast budget for 1999, which estimates the NASCO budget will be a total of £341,710 (approximately \$559,992) with a U.S. contribution of £14,645 (approximately \$24,000).

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.
Regional Administrator, Northeast Region
NOAA Fisheries
One Blackburn Drive
Gloucester, MA 01930-2298

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

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

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.

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:

The Organization consists of a: (1) 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 Secretary.

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) provide for consultation and cooperation among their members; (2) propose regulatory measures for intercepting salmon fisheries; and (3) 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 the International Council for the Exploration of the Sea (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 the 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 long been a problem for the organization. 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 calls upon such states 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. The Protocol is designed to provide non-Contracting Parties with a legal instrument for the creation and enforcement of domestic legislation and regulations.

As of June 1997, no non-Contracting Parties had become bound by the Protocol; however, some non-Contracting Parties (i.e., Panama and Poland) have taken actions to address the problem of vessels registered in their countries. There have been no sightings of non-Contracting Parties fishing for salmon since February 1994; however, few surveillance flights were conducted over the autumn and winter periods preceding the 1997 annual meeting of NASCO. Past estimates of catch taken by non-member vessels fishing in international waters has been 25-100 tons.

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 consult with the North-East Atlantic Fisheries Commission (NEAFC) regarding the possibility of obtaining surveillance information from the NEAFC control and enforcement program.

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 Secretary carry out a review on such catches.

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, 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 area 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. For operational reasons, the Canadian research was aborted, but reports on the research conducted by the EU and Norway were made. At its 1997 meeting, the Council unanimously approved a proposal by Norway to conduct scientific research fishing for salmon in 1997.

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 will be in January 1998 and representatives of ICES and FAO will be invited to attend.

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. The NASCO Working Group on the Precautionary Approach will meet in January 1998 and has been tasked with considering this issue further.

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 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.) In addition, the Parties agreed to re-examine the implementation of the Resolution at the 15th Annual Meeting in 1998, but it is NASCO's intention that full implementation of the Oslo Resolution is to be achieved by the 1998 Annual Meeting.

Other Issues: During its 1997 meeting, the Council: (1) 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, (2) furthered its work on catch and release guidelines as well as guidelines on stocking; (3) discussed management implications resulting from a special session held in 1996 on Atlantic salmon as predator and prey; and (4) heard reports on the organization of the first meeting of a Liaison Group involving NASCO and the salmon farming industry. This group is to provide a forum for consideration of issues of mutual interest. (The establishment of the Liaison Group resulted from discussions of the implementation of the 1994 resolution containing principles and practical measures to minimize the risk of adverse impacts on wild salmon stocks resulting from aquaculture.) The first meeting of the Liaison Group is scheduled for early 1998.

NAC Discussions/Actions: Due to the tenuous condition of the stock, ICES recommended in its 1997 report that there should be no exploitation of the 1996 smolt cohort as non-maturing 1 sea-winter fish in North America or at Greenland in 1997. ICES also recommended that the cohort should not be exploited as mature 2 sea-winter fish in North America in 1998.

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. The commercial salmon fishery off Labrador has remained open, although in recent years Canada has taken steps to reduce this mixed stock, intercept fishery through license buy-outs, delayed fishing seasons, and reduced quotas. However, in the 1996 season, Canada's recreational and Aboriginal catches in this fishery did increase due to increased returns of grilse. At the 1997 NASCO meeting, Canada made a presentation of past and future Canadian conservation actions highlighting the long-term strategy and management plan for rebuilding Labrador's salmon stocks. The plan also includes a long-term strategy to continue to work to reduce interceptions of U.S.-origin salmon.

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 is 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 preliminary catch and release figure for 1997 is 313 (this number will be adjusted as river system managers report, and it will be finalized in March). Salmon runs in Maine rivers remain in a severely depressed state; however, recent scientific information indicates some improvement in several U.S. stocks.

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 and 1,568 Kg in 1996. Data discrepancies were again noted by the NAC, with one set of statistics being reported by ICES and a different set being reported by French fisheries authorities. 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 in 1996 and 1997. 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 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 indicated at the 1997 NASCO meeting that there had been progress made in improving the monitoring of the St. Pierre et Miquelon harvest. Canada reported that it would explore in 1997 bilateral talks with France the reasons for the increase in 1996 salmon catch and the observed data discrepancies.

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, which were adopted in 1993 and were to be 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 for adoption at the 1998 NASCO meeting. The parties also agreed to hold a joint meeting with participation of the aquaculture industry to devise a strategy to discontinue the use of the

European "land-catch" salmon strain currently used in U.S. marine cage culture.

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% 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 is inclusive of all forms of catch (including an estimated 20 mt of local sales and subsistence fishing). The 1993 agreement, as amended, expires at the end of the 1997 salmon fishing season. An intersessional meeting may be required to discuss future quota setting procedures before the 1998 NASCO meeting. In the meantime, Denmark (in respect of Greenland) is reviewing the salmon management measures of the other members of the WGC to assess whether, in its view, the salmon conservation burden is being equitably shared. The conclusion of Denmark (in respect of Greenland) will likely effect future quota negotiations.

NEAC Discussions/Actions: The NEAC provides for the management of the intercept salmon fishery off the Faroe Islands. In its 1997 report, ICES noted that estimates of pre-fishery abundance suggest that the number of maturing and non-maturing recruits in the NEAC area are among the lowest seen in the past 25 years. Application of the precautionary approach and specifically the establishment of precautionary conservation limits were called for as soon as possible.

In 1996, a 1997 quota was established for the Faroese fishery of 425 mt; however, there has been no commercial fishery in the Faroe Islands since 1991 due to a private sector quota purchase arrangement. During negotiations 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. Ultimately, a

regulatory measure was adopted for 1998 that established a quota of 380 mt for the Faroe Islands 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.

In a disturbing development first discussed in 1994, sampling of Swedish west coast rivers for the period 1988-1993 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. The Working Group has been developing protocols 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. Recognizing the potential trade implications of regulating salmonid introductions and transfers, NASCO asked its Secretary to liaise with the World Trade Organization to arrange a consultative meeting later in the year to which all members of the NEAC would be invited.

The Council agreed to hold the 15th annual meeting in Edinburgh, Scotland, June 8-12, 1998. The 16th annual meeting has been scheduled for June 7-11, 1999, in Ireland.

Staff Contacts

NOAA Fisheries:

Kim Blankenbeker, F/SF4
Room 14229
1315 East-West Highway
Silver Spring, MD 20910
Phone: (301) 713-2276

Mary Colligan
Northeast Region
NOAA Fisheries
One Blackburn Drive
Gloucester, MA 01930
Phone: (978) 281-9116

Department of State:

Jean-Pierre Plé, Ph.D.
OES/OMC, Room 5806
Department of State
Washington, D.C. 20520-7818
Phone: (202) 647-1073

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, 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

Northwest Atlantic Fisheries Organization
P.O. Box 638
Dartmouth, Nova Scotia, Canada B2Y 3Y9
Executive Secretary: Dr. L. Chepel
Phone: (902) 468-5590
Fax: (902) 468-5538

Budget

NAFO adopted a budget for 1998 of \$1,042,000 (Canadian), of which the U.S. contribution is expected to be approximately \$166,600 (Canadian).

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 four 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:

Dr. Andrew A. Rosenberg (09/14/01)
Director, Northeast Region
National Marine Fisheries Service, NOAA
One Blackburn Drive
Gloucester, MA 01930-2298

Mr. Joseph Brancaleone (05/31/00)
Chairman, New England Fisheries Management Council
5 Broadway
Saugus, MA 01906-1097

Mr. Jeffrey Pike (05/30/00)
2000 L Street, NW
Suite 612
Washington, D.C. 20036

Representatives to the Scientific Council:

Dr. Michael P. Sissenwine (04/30/00)
Science and Research Director
National Marine Fisheries Service
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543

Dr. David Pierce (07/31/00)
31 Hunters Trail
R.F.D. #5
Sandwich, MA 02563

Dr. Cynthia Jones (07/31/00)
Old Dominion University, AMRL
1034 West 45th Street
Norfolk, VA 23529

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 two 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 thirteen 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:

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; minimum size limitations; mesh size and chafing gear requirements; and notification, registration and hailing requirements for fishing vessels operating in the Regulatory Area. 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 NAFO Regulatory Area 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 Regulatory Area, 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 Regulatory Area. At the 1997 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 stocks in 1998.

In addition to the conservation and enforcement measures noted above, NAFO has a scheme of joint international inspection and surveillance in the Regulatory Area. Although this scheme, and NAFO conservation and management measures in general, are currently considered weak, steps have been recently taken to strengthen these aspects of the organization.

In 1995 NAFO agreed, *inter alia*, to implement a pilot program for 100 percent observer coverage of all vessels fishing in the Regulatory Area; on the installation of satellite transponders 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 Regulatory Area 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 at the 1996 annual meeting on compliance and enforcement led to an intersessional meeting of the Standing Committee on International Control (STACTIC) to continue to examine the challenges of joint international inspection and surveillance. These measures remain in effect for 1998.

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 NAFO Regulatory Area 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 NAFO Regulatory Area, 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 NAFO Regulatory Area requesting that the activity be stopped.

Other issues of particular interest to the United States that are currently under consideration by NAFO include: a review of the NAFO quota allocation formula and 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.

The 1998 Annual Meeting of NAFO will occur September 14-18 in Lisbon, Portugal.

Staff Contacts

NOAA Fisheries:

Dean Swanson, F/SF4
Room 14141
1315 East-West Highway
Silver Spring, MD 20910
Phone: (301) 713-2276
Fax: (301) 713-2313

Department of State:

Jean-Pierre Plé, Ph.D.
OES/OMC, Room 5806
Department of State
Washington, D.C. 20520-7818
Phone: (202) 647-1073
Fax: (202) 736-7350

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, France, Japan, Nicaragua, Panama, the United States, Vanuatu, and Venezuela.

Commission Headquarters

Inter-American Tropical Tuna Commission
c/o Scripps Institute of Oceanography
8604 La Jolla Shores Drive
La Jolla, California 92037-1508
Director of Investigations: Dr. James Joseph
Telephone: (619) 546-7100
Fax: (619) 546-7133

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 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 United States' required contribution to be diminished. The United States continues to support the IATTC. The IATTC budget for 1998 is \$4,628,154, of which the U.S. contribution is \$3,176,000. The budget forecast for 1999 is \$5,678,238, of which the U.S. contribution is estimated to be the same. However, it is hoped that a new framework for determining contributions, agreed to in La Jolla in February 1998 be adhered to by nations participating in the international dolphin conservation program, will allow the Commission to continue functioning at its current level once that agreement is effective.

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.

B. U.S. Commissioners:

Dr. Michael F. Tillman
Director, Southwest Fisheries Science Center
National Marine Fisheries Service, NOAA
P.O. Box 271
La Jolla, CA 92038

Barbara H. Britten
801 J Street
Davis, CA 95616

M. Austin Forman
888 Southeast Third Avenue, Suite 501
Fort Lauderdale, FL 33316

James T. McCarthy
18708 Olmeda Place
San Diego, CA 92128

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 Commission recommends proposals for joint action by the member governments aimed at maintaining the resources at a high level. The regulations recommended by the Commission thus far apply only to yellowfin tuna. Regulation of this fishery has relied on a direct limitation on the catch, i.e., catch quotas, as a means of limiting fishing mortality to achieve optimum abundance of yellowfin tuna. Regulations were first proposed at a Commission meeting held in 1961, but were not implemented until 1966. Regulations were imposed each year through 1979. New features were added from time to time, providing for special allowances to be taken by vessels experiencing certain economic hardships.

Since 1979, no conservation program has been in effect for the Commission Yellowfin Regulatory Area (CYRA), largely because of member countries' reluctance to agree to implement a catch quota level when there is no assurance that it would be observed by non-member countries, such as Mexico, that harvest large amounts of EPO tuna. Nevertheless, the Commission has recommended an international yellowfin tuna catch quota within the CYRA every year since 1979 (with the exception of 1987). The annual quotas have increased from 165,000 tons in 1980 to 235,000 tons, with the option to increase the quota by three increments of 20,000 tons each, in the 1995 calendar year, if the Director concludes from the examination of available data that such increases will pose no substantial danger to the stocks. Despite the fact that the Commission's recommendations have not been implemented, they function as the basis for all participants in these fisheries to evaluate the conservation needs of the resource. The total catch of yellowfin tuna in the CYRA in 1995 was 241,534 tons.

Dolphin Conservation: In 1976, the Commission embarked upon an international program to address the problem of the incidental take of dolphins in the tuna 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 eastern Pacific 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 recent changes in U.S. law which require 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.

Following the 1990 meeting, the Commission scheduled a special meeting to explore the establishment of an international dolphin conservation program (IDCP). In September 1990, and in January 1991, special

Commission meetings and broader intergovernmental meetings were held to establish such a program with the following objectives: (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. The elements of this program were to 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 provides a dolphin mortality limit on the international tuna fleet in the EPO at 19,500 for 1993, which would 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) is being accomplished through the implementation of individual vessel quotas or DMLs (Dolphin Mortality Limits). To monitor vessel compliance with the new program's DMLs, a Review Panel has been established, comprised of government representatives of Colombia, Costa Rica, Ecuador, Mexico, Panama, Vanuatu, Venezuela, and the United States. The Panel also includes two fishing industry and two environmental representatives, who are non-voting members selected by the government representatives. In addition, a Scientific Advisory Board has also been 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 has enjoyed unexpected success to date. Total dolphin mortalities since 1993 have been below 5,000 for the EPO tuna fishery—substantially lower than the total DML schedule developed by the participating nations. Because of this success, Parties agreed that in each successive year covered by the DML schedule in the IDCP, they would review the schedule for future years with the objective of determining whether further reductions in the schedule can be achieved. They subsequently revised the 1994 global DML downward from the existing DML of 15,500 to 9,300, a 40 percent reduction. Total dolphin mortalities for 1994 were 4,095, or 44 percent of the overall DML. The total DML for 1995 was 9,300, 9,000 for 1996, 7,500 for 1997. Total annual mortality since 1995 has been below 3,000 animals.

