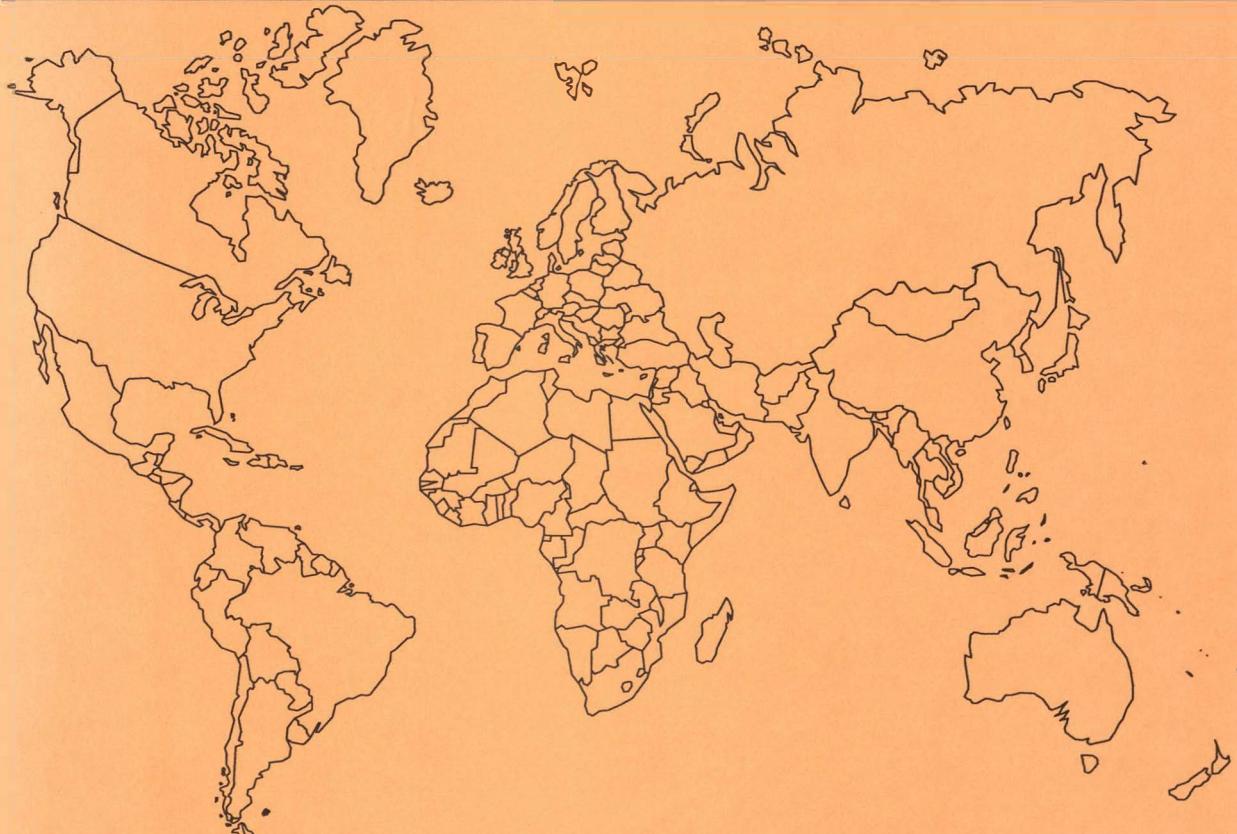


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**INTERNATIONAL AGREEMENTS CONCERNING  
LIVING MARINE RESOURCES OF  
INTEREST TO NOAA FISHERIES**

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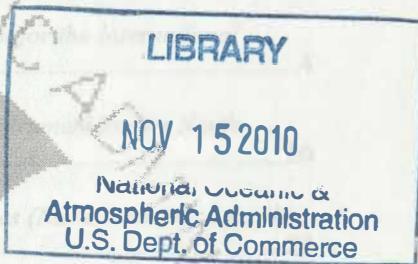
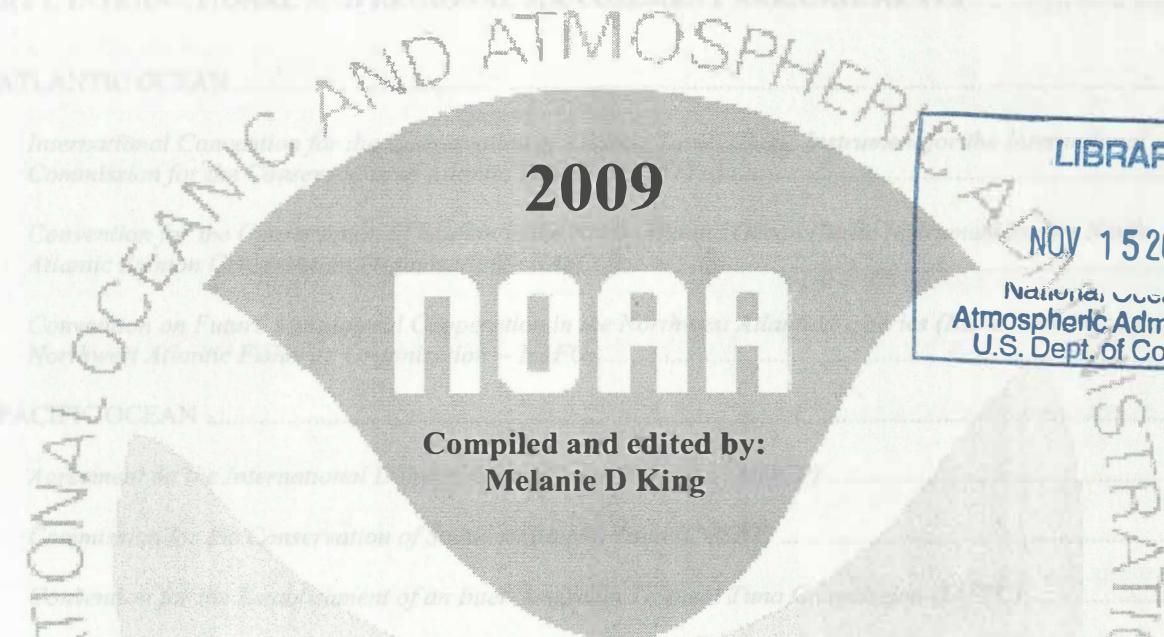


**OFFICE OF INTERNATIONAL AFFAIRS**

**2009**

INTERNATIONAL AGREEMENTS  
CONCERNING LIVING MARINE RESOURCES  
OF INTEREST TO NOAA FISHERIES

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

<b>PART I. INTERNATIONAL AND REGIONAL MANAGEMENT ARRANGEMENTS .....</b>	<b>1</b>
<b>ATLANTIC OCEAN .....</b>	<b>3</b>
<i>International Convention for the Conservation of Atlantic Tunas (Basic Instrument for the International Commission for the Conservation of Atlantic Tunas – ICCAT) .....</i>	<i>4</i>
<i>Convention for the Conservation of Salmon in the North Atlantic Ocean (Basic Instrument for the North Atlantic Salmon Conservation Organization – NASCO) .....</i>	<i>20</i>
<i>Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (Basic Instrument for the Northwest Atlantic Fisheries Organization -- NAFO) .....</i>	<i>29</i>
<b>PACIFIC OCEAN .....</b>	<b>39</b>
<i>Agreement on the International Dolphin Conservation Program (AIDCP) .....</i>	<i>40</i>
<i>Commission for the Conservation of Southern Bluefin Tuna (CCSBT) .....</i>	<i>44</i>
<i>Convention for the Establishment of an Inter-American Tropical Tuna Commission (IATTC) .....</i>	<i>46</i>
<i>Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Basic Instrument for the International Pacific Halibut Commission -- IPHC) .....</i>	<i>51</i>
<i>Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean (Basic Instrument for the North Pacific Anadromous Fish Commission – NPAFC) .....</i>	<i>57</i>
<i>Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon (Basic Instrument for the Pacific Salmon Commission – PSC) .....</i>	<i>62</i>
<i>Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea .....</i>	<i>67</i>
<i>Treaty Between the Government of the United States of America and the Government of Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges .....</i>	<i>70</i>
<i>Agreement Between the Government of the United States of America and the Government of Canada on Pacific Hake/Whiting .....</i>	<i>72</i>
<i>Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America (South Pacific Tuna Treaty -- SPTT) .....</i>	<i>73</i>
<i>Western and Central Pacific Fisheries Convention (WCPFC) .....</i>	<i>75</i>
<b>SOUTHERN OCEAN .....</b>	<b>81</b>
<i>Convention for the Conservation of Antarctic Marine Living Resources (Basic Instrument for the Commission for the Conservation of Antarctic Marine Living Resources – CCAMLR) .....</i>	<i>82</i>
<i>Convention for the Conservation of Antarctic Seals (CCAS) .....</i>	<i>86</i>

WESTERN HEMISPHERE .....	89
<i>Inter-American Convention (IAC) for the Protection and Conservation of Sea Turtles .....</i>	90
GREAT LAKES .....	93
<i>Convention on Great Lakes Fisheries Between the United States and Canada (Basic Instrument for the Great Lakes Fishery Commission – GLFC) .....</i>	94
GLOBAL .....	99
<i>Agreement on the Conservation of Albatrosses and Petrels (ACAP).....</i>	100
<i>Convention on Biological Diversity (CBD).....</i>	102
<i>Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) .....</i>	106
<i>International Whaling Commission (IWC).....</i>	110
<b>PART II: BILATERAL CONSULTATIVE ARRANGEMENTS .....</b>	<b>113</b>
NORTH AMERICA .....	115
<i>Informal Fisheries Consultations Between the Government of the United States of America and the Government of Canada .....</i>	116
<i>Agreement Between the Government of the United States of America and the Government of Canada on Fisheries Enforcement .....</i>	117
<i>United States-Mexico Fisheries Cooperation Program .....</i>	119
SOUTH AMERICA .....	121
<i>United States-Chile Fisheries Cooperation Program .....</i>	122
ASIA .....	125
<i>United States-Japan Consultative Committee on Fisheries .....</i>	126
<i>United States-People's Republic of China Bilateral Fisheries Consultations .....</i>	127
<i>Memorandum of Understanding Between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States.....</i>	129
EUROPE .....	131
<i>Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Mutual Fisheries Relations (Basic Instrument for the U.S.-Russia Intergovernmental Consultative Committee – ICC).....</i>	132
<i>Memorandum of Understanding on Cooperation on Fisheries Issues Between the National Oceanic and Atmospheric Administration of the United States of America and the Ministry of Fisheries and Coastal Affairs of Norway.....</i>	135

<i>United States-European Union High Level Fisheries Consultation</i> .....	137
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### **PART III: SCIENTIFIC ORGANIZATIONS AND COUNCILS .....**139

<b>PACIFIC OCEAN .....</b>	141
<i>North Pacific Marine Science Organization (PICES)</i> .....	142
<b>ARCTIC OCEAN .....</b>	149
<i>Program for the Conservation of Arctic Flora and Fauna (CAFF)</i> .....	150
<b>ATLANTIC OCEAN .....</b>	155
<i>International Council for the Exploration of the Sea (ICES)</i> .....	156
<b>GLOBAL .....</b>	161
<i>Global Environment Facility (GEF)</i> .....	162
<i>International Polar Year (IPY)</i> .....	165
<i>International Symposium on Deep Sea Corals</i> .....	166
<i>ICES Symposium on Issues Confronting the Deep Oceans: The Economic, Scientific, and Governance Challenges and Opportunities of Working in the Deep Sea</i> .....	166
<i>Joint FAO/WHO International Codex Alimentarius Food Standards Program</i> .....	167

### **PART IV: OTHER INTERNATIONAL ARRANGEMENTS OF INTEREST .....**171

<i>Asia Pacific Economic Cooperation (APEC)</i> .....	172
<i>Asia-Pacific Fishery Commission (APFIC)</i> .....	173
<i>Association of Official Analytical Chemists (AOAC) International</i> .....	174
<i>Commission for Environmental Cooperation (CEC)</i> .....	174
<i>Canada/Mexico/US Trilateral Committee for Wildlife and Ecosystem Conservation and Management</i> .....	175
<i>Commission for Sustainable Development (CSD)</i> .....	175
<i>Convention on the Conservation and Management of Fishery Resources in the Southeast Atlantic Ocean (SEAFO)</i> .....	176
<i>Coral Disease and Health Consortium (CDHC)</i> .....	177
<i>Fishery Committee for the Eastern Central Atlantic (CECAF)</i> .....	178
<i>Food and Agriculture Organization of the United Nations (FAO) Committee on Fisheries (COFI)</i> .....	179
<i>Free Trade Agreements (FTAs)</i> .....	181

<i>Global Ocean Ecosystem Dynamics (GLOBEC)</i> .....	182
<i>Global Ocean Observing System (GOOS)</i> .....	182
<i>Gulf of Maine Council on the Marine Environment (GOMC)</i> .....	183
<i>Indian Ocean Tuna Commission (IOTC)</i> .....	185
<i>Intergovernmental Panel on Climate Change (IPCC)</i> .....	186
<i>Intergovernmental Oceanographic Commission (IOC)</i> .....	188
<i>IOC Sub-Commission for the Caribbean and Adjacent Regions (IOCARIIBE)</i> .....	188
<i>International Queen Conch Conference</i> .....	189
<i>Large Marine Ecosystems (LMEs)</i> .....	190
<i>Memorandum of Understanding on the Conservation and Management of Marine Turtles and Their Habitats Of the Indian Ocean and South-East Asia (IOSEA) (concluded under the auspices of the Convention on Migratory Species)</i> .....	191
<i>National Standards Foundation (NSF) International</i> .....	191
<i>NOAA Fisheries / Norwegian Institute of Marine Research Scientific Cooperation</i> .....	192
<i>A Joint Project Agreement (JPA) between NOAA and the Ministry of Food, Agriculture, Forestry and Fisheries (MIAFF) of the Republic of Korea for Integrated Coastal and Ocean Resources Management</i> ...194	194
<i>International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean (ISC)</i> .....	195
<i>Office International des Epizooties (OIE)</i> .....	196
<i>Organization for Economic Cooperation and Development (OECD)</i> .....	196
<i>Protocol for Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention)</i> .....	197
<i>Secretariat of the Pacific Regional Environment Programme (SPREP)</i> .....	198
<i>United Nations (UN) Atlas of the Oceans Agreement</i> .....	199
<i>United Nations General Assembly (UNGA)</i> .....	200
<i>U.S.-Canada International Joint Commission (IJC)</i> .....	201
<i>U.S.-China Marine and Fisheries Science and Technology Protocol</i> .....	202
<i>U.S.-France Cooperative Program</i> .....	204
<i>U.S.-Republic of Ireland Cooperation</i> .....	205
<i>U.S.-Morocco Cooperation</i> .....	206

<i>U.S.-South Africa Cooperative Program</i> .....	207
<i>U.S.-Vietnam Fisheries Cooperation Program</i> .....	207
<i>Western Central Atlantic Fishery Commission (WECAFC)</i> .....	209
<i>World Health Organization (WHO) of the United Nations</i> .....	210
<i>World Trade Organization (WTO)</i> .....	211
<b>PART V. APPENDICES</b> .....	213
<i>APPENDIX I: Governing International Fishery Agreements (GIFAs) Between the United States and Foreign Entities</i> .....	214
<i>APPENDIX II: List of Selected Acronyms</i> .....	215



ATLANTIC OCEAN

## PART I. INTERNATIONAL AND REGIONAL MANAGEMENT ARRANGEMENTS

ПАРТ I  
МЕЖДУНАРОДНЫЕ И РЕГИОНАЛЬНЫЕ  
УПРАВЛЕНИЯ

## ATLANTIC OCEAN

**International Convention for the Conservation of Atlantic Tunas (Basic Instrument for the International Commission for the Conservation of Atlantic Tunas – ICCAT)****Basic Instrument**

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

**Implementing Legislation**

Atlantic Tunas Convention Act (ATCA) of 1975 (16 U.S.C. 971 et. seq.).

**Member Nations**

There are currently 48 Contracting Parties: Albania, Algeria, Angola, Barbados, Belize, Brazil, Canada, Cape Verde, China (People's Republic), Côte d'Ivoire, Croatia, Egypt, Equatorial Guinea, European Community (EC), France (in respect of St. Pierre et Miquelon), Gabon, Ghana, Guatemala, Guinea (Republic of), Honduras, Iceland, Japan, Korea (Republic of), Libya, Mauritania, Mexico, Morocco, Namibia, Nicaragua, Nigeria, Norway, Panama, Philippines, Russian Federation, Sao Tome and Principe, St. Vincent and the Grenadines, Senegal, Sierra Leone, South Africa (Republic of), Syria, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (in respect of its overseas territories), United States, Uruguay, Vanuatu, and Venezuela.

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

**Commission Headquarters**

International Commission for the Conservation of Atlantic Tunas  
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Fax: (011) 34-91-415-2612  
Web address: <http://www.iccat.int/>  
General e-mail requests: [info@iccat.int](mailto:info@iccat.int)

**Budget**

The Commission's Standing Committee on Finance and Administration (STACFAD) meets annually to approve a budget. STACFAD reported in 2008 that ICCAT's financial situation was strong and that the Working Capital Fund was far above that recommended by auditors. The Commission agreed to include Arabic interpretation at future annual Commission meetings using the Working Capital Fund.

The agreed budget for calendar year 2009 was 2,714,755.90 Euros. The U.S. contribution was 169,924.16 Euros. The United States has also periodically provided extra-budgetary funds to ICCAT to support various initiatives, such as ICCAT's voluntary data fund and the hiring of a Bycatch Coordinator at the Secretariat, which is slated to become part of the budget by 2010-11

### **U.S. Representation**

#### **A. Appointment Process:**

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

#### **B. U.S. Commissioners:**

##### **Government**

Rebecca J. Lent, Ph.D. (Alternate)  
Director, Office of International Affairs  
NOAA Fisheries  
1315 East-West Highway  
Silver Spring, MD 20910

##### **Recreational**

Raymond Bogan (Alternate)  
526 Bay Avenue  
Pt. Pleasant Beach, NJ 08742

##### **Commercial**

Randi Parks Thomas (Alternate)  
National Fisheries Institute  
7918 Jones Branch Drive  
Suite 700  
McLean, VA 22102

#### **C. Advisory Structure:**

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

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

The ATCA also provides that the Commissioners may establish species working groups for the purpose of providing advice and recommendations to the Commissioners and to the Advisory Committee on matters relating to the conservation and management of any highly migratory species covered by the Convention. Any species working group shall consist of no more than seven members of the Advisory Committee and no more than four scientific or technical personnel. The Commissioners have established the following four working groups: billfish, swordfish

and sharks, bluefin tuna, and BAYS (bigeye, albacore, yellowfin, and skipjack) tunas. The Commissioners generally appoint the maximum number of technical advisors provided by law.

The Chairman of the Advisory Committee is Dr. John Graves, The College of William and Mary, Virginia Institute of Marine Science, School of Marine Science, Gloucester Point, VA 23062. The Committee's Executive Secretary is Kim Blankenbeker (see addresses below). The Committee meets at least twice a year, usually in Silver Spring, Maryland, and occasionally holds additional meetings along the East Coast, Gulf of Mexico and Caribbean Sea. The Committee's Statement of Operating Practices and Procedures is available from its Executive Secretary.

### **Description**

#### **A. Mission/Purpose:**

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

#### **B. Organizational Structure:**

The ICCAT is comprised of a (1) commission, (2) council, (3) executive secretary, and (4) subject area panels. The Commission consists of not more than three delegates from each Contracting Party. The Council is an elected body within the Commission consisting of a chairman, vice-chairman, and representatives of not less than four nor 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. Panel 1 covers tropical tunas (bigeye, yellowfin, and skipjack). Panel 2 covers North Atlantic temperate tunas (northern bluefin and albacore). Panel 3 covers South Atlantic temperate tunas (southern bluefin and albacore). Finally, Panel 4 covers other species, including swordfish, billfishes, and sharks. Standing Committees on Research and Statistics (SCRS), Finance and Administration (STACFAD), and Compliance have been established by the Commission. ICCAT also has constituted a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), which met for the first time in 1993. Much of the focus of the PWG is directed toward gaining the cooperation of ICCAT non-members with the conservation and management measures of the Commission.

#### **C. Programs:**

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

Recommendations adopted by the Commission are submitted to governments for acceptance. These recommendations become effective for all Parties to the Convention six months after their formal submission to all Parties (unless otherwise stated) provided objections are not made during that period by concerned Contracting Governments. Each Contracting Party has the responsibility for implementing and enforcing the Commission's recommended conservation and management measures.

#### Panel 1 - Bigeye, Yellowfin and Skipjack Tunas

*Small fish measures.* 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. These standards remained unchanged until 2004 when it was decided the minimum size for bigeye tuna was no longer required. The minimum size for yellowfin tuna was later repealed as well. Adherence to the minimum size for bigeye and yellowfin tunas had been poor.

Bigeye tuna conservation was a priority at the 2004 ICCAT meeting and discussions were time-consuming and lengthy. Ultimately, a four year (2005-08) proposal was adopted that contained several important elements including a capacity limitation for China, Chinese Taipei, and the Philippines, catch limits for the major harvesters, and payback schedules for China and Chinese Taipei who had overharvested their quota in previous years. The proposal did not establish catch or effort limits on minor harvesters and this issue has been of significant debate in recent years. The recommendation also significantly changed the Gulf of Guinea time and area closure originally adopted in 1999 and amended over the years. The new measure reduced the size of the closed area, and the temporal coverage was reduced from three months to one month. Also, instead of banning fishing on FADs, the measure established a complete moratorium in the area by the surface fishery (bait boats and purse seines). The measure does not expressly require that FADs be removed from the closed area during the moratorium month although it was agreed in plenary discussions that this was the intention. In addition, the parties agreed that there would be no carry-forward of bigeye tuna underharvests.

The 2007 SCRS assessment of bigeye tuna and the 2008 assessments of yellowfin and skipjack tuna stocks indicated that these stocks were in good condition. The management measures in effect for bigeye tuna since 2004 were rolled over through 2009. The high proportion of juvenile bigeye and yellowfin catches by some surface fleets and the consequent impacts on yields has remained a serious concern of some Panel members for several years. In light of these concerns, a proposal to expand the time/area closure in the Gulf of Guinea was tabled but not adopted. Instead, the SCRS was tasked with reviewing the this matter for a third time with a view to establishing a new, more effective closure in 2010. The SCRS will also evaluate existing port sampling programs and make appropriate recommendations to improve fishery data for bigeye, yellowfin, and skipjack tunas for implementation by 2010..

#### Panel 2 - North Atlantic Bluefin Tuna and Albacore:

*Western 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, and Japan). Brazil and Cuba, whose catches were less than 50 mt annually, were exempt from these early regulations. The Commission continued in following years to review periodically and adjust catch quotas as deemed appropriate. Other measures were also adopted, such as limiting small fish catches; prohibiting directed bluefin fisheries in spawning areas such as the Gulf of Mexico; addressing the problem of overages; and encouraging tag and release of fish less than 30 kg.

Given the continued overfished status of western Atlantic bluefin tuna, ICCAT adopted at its 1998 meeting a rebuilding program for the western stock with the goal of reaching MSY in 20 years. This represents the first time that ICCAT articulated a rebuilding goal to guide its management actions and fashioned a plan for achieving that goal. The annual total allowable catch (TAC) established under the program was 2,500 mt, inclusive of dead discards. The rebuilding program provided flexibility to alter the TAC, the MSY target, and/or the rebuilding period based upon subsequent scientific advice.

The TAC has been adjusted periodically since 1998. In 2006, the Commission adopted a U.S. proposal to lower the TAC to 2100 mt, in line with scientific advice to stop overfishing. In addition, the tolerance for recreational catches of bluefin tuna weighing less than 30 kg (the current minimum size in the west) was increased slightly from 8% to 10%.

The SCRS reassessed western Atlantic bluefin tuna in 2008. Based on this new assessment, the Commission revised the western Atlantic bluefin tuna recovery plan at its 2008 annual meeting. The revised plan reduced the TAC from 2,100 mt to 1,900 mt in 2009 and 1,800 mt in 2010. The revised TACs are intended to end overfishing by 2010 with a greater than 75% probability of success and substantially increase the probability of rebuilding the stock by 2019, consistent with the 1998 rebuilding program. As in previous years, the TAC is shared by the United States, Japan, Canada, the United Kingdom (in respect of Bermuda), France (in respect of St. Pierre et Miquelon), and Mexico. Mexico received an allocation of 95 t of bluefin tuna which is inclusive of any bycatch taken in its Gulf of Mexico yellowfin tuna fishery. Mexico will transfer 73 t of its accrued underharvest to Canada in 2009. For 2010, Mexico will transfer accrued underage to Canada such that Canada's initial allocation is 480 t. If Mexico has insufficient underharvest to keep Canada at 480 t in 2010, the United States will provide some underharvest to Canada if available. Canada will limit its 2-year catch for 2009 and 2010 to 970 t. The next review of the rebuilding program will be in 2010.

*Eastern Atlantic Bluefin Tuna:* ICCAT began adopting measures to limit harvests of eastern Atlantic and Mediterranean bluefin tuna, including TACs and country specific quotas, in the mid to late 1990s due to concerns about the status of the stock. The United States has been supportive of strong conservation measures for this stock, in particular given the potential impact of mixing between the eastern and western Atlantic stocks of bluefin tuna. (The eastern stock is twice the size of the western stock and even small amounts of mixing could have a significant impact on western bluefin tuna.) Unfortunately, compliance with agreed eastern Atlantic and Mediterranean catch limits has been poor over the years. For example, the TAC established by ICCAT for this fishery for the years 2003 through 2006 was 32,000 mt per year. Estimates of actual catches for each of these years, however, were 50,000 mt or more.

Lack of effective management action in the past has now led to a more dire situation for the eastern Atlantic and Mediterranean stock. The 2006 stock assessment indicated that this stock has a “high risk of fishery and stock collapse.” Despite the strong recommendation from SCRS that catch levels for this stock should not exceed about 15,000 mt (the level expected to halt overfishing), the proposal adopted by ICCAT did not include an appropriate suite of measures to ensure this. The adopted proposal, championed by the EC, established a 15 year management plan, which was to be reviewed in 2008. It set a 29,500 mt catch level for 2007 with gradual reductions to 25,500 by 2010. Country specific quota allocations were developed at a special intersessional meeting in early 2008 and adopted by mail vote in March 2007. In addition to the high TAC, the proposed time/area closure for the fishery did not cover the peak Mediterranean spawning month of June for the purse seine fleet, and the increase in the minimum size limit to 30 kg contained significant carve outs that allow 8 kg fish to be harvested in Spain's Bay of Biscay fishery and by Croatia to supply their farming operations. The EC proposal also did not require Parties to payback past quota overharvests, and it does allow the carry forward of 50% of under harvests from 2005 and/or 2006.

The proposal did include enhancements to fishery monitoring and control to improve compliance with agreed conservation and management measures. Among other things, these included prohibition of chartering by 2010, enhanced controls on landing in port, real time data collection and reporting to the flag state and the ICCAT Secretariat, enhanced controls on farming activities, including the use of observers, increased observer coverage on bluefin tuna fleets, centralized VMS data reporting to the ICCAT Secretariat, enhanced market controls, and application of ICCAT's existing joint international inspection scheme and a commitment to develop a revised scheme.

Because of concerns by the United States and others that the 2006 recommendation would not address the conservation concern for the stock, there was no consensus on it and, for the first time, ICCAT voted on a proposal. The measure passed at the subcommittee level with the minimum 10 votes in favor. There were 4 votes against and 4 abstentions. The United States, Norway, Canada, and France (in respect of St. Pierre and Miquelon) voted against

the measure. Iceland, Belize, Mexico, and St. Vincent and the Grenadines abstained from the voting, which is equivalent to a no vote given ICCAT's voting rules. The sponsors of the proposal voted in favor. They included the EC, Morocco, Turkey, Algeria, Libya, Croatia, Tunisia, China, Korea, and Japan. At the Commission level, the proposal as adopted by vote in Panel 2 was again discussed and concerns were raised but its adoption was not blocked.

At the 2007 meeting, information indicated that compliance with the 2006 management measures for eastern bluefin tuna was very poor. This has been an ongoing problem since measures were first adopted for this fishery in the mid-1990s. Given this serious lack of control and the poor and rapidly declining status of the stock, the United States proposed a fishery suspension until such time as harvesting countries could demonstrate that they had implemented effective monitoring and control measures. Such action would also allow the rebuilding process to begin. Turkey also put forward a proposal, which was aimed at strengthening the current management plan. Neither the U.S nor Turkish proposals received consensus support. Instead, the Commission adopted a non-binding measure proposed by Japan requesting (1) that parties submit documents by February 2008 detailing how they are implementing ICCAT's 2006 management plan for the eastern fishery and a report at the end of the fishing season on the results of implementation, and (2) that parties involved in the bluefin tuna fishery hold a stakeholder meeting in March 2008 to review fishery rules and market activities and to work out a voluntary action plan to reduce fishing, caging, and imports to ensure catch levels are commensurate with those specified in the 2006 management plan. Suggested edits to the proposal by the United States to strengthen the document, including by requiring submission of implementation plans and linking lack of implementation with a fishery closure, were not accepted. At the adoption of the Japanese proposal, the United States expressed strong concern that the Commission was yet again delaying meaningful action to conserve eastern bluefin tuna. In March 2008, Japan hosted the agreed meeting of stakeholders and managers and a statement was adopted from the meeting that indicated support for following the 2008 scientific advice for the eastern Atlantic bluefin tuna stock.

The SCRS conducted a stock assessment for bluefin tuna in of 2008. Data collection was considerably incomplete, with only data corresponding to 15% of the landings reported in time for the assessment. The quantity and quality of data on farming activities has been particularly poor and raised some doubts by the SCRS. Due to the lack of quality data, the SCRS employed alternative methods for conducting the stock assessment, including the use of trade data and data on fishing capacity, to estimate the level of recent landings.

The SCRS again recommended substantial reductions in fishing mortality, indicating that catches should be reduced to at least 15,000 mt, the purse seine fishery should be closed during spawning season, and fishing mortality of small fish should be reduced. The SCRS further noted that these measures would require perfect implementation and compliance in order to attain the objectives of the 2006 recovery plan.

Negotiations to substantially improve the recovery plan for eastern Atlantic and Mediterranean bluefin tuna fishery dominated the 2008 meeting of the Commission. The measure ultimately adopted reduced the 2009 TAC from 27,500 to 22,000 mt, the 2010 TAC from 25,500 to 19,950 mt, and set the TAC for 2011 at 18,500 mt. While the new TACs represent substantial reductions, they fall short of the scientific advice of 15,000 t. The revised recovery plan also requires the EC to repay 4,020 mt of its previous overharvest during 2009-12 period, which will lower the TAC further for those years--although a portion of this will be offset due to carry forward of 2005 and 2006 quota underharvests by Libya, Morocco, and Tunisia into 2009 and 2010 (674 t total annually). To achieve agreement, 1000 t of EC overharvest from 2007 was forgiven. The recovery plan, including allocations, will be reviewed in 2010.

In addition to TAC levels, the new measure extends the purse seine time and area closure in the Mediterranean by 15 days and strengthens monitoring and control elements in the plan. The measure also freezes fleet capacity and requires fleet reductions to be completed by 2013 to ensure capacity is commensurate with allocated quotas. As a first step, parties must reduce their fleets by 2010 to ensure that at least 25% of the discrepancy between their capacity and their quota limits is addressed. Reporting on these activities is mandatory. In addition, farming capacity has been frozen at July 2008 levels. Regarding monitoring and control improvements, among other things, the new plan improves national observer programs and establishes a regional observer program for large scale purse

seine vessels, bans at-sea transshipment, revises the boarding and inspection regime for the fishery to make it more consistent with current standards, and enhances control and reporting measures for caging transfer activities. Significantly, the measure also requires all parties to establish individual vessel quotas for their fleets.

Also in 2008, the Commission, recognizing the usefulness of biological samples in the understanding of bluefin tuna movement patterns and resolving issues associated with stock origin, spawning site fidelity, and mixing, adopted a resolution encouraging CPCs to consider making a portion of BFT quota available, consistent with domestic obligations, conservation considerations, and a bona fide research plan, to collect otoliths for microconstituent analyses and samples for genetic studies, consistent with the 2008 SCRS bluefin tuna recommendations.

**Trade/Catch Tracking:** In 1992, the Commission adopted the Bluefin Tuna Statistical Document (BSD) program, which requires the use of an ICCAT-accepted reporting system to monitor trade in fresh and frozen bluefin tuna. The BSD requires exporters of bluefin tuna to include documents identifying the location and flag of the vessel catching the fish. This information has been used to address the problem of harvests that are contrary to ICCAT rules, especially by non-member countries. The 2003 trade resolution (later revised in 2006) linked information from the BSD program with compliance. In 2007, ICCAT moved from a BSD to a catch documentation scheme (CDS) for bluefin tuna. This program allows tracking of bluefin tuna product from the point of capture through its final market and it is expected to improve control in the eastern bluefin fishery. The Compliance Committee is tasked with reviewing Contracting Party activities, while the Permanent Working Group (PWG) is tasked with reviewing the activities of non-Contracting Parties under the trade recommendation. Information on the BSD/CDS and the work of the PWG and Compliance Committee can be found later in this chapter.

**Northern Albacore:** At its 1998 meeting, ICCAT adopted a measure to limit fishing capacity in the northern albacore fishery. This action was intended to prevent further increases in fishing mortality given scientific advice at the time which considered that the stock was close to full exploitation. To improve control over the overfished northern albacore fishery, ICCAT agreed at its 2000 meeting to establish first-ever catch limits on that fishery. These catch limits continued until 2003. Despite difficulties with the stock assessment on northern albacore conducted in 2003, the Commission adopted a multi-year recommendation for this stock. The three-year recommendation established a total allowable catch (TAC) of 34,500 metric tons through 2006 and included an allocation arrangement covering ICCAT's major and minor harvesters as well as non-members. The TAC level was not projected to result in rebuilding. In recognition of concerns of stockpiling underharvests, the 2003 measures included a provision limiting carryover resulting from underharvests for a particular party in any given year to 50% of its initial catch quota. In 2006, the Commission agreed to roll over the existing recommendation for northern albacore through 2007.

Management measures for albacore were comprehensively reviewed at the 2007 ICCAT annual meeting in light of the results of the 2007 stock assessment. SCRS concluded that the stock is overfished ( $B/B_{MSY} = 0.81$ ) and that a total catch below 30,000 mt would allow recovery. A recommendation tabled by the EC was adopted that established a TAC for 2008 and 2009 of 30,200 mt (down from 34,500 mt) with major harvesters (including the United States) taking equal quota cuts of 11%. The EC proposal limits carry forward of quota under harvest to 25% of the initial catch quota starting in 2008. Prior to that time, parties were allowed to carry forward up to 50% of the initial catch quota. Northern albacore will be reassessed in 2009 and new management measures will be considered.

#### Panel 3 - South Atlantic Bluefin Tuna and Albacore:

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

**Southern Albacore:** Due to concerns about the status of the resource, ICCAT adopted management measures for southern albacore for the first time at its 1994 meeting. Southern albacore was managed under a multi-year

management measure from 2005-07. That recommendation set the total allowable catch (TAC) of 30,915 mt, the estimated MSY for the time period of the management plan. However, specific catch limits for those “actively” fishing albacore (i.e., South Africa, Brazil, Namibia, and Taiwan) were not established. If parties (in aggregate) exceeded the previously agreed TACs, the overharvest was to be deducted from a future year. Catches, however, were below the established trigger point. There was no provision to carry forward under harvest. The recommendation also requires an intersessional meeting for participants to discuss allocation criteria for this fishery if the TAC is exceeded. As was the case in previous measures for this stock, a small catch limit was set for parties, including the United States, not actively fishing for southern albacore.

In 2007, SCRS reassessed southern albacore and indicated that it was slightly overfished ( $B/B_{MSY} = 0.91$ ). SCRS indicated that a TAC of 29,900 mt would allow rebuilding. The Panel Chair put forward a recommendation that was almost identical to the previous recommendation for the fishery, but set the TAC to 29,900 mt for 2008 through 2011. The majority of the TAC reduction was absorbed by the “active” fishing parties. In addition, some provision was made for the carry over of quota under harvests. The next assessment for this stock will be in 2011 and new management measures will be considered at that time.

#### Panel 4 - Swordfish, Billfish, Sharks, and Other Species:

*North Swordfish Stock:* Concern about the status of North Atlantic swordfish led ICCAT to begin management of this stock around 1990. Initial management actions were not successful in stemming the decline of the resource and a rebuilding program was developed and adopted by ICCAT in 1999. Specifically, ICCAT parties committed to rebuild North Atlantic swordfish to the biomass that will produce MSY within 10 years, with a greater than 50 percent probability. Among other things, the swordfish rebuilding program included TACs and country specific allocations.

The 2006 stock assessment for North Atlantic swordfish indicated that the stock was virtually rebuilt only seven years into the 10 year rebuilding program. In 2006, ICCAT adopted revisions to the rebuilding program setting a TAC of 14,000 mt per year for 2007 and 2008. Given the improved status of the resource, several ICCAT members sought and received increased access to the resource. These increases were possible due to U.S. flexibility in allowing temporary access to existing U.S. under harvests. The recommendations also retained a provision allowing the United States to harvest of up to 200 t of its annual catch limit between 5 degrees North latitude and 5 degrees South latitude and continued the transfer of 25 mt of NSWO to Canada annually. The recommendation includes a clause, moreover, that allows the transfer of up to 15% of a country’s quota from one ICCAT member to another within a given year, and it contained a number of other conservation provisions, including minimum size restrictions. In 2008, the Commission agreed to roll over the northern swordfish management measures through 2009 pending completion of a new stock assessment. New management measures will be considered at the 2009 ICCAT meeting.

*South Atlantic Stock:* The Commission established management measures for South Atlantic swordfish for the first time in 1994. Measures adopted over the years limited countries to catch levels consistent with certain reference years and in later years TACs and country specific allocations were established. The current management measures were adopted in 2006 and cover 2007-09. The adopted measure set the TAC at the scientifically recommended 17,000 mt, but authorized takes of 17,475 in 2007 and 2008 and 17,440 in 2009. Given that some parties have not been catching their full quotas in recent years, however, actual catches in 2007-09 are not expected to exceed the TAC level. Further, to help ensure the TAC will not be exceeded, a provision was included in the recommendation that requires the Commission to adjust catch limits as necessary and appropriate if the annual TAC of 17,000 is exceeded in any given year such that the overall catch for the 2007-09 period does not exceed the total allowable catch for the period (i.e., 51,000 mt). The next assessment will be 2009 and new management measures will be considered at that time.

*Mediterranean Stock:* In 2003, following a new stock assessment, the Commission adopted a recommendation that requires Contracting Parties to take the necessary measures to reduce the mortality of juvenile swordfish in the Mediterranean. The measures also prohibits the use of driftnets for fisheries of large pelagics in the Mediterranean

(for more information on driftnets, see Other Issues section). SCRS reassessed Mediterranean swordfish in 2007 and found that the stock is still overfished with overfishing occurring with high juvenile mortality. The SCRS also modeled the effects of six month, four month, and two month annual closures to reduce the impact on small fish and help rebuild the stock. The last closure option would bring the SSB up to 50%  $B_{MSY}$  in one generation (seven years). An EC proposal with a seasonal closure from October 15 – November 15 was adopted by the Commission in 2007. This measure was not expected to effectively conserve the stock. In 2008, the Commission agreed to extend the time/area closure by 1 month, resulting in a total duration of the closure from October 1 – November 30. This action may still not conserve the stock adequately.

*Billfishes:* At its 1995 meeting, the Commission adopted a resolution focusing on the enhancement of research programs for billfish and calling for voluntary release or tag and release by commercial as well as recreational fishermen. In 1996, the Commission passed a resolution to encourage actions to facilitate the recovery of billfishes, including the use of monofilament leaders and improvement in catch and post-release mortality statistics.

At its 1997 meeting, the Commission adopted the first mandatory conservation measures for Atlantic blue marlin and white marlin. The recommendation required 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 was to be accomplished by the end of 1999. The recommendation further: (1) required Parties to promote the voluntary live release of these species; (2) called 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) called for the submission of base data to the SCRS; (4) called for SCRS stock assessments for these stocks to be presented and reviewed at the 1999 Commission meeting; and (5) exempted small-scale artisanal fisheries from the above requirements. The landings cap achieved by the end of 1999 was subsequently continued through 2000.

At its 2000 meeting, the Commission adopted a two-phase plan to rebuild severely depleted populations of Atlantic blue marlin and white marlin. The marlin rebuilding program has since been amended three times. Phase one of the rebuilding plan requires countries to reduce, through the release of all live marlins taken as bycatch in commercial fisheries, white marlin landings by 67 percent and blue marlin landings by 50 percent from 1996 or 1999 levels, whichever is greater, in recognition of the fact that members who complied with the earlier measures and reduced their marlin landings by 1999 would be penalized more than those who had not reached their reduction targets. The United States agreed to limit annual landings by recreational fishermen to 250 marlin and to maintain regulations that prohibit retention of marlins on U.S. longline vessels. Phase one of the plan also encourages countries to set minimum sizes for marlins taken in recreational fisheries through 2006. In phase two of the program, ICCAT will reassess the status of the billfish stocks and develop specific timetables to rebuild the stocks to levels that will support maximum sustainable yield. At such time, additional landings restrictions or alternative management measures such as fishing gear modifications or time and area closures may be applied. Consistent with SCRS advice, the assessments of blue and white marlin were postponed until 2006.

ICCAT reconsidered management measures for marlins in 2006. Given positive signs regarding the stocks, ICCAT rolled over the primary provisions of the marlin rebuilding program through 2010 and included a number of conservation enhancements developed in response to concerns and recommendations identified in the SCRS report. Enhancements to the previous marlin rebuilding program included: (1) Improved reporting provisions which require submission of data on disposition of released and discarded marlin by area and season; (2) A requirement for the submission of documentation to SCRS on the character and extent of artisanal fisheries by CPCs with these fisheries; (3) A requirement that, beginning in 2007, but no later than 2008, CPCs with artisanal marlin fisheries implement domestic measures to cap the catches of these fisheries at 2006 levels; (4) A requirement that CPCs with artisanal marlin fisheries monitor and report effort (including number of fishing vessels) and catches (landings and discards); (5) A requirement that SCRS to present work plans to achieve Phase 2 at the 2010 Commission meeting. In addition, the recommendation set the next assessment for Atlantic blue and white marlin for 2010.

In 2009, SCRS is conducting a sailfish assessment. Panel 4 will consider the need for management action pending the results of this assessment.

**Sharks:** U.S. leadership resulted in adoption at the 2004 ICCAT meeting of a binding management measure for sharks caught in association with fisheries managed by ICCAT. The decision was taken by consensus and is the first time ICCAT has ever asserted management authority over sharks. The adoption of a shark management measure was a high priority for the United States. To address the issue of shark finning, a major component of the measure is to require full utilization of shark catches. Fishermen must, therefore, retain all parts of the shark except the head, guts, and skins to the point of first landing. Countries are required to ensure that their vessels retain onboard fins that total no more than 5% by weight of sharks onboard up to the first point of landing. Parties that currently do not require fins and carcasses to be offloaded together at the point of first landing must ensure compliance with the ratio through certification, monitoring or other means. The 2004 agreement also (1) establishes requirements for data collection on catches of sharks, (2) calls for research on shark nursery areas, and (3) encourages the release of live sharks, especially juveniles.

In 2007, ICCAT adopted another measure for the conservation of sharks. The adopted measure requires data collection on bycatch and targeted fisheries, measures to reduce fishing mortality on porbeagle and shortfin mako sharks until assessments determine sustainable harvest levels, research on pelagic sharks and consideration of time-area closures, and an assessment of porbeagle sharks as soon as possible but no later than 2009. In 2008, the Commission adopted a proposal calling for ICCAT and ICES to coordinate on the 2009 assessment of porbeagle sharks. This meeting may be followed up by a meeting of concerned RFMO Chairs (presumably NAFO and ICCAT) to consider compatible management measures for the species. The Commission also adopted a measure requiring bigeye thresher taken alive in ICCAT fisheries to be released..

**Sea Turtles and Seabirds:** After more than two years of negotiation, ICCAT took action in 2003 in response to a U.S. proposal regarding sea turtles. The Commission adopted a non-binding resolution that encourages all parties to provide information on interactions with sea turtles in the ICCAT Convention area -- in particular, the bycatch of sea turtles in ICCAT fisheries. Pursuant to this resolution, parties agreed to share all available information on technical measures to reduce the incidental capture of sea turtles in ICCAT fisheries and ensure the safe handling of turtles that are released. ICCAT also resolved to have its scientific body develop standardized data collection and reporting methods to assess the problem of sea turtle bycatch. Furthermore, the United States provided significant information about research that has been conducted in the northern Atlantic regarding methods to reduce the incidental capture and mortality of sea turtles by longline vessels.

At the 2002 Commission meeting, ICCAT adopted a resolution on the incidental mortality of seabirds. The resolution urges parties to inform SCRS and the Commission of the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (NPOA-Seabirds) and to implement such plans, where appropriate. Furthermore, the resolution encourages parties to collect and provide to SCRS all available information on interactions with seabirds, including incidental catches in all fisheries under the purview of ICCAT.

In 2007, ICCAT adopted a binding measure regarding seabird bycatch mitigation measures. The measure requires use of tori lines on vessels fishing south of 20 degrees South, requires line weighting, and specifies that the Commission shall consider adoption of additional measures to mitigate seabird bycatch based on the 2008 SCRS seabird assessment.

#### Permanent Working Group (PWG) :

**Trade Measures.** Up through 2003, much of the work of the PWG was guided by the Bluefin Tuna Action Plan Resolution, the Swordfish Action Plan Resolution, and the Unregulated and Unreported Catches Resolution (UU Catches Resolution), which were adopted to promote cooperation with ICCAT conservation measures. The Resolutions established mechanisms by which multilateral trade measures could be imposed against parties deemed to be diminishing the effectiveness of the ICCAT conservation measures for ICCAT species under certain circumstances. The adoption of the Bluefin Tuna Action Plan in 1994 was the first time such a mechanism had been developed within an international fisheries management organization. The following year, the Swordfish Action Plan was adopted in recognition of the declining status of swordfish stocks in the Atlantic and increasing catches by non-Contracting Parties. In 1998, the UU Catches Resolution was adopted. It had the same basic elements and

procedures as the Action Plans and was intended to help address the problems associated with unreported and unregulated catches of tunas by large-scale longline vessels, partly in recognition of the problems associated with so-called “flag of convenience” vessels. A key difference was the explicit coverage of ICCAT members.

Following several years of work, ICCAT took a decisive step in 2003 to broaden its regime of trade restrictive measures and adopted a comprehensive trade resolution. The trade resolution adopted by ICCAT members applies equally to all fisheries and all parties (both ICCAT members and non-members), establishes a more transparent process for the application of trade restrictive measures, and uses comparable standards for evaluating fishery related activities. In addition, the resolution allows for swift re-imposition of trade sanctions in cases where parties recently released from sanctions act in bad faith and again engage in problem fishing activities. This comprehensive approach, which replaces the separate Action Plans, was intended to bolster ICCAT’s already significant efforts to eliminate IUU fishing in the ICCAT Convention Area. In 2006, ICCAT adopted a revised trade instrument, the Trade Measures Recommendation. Most significantly, the new measure converted the instrument from a non-binding resolution to a binding recommendation. It was also expanded to explicitly cover farming activities.

Each year the Commission undertakes a review of fishery related activities in the Convention Area. This annual review has resulted in the identification of a number of countries, and trade restrictive measures have been applied many times in accordance with the various trade instruments. When problem fishing has been rectified, ICCAT has lifted these sanctions. ICCAT was the first regional fishery management organization to adopt such instruments and to use trade measures to support conservation goals. In 2008, the Commission maintained sanctions against Bolivia and Georgia, maintained identification of Cambodia and Sierra Leone, and removed the identification of Togo. ICCAT has also been scrutinizing the fishing situation of Chinese Taipei. Evidence indicated that Chinese Taipei had been significantly overharvesting its bigeye tuna limits and some of this overharvest had been linked to tuna laundering (tuna taken from the Atlantic but reported as harvests from other oceans. ICCAT adopted very strict measures directed at Chinese Taipei, including reducing its quota, limiting its effort, requiring major improvements to its monitoring and control regime, and taking efforts to reduce capacity to be commensurate with fishing possibilities. Chinese Taipei fully implemented its obligations and in 2007 ICCAT relaxed the special measures it had required of that party.