Status of the Commission

At the Intergovernmental Meeting held on October 26-27, 1993, in La Jolla, California, in conjunction with the 52nd Meeting of the IATTC, the Under Secretary of Fisheries Development for Mexico announced that Mexico intended to rejoin the IATTC, and that a formal application for membership would be submitted in the near future. Despite the announcement, Mexico has not yet joined the IATTC. Representatives of Ecuador announced on October 3, 1995, at the IATTC 56th Special Meeting in Panama, their nation's intention of rejoining the Commission.

Several recent developments portend change for the IATTC in the near future. On October 4, 1995, at the Intergovernmental Meeting on the Conservation of Tunas and Dolphins in the Eastern Pacific Ocean (held in conjunction with the 56th Special Meeting of the IATTC in Panama), two resolutions were signed by representatives of Belize, Colombia, Costa Rica, Ecuador, France, Honduras, Mexico, Panama, Spain, the United States, Vanuatu, and Venezuela:

- (1) The Panama Declaration: The Panama Declaration reaffirmed the commitments and objectives of the IDCP and inter alia announced the intention of 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 for tuna in the region. The adoption of such an instrument by these states is, however, contingent upon changes in U.S. law which will lift current yellowfin tuna embargoes, provide market access for tuna caught in compliance with the IDCP (as formalized by the Panama Declaration), and redefine the "dolphin safe" label to allow it to be used for any tuna caught in the EPO by a purse-seine vessel in a set in which no dolphin mortalities occurred, as documented by observers.

(2) Declaration on Strengthening the Objectives and Operation of the Convention Establishing the IATTC:

This declaration signals the intention of the above governments to begin negotiations under the auspices of the IATTC for a new binding instrument which would take into account the commitments and objectives of the Panama Declaration and the concepts of sustainable development and ecosystem management, and incorporate the principles and provisions of the United Nations (UN) Convention on the Law of the Sea and the UN Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. The new instrument would also adopt a new system of allocating financial contributions, develop mechanisms for enhanced public participation and transparency, and incorporate measures to ensure the long-term protection of dolphins in the region.

3) At a meeting of the IATTC and interested nations in February 1998, an international agreement was reached and agreed to by all parties. That agreement will be effective upon ratification by four nations participating in the ETP tuna fishery.

Staff Contacts

National Marine Fisheries Service, NOAA:

Headquarters:

Hilda Diaz-Soltero
Director, Office of Protected Resources
Highway
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2055
Fax: (301) 713-0376

Southwest Region:

William Hogarth
Administrator, Southwest Region 1315 East-West
501 W. Ocean Boulevard, Suite 4200
Long Beach, CA 90802-4213
Telephone: (310) 980-4001
Fax: (310) 980-4018

Department of State:

Brian Hallman
OES/OMC
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

**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

Canada and the United States.

Commission Headquarters

International Pacific Halibut Commission
P.O. Box 95009
University Station
Seattle, Washington 98145-2009

Director: Dr. Bruce Leaman
Phone: (206) 634-1838
Fax: (206) 632-2983
Web Site: <http://www.iphc.washington.edu>

Budget

The base budget for the fiscal year running from October 1, 1997, through September 30, 1998, is \$1,600,000. The figure for the succeeding year is the same, although Canada is on the record as desiring a change in the way the budget is derived and allocated. 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.

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 determinate period. 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:

Steven Pennoyer (designated Alternate Commissioner)
Director, Alaska Region
National Marine Fisheries Service, NOAA
P.O. Box 21668
Juneau, Alaska 99802

Ralph Hoard (designated Alternate Commissioner)
Executive Vice President
Icicle Seafoods, Inc.
4019 21st Avenue West
P.O. Box 79003
Seattle, Washington 98119

Andrew Scalzi (1/00)
41685 Redoubt Circle
Homer, Alaska 99663-9215

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 includes 31 employees, most of whom are fishery biologists; the rest are administrative and support staff.

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.

D. Conservation and Management Measures:

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. The Indian commercial fishery in Area 2A, (Washington, Oregon, and California), the Canadian IVQ fishery in Area 2B (British Columbia), and the United States IFQ fisheries in Areas 2C, 3, and 4 (Alaska) commence on March 15, 1998 and terminate on November 15, 1998. The non-treaty directed commercial fishery in Area 2A will operate during five 10-hour fishing periods. The remainder of the Area 2A catch sharing plan, including sport fishing seasons, will be determined under regulations promulgated by the National Marine Fisheries Service.

The IPHC held its Interim Meeting November 18-19, 1997 in Seattle, Washington and its 74th Annual Meeting in Anchorage, Alaska, January 26-29, 1998. The Commission discussed fishing areas, catch limits, fishing periods and other 1998 management measures, and recommended government action.

At the Interim Meeting, the Commission discussed the new method for estimating biomass and recruitment, and reviewed concerns about the impact of bycatch on halibut stocks from other fisheries and the serious efforts taken by both parties to reduce halibut bycatch mortality.

At the Annual Meeting, the Commission agreed to a catch limit for 1998 of 71.84 million pounds, up 5.64 million pounds from the 1997 level. The increased catch limits resulted from the staff's assessment of the halibut resource and reflected healthy stock conditions. These increases also reflect advice received from the industry. The following catch limits for 1998 in 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 Non-treaty directed commercial (south of 2A-1) fisheries	143,617
2A Non-treaty incidental catch in salmon troll	25,344
2A Treaty Indian commercial	272,000
2A Treaty Indian ceremonial and subsistence (year-round)	15,000
2A Sport - North of Columbia River	195,078
2A Sport - South of Columbia River	<u>168,961</u>
Area 2A total	820,000
2B	13,000,000
2C	10,500,000
3A	26,000,000
3B	11,000,000
4A	3,500,000
4B	3,500,000
4C	1,590,000
4D	1,590,000
4E	<u>320,000</u>
Area 4 total	10,500,000
Experimental commercial longline fishery for halibut in the Chukchi Sea	20,000

Total

71,840,000

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 modified its catch sharing plan in Area 4 to allow the Commission to set biologically-based catch limits for Areas 4A, 4B, and a combined Area 4C-D-E.

The Commission will not issue IPHC sport charter vessel licenses for Alaska or British Columbia in 1998. The licensing of all Area 2A vessels will continue as in 1997. The licenses issued for the directed commercial fishery in Area 2A will not be issued if the license applications are postmarked after 11:59 p.m. on April 30. Moreover, area 2A licenses for the incidental commercial catch fishery will not be issued if the license applications are postmarked after 11:59 p.m. on March 31.

For 1998, all United States commercial vessels 26 feet and over fishing for halibut are required to keep the halibut log information in one of the following three logbooks: the NMFS catcher vessel daily fishing logbook, Alaska hook-and-line sablefish logbook, or the logbook issued by IPHC. The IPHC-issued logbooks are available from the Seattle office of IPHC, and are currently the green hardcover books the Commission has provided for many years. They will also be available during the fishing season from IPHC port samplers, NMFS Enforcement, and the U.S. Coast Guard.

The Closed Area in the Bering Sea was redefined to allow vessels from False Pass to transit and possess halibut on board the vessel while in part of Isanotski Strait. The area of Isanotski Strait between 55° 00" N and 54° 49" N latitudes is still closed to halibut fishing, but persons on board the vessels can have halibut in their possession.

The Commission approved an experimental commercial longline fishery for halibut in the Chukchi Sea (north of Area 4D) for 1998. The plan for an experimental fishery will be developed by IPHC, NMFS, Alaska Department of Fish & Game (ADF&G). The fishery will be limited to 20,000 pounds of halibut, and ADF&G will provide a report to the Commission in January 1999 detailing the results from the fishery.

The Commission amended existing regulations on the minimum size limit to allow Community Development Quota (CDQ) fishers in Area 4E to land undersized halibut caught with commercial gear for subsistence use. This action helped implement allocation decisions made by the NPFMC and does not pose conservation or enforcement concern.

The IPHC staff and the Processors Advisory Group will continue to evaluate the occurrence of chalky halibut, a condition that affects the color and texture of halibut flesh and renders the halibut unmarketable. A questionnaire will be sent again in 1998 to all halibut processors, the media, and fishers' groups to determine the magnitude, areas, and timing of chalky halibut.

At the 1996 Annual Meeting, the Commission approved a pilot program proposed by Northwest Food Strategies for limited retention of dead trawl-caught halibut for donation to food banks. A variety of technical and legal problems delayed the program. At the 1998 Annual Meeting, the Commission agreed with proposed NMFS regulations to allow halibut donation, and modified Commission regulations to allow retention for this purpose only. The Commission specified that the donation program would be limited to 50,000 pounds, limited to Dutch Harbor, Alaska, and that donated halibut should meet industry quality standards. The Commission will review the donation program annually.

Delegates from the Canadian and United States Governments conducted a bilateral discussion on a revised formula for sharing the joint expenses of the Commission. No agreement was reached and both parties will continue dialogue over the coming year.

The Canadian Government commissioner Richard J. Beamish was elected Chair for the coming year and Steven Pennoyer was elected Vice Chair.

E. Future Meetings:

The Commission agreed to convene a joint meeting with the NPFMC in October 1998 to discuss halibut bycatch and other issues of mutual concern. The next Interim meeting will be held in Seattle, Washington, December 2-3, 1998, and the 75th Annual Meeting of the Commission will be held in Prince Rupert or Victoria, British Columbia, Canada, January 25-28, 1999.

Staff Contacts

NOAA Fisheries:

Dean Swanson, F/SF4
Room 14141
1315 East-West Highway
Silver Spring, Maryland 20910
Phone: (301) 713-2276

Department of State:

David Hogan
OES/OMC - Room 5806
Department of State
Washington, D.C. 20520
Phone: (202) 647-2335

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

North Pacific Anadromous Fish Commission
6640 Northwest Marine Drive
Vancouver, B.C., Canada V6T 1X2
Executive Director: Dr. Irina Shestakova
Telephone: (604) 228-1128
Fax: (604) 228-1135
E-Mail: wmorris@unixg.ubc.ca

Budget

The approved NPAFC budget for Fiscal Year (FY) 1997/1998 (July 1, 1997-June 30, 1998) is Canadian \$564,000, with each Party contributing \$135,000. At the Fifth Annual Meeting of the NPAFC held on October 27-31, 1997, in Victoria, British Columbia, the Commission approved a general fund budget of \$583,700 for FY 1998/1999—a \$19,700 increase over the 1997/1998 budget. The total contribution from each Party, however, will remain the same as in FY 1997/1998. The shortfall will be offset by interest income and transfers from the Commission's Working Capital Fund. The NPAFC is currently considering a budget forecast of \$549,000 for FY 1999/2000.

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 (term expiration is in parentheses):

Steven Pennoyer (November 21, 1998)
Administrator, Alaska Region
National Marine Fisheries Service, NOAA
P.O. Box 21668
Juneau, Alaska 99802-1668

Frances Ann Ulmer (November 21, 1998)
Lieutenant Governor, State of Alaska
P.O. Box 110015
Juneau, Alaska 99811

Guy R. McMinds (January 2, 2000)
P.O. Box 67
Taholah, Washington 98587

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) eleven members (six residents of the State of Alaska and five 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 Finance and Administration, the Committee on Enforcement, 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 Fifth Annual Meeting on October 27-31, 1997, in Victoria, British Columbia. 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. Mr. Steven Pennoyer led the U.S. delegation, Mr. Vladimir Izmailov, the Russian delegation, Mr. Shuji Ishida, the Japanese delegation, and Mr. David Bevan, the Canadian delegation. Mr. Koji Imamura of Japan, Vice President, chaired the plenary sessions. Representatives from the Republic of Korea (ROK) and the North Pacific Marine Science Organization (PICES) 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 committee report for action at the final plenary session of the meeting. The Commission adopted all committee reports at the final plenary. 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 1997 on the basis of information provided by the Parties. The cooperative enforcement efforts of the Parties resulted in the detection of six driftnet vessels engaged in illegal fishing operations in or near the Convention Area. Two of the vessels, the NANA O 55008 and the PU YU 6026, were registered in the People's Republic of China (PRC). The PRC Government indicated that it would take action against the NANA O 55008 if sighted in one of its ports. The PRC later seized the PU YU 6026. The United States, in cooperation with Canada and Japan, seized a stateless high seas driftnet vessel, the CAO YU 6025, fishing in the Convention Area. The CAO YU 6025 initially claimed PRC registry, but this was later refuted by the PRC.

Due to the continued threat of high seas fishing for salmon in the Convention Area, all Parties pledged to maintain 1998 enforcement activities at levels similar to those of 1997, as a deterrent to the threat of potential unauthorized fishing activity.

Alternate Mechanisms of Supporting the Convention by Non-Members--The Parties concurred that the Agreement to Promote Compliance with International Conservation and Management Measures By Fishing Vessels on the High Seas, approved by the United Nations Food and Agriculture Organization (FAO) in 1993 and open for acceptance, could serve as a mechanism to obligate non-member States to support and cooperate with the objectives and principles of the Convention. A country's acceptance of the FAO Agreement would, *inter alia*, obligate it to ensure that its fishing vessels do not undermine the effectiveness of conservation and measures adopted by such regional fisheries organizations as the NPAFC. The Parties decided, as appropriate, to encourage States or entities not party to the Convention to whom the FAO Agreement is open, to adopt the FAO Agreement as soon as possible.

Committee on Finance and Administration (F&A)

Upon the recommendation of the F&A Committee, the Commission approved the FY 1998/1999 budget (discussed in the budget section of this document). The F&A Committee also presented for the Commission's consideration at the 1998 annual meeting the budget forecast for FY 1999/2000.

The F&A Committee also recommended, and the Commission agreed, that the NPAFC newsletter be published in the Commission's three official languages--English, Japanese, and Russian--starting in 1998 and that an NPAFC homepage on the internet be developed in 1998.

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 40 documents related to scientific research activities (pertaining to both anadromous and ecologically-related species), salmon catches, and salmon enhancement

activities. It also exchanged salmon catch and enhancement information and coordinated research plans for 1998.

The CSRS conducted extensive discussions on the effects of climate change on salmon in the North Pacific Ocean. In light of the dramatic low returns of some major economically important salmon stocks, scientists are addressing questions about the relationship between changes in abundance and in ocean and atmospheric conditions. NPAFC scientists agreed to meet March 26-27, 1998, in Vancouver, B.C., to discuss these issues. The intent of this workshop will be to understand the factors contributing to reduced North American salmon returns in 1997 and provide information that would help forecast 1998 returns of salmon around the Pacific Rim.

The total salmon catch among the Parties in 1996 was 847,730 metric tons. In addition, nearly 4.4 billion juvenile salmon were released in the Convention Area in 1996.

Other Issues

Accession of the ROK and PRC to the Convention—The Parties agreed to renew the invitation to the PRC to join the NPAFC. The observer from the ROK said that his government was taking positive steps to join the NPAFC. However, accession has been delayed because some issues are still outstanding, such as how to arrange the requisite financial contribution to the NPAFC within the national budget.

Election of Officers—The Parties elected Mr. David Bevan of Canada and Ms. Fran Ulmer of the United States to serve 2-year terms as President and Vice President, respectively, of the Commission.

Future Meetings—Russia will host the NPAFC's Sixth Annual Meeting in 1998, the United States will host the Seventh Annual Meeting in 1999, most likely in Alaska, and Japan will host the Eighth Annual Meeting in 2000.

Staff Contacts

National Marine Fisheries Service, NOAA:

Paul E. Niemeier
International Fisheries Division, F/SF4
Office of Sustainable Fisheries
1315 East-West Highway, Room 14230
Silver Spring, Maryland 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313
E-mail: paul.niemeier@noaa.gov

Department of State:

H. Stetson Tinkham
Office of Marine Conservation, OES/OMC
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

**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

Canada and the United States

Commission Headquarters

**Pacific Salmon Commission
1155 Robson Street, Suite 600
Vancouver, British Columbia
Canada V6E 1B5
Executive Secretary: Mr. Ian Todd
Telephone: (604) 684-8081
Fax: (604) 666-8707**

Budget

**The approved Commission budget for Fiscal Year 1997-1998
(April 1, 1997-March 1, 1998) is Canadian \$2,229,062 (\$800,000 from each Party).**

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

ALTERNATE COMMISSIONERS

Mr. James Pipkin (Co-Chair)
Special Federal Negotiator
for Pacific Salmon
U.S. Department of the Interior
1849 C Street N.W., Room 4411
Washington, D.C. 20240

Mr. Larry Rutter
National Marine Fisheries
Service
Olympia Field Office
510 Desmond Dr., S.E., Suite 103
Lacey, WA 98503

Mr. David Benton
Acting Deputy Commissioner
Alaska Department of Fish
and Game
P.O. Box 25526
Juneau, AK 99802-5526

Mr. Jev Shelton
United Southeast Alaska
Gillnetters Association
1670 Evergreen Avenue
Juneau, AK 99801

Mr. Curt Smitch
Special Assistant, Office of
the Governor
P.O. Box 43113
Olympia, WA 98504-3113

Mr. Rollie Rousseau
16420 N.W. Joscelyn
Beaverton, OR 97006

Mr. W. Ron Allen
Tribal Chairman
Jamestown S'Klallam Tribe
1033 Old Blyn Highway
Sequim, WA 98382

Mr. Ted Strong
Executive Director
Columbia River Inter-Tribal
Fish Commission
729 N.E. Oregon St., Suite 200
Portland, OR 97232

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 (nine 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. As its name implies, the Fraser River Panel has regulatory responsibility 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:

The United States and Canada have not been able to agree fully on long-term, coast-wide salmon fishing management regimes since 1992. Over the past five years, the two countries have engaged in a series of high-level, government-to-government attempts to resolve their differences, including negotiations in 1994, a formal mediation effort in 1995-1996, and Pacific salmon stakeholder talks in 1997. Unfortunately, all of these efforts have failed because of differing philosophical and technical approaches to equity and salmon conservation issues.

Canada has long maintained that there is an equity imbalance in favor of the United States (i.e., the U.S. catch of Canadian-origin salmon exceeds Canada's catch of U.S.-origin salmon) and has refused to discuss critical conservation issues and long-term salmon fishery management regimes until the equity issue has been resolved to its satisfaction.

All PSC management regime-based harvest quotas have expired including those for the following intercepting fisheries by area and/or species:

- Transboundary Rivers (Southeast Alaska and Northern British Columbia)
- Southeast Alaska and Northern British Columbia
—Portland Canal rebuilding and conservation program
- Chinook Salmon
—All-gear catches in Southeast Alaska and Northern and Central British Columbia
—Canadian troll catch off the west coast of Vancouver Island
—Canadian total annual catch of sport and troll fisheries in the Strait of Georgia
- Fraser River Sockeye and Pink Salmon
—Annual U.S. harvest levels of Fraser River sockeye and pink salmon
- Coho Salmon
—Annual Canadian harvest levels off the west coast of Vancouver Island
—Certain rules of conduct for various Canadian and U.S. fisheries in southern British Columbia and northern Puget Sound.
- Southern British Columbia and Washington State Chum Salmon
—Management regimes for chum salmon in southern British

Columbia and northern Puget Sound, with harvest limits for U.S. fisheries

Current Status:

The latest round of negotiations, which began in February 1997 as talks between U.S. and Canada salmon fishery stakeholders (both fishers and industry representatives), has been part of a continuing effort to find a long-term solution to the Pacific Salmon Treaty dispute. The U.S. Northern and Southern Stakeholders put forth packages of innovative proposals that would have involved major financial and social costs to U.S. interests. In the south, these proposals included a regime to rebuild depleted coho salmon stocks of both countries and a reduction in the U.S. catch of Fraser River sockeye salmon through a significant restructuring of the U.S. non-Indian sockeye fishing fleet. Unfortunately, Canada was unwilling to make or accept a proposal that would, at a minimum, assure conservation of both countries' wild coho stocks and allow both countries to maintain viable coho fisheries. In the north, the United States proposed new abundance-based fishing regimes for key boundary area fisheries. Unfortunately, Canada walked away from the negotiation process when agreement appeared possible. On June 26, 1997, Canada officially broke off Pacific salmon negotiations with the United States and called for binding arbitration to resolve salmon conservation and sharing (equity) issues. The United States rejected this approach.

The United States and Canada each appointed a prominent citizen on July 25, 1997, to find the most effective way to reinvigorate the stakeholders process. The two representatives, William Ruckelshaus (United States) and David Strangway (Canada), were charged to act as a resource to the stakeholders and report periodically to the U.S. Secretary of State and Canadian Minister of Foreign Affairs, respectively. They were asked to function as facilitators, not negotiators.

Messrs. Ruckelshaus and Strangway met many times, individually and together, with both U.S. and Canadian government officials and fishing interest groups in order to become intimately acquainted with everyone's point of view concerning the Pacific salmon dispute. Unfortunately, their efforts were adversely affected by information leaks by Canadian officials to the Canadian Press. These leaks may have been a calculated effort by some elements to create uncertainty and erode stakeholder confidence on both sides. The worst example of this occurred on October 29, 1997, when the Toronto Globe and Mail printed an article based on a leaked "confidential assessment" by Canada's chief negotiator, Yves Fortier. Fortier's assessment was quite disparaging, stating, among other things, that U.S. fishing representatives are too self-interested and incapable of making the sweeping cuts to their own salmon quotas that are necessary to solve the problem. There was also considerable regional opposition to the stakeholder process on both the Canadian and U.S. sides. British Columbia Premier Glen Clark was an outspoken critic of the process, stating that it was doomed to failure unless settlement of the salmon dispute became a political priority in the United States.

Ultimately, Canadian and U.S. fishing interests rejected the stakeholders process. On January 12, 1998, Ruckelshaus and Strangway, submitted to President Clinton and Canadian Prime Minister Chretien a final report on their efforts to try to reinvigorate the Pacific salmon stakeholders process. Unfortunately, the report concluded that the stakeholders process would not be able to achieve the necessary fishing arrangements and, therefore, should not be reconvened. It recommended, however, that the two governments adopt interim fishing arrangements for all relevant species of salmon for up to two years, and that during that two-year period, they develop a practical framework for implementing Article III of the Pacific Salmon Treaty leading to longer term fishing arrangements. (Article III states, among other things, that each Party shall conduct its fisheries and its salmon enhancement programs so as to prevent overfishing and to provide for each Party to receive benefits equivalent to the production of salmon originating in its waters.) At the same time, Ruckelshaus and Strangway also recommend that the two sides undertake a comprehensive review of the Pacific Salmon Commission and dedicate themselves to making it a functional institution for the preservation and management of Pacific salmon.

Both the U.S. and Canadian Governments have indicated that they are ready to work toward implementation of the report's recommendations and are in the process of exploring options for the next steps in the salmon negotiation process.

U.S. Chinook Salmon Fisheries Management Agreement: In June 1996, an internal U.S. State and Tribal agreement was reached to manage the U.S. harvest of far north migrating chinook salmon. The agreement ended a major conflict that had divided the U.S. Section of the PSC for many years. It established an abundance-based, scientifically founded conservation and management regime for chinook harvests not only in 1996, but for the longer term. The United States intended for the U.S. chinook agreement to be the foundation for negotiations leading to a bilateral chinook agreement to replace expired chinook management provisions of Annex IV of the Treaty. However, Canada was unhappy over the U.S. chinook management plan, claiming that it constituted overfishing. On July 15, 1996, Canada officially requested a Technical Dispute Settlement Board (TDSB) to be established under the Treaty to review the U.S. chinook quota and the U.S. adoption of an abundance-based approach. The United States did not agree to Canada's request because it believed that the specific issues Canada raised were of a political nature and therefore are not appropriate for a TDSB to consider. The United States instead requested that the issues be discussed within the Pacific Salmon Commission first. Thus far, Canada has refused to discuss the issue in the Commission forum. The two sides are currently considering other alternatives.

Staff Contacts

National Marine Fisheries Service, NOAA:

Headquarters:

Paul E. Niemeier
Office of Sustainable Fisheries
1315 East-West Highway
Silver Spring, MD 20910
Telephone: 301-713-2276
Fax: 301-713-2313
E-mail: paul.niemeier@noaa.gov

Northwest Region:

Charles K. Walters
Pacific Salmon Treaty Coordinator
7600 Sand Point Way
Seattle, WA 98115-0070
Telephone: 206-526-6155
Fax: 206-526-6534

Department of State:

Bernie Link

Office of Marine Conservation
Washington, D.C. 20520-7818
Telephone: 202-647-2335
Fax: 202-736-7350

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 (PRC), Republic of Korea (ROK), Republic of Poland, Russian Federation, and the United States.

Description

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 Areas 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 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 annual harvest level.

C. eAdvisory Body:e

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. eBackground:e

The development in the mid-to-late 1980s of an extensive pollock fishery in the central Bering Sea (donut hole) 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 donut hole fishery was being conducted by trawl vessels from Japan, the ROK, Poland, the PRC, and the former Soviet Union. Catch data submitted by these countries indicated that annual harvests in the donut 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 donut hole unless the biomass of the Aleutian Basin stock exceeds a threshold of 1.67 million metric tons (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 donut hole and of transshipment activities.

On June 16, 1994, the Convention was signed by the People's Republic of China, the Republic of 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, the PRC, and the United States, December 21, 1995, for Japan, and January 4, 1996, for the ROK.

Current Status

Representatives of the United States, Russia, Japan, the Republic of Korea, the People's Republic of China, and Poland met in Seattle, Washington, on October 5-7, 1997, for the Second Annual Conference of the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea (the "Donut Hole"). The Conference was chaired by Mr. Richard Lauber, Chair of the North Pacific Fishery Management Council, and the U.S. delegation was led by Mr. Steven Pennoyer, Alaska Regional Administrator, National Marine Fisheries Service.

Allowable Harvest Level (AHL): The Parties established the AHL in the Central Bering Sea at zero for 1998. All Parties agreed with the Science and Technical Committee's conclusions that there was insufficient data to estimate the

Aleutian Basin pollock biomass directly. The best available information to estimate this biomass indirectly came from the U.S. research vessel MILLER FREEMAN survey of the pollock spawning stock biomass in the Bogoslof Island area in March 1997. This estimate was 342,000 metric tons—about 50 percent lower than last year's estimate (when the Parties set the AHL at zero) and the lowest biomass on record for this area. Part 1(b) of the Annex to the Convention states that if the Parties are not able to reach consensus on the Aleutian Basin pollock biomass, the Bogoslof Island area biomass will represent 60 percent of the total Aleutian Basin biomass. With this in mind, the biomass in the entire Aleutian Basin would be estimated at 572,000 metric tons. This number is far below the 1.67 million metric-ton threshold (Part 1(c) of the Annex) that would trigger a commercial fishery. In addition, all trial fishing results in 1997 showed little or no fish in the Central Bering Sea.

Because the 1998 AHL is zero, no individual national quotas were established.