*Catch and Trade Document Programs:* A bluefin tuna statistical document program (BSD program) was established by the Commission in the early 1990s. Subsequently, statistical document programs were adopted for swordfish and bigeye tuna. These programs have contributed to ICCAT’s review of fishery activities under the trade recommendation and can also assist with catch data verification. The statistical document programs require the use of an ICCAT-accepted reporting system to monitor trade in fresh and frozen bluefin tuna, fresh and frozen swordfish, and frozen bigeye tuna. The purpose of the programs are to improve the reliability of statistical information on catches of these species, particularly in regards to non-Contracting Parties, since some of these nations do not provide catch data to ICCAT. The program tracks trade of product and provides information on the flag state and name of the harvesting vessel, the location of harvest, the point of export, a description of the fish in the shipment and the like. Updates to the statistical document programs have been adopted since the initial program was established. Most recently, the Commission adopted a recommendation changing the documents to include a field for the harvesting vessels ICCAT record number (under ICCAT’s authorized vessel listing program) and, for the bluefin tuna statistical document, the collection of information on the farming operation that the bluefin tuna products came from, where applicable.

In 2007, the bluefin tuna statistical document program was replaced by a catch documentation scheme (CDS). This was a major accomplishment as monitoring of harvests from and data reporting for the eastern Atlantic and Mediterranean bluefin tuna fishery has been very poor. The new CDS will allow tracking of bluefin from the point of capture through its final market. The United States and Canada participate in the program but are exempt from some of its provisions, such as government validation, given that they have bluefin tuna tagging programs (each fish is individually tagged) which collect equivalent information. In addition, ICCAT adopted a US proposal in 2006 to allow for the establishment of pilot electronic catch/trade monitoring programs. The United States implemented the CDS in June 2008.

At its 2008 meeting, the Commission agreed on several changes to the BCD program to clarify ambiguities and improve its functionality for certain ICCAT members. Several changes were also made to the list of BCD form requirements and the sample BCD form attached to the Recommendation. A new, expanded sample form is now attached to the Recommendation. It includes additional space for information and clarifying text that will assist CPCs in identifying the BFT source and destination, especially those that farm or import live tuna, in complying with the BCD requirements.

*Cooperating Parties:* ICCAT continues to encourage certain non-members to become cooperating parties. Granting such status helps ICCAT expand and improve its control over the fisheries under its purview. Non-members with said status agree to voluntarily abide by ICCAT's rules and in return receive certain benefits, such as, qualifying for quota allocations and placing their vessels on the "positive" vessel list (see Compliance Committee section for more information on vessel lists). ICCAT recently clarified the criteria and responsibilities of cooperating parties, and in 2003 adopted a recommendation on criteria for attaining the status of cooperating party. The new measure also outlines the type of information countries need to submit for consideration and allows for the yearly review of those in cooperating status.

Currently, ICCAT has three cooperating non-members. They are Guyana (first granted in 2003), Chinese Taipei (first granted in 1998), and Netherlands Antilles. Regarding the latter, cooperating status was granted in 2004. In 2006, it was revoked due to some concern over non-reporting of catch and fleet information in 2005 and 2006. In 2007, however, the Commission reinstated cooperating status for Netherlands Antilles after receiving clarity with respect to the reporting situation and given the commitment by that country to cooperate with ICCAT's bigeye tuna fishing practices. In 2008, the Commission loosened restrictions on Taiwan's participation in the Commission, particularly with regard to speaking.

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

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

Compliance Committee: At the 1995 meeting, the Commission adopted new terms of reference for its Compliance Committee (then, the Infractions Committee). The new terms strengthened the Committee's ability to evaluate compliance by Contracting Parties by allowing 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 adopted 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 have to repay 100 percent of any over harvests 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 over harvest and, as a last resort, trade restrictive measures. At its 1997 meeting, the Commission agreed to extend the compliance agreement to the South Atlantic swordfish fishery (Brazil, Uruguay, and South

Africa formally objected to the measure, and are, therefore, not bound to the provisions of this measure). Application of these measures was later clarified and a requirement to submit compliance tables to assist evaluation of quota compliance as agreed.

Minimum size compliance relative to all ICCAT species has been an issue for several years. Effective implementation of existing recommendations by many countries fishing in the eastern Atlantic and Mediterranean has not occurred for a variety of reasons. At the 1997 meeting, an agreement was reached that requires Contracting Parties to explain in detail minimum size 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. More recently, ICCAT repealed its minimum size measures for bigeye and yellowfin tuna but minimum size limits are still in effect for bluefin tuna and swordfish.

Full implementation of ICCAT's member compliance regime has been slow. In the past, there have been numerous delays in the submission of reporting tables. Once reported, some members have altered their compliance data one or more times during the ICCAT meeting without explanation. Moreover, while reviewing member compliance, it has become apparent that there are fundamental differences in interpretation of both ICCAT's conservation and management measures as well as its compliance rules. ICCAT has worked to improve the compliance regime but progress remains slow. In recent years, setting a deadline for the submission of compliance data allowed for the earlier completion of the compliance annex during meetings, and facilitated a review of member compliance. In a recent action, ICCAT granted an exception to the terms of the payback scheme to the EC with respect to French over harvests in the eastern bluefin tuna fishery. Specifically, the EC was to payback its over harvest over a three year period beginning in 2009. However, the terms of the payback were revised in the eastern Atlantic and Mediterranean bluefin tuna recovery plan [08-05] adopted in 2008 (see eastern Atlantic bluefin tuna section under Panel 2).

At its 2008 meeting, the Commission focused intensively on improving the operations of the Compliance Committee. The Compliance Committee conducted a review of incidents of non-compliance with ICCAT statistical data requirements, statistical data submission deadlines, and management measures. Each Contracting Party's non-compliance was reviewed on the floor with opportunities for Parties to ask questions, provide information and clarification of the record and arrange to submit missing information or reports. The Committee also reviewed allegations of non-compliance published in various media and by third parties. Compilation of a report card led to substantial discussion of compliance failures and promises of improvements in the future. Given the ongoing implementation difficulties in the eastern bluefin tuna fishery, substantial time was spent discussing compliance in this fishery. The Commission agreed to hold an intersessional meeting of the Committee in March 2009 in Barcelona. In preparation for the intersessional meeting, harvesting, farming, and importing/exporting parties responded to a questionnaire which the Compliance Committee chairman used to determine issues of significant non-compliance. Progress was made at the special Compliance Committee meeting in identifying implementation difficulties on a party by party basis and considering solutions. Panama will receive a letter expressing concern about its compliance status with respect to VMS data reporting by carrier and other vessels. ICCAT will consider the results of the 2009 intersessional at its November 2009 meeting.

In 2008, the Compliance Committee also adopted a measure harmonizing the measurement of vessels authorized to operate in the Convention area and established a process for the review and reporting of compliance information.

**Trade Actions:** As noted above, a number of ICCAT's recommendations provide for the use of trade restrictive measures against ICCAT members. This was done for the first time in 1999, when a recommendation was adopted that required ICCAT members to prohibit the import of bluefin tuna from Equatorial Guinea pursuant to the terms of ICCAT's compliance recommendation regarding bluefin tuna and swordfish quotas. This action was agreed to given the fact that Equatorial Guinea does not have a quota for either stock of bluefin tuna, does not report catch data to the Commission, and had not taken any steps to address concerns expressed by ICCAT in repeated communications. At the 2004 meeting, trade restrictions were lifted for Equatorial Guinea.

In 1999, for the first time, the Commission identified ICCAT members pursuant to its “Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area,” adopted in 1998. (For a description of this resolution, see the PWG section above.) Upon review of relevant information, the Commission identified three Contracting Parties (Equatorial Guinea, Republic of Guinea, and Trinidad and Tobago) as nations whose large-scale longline vessels have been fishing for ICCAT species in a manner that diminishes the effectiveness of relevant ICCAT conservation and management measures. ICCAT requested that these countries take all necessary measures to ensure that their large-scale longline vessels cease fishing operations for tuna and tuna-like species in a manner inconsistent with ICCAT conservation measures. The Commission considered at its 2000 meeting whether or not to recommend that trade restrictive measures be placed against any of these three ICCAT members and adopted a measure that requires its members to ban the import of bigeye tuna from Equatorial Guinea. These sanctions have since been lifted. Fishery related infractions and compliance are now reviewed in accordance with the 2006 trade measure recommendation. (For information on the trade measure resolution and for information on trade actions relative to non-members, see PWG section.)

*Monitoring and Control:* ICCAT has a number of measures in effect relating to monitoring and control. Moreover, ICCAT has held several meetings of its Working Group on Integrated Monitoring and Control Measures, a group established to review ICCAT’s monitor and control measures with a view to strengthen them and fill gaps where necessary. Three recommendations developed by the working group were adopted at the 2003 annual meeting on the following topics: flag state duties, vessel monitoring systems, and basic data collection for fishing vessels authorized to fish for species managed by ICCAT. This working group will meet again in July 2008. In 2004, a new format for annual reports was approved as was an implementation date of 1 November 2005 for the start of vessel monitoring system coverage. In 2005 ICCAT adopted a measure establishing a centralized at sea transshipment observer program. This program, managed by the Secretariat with the help of a contractor, is up and running. It requires that at sea transshipment can only take place if an ICCAT observer is on board the carrier vessel. It is funded by program users. For the eastern bluefin tuna fishery, ICCAT has adopted a centralized VMS program with financing by participating nations. ICCAT is continuing work on improving port state controls and developing a program of at sea boarding and inspection to apply to the entire convention area. To date, an at sea boarding and inspection program is only in place for the eastern bluefin tuna fishery. These and other issues were discussed at the 2008 intersessional meeting of the ICCAT working group on integrated monitoring measures. However, the working group was not able to reach consensus on proposals for at-sea boarding and inspection or port state measures and deferred discussion to the Commission meeting. Little progress was made on these issues by the Commission, however, and additional intersessional work on these matters is anticipated. The working group also discussed the development of an ICCAT observer program, but disagreed on whether the program would be used for scientific data collection or for enforcement purposes. At the 2008 Commission meeting, ICCAT included an observer program in the adopted revisions to the eastern Atlantic and Mediterranean bluefin tuna rebuilding plan. The observer program includes elements of compliance as well as scientific data collection.

*Vessel Lists.* In 2002, ICCAT adopted a proposal to establish a list of authorized vessels. Parties were to have provided their vessel information for inclusion on the positive vessel list by July 1, 2003. The 2002 negative vessel list measure was revised in 2006, in particular to include provisions for the intersessional removal of vessels and to expand the list to members. In 2007 ICCAT adopted a proposal that provides for the incorporation of IUU lists of other tuna RFMOs into the ICCAT list. Based on the negative (IUU) list, ICCAT members and cooperating parties are to take all necessary measures not to support the fishing activities of vessels on the list, including prohibiting imports, landings or transshipments of ICCAT species. Currently, the list only applies to large-scale fishing vessels. The current authorized and IUU vessels lists can be viewed on the ICCAT website at [www.iccat.int](http://www.iccat.int).

In 2008, the PWG considered the harmonization of tuna RFMO IUU vessel lists. Further to a discussion on the need for a definition of vessel fishing tuna to be agreed among the tuna-RFMOs, and acknowledging the work which was currently on-going at FAO, the Commission decided to refer the harmonization of vessel lists to the forthcoming joint tuna-RFMOs meeting due to be held June 29-July 3, 2009, in San Sebastian, Spain.

**Other Issues:**

***Performance Review:*** In a significant action, the Commission agreed to conduct a performance review of the organization in 2008 using as a minimum guide the criteria endorsed through the UNGA. Dr. Glenn Hurry, the Coordinator of the ICCAT Independent Performance Review Committee, presented the report prepared by the Committee and highlighted the following issues: the Convention needs to be modernized, ICCAT would improve with a change of attitude, a penalty regime is required, the bridge science/management should be reinforced and timely and accurate data are essential for the good functioning of ICCAT. Notwithstanding, he also indicated that ICCAT has developed reasonably sound conservation and fisheries management practices, that the SCRS Panel structure is sound and that the Commission's subsidiary bodies provide timely advice to ICCAT. The performance of the Secretariat was also considered sound and well regarded as both efficient and effective by CPCs. The Independent Performance Review Committee also considered that the SCRS carried out good work, but recognized the difficulties they faced in relation to data availability and quality.

The Chair of ICCAT suggested that the recommendations of the report be considered by relevant Panels and Committees during the meeting when adopting new management measures. Despite support of the findings by most CPCs, given time constraints, the Commission did not respond to the results of the review at its 2008 meeting. The first meeting of the Future of ICCAT Working Group will be held in Japan August 31 – September 3, 2009, to consider in more detail the results of the ICCAT performance review report.

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

***Fishing Capacity:*** Overcapacity is a serious problem in many ICCAT managed fisheries as it contributes to poor stock productivity, unsatisfactory economic performance, and excessively contentious management discussions. ICCAT, like other Regional Fishery Management Organizations and most national governments, has experienced problems in its efforts to effectively and efficiently manage fisheries. Overcapacity may be directly responsible for overharvest in these fisheries. At the 2004 ICCAT meeting, problems associated with fish laundering and overcapacity of the Chinese Taipei fleet were of particular concern. In 2006, ICCAT adopted a proposal to establish a working group to consider the capacity issue. It met in 2007 but progress was slow. The working group met again in 2008 and forwarded a recommendation to the Commission to freeze the number and gross registered tonnage of vessels that fished for, transshipped, transported, or landed bluefin tuna in the eastern Atlantic and Mediterranean between January 1, 2007 and July 1, 2008, and called for the rapid implementation of a capacity reduction program for the eastern Atlantic and Mediterranean bluefin tuna fleet. The proposal also called for a limit of the number of traps in the same area to the number authorized by each CPC as of July 1, 2008. Aspects of these recommendations were adopted in a revised rebuilding plan for eastern Atlantic and Mediterranean bluefin tuna at the 2008 Commission meeting.

***Driftnets:*** In 2003, a provision prohibiting the use of driftnets in the Mediterranean Sea for large pelagics was adopted. Morocco was identified as having driftnet fisheries in violation of the recommendation. Currently, they are working toward improving their compliance, but have requested financial assistance in order to accomplish that goal.

***Recreational Working Group:*** ICCAT adopted a measure to establish a working group on sport and recreational fisheries. In 2008, ICCAT agreed to hold an intersessional meeting of the Recreational Working Group prior to the November 2009 meeting of the Commission in Recife, Brazil.

**Elections:** In 2007, ICCAT elected a new slate of Commission officers. The new Commission Chairman for 2008-09 is Fabio Hazin of Brazil. Notably, Chris Rogers of the United States was elected Chair of the Compliance Committee.

The proceedings of ICCAT's annual meetings, including the 2008 meeting, and a complete accounting of all ICCAT conservation and management measures, including those relating to compliance issues, can be found on the ICCAT website ([www.ICCAT.int](http://www.ICCAT.int)).

The 21<sup>st</sup> Regular Meeting of the Commission will be held November 16-22, 2009, in Recife, Brazil. The Compliance Committee will meet beforehand on November 14 and 15, 2009. The plenary meeting of the SCRS is scheduled for October 5 - 9, 2009, in Madrid, Spain.

### **Staff Contacts**

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## **Convention for the Conservation of Salmon in the North Atlantic Ocean (Basic Instrument for the North Atlantic Salmon Conservation Organization – NASCO)**

### **Basic Instrument**

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

### **Implementing Legislation**

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

### **Members**

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

### **Commission Headquarters**

North Atlantic Salmon Conservation Organization  
11 Rutland Square  
Edinburgh, EH1 2AS Scotland  
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### **Budget**

The Convention provides that 30 percent of the Organization's budget will be borne equally by the Parties; 70 percent will be based on recent catches of salmon in intercepting fisheries. NASCO agreed on a 2009 budget of Pounds Sterling 580,303, which represents a reduction of about 4% in real terms over the 2008 budget. The U.S. share was 24,858 Pounds. The forecast budget for 2010 was 598,750 Pounds (U.S. contribution: 25,661 Pounds). The 2009 budget includes continuing investment in the Working Capital and Contractual Obligation funds, which give the organization flexibility to deal with unexpected costs in an expeditious manner. One primary reason for the reduction in the 2009 budget was a decrease in the budget item for communications. In 2008, this item was increased substantially to provide for improving NASCO's and the IASRB's website and to contract professional support to assist with improvement in NASCO's public relations strategy.

### **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. Under certain circumstances, the Department of State is authorized to designate alternate Commissioners pending appointment of a regular Commissioner by the President.

**B. U.S. Commissioners:**

Patricia A. Kurkul (Alternate)  
Director, Northeast Regional Office  
National Marine Fisheries Service  
One Blackburn Drive  
Gloucester, MA 01930-2298

George D. LaPointe (Alternate)  
Commissioner  
Maine Department of Marine Resources  
21 State House Station  
Augusta, ME 04333

Stephen R. Gephard (Alternate)  
State of Connecticut  
Department of Environmental Protection  
Inland Fisheries Division  
P.O. Box 719  
Old Lyme, CT 06371

**C. Advisory Structure:**

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

*Ex officio* members include:

- (1) the Chair (or designee) of the New England Fishery Management Council;
- (2) a representative of the fishery agency of each of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut;
- (3) the Deputy Assistant Secretary of State for Oceans and Space or her representative;
- (4) a representative of the National Oceanic and Atmospheric Administration, Department of Commerce; and
- (5) a representative of the Fish and Wildlife Service, Department of the Interior.

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

**Description****A. Mission/Purpose:**

The Convention applies to the salmon stocks that migrate beyond areas of fisheries jurisdiction of coastal states of the Atlantic Ocean north of 36°EN latitude throughout their migratory range. The purpose of NASCO is to promote (1) the acquisition, analysis, and dissemination of scientific information pertaining to salmon stocks in the North Atlantic Ocean and (2) the conservation, restoration, enhancement, and rational management of salmon stocks in the North Atlantic Ocean through international cooperation.

**B. Organizational Structure:**

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

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

Canada and the United States are members of the NAC. Canada, the EU, the United States, and Denmark (in respect of Greenland), are members of the WGC. In the past, Iceland expressed an interest in joining the WGC but no formal request has been made. Denmark (in respect of the Faroe Islands), the EU, Iceland, Norway, and the Russian Federation are members of the NEAC. In the case of the NAC, the EU may submit and vote on proposals for regulatory measures concerning salmon stocks originating in the territories of its Member States. Canada and the United States each have similar rights in the case of the NEAC.

**C. Programs:**

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

Non-Contracting Party Fishing: 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 due to concerns about fishing for Atlantic salmon by non-Contracting Parties to the NASCO Convention. The protocol was designed to provide non-Contracting Parties with a legal instrument for the creation and enforcement of domestic legislation and regulations. It calls upon non-members to prohibit the fishing of Atlantic salmon stocks beyond the areas of fishing jurisdiction of coastal states and to take appropriate actions to enforce the provisions of the protocol. The NASCO Council also approved a resolution calling upon NASCO Parties to encourage non-Contracting Parties fishing for salmon on the high seas to comply with the protocol, and to obtain and compile information on such fishing. The NASCO Secretariat was given the task of devising a mechanism by which Parties to the NASCO Convention may approach states in which vessels observed to be fishing on the high seas for Atlantic salmon are registered and of documenting and disseminating information on high seas fishing activities contrary to the protocol.

To date, no non-Contracting Parties have become bound by the protocol although certain non-Contracting Parties (i.e., Panama and Poland) have taken actions to address the problem of salmon harvesting vessels registered in their countries. There have been no sightings of non-Contracting Parties fishing for salmon since February 1994. However, there have been few surveillance flights conducted over the winter and spring periods preceding NASCO annual meetings. Past estimates of catch taken by non-member vessels fishing in international waters has been 25-100 metric tons (mt).

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

**Unreported Catch:** The Council has expressed continuing concern over the years about the level of unreported catch and has taken steps to try to reduce it. In 2007, NASCO convened a Special Session at its Annual Meeting to provide an opportunity for exchange by the Parties on: methods used to estimate unreported catches; trends in estimates of unreported catches; the source of unreported catches; and the measures being taken to minimize them. A time series of reporting for estimates of unreported catch (1999 – 2006) was developed and made available to the parties (CNL(07)10). The data identify estimates that range from a low of 534 tons (2006) to a high of 1,445 tons (2000), and represents estimates of unreported catch between 27-38% of the reported confirmed catch. The reason for review and greater scrutiny of information relative to unreported catch is founded on a number of factors. Foremost, the lack of reporting and under-reporting of catch, as well as illegal fishing, threaten salmon conservation. In addition, management measures to restrict legal fisheries in response to declines in salmon stocks can be offset by non-documented fishing mortality, all of which can have adverse resource and socio-economic impacts.

In general, sources of unreported catch include illegal target fishing; by-catch in directed fisheries for other species in riverine, estuarine, and marine environments where it is illegal to retain salmon; and under-reporting in legal recreational and aboriginal fisheries. Unreported catches within the jurisdiction of many Parties may occur in localized fisheries that take place over broad geographic ranges with multiple rivers. All parties agreed that it is difficult to quantify unreported catches given that they result primarily from illegal fishing. Many Parties indicated that where legal salmon fisheries are allowed, surveys by, and local knowledge of, enforcement authorities have been used to quantify unreported catches. Also, local management groups and associations have often been approached to gather information. Additional methods for estimating unreported catch include analyses and comparison of catch statistics over multiple years and analyses of catch per unit of effort from different netting sites or stations. In some cases, catch statistics from local anglers have been compared to catch statistics from foreign anglers which appear to be more accurate.

While it is agreed that the precise size of unreported catch in the jurisdictions of respective Parties is difficult to ascertain, trends in the level of unreported catch and related violations across jurisdictions suggest a decline in the amount of unreported catch. In some jurisdictions declines appear to correspond with increases in successful prosecutions and the severity of penalties imposed. Also, there are instances where sources of unreported catch in some aboriginal fisheries are now included in reported catch due to recent negotiated agreements. In recent years, regulatory measures such as area closures, onboard or at site observers, tagging and documentation of catch, sale, transfer or disposal by fishery proprietors or operators, and logbooks for recreational angling have been implemented. Public outreach, education, and notices likely have also proved to be useful in reducing unreported catch. The Council agreed to revisit the matter of unreported catch in the near future, has encouraged the Parties to maintain and continue efforts to reduce and eliminate unreported catch, and has recommended that Parties include actions related to unreported catch in their Implementation Plans.

**Research Fishing:** At its 1995 Annual Meeting, NASCO first considered conditions under which research fishing by Contracting Parties might be undertaken. While all agreed that harvesting salmon for scientific research purposes could provide valuable management information, some were concerned that such research fishing could be contrary to Article 2 of the NASCO Convention. Following the 1995 Annual Meeting, the Parties considered a resolution to establish such a procedure, but for various reasons, NASCO was not able to adopt the resolution as presented. At the 1996 Annual Meeting, the Parties considered revised resolutions on the topic and adopted a resolution setting forth a procedure to allow research fishing. The measure does not distinguish where such fishing occurs (i.e., within areas of national jurisdiction or on the high seas) and allows research fishing provided certain safeguards are

observed. Since the adoption of the resolution, NASCO has approved research-fishing proposals from several of its members.

**International Atlantic Salmon Research Board (IASRB):** Due to concerns about marine survival of Atlantic salmon, the Council agreed at its 2000 meeting to set up a working group to develop ideas for a 5-year international cooperative research program to identify and explain the causes of increased marine mortality of Atlantic salmon and to consider ways to counteract this problem. The resultant IASRB was established and has been meeting regularly to identify and coordinate needed research and consider funding sources. The United States provided US\$150,000 as start up funding. The IASRB receives advice from its Scientific Advisory Group (SAG) and maintains an inventory of research relating to salmon at sea. The inventory has been made available to ICES and others to assist in the identification of data deficiencies, monitoring needs and research requirements.

In 2005, the IASRB adopted the SALSEA (Salmon at Sea) Program to advance the coordination of needed Atlantic salmon research. It was comprised three main areas of work: developing technologies, early migration and distribution, and migration at sea (the marine survey component). The 2008 IASRB research inventory includes three significant new projects: SALSEA-Merge, SALSEA-North America, and SALSEA-West Greenland.

The SALSEA-Merge project was launched in April 2008. This three-year public-private partnership includes three marine surveys in both 2008 and 2009 conducted by Irish, Faroese, and Norwegian vessels. Under SALSEA-North America, a Canadian research vessel was secured for 24 days of sampling in August 2008 in the Labrador Sea. U.S. scientists participated in the Canadian survey and facilitated processing of samples obtained during the cruise. Coordination between the scientists leading SALSEA-North America and SALSEA-Merge was strongly encouraged.

The SAG identified the need for a subgroup, comprising of at least one representative from each Party, to review the inventory in order to identify areas for possible improved coordination of research and to highlight priority gaps in the research program. The IASRB also made appointments to the Steering Committee for a joint symposium on Salmon at Sea (The Salmon Summit) tentatively planned for spring 2011. The IASRB supported the SAG's proposal for seeking and prioritizing research proposals on an annual basis.

In the event that ICES organizes a second workshop on the Development and Use of Historical Salmon Tagging Information from Oceanic Areas, the Board agreed in 2007 to fund the participation of a GIS expert and oceanographer. The Board had unanimously elected Dr Ken Whelan as its Chairman in 2007. Funding for the SALSEA work continues to be an issue and efforts have been underway to identify external funding sources and opportunities.

**Precautionary Approach:** In 1997, the Council agreed to establish a working group to consider how the precautionary approach might be applied to NASCO's work. Its first meeting was held in January 1998 and representatives of ICES and FAO were invited to attend. At its 1998 annual meeting, NASCO adopted an agreement on adoption of the precautionary approach, which was largely developed at the 1998 intersessional. The key provisions of the agreement were: (a) NASCO and its Contracting Parties agree to adopt and apply a precautionary approach; (b) NASCO and its Contracting Parties should apply the precautionary approach to the entire range of NASCO salmon conservation and management activities; and (c) the application of the precautionary approach should focus on (1) management of North Atlantic salmon fisheries, (2) the formulation of management advice and associated scientific research, and (3) introductions and transfers including aquaculture impacts and possible use of transgenic salmon. To further this work, NASCO adopted the Action Plan for the Application of the Precautionary Approach to Salmon Management at its 1999 meeting. The action plan provides a framework to further implement the precautionary approach in NASCO and establishes a standing committee to oversee this work. The action plan addresses such issues as: management of fisheries; socioeconomic issues; unreported catches; scientific advice and research requirements; stock rebuilding programs; introductions, transfers, aquaculture and transgenics; habitat issues; and bycatch. The agreement by NASCO to apply the precautionary approach to its work represents a significant milestone in cooperation by the Parties. The NASCO Parties recognized that ultimate development of the precautionary approach will take many years and will seriously challenge the resources of the

organization and its members. Progress has been made on a number of fronts, however, including the development of a decision structure for use by the Council and Commissions as well as by relevant authorities of NASCO member in the management of single and mixed stock salmon fisheries; a plan of action for the application of the precautionary approach to the protection and restoration of Atlantic salmon habitat; revision and broadening of the Oslo Resolution, including incorporating into it all other NASCO measures addressing introductions, transfers, aquaculture and transgenics (i.e., the guidelines on transgenic salmon, the NAC protocols, and the NEAC resolution, and the guidelines on containment). In addition, guidelines on stocking were developed and appended. The new and improved resolution was dubbed the Williamsburg Resolution. In addition, progress has been made in the area of the socio-economics through the adoption of guidelines for incorporating social and economic factors in decisions under the precautionary approach.

**Liaison Group:** NASCO has recognized the need to involve the salmon farming industry in efforts to protect the wild stocks through improved salmon farming management. Toward that end, NASCO established a Wild and Farmed Salmon Liaison Group with the International Salmon Farmer's Association (ISFA) to effect closer cooperation with the salmon farming industry. This group has met several times since its inception and shared information on a variety of topics, including area management initiatives, escape issues, controlling disease, etc. Until its 2007 meeting, NGOs were not invited to participate. In considering the results of the 2007 Liaison group meeting and a discussion document presented by industry, the Council decided that a Joint Technical Task Force should be established to consider matters further. Membership would be from the Secretariat and two or three nominated expert participants from NASCO and ISFA. The Terms of Reference for this Group were as follows: taking account of the findings in the 2005 ICES/NASCO Bergen Symposium, the Joint ISFA/NASCO Trondheim Workshop and any other relevant scientific information regarding impacts from aquaculture on wild stocks; and identify and agree on a series of best practice recommendations to address the continuing impacts of salmon farming on wild stocks (e.g. escapes, interbreeding, sea lice infestations, disease transfers to and from the wild). The Task Force should, for the time being, replace the NASCO/ISFA Liaison Group. In communicating this decision to ISFA, that organization responded that it was eager to continue the relationship with NASCO, however, they did not respond to the proposal regarding the creation of the Task Force. They instead proposed a full Liaison Group meeting be held in Boston in March 2009. The Council determined that was not ready to reconvene the Liaison Group and proposed proceeding with the Task Force. The Task Force met in the Spring 2009 and was followed by a meeting of the Liaison Group. The results of those meetings will be consider at the 2009 NASCO annual meeting.

**Next Steps for NASCO:** On the occasion of its 20th anniversary, NASCO decided to undertake a review of the Organization (in essence, a performance review) in order to ensure that it was properly positioned to be able to address the current and future issues facing Atlantic salmon in the North Atlantic. Through an intensive working group process that included public scoping meetings, NASCO comprehensively reviewed its convention, rules of procedure, decision making, structure, and operations. The Working Group developed a Strategic Approach which articulated the vision for NASCO, framed future activities of NASCO, and laid out a clear approach for moving forward in addressing challenges and implementing the recommendations. The Council endorsed the work of the Working Group, calling for speedy implementation of some recommendations and setting up processes to consider implementation aspects for the more complicated issues, including those surrounding improving implementation of and reporting on Contracting Party commitments. A Public Relations Working Group was created to develop a strategy to raise the profile of the Organization and generally to improve public relations and outreach. A Task Force met intersessionally to develop improved reporting procedures to enhance compliance and accountability with NASCO agreements. Developing improvements to the transparency and inclusiveness of the organization, including by considering modification of the rules governing observers at NASCO meetings, was also a key recommendation. Advancements in all the areas identified for improvement have been made. Relevant information on the task force recommendation follows:

**Transparency:** Regarding transparency, revisions to NASCO's rules of procedures concerning NGOs were developed which increased their level of involvement, including allowing them to take the floor more frequently during NASCO meetings and participate in working groups. This move helped resolve a longstanding difference between NASCO and at least two North American NGOs whose observer status in the organization had been

suspended. In addition, more debate on issues occurs in plenary rather than in Heads of Delegation meetings so that the rationale for decisions is more clearly understood.

**Accountability/Implementation Plans:** During its 2005 annual meeting, NASCO agreed that one way to improve implementation, commitment, and accountability was to have each Party produce an Implementation Plan (IP) and report annually on progress in achieving the objectives contained therein. The Next Steps Task Force met intersessionally before the 2006 Annual meeting developed guidelines to assist the Parties in preparing the IPs and to provide a proposed process and schedule for review and finalization of IPs, as well as for focus area reports under the IPs. The Council refined this work at the 2006 annual meeting. At the 2007 NASCO meeting, the Council held an open “Special Session” on the Report of the *Ad Hoc* Review Group appointed in 2006 to evaluate the IPs. At this stage, the review focused on the structure of the plans and how well they conformed with the guidelines for development of the plans not the adequacy of their substantive content. The plans were submitted or resubmitted for final review by November 1, 2007. The second phase of review of the Next Steps Process would be to develop “focus area reports” or FARs for review and assessment in key Atlantic salmon management areas. The first focus area report was on the fisheries management aspect of the Implementation Plans. The second FAR, to be publicly considered in a 2009 special session, is on habitat protection and restoration. At the 2009 NASCO meeting, the parties will agree the terms of reference for the third FAR on aquaculture, introductions and transfers, and transgenics.

**Public Relations Group:** As part of the Next Steps process, the Council agreed in 2006 to establish a Public Relations Group to advise on implementation of public relations/outreach issues. Terms of reference were adopted. The Public Relations Group met in London in December 2006. The Group developed recommendations for a strategy to enhance NASCO’s profile and increase publicity for its work, including development of an annual ‘State of Salmon’ report, undertake a major enhancement of the Organization’s website, and potentially employ an Information Officer with good public relation skills. In order to carry out some of the tasks identified by the PR group, the Council decided to allocate 25,000 Pounds Sterling (approximately USD\$50,000) to upgrade and improve the website of NASCO and the IASRB, and produce possible formats for a “State of the Salmon” report. Moreover, there was general agreement that the organization should be developing a communications rather than a public relations strategy. The work of the first meeting of the PR working group was seen as valuable in supporting future work in this area.

**Socio-Economic Working Group:** The Council had previously agreed that a Technical Working Group (TWG) should be held to consider the development of a bio-economic model. This decision was consistent with the decision in the ‘Strategic Approach for NASCO’s Next Steps, CNL(05)49, to continue and expand existing efforts to incorporate social and economic factors in the Organization’s work. However, for a number of reasons it had not been possible to organize a meeting of the TWG. Leading up to the annual meeting, Norway developed new terms of reference for a working group on socio-economics. After consultation, revised terms of reference were agreed that establish a working group with a broader mandate than the development of a bio-economic model. The working group will met inter-sessionally before the 2008 Annual Meeting but did not complete its tasks. The Council agreed that the working group should meet again over the 2009-10 period to continue its work. Appropriate experts, including the NGOs, are able to participate in the work of this group.

**Performance Review of the Work of NASCO:** A proposal was made by the EU to the Council that NASCO conduct an independent performance review similar to those being conducted by tuna Regional Fishery Management Organizations (RFMOs). Prior to the meeting, the performance criteria agreed to guide reviews for tuna RFMOs were circulated to all Parties. Most Parties expressed reservations about undertaking another review in light of the ongoing Next Steps process. Eventually the Council agreed to consider the issue in 2010 once the Next Steps process has run its course.

#### **Actions Taken by NASCO’s Three Regional Commissions:**

**NAC Discussions/Actions:** Many stocks in the NAC area, particularly those originating in U.S. rivers, are in a critical state. The U.S. has not had a commercial fishery since 1948 and recreational fisheries for salmon are

extremely limited. Canada has reduced its fisheries substantially over the years, including having eliminated its commercial fisheries several years ago.

***Salmonid Introductions and Transfers:*** The U.S. has been pressing Canada for the last few years to improve bilateral cooperation on the management of aquaculture operations—in particular with respect to containment of farmed fish and notification when escapes occur. In bilateral meetings, progress on developing reciprocal notification procedures in the event of escapes was made. The two parties will continue to liaise on notification issues as well as on aquaculture issues more generally. The U.S. and Canada also considered whether or not the existing International Protocols on Introductions and Transfers of Salmonids and the associated database of product movement need some reconsideration. The Protocols represent agreement to minimize the negative impacts of the introduction and transfer of salmonids and require reporting and assessment of such activities. The Parties agreed to establish a Working Group to meet intersessionally before the 2009 NASCO meeting to evaluate the need and content of a database as well as the role of a scientific group to review introductions and transfers.

***The St Pierre and Miquelon Salmon Fishery:*** The cooperation shown by France (in respect of St. Pierre and Miquelon) to NASCO over the years has been inconsistent, and the organization has tried a wide variety of means to enhance this cooperation. In 2007, it was agreed to try a new approach in this regard; thus, NASCO agreed to invite France (in respect of SPM) to become a Party to the NASCO Convention. The NASCO President wrote to the Director for Fishing and Agriculture on 18 January 2008 and again on 9 April 2008. France (in respect of the St Pierre and Miquelon) was also invited to attend the 25th Annual Meeting as an observer. France (in respect of the St Pierre and Miquelon) attended the meeting and just prior to the meeting provided a report on the management of the fishery, the catches, and information from the sampling program. The representative from France (in respect of the St Pierre and Miquelon) stated that discussions were ongoing regarding the invitation to join NASCO.

**WGC Discussions/Actions:** ICES considers the stock complex at West Greenland to be below conservation limits and thus suffering reduced reproductive capacity. In 2006, the North American stock complex of non-maturing salmon declined to the lowest levels in the time-series; spawning escapement was below the conservation limit (CL) for the stock complex. The Southern European stock complex is also suffering reduced reproductive capacity. Given zero marine fishing mortality in 2007-2009, there is less than a 3% chance of meeting the CL in the 4 northern North American regions, less than 1% chance of a 10% increase in returns for the 2 southern North American regions (compared to the 1992-1996 baseline period) and a 64%, 56% and 47% probability (respectively) of meeting the southern European non-maturing stock complex's CL. Thus, ICES concludes that none of the stated management objectives would allow a fishery at West Greenland to take place in 2007, 2008, or 2009.

In addition, ICES provided a finalized FWI (Framework of Indicators) to be used to detect any significant change in the previously provided multi-annual management advice for the West Greenland Commission area. The FWI includes 32 indicator variables that can be used to determine if there has been a significant change in the previously provided multi-annual catch advice. The FWI would be used in January of a given year and a full assessment of the mixed stock off West Greenland would only be conducted by ICES if the FWI indicated that a significant change had occurred. In the absence of a significant change in the intervening years, a full assessment would be conducted every three years.

In 2006, NASCO adopted a regulatory measure limiting the West Greenland fishery to internal use through 2008. In the past, this internal fishery has been estimated to be about 20 mt. Continuation of the 2006 measure through 2008 depended on the outcome of the application of the newly developed FWI for the WGC area. Application of the FWI in 2008 confirmed no significant change to the previous management advice. Accordingly, the multi-annual management measure was continued for the 2008 fishing season. In addition, all Parties supported the continuation of the collaborative sampling program for the West Greenland fishery. This agreement was amended slightly to ensure that it did not encourage additional mortality on the stock and included recognition of possible collaboration with those non-governmental organizations involved in a separate conservation agreement with Greenland intended to minimize Atlantic salmon harvests by that country, including by providing monetary compensation to fishermen for not commercially fishing.

**NEAC Discussions/Actions:** The NEAC stock complex is made up of four individual components. Three of these are considered to be at full reproductive capacity prior to the commencement of any distant water fisheries. One (the Southern European multi-sea winter (MSW) stock complex) is considered to be suffering reduced reproductive capacity. ICES advised once again that there should be no fishing on the Southern MSW stock complex given that the stock levels are forecasted to be below the Spawner Escapement Reserve (SER) from 2008-11. ICES noted that given the different status of individual stocks within the four stock complexes, mixed stock fisheries present particular threats to stock status. Homewater fisheries should occur only on stocks shown to be above their conservation limits. Some Parties, in particular Norway, still prosecute mixed stock fisheries off their coasts. This fact generated significant debate. Norway defended its fisheries, stressing that that they are implementing management restrictions sufficient to ensure conservation limits will be met.

In light of the 2008 scientific advice, NASCO extended the existing regulatory measure to apply to the 2009 Faroe Islands fishery. This measure does not set a quota but states that the Faroe Islands will follow scientific advice and act in a manner consistent with the Precautionary Approach. In reality, the expectation is that, as with the last several years, there will be no commercial fishery by the Faroe Islands in 2009. Most of the members of the NEAC as well as the United States, which is an observer to this Commission, would like to see the NEAC make progress with respect to the development of forecast models for all the contributing stock complexes and the FWI, which is a tool to identify the possibility of significant changes in the management advice. If such changes are detected, a full stock assessment would be triggered. Similarly, we would prefer the adoption of management measures that clearly indicate what restrictions are on the fishery and that improve the consistency between the NEAC and the WGC—in particular, with respect to the adoption of multi-annual regulatory measures.

***Other matters:*** Additional information on the work of NASCO can be found on its website ([www.nasco.int](http://www.nasco.int)). The Council agreed to hold its 26th Annual Meeting in Molde, Norway, from June 1-5, 2009.

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## **Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (Basic Instrument for the Northwest Atlantic Fisheries Organization -- NAFO)**

### **Basic Instrument**

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

### **Implementing Legislation**

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

### **Member Nations**

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

### **Commission Headquarters**

Interim Executive Secretary: Mr. Stan Goodick

Northwest Atlantic Fisheries Organization  
P.O. Box 638  
Dartmouth, Nova Scotia, Canada B2Y 3Y9  
Telephone: (902) 468-5590  
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### **Budget**

NAFO adopted a budget for 2009 of Can\$1,618,000 (approximately US\$1,304,487), of which the U.S. contribution is expected to be approximately Can\$246,876 (approximately US\$198,884).

### **U.S. Representation**

#### **A. The Appointment Process:**

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

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

Scientific Council, at least one must be an official of the U.S. Government. All Representatives must be knowledgeable and experienced concerning the scientific issues dealt with by the Scientific Council.

**B. U.S. Representatives:**

**U.S. Commissioners (expiration date in parentheses):**

Dr. Dean Swanson (03/10)  
Chief, International Fisheries Affairs Division  
Office of International Affairs  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

Ms. Maggie Raymond  
PO Box 287  
South Berwick, ME 03908

Mr. David Preble  
64 Courtland Drive  
Narragansett, RI 02882

**Representative to the Scientific Council:**

Fredric M. Serchuk  
Chief, Resource Evaluation and Assessment Division  
Northeast Fisheries Science Center  
National Marine Fisheries Service, NOAA  
166 Water Street  
Woods Hole, MA 02543

**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 of not more than 15 members to advise the Secretaries on issues related to the Convention. Each member of the Consultative Committee shall serve for a term of 2 years and shall be eligible for reappointment. The membership of the Committee shall consist of representatives from the New England and Mid-Atlantic Fishery Management Councils, the States represented on those Councils, the Atlantic States Marine Fisheries Commission, the fishing industry, the seafood processing industry, and others knowledgeable and experienced in the conservation and management of fisheries in the Northwest Atlantic.

**Organizational 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 NAFO Regulatory Area (NRA), 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. Structure:

NAFO consists of a General Council, Fisheries Commission, Scientific Council, a Secretariat, and six 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) inspection and control; (3) fishery science; (4) research coordination; (5) publications; and (6) fisheries environment. The structure of NAFO is currently under review within the NAFO reform process and will likely undergo changes in the near-term. More information is contained in the section on NAFO Reform below.

#### C. General Programs:

Species managed: 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. Following decades of unregulated fishing by non-members; over-harvesting, under-reporting and fishing under formal objection by members, 10 of the 19 stocks managed by NAFO have collapsed and remain at all-time low levels. NAFO-imposed moratoria continue for ten stocks in 2009. Details on current U.S. allocations from NAFO as well as efforts to reform the NAFO allocation process and secure a useable allocation of yellowtail flounder are detailed in the allocation section below.

Conservation and Management Measures: NAFO has established and maintained conservation and management measures in the NRA since 1979. In addition to adoption of annual total allowable catches (TACs), member nation quotas by species, and one fishing effort allocation), NAFO also maintains and establishes: 1) general and fishery-specific conservation and management measures (e.g., bycatch, minimum size and gear requirements); 2) control measures (e.g., fishing authorizations, vessel registry, and chartering requirements); and 3) monitoring requirements (data recording and reporting, vessel monitoring system (VMS) and observer requirements). In addition, NAFO has implemented: a scheme of joint international inspection and surveillance in the NRA, a scheme to promote compliance by non-Contracting Parties, and a listing mechanism for tracking and sharing information on IUU vessels.

#### D. Current Programs/Issues of Interest:

2008 Annual Meeting: At its 30<sup>th</sup> Annual Meeting in Vigo, Spain, September 22-26, NAFO adopted the French language version of a package of amendments designed to modernize and streamline the NAFO Convention. This new Convention language includes, among other things, provisions to: enhance ecosystem considerations in fisheries management decisions; improve the NAFO decision making process; and strengthen NAFO Contracting Party port and flag State duties. It adopted a series of recommendations on the identification and protection of vulnerable marine ecosystems, including the addition of the Fogo Seamounts to the four seamounts systems it has already protected and an operationalization of the encounter provisions. These measures are in response to U.N. General Assembly Fisheries Resolution 61/105. Finally, NAFO adopted a full range of management measures (including TACs, national quotas, and an effort allocation) for species under its purview. The United States obtained quota allocations for NAFO Divisions 3L shrimp, 3M and oceanic redfish, illex squid, and an effort allocation for 3M shrimp. Finally, after a six-year campaign to achieve usable fishing privileges for Division 3LNO yellowtail flounder, the United States signed a deal with Canada that will make available up to 1500 metric tons (mt)

per year. Initially, the fish will come in a 1500 mt transfer from the Canadian quota in exchange for a transfer of the U.S. Division 3L quota for shrimp. In subsequent years 1000 mt of Division 3LNO yellowtail flounder will be transferred outright with an option of gaining an addition 500 mt transfer in exchange for a transfer of the U.S. Division 3L quota for shrimp. The United States and Canada are preparing a separate exchange of letters recording their intent that the 1500 mt yellowtail will become a permanent U.S. quota and that the two countries will jointly pursue that outcome beginning in 2011.

**Brief History of NAFO Reform:** At its 2005 Annual Meeting, the NAFO General Council adopted a reform proposal creating an ad hoc working group with terms of reference to: 1) evaluate and recommend changes to the NAFO Convention to reform the NAFO decision-making process; 2) analyze options to streamline NAFO's structure and operations; and 3) provide other relevant recommendations to update the NAFO Convention. The Reform Working Group met twice in 2006 (April and September) and reported its results to the General Council during the 2006 NAFO Annual Meeting.

During both meetings of the Working Group and again at the 2006 NAFO Annual Meeting, the United States made clear its priorities for the NAFO reform effort. These priorities included: ensuring a thorough review and update of the NAFO Convention and the Organization itself; securing a fair and equitable allocation process that reflects the legitimate interests of all NAFO Parties; revising the NAFO Convention language on member dues assessments to distribute the funding burden more equitably among those who receive the most benefits from NAFO membership; and continuing to review and update the NAFO conservation and enforcement provisions to reflect a more comprehensive and modern approach to issues such as bycatch, the ecosystem approach to fisheries management , compliance and IUU fishing.

The issue of dues assessments was one of principle for the United States, which pays the second highest dues in the Organization despite having had no catches in the NAFO Regulatory Area since becoming a member. The current NAFO Convention contains a list of species used to determine nominal catches by member from which the annual budget is then calculated. This list includes species that occur throughout the NAFO Convention Area, which includes the EEZs of NAFO coastal States (the United States is one of the three). However, NAFO only maintains management measures in its Regulatory Area (the high seas area) for fewer than half of these species. Budget assessments for NAFO Contracting Parties are currently applied as follows: 10% of the budget is divided among Coastal States in proportion to their nominal catches in the entire Convention Area; 30% is divided equally among all Contracting Parties (there are now 12); and 60% is divided among all Contracting Parties based on nominal catches in the Convention Area. The U.S. proposal on dues assessment reform focused on adjusting the percentages and species used in the assessment procedure to create a more equitable distribution of costs among Contracting Parties. Although there was agreement (in principle) among Working Group participants that this issue should be addressed in the future, the proposal was not accepted and some Parties stated that the issue should not be addressed in the NAFO reform process.

Although the United States also initiated discussions during the Reform Working Group meetings regarding possible amendments to the NAFO Convention relating to allocations, support for amendments relative to allocations were limited to a clarification that the interests of relevant coastal States should be taken into account in allocative decisions.

Ultimately, the April 2007 Special Meeting of the General Council and subsequent technical editing session resolved most of the broader concerns among NAFO Contracting Parties. Issues associated with the objection procedure and dispute settlement were addressed and the United States received some relief relative to the dues assessment procedure. NAFO retained the old formula of 10 percent coastal state nominal catches in the Convention Area, 30 percent common base fee, and 60 percent catches in the Convention Area, but added a 12 percent cap on members with small populations (e.g. DFG). It was further agreed that the nominal catches referred to above shall be the reported catches of the fishery resources specified in the financial regulations adopted by the Commission. The elimination of NAFO-irrelevant fish from nominal catches will result in a reduction of U.S. fees. The United States also obtained improved wording for authorizing trade measures in the case of IUU fishing and for entry into force of amendments to Convention annexes. The United States was disappointed, however, to not

succeed in broadening the considerations relevant to allocations beyond fishing history and an improvement in the dispute settlement procedures.

Thus, on 28 September 2007, after a two-year process, NAFO adopted a document entitled, "Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries", constituting the first formal step towards a reformed Convention for NAFO. The adopted text now has to be ratified by at least three-fourths of the NAFO Contracting Parties to become legally binding. The complete process is described in Article XXI of the current NAFO Convention.

#### NAFO Allocations:

*i) Current U.S. Allocations:* For 2009, the United States received the following country-specific allocations in the NRA: Division 3M redfish (69 mt); Subareas 3+4 *Illex* squid (453 mt); Division 3L shrimp (334 mt); and an effort allocation of 100 fishing days for 1 vessel for Division 3M shrimp. U.S. fishermen are also entitled to harvest, on a first-come-first-served basis, any allocation for which an "Others" category has been designated, provided there is not a country-specific allocation to the United States for that fishery. For 2009, "Others" category allocations available to U.S. fishermen include: Division 3LNO yellowtail flounder (85mt), Division 3O Redfish (100mt), Division 3NO white hake (500mt), and Division 3LNO skates (500mt). Additionally, the United States may fish any portion of the 385mt of Oceanic redfish available to non-NEAFC members in Subarea 2 and Divisions 1F and 3K, on a first-come, first-served basis.

*ii) U.S. efforts to secure an allocation of yellowtail founder:* For over 20 years, NAFO Division 3LNO yellowtail flounder was allocated exclusively to two Contracting Parties (Canada and the European Union), with a very small amount allocated to the "others" category. In 2005, the European Union (EU) agreed to forgo its allocation so that it could be given to France (on behalf of St. Pierre and Miquelon). Canada still receives the lion's share (over 97%) of the allocations.

The NAFO Scientific Council provides advice on the status of the 3LNO yellowtail flounder stock biennially. This advice has resulted in a series of NAFO Fisheries Commission increases to the total allowable catch (TAC) for this stock (from 13,000mt in 2002 to 15,000mt in 2005-2006). In 2006, the Scientific Council once again indicated that a TAC increase --to 15,500mt each year for the 2007-2008 management period would be scientifically acceptable. Additionally, in response to a U.S. request for advice, the Scientific Council indicated that the current harvest rate for the stock could be increased from  $F=65\%msy$  to  $F=75\%msy$  (or even  $F=85\%msy$ ) with only a slight decrease in catch biomass over the next 10 years (but generating a greater accumulated harvest). The risk of the stock exceeding buffer limits for this stock under the precautionary approach at any of these harvest rates was minuscule.

In response to each of the TAC increases to this stock, the United States has tabled strong proposals for a (first time) national allocation based on: the relative (and increasing) good health of the stock; a demonstrated U.S. history of fishing for this stock in the NAFO Regulatory Area; and the principle that the agreed increase in TAC for this stock should be shared among all those with a history in the fishery. In all instances, although TAC increases were adopted, U.S. proposals for a share received little support.

In addition to its efforts to secure a useable share of Div. 3LNO yellowtail flounder "on the table" within NAFO, the United States has engaged in repeated bilateral meetings with Canadian government and fishing industry representatives. Although an early (failed) attempt was made to set up an industry-to-industry arrangement within the Canadian EEZ, the Canadian Government has been consistently unable/unwilling to support the United States in NAFO on this issue. U.S. efforts to secure this support have included many bilateral meetings, diplomatic communications and official visits by Department of State and National Marine Fisheries Service leadership to key Canadian officials and members of Parliament in Ottawa. Although the Canadian Government has continually expressed its understanding of the U.S. position on NAFO yellowtail flounder, the Canadian fishing industry (particularly in Newfoundland and Labrador) are not in favor of creating any new allocations within any existing Grand Banks fisheries. Specifically, they do not support the addition of another Party to the NAFO allocation key for yellowtail flounder, even if the TAC is increased such that there is no loss of fish for Canadian

vessels/processors. Canada, however, has seemed sympathetic to the U.S. desire to obtain meaningful permanent allocation of Div. 3LNO yellowtail flounder, in part, because we have been allies to Canada on ensuring that NAFO adheres to conservation recommendations of NAFO scientists.

The inability of the U.S. as a coastal state to receive a permanent allocation of Div. 3LNO yellowtail flounder or any other fish stock of interest to U.S. fishermen has put into question the value of the U.S. remaining a member of NAFO. It also puts into jeopardy the likelihood of the Senate in ratifying recent amendments to NAFO. In an apparent attempt to appease the U.S.'s frustration in not obtaining meaningful quota allocation of Div. 3LNO yellowtail flounder and because the scientific recommendation on available catch of Div. 3LNO yellowtail flounder has increased, Canada requested a meeting with the U.S. delegation to see if there is an acceptable way to allocate Div. 3LNO yellowtail flounder to the U.S.

The U.S. met with Canada in Boston on September 5, 2008. At the meeting, Canada indicated that because of the current dynamics in its government and fishing industry it was limited in the amount of and type of allocation it could offer or support. Canada also explained that one complication to fishing for yellowtail flounder is the bycatch of American plaice which is under a moratorium from directed fishing. Under NAFO rules, a bycatch allowance of American plaice is allowed based on the higher of a specified amount or a percentage of catch on board. Canada expressed a desire to make the bycatch allowance of American plaice as an overall TAC and not one determined on a haul by haul basis as called for by NAFO rules. Canada indicated that they would like our support in changing the bycatch rules. In addition to this understanding, Canada seemed to have a sliding scale of how much Div. 3LNO yellowtail flounder could be offered based on the amount sought by the U.S., whether the Div. 3LNO yellowtail flounder was to be transferred to the U.S. from Canada and noted as a footnote on the NAFO allocation table or permanently allocated by NAFO directly to the U.S., and whether the U.S. was able to trade other fish allocated to the U.S., most notably shrimp. Canada's preference was to transfer Div. 3LNO yellowtail flounder from its allocated quota on an annual basis and to note the transfer as a footnote on the allocation table. Canada stated that it could probably agree to transfer from its allocated quota as much as 1500 mt if the U.S. would agree to trade shrimp in return.

The U.S. countered by stating that it would like to receive 11% of the overall available allocation of Div. 3LNO yellowtail flounder (which equals approximately 50% of the 2009 TAC increase) as a permanent allocation by NAFO noted on the allocation table. The U.S. indicated that it could agree to support Canada's efforts to change the bycatch limits contained in NAFO rules. Canada responded by stating that it would be difficult to support a permanent allocation of Div. 3LNO yellowtail flounder because it would open up the quota table to other contracting parties seeking a share of Div. 3LNO yellowtail flounder as well as other fish allocated on the table. Canada felt that a simple transfer of Div. 3LNO yellowtail flounder from Canada to the U.S., noted as a footnote on the table, would be the easiest way for the U.S. to receive sufficient Div. 3LNO yellowtail flounder for U.S. fishermen to prosecute the fishery.

The U.S. reiterated its strong desire to receive a permanent allocation of Div. 3LNO yellowtail flounder noted on the allocation table and suggested that it could agree to a lesser amount of permanent allocation combined with a separately negotiated transfer of Div. 3LNO yellowtail flounder from Canada. Canada seemed to agree to this approach, although emphasizing that the maximum amount of Div. 3LNO yellowtail flounder available to the U.S. would need to involve a trade of shrimp to Canada.

In response, the U.S. proposed that Canada support a 5% (850 mt based on a reduced TAC increase of 17,000 mt that is being recommended by Canada in place of the 2009 scientific recommendation of 2/3 of MSY) permanent allocation to the U.S. to be noted on the allocation table, with the understanding that the U.S. and Canada would negotiate, at a later date, the amount to be transferred directly from Canada's quota on an annual basis and recorded as a footnote. Canada preliminarily agreed to this proposal, but after further consultation with its Capital, retracted its preliminary agreement saying that 5% was too high. Canada seemed to indicate that it could possibly agree to 500 mt permanent allocation combined with 500 mt transfer totaling 1000 mt, although it was not clear if this offer involved a trade of shrimp. Canada reiterated its initial offer that it could transfer, under the footnote procedure, up to 1500 mt if the U.S. would trade shrimp in return. It also indicated that if there was no trade of shrimp involved,

the total amount available for transfer would probably be in the 1000 mt range. The two parties also discussed how a transfer would be worded in a footnote, with the U.S. indicating that such an option would only be considered if the wording could be construed as a functional equivalent of a permanent allocation. Canada agreed to provide some proposed wording of such a footnote to the U.S. for further consideration.

Because of time constraints and the dynamics of the meeting, no agreement was reached. The U.S. and Canada agreed to meet further in Vigo, Spain, the day before the annual NAFO meeting to see if an agreement can be reached. These discussions continued throughout the meeting and on the final day the U.S. and Canada signed an agreement, which is in effect for 10 years, although the United States can activate the transfers of fish quotas at any time. For the year in which the United States activates the transfers (by requesting 1000 mt of Div. 3LNO yellowtail flounder), there is a mandatory transfer of the U.S. quota of 3L shrimp and a mandatory additional transfer of 500 mt of Canada's Div. 3LNO yellowtail flounder (for a total of 1500 mt). In the out years, the United States can receive either 1000 mt of Div. 3LNO yellowtail flounder or, in exchange for transferring the U.S. quota of 3L shrimp, 1500mt of Div. 3LNO yellowtail flounder. There was also a verbal agreement on the exchange of letters that would record the intent of the two parties to obtain a NAFO-recognized U.S. quota for Div. 3LNO yellowtail flounder. The United States and Canada are continuing to communicate about the implementation of this agreement.

Although the agreement specifies that the United States notify Canada of its intent to activate the exchanges by January 1, Canada has agreed to postpone this date until April 1 for the year 2009. Given this postponement, the United States was able to solicit expressions of interest from U.S. fishers in fishing Div. 3LNO yellowtail flounder. Two expressions of interests were received on behalf of twenty-one vessels. The interested parties reached an agreement among themselves in which two vessel owners will attempt to fish Div. 3LNO yellowtail flounder in 2009. Letter of authorization and rule-making are currently being written that will allow fishing for Div. 3LNO yellowtail flounder

*iii) U.S. efforts to reform the NAFO allocation process:* At the 1997 NAFO Annual Meeting, the United States offered a proposal to reform NAFO's quota allocation practices. In response, the Fisheries Commission formed an Allocation Working Group, which first met four times between 1998 and 2003. Initially, the Working Group attempted to address key allocative issues such as: how to establish "real interest" in relation to future new members; how to guide the expectations of future new members with regard to fishing opportunities in the NRA; the development of a broad strategy to allocate future fishing opportunities for stocks not currently allocated; and how to accommodate requests for fishing opportunities from the margins of stocks already under TAC management (primarily through the use of an "others" quota). These discussions resulted in the 1999 adoption of the "Resolution to Guide the Expectations of Future New Members with Regard to Fishing Opportunities in the NAFO Regulatory Area", which noted that: any state may accede to the NAFO Convention; all Contracting Parties are members of the General Council; membership in the Fisheries Commission is limited to Contracting Parties who either presently fish or have an immediate intent to begin fishing in the NRA; and new Contracting Parties admitted into the Fisheries Commission can expect fishing opportunities to be limited to new fisheries or the quota allocation available to all Contracting Parties without a national quota (the "others" category) for stocks presently under TACs for the foreseeable future. However there was no agreement regarding possible sources for the creation of an "others" quota in other fisheries, nor was there agreement on who should have access to the fish contained therein. By the 2000 NAFO Annual Meeting, Contracting Parties began to question the utility of further work by the Allocation Working Group the Working Group and some stated that allocative issues should be addressed only once stocks begin to recover. The United States and others expressed strong support for continued work, noting that allocation issues pertaining to new stocks must be dealt with in a timely manner. Following further discussion, it was decided that the Working Group would not meet in 2001 --although there was general agreement that the issue should be re-examined during the 2001 annual meeting. Despite U.S. expressions of concern, the Allocation Working group did not reconvene until March 2003. During this meeting, the United States presented a white paper proposing that NAFO develop a comprehensive list of allocation criteria that would be applicable in all situations (such as used in ICCAT). However, the Working Group chose not to adopt the U.S. proposal, instead developing a list of allocation criteria applicable only to stocks that are not now and never have been allocated by NAFO. While the criteria were useful, their scope was severely limited. Additionally, the Working Group agreed only to give a status report back to the Fisheries Commission, indicating the work that was done. It did not recommend adoption

of that work or any next steps to be taken. The United States made a strong statement that the progress that had been made was very small, not particularly useful in practical terms, and that NAFO would suffer in the longer term if it continued to fail to address the allocation interests of all of its members. The Fisheries Commission has not called for any further meetings of this Working Group.

**Monitoring and Enforcement:** Work relating to development and strengthening of NAFO compliance and enforcement measures is generally done at both annual meetings and intersessional meetings of the Fisheries Commission and its Standing Committee on International Control (STACTIC). NAFO requires the use of VMS on 100 percent of Contracting Party vessels operating in the NRA. Until March 2004, NAFO also required 100% observer coverage for Contracting Party vessels. However, following a two-year pilot project, the NAFO Fisheries Commission adopted an observer program with reduced vessel coverage offset by greater vessel reporting requirements. This new program will be reviewed again in 2010.

NAFO continues to develop and refine its monitoring and enforcement measures. Procedures have been adopted for: processing information from at-sea inspections; a hail system requiring 6-hour advance notification by vessels entering or leaving the NRA and 24-hour advance notification by vessels transshipping at sea; and a requirement for NAFO Contracting Parties to inspect the fishing vessels of other Contracting Parties during port calls to verify species and quantities caught.

NAFO also conducts an annual review of compliance with the NAFO Conservation and Enforcement Measures. This annual review is currently carried out by STACTIC (with input from the NAFO Secretariat) and presented for consideration by the Fisheries Commission at every annual meeting. Although the compliance review requirement process has been in place since 2002, results continue to be hindered by non-standardized reporting and a lack of personnel to assess existing data. Despite strong support among some NAFO Contracting Parties for this initiative, this program has yet to produce much useful/actionable information.

**Non-Contracting Party Fishing:** In 1998, NAFO implemented its Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO. This Scheme presumes that a non-Contracting Party (NCP) vessel that has been sighted fishing in the NRA is undermining NAFO conservation and enforcement measures. If such vessels enter the ports of Contracting Parties, they must be inspected. No landings or transshipments are permitted in Contracting Party ports unless such vessels establish that certain species on board were not caught in the NRA, and for certain other species that the vessel applied the NAFO conservation and enforcement measures. Contracting Parties must report the results of inspections to NAFO and all other Contracting Parties. The scheme also calls for coordinated joint demarches by NAFO Contracting Parties to the governments of NCPs whose vessels had been observed fishing in the NRA requesting that the activity be stopped.

NAFO Contracting Parties may also board, inspect, and apply actions in accordance with international law against vessels appearing to be operating without nationality ("stateless vessels"). In addition, Parties are encouraged to examine the appropriateness of domestic measures to exercise jurisdiction over such vessels. NAFO contacts relevant nations to attempt to confirm the registries of NCP vessels sighted fishing in the NRA, and has taken measures to increase communication and information sharing among relevant regional fisheries management organizations and international bodies (such as the FAO) regarding the fishing activities of such vessels.

In addition, NAFO has recently responded to the international dialogue on Illegal, Unregulated and Unreported (IUU) fishing by establishing and maintaining a list of vessels presumed to have conducted illegal, unreported, or unregulated fishing (IUU) in the NAFO Regulatory Area. The listing procedure, which includes follow-up actions to be taken by NAFO and its Contracting Parties, also contains a mechanism to share IUU vessel sighting information with other regional fisheries management organizations (e.g., NEAFC).

### **Future Meetings**

The 31st NAFO Annual Meeting will be held September 21-25, 2009, in Bergen, Norway

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## PACIFIC OCEAN

## **Agreement on the International Dolphin Conservation Program (AIDCP)**

### **Basic Instruments**

Agreement on the Conservation of Dolphins (La Jolla Agreement), 1992  
Panama Declaration, 1995

### **Implementing Legislation**

International Dolphin Conservation Program Act of 1997 (11 Stat. 1122; 16 U.S.C. 1361 *et seq.*; 16 U.S.C. 1411)

### **Member Nations**

Costa Rica, Ecuador, El Salvador, European Union, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru, the United States, Vanuatu and Venezuela.

### **Secretariat Headquarters**

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### **Budget**

The expenses of the International Dolphin Conservation Program are shared by the Parties. Article XV of the AIDCP provides that the Parties “shall contribute to the expenses necessary to achieve the objectives of this Agreement through the establishment and collection of vessel fees, the level of which shall be determined by the Parties, without prejudice to other voluntary financial contributions.” A unique feature of the fishery is that since 1995 one hundred percent of trips by large purse seine vessels (i.e., vessels in excess of 400 short tons, 363 metric tons, carrying capacity) are covered by observers. However, 100% observer coverage is a substantial expense. In order to cover the cost of the AIDCP’s On-Board Observer Program, all purse-seine vessels in excess of 363 metric tons of carrying capacity that are authorized to fish for tuna in the eastern tropical Pacific Ocean (ETP) pay assessment fees at a rate of US\$ 14.95 per cubic meter of well volume. The AIDCP budget for FY 2008 was projected to be \$2,105,680; the United States had no tuna purse seine fleet in 2008, so the contribution from vessel assessments was \$0.

While vessel assessments cover the majority of AIDCP costs, a portion of the AIDCP budget is derived from the Inter-American Tropical Tuna Commission (IATTC). The expenses of the IATTC are also shared by the Contracting Parties, according to the proportion of the total catch by each Party from the fisheries covered by the IATTC Convention and the portion of the catch utilized by each Party. The Party proportions are calculated from statistics compiled by IATTC staff for calendar years previous (approximately 3 years) to the Fiscal Year (FY) budget in question. Historically, the United States paid 80-90 percent of the IATTC’s budget. Since the U.S. tuna market became “dolphin-safe” in mid-1994, U.S. utilization of the catch has greatly diminished, causing a decrease in the U.S. contribution to IATTC. Further, the Department of State has indicated that future U.S. contribution will likely be further reduced. The IATTC budget for FY 2009 is \$5,508,722, of which the United States agreed to contribute \$1,746,553.

## **Description**

### **A. Mission/Purpose:**

The goals of the AIDCP are:

“(1) to progressively reduce incidental dolphin mortalities in the tuna purse-seine fishery in the Agreement Area to levels approaching zero, through the setting of annual limits; (2) with the goal of eliminating dolphin mortality in this fishery, to seek ecologically sound means of capturing large yellowfin tunas not in association with dolphins; and (3) to ensure the long-term sustainability of the tuna stocks in the Agreement Area, as well as that of the marine resources related to this fishery, taking into consideration the interrelationship among species in the ecosystem, with special emphasis on, *inter alia*, avoiding, reducing and minimizing bycatch and discards of juvenile tunas and non-target species.”

### **B. Organizational Structure:**

The AIDCP consists of National Parties, regional economic integration organizations, and a Secretariat headed by a Director of Investigations, which is shared with the IATTC. Approval of decisions, resolutions, recommendations and publications is achieved by consensus of all Parties to the AIDCP. The Director of Investigations is appointed by the Parties and is responsible for drafting programs of investigations, budget formulation, accounting and administrative support, directing technical staff, coordinating the AIDCP with other organizations and preparing administrative, scientific, and other reports of the AIDCP.

**International Review Panel:** The International Review Panel (IRP) follows a general procedure for monitoring compliance by vessels with measures established by the AIDCP for minimizing the mortalities of dolphins during fishing operations and reporting on compliance to appropriate governments. The IRP reviews data collected by observers of the On-Board Observer Program related to compliance with the AIDCP, and identifies possible infractions of that Agreement. Lists of these possible infractions are submitted by the Secretariat to the governments of the Parties in which the vessels are registered for investigation and possible action. The governments report back to the Secretariat on actions taken regarding these possible infractions. The IRP publishes an annual report that summarizes the activities, actions, and decisions of the IRP, and lists the possible infractions identified for the various national fleets.

The Permanent Working Group on Tuna Tracking (PWGTT) was established by the Parties to the AIDCP in 1999 as a component of the IRP. The AIDCP requires that all Parties have an approved tuna tracking and verification system. The purpose of the system is to ensure the dolphin-safe status of tuna harvested in the ETP. The first task undertaken by the Working Group was to develop an international tuna tracking and verification system template that each Party could use to prepare a national tuna tracking system consistent with AIDCP requirements. In addition, the PWGTT has encouraged and assisted in the development of national plans as requested by AIDCP Parties. The PWGTT provides a forum for discussing and solving problems encountered in operating the national tuna tracking systems, and from time to time, recommends improvements to the system. At its meeting in El Salvador in June 2001, the PWGTT developed an international dolphin-safe Certification Program to provide a method of documenting the dolphin-safe status of ETP tuna in the world market. The international certification program and system for tracking and verifying tuna are reviewed and amended as necessary.

### **C. Programs:**

To fulfill its mission, the Parties carry out an extensive research and data collection program. This program is conducted by a permanent, internationally recruited staff selected and directed by the Director of Investigations, who is responsible to the Parties. In addition, the Parties to the AIDCP have established work groups to address specific management and organizational issues.

## **Dolphin Conservation**

In the 1950's, fishermen discovered that yellowfin tuna in the ETP aggregated beneath schools of dolphin stocks. Since that discovery, the predominant tuna fishing method in the ETP has been to encircle schools of dolphins with a fishing net to capture the tuna concentrated below. Hundreds of thousands of dolphins died in the early years of

this fishery. U.S. participation in the ETP tuna fishery has greatly decreased since the inception of the fishery, coming to a virtual standstill by the early 1980's. However, foreign participation in the ETP fishery has continued to increase. Annual dolphin mortality is down from over 133,000 in 1986 to approximately 2,000 dolphins since 1998. Preliminary dolphin mortality data for 2007 indicate that observed mortality was less than 883 dolphins, a total reduction in dolphin mortality of greater than 99%.

In the fall of 1992, the nations participating in the ETP tuna fishery signed the La Jolla Agreement, which placed voluntary limits on the maximum number of dolphins that could be incidentally killed annually in the fishery, decreasing the maximum each year over seven years, with a goal of eliminating dolphin mortality in the fishery. The United States and nine other nations fishing in the ETP negotiated the Panama Declaration in 1995. The Panama Declaration established conservative species/stock-specific annual dolphin mortality limits and represented an important step toward reducing bycatch in commercial fisheries with sound ecosystem management. It contained provisions for additional protection for individual stocks of dolphins and for other living marine resources to achieve an ecosystem approach to management of the fishery. Due to the efforts of the nations that negotiated the Panama Declaration and the IATTC, the yellowfin tuna fishery in the ETP has had 100% observer coverage since 1995. The signatory nations envisioned that, as a result of their actions in reducing dolphin mortality, the United States would amend its laws so their participation in the AIDCP would satisfy comparability requirements of the Marine Mammal Protection Act (MMPA) and result in the lifting of embargoes on yellowfin tuna and yellowfin tuna products.

In response to the Panama Declaration, in 1997, Congress amended the MMPA with the IDCPA to implement the AIDCP and to: (1) allow for lifting the embargoes for countries fishing in compliance with the AIDCP, and (2) lift the ban on the sale of tuna that is not dolphin-safe.

In February 1998, the nations participating in the tuna purse seine fishery in the ETP negotiated the AIDCP, a legally-binding instrument for dolphin conservation and ecosystem management in the ETP. The IDCPA is intended to give force domestically to the AIDCP, which was designed to strengthen dolphin protection measures already in place and afford nations harvesting tuna in the ETP in compliance with those measures access to the lucrative U.S. market for their tuna.

Despite successes in reducing observed dolphin mortality in the ETP purse seine fishery, the three stocks of dolphin that interact to the greatest degree with the fishery, the eastern spinner dolphin (*Stenella longirostris orientalis*), northeastern offshore spotted dolphin (*Stenella attenuata*) and coastal spotted dolphin (*Stenella attenuata graffmani*), are currently categorized as depleted under the MMPA. These stocks of dolphin are not recovering at a rate of population increase that is consistent with the drastic reduction in observed dolphin mortality in the ETP purse seine fishery. Investigations into the potential causes of this apparent lack of recovery are ongoing.

It is important to note that the dolphin-safe standard established by the AIDCP differs from that currently implemented in the United States. Under the AIDCP, dolphin-safe means "tuna captured in sets in which there is no mortality or serious injury of dolphins." The current dolphin-safe standard in the U.S. is that "no tuna were caught on the trip in which such tuna were harvested using a purse seine net intentionally deployed on or to encircle dolphins, and no dolphins were killed or seriously injured during the sets in which the tuna were caught."

**Other Conservation and Administration Issues:** The Parties have taken a proactive position in fishery management and dolphin conservation in recent years. There are or have been two work groups dealing with specific management issues: (1) fishing by non-parties to the AIDCP and (2) vessel assessments and financing the AIDCP.

The Joint AIDCP / IATTC Working Group on Fishing by Non-Parties was established in 2001 to monitor compliance with the AIDCP and IATTC by non-parties and distinguish between cooperating and non-cooperating non-parties. The joint working group addresses issues related to illegal, unreported and unregulated fishing activities and develops measures to deter fishing by non-cooperating non-parties.

The Working Group on Vessel Assessments and Financing was established and met for the first time in 2002. The Working Group was created with the objective of addressing the long-term budget issues faced by the AIDCP. In 2006, the Parties adopted a new approach to collect vessel fees, or assessments. The previous approach, established in 2003, connected calculation of vessel assessments with the IATTC Capacity Resolution of 2002, requiring that owners of all vessels listed on the register of vessels authorized to purse seine for tuna in the ETP, whether the

vessel is active or inactive, pay annual assessments. The approach established in 2006 mirrors the approach used prior to 2003, where only Class 6 purse seine vessels required to carry observers (i.e., in excess of 400 shorts tons, 362.8 metric tons, carrying capacity) pay assessments. The projected AIDCP expenditures for FY 2009 total \$2,110,446. The projected AIDCP revenues for FY 2007 total \$1,927,746, leaving a projected deficit of \$182,700. The Secretary has proposed increasing vessel assessments rates from \$14.95 per cubic meter of well volume to \$16.50 per cubic meter of well volume. The Secretary has asked parties to consider allowing the AIDCP retain charges from assessments for inactive and sunk vessels in order to alleviate the deficit. These charges are currently reimbursed to the national observer programs.

As mentioned in the previous paragraph, the AIDCP currently does not require that vessels in size classes 1-5 (i.e., of 400 short tons, 362.8 metric tons, carrying capacity or less) carry observers. However, in light of the concern that some Class 1-5 vessels are setting purse-seine nets on dolphins, in contravention of the AIDCP, the Parties adopted measures to require purse-seine vessels identified by the IRP to have intentionally set on dolphins to carry observers on subsequent trips. In addition, the Parties are engaged in ongoing discussions to develop indicators (e.g., gear) for identifying Class 1-5 vessels that may be harvesting tuna by intentionally setting purse seine nets on dolphins.

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## Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

### Basic Instrument

Convention for the Conservation of Southern Bluefin Tuna, 1994

### Implementing Legislation

N/A, the United States is not a party.

### Member Nations/Entities

Australia, Indonesia, Japan, Korea, New Zealand, Chinese Taipei

### Cooperating Non Parties

Philippines, South Africa, and the European Community

### Commission Headquarters

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### Budget

The contributions to the annual budget from each Party are calculated on the following basis:

- (a) 30% of the budget shall be divided equally among all the Parties; and
- (b) 70% of the budget shall be divided in proportion to the nominal catches of southern bluefin tuna among all the Parties.

### U.S. Representation

The United States has not historically participated in meetings of the CCSBT.

### Description

#### A. Mission/Purpose:

The Commission's objective is to ensure, through appropriate management, the conservation and optimum utilization of the global SBT fishery. The Commission also provides an internationally recognized forum for other countries/entities to actively participate in SBT issues.

In pursuit of this objective the CCSBT performs a number of functions. It:

- is responsible for setting a total allowable catch and its allocation among the members;
- considers and administers regulatory measures to meet Convention objectives;
- conducts and coordinates a scientific research program aimed at providing information to support the Commission's management objectives ( the program is a mixture of member managed activities and activities managed directly by the CCSBT Secretariat);

- takes decisions to support and implement fishery management;
- provides a forum for the discussion of issues relevant to the conservation objectives of the Convention;
- acts as a coordination mechanism for member's activities in relation to the SBT fishery;
- fosters activities directed towards the conservation of ecologically related species (living marine species which are associated with the SBT fishery) and bycatch species;
- encourages non members engaged in the fishery, to accede, apply for cooperating non-membership, or participate as observers in Commission activities;
- cooperates and liaises with other regional tuna fishery management organizations in areas of mutual interest.

#### B. Organizational Structure:

The CCSBT consists of a Commission composed of national sections of member nations and a Secretariat headed by an Executive Director. The Commission's objective is to ensure, through appropriate management, the conservation and optimum utilization of the global SBT fishery.

Decisions of the Commission are taken by a unanimous vote of the Parties present at the Commission meeting. There are currently three subsidiary bodies: a scientific committee, a compliance committee, and a finance and administration committee.

#### **Fisheries Conservation and CCSBT Management**

The CCSBT establishes an annual total allowable catch (TAC) for participating countries on a multi-year basis. At its Fifteenth annual meeting the CCSBT agreed to a total allowable catch (TAC) for 2007-2009 of 11,810 tonnes.

In 2004, the CCSBT established a list of fishing vessels over 24 meters in length which were approved to fish for SBT. The list was extended to include all vessels, regardless of size in 2005. The list is available on the CCSBT website. In 2008, the CCSBT established a list of authorized farms that are approved to operate for farming SBT. The CCSBT will establish a list of carrier vessels that are authorized to receive SBT at sea from large scale fishing vessels in 2009.

In an effort to combat illegal, unregulated and unreported (IUU) fishing, Members and Cooperating Non-Members will not allow the trade of SBT caught by fishing vessels and farms, or transshipped to carrier vessels that are not on these lists.

The CCSBT has also recognized the critical importance of adopting and fully implementing an integrated package of compliance measures which would ensure the elimination of unreported catch and provide accurate data as a basis for proper stock assessment. At its Fifteenth annual meeting, the CCSBT adopted resolutions on the following compliance measures, all of which are to be implemented on or before 1 January 2010:

- a Vessel Monitoring System;
- a Catch Documentation Scheme; and
- Regulation of Transshipments by Large Scale Fishing Vessels.

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## **Convention for the Establishment of an Inter-American Tropical Tuna Commission (IATTC)**

### **Basic Instrument**

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

### **Implementing Legislation**

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

### **Member Nations**

Colombia, Costa Rica, Ecuador, El Salvador, France, Guatemala, Japan, Mexico, Nicaragua, Panama, Peru, the Republic of Korea, Spain, the United States, Vanuatu, and Venezuela

### **Cooperating Non Parties**

Belize, Canada, China, Chinese Taipei, Cook Islands, and the European Union

### **Commission Headquarters**

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### **Budget**

As defined by the Tuna Conventions Act, the expenses of the Commission are to be shared by the Contracting Parties in relation to the proportion of the total catch by each Party from the fisheries covered by the Convention and the portion of the catch 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 three years) to the Fiscal Year (FY) budget in question. Historically, the United States paid the bulk (80 to 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. fleet moved to fish in the Western Pacific and the U.S. tuna market became "dolphin-safe" in mid-1994, thereby causing the U.S. required contribution to be diminished. Further, the Department of State has indicated that the U.S. contribution will be reduced. In 2007, the IATTC adopted a new formula for calculating the annual budget contributions of the Parties. The IATTC budgets for FY 2009 and FY2010 are \$5,508,722 and \$5,793,744, respectively. The United States agreed to contribute \$2,183,193 for FY 2009, which includes contributions for 14 months to account for the shifting of the start of the IATTC financial year from November 1 to January 1 for 2009 and each subsequent year.

## **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. These Commissioners, along with a State Dept. representative, comprise the U.S. Section to the IATTC.

### **B. U.S. Commissioners:**

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### **C. Advisory Structure:**

The Tuna Conventions Act as amended by the International Dolphin Conservation Program Act of 1997 provides that the Department of State charter a General Advisory Committee (Committee) and a Scientific Advisory Subcommittee (Subcommittee) to advise the U.S. Section regarding policy and science issues and U.S. positions associated with IATTC conservation and management measures. The first meeting of the Committee was convened in September 2003. All interested sectors - commercial and recreational fishing and environmental organizations - are represented on the Committee. Membership to the Subcommittee has not been named, as applications from the required minimum of five eligible persons have not been received. The terms of the advisory committees are fixed at two years by the charters. Each member may reapply and there are no term limits. The advisory committees are invited to attend all non-executive meetings of the U.S. Section 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 issues arising from the tuna-dolphin relationship in the EPO. In 2003, the IATTC adopted a resolution that approved the Antigua Convention, a major revision of the original convention establishing the IATTC. This new text brings the convention current with respect to internationally accepted laws on the conservation and management of oceanic resources, including a mandate to take a more ecosystem-based approach to management. The revised convention was the subject of a signing ceremony in November 2003. The U.S. Senate provided advice and consent to ratification of the Antigua Convention on November 17, 2005. Implementing legislation packages for the Antigua convention have been sent to the House Committee on Foreign Affairs and the Senate Commerce Science and Transportation Committee.

### **B. Organizational Structure:**

The IATTC consists of a Commission composed of national sections of member nations and a Secretariat headed by a Director of Investigations. 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. Approval of decisions, resolutions, recommendations and publications is only by consensus of all Parties to 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 and data collection program. This program is conducted by a permanent, internationally recruited staff selected and directed by the Director of Investigations, who is responsible to the Commission. In addition, the IATTC has established a number of working groups to address specific management and organizational issues and has expanded the scope and nature of its management recommendations in recent years.

### **Fisheries Conservation and IATTC Management**

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

Member countries agreed to resume implementing the annual yellowfin tuna quota system in 1998, in part because of the resolution of the tuna-dolphin issue (discussed below) allowed the Commission to refocus on fishery management. From 2004 through 2007, parties were required to choose a six week purse seine closure for the entire Convention Area beginning either August 1 or November 20 of each year. However, IATTC scientific staff has indicated that despite these conservation measures, overfishing of yellowfin tuna is occurring in the Convention Area. The Parties failed to reach consensus on conservation and management measures for yellowfin tuna in 2008. The Commission is currently considering a range of conservation measures for 2009.

**Bigeye Tuna:** In 2004, the Commission agreed that Parties would limit their future longline catches of bigeye tuna to 2001 levels. In 2006, the Commission amended this approach to limit Parties to annual bigeye catches equivalent to catch levels in 2001 or 500 metric tons, whichever is greater. The Commission also prohibits the use of tender vessels and the at-sea transfer of purse seine-caught tuna. These actions were taken to limit effective fishing capacity and reduce the risk of overcapacity and overfishing. Such harvests could result in long-term damage to the productivity of the bigeye tuna stock. Despite these measures, IATTC scientific staff has indicated overfishing of bigeye tuna is occurring in the Convention Area. The Parties failed to reach consensus on conservation and management measures for bigeye tuna in 2008. The Commission is currently considering a range of conservation measures for 2009.

**Other Conservation and Administration Issues:** There are or have been five working groups dealing with specific fishery management issues: 1) bycatch, 2) control of the fishery on floating objects/FADs, 3) fleet capacity, 4) compliance, and 5) the joint working group on Illegal, Unreported, Unregulated fishing.

In 2000, a pilot project was agreed to for 2001 under which all tuna brought on board a purse seine vessel would be retained. This was intended to prevent waste associated with discard of dead juvenile fish and possibly result in

vessels aborting sets and releasing live fish rather than having to retain low value fish on board. This requirement expired on December 31, 2007 and was not renewed.

While no specific restrictions on FAD fishing have been instituted, the IATTC has considered limiting the number of FADs a vessel may carry and once implemented the bigeye tuna quota by prohibiting floating object (including FAD) sets after the quota was reached. This tool remains available if needed in the future. As noted above, the IATTC also has banned tender vessels and at-sea transshipments from purse seine vessels, which effectively limits some FAD fishing. The Commission is considering a range of marking and reporting requirements for FADs in 2009.

In 2002, the IATTC adopted an overall purse seine fleet capacity agreement which froze the fishing capacity available to Parties to then current levels and established a requirement that purse seine vessels authorized to fish in the Convention Area be included on an IATTC vessel register. This effectively establishes upper limits on capacity in this sector. This is the first known instance of a regional fishery management organization establishing a fleet capacity limit. In June 2002, when the Capacity resolution entered into force, the active capacity was 218,482 cubic meters of well volume. The IATTC also has a long-term capacity management plan intended to ultimately reduce purse seine capacity to about 135,000 mt carrying capacity, which is thought to be consistent with the long-term maximum yield of tuna stocks. No significant progress has been made on this capacity reduction plan to date.

A Compliance Working Group was established and met for the first time in 2000 with the goal of promoting more complete and uniform implementation of compliance with IATTC and AIDCP management recommendations. In 2003, this working group was presented with reports on the extent of compliance and on the steps being taken by members to enforce the recommendations of the IATTC. The lack of compliance by certain non-members was a critical element in the IATTC agreement in 2003 that Parties would not engage in trade in any tuna caught in contravention of time or area closures agreed to by the IATTC. In 2006, the Commission adopted a resolution on trade measures to promote compliance. This resolution required all Parties and co-operating non-parties to examine import and landing data for fish products covered by the IATTC. The resolution also provided a process for identifying fishing entities whose activities undermine the effectiveness of IATTC conservation and management measures. If the identified entity failed to take corrective action, the Commission could encourage Parties to adopt non-discriminatory trade restrictive measures. This resolution contained an automatic expiration date of June 2008 and was not renewed. The Commission may consider new trade measure proposals in 2009.

The Commission adopted a resolution establishing a program regulating transshipment by large-scale tuna fishing vessels (large-scale longline vessels and associated carrier vessels) in 2006, which was subsequently replaced by an amended resolution in 2008. The resolution establishes conditions relating to in-port transshipment of species covered by the IATTC. Following the establishment of a registry of vessels authorized to receive transshipments at sea by July 1, 2008, and an IATTC observer program for transshipment vessels by January 1, 2009, transshipment at sea will be limited to vessels that are both on the registry and carrying an IATTC observer.

In 2007, the Commission adopted binding measures for sea turtle conservation. The resolution requires fishermen on vessels targeting species covered by the Convention to bring aboard, if practicable, any comatose or inactive hard-shell sea turtle as soon as possible and foster recovery, including resuscitation, before returning it to the water. Purse seine fishermen are also directed to avoid the encirclement of sea turtles and release turtles observed entangled in fish aggregating devices. Longline fishermen are required to carry and, when sea turtle interactions occur, employ the necessary equipment (e.g. de-hookers, line cutters, and scoop nets) for the prompt release of incidentally caught sea turtles. The resolution also encourages Parties to continue to perform research and develop techniques to further reduce sea turtle interactions in IATTC fisheries.

As noted above, the Antigua Convention, the culmination of more than 4 years of work by the Negotiations Working Group, was agreed to by the Commission at its annual meeting in June 2003. The Antigua Convention will come into force 15 months from the date of the deposit of the seventh ratification or accession by a nation that was Party to the 1949 IATTC Convention at the time that Antigua was opened for signature. Thus far, 6 nations that were Party to the 1949 Convention in 2003 have deposited instruments of ratification of the Antigua Convention. Additionally, Belize, Korea and the European Union have also ratified the Antigua Convention.

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## **Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Basic Instrument for the International Pacific Halibut Commission – IPHC)**

### **Basic Instrument**

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

### **Implementing Legislation**

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

### **Member Nations**

The United States and Canada.

### **Commission Headquarters**

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Web address: <http://www.iphc.washington.edu>

### **U.S. Representation**

#### **A. Appointment Process:**

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

#### **B. U.S. Commissioners:**

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Philip Lestenkof (Alternate Commissioner)

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Ralph Hoard (Alternate Commissioner)

Executive Vice President

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**C. Advisory Structure:**

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

**Description****A. Mission/Purpose:**

The IPHC was created to conserve, manage, and rebuild the halibut stocks in the Convention Area to those levels that would achieve and maintain the maximum sustainable yield from the fishery. The yield definition was changed to optimum sustainable yield by the amending 1979 Protocol.

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

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

**B. Organizational Structure:**

The IPHC consists of a Commission and staff. The Commission consists of six members; three representatives appointed by each Contracting Party. All decisions of the Commission are made by a concurring vote of at least two of the Commissioners of each Contracting Party. The research programs and regulatory actions of the Commission are coordinated by the IPHC staff, in consultation with the Commissioners. The IPHC staff currently consists of 27 permanent employees, including fishery biologists, administrative personnel and support staff.

In addition, the Commission is advised by a Conference Board, a Processor Advisory Group (PAG), and a Research Advisory Board. The Conference Board is a panel representing U.S. and Canadian commercial, native, and sport halibut fishers. Created in 1931 by the Commission, the Board provides the industry/sport/native harvesters' perspectives on Commission proposals presented at Annual Meetings. Members of the Board are designated by union, vessel owner, recreational harvester, Native American, and Canadian First Nations organizations from both nations. Created in 1996, the Processor Advisory Group (PAG) represents halibut processors. Like the Conference Board, the PAG lends its opinion regarding Commission proposals and offers recommendations at IPHC Annual Meeting. The Research Advisory Board (RAB) was created in 1999 with representation from harvesters and processors to advise the Director and staff on Commission research programs.

**C. Programs:**

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

**D. Conservation and Management Measures:**

The International Pacific Halibut Commission (IPHC) completed its Eighty-fifth Annual Meeting in Vancouver, B.C., with Dr. Laura J. Richards of Nanaimo, B.C. presiding as Chair. The Commission is recommending to the

governments of Canada and the United States catch limits for 2009 totaling 54,080,000 pounds, a 10.4% decrease from the 2008 catch limit of 60,400,000 pounds.

The Commission staff reported on the 2008 Pacific halibut stock assessment which implemented a coastwide estimation of biomass, with apportionment to regulatory biomass based on the data from the annual Commission assessment survey. While the total of the staff catch limit recommendations arising from IPHC survey-based apportionment of the estimated coastwide biomass was accepted, there were differences from staff recommendations for most areas, and the Commission requested additional investigation of apportionment methods during 2009.

For 2009, the Commission recommended a 20% harvest rate for use in Areas 2A through 3B. However, the Commission staff expressed concern over continued declining catch rates in Area 4A and conducted an analysis of productivity in this area during 2008. The analysis recommended a reduction of the harvest rate for this area to 15%, similar to that for other areas of the Bering Sea (Areas 4B and 4CDE). Catch limits adopted for 2009 were lower for most regulatory areas except Area 3B where the Commission, with advice from its advisory bodies, recommends a catch limit the same as that in 2008. The Area 4B recommended catch limit increased slightly for 2009. Decreased catch limits reflect stock biomass declines as the exceptionally strong 1987 and 1988 year classes pass out of the fishery. Recruitment from the 1999 and 2000 year classes is estimated to be above average but is several years away from making major contributions to the exploitable biomass of the stock.

### ***Seasons and Catch Limits***

The Commission received regulatory proposals for 2009 from the scientific staff, Canadian and United States harvesters and processors, and other fishery agencies. The Commission will recommend to the governments the following catch limits for 2009 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):

### **2009 Catch Limits**

<b>Regulatory Area</b>	<b>Catch Limit (pounds)</b>
Area 2A	
Non-treaty directed commercial (south of Pt. Chehalis)	166,385
Non-treaty incidental catch in salmon troll fishery	29,362
Non-treaty incidental catch in sablefish longline fishery (N. of Pt. Chehalis)	11,895
Treaty Indian commercial	303,500
Treaty Indian ceremonial and subsistence (year-round)	29,000
Sport – North of Columbia River	214,110
Sport – South of Columbia River	<u>195,748</u>
Area 2A total	950,000
Area 2B (includes sport catch allocation)	7,630,000
Area 2C	5,020,000
Area 3A	21,700,000
Area 3B	10,900,000
Area 4A	2,550,000
Area 4B	1,870,000
Area 4C	1,569,000
Area 4D	1,569,000
Area 4E	<u>322,000</u>
Area 4 total	7,880,000
<b>Total</b>	<b>54,080</b>

The Department of Fisheries and Oceans, Canada (DFO) will allocate the Area 2B catch limit between sport and commercial fisheries.

The IPHC sets biologically-based catch limits for Areas 4A, 4B, and a combined Area 4CDE. 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 catch-sharing plan allows Area 4D Community Development Quota (CDQ) harvest to be taken in Area 4E and Area 4C Individual Fishing Quota (IFQ) and CDQ to be fished in Area 4D.

The catch-sharing plan implemented by the Pacific Fishery Management Council (PFMC) for Area 2A was adopted by the Commission and is reflected in the catch limits adopted for the Area 2A fisheries. The Commission surveyed the Area 2A directed commercial/incidental halibut fishery license holders for their preferred starting date for the directed commercial fishery. There was a range of views on starting dates with most harvesters supporting opening during June and largest proportion favored June 24. In Area 2A, seven 10-hour fishing periods for the non-treaty directed commercial fishery are recommended: June 24, July 8, July 22, August 5, August 19, September 2, September 16, September 30, 2009. All fishing periods will begin at 8:00 a.m. and end at 6:00 p.m. local time, and will be further restricted by fishing period limits announced at a later date.

Area 2A fishing dates for an incidental commercial halibut fishery concurrent with salmon troll fishing seasons, and the incidental commercial halibut fishery during the sablefish fishery north of Point Chehalis, will be established under United States domestic regulations by the National Marine Fisheries Service (NMFS). The remainder of the Area 2A catch-sharing plan, including sport fishing seasons and depth restrictions, will be determined under regulations promulgated by NMFS. For further information of the depth restrictions in the commercial directed halibut fishery, incidental halibut during the sablefish fishery, and the sport fisheries, call the NMFS hotline (1-800-662-9825).

After reviewing staff information and proposals from the harvesting and processing sector, the Commission approved a season opening date of March 21 for the U.S. and Canadian Individual Quota fisheries, and Treaty tribal fisheries in Area 2A. The Saturday opening date is to facilitate marketing. Therefore, seasons will commence at 12 noon local time on March 21 and terminate at 12 noon local time on November 15, 2009 for the following fisheries and areas: the Canadian Individual Vessel Quota (IVQ) fishery in Area 2B, and the United States IFQ and CDQ fisheries in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E. All Area 2A commercial fishing including the treaty Indian commercial fishery will fall within March 21 - November 15, 2009.

#### Regulatory Changes and Issues

For Alaska, the Commission revised the sport regulation that had stated no person shall possess on board *a fishing vessel*, including charter vessels and pleasure craft, halibut that has been filleted, mutilated, or otherwise disfigured in any manner except that each halibut may be cut into no more than two ventral and two dorsal pieces and two cheeks, all with skin on. The revision changes the reference from *fishing vessel* to *vessel*, and adds an exemption so that halibut in excess of the possession limit may be possessed on the vessel for transportation of halibut, when the vessel is not carrying gear.

The Commission approved a change to the 72-hour restriction prior to the Area 2A directed commercial fishery which would change the restriction to affect all vessels, not just setline vessels, and would require vessels and skippers fishing before the 72-hours immediately prior to the opening to offload their catch or submit to a hold inspection. Without this change, enforcement officers could not tell if fish was caught before or within the 72-hour period.

The Commission approved a regulation that allowed fishing in multiple regulatory areas (4A, 4B, 4C, or 4D), provided a certified observer is on board; or a Vessel Monitoring System is on board and the vessel does not possess at any time on board more halibut than the IFQ allowed for the area currently being fished. In both cases, the halibut needs to be identifiable by regulatory area. This is a regulation that was adopted in 2008 but was not recorded correctly as part of the IPHC regulations in the U.S. Federal Register.

### Other Actions

The catch in sport fisheries and enforcement of sport fishing regulations, particularly for charter vessels, were discussed at length. There was support in concept for the development of a harvest tag or ticket for data collection in all recreational halibut fisheries in Alaska and for accurate and timely accounting. The Commission will send letters to the NPFMC and ADF&G acknowledging this support. In 2009, the Commission and agency staff will work with sport representatives to review IPHC Alaska sport regulations and determine if changes are necessary. The Commission staff will also work with ADF&G and NMFS staffs to provide clearer documentation of the Alaska sport regulations.

The Commission also considered the proposed NMFS one-fish bag limit for charter fisheries in Area 2C for 2009. The Commission expressed its desire to see implementation of effective management measures for this fishery, in consideration of the Guideline Harvest Level of 788,000 lb defined for this fishery. The Commission will therefore monitor the implementation of the NMFS proposed rule. In the event of conservation concerns, the Commission will be prepared to take extraordinary action at an intercessional meeting in 2009 to pass IPHC regulations commensurate with the intent to conserve the resource, should there be any delay or problem with the implementation schedule for the NMFS regulation.

An industry proposal to allow the retention of legal-sized Area 4A IFQ halibut during the Bering Sea sablefish pot fishery was discussed. Although the Commission determines the legal gear for the halibut fishery, the Conference Board requested that the NPMFC IFQ Implementation Team discuss this issue. Accordingly, the Commission will send a letter to the NPFMC to have their advisory body review this proposal.