The Establishment of the Terms and Conditions for Trial Fishing in 1998: Although there will be no commercial pollock harvest in the central Bering Sea in 1998, trial fishing for pollock will be permitted. The Annual Conference adopted measures governing 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.

Central Bering Sea Management System: The parties made significant progress toward establishing a management system for the central Bering Sea. The United States provided the Parties with a management system proposal. The Parties agreed to submit via diplomatic channels written comments on the proposal by June 1, 1998.

The Parties also adopted a central Bering Sea observer program. All vessels will carry observers when commercial fishing is eventually resumed in the Convention Area.

Plan of Work for the Scientific and Technical Committee: The main elements of the Committee's Work Plan for 1998 consist of (1) a pollock age determination workshop to be held in Seattle during March 1998; (2) a pollock symposium in Russia in May-June 1998; (3) the March 1998 U.S. Bogoslof Island area pollock survey; (4) a Russian hydroacoustic and ichthyoplankton survey during summer 1998; and (5) an intersessional Scientific and Technical Committee meeting approximately two months prior to the Third Annual Conference.

Third Annual Conference: Japan will host the Third Annual Conference in Tokyo in October or November 1998. Mr. Kyoichi Kawaguchi will chair the Conference. Korea will host the Fourth Annual Conference in 1999.

Staff Contacts

National Marine Fisheries Service, NOAA:

Headquarters:

Paul E. Niemeier
Office of Sustainable Fisheries
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313
E-mail: paul.niemeier@noaa.gov

Alaska Region:

Steven Pennoyer, Administrator
P.O. Box 21668
Juneau, AK 99802-1668
Telephone: (907) 586-7221
Fax: (907) 586-7249

**COMMISSION FOR THE CONSERVATION OF
ANTARCTIC MARINE LIVING RESOURCES
(CCAMLR)**

Basis 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).

Commission Headquarters

Commission for the Conservation of Antarctic
Marine Living Resources
25 Old Wharf
Hobart, Tasmania 7000 Australia
Executive Secretary: Esteban De Salas Ortueta
Phone: 61 02 31 0366

Budget

(Amounts are in Australian dollars) The Commission approved a budget for 1998 of \$1,970,000. The 1998 U.S. contribution will be \$73,066 .

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:

Tucker Scully
Director, Office of Ocean Affairs
OES/OA, DOS - Room 5801
Washington, D.C. 20520
Phone: (202) 647-3262

U.S. Representative to the Scientific Committee:

Rennie Holt
Director, Antarctic Ecosystem Research Group
NOAA/NMFS/F/SWC
P.O. Box 271
La Jolla, California 92038
Phone: (619) 546-7601

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, 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 and Ecosystem Monitoring and Management.

C. Programs:

The Commission adopted its first conservation measures during the 1984 session (CCAMLR III). The following measures are presently in force.

Measures relating to finfish.

Measure 2/III prohibits the use of pelagic and bottom trawls of less than 120 mm mesh size in the directed fishery for *Notothenia rossii* and *Dissostichus eleginoides* and of less than 80 mm mesh size in the directed fisheries for *Notothenia gibberifrons* and *Notothenia squamifrons*.

Measure 3/IV prohibits directed fishing on *N. rossii* around South Georgia (Statistical Subarea 48.3) and requests members to keep by-catches of *N. rossii* in fisheries directed to other species to the level allowing the optimum recruitment to the stock.

Measure 4/V establishes regulations on mesh size measurements which supplement Measure 2/III. Fishing around South Georgia was further addressed by establishing authority for the Commission at the 1987 meeting to adopt limitations on catch, or equivalent measures binding for the 1987/88 and subsequent fishing seasons.

Measure 5/V prohibits directed fishing on *N. rossii* in the Peninsula Area (Statistical Subarea 48.1).

Measure 6/V prohibits directed fishing on *N. rossii* around the South Orkneys (statistical Subarea 48.2).

Measure 7/V requires the Commission to regulate fishing around Statistical Subarea 48.3 (South Georgia).

Measure 72/XVI prohibits directed finfishing other than longlining for *Dissostichus spp* in Statistical Subarea 48.1.

Measure 73/XVI prohibits directed finfishing other than longlining for *Dissostichus spp* in Statistical Subarea 48. 2.

Measure 95/XIV limits the by-catch of *G. gibberifrons* to 1,470 tons, *C. aceratus* to 2,200 tons, and *P. georgianus*, *N. rossii*, and *L. squamifrons* to 300 tons each in Statistical Subarea 48.3.

Measure 120/VXI prohibits directed fishing for *Dissostichus spp* in Subarea 48.5 and Divisions 58.4.1 and 58.4.2 from November 6, 1997 through November 6, 1998.

Measure 123/XVI limits the total catch of *Champscephalus gunnari* in Statistical Subarea 48.3 in the 1997/98 season (set from November 6, 1997 through March 31, 1998) to 4,250 tons; prohibits the use of bottom trawls in the fishery; requires carrying a scientific observer; applies the data reporting systems in 51/XII and 122/XVI; and requires the fishing vessel to move to another location at least 5 n miles distant when the bycatch of species managed in 95/XIV reaches a certain level or when 10% percent of the *C. gunnari* by number are smaller than 240 mm total length.

Measure 124/XVI sets a catch limit of 3,300 tons on *D. eleginoides* in Statistical Area 48.3 for the 1997/98 season (defined as April 1 - August 31, 1997); applies the reporting systems in 51/XII, 121/XVI, and 122/XVI; and requires carrying a scientific observer during fishing activities. In the event the catch is expected to exceed 20,000 tons in the 1997/98 season, a survey of stock biomass and age structure is required during that season by the major fishing nations involved.

Measure 125/XVI limits the total catch of *Electrona carlsbergi* in Statistical Subarea 48.3 for the 1997/98 season to 109,000 tons; sets a sub-limit of 14,500 tons in the Shag Rocks region; and requires the use of the reporting systems in measures 40/XI, 121/XVI, and 122/XVI.

Measure 127/XVI prohibits directed fishing on *N. gibberifrons*, *Chaenocephalus aceratus*, *Pseudochaenichthys georgianus*, *N. squamifrons*, and *Patagonotothen guntheri* in Statistical Subarea 48.3 in the 1997/98 season.i

Measure 128/XVI limits the *D. eleginoides* fishery in Statistical Area 48.4 in the 1997/98 season to longlines; limits

the total catch to 28 tons; requires carrying at least one scientific observer; and applies the reporting systems in measures 51/XII and 94/XIV. Taking of D. mawsoni, except for scientific research purposes, is prohibited.

Measure 129/XVI prohibits fishing for L. squamifrons in Statistical Division 58.4.4 (Ob and Lena Banks) in the 1997/98 seasons, other than for scientific research purposes, until at least such time that a survey of stock biomass is carried out, its results reported and analyzed by the Working Group on Fish Stock Assessment and a decision that the fishery should be reopened is made by the Commission based on the advice of the Scientific Committee.

Measure 130/XVI sets precautionary catch limits in Division 58.5.2 for the 1997/98 season to 900 tons for C. gunnari; limits fishing to the Heard Plateau; limits gear to trawling; requires each vessel to operate a Vessel Monitoring System at all times; requires the fishing vessel to move to another location at least 5 n miles distant when the bycatch of species managed in 95/XIV reaches a certain level or when 10% percent of the C. gunnari by number are smaller than 240 mm total length; and applies a ten-day catch and effort reporting system and a fine-scale biological reporting system.

Measure 131/XVI limits the fishery for D. eleginoides in Statistical Division 58.5.2 in the 1997/98 season to 3,700 tons (including discards); limits gear to trawling; requires the presence of one scientific observer on board; applies a ten-day catch and effort reporting system and a fine-scaler biological reporting system; requires each vessel to operate a Vessel Monitoring System at all times and establishes bycatch restrictions.

Measures relating to new and exploratory fisheries.

Measure 31/X requires notification that Members are considering initiating a new fishery in the Convention Area. "New fishery" is defined by the measure.

Measure 65/XII requires notification of intent to fish, restriction of fishing effort by a precautionary catch limit, and agreement to carry a scientific observer for exploratory fisheries. An exploratory fishery is defined as a fishery that was previously defined as a new fishery.

Measure 132/XVI prohibits directed fishing for L. squamifrons, N. rossii, C. rhinoceratus, and Bathyraja spp. in Statistical Division 58.5.2 in the 1997/98 fishing season. Bycatches shall not exceed 325 tons, 80 tons, and 120 tons, respectively. Bycatches for other than these species and for species for which there is no other catch limit in force shall not exceed 50 tons in Division 58.5.2 in the 1997/98 fishing season.

Measure 133/XVI establishes general measures for new and exploratory longline fisheries for Dissostichus spp. in the Convention area for the 1997/98 season. At least one scientific observer must be carried on board and data must be reported as required by the data collection plan described in annex 133/A.

Measure 134/XVI limits fishing for D. eleginoides and D. mawsoni in Statistical Subarea 48.1 to Chilean flagged vessels using longlines only and fishing in accordance with 129/XVI and 133/XVI. Each vessel must operate a VMS at all times. The season is set from April 1 through August 31, 1998. The total catch is limited to 1,863 tons of Dissostichus spp. north of 65 degrees South and 94 tons south of 65 degrees South.

Measure 135/XVI limits fishing for D. eleginoides and D. mawsoni in Statistical Subarea 48.2 to Chilean flagged vessels using longlines only and fishing in accordance with 129/XVI and 133/XVI. Each vessel must operate a VMS at all times. The season is set from April 1 through August 31, 1998. The total catch is limited to 429 tons of Dissostichus spp. north of 65 degrees South and 972 tons south of 65 degrees South.

Measure 136/XVI establishes new fisheries for D. eleginoides and D. mawsoni in Statistical Subarea 48.6 for the 1997/98 season, limited to fishing by South Africa. The fisheries are for longlining only and are limited to 888 tons north of 65 degrees South (March 1- August 31, 1998) and to 648 tons south of 65 degrees South (February 15 -

October 15, 1998).

Measure 137/XVI establishes new fisheries for D. eleginoides and D. mawsoni in Statistical Division 58.4.3 north of 60 degrees South for the 1997/1978 season. The fisheries are limited to fishing by South Africa and to a total catch of 1,782 tons. Each vessel participating in the fishery is required to operate a VMS at all times. The season is for longlining only and is open from April 1, 1998 through August 31, 1998.

Measure 138/XVI establishes new fisheries for D. eleginoides in Statistical Division 58.4.4 for the 1997/98 season (defined as April 1 through August 31, 1998) limited to fishing by South Africa and Ukraine in the area north of 60 degrees South. The total catch is limited to 580 tons and must be fished consistent with 29/XVI and 133/XVI.

Measure 139/XVI establishes new fisheries for D. eleginoides and D. mawsoni in Statistical Subareas 88.2 in the 1997/98 season defined as April 1 through August 31, 1998. The fishery is limited to New Zealand; is to be conducted by longlining only; and is to be conducted in accordance with 29/XVI and 133/XVI. Catch is limited to 25 tons north of 65 degrees South and 38 tons south of 65 degrees South.

Measure 140/XVI establishes new fisheries for D. eleginoides and D. mawsoni in Statistical Subarea 88.3 limited to Chilean flagged vessels using longlines only and fishing in accordance with 129/XVI and 133/XVI. Each vessel must operate a VMS at all times. The season is set from February 15 through October 31, 1998. The total catch is limited to 455 tons of Dissostichus spp. south of 65 degrees South.

Measure 141/XVI establishes an exploratory fishery for D. eleginoides in Statistical Subarea 58.6 limited to no more than two vessels each flagged to Russia, South Africa, and Ukraine using longlines only and fishing in accordance with 129/XVI and 133/XVI. Each vessel must operate a VMS at all times. The season is set from April 1 through August 31, 1998 and total catch is limited to 658 tons.

Measure 142/XVI establishes an exploratory fishery for D. eleginoides in Statistical Subarea 58.7 limited to one vessel each flagged to Russia, South Africa, and Ukraine using longlines only and fishing in accordance with 129/XVI and 133/XVI. Each vessel must operate a VMS at all times. The season is set from April 1 through August 31, 1998 and total catch is limited to 312 tons.

Measure 143/XVI establishes exploratory fisheries for D. eleginoides and D. mawsoni in Statistical Subareas 88.1 limited to New Zealand flagged vessels using longlines only and fishing in accordance with 129/XVI and 133/XVI. Each vessel must operate a VMS at all times. The season is set from February 15 through August 31, 1998 and total catch is limited to 338 tons north of 65 degrees South and 1,172 tons south of 65 degrees South.

Measure 144/XVI establishes exploratory fisheries for Dissostichus spp in Statistical Division 58.4.3 limited to Australian flagged vessels using the trawl method only. Each vessel must operate a VMS at all times. The season is set from November 8, 1997 through November 6, 1998 and total catch is limited to 963 tons. Each vessel must carry at least one scientific observer appointed in accordance with the CCAMLR Scheme of International Scientific Observation and report data as required by 51/XII, 121/XVI, and the data collection plan described in Annex 144/A. All discards are to be reported and will count towards the total allowable catch. Fishing vessels are required to move to another location at least 5 n miles distant when certain bycatch limits/restrictions are reached.

Measure 145/XV establishes an exploratory fishery for M. hyadejsi for Statistical Subarea 48.3 in the 1997/98 season limited to the Republic of Korea and the United Kingdom. The TAC is set at 2,500 tons. Vessels are required to carry at least one scientific observer on board; report data required by measure 61/XII; complete the CCAMLR squid jig fisheries fine-scale data form; and implement a data collection plan.

Measures relating to krill.