An industry proposal to reduce the commercial size limit for halibut was reviewed but not adopted. The IPHC staff is continuing its investigation of how a reduced size limit would affect assessment, yield, and long-term productivity of the halibut stock and has not endorsed such a change.

The Commission's advisory bodies supported the coastwide assessment model but continued to seek additional discussion on the best method to apportion the coastwide biomass to regulatory areas. The Commissioners directed the staff to conduct additional consultation with industry in the late spring of 2009 to review apportionment procedures and identify preferred methods.

The Commissioners also directed the staff to conduct a workshop in the fall of 2009 to examine the estimation of sublegal-sized bycatch mortality and the methods by which this mortality is incorporated into the stock assessment and harvest policy. The Commission wishes to review these procedures and impacts during its review of the 2009 stock assessment.

The Commission honored Mr. Joel Thomas of Port Townsend, WA as the seventh recipient of the IPHC Merit Scholarship. Mr. Thomas was unable to attend the meeting due to class requirements but was previously presented with the scholarship of \$2,000 (U.S.). The Commissioners expressed their continued support for the scholarship program and commended the Scholarship Committee for their efforts in assessing the candidates.

The recommended regulations for the 2009 halibut fishery will become official as soon as they are approved by the Canadian and United States Governments. The Commission will publish and distribute regulation pamphlets.

The next Annual Meeting of the Commission is planned for Seattle, WA from January 25-29, 2010. The United States Government Commissioner, Dr. James W. Balsiger of Juneau, AK, was elected Chair. The Canadian Government Commissioner, Dr. Laura J. Richards of Nanaimo, B.C., was elected Vice-Chair for the coming year. Other Canadian Commissioners are Larry Johnson (Parksville, B.C.) and Gary Robinson (Vancouver, B.C.). The other United States Commissioners are Ralph Hoard (Seattle, WA) and Phillip Lestenkof (St. Paul, AK). Dr. Bruce M. Leaman is the Executive Director of the Commission.

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## **Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean (Basic Instrument for the North Pacific Anadromous Fish Commission – NPAFC)**

### **Basic Instrument**

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

### **Implementing Legislation**

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

### **Member Nations**

Canada, Japan, the Republic of Korea, the Russian Federation, and the United States.

### **Commission Headquarters**

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### **Budget**

The approved NPAFC budget for Fiscal Year (FY) 2008/2009 (July 1, 2008-June 30, 2009) is CAD\$830,000, with each Party contributing CAD\$145,000. The budget estimate for FY 2009/2010 is CAD\$807,000 with each Party contributing CAD\$145,000.

### **U.S. Representation**

#### **A. Appointment Process:**

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

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

**B. U.S. Commissioners:**

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**C. Advisory Structure:**

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

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Pacific States Marine Fisheries Commission  
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Gladstone, OR 97027-2522

\* All State of Washington members of the Advisory Panel were appointed on October 16, 2008. Their appointments will expire on October 15, 2012.

\*\* All State of Alaska members of the Advisory Panel were appointed on January 22, 2009. Their appointments will expire on January 21, 2013.

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°E North Latitude beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured." In addition, the NPAFC serves as the venue for coordinating the collection, exchange, and analysis of scientific data regarding the above species within Convention waters. It also coordinates high seas fishery enforcement activities by member countries (the Convention prohibits directed fishing for salmonids and includes provisions to minimize the incidental take of salmonids in other fisheries in the Convention area).

**B. Organizational Structure:**

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

### C. Programs:

The 16<sup>th</sup> Annual Meeting of the NPAFC was held in Seattle, Washington, on November 17-21, 2008. All of the Parties (Canada, Japan, Korea, Russia, and the United States) were represented. Mr. Doug Mecum, NMFS Acting Alaska Regional Administrator and U.S. Alternate Federal Commissioner, led the U.S. delegation. The plenary meeting was chaired by Mr. Dohyung Koo (Korea), President of the Commission. Representatives from Taiwan, the North Pacific Marine Science Organization (PICES), the Coastal Conservation Alliance, and the University of British Columbia observed the meeting.

At NPAFC Annual Meetings, the majority of the work of the Commission takes place in its three standing committees: the Committee on Enforcement (ENFO), the Committee on Finance and Administration (F&A), and the Committee on Scientific Research and Statistics (CSRS). The recommendations of each Committee on its agenda items are presented in the form of a report to the Commission for its consideration. These reports are then formally adopted by the Commission at its final plenary session.

Commercial salmon fishing occurs within each country's jurisdiction. The total 2007 catch of Pacific salmon by all producing countries was the highest on record --more than 1,000,000 metric tons. Russian catches for 2007 were also the highest on record, particularly for pink salmon from eastern Sakhalin and sockeye and chinook from Kamchatka. Catches in the United States (Alaska) and Japan were also high. However, the trends for Canada, the Northwestern United States and the Republic of Korea were poor. These regional fluctuations in abundance need further consideration by scientists from NPAFC countries. One possible explanation is that the fluctuations result from climate change impacts on salmon production. To assist in this understanding, NPAFC scientists plan to conduct winter surveys to gather information on this aspect of Pacific salmon's lifecycle.

The Parties have been successful in reducing illegal salmon fishing in the Convention Area; however, each year suspected high seas vessels are detected using large scale drift nets. The Parties reviewed enforcement efforts and activities in the Convention Area in 2008. Member countries conducted 118 ship patrol days and 371 aerial patrol hours in the Convention Area. This year's efforts also used Canadian satellite information to focus efforts in high threat areas. Eleven HSDN vessels were sighted, two were apprehended and international right of boarding were conducted on another two vessels which were believed to be Indonesian registered. It was reported that one of the vessels apprehended was fined approximately U.S.\$7,000, the catch was seized and sold and the vessel was seized and auctioned off with the nets and other gear being destroyed.

Due to the continued threat of high seas fishing for salmon in the Convention Area, all Parties reaffirmed their commitment to maintain 2009 enforcement activities at high levels and to continue close cooperation with the Fisheries Working Group of the North Pacific Coast Guard Forum and the Technical Committee on Compliance of the Western and Central Pacific Fisheries Commission (WCPFC) against IUU fishing in the North Pacific. Japan invited all the participants to the Enforcement Evaluation and Coordination Meeting to be held next February in Fukuoka.

The NPAFC hosted the International Symposium on Being-Aleutian Salmon International Surveys (BASIS) in Seattle, USA immediately after the Annual Meeting (November 23-25, 2008). The purpose of the symposium was to summarize BASIS research conducted since 2002 and increase understanding of how climate change affects salmon growth and survival in the ocean. The NPAFC is also planning to work with the North Pacific Marine Science Organization (PICES) towards another international symposium in 2010 to further overall scientific understanding of the effect of climate change on fish, including salmon.

In 2007, the NPAFC was awarded a grant from the Gordon and Betty Moore Foundation in support of a long-term, integrated research and monitoring plan. This plan will synthesize past research and identify critical areas for new research to understand impacts of future climate and ocean changes on the population dynamics of Pacific salmon. The project will be completed in August 2009..

Finally, the NPAFC initiated a process to review the organization's performance with outside experts, as recommended to all Regional Fisheries Management Organizations by the General Assembly of the United Nations (UN) and the Food and Agriculture Organization of the UN (FAO) Committee on Fisheries. A performance review report will be presented at the 2010 NPAFC Annual Meeting.

**Future Meetings:** The 17<sup>th</sup> NPAFC Annual Meeting will be hosted by Japan in Niigata on November 2-6, 2009. The 18<sup>th</sup> Annual Meeting will be held in Korea in 2010 (dates and city to be announced later).

**New President:** The Commission elected Dr. Suam Kim of Korea as the next President of the NPAFC.

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**Treaty Between the Government of the United States of America and  
the Government of Canada Concerning Pacific Salmon (Basic  
Instrument for the Pacific Salmon Commission – PSC)**

**Basic Instrument**

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

**Implementing Legislation**

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

**Member States**

The United States and Canada.

**Commission Headquarters**

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**Budget**

Each Party contributed CAD\$1,729,153 to the approved Commission budget of CAD\$3,603,904 for Fiscal Year 2008-2009 (April 1, 2008-March 31, 2009). The budget for the fiscal year that begins April 1, 2009, is CAD\$3,831,332 and includes contributions of CAD\$1,747,510 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, and 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.

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**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 four regional Panels (Northern, Transboundary, Fraser River, and Southern) consisting of 23 U.S. Panel Members, 15 of whom are appointed by the Secretary of Commerce. Each Panel member on the Northern, Fraser River, and Southern Panels has an Alternate Member (16 total), 8 of whom are appointed by the Secretary of Commerce. The Northern Panel=s stocks of concern are those originating in rivers between Cape Suckling in Alaska and Cape Caution in British Columbia. The Transboundary Panel=s stocks of concern are from rivers that originate in British Columbia and flow to the sea through Southeast Alaska. The Fraser River Panel is the only panel with regulatory responsibility. It is responsible for stocks of sockeye and pink salmon originating in the Fraser River. The Southern Panel is concerned with stocks originating in rivers of Canada south of Cape Caution (not including Fraser River pink and sockeye salmon) and the rivers of Washington, Oregon and Idaho.

The Panels are responsible for providing advice to the Commission on the management regimes for the intercepting salmon fisheries in their respective 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:

During May 2008, the Pacific Salmon Commission successfully concluded two years of negotiations to update the fishing regimes contained in Annex IV of the Pacific Salmon Treaty and recommended their adoption to the Governments of the United States and Canada. The Governments adopted the updated regimes through an exchange of diplomatic notes on December 23, 2008. The Fraser River sockeye and pink fishing regime is being renegotiated on a different schedule as the current regime does not expire until the end of 2010. The new agreement will be in place from 2010 – 2018 and is intended to protect, rebuild and provide for fair sharing of salmon stocks subject to the Pacific Salmon Treaty.

The agreement maintains abundance-based fishing regimes, based on run strength, for the major salmon intercepting fisheries in the United States and Canada. Larger catches will be allowed when abundance is higher and catches will be constrained in years when abundance is down. These regimes are designed to implement the conservation and harvest sharing principles of the Pacific Salmon Treaty.

Remaining in place are two bilaterally-managed regional funds that were established in 1999—the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund (northern fund) and the Southern Boundary Restoration and Enhancement Fund (southern fund). The funds are used to improve fisheries management and aid efforts to recover weakened salmon stocks. The United States contributed US\$75 million and US\$65 million to the northern and southern funds, respectively, over a 4-year period after the 1999 Agreement. The importance of habitat protection and restoration in achieving the long-term objectives of the Parties relative to salmon also remains a goal of the Treaty, as is a commitment by the two countries to improve how scientific information is obtained, shared, and applied to the management of the resource.

#### Overview of the Agreement=s Current Fishing Regimes in Annex IV of the Treaty

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

Northern British Columbia and Southeast Alaska (Chapter 2): This Chapter addresses the management of sockeye, pink and chum salmon fisheries in southeast Alaska and northern British Columbia. It specifies how the fisheries will be managed to achieve conservation and fair sharing of salmon stocks that intermingle in the border area. The fixed catch ceilings contained in the expired agreements were replaced with abundance-based fishing regimes in 1999. These regimes allow harvests to vary from year to year depending on the abundance of salmon. Of particular note, because they resolve long-contentious issues, are agreements governing the harvest of sockeye in Alaska=s purse seine fisheries near Noyes Island (District 104) and the gillnet fishery at Tree Point (District 101), and Canada=s various marine net fisheries for pink salmon and its troll fishery for pink salmon in specific Canadian fishing areas .

Chinook Salmon (Chapter 3): Because they pass through fisheries regulated by many jurisdictions in both Canada and the United States, chinook salmon have been the focus of increasing concern and controversy in recent years. Although some chinook populations are relatively healthy, others remain listed by the U.S. Federal Government under the Endangered Species Act (ESA). The new chinook regime encompasses marine and certain freshwater fisheries in Alaska, Canada, Washington, and Oregon. All chinook fisheries will be managed based on abundance. Two types of fisheries have been designated: (1) those that will be managed based on the aggregate abundance of Chinook salmon present in the fishery, and (2) those that will be managed based on the status of individual stocks or stock groups in the fishery.

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

even greater harvest reductions will apply. These so-called Aweak stock@ provisions serve as a safety valve to afford additional protection to stocks that may fail to respond to the recovery programs.

Fraser River Sockeye and Pink Salmon (Chapter 4): This fishing regime will not expire until the end of 2010 and new provisions are currently being negotiated.

Coho Salmon (Chapter 5): The coho agreement essentially provides a blueprint and specifications (biological criteria) for a conservation-based regime for border area fisheries in southern British Columbia and Washington State. The specifics of the regime were bilaterally developed and were agreed to in February 2002 and remain in effect under the May, 2008 agreement. The fishing regime includes rules that will establish harvest limits in specified border area fisheries. The rules are designed to limit exploitation rates on natural coho stocks to sustainable levels, taking into account all fisheries affecting the stocks, thereby improving the long term prospects of sustainable, healthy fisheries in both countries.

Southern British Columbia and Washington State Chum Salmon (Chapter 6): This chapter incorporates certain refinements to the provisions that trigger fisheries directed at chum salmon in the Strait of Georgia and Puget Sound. These refinements will have only a minor impact on the allocations of catches, but will improve the effectiveness of the regime. Additionally, at the request of the United States, Canada agreed to require the live release of chum salmon in certain of its net fisheries in its southern boundary areas at those times of the year when Asummer chum," a species recently listed as threatened under the ESA, may be present in the areas. Both countries agreed to collect better data relating to these fish.

The 2008 agreement can be found at the PSC website at <http://www.psc.org>.

**2009 Annual Meeting:** The PSC held its Annual Meeting on February 9-13, 2009 in Portland, Oregon. At this meeting the PSC focused on issues relating to the implementation of new agreement and the continuing negotiations of the Fraser River Chapter of Annex IV of the Treaty.

The PSC continues to develop the structure and tasks of a Habitat and Restoration Technical Committee that has been agreed on to help the PSC implement Attachment E (Habitat Restoration) of the 1999 Agreement to the Pacific Salmon Treaty. The Committee will operate similarly to the other PSC technical committees, and will report to the PSC on the status of habitats for salmon stocks affected by non-fishing factors. It will also identify for the PSC options for addressing habitat factors that limit production of those stocks.

Perhaps the most challenging issue currently facing the PSC concerns the coast-wide harvest and conservation of Chinook salmon, many runs of which are listed under the U.S. ESA. Chapter 3 of Annex IV of the Treaty addresses Chinook conservation and harvest sharing issues and is one of the fishing regimes that was updated in the May, 2008 Agreement. A number of data collection activities and technical reviews will be undertaken under the new agreement to ensure the conservation measures included in the new Chinook fishing regimes have the intended effects on Chinook stock conservation.

The PSC continues to pursue a work plan to implement some of the recommendations of an Expert Panel convened to examine the coast-wide coded wire tag (CWT) program, one of the primary tools for research and data collection on the status of Pacific salmon stocks. Experts are concerned that the integrity and usefulness of the CWT program may be suffering from the effects of scarce resources to implement the program, fewer tag recoveries resulting from reduced fisheries, and the impacts of mass marking and mark-selective fisheries.

**Future Meetings:** The next regular meeting of the Pacific Salmon Commission will be held on October 20-22, 2009, in Sitka, Alaska. The PSC Post Season Meeting will be held January 11-15, 2010, in Vancouver, B.C., and the 24th Annual Meeting will be held February 8-12, 2010, in Portland, Oregon.

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## **Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea**

### **Implementing Legislation**

There is no implementing legislation for the Convention.

### **Parties**

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

### **Description**

#### **A. Mission/Purpose:**

The objectives of the Convention are:

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

#### **B. Organizational Structure:**

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

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

#### **C. Advisory Body:**

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

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

#### D. Background:

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

The central Bering Sea pollock fishery was conducted by trawl vessels from China, Japan, Korea, Poland, and the former Soviet Union. Catch data submitted by these countries indicated that annual harvests in the area rose to approximately 1.5 million metric tons (t) in the years leading up to 1989. Largely due to drastic declines in catch and catch-per-unit-effort, leading to a total catch of under 300,000 t in 1991 and only 10,000 t 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, after 3 years of negotiations, the Parties initiated the Convention on the Conservation and Management of Pollock Resources in the central Bering Sea. Its major principles include: no fishing permitted in the Convention area unless the biomass of the Aleutian Basin stock exceeds a threshold of 1.67 million t (if the parties cannot agree on an estimate of the biomass, the estimate of the Alaska Fisheries Science Center and its Russian counterpart will be used); allocation procedures; 100 percent observer and satellite transmitter coverage; and prior notification of entry into the Convention area and of transshipment activities.

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

**Current Status:** The 13<sup>th</sup> Annual Conference of the Parties to the Convention took place September 1-2, 2008, in Kaliningrad, Russia. Delegations from the United States, Japan, the Republic of Korea, Poland, and Russia met to exchange scientific information on the latest status of pollock stocks in the Convention Area and to consider the establishment of an annual harvest level for pollock in the Convention Area. China was not represented. The Conference was chaired by Dr. Boris Kotenev, Director of VNIRO, Russia. Dr. Loh-Lee Low, Alaska Fisheries Science Center, National Marine Fisheries Service, led the U.S. delegation. Included on the U.S. delegation were members of the U.S. fishing industry advisory group, and representatives of the Department of State, NOAA, and the U.S. Coast Guard.

The major functions of the Annual Conference are, among other things, to establish an allowable commercial harvest level (AHL) for pollock in the central Bering Sea for the following year, establish an annual individual national pollock quota (INQ) for each Party, establish a Plan of Work for the S&T Committee, and adopt appropriate pollock conservation and management measures for the Convention area.

**2008 AHL and INQs:** Because no new survey was conducted in the Bogoslof Island pollock spawning area in 2008, the pollock biomass for the Convention area was estimated at 486,667 t (the same as in 2007), based on the premise that the Bogoslof Island pollock spawning stock biomass (292,000 t) is equal to 60 percent of the biomass in the Convention Area. The Parties agreed that there was insufficient scientific and technical information to determine the pollock biomass of the whole Aleutian Basin and that the estimated biomass for the Convention Area is nowhere near the biomass target (1.67 million t) stated in the Convention necessary to trigger a commercial fishery. Consequently, the AHL and INQs were set at zero during the Conference and the 15-year moratorium on pollock fishing in the Central Bering Sea was continued, despite the desire by Japan and Korea for a small AHL.

All Parties expressed concern that pollock stocks do not seem to be recovering even after 15 years of a fishing moratorium. 2009 will mark the 16<sup>th</sup> year of a moratorium on commercial pollock fishing in the central Bering Sea.

**Trial Fishing:** There was no trial fishing conducted in the region in 2008. The Parties agreed to roll over the terms and conditions for trial fishing adopted in 1999 for 2009. The U.S. side recommended that countries planning to conduct trial fishing give at least one month lead time prior to fishing in order to facilitate enforcement efforts. No Parties presented any plans to conduct trial fishing in 2009 at the meeting.

**Work Plan for the S&T Committee:** The Parties agreed to continue cooperative research efforts to determine the causes of continued low pollock stock levels in the Convention Area, and to continue with plans to convene a workshop on pollock stock genetics at some point in the future. The United States reviewed results of the 2007 Bogoslof survey and indicated that the survey was not conducted in 2008. The next Bogoslof survey is scheduled in 2009, but there is a possibility that it may not be conducted because of budgetary concerns.

**Enforcement:** The Parties did not observe any unauthorized pollock fishing in the Convention Area in 2008.

**Transparency:** The Parties agreed to the same interim observer rules for 2009 that have been employed since 1998. These rules do not address attendance by non-governmental observers--only observers from regional and intergovernmental organizations.

**Future Meetings:** The U.S. side agreed to host the 14<sup>th</sup> Annual Conference of the Parties in the United States, possibly Portland, Oregon, in early September 2009. Japan proposed that the Parties consider changing the format of future meetings by alternating between "face-to-face" and "virtual" meetings. Japan encouraged Parties to exchange proposals prior to the next meeting. The U.S. and Korea supported consideration of the proposal from Japan for an agenda item at the next meeting. Russia recommended that the Parties review the proposal from Japan for consideration during the intersessional period and discuss the matter at the next scheduled meeting.

The NMFS Alaska Fisheries Science Center has made the 1994-2008 reports of the Annual Conference and the S&T Committee available on the internet at <http://www.afsc.noaa.gov/refm/cbs/>.

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## Treaty Between the Government of the United States of America and the Government of Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges

### Implementing Legislation

Implementing legislation was signed on April 13, 2004, as Public Law 108-219, 118 Stat. 615.

### Parties

The United States and Canada.

### Description

The Treaty entered into force in 1982. In 2001, at the request of the U.S. albacore fishing industry, the United States requested consultations with Canada for the purpose of discussing limitations on the catch or effort by fishing vessels of one Party operating in the jurisdiction of the other Party. Following initial consultations, three subsequent negotiating sessions culminated in agreement in April, 2002, to amend the Treaty. The U.S. Senate gave its advice and consent to the Treaty amendments, and Congress enacted H.R. 2584 (Public Law 108-219) on March 29, 2004, to authorize the Secretary of Commerce to issue regulations to implement the amended Treaty. The President signed H.R. 2584 into law on April 13, 2004. Proposed regulations to allow the United States to implement the amendments to the Treaty were published in April, 2004 and final regulations followed in June, 2004.

The United States and Canada agreed to allow fishing vessels of the other Party to fish for albacore tuna in waters under its fisheries jurisdiction beyond 12 nautical miles during a fishing season which occurs from June through October in most years. The Treaty requires that the United States and Canada annually exchange lists of fishing vessels which may fish for albacore tuna in each other's waters. The vessels agree to abide by the provisions of the Treaty, which include: vessel marking; recordkeeping; and reporting. The Treaty also allows the fishing vessels of each Party to enter designated fishing ports of the other Party to:

1. land their catches of albacore without payment of duties, and
2. transship catches in bond under the supervision of U.S. Customs and Border Protection to any port of the flag state, or
3. sell them for export in bond, or
4. sell them locally on payment of the applicable customs duty and
5. obtain fuel, supplies, repairs, and equipment on the same basis as albacore tuna vessels of the other Party.

### Current Issues

*New Fishing Regime:* When the Treaty was amended in 2002, it had a default provision that if no agreement was reached to extend the arrangement or negotiate a new limit regime after 3-years, specific fishing limits would be triggered (i.e., 94 Canadian vessels allowed in U.S. waters for four months or 376 vessel months). The provision was first used for the 2007 fishing season and repeated again in 2008. Both Parties met three times in 2008, in Vancouver, British Columbia, April 24-25, in La Jolla, California on November 4, and in Long Beach, California, December 15-16 to consider the future of the Treaty. There was discussion of a new fishing regime at all three meetings but it was not until the December meeting that both Parties came to agreement for a new 3-year regime. While previous agreements on exchanging ongoing scientific and fishery information and conducting annual Treaty consultations still remain in place, significant changes to the new regime include:

1. Canada submits a fixed list of vessels for the current fishing season to the United States by June 1 and the United States provides their provisional list to Canada by July 1. Information on vessel lengths is now also required.
2. The fishing season extends from June 15 through October 31.
3. The number of Canadian vessels fishing in U.S. waters is limited to 110 and the number of U.S. vessels fishing in Canada would be reflective of "historical levels." The use of vessel months to limit access is no longer in use.
4. Canadian vessels fishing in U. S. waters can only use troll gear while U.S. vessels can use both troll and pole-and-bait methods.

5. The implementation of management resolutions at the international level or management requirements at the domestic level will be considered as sufficient triggers for terminating the Treaty.
6. In the case of the establishment of national allocations by the appropriate regional fishery management organization, allocations received by Canada and the United States attributable to catch taken in the waters of the host country will be reassigned to the host country.

*2008 Fishing Season:* The Treaty allows Canadian albacore vessels to land their catch in six U. S. ports. From 2004 to 2007 landings tonnage by Canadian vessels had progressively declined into U.S. ports but was reversed in 2008 with the Canadian tonnage exceeding 1200 mt, almost a 4-fold increase from 2007. In addition, the number of landings almost tripled to 107 compared to 2007, and the number of boats offloading almost doubled. The increase in landings may be attributed to better prices offered by U. S. processors and the high cost of fuel.

*High Fishing Mortality:* The International Scientific Committee (ISC) which conducts stock assessments on North Pacific albacore again noted in their 2008 plenary review that while spawning stock biomass (SSB) is at a record high, fishing mortality also remains high. They continue to advise that fishing mortality be reduced to prevent the SSB from falling to historical low levels in the future.

*Fishing Pressure from the Western Pacific:* During the past five years, fisheries based in Japan accounted for 66% of the total harvest, followed by fisheries in the United States (16%), Chinese Taipei (8%) and Canada (7%). Other countries targeting the North Pacific stock contributed 3% to the catch and include Korea, Mexico, Tonga, Belize, Cook Islands, and Ecuador.

*Albacore Distribution:* The Treaty provides access to both countries' fleets to follow North Pacific albacore stocks in both EEZs. Over the last 10 years, the majority of albacore occurred in U. S. waters but there have been occasions when the reverse has occurred. That point is occasionally overlooked by the U.S. fishing sector when they assert there are few benefits to U.S. interests.

*U. S. Management:* The U.S. North Pacific albacore fishery is managed under the West Coast Highly Migratory Species Fishery Management Plan and remains one of the Pacific Fishery Management Council's few remaining open access fisheries. NOAA Fisheries submitted a May 21, 2008, letter to the Council recommending they begin considering possible management controls to insure that future catch and effort remains within the bounds of the historical U. S. fishing effort. To that end, NOAA Fisheries is preparing a white paper that examines potential management options for the fishery. The intent of the options is to provide sufficient background information to assist the Council in its decision making. The Council is expected to receive the results of the white paper at their June 13-18, 2009 meeting.

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## **Agreement Between the Government of the United States of America and the Government of Canada on Pacific Hake/Whiting**

### **Implementing Legislation**

Implementing legislation was signed on January 12, 2007, as Title VI of Public Law 109-479.

### **Parties**

The United States and Canada.

### **Description**

The Treaty was signed on November 21, 2003. The U.S. Senate gave its advice and consent to the Treaty, and Congress approved H.R. 5946 (Public Law 109-479) on December 7, 2006. The President signed H.R. 5946 into law on January 12, 2007, and signed the instrument of ratification for the Agreement on May 3, 2007. The Agreement implementing legislation tasks the Secretary of Commerce with carrying out the agreement and authorizes him to issue regulations to implement the Treaty.

The Agreement establishes, for the first time, agreed percentage shares of the transboundary stock of Pacific hake, also known as Pacific whiting. It also creates a process through which U.S. and Canadian scientists and fisheries managers will recommend the total catch of Pacific hake each year, to be divided by a set percentage formula. Stakeholders from both countries will have significant input into this process. The Agreement not only allows the Parties to prevent overfishing, but also provides long-term stability for U.S. fishers and processors and a structure for future scientific collaboration.

### **Current Issues**

Unfortunately, several errors were discovered in the U.S. implementing legislation that require new legislation to correct. Consequently, the United States has not yet implemented the Agreement. The corrections are currently included in H.R. 1080, also cited as the "Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2009." The bill was introduced on February 13, 2009. For this reason, the Treaty is not expected to come into effect before summer 2009. The largest issue ahead will be naming all of the members to the various panels so that the United States can begin implementing the measures of the Treaty in 2010.

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## **Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America (South Pacific Tuna Treaty -- SPTT)**

### **Implementing Legislation**

South Pacific Tuna Act of 1988 as amended ( U.S.C. 973 et seq.).

### **Parties**

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

### **Description**

The SPTT entered into force in 1988. After an initial 5-year agreement, the SPTT was extended in 1993 and again in March 2002, when the Parties agreed to amend and extend the Treaty and to extend the related Economic Assistance Agreement between the United States and the Forum Fisheries Agency (FFA) beyond the June 2003 expiration date, for a term of 10 years. The 2002 extension provides licenses for up to 40 U.S. purse seiners, with an option for 5 additional licenses reserved for joint venture arrangements, to fish for tuna in the EEZ's of the Pacific Island Parties. It also contains a number of amendments to the Treaty and its annexes, such as updating the methods available for reporting; a revised procedure for amending the annexes; a revised observer program fee formula; provisions on the use of a vessel monitoring system (VMS); and general provisions on fishing capacity, revenue sharing, and linkages between the Treaty and the Western and Central Pacific Tuna Convention (WCPTC), among others. The SPTT agreement expires on June 14, 2013.

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

### **Budget**

Of the total cost for access under the SPTT, the U.S. tuna industry, as coordinated by the American Tunabot Owners Association , provides up to \$3 million each year to the Forum Fisheries Agency (FFA) located in Honiara, Solomon Islands. The FFA Director and staff act as the SPTT Administrators for the Pacific Island Countries party to the agreement. The FFA deducts a small amount (approx. \$500,000) for treaty administration, after which 15 percent of the revenue is divided equally among FFA members, with the remaining balance (85 percent) distributed on a *pro rata* basis depending on the weight of tuna landed in each respective EEZ. The Director of the FFA is currently Taniela Sua (telephone: 677-21124; fax: 677-23995).

Also associated with the SPTT is an Economic Assistance Agreement between the U.S. Government (U.S. Agency for International Development) and the FFA. The U.S. Government pays \$18 million annually, subject to the availability of appropriated funds for this purpose, into an economic development fund administered by the FFA. The FFA ensures that the fund is used to support economic development programs in the region. Payments to the Pacific Island Countries under the Economic Assistance Agreement are now the only significant source of U.S. economic support for the stability and security of the region outside the assistance provided to the Freely Associated States. Under the terms of the SPTT, both the U.S. tuna industry and the U.S. Government annual payments must be made before any fishing licenses will be issued (renewed annually on June 15th). In addition to paying access fees, the U.S. tuna industry also pays the FFA costs associated with observer coverage (including training), vessel monitoring system deployment and associated recurring costs, and a regional registration fee. Under the new agreement, the overall costs of the industry supported observer fund will be based on 40 vessels making an average of five trips and an average observer placement cost of approximately \$4,500 per trip. Also included are agreed costs for observer program management (\$30,000) and training (\$20,000) resulting in an estimated total cost to the U.S. industry of approximately \$230,000 annually. The U.S. Industry has also agreed to pay FFA what is referred

to as an indexing payment based on the ex-vessel price of skipjack tuna. In 2008 the payment is expected to be in excess of 2 million dollars.

### **U.S. Administration**

U.S. operational, administrative, and enforcement commitments under the SPTT are carried out by the National Marine Fisheries Service (NMFS). These responsibilities are implemented by the NMFS Pacific Islands Regional Office located in Honolulu, Hawaii.

### **Regulatory Actions**

In 2009 regulations will be developed clarifying how the 45 SPTT licenses will be allocated in the event there are more applications than licenses are available.

### **Future Meetings**

The Pacific Island Countries confirmed that the next formal consultation would be held in Niue in the first quarter of calendar 2010 and that an informal meeting of representatives of the FFA, some PICs, the U.S. purse seine vessel owners and relevant US Government officials, will occur in the last quarter of 2009 in San Diego, California.

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## Western and Central Pacific Fisheries Convention (WCPFC)

### **Basic Instrument**

Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

### **Implementing Legislation**

Western and Central Pacific Fisheries Convention Implementation Act, 2007. Pub. L. 109-479, 120 Stat.3575

### **Membership**

Australia, Canada, China, Cook Islands, European Community, Federated States of Micronesia, Fiji, France (extends to French Polynesia, New Caledonia and Wallis and Futuna), Japan, Kiribati, Korea, Marshall Islands, Nauru, New Zealand (extends to Tokelau), Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Tonga, Tuvalu, United States (extends to American Samoa, Guam and Northern Mariana Islands), Vanuatu and the fishing entity of Chinese Taipei (Taiwan). Indonesia, El Salvador, Mexico, Senegal and Belize have been granted Cooperating Non-Member (CNM) status for 2009.

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### **Budget**

Each member of the Commission shall contribute to the budget in accordance with the following formula determined according to article 18, paragraph 2, of the Convention:

- (a) a 10 per cent base fee divided in equal shares between all members of the Commission;
- (b) a 20 per cent national wealth component based upon an equal weighting of proportional gross national income (calculated on a three-year average) per capita and proportional gross national income (calculated on a three-year average); and
- (c) a 70 per cent fish production component based upon a three-year average of the total catches taken within exclusive economic zones and in areas beyond national jurisdiction in the Convention Area of all the stocks covered by the Convention for which data are available (including the main target tuna species, as well as the four main billfish species (black marlin, blue marlin, striped marlin and swordfish)), subject to a discount factor of 0.4 being applied to the catches taken within the EEZ of a member of the Commission which is a developing State or territory by vessels flying the flag of that member.

The Finance and Administration Committee (FAC) met during the Fifth Annual Commission meeting in Busan, Korea from December 7-12 2009 under the Chairmanship of Tapusalaia Terry Toomata (Samoa). The Commission approved various recommendations of the FAC, including expanding the current Secretariat staff to include a second vessel monitoring system (VMS) program operator and a data quality officer; that the contract of the current Director, Mr. Andrew Wright of Australia, be extended for an additional four years; and that a template for a strategic plan to assist Parties in identifying priorities for the Commission, which will be undertaken by Canada with assistance from the US, Australia, and New Zealand. Mr. Terry Toomata of Samoa was re-elected as FAC chairman and Mr. Lui Xiaobing of China was selected as Co-Chair. The total budget approved by the Commission for 2009 was \$4,209,155 with the United States paying \$385,623, or approximately 9% of the total budget.

**U.S. Representation****A. Appointment Process:**

The Western and Central Pacific Fisheries Convention Implementation Act, 2007 provides that the United States shall be represented in the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) by five Commissioners. Individuals shall be appointed to serve on the Commission at the pleasure of the President. In making the appointments, the President shall select Commissioners from among individuals who are knowledgeable or experienced concerning highly migratory fish stocks in the Western and Central Pacific Ocean, one of whom shall be an officer or employee of the Department of Commerce, one of whom shall be a member of the Western Pacific Fishery Management Council and one of whom shall be a member of the Pacific Fishery Management Council. The Commissioners shall be entitled to adopt such rules of procedures as they find necessary and to select a chairman from among members who are officers or employees of the United States Government. Alternate Commissioners may be designated by the Secretary of State, in consultation with the Secretary of Commerce.

**B. Current U.S. Commissioners:**

The following individuals were appointed as U.S. Commissioners to the WCPFC by President Bush in August 2008: Jane Luxton (then NOAA General Counsel, appointed as required by statute as a Federal Commissioner from the Department of Commerce), William Gibbons-Fly (Department of State Federal Commissioner), Paul Krampe, Rick Gaffney, and Peter Young. Ms. Luxton resigned as NOAA General Counsel in January 2009. The WCPFC Commissioners serve at the pleasure of the President.

**C. Advisory Body:**

The Western and Central Pacific Fisheries Convention Implementation Act, 2007 provides that there is to be established an advisory committee which shall be composed of:

- (i) not less than 15 nor more than 20 individuals appointed by the Secretary of Commerce in consultation with the United States Commissioners, who shall select such individuals from various groups concerned with the fisheries covered by the WCPFC Convention, providing, to the maximum extent practicable, an equitable balance among such groups;
- (ii) the chair of the Western Pacific Fishery Management Council's Advisory Committee or the chair's designee; and
- (iii) officials of the fisheries management authorities of American Samoa, Guam, and the Northern Mariana Islands (or their designees).

The Advisory Committee was established in 2008 and 22 members were appointed by the Secretary of Commerce, in accordance with the Western and Central Pacific Fisheries Convention Implementation Act of 2007.

**Description****A. Mission/Purpose:**

The objective of the Convention is to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1982 United Nations Convention on the Law of the Sea and the 1995 UN Fish Stocks Agreement. For this purpose, the Convention establishes a Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.

The Convention applies to all species of highly migratory fish stocks (defined as all fish stocks of the species listed in Annex I of the 1982 UN Convention on the Law of the Sea occurring in the Convention Area and such other species of fish as the Commission may determine) within the Convention Area, except sauries. Conservation and management measures under the Convention are to be applied throughout the range of the stocks, or to specific areas within the Convention Area, as determined by the Commission.

## B. Organizational Structure:

The WCPFC is composed of member nations, territories and the fishing entity Chinese Taipei, and a Secretariat headed by an Executive Director. The Commission's primary sub-bodies are the Scientific Committee, Technical and Compliance Committee, and Northern Committee. In addition to these three bodies specified in the Convention, the Commission may establish other subsidiary bodies (e.g., the Finance and Administration Committee) and also employs *ad hoc* working groups as required. *Ad hoc* working groups have been established for data-related issues, the Commission's vessel monitoring system, the regional observer program, and other issues.

### Fisheries Conservation and Management

**Yellowfin Tuna and Bigeye Tuna:** Developing a conservation and management measure (CMM) for yellowfin and bigeye tuna was the Commission's main focus during 2008, following a recommendation by the Scientific Committee (SC) that a 30% reduction in the fishing mortality rate of bigeye tuna was necessary to address overfishing. At the Fifth Regular Session of the Commission (WCPFC5) in 2008, the Commission adopted a comprehensive measure for the purse seine and longline fisheries to reduce the fishing effort and the total catch of bigeye tuna, and by association yellowfin tuna, by 10 percent during 2009 and 30 percent before the end of 2011.

Purse seine fishing effort for bigeye tuna in 2009 is limited to 2001-2004 levels and fishing in association with Fish Aggregating Devices (FAD) is prohibited for 60 days in waters between 20 degrees North and 20 degrees South. 20 percent observer coverage is required for all fleets. Starting in 2010 the Third Implementing Arrangement will come into force, meaning that vessels fishing in waters of the Parties to the Nauru Agreement (PNA) will be prohibited from discarding yellowfin, bigeye, and albacore tunas, fishing in the high seas pockets, or fishing on FADs between 1 July and 30 September. Unless otherwise decided at the next Commission meeting, fishing in other parts of the Convention area (high seas and waters of non-PNA members) will be subject to a 90 day FAD closure, a high seas pockets closure and 100 percent observer coverage on vessels fishing between 20 degrees North and 20 degrees South.

Beginning in 2009, most Commission members, cooperating non-members and participating territories (CCMs) will be required to reduce their longline catch of bigeye tuna by 10 percent each year for the next three years, with the goal of achieving a 30 percent reduction in 2011. CCMs that historically caught less than 2,000mt of bigeye will not have to reduce their catch each year and will instead have a 2,000mt quota. Territories and small island developing states will not have to limit their longline catch of bigeye tuna. Additionally, China will not be required to reduce its bigeye catch, but their catch is capped at current levels. Longline fleets targeting exclusively fresh fish and with a catch limit of 5,000mt or less, will take a 10 percent reduction in 2009, but will not be required to take additional reductions during 2010 or 2011.

**Swordfish:** In response to recent concerns regarding the quality of data used in the recent stock assessment, as well as substantial increases in the catch of southern swordfish by one WCPFC Member, New Zealand tabled a proposal to modify the existing South Pacific swordfish CMM, which placed caps on the total number of vessels that may fish for swordfish. The Commission adopted a revised CMM that adds annual limits on the total amount of South Pacific Swordfish each CCM can catch. It was also agreed that the Member concerned would allow the Commission's scientific services provider to review data currently available, pursuant to an appropriate confidentiality agreement and in cooperation with Member's authorities.

**Sea Turtles:** The United States has been working to develop a binding measure for sea turtles for a number of years. After addressing concerns about circle hooks, the Commission adopted a binding conservation and management measure requiring purse seine and longline vessels to take action to reduce the frequency and severity of sea turtles interactions with fishing gear. All CCM vessels are now required to implement safe handling and release practices, including the use of dip nets, de-hooking devices and line cutters to safely free entangled sea turtles. Most notably, the measure requires all longline vessels fishing for swordfish with shallow set hooks to use only circle hooks or whole fish bait; making WCPFC the first regional fisheries management organization that has required the use of modified fishing gear, such as circle hooks, to reduce fishery interactions with sea turtles. Members with shallow-set longline fleets may also develop an alternative mitigation plan for the Scientific and Technical and Compliance Committees to review and approve for use. The measure does include potential exemptions for shallow set

swordfish fleets with respect to mitigation technologies, but in order to qualify, CCMs must demonstrate minimal observed sea turtle interaction rates to the SC, under specific conditions, in order to qualify.

**High Seas Drifnets:** The 4<sup>th</sup> Regular Session of the Northern Committee Meeting recommended the Commission adopt a CMM prohibiting the use of the gear on the high seas in the Convention Area. The United States developed proposal for a CMM that was subsequently adopted at this Commission meeting. The measure, in addition to prohibiting the use of this gear, also prohibits possession of this gear on the high seas. Although a number of international instruments that regulate the use of large-scale driftnets, this new WCPFC measure will enable Parties to board and inspect vessels suspected of carrying or using this gear. Such vessels can then be forwarded to the Commission for inclusion on the list of Illegal, Unreported and Unregulated (IUU) Fishing Vessels.

**Sharks:** The 2006 WCPFC CMM for sharks only applied to vessels greater than 24m. In 2008, the WCPFC Science Committee meeting concluded that shark bycatch is not significantly different between vessels that are greater than 24m and vessels that are less than 24m in length. Consequently, the U.S. delegation proposed revisions to the shark CMM to ensure it would apply to sharks caught in association with all fisheries managed under the Convention. The Commission agreed to amend the shark CMM to close the 24 m loophole and also added provisions calling on the SC to provide advice on establishing a research plan to assess the status of key shark species in the Convention Area.

**Seabirds:** In 2006, the WCPFC adopted a measure requiring the use of avoidance techniques to minimize the incidental take of seabirds in longline fisheries. The operationalization of the measure through the development of technical specifications for the techniques was the source of considerable debate within the WCPFC SC and the TCC. Subsequent U.S. efforts to work with key nations, such as Australia, Canada, Japan, New Zealand, and Taiwan, resulted in the adoption of provisional technical specifications for the following seabird mitigation methods: tori lines (including Japan's "light streamer" design), weighted branch lines, side setting, night setting, blue dyed bait and offal discharge.

### **Monitoring, Control and Surveillance**

**Regional Observer Program (ROP):** The Commission adopted the decisions of the IWG- ROP2 and additional recommendations made by the TCC including recommendations on interim minimum standards, data to be collected by observers, the role and function of audits, the authorization process for national and sub-regional observer programs, and the need to extend the mandate of the ROP Intersessional Working Group (IWG-ROP). The Commission extended the mandate of the IWG-ROP. During 2009 the IWG-ROP will further consider requirements for observer placement related to the definitions of "principally", "occasionally" and "impartial", which will determine if a fleet will be allowed to carry fisheries observers from their own national programs, the minimum vessel size for placing observers.

**Vessel Monitoring System (VMS):** Before adopting the service level agreement to officially establish the "Pacific VMS", the Commission worked to resolve outstanding issues with the Standards, Specifications and Procedures (SSPs). The Commission could not agree on how to address the situation when VMS units fail to automatically report, so the SSPs were adopted with the understanding that this issue would be resolved later. Consequently, the Commission adopted the service level agreement for the Pacific VMS and an implementation date of April 1, 2009 was established. The Finance and Administration Committee reviewed estimates of the cost structure for the VMS program and recommended an increase in funds to allow 600 additional vessels (double the original estimate) in the Commission's VMS program during the first year. This recommendation was approved by the Commission.

**Transshipment:** The Commission considered a proposal to establish a transshipment monitoring mechanism, which was prepared by the Marshall Islands in their role as chair of an intersessional working group. The Commission has been continually challenged by differences between the coastal States, whose ports and shore side facilities would benefit financially from a total prohibition on at-sea transhipment, and distant water fishing nations for which certain fishing operations are established and based on their ability to tranship at-sea. A proposal provided by the Marshall Islands was discussed in a working group during WCPFC4 in 2009, and while there was significant progress on a number of the technical and controversial issues, there was not enough time to resolve other details of the draft measure. The Commission therefore maintained the exemptions currently in place for at-sea, without any

regulations. The Chairman noted that this would be the last year for such exemptions, even if no transhipment measure is adopted next year.

**IUU Fishing:** The Commission reviewed the Provisional IUU Vessel List recommended by the TCC, as well as new information provided to the Commission with respect to the vessels on the Provisional List. As a result of the review, the final WCPFC IUU vessel list for 2009 now includes two vessels: Jinn Feng Tsair (Chinese-Taipei) and Daniela F (Venezuela).

### **2009 meetings**

The Scientific Committee will meet in Port Vila, Vanuatu from August 10-21, 2009. The Northern Committee will meet in Nagasaki, Japan from September 8-10 and the Technical and Compliance Committee will meet in Pohnpei, Federated States of Micronesia from October 1-6. The Fifth Regular Session of the Commission will be held in French Polynesia from December 7-11.

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**Convention for the Conservation of Antarctic Marine Living Resources  
(Basic Instrument for the Commission for the Conservation of Antarctic  
Marine Living Resources – CCAMLR)**

**Basic Instrument**

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

**Implementing Legislation**

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

**Member Nations**

Argentina, Australia, Belgium, Brazil, Chile, People's Republic of China, European Community, France, Germany, India, Italy, Japan, Republic of Korea, Namibia, New Zealand, Norway, Poland, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Bulgaria, Canada, Cook Islands, Finland, Greece, Mauritius, Netherlands, Peru and Vanuatu have acceded to the Convention, but are not Members of the Commission.

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**Budget**

The Commission adopted a budget for 2009 of Australian \$4,333,500 (approximately U.S. \$2,996,853), which reflected an increase of 6% over the 2008 budget. The United States contribution for its dues will be AU\$124,125.20 (U.S. 87,711.479).

**U.S. Representation**

A. Appointment Process:

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

**B. U.S. Representative to the Commission:**

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**C. Advisory Structure:**

The U.S. Commissioner receives advice from the members of the U.S. delegation. The delegation includes representatives from the Department of State, the National Oceanic and Atmospheric Administration, the National Science Foundation, and the NGO community. Industry representatives have also served on the U.S. delegation.

**Description****A. Mission/Purpose:**

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

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

**B. Organizational Structure:**

CCAMLR is comprised of the Commission, Executive Secretary, and the Scientific Committee. The Commission consists of one representative from each member nation and is responsible for facilitating research, compiling data on the status of and changes in Antarctic marine living resources, ensuring the acquisition of catch and effort data, publishing information, identifying conservation needs, adopting conservation measures, and implementing a system of observation and inspection. The Executive Secretary handles the administrative matters for the Commission.

The Commission has two standing committees, the Standing Committee on Compliance and Inspection (SCIC) and the Standing Committee on Administration and Finance (SCAF).

The Scientific Committee is comprised of scientific advisors from the member nations. It sponsors recommends research programs and conservation and other measures to the Commission. The work of the Scientific Committee is carried out with the assistance of a Working Group on Fish Stock Assessment (WG-FSA); a Working Group on Ecosystem Monitoring and Management (WG-EMM); an Advisory Subgroup on Protected Areas;; an ad hoc Working Group on Incidental Mortality Associated with Fishing (WG-FSA-IMAF); a Subgroup on Acoustic Survey and Analysis Methods (SG-ASAM); and a Working Group on Stock on Stock on Assessment Models (WG-FSA-SAM).

#### C. Conservation and Management Measures:

The Commission adopted its first conservation and management measures during its 1984 session (CCAMLR III). The conservation and management measures adopted by the twenty-seventh (2008) meeting of the Commission include: measures previously adopted by the Commission and remaining in force; and measures adopted for the 2008/2009 fishing season to restrict overall catches, research catch and bycatch of certain species of finfish, squid, krill and crabs; restrict fishing in certain areas; restrict use of certain fishing gear; specify implementation and inspection obligations supporting the Catch Documentation Scheme of Contracting Parties; and promote compliance with CCAMLR measures by non-Contracting Party vessels, among others. The Commission also adopted a list of vessels suspected to be engaged in illegal, unregulated or unreported fishing in the Convention Area.

#### D. Activities and Meetings

The CCAMLR Scientific Committee will hold the following intersessional meetings:

##### Joint SC-CAMLR-CEP Workshop

3 and 4 April 2009  
Baltimore, USA

##### Subgroup on Acoustic Survey and Analysis Methods (SG-ASAM)

25 to 29 May 2009  
Ancona, Italy

##### Working Group on Statistics, Assessments and Modelling

29 June to 3 July 2009  
Bergen, Norway

##### Technical Group for At-Sea Operations meeting

4 and 5 July 2009  
Bergen, Norway

##### Development of a Compliance Evaluation Procedure Workshop

6 to 10 July 2009  
Bergen, Norway

##### Working Group on Ecosystem Monitoring and Management

6 to 17 July 2009  
Bergen, Norway

##### Vulnerable Marine Ecosystem Workshop

3 to 7 August 2009  
La Jolla CA., USA

##### Ad hoc Working Group on Incidental Mortality Associated with Fishing (ad hoc WG-IMAF)

12 to 16 October 2009  
Hobart, Tasmania, Australia

**Working Group on Fish Stock Assessment (WG-FSA)**

12 to 23 October 2009

Hobart, Tasmania, Australia

The next annual meeting of the Scientific Committee (SC) is 26 October to 30 October 2009 in Hobart, Tasmania, Australia

The next annual meeting of the Commission is 2 November -6 November , 2009 in Hobart, Tasmania, Australia.

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## Convention for the Conservation of Antarctic Seals (CCAS)

### Basic Instrument

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

### Implementing Legislation

None.

### Member Nations

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

### Commission Headquarters

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

### Budget

None.

### U.S. Representation

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

### Description

#### A. Mission/Purpose

The Convention for the Conservation of Antarctic Seals was signed in London on February 11, 1972. It entered into force on March 11, 1978, and calls for Contracting Parties to meet within 5 years of entry into force, and at least every 5 years thereafter, to review the operation of the Convention. The purpose of the Convention is to promote and achieve the objectives of protection, scientific study and rational use of Antarctic seals, and to maintain a satisfactory balance within the ecological system.

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

#### B. Organizational Structure

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

#### C. Programs

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

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

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

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Several delegations believe that, until the situation in the Western Hemisphere is clarified, no decision must be reached as to the future of the Central American Republics. The present Central American Federation is not considered to be a permanent organization, and no program for the future of the Central American Republics can be adopted until the situation in the Western Hemisphere is clarified.

## WESTERN HEMISPHERE

## Inter-American Convention (IAC) for the Protection and Conservation of Sea Turtles

### Basic Instrument

Inter-American Convention for the Protection and Conservation of Sea Turtles

### Member Nations

Belize, Brazil, Costa Rica, Ecuador, Guatemala, Honduras, Panamá\*, México, Netherlands Antilles, Peru, United States, Uruguay, and Venezuela.

\* -- Panama has just ratified the Convention, but the depositary has not acknowledged receipt of it yet.

### Description

#### A. Mission/Purpose:

The Convention entered into force on May 2, 2001, with nine signatory nations ratifying--Brazil, Costa Rica, Ecuador, Honduras, Mexico, the Netherlands on behalf of the Netherlands Antilles, Peru, the United States, and Venezuela. Nicaragua has signed, but has not yet completed their internal ratification processes and/or deposited instruments of ratification. Uruguay ratified the Convention in May of 2007 and Panama in January of 2008. Chile began the process to accede to the Convention in early 2009. The Convention is open for accession to all countries of the Inter-American region.

The IAC is the first regional agreement for protecting sea turtles and their habitats in the Western Hemisphere. The stated purpose of the Convention is "to promote the protection, conservation and recovery of sea turtle populations and of the habitats on which they depend, based on the best available scientific evidence, taking into account the environmental, socioeconomic and cultural characteristics of the Parties." The measures in the Inter-American Convention promote sea turtle conservation actions in the Americas. The Convention also places great importance on environmental conservation and the reduction of bycatch by developing more selective fisheries gear and requires the use of Turtle Excluder Devices (TEDs).

#### B. Organizational Structure:

The Convention provides for the creation of an Executive Secretary, a Consultative Committee of Experts, and a Scientific Committee. The Consultative Committee, among other things, reviews and analyzes information relating to the protection and conservation of populations of sea turtles and their habitats; examines reports concerning the environmental, socio-economic and cultural impact on affected communities resulting from the measures set forth or adopted pursuant to the Convention; and evaluates the efficiency of the different measures proposed to reduce the capture and incidental mortality of sea turtles, as well as the efficiency of different kinds of TEDs. The Scientific Committee examines and, as appropriate, may conduct research on sea turtles covered by the Convention, including research on their biology and population dynamics. As appropriate it may also evaluate the environmental impact on sea turtles and their habitats of activities such as fishing operations and the exploitation of marine resources, coastal development, dredging, pollution, clogging of estuaries and reef deterioration, among other things.

The identification and location of a permanent Secretariat for the Convention will be determined at the fourth Conference of Parties in the Spring of 2009. Costa Rica is currently hosting the interim Secretariat. The official website for the organization is <http://www.iacseaturtle.org/iacseaturtle/>

### Status

The IAC's initial meeting of member countries--the First Conference of the Parties (IAC COP1)--took place in San José, Costa Rica on August 6–8, 2002. Delegates from all 11 signatory countries were present, along with 27 observers from 10 countries. The goal of COP1 was primarily to create procedural rules and bylaws. Because there was not enough time to address all of the specific items set out in the Convention to be accomplished at the first

COP, the Parties decided to suspend COP1 and resume it in August 2003 in San Jose. At this session, the Parties were able to come to agreement on the outstanding substantive items on the agenda--the rules of procedure and the terms of reference for the Consultative Committee of Experts and the Scientific Committee. Agreement was also reached with regard to guidelines for international cooperation and the 2004 work program for the pro tempore Secretariat.

Several delegations raised the issue of funding for the IAC. It was stressed that adequate and reliable sources of funding must be secured in order to ensure the continued operation of the pro tempore Secretariat and to assist Parties in implementing the provisions of the IAC. While it was recognized that most Parties contribute to the implementation of the IAC through their national efforts to protect and conserve sea turtles, financial contributions are necessary to support the work of the pro tempore Secretariat and the meetings of the Parties. To address this situation, Peru proposed that a minimum voluntary contribution from each Party in the amount of US\$2,000 be established. The Parties agreed, but several delegations noted that financial contributions to the IAC are voluntary and so Parties may not all be able to meet the minimum level each year.

The Second Conference of the Parties took place in Isla de Margarita, Venezuela, 16-18 November, 2004. Delegates from 10 of the 11 signatory countries were present (Ecuador did not attend), along with observer states Nicaragua and Panama, and observers representing the United Nations Environment Program, OLDEPESCA, and 11 non-governmental organizations. At COP2 the Parties constituted the Consultative Committee, finalized the format for the annual report form, extended the Secretariat Pro Tempore, continued discussions on the agreement of the structure of the Scientific Committee (SC), passed the IAC's first resolution (a largely advisory resolution on conservation of the leatherback sea turtle) and concluded its first Memorandum of Understanding between the IAC and the regional South American fisheries development organization OLDEPESCA.

The Third Conference of the Parties took place in September 2006 in Mazatlan, Mexico. Delegates from all signatory nations attended and, for the first time, Canada (non-signatory) sent an official observer. The primary issues discussed and decisions made included: rules of procedure for the Scientific Committee, establishment and funding of a permanent Secretariat, and revisions to the annual national report format. Two resolutions were adopted by the Parties, the first called for the convening of a meeting to discuss the status of the hawksbill in the wider Caribbean and the second calls for promotion of sea turtle bycatch avoidance and mitigation techniques adopted by FAO.

In October of 2007, the IAC held its first Extraordinary meeting to discuss the establishment of a Permanent Secretariat and to negotiate a voluntary contribution scheme. The first two days of the meeting were restricted to the heads of the delegation and the afternoon of the third day was open to observers. The Parties agreed to a procedure for selecting the Permanent Secretary and a process for selecting the location of Permanent Secretariat. The Parties also agreed to a voluntary contribution scheme for 2008.

### **Future Meetings**

In 2008, the IAC hosted a meeting of the Scientific Committee. The Consultative Committee was postponed. The fourth Conference of Parties was moved from the Fall of 2008 to the Spring of 2009. At the fourth Conference of Parties the location of the Permanent Secretariat will be determined along with the individual who will fill the Permanent Secretary position.

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Mr. William James  
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(Approved February 20, 1997)

## GREAT LAKES

Dr. Walter W. Taylor, Director  
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Department of Fisheries and Wildlife  
1125 Beal and Beal Avenue, Building 100  
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(Approved November 27, 1997)

### C. Advisory Committees

The Great Lakes Fishery Act of 1978, as amended, established an advisory committee for each of the Great Lakes. Each advisory committee is composed of a representative from each of the Great Lakes states and the provinces to the Great Lakes. The Great Lakes Fishery Commission, located in Duluth, Minnesota, is the administrative body for the Great Lakes fishery advisory committees. The Great Lakes Fishery Commission is composed of the Great Lakes Fishery Commission chair, the Great Lakes Fishery Commission executive director, and the Great Lakes Fishery Commission staff.

### Composition

As mentioned above, each of the Great Lakes fishery advisory committees is composed of a representative from each of the Great Lakes states and the provinces to the Great Lakes. The Great Lakes fishery advisory committees are composed of the Great Lakes Fishery Commission chair, the Great Lakes Fishery Commission executive director, and the Great Lakes Fishery Commission staff. The Great Lakes Fishery Commission chair is appointed by the Great Lakes Fishery Commission, and the Great Lakes Fishery Commission executive director is appointed by the Great Lakes Fishery Commission staff. The Great Lakes Fishery Commission staff is composed of the Great Lakes Fishery Commission executive director, the Great Lakes Fishery Commission staff, and the Great Lakes Fishery Commission staff.

The Great Lakes fishery advisory committees are composed of the Great Lakes Fishery Commission chair, the Great Lakes Fishery Commission executive director, and the Great Lakes Fishery Commission staff.

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## **Convention on Great Lakes Fisheries Between the United States and Canada (Basic Instrument for the Great Lakes Fishery Commission – GLFC)**

### **Basic Instrument**

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

### **Implementing Legislation**

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

### **Member Nations**

United States and Canada.

### **Commission Headquarters**

Great Lakes Fishery Commission  
2100 Commonwealth Boulevard  
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Ann Arbor MI 48105-1563  
Telephone: (734) 662-3209  
Fax: (734) 741-2010  
Web address: <http://www.glfcc.org>

### **Budget**

The U.S. Congress provided \$19.2 million for the Great Lakes Fishery Commission in fiscal year (FY) 2009. The Commission approved a budget of \$34.6 million for FY 2010, of which the U.S. contribution will be \$23.0 million.

### **U.S. Representation**

#### A. Appointment process:

The United States is represented by four 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, except for the Commissioner representing the U.S. Government, who is appointed “at pleasure.” The President also appoints an Alternate Commissioner who performs the duties of a Commissioner in the absence of a Commissioner, or when a Commissioner vacancy occurs. The Alternate-Commissioner is also appointed “at pleasure.” There are no set guidelines for the nomination process. The U.S. Commissioners do not receive compensation.

#### B. U.S. Commissioners:

Dr. Michael J. Hansen  
Professor  
University of Wisconsin-Stevens Point  
College of Natural Resources  
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(Appointed July, 2004)

Mr. David Ullrich  
Executive Director – Great Lakes and  
St Lawrence Cities Initiative  
177 North State Street  
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(Appointed April 2006)

Mr. William James  
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Chief of Fisheries  
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Indianapolis, IN 46204  
(Appointed February, 2008)

Dr. William W. Taylor, Alternate  
Michigan State University  
Department of Fisheries and Wildlife  
13 Natural Resources Building  
East Lansing, MI 48824-1222  
(Approved November 27, 2002)

Vacant: Federal Commissioner

#### C. Advisory structure:

The Great Lakes Fishery Act of 1956 requires establishment of an advisory committee for each of the Great Lakes. Appointments are proposed by governors of each Great Lakes state, giving due consideration to the interests of state agencies with fisheries management jurisdiction, the commercial fishing industry, sports fishing, and the public at large. Advisors are appointed by the U.S. Section. An extensive advisory network has been developed by the Commission (see “GLFC and Its Stakeholders” below).

#### Description

##### A. Mission/Purpose:

The GLFC was established to provide research and recommendations to aid in the management of Great Lakes fisheries and to control and eradicate sea lamprey. Sea lamprey entered the Great Lakes from the Atlantic Ocean via canals constructed in the nineteenth century and quickly decimated important commercial and recreational fisheries. Specific responsibilities of the Commission are:

- 1) to formulate research programs to sustain maximum productivity of fish stocks in the Convention area that are of common concern to the United States and Canada, to coordinate research done pursuant to such programs, and, if necessary, to undertake such research it;
- 2) to recommend appropriate measures to the Contracting Parties based on the findings of such research programs;
- 3) to formulate and implement a program for eradicating or minimizing sea lamprey populations in the Great Lakes basin; and
- 4) to publish the scientific findings obtained in the performance of its duties.

The Commission provides more specific statements of its approach to meeting these responsibilities in its *Strategic Vision for the First Decade of the New Millennium*. The Commission has defined specific milestones for healthy

Great Lakes ecosystems, integrated sea lamprey management, and partnerships. Over the years, as new organizations and new ecological challenges have arisen, the state, provincial, tribal, and federal fisheries management agencies have signed *A Joint Strategic Plan for the Management of Great Lakes Fisheries*, as their basis for cooperative science-based management of the fisheries resources in the Great Lakes. The Commission facilitates this multi-jurisdictional, cooperative process.

#### B. Organizational Structure:

The GLFC secretariat handles the day-to-day operations of the Commission. The Commission meets in plenary session annually, in early June. Commissioners convene an Interim Meeting in early December, and special meetings of the Commissioners take place as needed. Lake Committee meetings, convened by the Commission under *A Joint Strategic Plan for Management of Great Lakes Fisheries* are held in March, April, and October of each year and as appropriate.

#### C. Programs:

**Sea Lamprey Control:** The sea 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 Department of Fisheries and Oceans provides this function for Canada. The Commission contracts for the application of chemical lampricide by USFWS employees to tributaries to reduce the number of sea lamprey in the lakes, assessment to direct the application of control efforts and to monitor their success, and a program of alternative control methods including sterile-male release and barrier construction. The U.S. Army Corps of Engineers is a partner in construction of sea lamprey barriers and traps. The Commission also carries out research to support its existing program and to develop new alternative methods. The Commission contracts portions of this research program to the U.S. Geological Survey, Biological Resources Division and to universities and other research institutions.

**Re-registration:** The chief lamprey control chemicals (TFM and Bayluscide/niclosamide) have re-registration, required by the U.S. Environmental Protection Agency (EPA) under the 1990 amendments to the Federal Insecticide, Fungicide, and Rodenticide Act. This process ensures that the chemical does not have harmful environmental effects, and is a mandatory requirement of U.S. law. EPA has approved the registrations of both lampricides in the recently completed registration eligibility decisions (REDs). Both compounds were found to pose no unreasonable risks or adverse effects to humans or the environment when applied in accordance with the approved label. EPA may require further tests to determine any estrogenic affect of the compound. It is uncertain when this decision will be made. In Canada, Health Canada is undertaking a parallel process of re-registration of pesticides called re-evaluation. The Commission is working to consolidate U.S. and Canadian registrations of its lampricides with the USFWS.

**GLFC and Its Stakeholders:** The Commission operates through a broad-based, grass roots committee structure, with a basin-wide series of local level committees that cooperate with state, provincial, tribal, and federal officials in monitoring fish (and sea lamprey) populations in local waters. This information is passed to lake committees, as prescribed in the *Joint Strategic Plan*, which present reports to the Commission during its annual meeting. The Board of Technical Experts (BOTE) draws from academic and other experts in environmental issues, biology and pesticide use. Other experts serve on a fish health committee. The Commission's Committee of Advisors provides citizen and state agency input to the Commission's decision-making process.

#### **Commission Issues**

The GLFC is making progress towards reducing its dependency on lampricides, with a long-term milestone of achieving 50% of sea lamprey control using alternative control techniques. Although the Commission already uses alternatives to lampricides to control lamprey, such as barrier dams, traps, and a program that introduces sterile males into the lamprey population, they hope to improve and greatly expand these programs in the next few years. The Water Resources Development Act will allow the U.S. Army Corps of Engineers to work with the Commission to fund and build new barriers to block and trap spawning sea lamprey.

Key to effective sea lamprey control is the development and application of new alternative methods. The GLFC faces the exciting possibility of using natural pheromones from the sea lampreys themselves as just such an alternative method. The GLFC's investment has led to discovery of two unique pheromones that are used by sea lampreys to migrate into the streams in which they spawn and to find their mates on the nesting grounds. These findings have been published in the most prestigious journals in the scientific world and represent a revolution in thinking about control of a vertebrate pest. Once pheromones are developed and tested, they may be used to affect spawning behavior, such as luring lampreys into traps or into streams with no suitable spawning habitat. Every effort is being made to accelerate field tests and critical studies on the synthesis of these pheromones to make the milestone of a new method by the end of the decade a reality. The commission is also working with scientists at universities to take advantage of the National Institute of Health's (NIH) mapping of the sea lamprey genome. NIH chose to map the sea lamprey genome (at their expense of approximately \$8 million) partially because of the sea lamprey's relatively primitive structure and partially because of the potential application of the genomic information to sea lamprey control. Scientists have been using the NIH information provided to date to conduct research on sea lamprey behavior, biochemistry, and physiology, and to seek methods that could exploit sea lamprey biology to affect control.

The Commission carefully applies TFM, following scientifically established protocols which have, since 1991, refined the application process and improved stream selection. The Commission has also invested in alternative controls and virtually no TFM is being used in the St. Mary's River project. The primary control there is granular Bayluscide, which does not affect the entire water column and can be applied to discrete areas with remarkable precision.

The Commission is also partnering with the U.S. Army Corps of Engineers to protect and improve fish habitat in the Great Lakes. The authority for this program—known as the Great Lakes Fishery and Ecosystem Restoration program, found in the *Water Resources Development Act of 2000*—allows the Commission and its *Joint Strategic Plan* partners to work together to identify, prioritize, and cost-share projects relating to fish habitat. This major new initiative is just getting off the ground and the Commission has been working closely with the Corps and the states and tribes to ensure its success.

In recent years, the United States has increased annual contributions to expand sea lamprey control efforts and to accelerate the development and deployment of alternative control techniques. The Commission continues to put a high priority on additional funds for sea lamprey control and alternative control research.

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## GLOBAL

## Agreement on the Conservation of Albatrosses and Petrels (ACAP)

### Basic Instrument

Agreement on the Conservation of Albatrosses and Petrels, 2001

### Member Nations

Argentina, Australia, Brazil, Chile, Ecuador, France, New Zealand, Norway, Peru, South Africa, Spain, the United Kingdom, and Uruguay.

### Secretary Headquarters

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### Budget

ACAP's current annual budget is \$500,000, based upon ACAP's membership fee schedule, which assigns dues (up to a maximum of 20%), proportionally based upon nations' GDPs. As the United States is currently not a member, it does not pay dues at this time. However, it is estimated that joining ACAP would require the United States to pay membership dues of approximately \$90,000 annually.

### Organizational Structure

Annex 1 of the Agreement contains a list of species identified as in need of conservation action by ACAP Parties. This list is comprised of: 21 albatrosses and 7 petrel species with known fisheries interactions. Annex 2 of ACAP contains an "Action Plan", which outlines the major conservation elements of the Agreement. The Action Plan emphasizes several major conservation strategies that Parties must undertake to conserve seabirds. ACAP's conservation provisions are implemented by its Advisory Committee. The Advisory Committee meets annually and oversees the activities of four working groups: 1) the Breeding Sites Working Group; 2) the Taxonomy Working Group; 3) Status and Trends Working Group; and 4) the Seabird Bycatch Working Group.

### U.S. Representation

Nations and Regional Economic Integration Organizations may participate in ACAP as either Parties or Observers. The United States, via NOAA Fisheries, the U.S. Department of State, and the U.S. Fish and Wildlife Service, has participated in ACAP meetings as an Observer due to its interest in seabird conservation and its status as a Range State under ACAP. NOAA Fisheries participates on the established Seabird Bycatch Working Groups as an invited expert and attended this group's first meeting in 2007. This participation has granted the United States influence over some ACAP proceedings, although only full Parties have voting rights, the ability to Chair any of ACAP's working groups, or may propose amendments to the Agreement. The United States is currently pursuing accession to the Agreement.

### Programs

ACAP's working groups have made significant progress in reviewing the population status and trends of threatened seabird species, addressing taxonomic issues, collecting information on breeding sites and assessing threats to

species from factors associated with these sites, and has begun to devise strategies for addressing seabird bycatch and engaging Regional Fisheries Management Organizations (RFMOs). In particular, the ACAP Secretariat, on behalf of its member nations, has participated as an observer at key RFMO meetings to offer expertise and assistance to help RFMOs address seabird bycatch. The Secretariat also works with non-governmental organizations, such as BirdLife International, to develop informational materials detailing seabird distribution and its overlap with specific fisheries for discussion at RFMO and other relevant meetings.

### **Recent Activities**

ACAP entered into force in 2004, and is now the only multilateral agreement that coordinates international activity to mitigate known threats to albatross and petrel populations. ACAP held its first Meeting of the Parties in 2005. A major outcome of that meeting was the establishment of an Advisory Committee to guide the implementation of the Agreement. The 2<sup>nd</sup> Meeting of the Parties was held in New Zealand in November 2006. Major outcomes of this meeting included the finalization of arrangements for the ACAP Secretariat, agreement on a budget for the next three years, and the Parties' endorsement of the newly established Seabird Bycatch Working Group. Since ACAP's inception, its Parties have sought to expand its membership and efforts. They have actively recruited new members from the Northern Hemisphere and South America, where many imperiled seabird species breed, forage, and interact with fisheries. For example, a recent ACAP meeting was held in Brazil to encourage representatives of Brazil and other South American nations to attend. ACAP held the third meeting of its Advisory Committee in 2007 in Valdivia, Chile, where among other things, the Advisory Committee finalized a plan which prioritizes seabird bycatch mitigation research in pelagic longline fisheries. The Advisory Committee also recommended that the three North Pacific albatross species be added to Annex 1 of the Agreement at the next Meeting of Parties to be held 27 April-1 May 2009 in Bergen, Norway.

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## Convention on Biological Diversity (CBD)

### **Basic Instrument**

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

### **Implementing Legislation**

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

### **Member Nations**

As of January 2007, 190 nations had ratified or acceded to the CBD. The United States has signed but not yet ratified the Convention. The Cartagena Protocol on Biosafety has been ratified or acceded to by 140 nations. The Protocol entered into force on September 11, 2003. As a non-Party to the Convention, the United States cannot become Party to the Protocol.

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Executive Secretary: Mr. Hamdallah Zedan

### **U.S. Representation**

The Department of State is the lead U.S. agency to the CBD negotiations. The Department of Commerce (including NOAA), Department of the Interior, Department of Agriculture, Environmental Protection Agency, U.S. Agency for International Development, and a number of other Agencies participate actively in the interagency process and on delegations to CBD negotiations.

NOAA Office of International Affairs is the lead for NOAA. NOAA Fisheries Service works in close consultation with NOAA International in the development of position papers and the review of information documents.

### **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. COP-4 met in May 1998, in Bratislava, Slovakia, COP-5 met in June 2000 in Nairobi, Kenya, COP-6 met in April 2002 in Hague, Netherlands, and COP-7 met in Kuala Lumpur, Malaysia in February 2004. Brazil will host the next COP in May

of 2006. At the COP, countries report on steps taken, and consider further measures for implementing the provisions of the Convention.

In addition to the COP, a Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) has been established to provide advice to the COP. The SBSTTA is also composed of representatives of governments that are Parties and has its own Bureau. SBSTTA generally meets annually, and can request assistance for its work interessionally of *ad hoc* technical expert groups or liaison groups on specific issues.

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/>).

The CBD is far reaching and the COP has the capacity to set up standing or *ad hoc* committees to deal with specific issues. The CBD can also serve as a framework for binding protocols. The first such protocol is the Cartagena Protocol on Biosafety.

The Conference of the Parties to the CBD adopted a supplementary agreement to the Convention known as the Cartagena Protocol on Biosafety on 29 January 2000, which later came into force on September 11, 2003. The Protocol seeks to contribute to the safe transfer, handling and use of living modified organisms (LMOs) - such as genetically engineered plants, animals, and microbes - that cross international borders. Although the United States is not a Party to the CBD and therefore, cannot become a Party to the Biosafety Protocol, the U.S. participated in the negotiation of the text and the subsequent preparations for entry into force under the Intergovernmental Committee on the Cartagena Protocol. The Protocol provides countries the opportunity to obtain information before new biotech organisms are imported. It acknowledges each country's right to regulate bio-engineered organisms, subject to existing international obligations. It also creates a framework to help improve capacity of developing countries to protect biodiversity.

The Protocol establishes an Internet-based "Biosafety Clearing-House" to help countries exchange scientific, technical, environmental and legal information about living modified organisms. It creates an advance informed agreement (AIA) procedure that in effect requires exporters to seek consent from importers before the first shipment of LMOs meant to be introduced into the environment (such as fish for release). It requires bulk shipments of LMO commodities intended for direct use as food, feed or for processing, to be accompanied by documentation stating that such shipments "may contain" living modified organisms and are "not intended for intentional introduction into the environment." The Protocol establishes a process for considering more detailed identification of LMO commodities in international trade.

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

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

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

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

To establish protected areas or areas where special measures are needed and to regulate or manage biological resources important to biodiversity; to promote protection of ecosystems and natural habitats; and to promote

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

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

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

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

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

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

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

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

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

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

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

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

**Marine and Coastal Biodiversity:** The Second Conference of the Parties (COP) in November 1995 adopted the Ministerial Statement on the Implementation of the Convention on Biological Diversity, which referred to the new global consensus on the importance of marine and coastal biological diversity as the “*Jakarta Mandate on Marine and Coastal Biodiversity*”. The Ministerial Statement (re)affirmed the critical need for the Parties to address the conservation and sustainable use of marine and coastal biological diversity and urged Parties to initiate immediate action to implement COP decisions on the issue.

The program of work on marine and coastal biological diversity was approved by the COP in a decision in 1998, and further elaborated in decisions in 2000 and 2002. The work program identifies important operation objective and priority activities within the framework of five key program elements reflecting global priorities:

- (1) Promoting integrated marine and coastal area management as the framework for addressing human impacts on biological diversity.
- (2) Establishing and maintaining marine and coastal protected areas.
- (3) Using fisheries and other marine and coastal living resources sustainably. This was the most controversial recommendation, including issues of overcapacity, subsidies and bycatch.
- (4) Ensuring that mariculture practices are environmentally sustainable.
- (5) Preventing the introduction of, and controlling or eradicating, alien species that threaten ecosystems, habitats or species.

The CBD program of work on Marine and Coastal biodiversity aims to assist the implementation of the Jakarta Mandate at the national, regional and global level. It identifies key operational objectives and priority activities within the five key program elements, namely: implementation of integrated marine and coastal area management, marine and coastal living resources, marine and coastal protected areas, mariculture and alien species and genotypes. It also provides a general element to encompass the coordination role of the Secretariat, the collaborative linkages required and the effective use of experts, as well as enabling activities to assist Parties in overcoming obstacles to implementation.

The 10th Conference of Parties will be held in October 2010 in Nagoya, Aichi Prefecture, Japan

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## **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**

There are currently 175 Parties: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalem, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, People's Republic of, Colombia, Comoros, Congo, Congo, Democratic Republic of, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Korea, Kuwait, Republic of, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Lybian Arab Jamahiriya, former Yugoslav Republic of Macedonia, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

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### **Budget**

The average annual budget for the triennium 2009-2011 approved by the 14<sup>th</sup> meeting of the Conference of the Parties was US \$5,160,733. According to United Nations scale, the U.S. contribution is 22%.

### **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, coelacanths, all sturgeon species, basking sharks, great white sharks, whale sharks, seahorses, 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 meetings annually to conduct the administrative matters of the Convention and to recommend policy actions to the Parties. In addition, there are separate committees on Animals and Plants, which meet annually to 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. Meetings of the Conference of the Parties (COPs) 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 and Plants Committees of CITES undertake reviews of Appendix II species for which there are significant amounts of international trade, from which recommendations for conservation of the species are made in order that they might avoid being listed in Appendix I.

Of special interest to NOAA Fisheries are significant trade studies for queen conch and hard corals, discussion of the implementation of CITES Appendix II for commercially-exploited marine fish 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**

At the most recent CITES meeting (COP14, 3-15 June 2007, the Hague, Netherlands), the following decisions concerning marine species were taken:

- Sawfish (*Pristidae spp, except Pristis microdon*) listed in Appendix I;
- Large-toothed Sawfish (*Pristis microdon*) listed in Appendix II (For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable aquaria for primarily conservation purposes)
- European Eels (*Anguilla anguilla*) listed in Appendix II;
- revised criteria for evaluating species proposals that include specific guidelines for evaluation of marine fish species were adopted at the meeting;
- Parties agreed that 'the marine environment not under the jurisdiction of any State' means those marine areas beyond the areas subject to the sovereignty or sovereign rights of a State consistent with international law, as reflected in the United Nations Convention on the Law of the Sea.
- Parties agreed that no periodic review of any great whale, including the fin whale, should occur while the moratorium by the International Whaling Commission is in place.
- Parties that are members of a regional fishery management organization were strongly encouraged to request through FAO and regional fishing management organizations where appropriate that these organizations develop and implement regional shark plans and associated measures to assist in species identification and monitoring, as called for in the IPOA-Sharks, by mid-2009 in order to report at the 15th meeting of the Conference of Parties.
- Parties were encouraged to continue developing manuals and guides for the identification of sharks and shark products in international trade and to make these available to other Parties and the FAO through the CITES Secretariat before the 15th meeting of the Conference of Parties to CITES.
- The CITES Secretariat was directed to seek external funding to enable a regional workshop to be held, in collaboration with the Food and Agriculture Organization of the United Nations and other appropriate regional organizations, to initiate regional cooperation on the management of sustainable fisheries for Giant clams (*Tridacnidae*).
- The CITES Secretariat was directed to provide support to, and collaborate with, the Inter-American Convention for the Protection and Conservation of Sea Turtles and the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean region (Cartagena Convention) and its Protocol Concerning Specially Protected Areas and Wildlife (SPAW Protocol), in raising funds to conduct, before the 15th meeting of the Conference of the Parties, a meeting about hawksbill turtles for the wider Caribbean region with the purpose of promoting collaboration, planning and information sharing within the region, and to cooperate with other organizations and multilateral agreements that have a mandate concerning the conservation, management and sustainable use of this species in the wider Caribbean region.
- The CITES Animals Committee was directed to evaluate the outcomes of the FAO Workshop on Sustainable Use and Management of Sea Cucumber Fisheries, conducted in 2007, and recommend appropriate follow-up actions at the 15th meeting of the Conference of the Parties to support this initiative.
- The CITES Animals Committee was directed to continue their review of shark species affected by international trade and to examine, in consultation with FAO, the linkages between the international trade in shark fins and meat and IUU shark fishing activities;
- The CITES Standing Committee was directed to establish a working group on Introduction from the Sea, to consider a definition for 'transportation into a State', clarification of the term 'State of introduction' and the process for issuing a certificate of introduction from the sea as well as prepare a discussion paper and draft revised resolution for consideration by the Standing Committee at SC58 and for consideration at the 15th meeting of the Conference of the Parties.

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

Follow-up will be necessary to implement many of these accomplishments. In addition, efforts to improve implementation for species, such as queen conch and corals, which have been listed in Appendix II will be of top priority to NOAA-Fisheries.

## Future Meetings

CITES Standing Committee: 14-18 July, 2009 in Geneva, Switzerland  
CITES Conference of the Parties (CoP15): early 2010 in Qatar.

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## **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**

There are currently 85 member nations: Antigua and Barbuda, Argentina, Australia, Austria, Belgium, Belize, Benin, Brazil, Cambodia, Cameroon, Chile, People's Republic of China, Republic of the Congo, Costa Rica, Cote d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Ecuador, Eritrea, Estonia, Finland, France, Gabon, The Gambia, Germany, Greece, Grenada, Guatemala, Guinea-Bissau, Republic of Guinea, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Kenya, Kiribati, Republic of Korea, Laos, Lithuania, Luxembourg, Mali, Republic of the Marshall Islands, Mauritania, Mexico, Monaco, Mongolia, Morocco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Oman, Republic of Palau, Panama, Peru, Poland, Portugal, Russian Federation, Saint Kitts & Nevis, Saint Lucia, Saint Vincent & the Grenadines, San Marino, Senegal, Slovak Republic, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Switzerland, Tanzania, Togo, Tuvalu, United Kingdom, Uruguay, and the United States.

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### **Budget**

The Commission approved a budget of £1,763,750 (British Pounds) for 2008-2009. The United States contribution amounts to approximately £82,174 (British Pounds) for 2008-2009.

### **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. Commissioners:****US Commissioner:**

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**Deputy U.S. Commissioner:**

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National Marine Fisheries Service  
Seattle, WA 98115

**C. Advisory Structure:**

U.S. representation in the IWC has no formal (legislated) advisory structure. The IWC Commissioner does consult, however, with the "IWC Interagency Committee," which includes representatives of the Department of State, the Marine Mammal Commission, other Federal agencies, conservation organizations, Native 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, may be accompanied by one or more experts and advisors. Each member government has one vote. Decisions of the Commission are by simple majority of those members voting, except that a three-fourths majority of those members is required for actions to amend the provisions of the Schedule (which contains the binding decisions of the Commission). The Commission can determine its own rules of procedure and may appoint its own Secretary and staff. The Committees may be set up by the Commission from its own members and experts or advisors to perform such functions as it may authorize. At the 2006 IWC annual meeting, the Commissioner from the United States, William Hogarth, was elected to Chair the IWC and the Commissioner from Japan, Mr. Minoru Morimoto, was elected as the Vice-Chair for the next three years.

**C. Programs:**

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

Past actions by the IWC include establishment of a whale sanctuary in the Indian Ocean area and in the Southern Ocean (in most of the waters south of 40° S. latitude), prohibition on the use of cold grenade (non-exploding) harpoons to kill whales for commercial purposes, a moratorium on all commercial whaling from the beginning of the 1985-86 pelagic and 1986 coastal seasons, and the adoption of a separate and distinct management scheme for aboriginal subsistence whaling. Criteria for evaluating research involving the killing of whales under special permits were established because of concerns that some countries would use special permits for scientific research as a means of circumventing the zero catch limits for commercial whaling. The 1946 Convention allows countries to issue special permits authorizing the taking of whales for scientific research.

The Chair's summary of the annual meeting can be found on the IWC Secretariat's website [www.iwcoffice.org](http://www.iwcoffice.org).

The 61st annual meeting will be held in Madeira, Portugal in June 2009.

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**PART II: BILATERAL CONSULTATIVE ARRANGEMENTS**





## **Informal Fisheries Consultations Between the Government of the United States of America and the Government of Canada**

### **Basic Instrument**

None

### **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**

United States and Canada.

### **Meetings**

Parties meet annually, alternating meetings between the United States and Canada. This meeting generally takes place in late July or early August.

### **Description**

The Parties have agreed that informal consultations on bilateral, multilateral and global fisheries conservation and management issues are of benefit to both Parties. These consultations are designed to provide broad coordination on issues of concern as opposed to negotiation of final agreements.

In recent years, these bilateral consultations have evolved into a two-day meeting. One day of the meeting is generally dedicated to bilateral and multilateral fisheries management issues of mutual interest. Discussions on bilateral issues generally focus on improving communication and coordination with regard to conservation and management of shared stocks (such as Pacific albacore, Pacific hake, and species of mutual concern in the Gulf of Maine). In many cases, separate negotiations are underway on these species, and this meeting allows officials on both sides to discuss avenues for future progress. Discussions on multilateral issues have recently focused on issues of mutual interest within the Northwest Atlantic Fisheries Organization (NAFO), the Inter-American Tropical Tuna Commission (IATTC), the Western and Central Pacific Fisheries Commission (WCPFC), and broader issues associated with tuna RFMOs.

The second meeting day is devoted to global fisheries/policy issues. These discussions tend to touch on international fisheries agreements and initiatives (such as on-going FAO work, implementation of the UN Fish Stocks Agreement, and development of the annual UN General Assembly Fisheries Resolution. The consultations are used to trade information on the status of implementation of these instruments and initiatives, as well as to discuss ways to encourage their implementation by other countries. In addition, Parties discuss fisheries- and oceans-related developments in economic organizations such as APEC, the OECD Committee on Fisheries and the FAO Subcommittee on Fish trade. Finally, these consultations are used for discussion of species of mutual concern at the global level, such as sea turtles, sea birds and sharks.

### **Recent Activities**

The most recent Informal Fisheries Consultations between the United States and Canada were in July 2008, in Silver Spring, Maryland, USA. The participants discussed a wide range of issues, including issues before the regional fisheries management organizations to which both sides are party, trade and World Trade Organization issues, the upcoming meetings under the purview of the Food and Agriculture Organization of the United Nations, and meeting under the purview of the United Nations. Both sides agreed that their consultations were valuable and should continue.

**Upcoming Meeting:**

The next informal consultation will take place in Ottawa, Ontario, Canada, during July 2009.

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**Agreement Between the Government of the United States of America and the Government of Canada on Fisheries Enforcement****Basic Instrument**

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

**Authorities**

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

**Member Nations**

United States and Canada.

**Meetings**

The US/Canada Enforcement Bilateral meeting took place in Silver Spring, MD in July 2008 and was attended by representatives from NOAA, USCG, State Department, and Canada's DFO. The previous US/Canada Enforcement Bilateral meeting took place in Vancouver, British Columbia in 2006.

**Description**

Bilateral meetings are held to review past practices and discuss new standards, policies, and strategies for cooperation. A number of fisheries issues are discussed during these Bilateral meetings including ICCAT, NAFO, Pacific whiting, IATTC/WCPFC, MSRA, MMPA, Machias Seal Island and Atlantic Mackerel.

**Recent Activities**

A combined Canada and US enforcement presence to patrol the Hague Line in Georges Basin and Georges Bank area was conducted. The USCG and DFO/CCG during the at-sea patrol demonstrated US and Canadian at-sea

enforcement presence and coordination. Both Coast Guards deployed personnel for professional exchange, vessel familiarization, and observation of DFO/CCG operating procedures. The intent of the exchange was to enhance the working relationship between DFO/CCG and USCG and develop a standard operating procedure for coordinated patrols of the US and Canadian EEZ.

#### Other Issues:

The Canadian government continues to support the International Monitoring, Control and Surveillance (IMCS) Network enhancement project.

DFO and NOAA are committed to working closely together to coordinate and ensure the effective delivery of fishery law enforcement programs along the international boundaries. Representatives from both agencies expressed the need to continue sharing information in order to improve the effectiveness of enforcement programs.

#### Future Meetings

The US/Canada Bilateral Enforcement meeting is tentatively scheduled for the summer of 2009.

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## United States-Mexico Fisheries Cooperation Program

### Basic Instrument

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

### Implementing Legislation

The Magnuson-Stevens Fishery Conservation and Management Act (Act), particularly 16 U.S.C. 1822(a), authorizes the negotiation of international fishery agreements to further the purposes, policy, and provisions of the Act.

### Member Nations

The United States and Mexico.

### Budget

There are no funds specifically budgeted for the program; costs are assumed in the operating budgets of the participating NOAA Fisheries offices. Annual costs of the program including staff time, travel, translation services, and miscellaneous expenses total about \$60,000 annually, during years when Fishery Cooperation Talks (FCTs) occur. This does not include the cost of various working group meetings, such as the annual MEXUS-Gulfo and MEXUS-Pacífico meetings or special meetings.

### Representation

The annual FCT meetings are coordinated by NOAA Fisheries and Mexico's Subsecretaría de Pesca (PESCA). Both agencies often invite other agencies to participate in the meetings. NOAA Fisheries has invited representatives from other NOAA line offices, the Food and Drug Administration, Department of Interior (U.S. Fish and Wildlife Service), U.S. Coast Guard, and the Department of State, as well as state government officials. PESCA has invited other government units such as the Instituto Nacional de Pesca, and the Procurador General para el Ambiente (PROFEPA), the Secretaría de Comercio, the Secretaría de Salud, and the Secretaría de Relaciones Exteriores.

### Description

#### A. Mission/Purpose:

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

#### B. Programs:

Ideally, NOAA Fisheries and PESCA meet annually, alternating meetings between the United States and Mexico, and hold additional working group meetings as needed. The two science working groups, MEXUS-Gulfo and MEXUS-Pacífico, also strive to meet annually. Other working group meetings are held as required on such matters as enforcement, management, aquaculture, and other issues.

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

#### C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals and endangered species (especially turtles and mammals) were for several years the focus of discussions. More recently, there have been information exchanges and a sharing of management experiences on various fishery resources. Shared interests and goals regarding participation in the various tuna RFMOs and other international bodies such as FAO COFI, WTO and the UNGA are also discussed.

#### D. Meetings

FCT meetings were held on April 20-21, 2009, in Mazatlan, Mexico, along with meetings of the MEXUS-Gulfo and MEXUS-Pacifico scientific working groups. Prior to this, the last FCT meetings were held in Mazatlan, Sinaloa and on October 13-14, 2005, in La Jolla, California. The delegations to the FCT meeting discussed sustainable fisheries management, the protection and conservation of species such as sea turtles, seabirds, enforcement cooperation, aquaculture, collaborative scientific research in the framework of the MEXUS-Gulf and MEXUS-Pacific bilateral agreements, and the participation of the two countries in fisheries-related international organizations. Parties agreed to exchange information and to work together in these areas. The Parties also agreed to resume regular, bilateral exchanges and hope to convene the next FCT meeting in March or April of 2010.

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## SOUTH AMERICA

## United States-Chile Fisheries Cooperation Program

### **Basic Instrument**

The basic instrument establishing the United States-Chile Cooperation Program is a Memorandum of Understanding (MOU) between the U.S. National Marine Fisheries Service (NOAA Fisheries Service) and the Chilean Servicio Nacional de Pesca (SERNAPESCA) signed in 1995 and extended in 2004.

### **Implementing Legislation**

The Magnuson-Stevens Fishery Conservation and Management Act (Act), particularly 16 U.S.C. 1822(a), authorizes the negotiation of international fishery agreements to further the purposes, policy, and provisions of the Act.

### **Member Nations**

The United States and Chile.

### **Budget**

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

### **Representation**

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

### **Description**

#### A. Mission/Purpose:

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

#### B. Programs:

NOAA Fisheries and SERNAPESCA agreed to hold annual meetings during the first few years of the cooperative program. The two Parties now intend to meet every 18-24 months. Recent meetings have included discussions on management, enforcement, recreational fisheries, marine mammals and endangered species, research, environment, aquaculture, and information exchange. The meetings help to inform participants of national programs affecting the other country.

#### C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals was initially the primary focus of the meetings and continues to be an important element. NOAA Fisheries Service has additionally raised some concerns about Pacific sea turtles, especially leatherbacks. Other important conservation and management issues discussed include enforcement, management strategies and systems, and recreational fishing. Discussions on these issues as well as information exchanges and visits have enabled

NOAA Fisheries and Chilean fishery agencies to exchange ideas and experiences in formulating domestic policies as well as to work further on species of mutual interest.

D. 2007 Meeting:

The most recent (Ninth) Fishery Cooperation Talks between fishery officials of the United States and Chile were convened in Seattle, Washington, September 25-27, 2007. The Chilean delegation included representatives of different units of the Fisheries Under-Secretariat (SUBPESCA), the National Fisheries Service (SERNAPESCA), the Fisheries Development Institute (IFOP), and the Chilean Navy (General Directorate of Maritime Territory and the Merchant Marine). The U.S. Delegation included participants from various NOAA Fisheries Service and NOAA National Ocean Service offices. The discussions explored cooperative efforts in six major issue areas: (1) research, (2) enforcement, (3) administrative/management, (4) multilateral initiatives, (5) aquaculture, and (6) environment. At the conclusion of the session, the two Parties agreed to update the MOU that provides the framework for their cooperation.

**Future Meetings**

Chile is expected to host the next meeting at a venue and time to be determined.

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## ASIA

## United States-Japan Consultative Committee on Fisheries

### **Basic Instrument**

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

### **Member Nations**

The United States and Japan.

### **Meetings**

The Committee meets periodically, 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 Ambassador David Balton, Deputy Assistant Secretary of State for Oceans and Fisheries, 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 periodic high-level bilateral consultations on fishery issues of mutual concern.

### **Recent Activities**

The Consultative Committee has not met formally since 2004. The need for annual comprehensive fisheries consultations has been largely obviated by the fact that representatives of both sides meet frequently and discuss fisheries issues on the margins of other meetings.

The 9<sup>th</sup> Meeting of the Consultative Committee on Fisheries was held in Tokyo, Japan, on January 19-20, 2004. The U.S. delegation was led by Mr. David Balton, Deputy Assistant Secretary of State for Oceans and Fisheries, and the Japanese side was led by the Director-General of the Fisheries Agency of Japan, Mr. Fumio Tahara. Dr. Rebecca Lent, Deputy Assistant Administrator for Regulatory Programs, represented NOAA Fisheries at the meeting.

The two delegations exchanged views on the most important fisheries issues in the U.S.-Japan fisheries relationship. Prominent on the agenda were issues related to cooperation between the two countries at regional fisheries management organizations, and in particular the Inter-American Tropical Tuna Commission (IATTC), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific (WCPFC), and the Northwest Atlantic Fisheries Organization (NAFO). The two countries discussed a number of FAO issues--the FAO Technical Consultation on Sea Turtles to be held in Bangkok, Thailand, in November 2004; fishing capacity and combating illegal, unreported and unregulated (IUU) fishing; fishing subsidies; and shark conservation and management. Other issues on the agenda included CITES, the Interim Scientific Committee (ISC) for Tuna and Tuna-like Species in the North Pacific Ocean, the Asia Pacific Economic Cooperation (APEC) Fisheries Working Group, and fishing on sea mounts. The delegations of both countries reaffirmed the value of maintaining and further strengthening the long-standing cooperation between the United States and Japan on these and other fisheries issues.

**Next Meeting:** No meetings are currently scheduled.

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## **United States-People's Republic of China Bilateral Fisheries Consultations**

**Basic Instrument**

There is no formal instrument.

**Member Nations**

The United States and the People's Republic of China (China).

**Meetings**

The countries meet periodically in the United States or China. The venue is decided prior to each meeting.

**U.S. Representation**

Delegations consist of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Ambassador David Balton, Deputy Assistant Secretary of State for Oceans and Fisheries, Department of State.

**Description**

From 1995 to 2004, the United States and China maintained a bilateral fisheries relationship under terms of a Governing International Fisheries Agreement (GIFA). Although the GIFA expired in July 2004, the two countries have continued to collaborate on fisheries and other marine science programs through a bilateral science and technology agreement, and on high seas driftnet fisheries enforcement via a *Memorandum of Understanding Between the Government of the United States of America and the Government of the People's Republic of China on Effective Cooperation and Implementation of United Nations General Assembly Resolution 46/215 of December 20, 1991*, known more generally as the U.S.-PRC Shiprider MOU.

**Recent Activities**

**Bilateral Fisheries Meeting:** Representatives of the U.S. and Chinese Governments last met in Beijing on May 8-10, 2002, for a comprehensive discussion of fisheries issues of mutual concern. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary for Oceans and Fisheries, U.S. Department of State. Representatives from NOAA Fisheries and the U.S. Coast Guard were included on the delegation. The Chinese delegation was headed by Li Jianhua, Deputy Director General of the Bureau of Fisheries, Ministry of Agriculture,

led the Chinese delegation. In opening comments, both sides noted the importance of continuing already productive bilateral cooperation on fisheries.

The two sides discussed reducing fishing capacity; China's ratification of the United Nations (UN) Fish Stocks and Food and Agriculture Organization (FAO) Compliance Agreements; implementation of the FAO International Plans of Action on capacity, shark finning, seabird by-catch, and illegal, unregulated, and unreported fishing; issues of mutual concern, including stock management, compliance, and non-member fishing, in the International Commission for the Conservation of Atlantic Tuna; cooperation on negotiations for the Western and Central Pacific Fisheries Convention; effective implementation of the UN General Assembly Resolution 46/215 (high seas driftnet moratorium) in the North Pacific Ocean pursuant to the terms of the U.S.-PRC Shiprider Agreement; cooperation on the Central Bering Sea Pollock Convention; support for U.S. oceans and fisheries initiatives at the World Summit on Sustainable Development; and China's full membership in the Commission for the Conservation of Antarctic Living Marine Resources.