Measure 32/X sets a precautionary limit on Euphausia superba in Statistical Area 48 at 1.5 million tons in any fishing season. A fishing season begins on July 1 and concludes on June 30 of the following year. This limit is to be kept under review by the Commission, taking into account the advice of the Scientific Committee. If the total catch in Statistical Subareas 48.1, 48.2 and 48.3 exceeds 620,000 tons in any fishing season, the Commission will set precautionary limits for the subarea.

Measure 45/XIV sets a precautionary catch limit on E. superba in Statistical Division 58.4.2 to 450,000 tons in any fishing season (beginning July 1 and ending on June 30 of the following year) and requires catch reporting to the Commission on a monthly basis.

Measure 106/XV sets a precautionary catch limit of 775,000 tons in any fishing season for E. superba in Statistical Division 58.4.1 (beginning July 1 and ending on June 30).

Measures relating to straddling stocks.

Resolution 10/XII affirms that Members whose flag vessels are harvesting stocks occurring both within and outside the Convention Area should ensure that their vessels harvest responsibly and with due regard for the Commission's conservation measures.

Measures relating to crab.

Measure 90/XV establishes an experimental harvest regime for the crab fishery in Statistical Area 48.3 for seasons through 1997/98.

Measure 126/XVI limits the exploratory crab fishery in Statistical Area 48.3 in the 1997/98 season to 1,600 tons and to one vessel per Commission Member; sets reporting requirements; limits gear to crab pots; and limits the fishery to sexually mature male crabs of minimum carapace size.

Measures relating to scientific research.

Measure 64/XII defines the application of conservation measures to scientific research.

Measures relating to gear use.

By **Resolution 7/IX** the Commission agreed that there will be no expansion of large-scale pelagic driftnets fishing by Members into the Convention Area. **Measure 19/IX** prohibits the use of pelagic and bottom trawls of less than 90 mm for any directed fishery for C. gunnari, effective November 1, 1991.

Measure 29/XVI obligates Members to take specific actions to reduce the possibility of incidental mortality of seabirds during longline fishing. The measure does not apply to designated research vessels investigating variations in the design of streamer lines.

Measure 30/X prohibits the use of net monitor cables on harvesting vessels in the CCAMLR Convention Area. As a means of reducing the entanglement and death of Antarctic fur seals,

Measure 63/XV requires that, as a general practice, all packaging bands, once removed from packages, must be cut so that they do not form a continuous loop. The use of plastic bands to secure bait boxes is prohibited. The use of such bands for other purposes on fishing vessels that do not use on-board incinerators is prohibited. Any plastic residue

must be stored on board the vessel until reaching port and in no case discarded at sea.

Measures relating to data and other reporting.

Measure 40/X requires monthly catch and effort reporting for each Member vessel fishing in the Convention area.

Measure 51/XII establishes a 5-day catch and effort reporting system.

Measure 61/XI establishes a 10-day catch and effort reporting system.

Measure 121/XVI establishes a monthly biological data reporting system for trawl and longline fisheries.

Measures relating to Compliance.

Measure 118/XVI establishes a scheme to promote compliance by, non-Contracting Party vessels with CCAMLR Conservation Measures.

Measure 119/XVI requires Contracting Parties to license their flag vessels in the Convention Area.

Measures relating to CEMP sites.

Measure 18/XIII specifies the procedure for according protection to CCAMLR Ecosystem Monitoring Program sites and for developing management plans.

Measure 62/XI accords protection to the Seal Islands CCAMLR Ecosystem Monitoring (CEMP) site.

Measure 82/XIII accords protection to Cape Shirreff and the San Telmo Islands by establishing the "Cape Shirreff CEMP Protected Area" effective May 1, 1995.

Staff Contacts

NOAA Fisheries:

Robin Tuttle, F/ST3
Room 14212
1315 East-West Highway
Silver Spring, Maryland 20910
Phone: (301) 713-2282

Department of State:

Tucker Scully
OES/OA - Room 5801
Department of State
Washington, D.C. 20520
Phone: (202) 647-3262

**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 Depository 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.

Staff Contacts

NOAA Fisheries:

Robin Tuttle, F/ST3
Room 14212
1315 East-West Highway
Silver Spring, Maryland 20910
Phone: (301) 713-2282

Department of State:

Tucker Scully, OES/OA
Room 5806
Department of State
Washington, D.C. 20520-7818
Phone: (202) 647-3262

GREAT LAKES FISHERY COMMISSION

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
Suite 209
Ann Arbor MI 48105-1563
Phone: (313) 662-3209
Fax: (313) 741-2010
Website: <http://www.glfc.org>

Budget

The Commission approved a budget of \$12.1 million for 1997. The U.S. contribution is \$8.4 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:

—Federal Commissioner: Donald J. Barry, Deputy Assistant Secretary of the Interior for Fish, Wildlife, and Parks, appointed October 15, 1996.

—Bernard J. Hansen, Alderman, 44th Ward, City of Chicago; appointed September 16, 1994.

—Joseph Day, Executive Director, Indian Affairs, State of Minnesota; appointed November 21, 1997.

—Dr. Charles C. Krueger (Committee Chair), Department of Natural Resources, Cornell University; appointed April 22, 1992.

—David D. Dempsey, Michigan Environmental Council; appointed September 16, 1994 (serves at the pleasure of the

President)—Alternate Commissioner.

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 control and eradicate sea lamprey which decimated important commercial and recreational fisheries in the Great Lakes following their entry into the lakes via canals constructed in the nineteenth century to improve navigation and access to the lakes by ocean-going vessels. Specific responsibilities of the Commission are:

1. to formulate research programs to sustain maximum productivity of any stock of fish in the Convention area that is of common concern to the United States and Canada;
2. to coordinate research done pursuant to such programs and, if necessary to undertake such research itself and to recommend appropriate measures to contracting parties and publish the scientific findings obtained in the performance of its duties; and
3. to formulate and implement a program for eradicating or minimizing sea lamprey populations in the Great Lakes basin.

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 late May. Commissioners convene an Interim Meeting in late November, 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 by USFWS employees of chemical lampricide in the lakes and in their tributaries. The Department of Fisheries and Oceans provides this function for Canada.

Re-registration. The lamprey control chemical (TFM) is 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. Re-registration has been delayed due to delays in EPA's analysis of test results, and has so far cost over \$3 million. Although the 1996 deadline for completing re-registration studies was not met, EPA pledged that the GLFC would still be permitted to use the lampricide in U.S. waters. EPA is currently working with the GLFC and its re-registration contractor to determine which additional toxicological studies need to be completed. The Canadian registration for the TFM lampricide expires in 1998, so re-registration will be required there by Health 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 (SGLFMP), although the Convention does not vest the Commission with fishery management authority. The SGLFMP is currently undergoing a periodic review by officials from various state, federal, provincial and tribal fisheries and environmental management agencies.

Commission Issues:

Both Canada and the United States are concerned about long-term funding prospects for the Commission. Increased funding is necessary to maintain effective lamprey control while conducting research in alternatives to chemical lampricide, however Canada is downsizing its government. GLFC responsibilities may eventually be transferred from the Department of Fisheries and Oceans to Environment Canada. In the spring of 1996, Canada announced a reduction to its GLFC contribution. After intense domestic and U.S. pressure, Canada relented and restored full funding, although continued funding at this level by Canada is not certain. The United States plans to continue its annual contribution of \$8.353 million for the foreseeable future. Recent attempts within Congress to transfer the lamprey control portion of the GLFC budget from the Department of State to the Department of Interior have not been successful.

Current lamprey control activity is focusing on the St. Mary's River, which produces more sea lampreys than all other Great Lakes areas combined. Pending approval by the Great Lakes Fishery Commission, the new planned 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.

In 1997, the GLFC budgeted \$1.4 million for purchase of lampricide. This followed a 1996 purchase of a \$1.4 million supply of lampricide (compared to \$4.6 million in 1995). The 1995 purchase represented a three-year supply, since the previous manufacturer (Hoechst -- a German company) produced one final batch while the GLFC was arranging for an American company to begin production. Due to the cyclical nature of lamprey reproduction, 1998 is expected to be the peak year for lampricide application.

The Commission also uses barrier dams in lamprey control, as well as a program to introduce sterile males into the lamprey population. Progress is being made in reducing the Commission's dependency on chemical lampricide, with a 50 percent reduction from 1990 levels targeted to take place by the year 2000. The Commission and its control agents are actively exploring "partnership" opportunities, such as involving the U.S. Army Corps of Engineers in the construction of barrier dams, to prevent lamprey from traveling up tributaries to spawning areas.

Staff Contract: Department of State:
Jean-Pierre Plé, Ph.D.
OES/OMC, Room 7820
Department of State
Washington, DC 20520-7818
Phone: (202) 647-1948
Fax: (202) 736-7350

CONVENTION ON BIOLOGICAL DIVERSITY (CBD)

Basic Instrument

Convention on Biological Diversity (CBD). 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 acquired the necessary number of ratifications and 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 November 1996, 161 nations and the European Union had ratified or acceded to the CBD: Albania, Algeria, Antigua & Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Cook Islands, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Peoples Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, European Community, Fiji, Finland, France, The Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kyrgystan, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Niue, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar; Rep. of Korea, Rep. of Moldova, Rep. of Tanzania, Romania, Russian Federation, Rwanda, Saint Lucia, Samoa, San Marino, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, St. Kitts & Nevis, St. Vincent & Grenadines, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Rep., Togo, Trinidad and Tobago; Tunisia, Turkmenistan, Uganda, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Venezuela, Vietnam, Yemen, Zaire, Zambia, Zimbabwe.

Secretariat Headquarters

Secretariat for the Convention on Biological Diversity

World Trade Center

413 St. Jacques St.

Office 630

Montreal, Quebec H2Y 1N9

Canada

Tel. (1) 514-288-2220

Fax. (1) 514-288-6588

Executive Secretary: Mr. Calestous Juma

Budget

The Conference of the Parties at its Third Meeting (COP-3) in November 1996, approved a budget of \$6.56 million for 1997 and \$6.77 million for 1998. The United States is not yet a Party and therefore currently does not contribute 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 U.S. pledged U.S. \$430 million to the current replenishment of the GEF (1995-1998) but has currently contributed only \$190 million (FY94-FY97).

U.S. Representation

The Department of State is the lead U.S. agency to the CBD negotiations. The Department of Commerce (including NOAA/F), 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 Agency 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 three years (1994-1996) the COP met annually, and will probably meet every two years starting in 1998. 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. During the first three years the SBSTTA has met annually.

The CBD is far reaching and the COP has the capacity to set up standing or ad hoc committees to deal with specific issues. At its first meeting in November 1994, the COP set up an open-ended ad hoc working group consider the need for and modalities of a protocol on biosafety. At its second meeting, the COP directed the Secretariat to convene a 15 member ad hoc Panel of Experts to advise on a three-year program of work on marine and coastal biodiversity.

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.o Programs:o

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 Contracting 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:

- o 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).o
- o To identify and monitor the components of biodiversity and activities which have or might have significant adverse impacts (Art. 7).o
- o 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).o
- o To adopt measures for the ex-situ conservation of components of biological diversity (Art. 9).o
- o 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). o
- o To adopt economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity (Art. 11)o
- o 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).o
- o To promote programs for public education and awareness (Art. 13).o
- o To require environmental impact assessments that address impacts on biodiversity and to minimize such impacts.c (Art. 14).o
- o 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,c and the commercial utilization of genetic resources with contracting Parties providing such resources (Art. 15).c
- o 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.c 16).
- o 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).o
- o 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).o

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).

Recent Activities

Marine and Coastal Biodiversity: In September 1995, the first meeting of the Convention's Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) focussed on aspects of marine and coastal biodiversity. SBSTTA's recommendations formed the basis of the "Jakarta Mandate on Marine and Coastal Biodiversity" adopted at COP-2 in November 1995. The Jakarta Mandate identified five priority areas for action, and directed the CBD Secretariat to set up a 15 person ad hoc Panel of Experts to advise the CBD Secretariat and SBSTTA on priorities for implementing the Mandate.

The five priority areas are:

- (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 in a sustainable manner. 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 is the beginning of a three-year process to identify priorities and actions for the Parties in the five thematic areas. The Secretariat will report on the results of the Experts' Meeting to the SBSTTA in September, at which time the United States and other governments will have an opportunity to provide more direct input and ensure a productive process.

Biosafety: The Parties to the CBD agreed to the need for a protocol and have established an open-ended ad hoc working group to develop a protocol that focuses on the transboundary movement of living modified organisms (LMOs) - i.e., organisms that have been genetically modified through modern biotechnology that pose potential threats to the conservation and sustainable use of biodiversity. The U.S. wants to ensure that the protocol development process is scientifically based and does not unduly affect trade in beneficial biotechnology products. The second negotiating session will be in Montreal, May 12-16, 1997. Controversial points are likely to center around the scope of the protocol and whether an advance informed agreement (AIA) regime applies to all LMOs or just a subset determined to pose undue risks to the conservation and sustainable use of biodiversity. The outcome of the negotiations is being closely watched by U.S. biotechnology firms, and may have implications for mariculture research and operations.

Third session of the Conference of Parties (COP- 3): COP-3 met in Buenos Aires, Argentina from 4-15 November 1996. Major outcomes included a renewed emphasis on biodiversity of importance to agriculture; a limited work program on forest biodiversity; regularization of relations between the GEF and the CBD; application by the Executive Secretary for observer status to the WTO Committee on Trade and the Environment; and an intersessional process on the traditional knowledge and practices of indigenous and local communities relevant for the conservation and sustainable use of biological diversity. COP-3 as in previous CBD meetings had an overambitious agenda burdened with numerous highly contentious issues. This meant that no issue received the necessary attention to really begin an effective dialogue on steps needed to address the problems. Only the issue of agricultural biodiversity approached being dealt with at all substantively. Nevertheless, there were signs that the Convention realized the need to focus its work program and to look beyond traditional north-south disagreements.