**U.S.-PRC Shiprider MOU:** The United States and the PRC continued to work together in 2008 to ensure effective implementation of UNGA Resolution 46/215 in the North Pacific Ocean pursuant to the terms of the U.S.-PRC Shiprider MOU. The MOU established boarding procedures for law enforcement officials of either country to board and inspect U.S. or PRC-flagged vessels suspected of driftnet fishing. The MOU also established a shiprider program, which allows PRC fisheries law enforcement officials to embark on U.S. Coast Guard (USCG) resources during each driftnet fishing season. As a bilateral enforcement agreement, the MOU facilitates/expedites investigations of suspicious vessels when they are encountered on the high seas. The MOU will expire on December 31, 2009.

The USCG has had a strong working relationship with the PRC Fisheries Law Enforcement Command (FLEC) for more than 15 years. This working relationship increases opportunities for cooperation on both high seas fisheries enforcement efforts and training. The PRC has provided a total of 55 enforcement officials to the USCG since 1994.

Pursuant to the provisions of the U.S.-PRC MOU, the PRC FLEC continued to participate in high seas fisheries enforcement in 2008. As in the past, this participation was financially supported by NOAA, which facilitated logistics and travel costs of PRC officials. In May 2008, FLEC hosted an operational planning meeting for the 2008 enforcement season. As a result, FLEC assigned an officer to the North Pacific Regional Fishery Training Center in Kodiak, Alaska, for a 30-day period in July and August to assist in coordination of USCG-FLEC operations. The FLEC officials in Kodiak passed up-to-date operational information to their colleagues on board the FLEC cutters during their early summer patrol.

In addition, a total of six Chinese FLEC shipriders were deployed on the USCG Cutter *MUNRO* during its July-November 2008 IUU patrol. These officials were instrumental in facilitating communications between the USCG and the PRC FLEC and effectively expanded the jurisdictional reach of both enforcement agencies allowing for the seizure of the two high seas driftnet vessels in the North Pacific. The USCG hopes to host a similar number of PRC officials during the 2009 fishing season.

### **Next Meeting**

The two countries have not yet scheduled the next comprehensive fisheries consultation.

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## **Memorandum of Understanding Between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States**

### **Basic Instrument**

The basic instrument establishing U.S.-Taiwan cooperation in fisheries and aquaculture is the Memorandum of Understanding (MOU) Between the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office (TECRO) in the United States Concerning Cooperation in Fisheries and Aquaculture. The MOU was signed by AIT and TECRO on July 30, 2002. It expired on July 30, 2007, but was renewed for an additional five years on April 21, 2008.

### **Members**

The United States and Taiwan.

### **Meetings**

The Parties (AIT and TECRO) agreed that their designated representatives will consult periodically, either in the United States or Taiwan.

### **U.S. Representation**

The designated representatives for AIT are the National Marine Fisheries Service (U.S. Department of Commerce), the U.S. Coast Guard (Department of Homeland Security), and the Bureau of Oceans and International Environmental and Scientific Affairs (U.S. Department of State).

### **Description**

The United States began negotiating the MOU between AIT and TECRO in July 2000 to address problems associated with (1) Taiwan's inability, due to its political status as a non-state, to become party to a number of international fisheries treaties and regional organizations, and (2) Taiwan fishermen's involvement in large-scale high seas driftnet fishing activities in the North Pacific Ocean.

Pursuant to the MOU, Taiwan committed to abide by the rules for sustainable fisheries set forth by the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the 1993 FAO Agreement on Promoting Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. Taiwan also agreed to cooperate with the United States in the implementation of the 1995 FAO Code of Conduct for Responsible Fisheries; and the International Plans of Action for the Management of Fishing Capacity, for the Conservation and Management of Sharks, for Reducing Incidental Catch of Seabirds in Longline Fisheries, and for Preventing, Deterring and Eliminating Illegal, Unreported and Unregulated fishing as adopted by the FAO. Finally, Taiwan committed to continue to cooperate with the United States in the implementation of United Nations General Assembly Resolution 46/215, which calls for a global ban on the use of large-scale high seas driftnets. Taiwan will take action against individuals, corporations and vessels subject to those laws and regulations that may engage in large-scale high seas driftnet fishing operations in the North Pacific Ocean. In exchange for the above commitments from Taiwan, the United States agreed to assist Taiwan authorities to participate equitably in global, regional, and subregional fisheries organizations.

The two Parties, through their designated representatives, also agreed to (1) exchange information on fisheries and aquaculture research and relevant scientific reports and publications; (2) conduct joint studies and training programs on fisheries and aquaculture; (3) promote exchange visits of fisheries and aquaculture personnel; and (4) strengthen existing cooperation between fisheries enforcement representatives.

### **Recent Activities**

Representatives of the National Marine Fisheries Service, the U.S. Department of State, the U.S. Coast Guard, and Taiwan last met on March 27-28, 2007, at the Arlington, Virginia, offices of the American Institute in Taiwan. Ambassador David Balton, DOS, led the U.S. delegation and Dah-Wen Shieh, Director-General of the Fisheries Agency of Taiwan, was the Head of Delegation for Taiwan. The purpose of the meeting was to discuss extending the MOU between AIT and TECRO Concerning Cooperation in Fisheries and Aquaculture before it expired on July 30, 2007.

The two sides reviewed accomplishments under the current MOU and agreed that it has been a valuable tool in the U.S.-Taiwan fisheries relationship. Both sides expressed their intent to renew the MOU for another 5 years. They agreed on the text of a new draft MOU which includes commitments by both sides to work cooperatively to promote conservation and management measures for fisheries based on the best available scientific information; measures to limit fishing capacity to levels commensurate with the long-term sustainability of the affected resources; measures to reduce bycatch of non-target fish and juvenile fish, where practicable, and other species such as sea turtles, seabirds and sharks; measures banning shark finning; measures to establish effective programs for monitoring, control and surveillance; measures to deter vessels, companies and individuals engaged in or supporting illegal, unreported and unregulated (IUU) fishing; and measures to prevent significant adverse impacts from fishing activities on vulnerable marine ecosystems.

The United States conditioned its signing the new MOU on the development of a Joint Work Plan, which would outline crosscutting and specific actions the two sides will cooperatively pursue in regional fisheries management organizations and other international fora.

The two sides exchanged several drafts of the Work Plan from March to September 2007. They finally agreed on the text of the Plan on September 21, 2007. Taiwan officially approved the new MOU and Work Plan on March 8, 2008. The United States approved them on April 21, 2008. The MOU will expire on April 20, 2013.

**Future Meetings:** A date and location for the next U.S.-Taiwan fisheries consultation has not yet been determined.

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International and local authorities to submit detailed and timely information on their fishing activity and the catch of salmon and steelhead to assist in making informed decisions on salmon and steelhead management. The CCR is responsible for maintaining international cooperation among the U.S. and Canadian governments and the provinces of British Columbia, Alberta, Saskatchewan, Manitoba, and Quebec.

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**Washington State** International

## EUROPE

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**Co-Chair.** Paul M. Gray, President, Law River Native Salmon, Flawell, Alaska, United States, e-mail [gray@flawell.com](mailto:gray@flawell.com).

**Great Bear.** Executive Director, United-Canadian Salmon, Seattle, Washington, United States.

The Great Bear Salmon Consultative Committee (GBSC) is a group of coastal First Nations, government agencies, and environmental organizations that work together to protect salmon and steelhead in the Great Bear Rainforest, British Columbia, Canada. The Great Bear Rainforest is a coastal temperate rainforest in the Pacific Northwest of North America, containing the world's largest old-growth forest.

**Description.** International

International cooperation to develop and implement a fishery management plan for salmon and steelhead in the Great Bear Rainforest. The Great Bear Salmon Consultative Committee (GBSC) is a group of coastal First Nations, government agencies, and environmental organizations that work together to protect salmon and steelhead in the Great Bear Rainforest, British Columbia, Canada. The Great Bear Rainforest is a coastal temperate rainforest in the Pacific Northwest of North America, containing the world's largest old-growth forest.

In recent years, the GBSC has developed a fishery management plan for salmon and steelhead in the Great Bear Rainforest, British Columbia, Canada. The Great Bear Salmon Consultative Committee (GBSC) is a group of coastal First Nations, government agencies, and environmental organizations that work together to protect salmon and steelhead in the Great Bear Rainforest, British Columbia, Canada.

International cooperation to develop and implement a fishery management plan for salmon and steelhead in the Great Bear Rainforest, British Columbia, Canada.

Facilitated by Arctic ICNA, the U.S.-Russia Agreement on Mutual Fisheries Cooperation between the Russian Federation and the United States established the U.S.-Russia Fisheries Consultative Committee, which is responsible for developing and implementing the U.S.-Russia Fisheries Consultative Committee. The Russian delegation was led by Mr. Alexander Andreyev, Deputy Director, Federal Fisheries Agency, and the U.S. delegation, which consisted of representatives of the U.S. Fish and Wildlife Service, National Marine Fisheries Service, U.S. Department of Energy, and the U.S. Coast Guard, was led by Ambassador David Balow, Deputy Assistant Secretary of State for Oceans and Fisheries.

At the 2008 meeting in Lake Baikal, Russia and the United States exchanged information on the status of policies and environmental issues, and methods by the Russian and U.S. fishery agencies. The U.S. side proposed cooperation with Russia on catch stock assessments in the Amur River basin region. As there was no record from the Russian side of catch statistics, the two countries in the field, government officials from both countries, and the Russian fishery authorities, the two sides discussed the Amur River Basin Fisheries Management Cooperation framework, implementation of catch statistics, and the need to maintain the Amur River Basin (August 2008) agreement, signed with

**Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Mutual Fisheries Relations (Basic Instrument for the U.S.-Russia Intergovernmental Consultative Committee – ICC)**

**Basic Instrument**

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

**Implementing Legislation**

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

**Member Nations**

The United States and the Russian Federation.

**Meetings**

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

**U.S. Representation**

Under the Rules of Procedure established for the ICC, the United States and Russia are to designate a Representative and an Alternate Representative. The current U.S. Representative is Ambassador David Balton, Deputy Assistant Secretary of State for Oceans and Fisheries Affairs. 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.

The current North Pacific and Bering Sea Advisory Body Representatives are:

**Alaska Department of Fish and Game Representative**

Stephanie Moreland, Extended Jurisdiction Program Manager  
Alaska Department of Fish and Game, Anchorage, Alaska, [stefanie.moreland@fishgame.state.ak.us](mailto:stefanie.moreland@fishgame.state.ak.us)

**Alaska**

David Benton, Director, Marine Conservation Alliance, Juneau, Alaska

Alvin Burch, Executive Director, Alaska Draggers Association, Kodiak, Alaska, [alaska@ptialaska.net](mailto:alaska@ptialaska.net)

Simon Kinneen, Norton Sound Economic Development Corporation, Nome, Alaska

Richard B. Lauber, Fishing Industry Consultant, Juneau, Alaska, *RickLauber@aol.com*

Hazel Nelson, President, Becharof Corporation, Anchorage, Alaska, *becharof@gci.net*

**Washington Department of Fisheries and Wildlife Representative**

William Tweit, Distant Waters and Columbia River Policy Lead

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**Washington State**

David W. Benson, Trident Seafoods Corporation, Seattle, Washington, *daveb@TridentSeafoods.com*

Terry Leitzell, General Counsel, Icicle Seafoods, Seattle, Washington

Paul MacGregor, Partner, Law Firm of Mundt, MacGregor, Happel, Falconer, Zulauf, and Hall  
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Brent Paine, Executive Director, United Catcher Boats, Seattle Washington, *BPaine@ucba.org*

Thorn Smith, Member, U.S. Short-tailed Albatross Recovery Team, Seattle, Washington  
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**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. The agreement expires on December 31, 2009.

In recent years, the ICC also has served as the forum in which the United States and Russia have been negotiating a bilateral fisheries management agreement for the Northern Bering Sea, which would enter into force upon entry into force of the 1990 U.S.-Russia maritime boundary agreement.

**Current Status**

Pursuant to Article XIV of the 1988 Agreement on Mutual Fisheries Relations, representatives of Russia and the United States conducted the 19<sup>th</sup> Session of the ICC on Fisheries in Kaliningrad, Russia, on September 4-5, 2008. The Russian delegation was led by Mr. Sergey Podolyan, Deputy Director, Federal Fisheries Agency, and the U.S. delegation, which consisted of representatives of the North Pacific and Bering Sea Advisory Body, the State Department, NOAA, and the U.S. Coast Guard, was led by Ambassador David Balton, Deputy Assistant Secretary of State for Oceans and Fisheries.

At the 2008 meeting in La Jolla, Russia and the United States exchanged information on the status of pollock and marine mammal stocks, and seabirds in the Russian and U.S. 200-mile zones. The U.S. side proposed cooperation with Russia on crab stock assessments in the Anadyr Bay boundary area. As there was no one from the Russian side with responsibility for crab resources at the meeting, the Russians said they would respond at a later time. In addition, the two sides discussed the South Pacific Regional Fisheries Management Organization negotiations, negotiations on fishing in the northwestern Pacific Ocean, and Arctic fisheries issues.

Negotiations to develop a comprehensive fisheries agreement for the Northern Bering Sea continued in Kaliningrad. Russia has long pressed for an agreement under which cross-border fishing would be allowed, but the U.S. fishing industry and Congress remain opposed to Russian vessels fishing in U.S. waters. In Kaliningrad, the two sides exchanged views regarding proposed changes suggested by Russia to the September 2007 text of the draft comprehensive Agreement Between the Government of the Russian Federation and the Government of the United States of America on the Conservation and Management of Living Resources in the Northern Bering Sea. The Russian Federation noted the principal importance of joint management of pollock stocks in the Northern Bering Sea and for mutual provisions to accommodate pollock fishing by the Parties in areas under jurisdiction of the other Party. It included a proposal that the comprehensive fisheries agreement and the 1990 Maritime Boundary Agreement would simultaneously enter into force, as well as a proposal that the fisheries agreement could only be terminated by mutual agreement.

The United States stated the new text included by the Russian Federation in its proposal would need additional discussion, but confirmed its willingness to work with the Russian side during the intersession to discuss progressive steps.

Enforcement agencies from both countries presented information on fisheries enforcement violations and activities. The U.S. side said it would like to work to strengthen and formalize information sharing between fisheries enforcement agencies on case investigations. The U.S. side also welcomed active participation of the Russian Federation in the International Monitoring, Control, and Surveillance (MCS) Network. The Russian side responded that it is currently assessing its level of cooperation with the United States and it believes that a new level of cooperation is overdue. Both sides agreed that the bilateral cooperation on fisheries enforcement cooperation has been very successful, and that cooperation would be improved by conclusion of an enforcement agreement. The U.S. side emphasized that the next step to improve enforcement cooperation would be to implement the enforcement agreement both sides have been negotiating for several years. The United States proposed that both sides agree to provisionally apply the enforcement agreement as work continues on the comprehensive fisheries agreement. The Russians said they will consider this proposal.

Time and Place of the 20<sup>th</sup> Session of the ICC: The 20<sup>th</sup> Annual ICC Meeting was held in the United States in September 2008. The United States will continue to urge various ministries of the Russian Government to conclude the comprehensive fisheries and enforcement agreements, and to bring into force the 1990 US-Russia Maritime Boundary Agreement. The United States will also seek to extend for an additional five years the 1988 US-Russia Agreement on Mutual Fisheries Relations.

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**Memorandum of Understanding on Cooperation on Fisheries Issues Between the National Oceanic and Atmospheric Administration of the United States of America and the Ministry of Fisheries and Coastal Affairs of Norway**

**Basic Instrument**

The basic instrument establishing U.S.-Norway cooperation in fisheries and aquaculture is the *Memorandum of Understanding (MOU) on Cooperation on Fisheries Issues Between the National Oceanic and Atmospheric Administration of the United States of America and the Ministry of Fisheries and Coastal Affairs of Norway*. The MOU became effective October 1, 2008 and will expire on September 30, 2013.

**Members**

The United States and Norway.

**Meetings**

The Parties agreed that their designated representatives will meet annually, or as needed, alternating between the United States and Norway.

**U.S. Representation**

Pursuant to Article 2 of the MOU, the Parties established a Joint Committee. The Joint Committee consists of one Representative and advisors from each Party. The Representative for NOAA will be the Deputy Assistant Secretary for International Affairs or his designee, as appropriate. The Representative for the Ministry of Fisheries and Coastal Affairs will be the Secretary General, or his designee, as appropriate.

**Description**

The general purpose of the MOU is to strengthen and encourage cooperation between the United States and Norway on fisheries and other living marine resources, and ecosystem matters. Norway belongs to a number of international organizations to which the United States is also a member, including the International Whaling Commission, the Northwest Atlantic Fisheries Organization, the North Atlantic Salmon Conservation Organization, and the International Commission for the Conservation of Atlantic Tunas. Thus, there are many areas of joint interest and concern regarding living marine resources.

**Recent Activities**

Representatives of the U.S. National Oceanic and Atmospheric Administration (NOAA) and the Norwegian Ministry of Fisheries and Coastal Affairs met in Silver Spring, Maryland, on March 12-13, 2009, pursuant to the new Memorandum of Understanding on Cooperation on Fisheries Issues between NOAA and the Norwegian Ministry of Fisheries and Coastal Affairs. Representatives of the U.S. Department of State and U.S. Coast Guard also participated. Dr. James Turner, NOAA Deputy Assistant Secretary of International Affairs, co-chaired the meeting with Mr. Jørn Krog, Secretary General of the Norwegian Ministry of Fisheries and Coastal Affairs. Dr. Rebecca Lent, Director of NOAA Fisheries Office of International Affairs, and Mr. Petter Meier, Fisheries Counselor, Royal Embassy of Norway in the United States, were meeting Co-Facilitators.

The first order of business was to set up rules of procedure for the new Joint Committee. Fisheries topics discussed included United Nations and FAO fisheries issues, Arctic fisheries, aquaculture, trade and marketing, fisheries capacity building in Africa and Latin America, and fisheries science. Participants identified a number of areas for future cooperation and collaboration. The two sides agreed that future meetings could focus on specific topics. Norway suggested that recreational fishing could be one such topic.

## **Future Meetings:**

Norway will host the 2<sup>nd</sup> Joint Committee Meeting in 2010 at a time and location to be determined.

## **Staff Contacts**

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## United States-European Union High Level Fisheries Consultation

### **Basic Instrument**

There is no formal instrument.

### **Implementing Legislation**

None.

### **Members**

The United States and the European Union (EU).

### **Meetings**

The United States and the EU normally meet on an annual basis, alternating venues between the United States and the EU.

### **U.S. Representation**

The Consultation consists of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Ambassador David Balton, Deputy Assistant Secretary of State for Oceans and Fisheries, Department of State.

### **Description**

The United States and the EU first met in 1997 to promote cooperation in the field of fisheries and fisheries research. Since then, they have held annual consultations to review fishery issues of mutual concern.

### **Recent Activities**

National Marine Fisheries Service (NMFS) and U.S. Department of State (DOS) representatives met with representatives of the European Commission's Directorate-General (D-G) for Fisheries and Marine Affairs on July 12, 2007, in Brussels, Belgium, for the 10<sup>th</sup> U.S.-EU High Level Fisheries Consultations. Dr. Fokian Fotiadis, Director General, EU Directorate-General for Fisheries and Maritime Affairs, led the EU side and Ambassador David Balton, Deputy Assistant Secretary for Oceans and Fisheries, U.S. Department of State, and Dr. William Hogarth, NOAA Assistant Administrator for Fisheries, co-led the U.S. delegation.

The agenda addressed various issues of concern, including: RFMO performance reviews, IUU fishing, capacity, destructive fishing practices, NAFO, IATTC, the South Pacific non-tuna RFMO, sea turtles, and CITES. ICCAT topics discussed included the bluefin tuna recovery plan, working group on capacity, and the working group on MCS issues.

### **Next Meeting**

There was no meeting in 2008. The United States expects to host the 11<sup>th</sup> session of the U.S.-EU High Level Fisheries Consultations in 2009.

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**PART III: SCIENTIFIC ORGANIZATIONS AND COUNCILS**

### Part III: SCIENTIFIC ORGANIZATIONS AND COUNCILS



## **North Pacific Marine Science Organization (PICES)**

### **Basic Instrument**

Convention for a North Pacific Marine Science Organization (PICES)

### **Implementing Legislation**

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

### **Member Nations**

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

### **Organization Headquarters**

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PICES Secretariat c/o Institute of Ocean Sciences  
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Web address: [www.pices.int](http://www.pices.int)

Chair of Governing Council  
Dr. Tokio Wada  
National Research Institute of Fisheries Engineering (NRIFE)  
Fisheries Research Agency  
Ibaragi , Japan

Vice Chair: Lev Bocharov (Russia)  
Pacific Research Institute of Fisheries and Oceanography (TINRO-Center)  
Vladivostok , Russia

### **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 U.S. delegates with the authorization of the Secretary of State and in consultation with interested agencies and institutions.

**B. U.S. Delegates:****Federal Government Representative:**

Dr. Samuel Pooley  
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**Description****A. Mission/Purpose:**

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

The primary role of PICES is to promote and coordinate marine research undertaken by the Parties in the Convention Area; advance scientific knowledge about the ocean environment, global weather and climate change, living resources and their ecosystems, and the impacts of human activities; and promote the collection and rapid exchange of scientific information on these issues. PICES 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.

**Governing Council:** The Governing Council oversees the administration and science activities of the organization, including the Rules of Procedure and Financial Regulations; amendments to the Convention; adoption of the annual report of the organization; the annual budget and financial accounts of the organization; appointment of the Executive Secretary; contact with other international organizations; and management of the overall activities of the organization. The Finance and Administration Committee (F&A) reports directly to the Governing Council.

**Science Board:** The Science Board identifies research priorities and problems pertaining to the Convention Area and appropriate methods for their solution; recommends coordinated research programs and related activities pertaining to the Convention Area through the national efforts of the participating Contracting Parties; promotes and facilitates the exchange of scientific data, information and personnel; to consider requests to develop scientific advice pertaining to the Convention Area; organizes scientific symposia and other scientific events; and fosters the

discussion of problems of mutual scientific interest. The Science Board also oversees the activities of the four scientific committees, the technical committee, and the scientific program. Its membership includes an overall chairman, as well as the chairmen from each of the six scientific committees.

#### Committees:

MEQ - Marine Environmental Quality  
BIO - Biological Oceanography  
FIS - Fisheries Science  
POC - Physical Oceanography and Climate  
TCODE - Technical Committee on Data Exchange  
MONITOR - Technical Committee on Monitoring

**Working Groups:** A Working Group is a group of experts that is established with specific terms of reference, by Council, based on the recommendation of Science Board. Most Working Groups report to parent Scientific Committees, others directly to Science Board. Most Working Groups meet annually to undertake specific tasks within their terms of reference. Science Board suggests the members of Working Groups in consultation with the PICES Chairman, and seeks Contracting Parties' approval and support.

Active PICES Working Groups are:

WG-19: Working Group on "Ecosystem-based management science and its application to the North Pacific" (Oct. 2004 - 2008)  
WG-20: Working Group on "Evaluations of Climate Change Projections" (2006 - 2009)  
WG-21: Working Group on "Non-indigenous Aquatic Species" (2006 - 2012)  
WG-22: Working Group on "Iron supply and its impact on biogeochemistry and ecosystems in the North Pacific Ocean" (Oct. 2007 - Oct. 2010)  
WG-23: Working Group on "Comparative ecology of krill in coastal and oceanic waters around the Pacific Rim" (Oct. 2007 - Oct. 2010)  
WG-24: Working Group on "Environmental Interactions of Marine Aquaculture" (Oct. 2008 - )  
WG-FCCIFS: Joint PICES/ICES Working Group on Forecasting Climate Change Impacts on Fish and Shellfish (Jan. 2009 - )

#### Science Programs

Scientific Programs are established by PICES to address major scientific questions of general interest to the Organization. Typically, they will require significant resources and energy of the Organization for periods of up to a decade.

#### Active Program

CCCC: Climate Change and Carrying Capacity Program  
Active Task Teams:  
MODEL Conceptual/Theoretical and Modeling Studies Task Team (Oct. 1995 - )  
CFAME Climate Forcing and Marine Ecosystem Response Task Team (Oct. 2004 - )

#### Forthcoming Program

FUTURE: Forecasting and Understanding Trends, Uncertainty and Responses of the North Pacific Ecosystem

#### Sections

A "Section" represents a sub-committee under a Scientific Committee that has a longer lifespan than a Working Group. Its purpose is to provide input to the parent Scientific Committee on specific issues for which expertise may be lacking on the parent committee. Sections should be reviewed periodically to ensure they continue to meet their objectives.

Currently PICES has two Sections:

HAB-S: Harmful Algal Blooms Section  
CC-S: Section on Carbon and Climate

A “Section” represents a sub-committee under a Scientific Committee that has a longer lifespan than a Working Group. Its purpose is to provide input to the parent Scientific Committee on specific issues for which expertise may be lacking on the parent committee. Sections should be reviewed periodically to ensure they continue to meet their objectives. Currently PICES has one Section:

\* HAB: Harmful Algal Blooms Section

#### Study Group

The purpose of a Study Group is to analyze the scientific, policy, and/or financial implications of a proposal made by Science Board or Governing Council, and provide recommendations for Science Board or Council on the proposal. This type of group would typically be formed for a period of one-year and would provide a report of their findings and recommendations to Science Board or Council prior to the Annual Meeting after it was formed.

Active Study Groups:

SG-COM: Study Group on "PICES Communication" (Oct. 2007 - )  
SG-FISP: Study Group on "Future Integrative Scientific Program(s)" (May 2005 - )  
SG-RAM: Study Group on "Restructuring of the PICES Annual Meeting" (Oct.2008 - March 2009)

#### Advisory Panels:

The purpose of an Advisory Panel is to provide scientific expertise to a Committee or Scientific Program to aid in accomplishment of a research issue or program of work that requires specific technical expertise, such as the design of an ocean experiment or sampling program, or the incorporation of certain scientific emphases (e.g. marine mammal and bird experts) into the PICES scientific scope. Most Advisory Panels report to parent Scientific Committees or Programs and meet annually to undertake specific tasks within their terms of reference.

Active Advisory Panels:

CPR-AP: Advisory Panel on the Continuous Plankton Recorder Survey in the North Pacific  
MBM-AP: Advisory Panel on Marine Birds and Mammals  
MIE-AP: Advisory Panel on Micronekton Sampling Inter-Calibration experiment  
CREAMS-AP: Advisory Panel for a CREAMS/PICES Program in East Asian Marginal Seas

#### C. Recent Activities:

The 17<sup>th</sup> Annual Meeting of PICES was held from October 23 to November 2, 2008, under the theme “Beyond observations to achieving understanding and forecasting in changing North Pacific: Forward to the FUTURE”. (the new PICES integrative science program). About 400 scientists and administrators from 16 countries and several organizations attended this meeting, which was hosted by the State Oceanic Administration of the People’s Republic of China in Dalian, China. PICES’ activities, tight collaboration with non-member countries and other organizations and programs, efficient administration and alternation of generations of scientists have been essential for the sustained development of the Organization.

Forthcoming activities, including those co-sponsored with other organizations, include:

2009	Jun 22-26	International Symposium	Victoria, Canada	3rd GLOBEC Open Science Meeting	GLOBEC, PICES
2009	Aug 24-27	International Symposium	Portland, OR, USA	6th International Conference on " <u>Marine bioinvasions</u> "	PICES, ICES and the U.S. National Sea Grant College Program
2009	Aug 25-28	Summer School	Seoul, Korea	<u>3rd PICES Summer School on "Satellite Oceanography"</u>	PICES
2009	Sep 3-11	International Symposium	Vigo, Spain	<u>"The Effects of Environmental Variability on Cephalopod Populations", (CIAC'09)</u>	ICES, PICES
2009	Sep 21-25	International Symposium	Venice, Italy	OceanObs'09 Conference " <u>Ocean information for society: Sustaining benefits, realizing the potential</u> "(download the flyer, pdf, 1.3 Mb)	
2009	Sep 21-25	Theme Session	Berlin, Germany	Theme Session on " <u>Climate Impacts on Marine Fishes: Discovering Centennial Patterns and Disentangling Current Processes</u> "	ICES, PICES
2009	Oct. 23 - Nov. 1	Annual Meeting	Jeju, Korea	PICES Eighteenth Annual Meeting " <u>Understanding ecosystem dynamics and pursuing ecosystem approaches to management</u> "	PICES
2009	Nov 3-6	International Symposium	Warnemünde, Germany	<u>International Symposium on "Rebuilding depleted fish stocks: Biology, ecology, social science and management strategies"</u> Announcement [pdf, 0.7 Mb]	ICES/PICES/UNCOVER
2009	Dec 1-3	Workshop	Honolulu, U.S.A.	North Pacific Ecosystem Status Report Synthesis Workshop ( <i>by invitation only</i> )	PICES
<b>2010</b>					
2010	Apr 26-29	International Symposium	Sendai, Japan	<u>"Climate Change Effects on Fish and Fisheries: Forecasting Impacts, Assessing Ecosystem Responses, and Evaluating Management Strategies"</u>	ICES, PICES
2010	spring or fall	International Symposium	Anchorage, U.S.A.	26th Lowell Wakefield Symposium on " <u>Ecosystems 2010: Global Progress on Ecosystem-based Fisheries Management</u> "	
2010	Oct	Annual Meeting	Portland, U.S.A.	TBA	
2010	TBA	International Symposium	Lisbon, Portugal	<u>"Carrying Capacity: What does it mean in a Changing Ocean?"</u>	

**BUDGETARY MATTERS**

The contracting parties are assessed approximately \$110,000 annually.

**APPOINTMENTS and ELECTIONS**

By consensus of Council, Dr Tokio Wada and Dr. Lev Bocharov (Russia) were re-elected for a new 2-year term as the Chairman and Vice-Chairman of PICES, respectively. Dr. Laura Richards (Canada), the Chairperson of the Finance and Administration Committee, completed her second term and stepped down from the position at the conclusion of this year's Annual Meeting. Ms. Patricia Livingston (U.S.A.) was appointed as the new Chairperson.

**FUTURE PICES SCIENTIFIC CONFERENCES**

The next PICES meeting is scheduled for Oct. 23 - Nov. 1, 2009 in Jeju, Korea on the subject of "Understanding ecosystem dynamics and pursuing ecosystem approaches to management." The 2010 meeting is scheduled for the United States

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## ARCTIC OCEAN

## **Program for the Conservation of Arctic Flora and Fauna (CAFF)**

### **Basic Instrument**

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

### **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 CAFF Secretariat Borgir Nordurslod, Nordurslos 600 Akureyri, Iceland.

Executive Secretary: Tom Barry  
Telephone: 354 461 3352  
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Iceland is serving as the current chair of CAFF.

### **Budget**

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

### **Website**

The CAFF website is [www.caff.is](http://www.caff.is).

### **U.S. Representation**

#### **A. Appointment Process**

The U.S. Department of State has designated the FWS as the lead Federal agency for CAFF. The FWS Alaska Region provides the U.S. National Representative to CAFF and leads the U.S. delegation to the biannual meetings of CAFF. Janet Hohn is the present U.S. National Representative.

#### **B. U.S. Delegates and Scientific Advisers**

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

#### **C. Interagency Arctic Policy Group (APG)**

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

### **Description**

#### **A. Mission/Purpose:**

CAFF's main goals are to:

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

Its guiding principles are:

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

#### **B. Organizational Structure:**

CAFF operates through a system of Designated Agencies and National Representatives responsible to CAFF and their respective countries. The National Representatives and Permanent Participants meet several times a year to guide the administration of CAFF work and to prepare CAFF reports to meeting of Senior Arctic Affairs Officials (SAOs) and Arctic Ministers under the Arctic Council. CAFF meets biannually 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.

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.

As needed, CAFF also establishes Specialist and Expert Groups to address program areas.

#### **C. Expert groups:**

CAFF has established three expert groups/programs to carry out its Strategic Plan. They are the: Circumpolar Seabird Expert Group; Flora Expert Group; and the Circumpolar Biodiversity Monitoring Program. In addition, CAFF is, at the request of the Arctic Council, undertaking an Arctic Biodiversity Assessment.

#### **Circumpolar Seabird Expert Group (CBird)**

CBird facilitates seabird conservation, management and research activities between circumpolar countries, and works to improve communication between seabird scientists and managers. Conservation issues include exotic predators, habitat alteration, oil and contaminants pollution, seabird bycatch, subsistence harvesting, unregulated harvesting, and climate change. Further, CBird promotes conservation of seabirds outside the Arctic, coordinates research efforts with other seabird groups, and coordinates the circumpolar seabird monitoring network, in addition to developing seabird initiatives for CAFF.

CBird has four products that are coming out in the near future: (1) Circumpolar Seabird Monitoring Framework, (2) Circumpolar Seabird Monitoring Plan, (3) International Ivory Gull Conservation Strategy and (4) Harvest of Seabirds in the Arctic.

CBird held its 14th meeting in February 2008. The CBird website has been updated and revised - [www.caff.is/cbird](http://www.caff.is/cbird). All CBird publications are now available online.

### **CAFF Flora Expert Group (CFG)**

With botanical expertise drawn from CAFF member countries, the CAFF Flora Expert Group promotes, encourages, and coordinates internationally the conservation of biodiversity of arctic flora and vegetation, habitats, and research activities in these fields; and works to enhance the exchange of information relating to arctic flora and vegetation and factors affecting them. CFG is designated as the Arctic Plant Specialist Group of the IUCN Species Survival Commission.

The next CFG meeting is scheduled for April 1-3, 2009 in Sweden

### **Circumpolar Biodiversity Monitoring Program (CBMP)**

The Circumpolar Biodiversity Monitoring Program (CBMP) has evolved in response to the mandate CAFF, and numerous international conventions and agreements, which have stressed the link between conservation of biological diversity and sustainable development.

The CBMP takes an ecosystem-based management approach, functioning as a coordinating entity for existing species, habitat and site-based networks. To date, thirty-three Arctic biodiversity monitoring networks are operating and linked to the CBMP. Many of these networks (e.g. CARMA, ITEX) have received substantial support from the IPY.

Five Expert Monitoring Groups representing the major Arctic biomes – marine, coastal, freshwater, terrestrial vegetation and terrestrial fauna are being created by the CBMP. The Marine Expert Group met in January 2009. The Freshwater Expert Monitoring Group is meeting in April, 2009.

### **Arctic Biodiversity Assessment (ABA)**

The ABA will synthesize and assess the status and trends of biological diversity in the Arctic. It will provide a description of the current state of the Arctic's ecosystems and create a baseline for use in global and regional assessments of Arctic biodiversity. It will also act as a basis to inform and guide future biodiversity work. It will provide up to date scientific and traditional ecological knowledge, identify gaps in the data record, identify key mechanisms driving change and produce recommendations. The report will be produced in two phases. Phase 1 is a short 2010 Arctic Highlights Report. This will present twenty one indicators of trends and is based on the suite of indicators developed by the Circumpolar Biodiversity Monitoring Program. It is anticipated that this report will be ready as an Arctic Council contribution to the United Nations 2010 Biodiversity Target and the International Biodiversity Year in 2010. Phase 2 will be a full scientific Arctic Biodiversity Assessment scheduled to be completed in 2013.

A website has been launched where all the latest information and documentation on the Assessment is available at [www.caff.is/aba](http://www.caff.is/aba).

#### **D. CAFF's Work Plan:**

The CAFF program of work is guided by its "Strategic Plan for the Conservation of Arctic Biological Diversity" and undertakes priority tasks identified by the Arctic Council.

CAFF's Work Plan emphasizes cooperation and collaboration with other Arctic Council Working Groups, and organizations outside of the Arctic Council, and makes efforts to actively contribute to the global conservation agenda.

It is presented in sections on: (1) Conserving Arctic Species; (2) Conserving Arctic Ecosystems and Habitats; (3) Assessing and Monitoring Arctic Biodiversity; (4) Global Issues; and (5) Engaging Society.

**E. Meetings:**

CAFF meets in plenary every two years. CAFF held its twelfth plenary meeting in Greenland in 2008. Iceland is presently serving as the CAFF Chair and will host the Thirteenth Plenary meeting in Iceland in 2010.

The National Representatives to CAFF meet on an approximately every 6-month basis to address administrative and organizational matters. The meeting is referred to as a CAFF Management Board Meeting.

The Senior Arctic Officials meet approximately every six months.

The Sixth Ministerial Meeting was held in Norway in April, 2009.

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Arctic Council, which is the highest political body in the Arctic. It is the only intergovernmental organization in the Arctic that has the power to make binding decisions on the Arctic environment. The Arctic Council is a political body that is not a part of the UN system, but it has the authority to make decisions on the Arctic environment.

The Arctic Council is composed of eight member states: Canada, Denmark, Finland, Iceland, Norway, Sweden, the United States, and Russia. The Arctic Council is a political body that is not a part of the UN system, but it has the authority to make decisions on the Arctic environment.

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ATLANTIC OCEAN

## ATLANTIC OCEAN

## 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 & Ireland). The United States has been associated since 1912, and joined formally as a contracting party in 1972. From 1902 until 1964, the Council operated in a "gentlemen's agreement" fashion. 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**

ICES coordinates and promotes marine research in the North Atlantic, working with an international community of over 1600 marine scientists from 20 member countries. Belgium, Canada, Denmark (including Greenland and Faroe Islands), Estonia, Finland, France, Germany, Iceland, Ireland, Latvia, Lithuania, the Netherlands, Norway, Poland, Portugal, Russia, Spain, Sweden, the United Kingdom, and the United States of America. There are also a number of countries that have affiliate status with ICES. The Affiliate Countries are: Australia, Chile, Greece, New Zealand, Peru, and South Africa. Non-governmental organizations with formal observer status: Worldwide Fund for Nature and Birdlife International.

### **Council Headquarters**

International Council for the Exploration of the Sea  
H. C. Andersens - Boulevard 44-46 DK-1553 Copenhagen V Denmark  
Tel: +45 3338 6700; Fax: +45 3393 4215 [info@ices.dk](mailto:info@ices.dk)

General Secretary: Mr. Gerd Hubold  
E-mail: [gerd@ices.dk](mailto:gerd@ices.dk)  
Web address: <http://www.ices.dk/>

### **Budget**

The ICES annual budget is approximately \$5.5 million USD. The U.S. contribution to be paid by the Department of State for 2008 is 1,182,000 DKK which is approximately USD \$247,000.

### **U.S. Representation**

#### **A. Process:**

Each of the member countries elects two delegates who represent their country on the ICES Council. The ICES Council is the principal policy and decision-making body of ICES. NMFS, through NOAA and DOC, and the National Science Foundation provide the Department of State with recommendations for the U.S. representatives (delegates and advisors) to the annual meeting.

**B. U.S. Representation (Delegates):**

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**C. Committees and Working Groups:**

U.S. representation in ICES has no formal (legislated) advisory structure. During 2007-2008, United States scientists served as members on each of the 8 scientific committees (Oceanography, Marine Habitat, Living Resources, Resource Management, Fisheries Technology, Mariculture, Baltic, Diadromous Fish), membership on each of the 3 advisory committees (Fisheries Management, Marine Environment, Ecosystems) and the Consultative Committee and a number of members on more than 100 working/study/planning groups. In 2008, the three advisory committees were combined into one overarching Advisory Committee with U.S. representation. Further, in 2008 two of the scientific committees (Marine Habitat and Fisheries Technology) are chaired by the U.S. ICES has more than 100 Expert/Study Groups that cover most aspects of the marine ecosystem.

**Description****A. Mission/Purpose:**

The International Council for the Exploration of the Sea (ICES), with 20 member nations, is the oldest intergovernmental organization in the world concerned with marine and fisheries sciences. (ICES was founded in 1902: the United States has been associated since 1912, and joined formally as a contracting party in 1972). ICES is a leading forum for the promotion, coordination, and dissemination of research on the physical, chemical, and biological systems in the North Atlantic and adjacent seas such as the Baltic Sea and North Sea, and advice on human impacts on its environment, in particular fisheries effects in the Northeast Atlantic. ICES has long recognized the mutual interdependence of the living marine resources and their physical and chemical environment. In support of these activities, ICES facilitates data and information exchange through publications and meetings, in addition to functioning as a marine data center for oceanographic, environmental, and fisheries data. ICES works with experts from its 20 member Countries and collaborates with more than 40 international organizations, some of which hold scientific Observer status.

Uniquely, ICES is also the provider of objective, independent and apolitical scientific advice on fisheries and environmental management, not only to the governments of its member countries but also to six intergovernmental regulatory commissions. The latter includes the North Atlantic Salmon Conservation Organization (NASCO) of which the U.S. is a leading member, particularly through NASCO's North American Commission.

ICES is a complex organization involving about 1600 scientists. It fulfills functions through an Annual Science Conference, about a dozen committees, over 100 working and study groups, several symposia annually, and a wide range of quality science publications which are recognized as such by the world's scientific community. Two delegates represent each member country on the Council. Dr. Steven Murawski (NOAA Fisheries Director of Scientific Programs and Chief Science Advisor) serves in conjunction with Dr. Edward Houde (Professor, University of Maryland Center for Environmental Science, Chesapeake Biological Laboratory) as one of the two U.S. Delegates. Dr. Michael Sissenwine (former NOAA Fisheries Director of Scientific Programs) was President of ICES from 2003-2006.

The fundamental purposes of ICES outlined in the ICES Convention are: to promote and encourage research and investigation for the study of the sea particularly related to the living resources thereof; to draw up programs required for this purpose and to organize, in agreement with the Contracting Parties, such research and investigations as may appear necessary; and to publish or otherwise disseminate the results of research and investigations carried out under its auspices or to encourage the publication thereof.

The ICES mission is to advance the scientific capacity to give advice on human activities affecting, and affected by, marine ecosystems. The mission calls for: effective arrangements to provide scientific advice; informing interested parties and the public objectively and effectively about marine ecosystem issues; coordinating and enhancing physical, chemical, biological, and interdisciplinary research; partnerships with other organizations that share a common interest; developing and maintaining accessible marine data bases.

Further information on ICES and the many contemporary science and policy issues with which it is dealing can be found on the Web at [www.ices.dk](http://www.ices.dk).

### **B. Organizational Structure:**

The Council (the ultimate governing body) 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 intersessionally 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 internal structure of ICES is composed of three committees, the Advisory Committee, Science Committee and the Finance Committee and then the Working Groups.

- The Advisory Committee provide advice to clients on marine ecosystem issues. The advice is finalized by the Advisory Committee. Development and review of the basis for the advice is through several steps involving ICES experts. The Advisory Committee oversees the advisory process.
- The Science Committee oversees all aspects of ICES scientific work. The eight Science Committees include Oceanography, Marine Habitat, Living Resources, Resource Management, Fisheries Technology, Mariculture, Baltic, Diadromous Fish. The chairpersons of these Committees constitute the Consultative Committee, whose chairperson is elected by the committee, but not necessarily from its members. Responsibility for oversight of the production of scientific advice rests with the Advisory Committee. The Science Committees and associated Working/Study Groups provide the scientific support for formulation of the advice.
- The Finance Committee examines (a) the audited Accounts of the Council for the preceding financial year; (b) the preliminary Accounts for the current financial year; (c) a Budget for the ensuing financial year and a Forecast Budget for the next following year.
- The bulk of the work is done in the Working/Study Groups and they are the foundation of ICES scientific programme. ICES Working/Study Groups cover all aspects of the marine ecosystem from oceanography to seabirds and marine mammals.

At the 94th Statutory Meeting of the ICES Council Dr Joe Horwood was elected President for the next three year term to succeed Dr Michael Sissenwine. Dr. Horwood is Deputy Chief Executive of the UK Department for Environment, Food and Rural Affairs' marine science agency, the Centre for Environment, Fisheries & Aquaculture Science (CEFAS), Lowestoft, England, and he is also DEFRA's chief fisheries scientist. Dr. Horwood has been associated with ICES from the early 1970s, having attended a range of expert committees, and has served on ICES Advisory Committee for Fisheries Management and the Council.

## **Recent Activities**

### **ICES 2008 Annual Science Conference**

The 2008 ASC was attended by 658 participants from 34 countries. The Conference focused on 17 themes:

- Incorporating microbial dynamics in studies of shelf ecosystems,
- Role of sea ice in polar ecosystems,
- Mid-ocean ridges and seamounts: oceanography, ecology and exploitation,
- New trends in diseases of marine organisms: causes and effects,
- Marine spatial planning in support of integrated management – tools, methods, and approaches,
- Size is almost everything! Size and trait based processes and models in ecosystems and management. Sediment – biota interactions and mapping marine habitats,
- Ecological carrying capacity in shellfish culture,
- Fishing capacity, effort and fishing mortality; The understanding of fishery dynamics and their links to management,
- Comparative dynamics of populations in the Baltic Sea and Gulf of St. Lawrence ecosystems,
- Small-scale and recreational fisheries surveys, assessment, and management,
- Coupled physical and biological models: parameterization, validation, and applications,
- How much habitat is enough? Evaluating habitats in terms of their ecosystem function, goods and services,
- Problems and solutions for the assessment, conservation and restoration of rare, threatened and endangered fish species,
- Governmental quality and risk management,
- New methodology for tracking fish, mammal and sea bird behavior and migrations,
- Evidence of global warming effects on zooplankton populations and communities, including larvae of benthic invertebrates and fish,
- Environmental and fisheries data management, access, and integration

## **Leadership**

U.S. scientists chair committees and several working/study groups.

## **Future Meetings**

The next ICES Annual Science Conference will be held in 21-25 September 2009 - Berlin, Germany  
The ICES Annual Science Conference 2009 promises to provide outstanding papers from world-renowned researchers, presented in 19 science theme sessions.

- Biochemical, biogeochemical, and molecular approaches to the study of plankton ecology and species diversity
- Beyond geolocation: Inferring and explaining the behavior of tagged fish
- Advances in marine ecosystem research: what we have learned from GLOBEC and what we can carry forwards in future climate related programmes
- Trends in chlorophyll and primary production in a warmer North Atlantic
- Climate impacts on marine fish: Discovering centennial patterns and disentangling current processes
- How does fishing alter marine populations' and ecosystems' sensitivity to climate?
- Comparative study of climate impact on coastal and continental shelf ecosystems in the ICES area: assessment and management
- What do fish learn in schools? Life cycle diversity within populations, mechanisms and consequences
- Monitoring requirements, observation technologies and methods (e.g. acoustics) for pelagic organisms at local and basin scales for input into ecosystem-based fishery management assessments
- Integration of individual-based information into fishery and environmental management applications
- Habitat science to support stock assessment Bringing collaborative science – industry research data into stock assessment and fishery management: evaluating progress and future options
- Avoidance of bycatch and discards: technical measures, projects, and state of data

- Quality and precision of basic data underlying fish stock assessment and implications for fishery management advice
- Experiences in including economic and social information to fisheries analysis and advice: why, how, and by whom?
- Ecological foodweb and network analysis: a tool for ecosystem-based management?
- Interactions between aquaculture and wild stocks: comparative experiences for Atlantic cod and Atlantic salmon
- Potential changes in the EU common fisheries policy: implications for science Presenting scientific and advisory results: best practices
- Death in the sea - Mortality in the zooplankton and early life stages of marine fish (estimates, processes and outcomes)

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## GLOBAL

## Global Environment Facility (GEF)

### Basic Instrument

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

### Implementing Legislation

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

### Member Nations

Currently, 176 countries, including both recipient countries and donors such as the United States, were participants in the GEF. See the GEF website ([gefweb.org](http://gefweb.org)) for a complete list.

### Secretariat Headquarters

The GEF Secretariat  
1818 H Street, NW  
Washington, DC 20433  
Telephone: (202) 473-0508  
Fax: (202) 522-3240 or 522-3245  
Website: <http://www.gefweb.org>  
GEF Chief Executive Officer and Chairman: Monique Barbut

### Budget

GEF funds are contributed by donor countries, with replenishments occurring every four years. In 2002, 32 donor countries pledged \$3 billion to fund operations through 2006. At the Fourth GEF Assembly in 2006, an additional \$3.13 billion was committed. Preparations for the 5<sup>th</sup> replenishment are currently underway.

### U.S. Representation

The Department of the Treasury and the Department of State share the lead for the U.S. Government.

### Description

#### I. Mission/Purpose

The Global Environment Facility (GEF) is a global partnership among 178 countries, international institutions, non-governmental organizations (NGOs), and the private sector to address global environmental issues while supporting national sustainable development initiatives. It provides grants for projects related to six focal areas: biodiversity, climate change, international waters, land degradation, the ozone layer, and persistent organic pollutants. The GEF is also the designated financial mechanism for a number of multilateral environmental agreements (MEAs) or conventions; as such the GEF assists countries in meeting their obligations under the conventions that they have signed and ratified. These conventions and MEAs provide guidance to the two governing bodies of the GEF: the GEF Council and the GEF Assembly.

- Convention on Biological Diversity (CBD)
- United Nations Framework Convention on Climate Change (UNFCCC)
- Stockholm Convention on Persistent Organic Pollutants (POPs)
- UN Convention to Combat Desertification (UNCCD)

The GEF is also associated with many global and regional MEAs that deal with international waters or transboundary water systems.

As such, the GEF helps fund initiatives to assist developing countries in meeting the objectives of the Conventions.

Today the GEF is the largest funder of projects to improve the global environment. Since 1991, GEF has achieved a strong track record with developing countries and countries with economies in transition, providing \$8.26 billion in grants and leveraging \$33.7 billion in co-financing for over 2,200 projects in over 165 countries.

## II. Organizational Structure

The GEF is governed by a 32 member GEF Council representing constituencies of over 178 donor and recipient country governments. The GEF Council meets at least twice a year to review and approve the work programs, policies, and administration in the GEF. The United States 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 Programme (UNEP). The World Bank and UNDP manage the lion's share of the projects. The GEF Secretariat, which is functionally independent from the three implementing agencies, reports to and services the Council and Assembly of the GEF. A Scientific and Technical Advisory Panel, convened by UNEP, provides advice on technical issues at the request of the Council and manages a roster of experts that provides technical reviews of individual projects.

## III. Programs:

The Global Environment Facility was established in October 1991 as a \$1 billion pilot program in the World Bank to assist in the protection of the global environment and to promote environmental sustainable development. The GEF would provide new and additional grants and concessional funding to cover the "incremental" or additional costs associated with transforming a project with national benefits into one with global environmental benefits.

In 1994 at the Rio Earth Summit, the GEF was restructured and moved out of the World Bank system to become a permanent, separate institution.

The decision to make the GEF an independent organization enhanced the involvement of developing countries in the decision-making process and in the implementation of the projects. Since 1994 however the World Bank has served as the Trustee of the GEF trust fund and provided administrative services.

As part of the restructuring, the GEF was entrusted to become the financial mechanism for both the UN Convention on Biological Diversity (CBD) and the UN Framework Convention on Climate Change (UNFCCC). In partnership with the Montreal Protocol of the Vienna Convention on Ozone Layer Depleting Substances, the GEF started funding projects that enable the Russian Federation and nations in Eastern Europe and Central Asia to phase out their use of ozone destroying chemicals. The GEF subsequently was also selected to serve as financial mechanism for two more international conventions: The Stockholm Convention on Persistent Organic Pollutants (2001) and the United Nations Convention to Combat Desertification (2003).

The United Nations Development Program (UNDP), the United Nations Environment Program (UNEP) and the World Bank were the three initial partners implementing GEF projects. Seven more agencies joined the GEF family over the years: The Food and Agriculture Organization (FAO), the Inter-American Development Bank (IaDB), the United Nations Industrial Development Organization (UNIDO), the Asian Development Bank (ADB), the African Development Bank (AfDB), the European Bank for Reconstruction and Development (EBRD), and the International Fund for Agricultural Development (IFAD).

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 relevant convention (such as 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.

#### **Marine issues:**

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

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## International Polar Year (IPY)

The International Polar Year (IPY) was an internationally coordinated, multidisciplinary campaign of research that took place from March 1, 2007 through March 1, 2009. IPY was one of the largest collaborative science programs ever attempted. It included research in both polar regions and recognized the strong links these regions have with the rest of the globe. More than 160 endorsed projects were conducted, involving 50,000 people from more than 60 countries.

The key research areas for the IPY were:

- Environmental Status: Assessing environmental status and change in the polar regions
- Quantifying Change: Understanding past change and predicting future change
- Global Linkages: Links between polar and global processes
- New Frontiers: Science exploration in the polar regions
- Unique Vantage Point: Observing Earth and space from the poles
- Human Dimensions: Sustainability of circumpolar communities

The main research results from the International Polar Year (IPY) 2007-2008 were presented at a ceremony in Geneva in March 2009. These are all reported in "State of Polar Research", released by the World Meteorological Organization and the International Council for Science

The IPY projects provide new evidence of the widespread effects of global warming in the polar regions. Snow and ice are declining in both polar regions, affecting human livelihoods as well as local plant and animal life in the Arctic, as well as global ocean and atmospheric circulation and sea level. In addition to lending insight into climate change, IPY has aided our understanding of pollutant transport, species' evolution, and storm formation, among many other areas.

A major IPY science conference will take place in Oslo in June 2010.

The National Academies of Science Polar Research Board served as the U. S. National Committee for IPY and as the liaison to the primary international partners, the International Council for Science (ICSU) and the World Meteorological Organization (WMO). U.S. federal agencies involved in the IPY included the National Science Foundation, the National Oceanic and Atmospheric Administration, U.S. Geological Survey, National Institutes of Health, the Smithsonian, and many others.

Websites: U.S. National Committee: <http://www.us-ipy.org>  
International Programme Office: <http://www.ipy.org>

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## International Symposium on Deep Sea Corals

Understanding the ecosystem role, function and value of deep sea corals and associated fauna has become a priority topic for many national governments and international regional resource management bodies. Four symposia have been held in: Halifax, Canada (2000), Erlangen, Germany (2003), Miami, USA (2005), and Wellington, New Zealand (2008). The symposia facilitate global exchange of the current scientific knowledge of deep sea corals and associated fauna and discuss management measures and options to conserve and protect deep sea habitat.

The symposia are designed to bring together scientists, resource managers, students, and policy-makers from around the world who are actively involved in research and management of deep sea corals and other deep sea habitats as well as the animals associated with them. They provide attendees with an opportunity to share research results and discuss collaborative opportunities and personnel exchanges, identify information gaps, and discuss deep sea coral protection and the statutory means available to do so.

Website address: <http://coral2008.niwa.co.nz>

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## ICES Symposium on Issues Confronting the Deep Oceans: The Economic, Scientific, and Governance Challenges and Opportunities of Working in the Deep Sea

The symposium is a joint organization of the Department of Oceanography and Fisheries of the University of the Azores, the Regional Government of the Azores, the International Council for the Exploration of the Sea (ICES), and NOAA. It was held April 27-30, 2009 in Horta, Azores, Portugal. The symposium focused on technological advancements that may allow the development of new resources such as fisheries, oil and gas, mineral deposits, and pharmaceutical compounds in the deep oceans, but that also represent challenges in the form of technological and scientific needs at great depths, potential environmental impacts, and governance issues ensuring that these deep-water activities are compatible with regional, national, and international laws and treaties.

**Theme Sessions:** (1) Deep-Sea Technology Research and Development; (2) Energy and Mineral Exploration and Development; (3) Biotechnology Potential; (4) Fisheries and Ecosystem Sustainability and Conservation; and (5) Climate Change and Ocean Acidification; and (6) Governance and Legal Considerations.

**Publications:** Peer reviewed manuscripts from the symposium will be published in the summer of 2010 in the *ICES Journal of Marine Science* and oral presentations and posters can be seen on the ICES web site ([www.ices.dk](http://www.ices.dk)).

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## Joint FAO/WHO International Codex Alimentarius Food Standards Program

### **Basic Instrument**

The Codex Food Standards Program was established in 1963 when FAO and WHO recognized the need for international standards to protect the health of consumers and facilitate trade among member nations. The Codex Alimentarius Commission (CAC) is charged with developing food standards for adoption and use by member countries. These international food standards are contained in 14 volumes that have been adopted by the CAC. The purpose of these standards is to protect the health of consumers and facilitate fair practices in food trade. These texts are in the form of Specific Food Standards, Codes of Practice and Recommendations. The CAC includes provisions for food hygiene, food additives, pesticide residues, contaminants, labeling and presentation and methods of analysis and sampling.

### **Member Nations**

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

### **Non-member Country**

Bahamas

### **Commission Headquarters**

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E-Mail: Codex @ FAO.ORG  
Website: [www.fao.org/waicent/faoinfo/economic/esn/CODEX](http://www.fao.org/waicent/faoinfo/economic/esn/CODEX)

## **Budget**

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

## **Organizational Structure**

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

## **U.S. Representation**

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

## **Programs**

The output products of the Codex Alimentarius Food Standards Program generally relate to four specific areas, for example, (1) the development of General Principles to be followed in the international trade of food commodities, (2) specific Codex Commodity Standards for individual food commodities, or processing requirements, (3) the establishment of Codex Guidelines for specific actions or procedures, and (4) recommended Codes of Hygienic Practice which are similar to our GMP concepts that are to be followed when producing and/or manufacturing specific food commodities. A country's adherence to these Codex outputs provides the country a "safe harborage" in the settlement of GATT disputes by WTO. The Codex Program provides a forum for the world's leading experts to discuss, debate, and reach a scientific consensus on the food safety issues that affect international trade. Further, governmental participation allows access to the world's most current and complete body of scientific food safety information. Without a doubt, Codex has upgraded global food manufacturing practices which have dramatically resulted in improved global consumer protection. Such improvements lessen expensive regulatory efforts for importing countries during a time of shrinking resources. The United States has benefited substantially from its participation in Codex. Action of the Codex Alimentarius Program can greatly influence world regulatory food control activities since Codex work products represent a consensus of opinion on regulatory issues by the more than 140 member countries that in turn represent more than 97 percent of world's population.

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## Asia Pacific Economic Cooperation (APEC)

Background: APEC was established in 1989 to promote open trade and economic cooperation among economies around the Pacific Rim. The APEC Fisheries Working Group (FWG) was formed in 1991. The FWG meets annually, and deliberates on a broad range of living marine resource issues and specific project proposals. Decisions are taken by consensus. The FWG includes 21 APEC Economies and projects are funded by the broader APEC organization, with individual members supplementing where possible/appropriate.

The 2005 Bali Plan of Action (BPA), endorsed by APEC Ministers during the 2<sup>nd</sup> APEC Oceans Ministerial Meeting (AOMM2) provided a comprehensive task listing of the work to be undertaken by the FWG over the next several years. At its 2006 meeting, the FWG agreed on a project designed to identify gaps between existing FWG activities and those actions called for under the BPA. During 2007, questionnaires were distributed to APEC economies and other entities and a workshop was held to examine the results of these questionnaires. The results of this gap analysis were presented at the 2008 APEC FWG meeting and led to an on-going effort to identify some of the priorities for future FWG project work. In recent years, the FWG has concentrated project work on capacity-building in the areas of fisheries management/science; fishing capacity reduction; seafood safety; aquaculture; and various environmental issues. Although some FWG project work has been undertaken on trade-related issues (such as setting minimum standards for trade in live reef food fish), discussions on challenging issues --such as trade liberalization, have been blocked by a small number of FWG members. Key U.S. priorities for future work include: continued work to reduce IUU fishing; bycatch reduction and mitigation; trade liberalization; subsidies in fisheries; and aquaculture. Recent projects sponsored or co-sponsored by the United States have included work on: improvements in shark management and science; reduction of IUU fishing; development of a network in the Americas for improving aquaculture methodology; and ecosystem-based management. The 2009 FWG Meeting will review the progress of on-going projects and consider new project proposals for APEC funding. This meeting will also focus on preparations for the 3<sup>rd</sup> APEC Oceans Ministerial Meeting (AOMM3), to be held in Lima, Peru during 2010.

Upcoming Meeting: The next APEC FWG meeting will be held June 1-4, 2009, in Vancouver, British Columbia, Canada. This meeting will be held concurrently with the APEC Marine Resource Conservation Working Group and will include a joint meeting of these Working Groups. For more information on the activities of the FWG and MRC, see the APEC web site: <<http://www.apsecsec.org.sg/>>

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## **Asia-Pacific Fishery Commission (APFIC)**

The Asia-Pacific Fishery Commission was established under the APFIC agreement as the Indo-Pacific Fisheries Council in 1948 by the Food and Agriculture Organization of the United Nations. APFIC is an Article XIV FAO Regional Fishery Body established by FAO at the request of its members. The Secretariat is provided and supported by FAO.

APFIC (The Asia-Pacific Fishery Commission) has a more than 50-year history and is one of the longest established regional fishery bodies. The history of APFIC is reviewed in the document "50 Years of the Asia-Pacific Fishery Commission".

APFIC's area of competence (the Asia-Pacific) is the biggest producer of fisheries and aquaculture globally. The Governing Body of APFIC is the Commission, which is advised by its Executive Committee. The Commission may establish Committees and working parties to assist its work. The function of APFIC is described in the APFIC agreement, and more recent sessions have elaborated that APFIC will act as a Regional Consultative Forum that works in partnership with other regional organizations and arrangements and members. It provides advice, coordinates activities and acts as an information broker to increase knowledge of fisheries and aquaculture in the Asia Pacific region to underpin decision making.

The Thirtieth Session of APFIC was held in Manado, North Sulawesi, Indonesia, from 11 to 13 August 2008. Major topics discussed were: the overview of the status and potential of fisheries and aquaculture in Asia and the Pacific; APFIC's strategy and promotion of regional initiatives for more effective fisheries management; regional themes: certification in fisheries and aquaculture and capacity management and combating IUU fishing; policy, emerging issues and implementation of CCRF and the APFIC work in the next biennium (2009–2010).

The Thirty-first Session of APFIC will be held in Korea in September 2010.

The APFIC Members are Australia, Bangladesh, Cambodia, China, France, India, Indonesia, Japan, Korea, Malaysia, Myanmar, Nepal, New Zealand, Pakistan, Philippines, Sri Lanka, Thailand, United Kingdom, the United States, and Viet Nam.

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## **Association of Official Analytical Chemists (AOAC) International**

AOAC was founded in 1884 as the Association of Official Agricultural Chemists, under the auspices of the U.S. Department of Agriculture (USDA), to adopt uniform methods of analysis for fertilizers. In the 21st Century AOAC INTERNATIONAL is committed to be a proactive, worldwide provider and facilitator in the development, use, and harmonization of validated analytical methods and laboratory quality assurance programs and services. Also, to serve as the primary resource for timely knowledge exchange, networking, and high-quality laboratory information for its members. To meet these goals, AOAC is focusing very closely on streamlining its methods review process and providing new methods in areas of increasing international interest, such as genetically modified organisms (GMOs) and nutriceuticals. The explosion of international accreditation as a requirement for participation in the global marketplace has given AOAC INTERNATIONAL an opportunity to seize a leadership role in developing criteria for laboratory accreditation.

## **Commission for Environmental Cooperation (CEC)**

The signing of the North American Free Trade Act (NAFTA) in 1993 created the world's largest trading bloc. At the same time, the NAFTA partners (Canada, Mexico, and the United States) sought to build environmental safeguards into the trade liberalization pact and signed the North American Agreement on the Environmental Cooperation, creating the North American Commission for Environmental Cooperation (CEC). The CEC Council has structured its work around three pillars: (1) Information sharing for decision makers, (2) Capacity Building and (3) Trade and Environment. Projects focus on the protection of the North American environment, and therefore trilateral environmental problems, issues and cooperation are given priority in funding. The CEC biodiversity work program is increasingly addressing the marine environment. Currently, the CEC supports several marine focused projects, such as work on the pink footed shearwater, the leatherback turtle, the humpback whale, and the vaquita as well as work in improving coordination on marine protected areas along the Pacific coast.

The 16th Regular Session of the Council of the CEC and the Biodiversity Conservation Working Group will meet in the summer of 2009 in Denver, Colorado.

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## **Canada/Mexico/US Trilateral Committee for Wildlife and Ecosystem Conservation and Management**

In 1996, the wildlife conservation agencies of the United States, Mexico, and Canada signed a Memorandum of Understanding establishing the Canada/Mexico/US Trilateral Committee for Wildlife and Ecosystem Conservation and Management. This agreement formally brought together for the first time the three nations of North America, consolidating a continental effort for wildlife and ecosystem conservation and management. The Trilateral Committee facilitates and enhances cooperation and coordination among the wildlife agencies of the three nations in projects and programs for the conservation and management of wildlife, plants, biological diversity, and ecosystems of mutual interest. The Trilateral also facilitates the development of partnerships with other associated and interested entities. Delegations from each country come together annually for discussions on a wide range of topics, from joint, on-the-ground projects to issues of law enforcement to the development of information databases. Discussions take place under the auspices of working tables that report to an executive body comprising the directors of the three wildlife agencies. Currently, there are six active working tables: Species of Common Concern, Law Enforcement, Ecosystem Conservation, Migratory Birds, Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES), and the Executive Committee.

In May 2009, the United States hosted the annual meeting in Miami, Florida. A number of marine centric topics were discussed, including methods to address the impacts of climate change on marine ecosystems, the impact of derelict fishing gear on protected resources and the need for regional coordination for sea turtle conservation.

Web address: <http://www.trilat.org/>

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## **Commission for Sustainable Development (CSD)**

The CSD was established as a functional commission of the UN Economic and Social Council by Council decision 1993/207. Its functions are set out in General Assembly resolution 47/191 of December 22, 1992. The Commission is composed of 53 members elected for terms of office of 3 years.

One of the main purposes of the Commission is to review progress at the international, regional, and national levels in the implementation of recommendations and commitments contained in the final documents of the 1992 United Nations Conference on Environment and Development (UNCED), including Agenda 21; the Rio Declaration on Environment and Development; and the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests (also known as the Forest Principles).

The CSD holds meetings annually in New York and reviews documents and resolutions that address, *inter alia*, various global development issues in light of the charges in the 1992 Rio declarations. It provides a convenient barometer for gauging opinions in the United Nations on global development issues. The 16th session of the CSD was held 5-16 May 2008 at UN Headquarters in New York and focused on agriculture, rural development, land, drought, desertification, and Africa. The CSD will not return to oceans issues until the 2014-2015 biennium.

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

## **Convention on the Conservation and Management of Fishery Resources in the Southeast Atlantic Ocean (SEAFO)**

The Convention on the Conservation and Management of Fishery Resources in the Southeast Atlantic Ocean entered into force on 3 April 2003, establishing the Southeast Atlantic Fisheries Organization (SEAFO). SEAFO manages fishery resources on the high seas of the Southeast Atlantic Ocean, but not those under national jurisdiction, nor highly migratory species. The objective of the Convention is to ensure the long-term conservation and sustainable use of the fishery resources in the Convention Area through the effective implementation of the Convention.

The initiative to establish a regional fisheries management organization in the region came from Namibia in 1995 and was shared with and gained support from coastal states of Angola, South Africa and United Kingdom (on behalf of St. Helena and its dependencies of Tristan da Cunha and Ascension Islands). Various meetings of coastal states took place between 1995 - 1997 where the initial ideas to form a basis for negotiations were ironed-out and eventually presented to the first meeting that included other participants with real interest in the fishery. The negotiations for the Convention took place between 1997-2001 with several meetings held within the region and beyond.

The Convention was signed in April 2001 in Windhoek by Angola, the European Community, Iceland, Namibia, Norway, Republic of Korea, South Africa, United Kingdom (on behalf of St. Helena and its dependencies of Tristan da Cunha and Ascension Islands) and the United States of America. It entered into force on 3 April 2003 after the deposit of instruments of ratification by Namibia and Norway and approval by the European Community as required under Article 27 of the Convention. States that have participated in the negotiations but have not signed the Convention are Japan, Russian Federation and Ukraine.

From the date of signatures in 2001, the Ministry of Fisheries and Marine Resources in Namibia acted as an Interim Secretariat. In March 2005 and with the appointment of the staff, the permanent secretariat was opened in Walvis Bay, Namibia.

SEAFO is comprised of the Commission, the Scientific Committee and the Compliance Committee as subsidiary bodies and the Secretariat. The Commission may establish other subsidiary bodies from time to time to assist in meeting the objective of the Convention. The Commission has an oversight responsibility of the Organization. The Scientific Committee provides scientific advice on the resource status and on harvesting levels taking into consideration, among others, ecosystem and precautionary approaches. The institutions are designed to function according to the principles of cost-effectiveness and to expand only at the same pace as its workload.

The 5<sup>th</sup> Annual meeting of SEAFO took place 6-9 October 2008 in Windhoek, Namibia. The 6<sup>th</sup> Annual Meeting will take place 5-8 October 2009 in Namibia at a location not yet decided.

Economically important Convention Area include sedentary, discrete, and straddling species such as alfonsino, orange roughy, oreo dories, armorhead, sharks, deepwater hake and red crab.

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## Coral Disease and Health Consortium (CDHC)

The National Oceanic Atmospheric Administration (NOAA), the Environmental Protection Agency (EPA), and the Department of Interior (DOI) developed the framework for the CDHC for the United States Coral Reef Task Force through an interagency effort in March 2000. The Coral Reef Task Force was established by Executive Order in June 1998 (Executive Order 13089 on the Protection of Coral Reefs) to help preserve and protect the biodiversity, health, heritage, and social and economic value of U.S. coral reef ecosystems. The purpose of the CDHC is to organize and coordinate the scientific resources of the United States and its territories to document the condition of coral reef ecosystems, determine causes of declines in coral reef health, and provide technical information and assistance to managers and scientists regarding coral reef health. The CDHC is a network of over 100 national and international partners, including U.S. federal (EPA, DOI, NOAA) and state agencies, academia, non-profit groups and industry representing field and laboratory scientists, health professionals, coral reef managers, and agency representatives devoted to understanding coral health and disease. It is extensive, highly collaborative, and completely voluntary. Members share information and ideas and contribute their time and expertise for a common set of goals *to understand and address the effects of natural and anthropogenic stressors on corals in order to contribute to the preservation and protection of coral reef ecosystems.*

The CDHC has been working closely with our partners to assist in addressing the key goals and objectives related to coral health and disease issues. Five thematic areas have been identified as key areas of focus:

- Establishing diagnostic criteria and diagnostic tool development
- Conducting mechanism-based research on coral health and disease
- Web-based communication and database tool development
- Capacity building among the community through training and continuing education
- Coral Disease Outbreak Investigations - Leading outbreak investigation training efforts and providing assistance in outbreak responses

Through these objectives, the CDHC aims to significantly enhance current assessments of coral ecosystem health, improve the effectiveness of management decisions by providing early warning of disease and disease outbreaks, identify putative causative factors and possible prevention and mitigation strategies, and offer managers viable risk management options.

Website address: [www.coralreef.gov](http://www.coralreef.gov)

## **Fishery Committee for the Eastern Central Atlantic (CECAF)**

CECAF is the FAO regional fishery body for the Eastern Central Atlantic. The purpose of the Committee is to promote the sustainable utilization of the living marine resources within its area of competence by the proper management and development of the fisheries and fishing operations.

To this end, the Committee has the following functions and responsibilities:

- to keep under review the state of the resources within its area of competence and of the industries based on them;
- to promote, encourage and coordinate research in the area related to the living resources thereof and to draw up programs required for this purpose and to organize such research as may appear necessary;
- to promote the collection, interchange, dissemination and analysis or study of statistical, biological, environmental and socio-economic data and other marine fishery information;
- to establish the scientific basis for regulatory measures leading to the conservation and management of marine fishery resources, to formulate such measures through subsidiary bodies, as required, to make appropriate recommendations for the adoption and implementation of these measures and to provide advice for the adoption of regulatory measures by Member Governments, subregional or regional organizations, as appropriate;
- to provide advice on monitoring control and surveillance, especially as regards issues of a subregional and regional nature;
- to encourage, recommend and coordinate training in the priority areas of the Committee;
- to promote and encourage the utilization of the most appropriate fishing craft, gear and techniques; and
- to promote liaison among and with competent institutions within the sea area served by the Committee and to propose and keep under review working arrangements with other international organizations which have related objectives within that area.

The Committee has no regulatory powers, and recommendations are not binding on Committee members. It operates through a Main Committee and a Scientific Subcommittee, the latter of which provides scientific advice.

The CECAF Members are Angola, Benin, Cameroon, Cape Verde, Congo (Democratic Republic of), Congo (Republic of), Côte d'Ivoire, Cuba, Equatorial Guinea, European Community, France, Gabon, Gambia, Ghana, Greece, Guinea, Guinea-Bissau, Italy, Japan, Korea, Liberia, Mauritania, Morocco, Netherlands, Nigeria, Norway, Poland, Romania, Sao Tome and Principe, Senegal, Sierra Leone, Spain, Togo, and the United States.

The Nineteenth Session of CECAF met 4-6 November 2008 in Cotonou, Benin. The date and venue of the Twentieth Session have not been decided.

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## **Food and Agriculture Organization of the United Nations (FAO) Committee on Fisheries (COFI)**

The Food and Agriculture Organization (FAO) was founded in October 1945 with a mandate to raise levels of nutrition and standards of living, to improve agricultural productivity, and to better the condition of rural populations.

Today, FAO is the largest autonomous agency within the United Nations system with 192 member countries plus the EC (Member Organization) and one Associate Member (Faroe Islands). The FAO employs 1600 professional staff and 2000 general services staff.

The Organization offers direct development assistance, collects, analyses, and disseminates information, provides policy and planning advice to governments and acts as an international forum for debate on food and agriculture issues. FAO is active in land and water development, plant and animal production, forestry, fisheries, economic and social policy, investment, nutrition, food standards and commodities and trade. It also plays a major role in dealing with food and agricultural emergencies. A specific priority of the Organization is encouraging sustainable agriculture and rural development, a long-term strategy for the conservation and management of natural resources. It aims to meet the needs of both present and future generations through programs that do not degrade the environment and are technically appropriate, economically viable, and socially acceptable.

FAO is governed by the Conference of Member Nations, which meets every two years to review the work carried out by the organization and approve a Program of Work and Budget for the next biennium. The Conference elects a Council of 49 Member Nations to act as an interim governing body. Members serve 3-year, rotating terms. The Conference also elects a Director-General to head the agency. The current Director-General, Jacques Diouf (Senegal), began a third and final 6-year term in January 2005.

The Organization's work falls into two categories. The Regular Program covers internal operations, including the maintenance of staff who provide support for field work, advise governments on policy and planning and service a wide range of development needs. It is financed by Member Nations, who contribute according to levels set by the Conference. The Field Program implements FAO's development strategies and provides assistance to governments and rural communities. Projects are usually undertaken in cooperation with national governments and other agencies. More than 60 percent of Field Program finances come from national trust funds and nearly a quarter is provided by the United Nations Development Program. FAO contributes through its Technical Cooperation Program (TCP).

### **Committee on Fisheries (COFI)**

COFI, a subsidiary body of the FAO Council, was established by the FAO Conference at its Thirteenth Session in 1965. The Committee presently constitutes the only global inter-governmental forum other than the United Nations General Assembly where major international fisheries and aquaculture problems and issues are examined and recommendations addressed to governments, regional fishery bodies, NGOs, fishworkers, FAO and international community, periodically on a world-wide basis. COFI has also been used as a forum in which global binding agreements as well as non-binding instruments were negotiated.

COFI membership is open to any FAO Member and non-Member eligible to be an observer of the Organization. Representatives of the UN, UN bodies and specialized agencies, regional fishery bodies, international and international non-governmental organizations participate in the debate, but without the right to vote.

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

COFI is empowered to establish subcommittees on specific issues. These subsidiary bodies meet in the intersessional period of the parent Committee. COFI has a Sub-Committee on Fish Trade and a Sub-Committee on Aquaculture, and is advised by the FAO Advisory Committee on Fishery Research. The next meeting of the Sub-Committee on Trade is scheduled for February 2010. The next meeting of the Sub-Committee on Aquaculture will also be held in 2010.

The Twenty-eighth Session of COFI was held in Rome in March 2009. Its report can be downloaded from the FAO website. The meeting included delegations from over 200 states, intergovernmental organizations, non-governmental organizations, and fishers' groups. It dealt with major global fisheries and marine conservation issues, including implementation of the Code of Conduct for Responsible Fisheries and related instruments; management of fishing capacity; fisheries bycatch issues such as the incidental take of seabirds and sea turtles; improvement and standardization of fisheries status and trends reporting; the effects of subsidies on fishery management; progress in restoring and rebuilding fishing communities in SE Asia since the 2004 tsunami; issues related to fish and seafood products trade, including subsidies and cooperation with CITES; aquaculture; reduction of illegal, unreported, and unregulated (IUU) fishing and strengthening monitoring, control, and surveillance; ecosystems approaches to fisheries management; deep-sea fisheries; and strengthening the performance and functioning of regional fisheries management organizations and arrangements. The COFI meeting advanced several significant U.S. objectives, particularly in addressing the effects of fishing on the marine environment; cracking down further on IUU fishing; and making international organizations in this field more accountable.

The Twenty-ninth Session of COFI will meet in the first quarter of 2011 in Rome.

**Website:** [www.fao.org](http://www.fao.org)

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## Free Trade Agreements (FTAs)

The US is currently negotiating multiple *Free Trade Agreements (FTAs)*. NOAA has the opportunity to participate in negotiations of these agreements, including the environment chapter, the environmental impact assessment, the environmental cooperation agreement and associated work plan.

- *Environmental Chapters* of FTAs are negotiated by USTR, and formulated through an interagency process in the US, with public input. The text is similar across FTAs, with differences most apparent between developed and developing countries. Provisions of these chapters include a commitment to not fail to effectively enforce one's environmental laws.
- *Environmental Assessments* of FTAs are also prepared by USTR. These evaluate the anticipated impact on the environment of all countries participating in the FTA.
- The State Department negotiates *Environmental Cooperation Agreements* and the associated *Work Plans* for each FTA. These may be binding or non-binding documents that address cooperative and capacity building work related to trade and the environment, and require varying levels of commitment from the participating countries.

Specific activities to be undertaken by NOAA in the 2008-2009 timeframe will focus on work with the CAFTA-DR countries, with support from DOS and USAID. Projects will address: improved use of turtle excluder devices, reduction of turtle by-catch in longline fisheries, fisheries enforcement, and impacts of trade on invasive species. Work is also planned for Morocco to address use of driftnets and to develop a national program of action. Cooperation with Chile is ongoing; work is described under the US-Chile bilateral. NOAA continues to consider how our mission can be supported through engaging in environmental cooperation under other existing free trade agreements and those being negotiated currently.

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## **Global Ocean Ecosystem Dynamics (GLOBEC)**

GLOBEC (Global Ocean Ecosystem Dynamics) was initiated by SCOR and the IOC of UNESCO in 1991 in response to the recommendations of a joint workshop which identified a need to understand how global change will affect the abundance, diversity and productivity of marine populations comprising a major component of oceanic ecosystems. GLOBEC is primarily focused on zooplankton, the assemblage of herbivorous grazers on the phytoplankton, and the primary carnivores that prey on them. Both groups are the most important prey for larval and juvenile fish.

The aim of GLOBEC is to advance understanding of the structure and functioning of the global ocean ecosystem, its major subsystems, and its response to physical forcing so that a capability can be developed to forecast the responses of the marine ecosystem to global change. GLOBEC has four primary objectives: (1) to better understand how multiscale physical environmental processes force large-scale changes in marine ecosystems; (2) to determine the relationships between structure and dynamics in a variety of oceanic systems which typify significant components of the global ocean ecosystem, with emphasis on trophodynamic pathways, their variability and the role of nutrition quality in the food web; (3) to determine the impacts of global change on stock dynamics using coupled physical, biological and chemical models linked to appropriate observation systems and to develop the capability to predict future impacts; and (4) to determine how changing marine ecosystems will affect the global earth system by identifying and quantifying feedback mechanisms.

GLOBEC consists of four cross cutting research foci, four regional programs, and national program activities. The 3rd GLOBEC Ocean Science meeting will be held in Victoria, British Columbia, June 22-26, 2009.

Web address: <http://www.globec.org/>

## **Global Ocean Observing System (GOOS)**

GOOS is an internationally coordinated system for systematic operational data collection, data analysis, exchange of data and data products, and technology development and transfer. The objective of GOOS is to ensure the establishment of a permanent system of global and systematic observations adequate for forecasting climate variability and change; for assessing the health or the state of the marine environment and its resources, including the coastal zone; and for supporting an improved decision-making and management process, which takes into account potential natural and man-made changes in the environment and their effects on human health and marine resources. GOOS is coordinated by the Intergovernmental Oceanographic Commission (IOC) headquartered in Paris, France. GOOS planning and operations are focused on two modules: Global GOOS, which largely addresses global climate observing requirements; and Coastal GOOS, which addresses the other GOOS objectives.

Web address: <http://www.ioc-goos.org/>

## Gulf of Maine Council on the Marine Environment (GOMC)

The GOMC was established in the late 1980s and consists of provincial and state government agencies bordering the Gulf of Maine, and the federal agencies that have jurisdiction in the Gulf. The Council's three goals are:

1. Coastal and marine habitats are in a healthy, productive, and resilient condition;
2. Environmental conditions in the Gulf of Maine support ecosystem and human health; and
3. Gulf of Maine coastal communities are vibrant and have marine-dependent industries that are healthy and globally competitive. The NOAA Fisheries Councilor is the Northeast Regional Administrator or his/her designee.

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## Indian Ocean Tuna Commission (IOTC)

The Agreement for the Establishment of the IOTC was approved at the 27<sup>th</sup> Session of the FAO Conference and adopted by the Council at its 105<sup>th</sup> Session in November 1993. The Agreement entered into force with receipt of the 10<sup>th</sup> instrument of acceptance on March 27, 1996. The aim of the IOTC is to promote cooperation among its members with a view to ensuring, through appropriate management, the conservation and optimum utilization of fish stocks covered by the Agreement and to encourage sustainable development of fisheries based on such stocks. The IOTC has authority over tuna and tuna-like species, with a main focus on albacore, bigeye and yellowfin tunas.

The members are Australia, Belize, China, Comoros, Eritrea, European Community, France, Guinea, India, Indonesia, Islamic Republic of Iran, Japan, Kenya, Republic of Korea, Sultanate of Oman, Madagascar, Malaysia, Mauritius, Pakistan, Philippines, Seychelles, Sri Lanka, Sudan, Tanzania, Thailand, United Kingdom and Vanuatu. Senegal, South Africa, and Uruguay are cooperating non-contracting Parties.

The main functions of the IOTC are, among other things: (a) to review the conditions and trends of the stocks and to gather, analyze, and disseminate scientific information, catch and effort statistics, and other relevant data; (b) to encourage, recommend, and coordinate research and development activities in respect of the stocks and fisheries covered by the Agreement; and (c) to keep under review the economic and social aspects of the fisheries based on the stocks covered by the Agreement. In order to achieve these ends, the Commission may, by a two-thirds majority, adopt, on the basis of scientific evidence, conservation and management measures to ensure the conservation and optimum utilization of the stocks covered by the Agreement. IOTC has passed measures that are comparable to the other tuna RFMOs including: positive and negative vessel lists, VMS, trade restrictive measures, statistical document requirements for bigeye tuna, a shark finning ban and measures regarding sea turtles and sea birds. The Commission also has conservation and management measures in place for bigeye tuna and swordfish.

The Commission is the main decision-making body and is composed of all Members. There is also a Scientific Committee which advises the Commission (and any sub-commissions which may be established) on research and data collection, status of stocks, and management issues. Seven Working Parties-- Tropical Tunas, Neritic Tunas, Billfishes, Temperate Tunas, Tagging, Methods and Bycatch--report to the Scientific Committee. The Data Collection and Statistics Working Party was transformed into a sub-Committee of the Scientific Committee in 2004.

The United States has attended the annual meetings of IOTC as an observer since 2007.

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## Intergovernmental Panel on Climate Change (IPCC)

Climate change is a very complex issue; policymakers need an objective source of information about the causes of climate change, its potential environmental and socio-economic consequences and the adaptation and mitigation options to respond to it. The IPCC was established by the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP) in 1988 to provide an authoritative statement of scientific opinion on climate change.

**Definition of Climate Change:** Climate change refers to a statistically significant variation in either the mean state of the climate or in its variability, persisting for an extended period (typically decades or longer). Climate change may be due to natural internal processes or external forcings, or to persistent anthropogenic changes in the composition of the atmosphere or in land use.

### **Member Nations**

It is open to all member countries of WMO and UNEP.

### **Secretariat:**

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### **Description**

The IPCC was established to provide the decision-makers and others interested in climate change with an objective source of information about climate change. The IPCC does not conduct any research or monitor climate related data or parameters nor does it recommend policies. Its role is to assess on a comprehensive, objective, open and transparent basis the latest scientific, technical and socio-economic literature produced worldwide relevant to the understanding of the risk of human-induced climate change, its observed and projected impacts and options for adaptation and mitigation. IPCC reports are neutral with respect to policy, although they need to deal objectively with policy relevant scientific, technical and socio economic factors. They are of high scientific and technical standards, and reflect a range of views, expertise and wide geographical coverage.

The IPCC is a scientific body: the information it provides with its reports is based on scientific evidence and reflects existing viewpoints within the scientific community. The comprehensiveness of the scientific content is achieved through contributions from experts in all regions of the world and all relevant disciplines including, where appropriately documented, industry literature and traditional practices, and a two stage review process by experts and governments.

Because of its intergovernmental nature, the IPCC is able to provide scientific technical and socio-economic information in a policy-relevant but policy neutral way to decision makers. When governments accept the IPCC reports and approve their Summary for Policymakers, they acknowledge the legitimacy of their scientific content.

Several hundred scientific experts serve on three Working Groups and a Task Force on National Greenhouse Gas inventories. The main objective of the Task Force is to develop and refine a methodology for the calculation and reporting of national greenhouse gas emissions and removals.

- Working Group I deals with the physical science basis of climate change.
- Working Group II addresses impacts, adaptation and vulnerability of climate change.
- Working Group III deals with mitigation of climate change.

The IPCC's Fourth Assessment Report, including reports from each of the three working groups and a Synthesis Report, was published in 2007. These reports have been broadly peer-reviewed and subjected to full governmental reviews. The significant fisheries related materials are included in the Working Group II Report – Climate Change 2007: Impacts, Adaptation, and Vulnerability.

The National Marine Fisheries Service (NMFS) participated in the review of the entire IPCC Fourth Assessment Report, helping ensure fishery interests were adequately addressed and factually correct. NMFS representatives also served on the team to coordinate NOAA's response to the Working Group II Report.

### **Recent Activities**

The IPCC is currently starting to outline its Fifth Assessment Report (AR5) which will be finalized in 2014. The outline of the AR5 will be developed through a scoping process which involves climate change experts from all relevant disciplines and users of IPCC reports, in particular representatives from governments. As a first step, experts, governments and organizations involved in the Fourth Assessment Report have been asked to submit comments and observations in writing. These submissions are currently being analyzed by members of the Bureau. Further input from governments and organizations is expected at the 30th Session of the IPCC (21-23 April 2009, Antalya, Turkey). The scoping meeting to define the outline of the AR5 is scheduled for 13-17 July 2009 (attendance is by invitation only). The outline will be submitted to the 31st Session of the IPCC and Sessions of the three Working Groups, which will be held in Bali, Indonesia, 26-28 October 2009.

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## **Intergovernmental Oceanographic Commission (IOC)**

The Intergovernmental Oceanographic Commission (IOC) of UNESCO was founded in 1960. The work of the IOC has focused on promoting marine scientific investigations and related ocean services, with a view to learning more about the nature and resources of the oceans. The IOC focuses on four major themes: (1) develop, promote and facilitate international oceanographic research programs to improve understanding of critical global and regional ocean processes and their relationship to the sustainable development and stewardship of ocean resources; (2) ensure effective planning, establishment and coordination of an operational global ocean observing system to provide the information needed for oceanic and atmospheric forecasting, for oceans and coastal zone management by coastal nations, and for global environmental change research; (3) provide international leadership for education and training program and technical assistance essential for systematic observations of the global ocean and its coastal zone and related research; and (4) ensure that ocean data and information obtained through research, observation and monitoring are efficiently handled and made widely available. Priority focal areas include the Global Ocean Observing System (GOOS), Ocean Science, and tsunamis.

Through secondments and direct contributions, the United States supports the IOC's Ocean Science Section, which includes climate observations, research and coordination, Large Marine Ecosystems (LMEs), Harmful Algal Blooms (HABs), the Global Reporting and Assessment of the State of the Marine Environment (GRAME), and the Global Coral Reef Monitoring Network (GCRMN). The U.S. also provides support to the IOC Secretariat for the development and implementation of the Global Ocean Observing System (GOOS).

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## **IOC Sub-Commission for the Caribbean and Adjacent Regions (IOCARIBE)**

IOCARIBE is a subcommission of the IOC of the United Nations Educational, Scientific, and Cultural Organization of the United Nations. It is the first of its kind and was established on the basis of very promising experiences gained from previous cooperative programs in the Caribbean and Adjacent Regions. The aim of IOCARIBE is the same as that of the IOC--to promote marine scientific investigations and technology and related ocean services with a view to learning more about the nature and resources of the oceans through the concerted action of IOCARIBE Members States.

IOCARIBE Members are Antigua and Barbuda, Aruba, Bahamas, Barbados, Belize, Brazil, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, France, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, the

Netherlands Antilles, Nicaragua, Panama, Russia, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Surinam, Trinidad and Tobago, United Kingdom, United States, and Venezuela.

Web address: [http://ioc.unesco.org/iocaribe/What\\_is%20IOCARIPE.htm](http://ioc.unesco.org/iocaribe/What_is%20IOCARIPE.htm)

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### **International Queen Conch Conference**

Since 1996, countries in the Wider Caribbean have been meeting to discuss issues of queen conch (*Strombus gigas*) science and management. This informal international effort is being coordinated by the Caribbean Fishery Management Council, which forms a practical bridge between the United States and countries in Latin America and the Caribbean. At its most recent meeting, discussion was largely driven by the large amount of illegal, unreported, undocumented fishing in the region. Strategies adopted by the group to address this problem and provide coordinated management for the resource included:

- convening of a stock assessment workshop in 2002, which established an adequate protocol for data collection and analysis;
- strengthening the ways in which the Convention on International Trade in Endangered Species (CITES) can ensure that trade in this listed species is sustainable;
- presentation of information on the management of queen conch to Ministers at the CARICOM Council for Trade and Economic Development;
  - collaborating with the Queen Conch Working Group of the Western and Central Atlantic Fishery Commission for additional work on the species;
- considering the proposal of the government of the Dominican Republic for the establishment of an Inter-American Convention for the Management and Conservation of *Strombus gigas*; and
- seeking assistance to establish better enforcement systems and tools, such as Vessel Monitoring Systems (VMS).

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## Large Marine Ecosystems (LMEs)

NOAA's Large Marine Ecosystem Program is providing support to developing countries in the introduction and practice of ecosystem based management. NOAA, in partnership with the Global Environment Facility (GEF), 5 UN agencies (United Nations Food and Agricultural Organization, United Nations Environmental Program, United Nations Development Program, United Nations Industrial Development Organization, and the Intergovernmental Oceanographic Commission of UNESCO), and 2 NGOs (World Conservation Union and World Wildlife Fund), is assisting 110 countries bordering 16 LMEs to develop and implement programs for the sustainable, ecosystem-based management of their marine goods and services. The GEF is providing financial support to the 110 countries to reduce coastal pollution, restore damaged habitats, and recover depleted fisheries. In two projects, the Guinea Current LME and Benguela Current LME,), the participating countries bordering the LME have established an inter-ministerial Commission to assess and manage marine areas from an LME perspective.

In addition to the United States, LME participating countries include, in Asia, China, Korea, Bangladesh, India, Indonesia, Malaysia, Myanmar, Maldives, Sri Lanka, Thailand, Cambodia, Philippines, and Vietnam; in Africa, Madagascar, Mozambique, South Africa, Angola, Namibia, Cape Verde, Gambia, Guinea, Guinea-Bissau, Mauritania, Morocco, Senegal, Benin, Cameroon, Congo, Dem. Repub. of the Congo, Equatorial Guinea, Gabon, Ghana, Cote d'Ivoire, Liberia, Nigeria, Sao Tome and Principe, Sierra Leone and Togo; in Central and South America, the Bahamas, Barbados, Belize, Brazil, Colombia, Costa Rica, Cuba, Jamaica, Mexico, Panama, St. Lucia, Trinidad and Tobago, Venezuela, Chile, Peru, El Salvador, Guatemala, and Nicaragua; and in Northeast Europe, Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Russia, and Sweden.

The recently published 872-page "UNEP Large Marine Ecosystem Report – A Perspective on Changing Conditions in Large Marine Ecosystems of the World's Regional Seas" provides the first baseline study of the world's 64 Large Marine Ecosystems, with synopses of ecological conditions based on the five module LME assessment framework of (i) productivity, (ii) fish and Fisheries, (iii) pollution and ecosystem health, (iv) socioeconomics, and (v) governance. Copies of the report and additional information on LMEs are available at: <http://www.lme.noaa.gov/>.

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## **Memorandum of Understanding on the Conservation and Management of Marine Turtles and Their Habitats Of the Indian Ocean and South-East Asia (IOSEA) (concluded under the auspices of the Convention on Migratory Species)**

The Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (IOSEA) was completed on June 23, 2001, in Manila, Philippines. IOSEA is the second of its kind to be concluded under the auspices of the Convention on Migratory Species. It is a non-binding agreement and provides a framework through which States of the region--as well as other concerned States--can work together to conserve and replenish depleted marine turtle populations for which they share responsibility. It acknowledges a wide range of threats to marine turtles, including habitat destruction, direct harvesting and trade, fisheries bycatch, pollution and other man-induced sources of mortality. The IOSEA recognizes the need to address these problems in the context of the socio-economic development of the States concerned, and to take account of other relevant instruments and organizations.

The IOSEA has a potential membership of at least 40 countries, covering the entire Indian Ocean and Southeast Asia. Activities may also be coordinated through subregional mechanisms in South-East Asia, as well as in the northern, western, and southwestern Indian Ocean. Twenty-nine States have signed the IOSEA: Australia, Bahrain, Bangladesh, Cambodia, Comoros, Eritrea, France, India, Indonesia, Iran, Jordan, Kenya, Madagascar, Mauritius, Myanmar, Oman, Pakistan, Philippines, Saudi Arabia, Seychelles, South Africa, Sri Lanka, Tanzania, Thailand, United Arab Emirates, United Kingdom, United States, Vietnam, and Yemen. The fourth meeting of the Signatory States was held in Oman in March 2006. The fifth signatory state meeting was held in Bali, Indonesia in August 2008. The signatory states discussed and passed a fisheries bycatch resolution. The signatory states also discussed the impacts of coastal development on sea turtles., as well as funding for the agreement.

The Conservation and Management Plan, containing 24 programs and 105 specific activities, aims to reverse the decline of marine turtle populations throughout the region. The measures to be taken focus on reducing threats, conserving critical habitat, exchanging scientific data, increasing public awareness and participation, promoting regional cooperation, and seeking resources for implementation.

The Secretariat, located in Bangkok, Thailand, is under the auspices of the Convention on Migratory Species. The Advisory Committee consists of seven members with expertise from various disciplines, appointed by the Signatory States. Financial support has come from Australia, France, United Kingdom, United States, Convention on Migratory Species Trust Fund, and United Nations Environment Programme.

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## **National Standards Foundation (NSF) International**

The NSF, the largest non-profit health organization in the world, develops a variety of food safety and other types of standards for equipment. NMFS National Seafood Inspection Laboratory personnel currently serve on the organization's Council of Public Health Consultants.

Web address: <http://www.nsf.org>

## **NOAA Fisheries / Norwegian Institute of Marine Research Scientific Cooperation**

### **Cooperative Agreements**

#### **Cooperation in Fisheries Science and the Biology and Management of Living Marine Resources, Alaska Fisheries Science Center (AFSC) and Institute of Marine Research (IMR), April 2001.**

- 1.1. Joint sponsorship of workshops or symposia on the biology and management of living marine resources in the two regions.
- 1.2. Exchange of expertise and information.
- 1.3. Extended visits of scientists.
- 1.4. Cooperative research on common scientific issues and methodological problems.
- 1.5. Coordination and planning.

#### **Cooperation in Large Marine Ecosystem (LME) Research, Assessment, and Management, Northeast Fisheries Science Center (NEFSC) and IMR, December 2001.**

- 2.1. Joint sponsorship of workshops or symposia on the assessment and management of living marine resources of the LMEs of the North Atlantic.
- 2.2. Exchange of expertise and information.
- 2.3. Extended visits of scientists.
- 2.4. Cooperative research on common scientific issues and methodological problems.
- 2.5. Coordination and planning.