Staff Contacts

NMFS/NOAA:

Dr. Thomas Hourigan, F/PR
Biodiversity Team
Room 13313
1315 East-West Highway
Silver Spring, MD 20910
Phone: (301) 713-2319
Tom.Hourigan@noaa.gov

Department of State:

Dr. Peter Thomas
OES/ETC
Department of State
Washington, D.C. 20520
Phone: (202) 736-7113
pthomas@state.gov

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Basis 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, Argentina, Antigua and Barbuda, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei, Darussalem, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, People's Republic of China, Colombia, Comoros, Congo, Democratic Republic of Congo, 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, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran, Israel, Italy, Jamaica, Japan, Jordan, Kampuchea, Kenya, Korea, Republic of Latvia, Liberia, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, 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, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Secretariat Headquarters

CITES Secretariat
15, chemin des Anémones
Case postale 456
CH-1219 Châtelaine
Geneve, Switzerland

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 narwhal, 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 United 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)

- Gray - lost 47-61-8
- Okhotsk Sea minke - lost 45-65-7
- Southern hemisphere minke - lost 53-59-4
- North Atlantic minke - lost 57-51-6
- Bryde's whales - withdrawn by proponent

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

- initial vote in Committee I - lost 53-39-18
- 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".

Staff Contacts

U.S. Fish and Wildlife Service:

Ken Stansell
Office of Management Authority
4401 N. Fairfax Drive
Arlington, VA 22203
Telephone: 703-358-2095
Fax: 703-358-2280

Dr. Susan Lieberman (Acting)
Office of Scientific Authority
4401 N. Fairfax Drive
Arlington, VA 22203
Telephone: 703-358-1708
Fax: 703-358-2276

**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, 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
The Red House
Station Road, Histon
Cambridge, CB4 4NP, United Kingdom
Secretary: Dr. R. Gambell
Phone: 011-44-1223-233-971

Budget

The Commission approved a budget of 1,064,980 pounds sterling (approximately \$1,610,000) for 1995-96. The U.S. contribution amounts to 46,865 pounds sterling (approximately \$73,000).

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
La Jolla, CA 92038-0271

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 DOS, 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.

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, 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.

At the 1994 Annual Meeting, the IWC established a sanctuary in most of the waters south of 40° S. latitude. At the same time, the Commission accepted the work of the Scientific Committee to date on the Revised Management Procedure, and noted additional steps required to complete the Revised Management Scheme, including developing

an effective inspection and observation scheme. The United States received IWC approval for Alaska Eskimos to land an average of 51 bowhead whales per year for 4 years for aboriginal subsistence whaling.

The United States will strive to improve the efficiency of the bowhead hunt by aiming at 75 percent efficiency in 1995 (with a maximum of 68 strikes), 76 percent in 1996 (67 strikes maximum), 77 percent in 1997 (66 strikes maximum) and 78 percent in 1998 (65 strikes maximum). In 1995, the IWC called upon Norway to halt all commercial whaling activities under its jurisdiction immediately and to withdraw its objection to the moratorium on commercial whaling. It passed a resolution calling for countries to improve mechanisms to prevent illegal trade in whale meat, and it called for contracting governments to refrain from issuing special permits for lethal research whaling in the Southern Ocean Whale Sanctuary. The United States informed the Commission that its Makah Indian Tribe had expressed an interest in resuming a hunt for gray whales, and that the United States might make a formal request to the IWC in 1996 for such a quota.

The IWC continues to maintain the moratorium on commercial whaling. However, in 1993, Norway (which lodged a timely objection to the 1982 moratorium decision, and therefore is not bound by that decision) authorized a quota of 160 minke whales from the northeast Atlantic. This action did not have the approval of the IWC. In 1994, Norway continued this practice and unilaterally authorized a take of 206 minke whales from the same stock, and 215 were taken in 1995.

Japan is engaged in lethal research on minke whales in the Southern Ocean Sanctuary, where up to 440 animals are taken each year, and in the North Pacific, where up to 100 animals are taken each year. Although the IWC has concluded that these programs are contrary to its conservation goals, scientific whaling is allowed under the Convention.

Russia, Denmark (for Greenland), and St. Vincent and the Grenadines (for Bequia) have quotas from the IWC for aboriginal subsistence whaling, as does the United States.

Staff Contacts

NOAA Fisheries:

Angela Somma, F/PRX1
Office of Protected Resources
1315 East-West Highway
Silver Spring, MD 20910
Phone: (301) 713-2319

Department of State:

Erica Keen
OES/OA, Room 5801
Department of State
Washington, D.C. 20520-7818
Phone: (202) 647-3262

4. Issues requiring resolution

5. Work to improve the effectiveness of administrative arrangements

6. Other business

7. Closing remarks

PART II. BILATERAL CONSULTATIVE ARRANGEMENTS

Approved by the Government of Canada and the Government of the Province of Ontario on 11/11/1977

Approved by the Government of the Province of Ontario and the Government of Canada on 11/11/1977

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**U.S.-CANADA
AGREEMENT 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

Canada and the United States.

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 Fifth Annual Implementation Meeting under the Agreement was held in Vancouver, British Columbia on September 16-17, 1997

The Agenda included the following topics:

1. Opening statements
2. Review of 1996 enforcement actions
3. Review of case prosecutions under the Agreement

4. Issues requiring resolution

5. Ways to improve the effectiveness of enforcement operations

6. Other business

7. Closing statements

The Parties agreed to meet next year to continue to review and increase cooperation under the Agreement.

Staff Contacts

NOAA Fisheries:

Steven C. Springer, F/EN
8484 Georgia Avenue, Suite 415
Silver Spring, MD 20910
Phone: (301) 427-2010

Department of State:

Stetson Tinkham
Room 5806, OES/OMC
Department of State
Washington, D.C. 20520-7818
Phone: (202) 647-1948
Fax: (202) 736-7350

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 (NMFS) and the predecessor agency to the Mexican Secretaría de Medio 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 NMFS and SEMARNAP to formalize two aspects of the fisheries relationship: 1) research (MEXUS-Gulf and MEXUS-Pacífico) and 2) information exchange. The research MOUs have proven highly effective, but NMFS 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 NMFS 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 and the shrimp management and enforcement meetings held during 1997.

Representation

The annual Fishery Cooperation Talks (FCTs) are coordinated by NMFS and SEMARNAP's Subsecretaría de Pesca (PESCA). Both agencies often invite other agencies to participate in the meetings. NMFS has invited representatives from other NOAA agencies, the Food and Drug Administration, Interior (Fish and Wildlife), Coast Guard, and 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.e Mission/Purpose:e

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.e Programs:e

NMFS and SEMARNAP normally meet twice annually, alternating meetings between the United States and Mexico. The parties 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-Pacifico) 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 has matured during the 1990s; recent meetings have included discussions on management, enforcement, recreational fisheries, quality control, 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.e Conservation and Management Measures:e

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 NMFS suggestions that we initiate information exchanges and share management experienced 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.e Major Results of the 1997 Meetinge

The 17th meeting of the United States-Mexico Fishery Cooperation Talks (FCTs) was held in Huatulco, Mexico from September 3-5, 1997. The two delegations were headed by the Mexican Under-Secretary for Fisheries and the NOAA Assistant Administrator for Fisheries. Discussions explored cooperative efforts in six major areas: (1) sea turtles, (2) tuna/dolphin, (3) research, (4) administrative/management, (5) aquaculture, and (6) multilateral fora. Significant progress was noted on the tuna/dolphin issue. NMFS briefed PESCA on new U.S. tuna/dolphin legislation and the research program envisioned by that legislation. Mexican cooperation in the research program is critical. Subsequent armed boardings of NOAA research vessels by the Mexican Navy threaten to impair the research program. United States and Mexican officials are attempting to resolve this problem so the research program covering the Eastern Tropical Pacific (ETP), including areas of the Mexican EEZ, can be initiated in 1998. NMFS and PESCA at the Huatulco meeting also discussed closer cooperation at the International Commission for the Conservation of Atlantic Tunas (ICCAT). The discussions on shrimp management held after the 1996 and 1997 meetings were also reviewed in some detail. NMFS and PROFEPA, another SEMARNAP unit, reviewed the extensive exchanges underway on enforcement. Details on the follow-up actions flowing from the discussions are available from F/ST3.

E. Future Meetings:

NMFS invited SEMARNAP to the United States for the 1998 FCT session. No specific dates have been set, but the FCTs will probably be held during October or November. NMFS is looking into the possibility of holding the meeting at the Hubbs Sea World complex near San Diego.

Staff Contacts

NMFS: Dennis Weidner, F/ST3
NMFS/NOAA
1315 East-West Hwy.
Silver Spring, MD 20910
Tel: (301) 713-2286
FAX: (301) 713-2313
E-mail: Dennis.Weidner@noaa.gov

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 (NMFS) and the Chilean Servicio Nacional de Pesca (SERNAP) 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 NMFS 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 NMFS and SERNAP. Both agencies often invite other agencies to participate in the meetings. NMFS has invited representatives from other NOAA agencies, the Food and Drug Administration, Coast Guard, and the State Department. SERNAP routinely invites other units of the Ministerio de Economía (the Subsecretaría de Pesca and the Instituto de Fomento Pesquero) as well as industry representatives. SERNAP has also invited representatives of the Marina (Navy) and Ministerio de Relaciones Exteriores 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 (FCTs) 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 frank exchange of views and information.

B. Programs:

NMFS and SERNAP have agreed to arrange annual meetings during the first few years of the cooperation. 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, quality control, 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. NMFS 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 the NMFS and Chilean fishery agencies to exchange ideas and experiences of use in formulating domestic policies as well as to further work on species of mutual interest.

D. Major Results of the 1997 Meeting:

The 3rd full session of the FCTs was held in Seattle Washington at the NMFS Northwest Regional Office, July 24-25, 1997. The delegations were headed by the NOAA Assistant Administrator for Fisheries and the Chilean Subsecretaría de Pesca. The Seattle discussions explored cooperative efforts in nine major areas: 1) enforcement, 2) management, 3) aquaculture 4) environment, 5) research, 6) information exchange, 7) memoranda of understanding. The two delegations agreed to several exchanges involving management, enforcement, research, and recreational fishing. How to proceed on a possible research initiative on the Humboldt Current Large Marine Ecosystem (LME) was discussed. Environmental issues including sea turtles and El Niño were discussed including possible avenues of cooperation. Research cooperation and the ongoing information exchange were reviewed in detail. Details on the follow-up to these discussions are available from F/ST3.

E. Future Meetings:

SERNAP invited NMFS to Chile for the 1997 session. No dates were specified, but it will probably be about July. SERNAP expressed the possibility of holding the meeting in the Talcahuano area, the center of Chile's massive fishmeal industry.

Staff Contacts

NMFS: Dennis Weidner (F/ST3)
NMFS/NOAA
1315 East-West Hwy.
Silver Spring, MD 20910
Tel: (301) 713-2286
FAX: (301) 713-2313
E-mail: Dennis.Weidner@noaa.gov

**U.S.-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 Ms. 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 January 22-23, 1997, to conduct the Fifth Meeting of the U.S.-Japan Consultative Committee on Fisheries. The U.S. delegation was led by Ms. Mary Beth West, Deputy Assistant Secretary for Oceans and Space, Department of State, and Mr. Masahiro Ishikawa, 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 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 and exchanged views on whaling, sea turtles, sharks, fisheries bycatch and a number of other issues of mutual concern.

The two delegations reaffirmed the value of maintaining and further strengthening the long-standing cooperation between the United States and Japan on these and other fisheries issues. They agreed to hold the sixth meeting of the

Committee in the United States at a time in 1998 to be mutually decided.

Staff Contacts

National Marine Fisheries Service, NOAA:

Paul E. Niemeier
Office of Sustainable Fisheries, F/SF4
1315 East-West Highway, Room 14230
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313
E-mail: paul.niemeier@noaa.gov

Department of State:

H. Stetson Tinkham
Office of Marine Conservation
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

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.

Background

The inaugural meeting of the ICC was held in Washington, D.C., February 6-10, 1989. Since that meeting, initiatives leading to two new multilateral international conventions designed to address major fisheries conservation problems in the North Pacific and associated seas have emerged from the ICC process. The Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean brought the end to the last legal high seas salmon fishery in the world, a major objective of the United States. It also included in one regime all of the major salmon-producing countries of the Pacific rim. The earliest coordination over and drafting of the Convention for the Conservation and Management of the Living Marine Resources of the Central Bering Sea also took place in the ICC. The latter Convention, which entered into force on December 8, 1995, is in the process of establishing a management regime to govern commercial fishing in the Central Bering Sea when the pollock resource found there can sustain renewed fishing.

In addition to setting the stage for the negotiation of these two conventions, the two sides also signed an agreement in September 1992 governing the harvest of salmonids within their respective exclusive economic zones (EEZs). Among other things, this agreement restricts fisheries for Pacific salmon to within 25 nautical miles of the U.S. and Russian coasts between 170 degrees East longitude and 143 degrees 53 minutes and 36 seconds West longitude, north of 50 degrees North latitude.

Current Status

Representatives of the United States and Russia met at the headquarters of Dalryba in Vladivostok, Russia, on October 22-24, 1997, for the Ninth Meeting of the ICC. They consulted on a range of fisheries matters of mutual concern. The U.S. delegation was led by the Deputy Assistant Secretary of State for Oceans and Space, Ms. Mary Beth West, and the Russian delegation was led by Mr. Mikhail V. Dementyev, Chief of the Department of Fisheries, Ministry of Agriculture and Food of the Russian Federation. Four major issues were discussed at the ICC meeting:

1. Recent increase in the number of fishing vessel incursions into the U.S. zone in the Bering Sea: The U.S. side expressed its concern over the large number of fishing vessel incursions (seven Russian and six third-Party vessels) into the U.S. EEZ this summer by vessels operating from the Russian zone.

The Russian delegation responded that after receiving information on the incursions from the United States, Russia set up a 2-mile "buffer zone" at the maritime boundary and dispatched fisheries enforcement vessels to patrol the "buffer zone." In addition, the administrations of the ports in the Russian Far East are taking measures to ensure that fishing vessel captains have been familiarized with the "buffer zone" and maritime boundary location prior to their departure for the fishing grounds.

2. Difficulty in obtaining clearance for mutually agreed scientific research cruises: This year, for the second time in as many years, a request by the United States for a research cruise permit for the NOAA research vessel MILLER FREEMAN to conduct cooperative pollock fisheries stock assessment work in the Russian EEZ during the summer was denied by the Russian Government, specifically the Russian Defense Ministry.

To avoid this kind of problem in the future, the Russian side proposed that TINRO's research vessel, the PROFESSOR KAGANOVSKIY, meet the MILLER FREEMAN within 15 miles on either side of the U.S.-Russia maritime boundary, calibrate hydroacoustic survey equipment and exchange scientists, and then each vessel would conduct the survey cruise in its own zone. Data on the cruises would be exchanged later. The U.S. side said that although it appreciated Russia's proposal, it would be disappointed if the proposal represented more than a short term solution to the problem. The U.S. side expressed its hope that a way can be found to allow access by U.S. research vessels to the Russian zone.

3. Information about salmon fishing within the Russian zone: Prior to the meeting, the United States requested that

the Russian side provide salmon catch data for the Russian zone.

The U.S. delegation explained in detail that this request was related to the severe, unexplained sockeye salmon run failure in western Alaska and that the United States was seeking the cooperation of Russian scientists and fishery managers to determine the cause of this failure and to predict future failures. Under the two countries' 1992 bilateral salmon fishing agreement, both sides agreed to close specific areas to salmon fishing, exchange information regarding the numbers of research and scouting vessels operating under respective national research programs and the amount of their catch, and to establish a joint scientific program on anadromous stocks that would exchange information on salmonid stocks and fisheries. Only one meeting of the joint program occurred, in 1993.

The Russian side responded that Russia, too, experienced failures of sockeye salmon runs in 1997, leading to a difficult economic situation for Russian salmon fishers. The Russian delegation said that Russian salmon scientists and managers are seeking the same answers as their U.S. counterparts.

The range of salmon questions submitted by the United States proved too broad for the two sides to adequately address at the ICC meeting. They agreed to hold a bilateral meeting in spring 1998 to address salmon issues and exchange data, as allowed under the 1992 agreement.

4.e Transfer of fishing effort from the Sea of Okhotsk to the Bering Sea: The United States expressed its concern about the transfer of foreign fishing effort from the Sea of Okhotsk to the Navarin Basin after Russia prohibited all commercial fishing in the central Sea of Okhotsk in 1995. The U.S. delegation asked to be provided with the identification of the amount and character of that transferred effort. The Russian side responded that there has been no transfer of effort. The Russians said that foreign fishing vessels operating in the Russian zone of the Bering Sea are granted quotas based on the TAC determined by Russian scientists for the Western Bering Sea.

The Russians disclosed that in 1997 they concluded bilateral agreements with the Republic of Korea, the People's Republic of China, and Poland, which allocated catch allocations in the Russian zone of the Sea of Okhotsk totaling 114,000 metric tons. This quota is part of the overall total allowable catch (TAC) established by Russia for the entire Sea of Okhotsk.

Other Issues: In addition to the four issues summarized above, the two countries exchanged views on implementing the UN Straddling Fish Stocks and Highly Migratory Fish Stocks Agreement, discussed strategies for the Second Annual Conference of the Parties to the Central Bering Sea Convention (the "Donut Hole" Convention), and exchanged information on the status of pollock stocks in the Sea of Okhotsk and the Bering Sea.

The Tenth Meeting of the ICC will be held in the United States in fall 1998, the exact time and place yet to be decided.

Staff Contacts

National Marine Fisheries Service, NOAA:

Department of State

Paul E. Niemeier
Office of Sustainable Fisheries, F/SF4
1315 East-West Highway
Silver Spring, MD 20910
Phone: (301) 713-2276
Fax: (301) 713-2313
E-mail: paul.niemeier@noaa.gov

H. Stetson Tinkham
Office of Marine Conservation
Department of State
Washington, D.C. 20520-7818
Phone: (202) 647-3941
Fax: (202) 736-7350

**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

PICES Secretariat
Institute of Ocean Sciences
P.O. Box 6000
Sidney, British Columbia, Canada V8L 4B2
Executive Secretary: Dr. W. Doug McKone
Phone: (250) 363-6366
Fax: (250) 363-6827

Internet: pices@ios.bc.ca

Chair of Governing Council: Dr. William Doubleday
DFO Canada
Phone: (613) 990-0271

Vice Chair: Dr. Hyung-Tack Huh
Director
Korea Ocean Research and Development Institute

Budget

The 1998 budget is CDN\$ 521,000, with an annual contribution from each Party of CDN\$ 84,800, the same level of contributions as in 1997. The United States will be assessed, on a one-time basis, up to 115 percent of the normal contribution level, in order to fund extraordinary expenses of hosting the Annual Meeting in 1998.

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

Federal Government Representative:

Dr. James Balsiger, Director
Alaska Fisheries Science Center
NOAA, National Marine Fisheries Service
7600 Sand Point Way, NE
Seattle, Washington 98115-0700
Phone: (206) 526-4000
Fax: (206) 526-4004

Academic Representative:

Dr. Vera Alexander, Dean
School of Fisheries and Ocean Sciences
University of Alaska
245 O'Neill Bldg.,
Fairbanks, Alaska 99775-7220
Phone: (907) 474-6824
Fax: (907) 474-7204
Internet: vera@ims.alaska.edu

D. Working Groups

Currently active PICES Working Groups are:

- WG8- Practical Assessment Methodology
- WG10-Circulation and Ventilation in the Japan Sea (East Sea)
- WG11-Consumption of Marine Resources by Marine Birds and Mammals
- WG12-Crabs and Shrimps

New Working Groups established at PICES VI:

- WG13-Carbon Dioxide in the North Pacific
- WG14-Effective sampling of micronekton to estimate ecosystem carrying capacity

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 degrees 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:

PICES held its sixth annual meeting October 14-26, 1997, in Pusan, Republic of Korea. Among the major outcomes of this meeting was the reelection of the vice chair, Dr. Hyung-Tack Huh (Republic of Korea). The process for selecting the next Executive Secretary was approved and it was agreed that the position would be advertised as soon as possible via appropriate mechanisms in each country. Applications are due by June 1, 1998, and final candidates will be interviewed at the next Annual Meeting in October 1998. In order to ensure continuity at the PICES Secretariat, it was agreed to grant the current Assistant Executive Secretary, Dr. A. Bychkov, a one-year extension (until May 1999) to his current contract.

Intersessional meetings of note include the CCCC-IP MODEL (Conceptual/ Theoretical and Modeling Studies) Task Team workshop from March 4-6, 1998, in Tiburon, California to compare lower trophic level physiological process models. The Physical Oceanography and Climate Committee plans to hold the second Okhotsk Sea Workshop in Nemuro, Japan during November 1998.

The Marine Environmental Quality Committee's Jiaozhou Bay Workshop is now scheduled for the Spring of 1998. PICES will request approval from the appropriate authorities in China (Ministry of Agriculture and the State Oceanic Administration) for the Chinese Academy of Sciences to host the workshop at the Institute of Oceanology in Qingdao. If approval is not received from China by January 31, 1998, MEQ will accept an offer by the Republic of Korea to host the workshop. The Fisheries Committee's Working Group 12 (Crabs and Shrimps) plans to hold an inter-sessional meeting on the western side of the Pacific with the location to be determined.

The Council accepted the invitation of the United States to host the Sixth Annual Meeting in Fairbanks, Alaska, from October 13-25, 1998. Scientific sessions to be convened at the seventh meeting include: 1) Controlling Factors for Lower Trophic Levels, 2) Carbon Dioxide in the North Pacific, 3) Decadal Variability of the North Pacific Climate, 4) Science and Technology for Environmentally Sustainable Mariculture, 5) Contaminants in High Trophic Level Biota, 6) Climate Change and Carrying Capacity of the North Pacific: Recent Findings of GLOBEC/GLOBEC-like programs in North Pacific.

Staff Contacts

NOAA Fisheries:

Mark Wildman, F/ST3
1315 East-West Highway
Silver Spring, Maryland 20910
Phone: (301) 713-2286
Fax: (301) 713-2313
Internet: Mark.Wildman@noaa.gov

Department of State:

Dorothy Bergamaschi
OES/OA, Room 5801
Washington, D.C. 20520-7818
Phone: 202-647-0240
Fax: 202-647-1106
Internet: dbergama@state.gov

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

B. Organizational Structure

CAFF operates through a system of Departmental Agencies and Federal Agencies... The National Department and Permanent Parties... administration of CAFF work and to prepare CAFF reports to meeting... CAFF work is carried out through a system of Lead agencies... Whenever possible, CAFF work is coordinated with other agencies...

C. Recent Activities

The United States Department of State... The Department of State... The Department of State... The Department of State... The Department of State...

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 of the Arctic Environmental Protection Strategy (AEPS), adopted through a Ministerial Declaration at Rovianemi, Finland in 1991. The AEPS will be replaced beginning with an inaugural meeting in September 1998 by the Arctic Council, created by the Declaration on the Establishment of the Arctic Council, signed September 19, 1996 in Ottawa, Canada.

Implementing Legislation

None

Member Nations

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

Organization Headquarters

The CAFF International Secretariat is located at Hafnarstraeti 97, 600 Akureyri, Iceland.

Executive Secretary: Snorri Baldursson
Phone: 354 462 3350 Fax: 354 462 3390

Budget

The Secretariat is supported by voluntary contributions from the AEPS Member countries. The United States voluntarily contributed \$12,000 for 1997.

U.S. Representation

A. Appointment Process

The United States Department of State has designated the U.S. Fish and Wildlife Service as the lead federal agency for CAFF.

B. U.S. Delegates and Scientific Advisers

U.S. delegates and scientific advisors are provided to CAFF by the Department of State, U.S. Fish and Wildlife Service, the Bureau of Land Management, the National Oceanic and Atmospheric Administration/National Marine Fisheries Service, Alaska Department of Fish and Game, and non-governmental organizations (Arctic Network, Alaska Nanuuk Commission, National Audubon Society, Circumpolar Conservation Union).

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.

C. Working Groups

CAFF presently has a Circumpolar Seabird Working Group and an Analytical Working Group.

Description

A. Mission/Purpose:

CAFF's main goals are to:

- conserve Arctic Flora and fauns, their diversity and their habitats
- protect the Arctic ecosystem from threats
- improve conservation and management, laws, regulations and practices for the Arctic
- integrate Arctic interests into global conservation fora

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:

The majority of CAFF's Work Plan activities are directed at species and habitat conservation and at integrating indigenous peoples and their knowledge into CAFF. Some examples are: work on rare, vulnerable and endangered plants and animals of the Arctic; developing circumpolar conservation strategies for certain species; work on Arctic vegetation; analyzing and making recommendations on threats to Arctic species and their habitat; an Arctic strategy on biodiversity; an indigenous peoples mapping project.

CAFF's immediate priority is to develop a long term Action Plan based on the Cooperative Strategy for the Conservation of Arctic Biodiversity, taking into account priority and financial considerations and work done in other fora. CAFF's additional work in the near-term will be to continue the implementation and further development of the "Circumpolar Protected Areas Network Strategy and Action Plan"; assist countries with the implementation of the "International Murre Conservation Strategy and Action Plan" and the new "International Eider Conservation Strategy and Action Plan" as needed; and finish other ongoing projects as feasible and appropriate. CAFF has also been asked to evaluate options for monitoring Arctic biodiversity from a circumpolar perspective, *inter alia*, as a part of a more comprehensive Monitoring Network; and to outline ideas and proposals regarding the sustainable use and management of Arctic renewable resources.

Staff Contacts

NOAA Fisheries:

Robin Tuttle, F/ST3
1335 East-West Highway
Room 14212
Silver Spring, Maryland 20910
Phone: 301-713-2282
Fax: 301-713-2313

U.S. Fish and Wildlife Service:

Janet Hohn
Assistant Regional Director for
Ecological Services
1011 East Tudor road
Anchorage, Alaska 99503
Phone: 907-786-3544
Fax: 907-786-3640

Department of State:

Robert Sensenay
Office of Ocean Affairs/OES
Room 5801
Department of State
Washington, D.C. 20520
Phone: 202-647-3262
Fax: 202-647-9099

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 1997, a total of 157 countries were participants in the GEF: Afghanistan, Albania, Algeria, Antigua & Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Cook Islands, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, The Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kiribati, Korea (D.P.R.), Korea (Rep.), Lao (P.D.R.), Latvia, Lebanon, Lesotho, Libya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Moldova, Mongolia, Morocco, Mozambique, Myanmar, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Niue, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Saint Lucia, St. Vincent & Grenadines, Samoa, Senegal, Sierra Leone, Singapore, Slovak Republic, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Rep., Tanzania, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Venezuela, Vietnam, Yemen, Zambia, Zimbabwe.

Secretariat Headquarters

**The GEF Secretariat
1818 H Street, NW
Washington D.C. 20433
Tel: (202) 473-8324
Fax: (202) 522-3240 or 522-3245
<http://www.worldbank.org/html/gef/>**

GEF Chief Executive Officer: Mohamed El-Ashrey

Budget

In 1994, donors including the United States, pledged U.S. \$2 billion to the first replenishment of the restructured GEF (GEF-1; 1995-1998). The U.S. pledged the largest amount, \$430 million (FY1994-FY1998), but has already fallen \$240 million in arrears. 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.