### **Recent and Planned Cooperative Activities**

In March, 2006, scientists from IMR, NEFSC and AFSC held a research planning workshop in Woods Hole. Topics included: comparative ecosystem dynamics, effects of organic contaminants, and cooperative (industry-agency) research and provision of management were developed. Follow up activities include:

- A US/Norway workshop on catch monitoring technologies at the AFSC in Seattle, May, 2006
- Participation by an AFSC scientist in an IMR research cruise to evaluate new catch monitoring technologies, October 2006
- A US/Norway catch sampling and estimation workshop held in Bergen, Norway in January, 2007
- A follow-up catch monitoring and estimation workshop held in Seattle in September 2008; participants are currently drafting several scientific papers.
- A workshop on comparison of marine ecosystems of Norway and the US (MENU) held in Bergen, Norway in March 2007
- A planning meeting in Bergen in Spring, 2008 to develop proposals for a MENU II project (proposals prepared during this workshop were funded by Norway but not the US)
- A theme session on Comparative Marine Ecosystem Structure and Function: Descriptors and Characteristics which took place at the 2007 ICES Annual Science Conference in Helsinki and was convened by scientists from AFSC, NEFSC, IMR, and the Canadian Department of Fisheries and Oceans. Nineteen papers from the Helsinki theme session are being collected into a dedicated issue of Progress in Oceanography. Seven of these originated through the MENU project.
- A workshop will be held in Seattle in April 2009 to plan research collaborations in the fields of Ocean Acidification and Marine Protected Areas
- An ICES Symposium on the Collection and Interpretation of Fishery Dependent Data co-sponsored by IMR, NOAA and the Marine Institute of Ireland and will take place in Ireland in 2010.

Other related activities include:

- An ICES study group on the collecting of acoustic data from fishing vessels concluded its work in 2007. The study group was chaired by an AFSC scientist and included several scientists from IMR and NMFS. The findings of this study group was published in an ICES Cooperative Research Report
- Scientists from AFSC and IMR convened a theme session on technologies for monitoring fishing activities and observing catch at the 2006 ICES Annual Science Conference in Maastricht, Netherlands.
- AFSC hosted an IMR scientist for one month in 2006; this individual collaborated with AFSC scientists on the analysis of research vessel intercalibration data.
- An IMR scientist spent 10 months in Seattle in 2005 and 2006 as a Norwegian Research Council postdoctoral fellow. He collaborated with scientists at the University of Washington and AFSC on studies of fish behavior and fish avoidance of research vessels
- A workshop on multibeam sonar took place in Woods Hole in 2007. Scientists from NMFS, IMR, and IRD (France) participated.
- Fish Reproductive Biology and its Implications for Assessment and Management. A book edited by M. Fogarty (NEFSC), B. Megrey (AFSC), T. Jakobsen (IMR), and E. Moksness (IMR) will be published in 2009.
- Computers in Fishery Research, a book edited by B. Megrey (AFSC) and E. Moksness (IMR) was published in 2008.
- MAR-ECO: Census of Marine Life project to characterize the Mid-Atlantic Ridge Ecosystem; NEFSC to provide *FSV Bigelow* for MAR-ECO for a future cruise (dependent on funding); NEFSC, IMR, NMFS Office of Science and Technology, NOAA Ocean Exploration Program.

### **Overcoming the Barrier to Increased Collaboration**

The major barrier to increased collaboration is the lack of funding. The Norwegian Institute of Marine Research (in association with the Norwegian Research Council) has provided funds for NMFS scientists to participate in several workshops in Norway and supported extended visits of Norwegian scientists to the US. NOAA has been unable to provide funds to support these types of activities. A modest amount of funding, on the order of \$100 - 150K/yr, would support travel for scientific exchanges and a post-doctoral fellow.

### **Next meeting**

The next meeting is scheduled for September 2009, during the ICES Annual Science Conference in Berlin, Germany.

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**A Joint Project Agreement (JPA) between NOAA and the Ministry of Food, Agriculture, Forestry and Fisheries (MIFAFF) of the Republic of Korea for Integrated Coastal and Ocean Resources Management**

This Joint Project Agreement (JPA) is between NOAA and two Korean Ministries that was reorganized in 2008 from the former Ministry of Maritime Affairs and Fisheries (MOMAF) of the Republic of Korea. The two new Ministries are the Ministry of Land, Transportation, and Marine Affairs (MLTM) and the Ministry for Food, Agriculture, Forestry and Fisheries (MIFAFF). The original joint Agreement with MOMAF was first signed in 2001 for a 5-year period and was renewed in 2005 to continue to 2010-11. The overall purpose of the Arrangement is to pursue marine science and technology cooperation in coastal and ocean resources. The JPA provides a framework for the exchange of scientific data, research and technical training of personnel; and cooperative activities to enhance the integrated coastal and ocean resources management capabilities of both countries.

The present version of the JPA that applies for NOAA FY 2009 is Amendment 008 to the original Memorandum of Agreement. This Amendment covers 34 separate joint projects between NOAA and MLTM-MIFAFF. The portion of Amendment 008 that pertains to NOAA Fisheries is with MIFAFF while the rest of the Amendment applies to projects between MLTM and other Line Units of NOAA, primarily the National Ocean Survey.

The projects involving NOAA Fisheries and MIFAFF are managed by the Fisheries Resource Management Panel. There are nine separate Panel projects: (1) Bilateral conference, (2) Climate Change Impact on Fisheries, (3) Ecosystem-based fisheries resource assessment and management, (4) Policy training for fisheries management including fisheries resources rebuilding plans, (5) Salmon enhancement research, (6) Tuna longline bycatch and discard reduction research, (7) Trawl bycatch and discard reduction research, (8) Trawl survey standardization and manual development, and (9) Restoration of fisheries resources from oil spills. NOAA Fisheries is also engaged with a project on "development of culture technology and seedling production of coldwater fish species by a recirculation system" under the Aquaculture Panel

The MLTM/MIFAFF-NOAA JPA is unique when compared to other NOAA bilateral arrangements in the sense that the contribution of funds to run the projects has been in the form of \$500,000 cash contributions by the Korean Ministries for FY2009. NOAA provides mostly in-kind contributions of personnel time, training, and use of research facilities.

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## **International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean (ISC)**

The ISC was established in 1995 through an intergovernmental agreement between the governments of Japan and the United States. Since then, it has undergone a number of changes including a name change in 2005 from "Interim Scientific Committee" to the current "International Scientific Committee" and to membership qualifications. Membership is open to coastal states and fishing entities that border the region or that have vessels fishing for tuna and tuna-like species in the region, and to relevant intergovernmental fishery or marine science organizations. Current members of the ISC are Canada, China, Chinese-Taipei, Japan, Korea, Mexico, and the United States; Non-voting members are the Food and Agriculture Organization, Inter-American Tropical Tuna Commission (IATTC), the North Pacific Science Organization (PICES) and Secretariat of the Pacific Community (SPC).

The purpose of the ISC is to 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 and to establish the scientific groundwork for the conservation and rational utilization of these species in the region. The Committee is organized into five Working Groups – Statistics, Bycatch, Pacific Bluefin Tuna, Albacore, and Billfish – that report to a Plenary body. Results of the ISC are made available to participating members and Highly Migratory Species Regional Fishery Management Organizations of the Pacific Ocean. Through a Memorandum of Understanding, the ISC provides scientific support for the work of the Northern Committee of the Western and Central Pacific Fisheries Commission (WCPFC).

The 8<sup>th</sup> Plenary meeting of the ISC was held in Takamatsu, Japan, 22-27 July 2008 and hosted by the Japan Fisheries Agency and prefectural agencies.. Scientists from Canada, Chinese Taipei, Japan, Korea, Mexico and the United States participated. A member of the WCPFC Secretariat attended as an observer.

Key results of the 8<sup>th</sup> meeting. The ISC Plenary reviewed the results of work performed by the Working Groups since the 7<sup>th</sup> meeting. Considerable progress was made in stock assessment research and towards understanding the status of the North Pacific stocks. A Pacific bluefin tuna stock assessment, involving a complex application of the Stock Synthesis 2 (SS2) model and several major advancements in parameter specification and model development, was completed. Further development of biological reference points and production of "Kobe" diagrams were accomplished for North Pacific albacore. An assessment of the geographic center of stock abundance for striped marlin in the North Pacific Ocean was produced for use by the WCPFC in deciding whether the stock should be designated as a northern stock under the WCPFC.

The ISC advised that it was important that the fishing mortality rate for Pacific bluefin tuna (*Thunnus orientalis*) not be increased. For albacore, a refined stock assessment is planned for 2010. Until then, the 2007 ISC advice regarding albacore (*T. alalunga*) fishing mortality rate, i.e. that it should not be increased above recent levels, still holds. Similarly for striped marlin (*Tetrapterus audax*), the 2007 advice, i.e that fishing mortality should be reduced, still holds.

Miscellaneous matters were also addressed during the 8<sup>th</sup> meeting, including a special seminar on biological research needs was held to facilitate discussion of how data gaps hindering assessments can be filled. In looking ahead, the Plenary agreed to prioritize and accelerate work on the ISC database and website in order to improve the interface between the ISC and its partners and constituents, and to continue preparations for upcoming stock assessments of swordfish and albacore scheduled for 2009 and 2010, respectively. The next Plenary will be held in July 2009 in Kaohsiung, Taiwan.

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## **Office International des Epizooties (OIE)**

The OIE is the WHO's Programme for animal health and is the second of three international health organizations that promulgate standards, which when conformed with, can provide a legal safe harbor in cases of WTO trade disputes. The OIE was established in 1924, and by March of 2001 consisted of 157 member countries. The mission of the OIE is to inform governments of the occurrence and course of animal diseases globally, and the methods which can be implemented to control such diseases. The organization also coordinates international studies for surveillance and control of animal diseases and harmonizes regulations for trade in animals and animal products among member countries.

The Fish Diseases Commission is one of four OIE Specialist Commissions. The role of Specialist Commissions is to study specific problems relating to the epidemiology and control of certain diseases or groups of diseases. The Fish Diseases Commission was created in 1960. One of the reasons for establishing the Fish Diseases Commission was the increasing awareness of the importance of international trade in fish and other aquatic animals, which in recent years has grown considerably.

Web address: <http://www.oie.int/>

## **Organization for Economic Cooperation and Development (OECD)**

OECD is a Paris-based international organization that provides a forum for consultations on a wide range of economic issues among developed countries. The OECD Committee for Fisheries (the Fisheries Committee) meets twice annually (in the spring and fall) and occasionally holds ad hoc technical meetings.

The Fisheries Committee has agreed on certain basic guidelines in developing its program of work:

- the Committee's role should mainly be to constitute a policy forum for an open and frank exchange of views and experiences on various fisheries matters;
- the Committee should carry out in-depth studies and objective analysis which should lead to potential solutions to problems common to Member countries;
- the Committee should address fishery economic and policy questions at the international level, while avoiding duplicating work done in other international organizations; and
- the Committee should in its work take an interdisciplinary approach, thus exploiting the OECD's comparative advantage.

- The Fisheries Committee has decided to work on four major areas during 2009-2011:

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- 1. Advancing the Aquaculture Agenda: Policies to Ensure a Sustainable Aquaculture Sector
- 2. Economic Aspects of Climate Change in the context of the Ecosystem Approach to Fisheries Management
- 3. Fisheries and Aquaculture Certification, and
- 4. The Economics of Rebuilding Fisheries: Towards Best Practice

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- These four areas of work are in addition to the *Review of Fisheries* which is a publication of the major events and developments in OECD countries' fisheries sector which is published every second year.

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- The Fisheries Committee meets twice yearly (usually April and October) and is presently chaired by the USA (Mr. Greg Schneider, NOAA, NMFS).

Web address: [http://www.oecd.org/department/0,2688,en\\_2649\\_33901\\_1\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/department/0,2688,en_2649_33901_1_1_1_1_1,00.html)

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### **Protocol for Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention)**

SPAW was adopted in Kingston, Jamaica, by the member governments of the United Nations Environment Programme (UNEP) Caribbean Environment Programme on January 18, 1990. It entered into force on June 18, 2000, after ratification by its ninth Contracting Party. It is one of three Protocols to the Cartagena Convention--the other two deal with cooperation to combat oil spills, adopted in 1983, and land-based marine pollution, adopted in 1999. The SPAW Protocol preceded other international environmental agreements in utilizing an ecosystem approach to conservation. It acts as a vehicle to assist with regional implementation of the broader and more demanding global Convention on Biological Diversity (CBD).

The Cartagena Convention is the only legally binding environmental treaty for the wider Caribbean area. The Convention and its Protocols constitute a legal commitment by the participating governments to protect, develop and manage their common waters individually or jointly. UNEP provides the secretariat in Kingston for the Convention and its Protocols.

The stated objectives of the SPAW program are:

- To significantly increase the number of and improve the management of national protected areas and species in the region, including the development of biosphere reserves, where appropriate;
- To develop a strong regional capability for the coordination of information exchange, training and technical assistance in support of national biodiversity conservation efforts;
- To develop specific regional, as well as national management plans developed for endangered, threatened or vulnerable species such as sea turtles, the West Indian manatee, black coral and migratory birds;
- To coordinate the development and implementation of the Regional Program for Specially Protected Areas and Wildlife in the Wider Caribbean, in keeping with the mandate of the SPAW Protocol;
- To coordinate activities with the Secretariat of the Convention on Biological Diversity, as well as other biodiversity-related treaties, such as the CITES, Ramsar, Bonn, and Western Hemisphere Conventions.

The Parties to the SPAW Protocol are Barbados, Colombia, Cuba, Dominican Republic, France, Netherlands, Panama, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago, the United States and Venezuela. On September 5, 2002, the United States Senate, with the reservations, an understanding, and a declaration, gave its advice and consent to the ratification of the Protocol.

SPAW recently added to its capacity to implement conservation measures in the Wider Caribbean Region by adopting a Priority Plan for the Marine Mammal Action Plan (MMAP).

Website address: <http://www.cep.unep.org/cartagena-convention>

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## **Secretariat of the Pacific Regional Environment Programme (SPREP)**

SPREP is a regional organization established by the governments and administrations of the Pacific region to look after its environment. It has grown from a small program attached to the South Pacific Commission (SPC) in the 1980s into the Pacific region's major intergovernmental organization charged with protecting and managing the environment and natural resources. It is based in Apia, Samoa, with over 70 staff.

The Pacific island governments and administrations saw the need for SPREP to serve as the conduit for concerted environmental action at the regional level. The establishment of SPREP also sends a clear signal to the global community of the deep commitment of the Pacific island governments and administrations towards sustainable development, especially in light of the outcomes of the World Summit on Sustainable Development in the form of the Plan of Implementation, the Millennium Development Goals and Declaration, the Barbados Plan of Action and Agenda 21.

### **Mandate**

SPREP's mandate is to promote cooperation in the Pacific islands region and to provide assistance in order to protect and improve the environment and to ensure sustainable development for present and future generations.

### **Vision**

SPREP's vision is that people of the Pacific islands are better able to plan, protect, manage and use their environment for sustainable development.

### **Focus**

SPREP's unique focus is to sustain the integrity of the ecosystems of the Pacific islands region to support life and livelihoods today and tomorrow.

### **Members**

SPREP has 21 Pacific island member countries and four countries with direct interests in the region.

### **Programmes**

SPREP operates two programmes: Island Ecosystems and Pacific Futures

**Website:** <http://www.sprep.org/sprep/about.htm>

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## United Nations (UN) Atlas of the Oceans Agreement

The UN Oceans Atlas is Internet-based, containing information relevant to sustainable development of the oceans and to the advancement of ocean science. It is designed for use by policy makers needing to become familiar with ocean issues and by scientists and resource managers needing access to underlying data bases and approaches to sustainability. The Atlas includes: (1) background on the oceans--from how they were formed, to their physiology, biology, and climatology; (2) uses of the oceans--from food to shipping, mining, energy, etc.; and (3) ocean issues, such as sustainability, food security, global change, and pollution. The project was initially funded by the UN Foundation. Six UN agencies having mandates for oceans and coasts (e.g., UNEP, WMO, IOC) have committed fiscal resources to the project. FAO conducts the project on behalf of the UN because of their expertise in building atlases in support of global decision making and research.

Website address: [www.oceansatlas.org](http://www.oceansatlas.org)

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## United Nations General Assembly (UNGA)

The United Nations General Assembly (UNGA) was not traditionally a forum for the discussion of fisheries issues, but this changed in the 1990s when it took up the problem of large-scale, pelagic driftnet fishing on the high seas. UNGA Resolution 44/225, adopted in 1990, called for a moratorium on the use of this fishing gear on the high seas by June 30, 1992. This Resolution was supplanted by UNGA Resolution 46/215, which delayed the effective date of the moratorium until December 31, 1992.

Since that time, the United Nations General Assembly has annually provided guidance for the sustainable management of global living marine resources, including implementation of the 1995 UN Fish Stock Agreement (UNFSA). UNFSA sets out principles for the conservation and management of straddling and highly migratory fish stocks. It, *inter alia*, prescribes that a precautionary approach and the best available scientific information be used in fishery management, impacts of fishing on associated and dependent species be managed, pollution be minimized, and overfishing and excess fishing capacity be prevented or eliminated. The UNFSA has provisions which help to ensure that key fishery resources that occur both within a State's exclusive economic zone (EEZ) and on the high seas are conserved and managed on a sustainable basis. The UNFSA balances the sovereign rights of coastal States with respect to resources in their EEZs with the rights of all States to authorize their vessels to fish on the high seas. UNFSA also reinforces the conservation and management capacities of Regional Fisheries Management Organizations (RFMOs) so that non-member fishing does not undermine them, specifies means for cooperation between coastal States and distant water fishing States, articulates the duties of States with respect to vessel flying their flags, requires parties to settle disputes using procedures in the UN Convention on the Law of the Sea, and reaffirms the sovereign rights of coastal States with respect to their EEZs.

UNFSA also elaborates on the fundamental principle, established in the Convention, that States should cooperate to ensure conservation and promote the objective of the optimum utilization of fisheries resources both within and beyond the EEZ by providing as the framework regional and sub-regional fisheries management organizations. It promotes effective management and conservation of high seas resources by, among other things:

- Prescribing specific roles and functions for RFMOs, and standards of operation;
- Establishing principles and minimum international standards for the conservation and management of straddling fish stocks and highly migratory fish stocks, such as data collection and the application of the precautionary approach;
- Establishing that measures taken for the conservation and management of those stocks in areas under national jurisdiction and in the adjacent high seas be compatible;
- Establishing standards for flag State control and effective mechanisms for compliance and enforcement on the high seas; and
- Recognizing the special requirements of developing States.

Article 36 of UNFSA requires the Secretary-General of the UN to convene a conference to assess the effectiveness of the Agreement in securing the conservation and management of straddling fish stocks and highly migratory fish stocks. That Review Conference was held in May 2006 to review and assess the adequacy of the provisions of UNFSA and, if necessary, to propose ways to strengthen the substance and methods of implementation of those provisions in order to better address any continuing problems in the conservation and management of straddling and highly migratory fish stocks.

The Review Conference recommended specific actions and approaches that States and RFMOs could undertake to strengthen the implementation of UNFSA's provisions. These recommendations are centered around 4 core themes: (1) Conservation and Management of Stocks; (2) Mechanisms for international cooperation and non-members; (3) Monitoring, control and surveillance and compliance and enforcement; and (4) Developing States and non-parties. The Review Conference also agreed that further review is necessary and, to that end, agreed to continue the annual informal consultations of States parties and review the Agreement again by resuming the Review Conference no later than 2011.

UNGA fisheries resolutions address unauthorized fishing in zones of national jurisdiction and on the high seas; fisheries bycatch and discards; promoting the entry into force of the Food and Agriculture Organization Agreement

to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; and promoting the entry into force of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Additionally, the UN General Assembly negotiates a resolution that focuses on broader oceans issues, which can affect fisheries management, such as initiatives to address marine debris, marine protected areas and coastal zone management. The United States is represented at each of these negotiations by the Department of State and supported by NOAA and NOAA Fisheries technical expertise.

Web address: [www.un.org/Depts/los/index.htm](http://www.un.org/Depts/los/index.htm)

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### **U.S.-Canada International Joint Commission (IJC)**

The IJC is an independent binational organization established by the U.S.-Canada Boundary Waters Treaty of 1909. Canada and the United States created the IJC because they recognized that each country is affected by the other's actions in lake and river systems along their border. The IJC's purpose is to help prevent and resolve disputes relating to the use and quality of boundary waters and to advise Canada and the United States on related questions.

The IJC has six members--three are appointed by the President of the United States, with the advice and approval of the Senate, and three are appointed by the Governor in Council of Canada, on the advice of the Prime Minister. The Commissioners must follow the Treaty as they try to prevent or resolve disputes.

United States Section

Irene B. Brooks, Chair  
Allen I. Olson, Commissioner  
Sam Speck, Commissioner

The Commission has set up more than 20 boards, made up of experts from the United States and Canada, to help it carry out its responsibilities.

Contact

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## **U.S.-China Marine and Fisheries Science and Technology Protocol**

The United States and China signed the U.S.-China Science and Technology Agreement in Washington, D.C., on January 31, 1979. Thirty years later, this umbrella agreement contains over 30 individual protocols for science and technology cooperation between the two countries.

The Protocol on Cooperation in Marine and Fishery Science and Technology was signed on May 8, 1979. The Protocol was extended on July 21, 2004. NOAA is the lead U.S. Agency for this protocol; the State Oceanic Administration (SOA) is the lead agency for China.

The Objectives for the Marine and Fisheries S&T Protocol are:

1. To promote diplomatic relations with China;
2. To exchange spatial and historical data and information unique to the two countries;
3. To make marine and fishery research more cost effective;
4. To achieve more global coverage for marine and scientific studies, including PRC-controlled waters;
5. To enhance marine and fishery S&T activities; and
6. To assist China in becoming a contributing oceanographic research power.

The Protocol contains the following major areas of cooperation where bilateral panels have been set up to meet periodically:

- (1) Oceanographic Data and Information,
- (2) The Role of the Oceans in Climate Change,
- (3) Living Marine Resources,
- (4) Integrated Coastal and Ocean Management, and
- (5) Polar Sciences.

### Oceanographic Data and Information:

Everything that the 'data and information panel' was designed to accomplish is possible within existing multi-lateral organizations such as IOC/IODE, GOOS and WMO/IOC JCOMM bodies. The 9<sup>th</sup> Data Panel meeting is scheduled for May 2009 and will continue to explore potential cooperation in the following areas which will address more specifically the following potential topics:

- Argo/GTSPP data processing techniques and data exchange - NOAA/NODC and NMDIS;
- XML Content Technology - NOAA/NODC and NMDIS;
- Data Assimilation Techniques Marine 4DVAR - NCAR and NMDIS;
- Forecasting of sea-level variations and data exchange - NOAA/NODC/U of Hawaii and NMDIS;
- Marine Data reanalysis using numerical ocean model methods; - NOAA/NOS and NMDIS;
- Marine Boundary and Electronic Nautical Charts (ENC) - NOAA/NOS and NMDIS;
- GODAE High Resolution SST Data - NOAA/NODC and NMDIS;
- Vertical tidal datum database - NOAA/NOS and NMDIS
- Visualization of Marine Fields - NOAA/NOS/PMEL and NMDIS

U.S. Co-Chair: Margarita Gregg, NOAA/NODC

Chinese Co-Chair: LIN Shaohua, SOA/NMDIS

### The Role of the Oceans in Climate Change:

Dr. Song, Xuejia, Deputy Director of the National Marine Environmental Forecasting Center of SOA, and René Eppi, Director of the International Activities Office at NOAA Research, co-chaired the discussion on the Role of the Ocean in Climate during the 17<sup>th</sup> U.S.-China Joint Working Group Meeting on Cooperation in the Field of Marine and Fishery Science and Technology. Also in attendance where Dr. Qui, Zhigao, Deputy Director of the Department of Science and Technology, and Dr. Gao, Lin from the Marine Environmental Protection Department from SOA. China presented further information on their seven proposed topics to the U.S., which ranged from ocean research to marine data assimilation, modeling and forecasting. After active discussion, both sides decided that China would provide the U.S. with an expanded description of four proposed topics by the end on May 2007 which included the

following: 1) short-term climate prediction modeling, 2) research on El Niño air-sea coupled prediction modeling, 3) reconstruction of the upper ocean and the effects of upper ocean on climate change, and 4) operational ocean forecasting assimilation system in the Pacific Ocean and the China Sea. Upon receipt of the expanded description from China, the U.S. will consider the topics, and respond to China on its proposal. The U.S. might include additional topics of interest to present to China in their response. Both sides agreed that their intended goal is to agree on a few joint topics initially, before revisiting the possible next steps to be taken on the Role of the Ocean in Climate Panel.

U.S. Co-Chair: Rene Eppi, NOAA/OAR  
Chinese Co-Chair: Dr. Song, Xuejia, SOA

Living Marine Resources (LMR):

In accordance with the Protocol on Marine and Fishery Science and Technology Cooperation between the United States of America and the People's Republic of China, the U.S.-China Joint Coordination Panel for Living Marine Resources (LMR) held its seventh meeting in Qingdao, Shandong, P. R. China, on October 21, 2007. The meeting was co-chaired by Prof. Li Jieren, Vice President of the Chinese Academy of Fishery Sciences (CAFS) of the Ministry of Agriculture of the People's Republic of China, and Dr. John Boreman, Director of the Office of Science and Technology, National Marine Fisheries Service, NOAA. Dr. Boreman served as the U.S. Co-Chair for the meeting on behalf of Dr. Andy Lazur, the U.S. Co-Chair, who was unable to attend.

The U.S. delegation members provided presentations on topics of relevance to the proposed study project. According to the discussion result of the 17th Joint Working Group Meeting on Cooperation in the Field of Marine and Fishery Science and Technology, the two countries will focus on the implementation of projects that address common goals and priorities. Given the critical importance of sustainability of various resources and uses of marine ecosystem including fisheries and aquaculture, both sides agreed to focus future research on ecosystem based living marine resources management. Within the framework of the study project a number of key sub-topics related to the sustainable development and utilization of fisheries and aquaculture resources can be carried out. Both sides discussed and agreed to select the Sangou Bay and Dapeng Ao Cove in China as study sites and the Chesapeake Bay in the U.S. as a contrast site. Chair Li Jieren suggested that the proposal for the study project on ecosystem-based management (EbM) of mariculture in China be modified to include socio-economic research activities and proposed the formation of a working group (with members to be identified after the meeting) of Chinese and U.S. scientists to accomplish this task. This approach was agreed to by the U.S. delegation.

Fourteen other project proposals for future cooperation were also discussed and agreed to be listed into the work plan for next stage (see Appendix IV). A proposal was made by Chair Li Jieren that the working group will be responsible to select which projects that are directly relevant to EbM to be integrated into the EbM of mariculture project. Continuing projects will be given priority. Both sides agreed to this approach.

The U.S. delegation agreed to host the eighth LMR meeting in the U.S. in 2009. The co-chairs will decide the schedule and location for the next meeting through correspondence.

U.S. Co-Chair: Dr. Andy Lazur, NOAA, National Sea Grant College Program  
Chinese Co-Chair: Mr. Li Jieren, Vice President, Chinese Academy of Fisheries Sciences (CAFS)

Integrated Coastal and Ocean Management

During the 17<sup>th</sup> U.S.-China Joint Working Group Meeting on Cooperation in the Field of Marine and Fishery Science and Technology in April 2007, participants reviewed activities since the last Working Group Meeting with satisfaction and discussed both continued and new collaborative priorities. Approximately thirteen proposals were presented and discussed with points of contact identified for each (outlined in appendix #). Priorities for the upcoming period center upon continuation of collaboration within the framework of the "GEF/UNDP sponsored project on the Protection of Marine Biodiversity in China's south seas" (2006-2012), Jiulongjiang (Xiamen-Zhangzhou-Longyan) watershed management project, exchange of scientific and technical information on hazardous materials, monitoring standards and metrology, and other areas. The Fifth Joint Panel Meeting will be held in China in early 2008 where the proposed projects will be finalized. Following discussion, both sides agreed that underwater cultural heritage be considered as a continued priority interest area for the upcoming Ocean Policy Forum.

U.S. Co-Chair: Clement Lewsey, NOAA  
Chinese Co-Chair: LI Haiqing, SOA

Polar Sciences:

The Polar Science Panel met during the 17<sup>th</sup> U.S.-China Joint Working Group Meeting on Cooperation in the Field of Marine and Fishery Science and Technology in April 2007. The co-Chairs of the Polar Science Panel, Dr. Zhanhai Zhang and Dr. John Calder, agreed that the Panel will continue to emphasize collaborative work during the International Polar Year. Planning is now underway for work to be done in summer 2008 and possibly summer 2009. To meet mutual objectives, additional partnerships, particularly with Canada and Russia will be needed. A 4-country meeting is being planned for July 2007 in Washington D.C. to discuss sharing of a Russian icebreaker during summer 2008. The co-Chairs also agreed to convene a full Panel meeting in October 2007 in Washington D.C. This meeting would be coordinated with a planned U.S.-China IPY Research Roundtable being organized by Texas A&M University, as well as plans for a meeting of the Pacific Arctic Group to be held in Ottawa, Canada. All 3 meetings will be within a 2-week period, making travel for the Chinese visitors very efficient. A teleconference was held with the NOAA Southwest Fisheries Science Center to discuss marine biodiversity monitoring in the Antarctic region, especially in the vicinity of the Chinese Great Wall Station. Further communication by email will be used to develop possible collaborations in this area.

U.S. Co-Chair: John Calder, NOAA  
Chinese Co-Chair: ZHANG Zhanhai, SOA/PRIC

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**U.S.-France Cooperative Program**

Under the U.S.-France Cooperative Program in Oceanography, the Director of the Northeast Fisheries Science Center serves as the U.S. Program Leader for the Living Resources Panel. French and U.S. scientists have collaborated on various 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.

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## **U.S.-Republic of Ireland Cooperation**

The *Joint Statement to Pursue Collaboration in the Programmes of Marine Research and Technology Development, Sustainable Development, Coastal Zone Management, and Marine Coastal Protected Areas Between the Marine Institute of Ireland and the U.S. Department of Commerce National Oceanic and Atmospheric Administration* was signed by Commerce Secretary Ron Brown and the Irish Minister for Marine and Natural Resources Sean Barrett in December 1995. A \$5 million/5-year collaboration between NOAA and the Marine Institute of Ireland was initiated in October 1999.

The Joint Statement has committed NOAA to collaborate with Irish marine scientists and managers in the development of theoretical and applied marine scientific research and technology. The collaborative NOAA-MI program continues to foster the exchange of ideas, supports "best practice" in scientific methodology, and improves understanding of the marine ecosystem.

Representatives of both organizations met in Dublin (December 1998) and Washington (1999) to identify a range of co-operative activities which would be of mutual benefit and provide a vehicle for collaboration, including technology transfer, staff exchange, and training.

### **Overall Objective**

The Flagship Project of the Joint Statement was defined as "The Application of Ocean Data Management, Remote Sensing and Modeling of Ocean Conditions to Improve Our Understanding of the Factors that Influence Fisheries Recruitment, Harmful Algal Events and Salmon Migration." Four applications groups consisting of Irish and U.S. experts were defined under the flagship project and collaborated on a number of activities between 2002 and 2004.

Fisheries Application Group

Harmful Algal Events Application Group

Salmon Management Application Group.

Ocean Data Management Group

A series of annual meetings were held in June 2000 (Athlone, Ireland), January 2001 (Betteystown, Ireland) and May 2002 (Woods Hole, USA) to define specific work programs, aims and objectives for each of the application groups:

The Fisheries Application Group worked toward determining spawning grounds through egg and larval surveys using MOCHNESS sampling gear in conjunction with remote sensing and drifter buoy technology. A graduate student at the National University of Ireland received a PhD in fisheries science based on these surveys.

The Harmful Algal Events Application Group undertook work on behalf of the shellfish industry, including investigations of early warning systems, automated information distribution systems, biotoxin chemistry, phytoplankton biology and remote sensing.

The Salmon Management Application Group collaborated to provide a scientific basis for salmon abundance forecasting, focusing on survival and migratory patterns at sea; the exchange of information on the governance and integration of the aquaculture industry with other inshore interests; and estimation of angling catches.

The Marine Institute sponsored a graduate student to work on research on marine survival of Irish salmon stocks.

The Ocean Data Management Group entered into the activity of collecting retrospective physical, biological, and chemical oceanographic data in support of the research aims of the other applications groups. An inventory of this data is available. Additionally, the group supported the development of physical oceanographic modeling to predict currents around the Irish coast, the Northwest Atlantic shelf, and shelf edge to provide input to the applications groups. In support of this work, the Marine Institute sponsored a graduate student at the University of Rhode Island, who received a PhD in physical oceanography.

The two countries developed new collaborative efforts to study deep sea corals. NOAA worked with the Chair of the Irish Coral Task Force and representatives of Canada, Australia, and several European nations (Belgium, France, Germany, Great Britain, Ireland, Italy, Norway, and Sweden) on topics such as mapping the density and distribution of deep-sea corals, as well as understanding their ecological importance.

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#### **U.S.-Morocco Cooperation**

The United States established fisheries ties with the Government of Morocco in 1975, when a U.S. Regional Fisheries Attaché 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. In early December 1996, a delegation from NMFS visited Morocco to encourage marine scientific exchanges and help establish a science-based fisheries management program similar to that of the United States. Both the United States and Morocco are interested in a plan that will: (1) rebuild and maintain sustainable fisheries, (2) promote the recovery of protected or endangered species, and (3) protect and maintain the health of coastal marine habitats.

Since that time, cooperation with Morocco has varied. Most recently, the NMFS Office of International Affairs has been pursuing several joint projects with the Ministere de l'Agriculture du Developpement Rural et de la Peche. Very little progress has been made in the Mediterranean region in addressing the issue of fisheries bycatch, particularly of sea turtles. Sea turtles can become entangled in drift gillnets, hooked in longline fishing gear or other fishing gears and drown. Compounding the loss of these sea turtles is that no data are collected on the level of interaction or where it is taking place, increasing the difficulty in monitoring these populations and improving management. Morocco is in the process of phasing out its driftnet fishery for swordfish and transitioning to the use of longlines. While longlines are less destructive than driftnets there are still bycatch issues associated with them, including effects on turtles. The main focus of the NMFS projects has been the phase-out of Morocco's driftnet fishery, specifically to help their transition to longline gear. Given the known interactions between sea turtles and other bycatch species with longline gear, the United States has been working to encourage Morocco to require the use of circle hooks in their longline fisheries. Two workshops were held in July 2008, to teach Moroccan fishermen safe handling and release techniques for sea turtles and use of circle hooks. Information regarding previous experiments on the use of circle hooks to reduce bycatch was also provided. Approximately 80 fishermen at two different ports (Tanger and Agadir) participated. In addition, the NMFS Southwest Science Center has been conducting sea turtle research work with driftnet fishermen in Morocco. Notably, asking fishermen to document and report their interactions with sea turtles as well as doing nesting beach research.

Morocco is also in the process of implementing its Millennium Challenge Corporation (MCC) projects and funding. One aspect of this program is improving the infrastructure available to artisanal fishermen at various ports throughout the country. NMFS has engaged and will continue to work with the MCC and Morocco to develop projects to improve not only infrastructure, but catch monitoring and general fisheries management with an intention of helping Morocco further implement sustainable fisheries management. In particular, the focus has been on improving data reporting for highly migratory species.

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### **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.-Vietnam Fisheries Cooperation Program**

The bilateral fisheries relationship with Vietnam was initiated in 1998 with an exchange of fishery scientists. Additionally, in October 1998, NMFS Assistant Administrator Rolland Schmitt led a U.S. fisheries delegation composed of government and private sector representatives to Vietnam. The visit resulted in agreement to continue cooperative exchanges in areas of mutual interest. During 1999 and 2000, a wide variety of scientific exchanges took place, the most notable being the participation of a NOAA Fisheries scientist on a Vietnamese fisheries research cruise during October 2000.

During 2001, Vietnam expressed interest in continuing the bilateral exchanges of scientific personnel and to further our dialogue on trade issues of mutual interest and requested that the United States send a delegation to Hanoi. In March 2003, Dr. Rebecca Lent, NMFS Deputy Assistant Administrator for Regulatory Programs, led a delegation of NMFS and Department of State representatives to Hanoi. The agenda for this meeting covered possible future work with Vietnam in areas relating to fisheries science, conservation and management policy, enforcement, and trade. This meeting resulted in a commitment by the United States and Vietnam to examine areas where future cooperation might take place. Although no formal agreement or monetary commitment was made, the stage was set for enhanced cooperation between the two governments.

During November 2003, a delegation from the Vietnamese Ministries of Fisheries, Science and Technology, and Finance visited the United States for meetings with representatives of U.S. federal agencies and research institutions on issues of fisheries management, aquaculture and science and technology. The itinerary for this trip included meetings in the Washington, D.C. area with NOAA, NMFS and other agency representatives. The Vietnamese delegation also visited the University of Maryland's Center of Marine Biotechnology (COMB) and the National Aquarium in Baltimore. The U.S. visit concluded in the Seattle/Puget sound area with visits to the NMFS Northwest Fisheries Science Center Manchester Field Station aquaculture facility, the Washington State Salmon Hatchery, and the Alaska Fisheries Science Center (located in Seattle).

In June 2004, a Workshop on Methodology for Fisheries Resources Assessments was held in Haiphong, Vietnam. The workshop was organized by: the Research Institute for Marine Fisheries (RIMF), Ministry of Fisheries, Vietnam; the Alaska Fisheries Science Center (AFSC), NMFS, USA; and the project on Assessment of the Living Marine Resources in Vietnam (ALMRV), DANIDA, Denmark. This workshop was held as a first technical exchange of methodologies and ideas following communications between the Government of Vietnam and the

United States to further bilateral cooperation on fisheries issues. It was agreed that another workshop should be held in the future on methodologies for assessing pelagic resources.

During May 2005, Dr. Lent led a delegation of NMFS representatives to Hanoi. The agenda for this meeting included scientific, management, and trade issues of mutual concern, as well as regional and international items. There was agreement that future scientific cooperation should focus on: fisheries oceanography; satellite remotely sensed oceanographic data; coral reef research; and sea turtle satellite tracking. Vietnam noted that its top priority is developing the country's aquaculture industry. The United States requested Vietnam's support and commitment in joining and implementing international and regional agreements, instruments and organizations, such as: the World Trade Organization, the UN Fish Stocks Agreement, the FAO International Plans of Action and Sea Turtle Guidelines, and the Western and Central Pacific Fisheries Commission.

In February 2006, U.S. Government personnel assisted the Vietnamese in hosting an APEC Fisheries Working Group workshop entitled, "Towards Sustainable Fisheries in the Region." This workshop, held in Hanoi, Vietnam during 15-17 February 2006, was the first official meeting of the Vietnam year of APEC leadership (theme: Towards a Dynamic Community for Sustainable Development and Prosperity). Additionally, in follow-up to bilateral commitments made during 2005, U.S. scientists held a workshop designed to assess Vietnamese research priorities during March 20-21, 2006, in Hanoi, and U.S. Government and non-government representatives assisted (and participated) in the March 22-24, 2006 Pacific Rim Conference, also held in Hanoi.

Although communications continue at the staff level, no formal U.S.-Vietnam bilateral meetings took place during 2007 or 2008.

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## Western Central Atlantic Fishery Commission (WECAFC)

### Basic Instrument

Article VI-1 of the United Nations Food and Agriculture Organization (FAO) Constitution. Resolution 4/61 of the FAO Council at its Sixty-first Session in November 1973. Statutes amended by FAO Council in December 1978.

### Implementing Legislation

None.

### Member Nations

Antigua and Barbuda, Bahamas, Barbados, Belize, Brazil, Colombia, Costa Rica, Cuba, Dominica, France, European Community, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Jamaica, Japan, Korea (Rep. of), Mexico, Netherlands, Nicaragua, Panama, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Spain, Suriname, Trinidad and Tobago, United Kingdom, United States, and Venezuela.

### Commission Headquarters

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### U.S. Representation

NOAA Fisheries Service leads delegations to WECAFC. The delegation usually consists of representatives of the office of the Office of International Affairs, Southeast Region, the Caribbean Fishery Management Council and the Department of States.

### Description

#### A. Mission/Purpose:

WECAFC's purpose is to facilitate the coordination of research; to encourage education and training; to assist Member Governments in establishing rational policies; and to promote the rational management of resources of interest to two or more countries. The Commission has an advisory management function but no regulatory powers.

#### B. Organizational Structure:

The Commission, composed of all Members, is the central policy forum. The Commission has four Subsidiary Committees: (1) Working Party on Assessment of Marine Fishery Resources; (2) Working Party on Fishery Economics and Planning; (3) Committee for the Development and Management of Fisheries in the Lesser Antilles; and (4) the Ad hoc working groups.

### Recent Developments

The thirteenth session of the Western Central Atlantic Fishery Commission (WECAFC) and the ninth session of the Committee for the Development and Management of Fisheries in the Lesser Antilles were convened in Cartagena, Colombia, 21 to 24 October 2008. The meeting was preceded by a one and a half day regional workshop on the Nassau grouper conservation and management. An effort by the United States during 2004-2006 to strengthen WECAFC as a regional fishery management organization in accordance with FAO Charter guidelines resulted in the retention of the status of the organization's advisory status. However, the effort did produce more clear rules of

procedure which were adopted at the 13th meeting. The adopted workplan of WECAFC calls for activities in collaboration with other entities in the region to promote conservation and management of queen conch and spiny lobster, promotion of the development of sustainable fishing using FADs, and a DOS-supported project to collect information on derelict fishing gear.

Panama was elected Chair of the Commission and Belize was elected Vice-Chair. Thus, Panama offered to host the next Commission meeting in October 2010.

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### **World Health Organization (WHO) of the United Nations**

The WHO of the United Nations is the premier international organization whose mission is to ensure the attainment by all people the highest level of health. For WHO purposes, health is defined as “a state of complete physical, mental, and societal well-being and not merely the absence of disease or infirmity.” WHO was founded in 1948 and has four main functions to: (1) provide international guidance in the field of health; (2) establish global standards for health; (3) assist national governments in improving their health plans; and (4) engage in developing and transferring health technologies, standards, and information. WHO conducts numerous food safety activities, and along with FAO, is a joint sponsor of Codex.

Web address: <http://www.who.int/home-page/>

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## World Trade Organization (WTO)

The WTO (formerly the General Agreement on Tariffs and Trade) was established in 1947, and is the international organization that negotiates and enforces trade rules and periodically convenes multilateral trade negotiations. The last completed multilateral trade negotiations, the Uruguay Round, began in 1986 and concluded in 1994. NOAA Fisheries has two broad fishery-related interests in WTO: (1) defending our conservation laws in WTO dispute settlement; and (2) negotiating fisheries tariffs, non-tariff barriers, and subsidies in the trade rounds.

The Fourth WTO Ministerial Conference was held in Doha, Qatar, from November 9-14, 2001. The Ministers agreed to launch negotiations on the relationship between existing WTO rules and trade obligations set out in multilateral environmental agreements. The negotiations will address how WTO rules are to apply to WTO members that are parties to environmental agreements. Ministers also agreed to clarify and improve WTO rules that apply to fisheries subsidies. The issue of fisheries subsidies has been studied in the WTO Trade and Environment Committee for several years. Some studies demonstrate these subsidies can be environmentally damaging if they lead to too many fishermen chasing too few fish. The U.S. position has been that WTO Members should eliminate subsidies that lead to overcapacity, overfishing and that distort trade. Negotiations on subsidies to the fisheries sector are taking place in the Negotiating Group on Rules and have proven to be very contentious.

Ministers instructed the Trade and Environment Committee to pay particular attention to eliminating or reducing trade restrictions and distortions to benefit trade, the environment and development as part of its on-going work. Finally, Ministers charged the Trade and Environment Committee to look at the impact of eco-labeling on trade and examine whether existing WTO rules stand in the way of eco-labeling policies. Parallel discussions are to take place in the Technical Barriers to Trade (TBT) Committee.

Ministers reaffirmed their commitment to a successful conclusion of the Doha Development Agenda as relates to fisheries subsidies in Hong Kong in December 2005. Negotiations at the WTO since the Hong Kong ministerial have moved to the drafting of legal text. The Chair of the Rules Negotiating Group, where the negotiations on fisheries subsidies take place, produced a comprehensive Chair's draft of a completed text in late November 2007. The Chair submitted to Members in late 2008 a "road map" with a series of questions designed to focus the negotiations. WTO members continue to negotiate on the basis of the December 2007 text even as the outcome of the Doha Development Agenda round remains uncertain.

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

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**APPENDIX I****Governing International Fishery Agreements (GIFAs) Between the  
United States and Foreign Entities**

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), Title II, Section 201, foreign fishing within the U.S. 200-mile Exclusive Economic Zone may only be conducted under a GIFA.

All GIFAs, except the Agreement with Russia, have been concluded since the enactment of the Magnuson-Stevens Act. The following table details the GIFA with Russia, which is in the process of being extended.

Status as of May 29, 2009.

Country	Expiration Date	Status
Russia	December 31, 2008	To Be Extended to December 31, 2013

**APPENDIX II**  
**List of Selected Acronyms**

<b>Acronym/ Short Form</b>	<b>Meaning</b>	<b>Page Reference</b>
ACAP	Agreement on the Conservation of Albatrosses and Petrels	100
AIDCP	Agreement on the International Dolphin Conservation Program	40
AOAC	Association of Official Analytical Chemists	174
APEC	Asia Pacific Economic Cooperation	172
APFIC	Asia-Pacific Fishery Commission	173
CAFF	Program for the Conservation of Arctic Flora and Fauna	150
Cartagena Convention	Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region	197
CBD	Convention on Biological Diversity	102
CCAMLR	Commission for the Conservation of Antarctic Marine Living Resources	82
CCAS	Convention for the Conservation of Antarctic Seals	86
CCSBT	Commission for the Conservation of Southern Bluefin Tuna	44
CDHC	Coral Disease and Health Consortium	177
CEC	Commission for Environmental Cooperation	178
CECAF	Fishery Committee for the Eastern Central Atlantic	178
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora	106
COFI	Food and Agriculture Organization of the United Nations Committee on Fisheries	179
CSD	Commission for Sustainable Development	175
Donut Hole Convention	Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea	67
FAO	Food & Agriculture Organization of the United Nations	167, 179
FTAs	Free Trade Agreements	181
GEF	Global Environment Facility	162
GIFAs	Governing International Fishery Agreements	214
GLFC	Great Lakes Fishery Commission	94
GLOBEC	Global Ocean Ecosystem Dynamics	182
GOMC	Gulf of Maine Council	183
GOOS	Global Ocean Observing System	182
IAC	Inter-American Convention for the Protection and Conservation of Sea Turtles	90
IATTC	Inter-American Tropical Tuna Commission	46
ICC	U.S.-Russia Intergovernmental Consultative Committee	132
ICCAT	International Commission for the Conservation of Atlantic Tunas	4
ICES	International Council for the Exploration of the Sea	156
IJC	U.S.-Canada International Joint Commission	201
IOC	International Oceanographic Commission	188
IOCARIBE	IOC Sub-Commission for the Caribbean and Adjacent Regions	188
IOSEA	Memorandum of Understanding on the Conservation and Management of Marine Turtles and Their Habitats Of the Indian Ocean and South-East Asia	191
IOTC	Indian Ocean Tuna Commission	185
IPCC	Intergovernmental Panel on Climate Change	186
IPHC	International Pacific Halibut Commission	51
IPY	International Polar Year	165
ISC	International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean	195
IWC	International Whaling Commission	110
JPA	Joint Project Agreement	194
LME	Large Marine Ecosystem	190, 192
MIAFF	Ministry of Food, Agriculture, Forestry, and Fisheries (Republic of Korea)	194

MOU	Memorandum of Understanding	129, 135
NAFO	Northwest Atlantic Fisheries Organization	29
NASCO	North Atlantic Salmon Conservation Organization	20
NMFS	NOAA's National Marine Fishery Service	throughout
NOAA	National Oceanic and Atmospheric Administration	throughout
NPAFC	North Pacific Anadromous Fish Commission	57
NSF	National Standards Foundation	191
OECD	Organization for Economic Cooperation and Development	196
OIE	Office International des Epizooties	198
PICES	North Pacific Marine Science Organization	142
PSC	Pacific Salmon Commission	62
SEAFO	Convention on the Conservation and Management of Fishery Resources in the Southeast Atlantic Ocean	176
SPAW	Specially Protected Areas and Wildlife	195
SPREP	Secretariat of the Pacific Regional Environment Programme	196
SPTT	South Pacific Tuna Treaty	73
UN	United Nations	199, 200
UNGA	United Nations General Assembly	200
WCPFC	Western and Central Pacific Fisheries Convention	75
WECAFC	Western Central Atlantic Fishery Commission	209
WHO	World Health Organization of the United Nations	167, 210
WTO	World Trade Organization	211