U.S. Representation

The Department of the Treasury has the lead for the U.S. government. Deputy Assistant Secretary of the Treasury, William Schuerch, represents the U.S. 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.

B. Organizational Structure:

The GEF is governed by a 32 member GEF Council representing constituencies of over 150 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 U.S. has one of the seats on the Council. A universal GEF Assembly meets approximately every three years.

GEF projects and programs are managed through three implementing agencies: the World Bank, the United Nations Development Program (UNDP), and the United Nations Environment Program (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 three-year pilot-phase Facility in 1991. During the Pilot Phase, the U.S. 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, 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.

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 for 217 projects totaling over \$1.3 billion. The majority of these projects are in the climate change and biodiversity focal areas. 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 projects of interest to NMFS may be funded under either the biodiversity focal area or the international waters focal area. 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 MDB assistance mechanisms. NOAA has only begun to utilize the many opportunities for collaboration and leverage that the GEF provides.

Recent Activities

In October 1996, the GEF unveiled draft operational programs for biodiversity, climate change, and international waters. Coastal, marine, and freshwater ecosystems represent one of four programs in the biodiversity focal area. The objective of the program is the conservation and sustainable use of biological resources in these ecosystems.

The three operational programs under the International Waters focal area are: (1) addressing pollution in shared water bodies, including large marine ecosystems; (2) integrated land and water management with impacts on other GEF focal areas; and (3) overcoming barriers to the adoption of best practices to limit contamination of international waters - including persistent organic pollutants and ship-related contaminants.

The last Council Meeting (October 1996) continued a trend toward improved quality of projects, increased coordination among GEF entities, and overall improved management. The U.S. has been a major force in achieving these reforms and improvements. Despite this improved performance, U.S. funding arrears and uncertainties over future U.S. funding for the GEF may threaten the institution's viability. GEF replenishment negotiations begin in 1997.

Staff Contacts

NOAA/NMFS:

Dr. Thomas Hourigan, F/PR
Biodiversity Team
Room 13313
1315 East-West Highway
Silver Spring, MD 20910
Phone: (301) 713-2319

NOAA/I:

Susan Ware
Office of International
Affairs
14th & Constitution Ave.
Washington, D.C. 20230
Phone: (202) 482-6196

Department of the Treasury:

Truman Semens
Office of Multilateral Development Banks
Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220
Phone: (202) 622-1229

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.

Commission Headquarters

International Council for the Exploration of the Sea:

Palaegade 2-4 DK-1261

Copenhagen K, Denmark

General Secretary: Professor Chris Hopkins

Telephone: (45)33 15 42 25/33 15 70 92 (General Secretary)

Telefax: (45) 33 934215

E-mail: chris@ices.dk

Budget

The 1997 budget was 20,411,278 DKK (approximately \$3,129,049.). The United States contribution was 825,000 DKK (approximately \$126,473).

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:

There were two ICES Delegates to the 25 September - 3 October, 1997, Annual Science Conference, 85th Statutory Meeting, in Baltimore, Maryland, U.S.A..

Dr. Michael R. Reeve
Section Head
Ocean Science Research
National Science Foundation
4201 Wilson Boulevard, Suite 725
Arlington, VA 22230
Phone: (703) 306-1587 or 1582
E-mail: mreeve@nsf.gov

Dr. Michael P. Sissenwine
Science and Research Director
Northeast Fisheries Science Center
NMFS/NOAA
166 Water Street
Woods Hole, MA 02543-1026
Phone: (508-495-2233)
E-mail: michael.sissenwine@noaa.gov

C. Committees and Working Groups:

U.S. representation in ICES has no formal (legislated) advisory structure. Durig 1997/1998, the United States has members on all nine Committees and sixty-five Working/Study Groups, with chairs on five 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; the United States is a party to all of these conventions. ICES also advises the North-East Atlantic Fisheries Commission 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.

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.

Recent Activities

The 1997 Annual Science Conference (ASC), 85th Statutory Meeting, of ICES took place in Baltimore, Maryland, U.S.A. Nearly 600 persons from more than 30 countries attended the Conference. The United States was represented by a delegation of more than 200 scientists. This was only the second ICES ASC held in the United States (the first was held in Woods Hole, MA in 1981), and the first time where sign interpretation for the hearing impaired was available at the General Assembly.

The Baltimore Mayor, Kurt L. Schmoke, welcomed participants at the General Assembly where Under Secretary for Ocean and Atmosphere, D. James Baker, presented the keynote speech on the U.S. vision of responsible marine resource management. The open lecture titled "Algal Blooms - the Good, the Bad, and the Ugly" was given by Dr. Katherine Richardson of Denmark. A response to the open lecture was presented by Dr. Sandra Shumway of the U.S.A.

At the scientific sessions of this conference, there were more than 350 presentations, including 55 posters and several video and P.C. presentations.

The first significant restructuring of ICES in 20 years was implemented during the 1997 ASC. The restructuring was aimed at improving the quality of the annual science conference, increasing integration of scientific activity, increasing flexibility for future change, and reducing the layering of decision processes. The plan, approved in 1996, (a) reduces the duration of the annual meeting (beginning in 1998) from ten to eight days, (b) clearly separates scientific sessions

from business sessions, (c) provides a new approach to decision making that reduces redundant reviews and increases planning processes, and (d) reduces the number of scientific committees from twelve to seven.

The current 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.

The Council approved the U.S.A proposal to amend the rules of procedure such that any delegate or designee can attend Finance Committee meetings as an observer. In addition, it was agreed to review the rules for other committees with the expectations that all of the rules will be changed to increase transparency

Leadership

U.S. A. scientists chair five working/study groups.

Future Meetings

The 1998 meeting will be in Lisbon, Portugal. Beginning in 1999 in Stockholm, Sweden, and continuing in 2000 in Belgium, in 2001 in Oslo, Norway, and in 2002 in Copenhagen, Denmark, ICES will be celebrating the 100th anniversary of the meetings at these same locations that mark the founding of ICES.

Staff Contacts

NOAA Fisheries:

Helen Mustafa, US/ICES Coordinator
Northeast Fisheries Science Center
NOAA/NMFS
166 Water Street
Woods Hole, MA 02543-1026
Phone: (508) 495-2244
e-mail: helen.mustafa@noaa.gov

Department of State:

Dorothy Bergamaschi
Department of State
OES/OA, Room 5805
Washington, D.C. 20520-7818
Phone: (202) 647-0239
e-mail: dbergama@state.gov

PART IV. OTHER INTERNATIONAL ARRANGEMENTS OF INTEREST

WESTERN CENTRAL ATLANTIC FISHERY COMMISSION (WECAF)

WECAF is the FAO regional fishery body for the Caribbean region. Its main functions are to facilitate coordination of research; to encourage education and training; to assist Member Governments in establishing rational policies 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 Party on Statistics, and a Working Party on Assessment of Marine Fishery Resources.

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.

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

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, if at some time in the future, it is decided to create a multilateral regime for the conservation and rational utilization of these species in the region.

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.

**SOUTH PACIFIC ALBACORE TUNA RESEARCH GROUP
(SPAR)**

SPAR is a forum to review existing albacore fisheries in the South Pacific; identify types and availability of albacore fishery statistics; review research and research findings on albacore; identify and assign priorities for future albacore research; and provide for coordination of research on albacore in the South Pacific. SPAR meets every other year and will next meet in 1998.

**ASIA-PACIFIC FISHERY COMMISSION
(APFIC)**

APFIC was organized in 1948 as the Indo-Pacific Fishery 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; Working Party of Experts on Inland Fisheries; a Working Party on Aquaculture; and a Committee on Marine Fisheries. In 1996, it held a Symposium on the Environmental Aspects of Responsible Fisheries.

**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,

**INTERNATIONAL OCEANOGRAPHIC COMMISSION
(IOC)**

The United States is supporting the Ocean Science in Relation to Living Resources (OSLR) program, which includes funding for the GLOBEC and SPACC, Large Marine Ecosystems (LMEs), HAB, and biodiversity. The GLOBEC Science Plan is about to be finalized and a GLOBEC open science meeting will be held in 1997 or 1998.

**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.

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, technology development and transfer. The objective of the 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 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. NMFS is in the process of developing a U.S. LMR GOOS Plan.

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 was broadly peer-reviewed and subjected to full governmental reviews. Working Group I deals with the science of climate change itself. 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 Working Group II reports. NMFS (ST2) has had significant roles in Working Group II, including a recent designation as Co-Convening Lead Author for the Polar Regions report.

BILATERAL ARRANGEMENTS FOR OR INCLUDING FISHERIES SCIENCE AND TECHNOLOGY ISSUES

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.- 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 Institut 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.

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.

U.S.- KOREA SCIENCE AND TECHNOLOGY AGREEMENT

The U.S.- Korea Science and Technology Agreement was concluded in 1988, renewed in 1992, and will be considered for renewal in 1997. Two meetings of the Joint Committee on Scientific and Technological Cooperation have taken place since 1993 and a third meeting is scheduled to take place in 1997. NMFS involvement with this S&T has thus far been minimal, though NMFS was active in the June 1996 U.S.- Korea Forum on Ocean Science and Technology.

PART V. APPENDICES

GOVERNING INTERNATIONAL FISHERY AGREEMENTS (GIFAs)

Pursuant to the Magnuson Fishery Conservation and Management Act (Magnuson 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 Act, the following list is of active agreements that are currently in force or in the process of transition. Status as of January 1, 1978.

Country	Expiration Date
Finland	6-30-95 In Force
Latvia	12-31-97 In Execution
Lithuania	12-31-95 In Force
People's Republic of China	7-01-86 In Execution
Poland	12-31-97 In Execution
U.S.S.R. Annual Fisheries Resource Agreement	12-31-98 In Force

APPENDIX A

GOVERNING INTERNATIONAL FISHERY AGREEMENTS (GIFAs)

Pursuant to the Magnuson Fishery Conservation and Management Act (Magnuson 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 Act, the following list is of active agreements that are currently in force or in the process of extension. Status as of January 1, 1998.

<u>Country</u>	<u>Expiration Date</u>	<u>Status</u>
Estonia	6-30-98	In Force
Latvia	12-31-97	In Extension
Lithuania	12-31-98	In Force
People's Republic of China	7-01-96	In Extension
Poland	12-31-97	In Extension
U.S./Russia Mutual Fisheries Relations Agreement	12-31-98	In Force

APPENDIX B

**NATIONAL MARINE FISHERIES SERVICE
INTERNATIONAL FISHERIES DIVISION
SCHEDULE OF MEETINGS AND EVENTS
JANUARY 1 - DECEMBER 31, 1998**

<u>DATES</u>	<u>ACTIVITY</u>	<u>LOCATION</u>
1/26-29	International Pacific Halibut Commission (IPHC) Annual Meeting	Anchorage, AK
2/9-13	Pacific Salmon Commission (PSC) Annual Meeting	Vancouver, Canada
2/23-24	U.S.-Japan Consultative Committee on Fisheries	Washington, DC
3/4-6	Northwest Atlantic Fisheries Organization (NAFO) Intersessional Meeting on NAFO Allocations and Chartering	Brussels, Belgium
3/6-7	Maine Fisheries Forum	Rockport, ME
3/10*	International Commission for the Conservation of Atlantic Tunas (ICCAT) Advisory Committee Bluefin Tuna Rebuilding Workshop	Charlotte, N.C.
3/25-27	Food and Agriculture Organization (FAO) Technical Working Group on Seabird Bycatch in Longline Fisheries	Tokyo, Japan
4/27-29	ICCAT Advisory Committee Species Working Group Meetings	Washington, D.C., area
4/15-18	FAO Technical Working Group on Managing Fishing Capacity	La Jolla, CA

4/22-24	NAFO Working Group on Dispute Settlement	Dartmouth, Canada
4/23-27	FAO Technical Working Group on Shark Management	Tokyo, Japan
5/12-14	NAFO STACTIC Working Group on the Precautionary Approach	Copenhagen, Denmark
5/18-22	Meeting to Create a Southeast Atlantic Fisheries Organization	Capetown, South Africa
5/27-29	NAFO Working Group on Transparency	Washington, DC
6/8-12	North Atlantic Salmon Conservation Organization (NASCO) Annual Meeting	Edinburgh, Scotland
6/8-12	Asia Pacific Economic Cooperation Forum Fisheries Working Group	Taipei, Taiwan
6/?*	2nd Interim Scientific Committee Meeting for Tuna and Tuna-Like Species in the North Pacific	Honolulu, HI
6/22-26	Third Multilateral High-Level Conference on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific	Tokyo, Japan
9/14-18	NAFO Annual Meeting	Lisbon, Portugal
9/?*	ICCAT AC Regional Meetings	Charleston, SC (2 days) St. Croix, USVI (2 days) Panama City, FL (2 days)
10/?*	ICCAT AC Regional Meetings	Montauk, NJ (2 days) Gloucester, MA (2 days) Ocean City, MD (2 days)
10/?*	US/Canada/Japan Trilateral (ICCAT)	La Jolla, CA (tentative)

10/29-31*	ICCAT Advisory Committee Fall Meeting	Washington, DC, area
10/?*	FAO Consultation	Rome, Italy
11/1-6	North Pacific Anadromous Fish Commission Annual Meeting	Russia
10 or 11*	3rd Annual Conference of the Parties to the Bering Sea Donut Convention	Japan
11/16-24	ICCAT Annual Meeting	Santiago de Compostela, Spain
12/1-3	PSC Executive Session	Vancouver, Canada
12/2-3	IPHC Interim Meeting	Seattle, WA