



Council

CNL(20)05

Explanatory Memorandum on the Agenda

Under the conditions for attendance by observers, the Acting President may recognise requests from the Co-Chairs of accredited NGOs and / or their designee during the inter-sessional correspondence and video conference on all agenda items other than items 2, 3 and 4

A summary of all the decisions before the Council is presented in an annex to this document

CNL(20)05

Explanatory Memorandum on the Agenda

In light of the Covid-19 pandemic, the face-to-face meeting planned for Edinburgh in June 2020 has been cancelled. Parties have agreed that NASCO's business will be conducted through inter-sessional correspondence, video conference and an inter-sessional meeting. Some business has been cancelled or postponed until 2021.

The Agenda will be adopted on 8 May, by correspondence. This will allow Parties to address all other items. The approach to be used to address each item is set out below.

The video conferences for the NASCO Council will begin on Tuesday 2 June 2020.

All papers for the [Council](#) meeting will be available on the NASCO website in advance of the meeting.

The [NASCO Handbook of Basic Texts](#), which includes the Convention for the Conservation of Salmon in the North Atlantic Ocean, the Rules of Procedure for the Council and Commissions, and the Financial Rules, is also available.

A summary of the decisions to be made is in Annex 1.

1. Opening of the Meeting

A meeting is required under Article 5 of the Convention which states '*The President shall convene a regular annual meeting of the Council and the Commissions...*'. There is no stipulation on how the meeting should take place.

The Acting President, Serge Doucet (Canada), will open the meeting and make a statement on behalf of the Organization.

There will be no verbal Opening Statements by the Parties, and Parties, Inter-Governmental Organizations and NASCO's accredited Non-Governmental Organizations are encouraged to submit a written Opening Statement to the Secretariat prior to the Annual Meeting. These written statements and the statement of the Acting President will be emailed to all delegates and annexed to the Report of the Meeting.

- no decision is required.

No correspondence, other than the written Opening Statements, is expected.

2. Adoption of the Agenda

In accordance with the Rules of Procedure and following consultation with the President, a Provisional Agenda, [CNL\(20\)01](#), was made available to all members of the Council on 3 February 2020. Since then, in light of the Covid-19 pandemic a revised Draft Agenda has been agreed, [CNL\(20\)03](#). The revised Draft Schedule of Meetings indicates when the video conferences (VC) for the Council, Commissions, FAC and Board will take place, [CNL\(20\)04rev](#).

- a decision to adopt the Agenda is required.

The Agenda will be adopted via correspondence by 8 May. This provides the basis for discussions to be held by inter-sessional correspondence prior to the VC beginning on 2 June.

3. Election of Officers

In accordance with Rule 10 of the Rules of Procedure, the Council will be asked to elect a President and Vice-President.

Jóannes Hansen's (Denmark (in respect of the Faroe Islands and Greenland)) term of office comes to a close at the end of the 2020 Annual Meeting. He is not seeking re-election. The Council will, therefore, need to elect a new President. The Vice-President, Serge Doucet (Canada) is eligible for re-election.

No background papers are produced for this item.

- a decision to elect the President and the Vice-President is required.

Work to determine the candidates' availability for election / re-election will be conducted by correspondence. The formal process for nominating, seconding, and electing the identified individuals will be undertaken during the VC.

4. Financial and Administrative Issues

a) Report of the Finance and Administration Committee

This item is required under Article 16 of the Convention which states '*The Council shall adopt an annual budget for the Organization.*'

The report of the FAC will be available in advance of the Council Meeting, CNL(20)06. It will include the draft budget for 2021 and the forecast budget for 2022.

The decisions required are to:

- accept the Audited Accounts for 2019;
- adopt a budget for 2021;
- decide on any actions required under NASCO's MoU with ICES; and
- adopt the report of the FAC.

Decisions will be taken formally at the VC.

b) Future Status of the UK Within NASCO

Article 17 of the Convention states that the '*Convention shall be open for accession by the parties...subject to the approval of the Council.*'

The NASCO Convention has, until recently, applied to the United Kingdom (UK) by virtue of its membership of the European Union (EU). However, the UK left the EU on 31 January 2020. The UK is now in an 'Implementation Period' until 31 December 2020, during which EU law continues to apply to the UK under the terms set out in 'The EU-UK Withdrawal Agreement'. Under this Agreement, the NASCO Convention will continue to apply to the UK during the Implementation Period.

In order to ensure that the Convention continues to apply to the UK after the end of the Implementation Period the UK will need to accede to the Convention as a Contracting Party in its own right.

Paper [CNL\(20\)07](#) is intended to inform the discussion on this item.

- several decisions may be needed.

During the Covid-19 contingency planning, the Parties agreed to postpone this item until the autumn Inter-Sessional Council Meeting. During the VC meeting, Council may

wish to note this formally.

5. Scientific, Technical, Legal and Other Information

a) Secretary's Report

The Secretary's report provides information to the Council on a number of procedural, administrative, financial and other matters, [CNL\(20\)08](#).

- no decision is required.

Parties have agreed this is not a priority item for 2020. Correspondence is, therefore, unlikely to be needed and will take place only if indicated by a Party or NGO Co-Chair.

b) Report on the Activities of the Organization in 2019

This item is required under Article 5, paragraph 6 of the Convention. It states, 'The Council shall submit to the Parties an annual report of the activities of the Organization'.

The Report on the Activities of the Organization in 2019, [CNL\(20\)09](#), is available.

- a decision to adopt the report is required.

The decision to adopt the report will be taken formally during the VC.

c) Announcement of the Tag Return Incentive Scheme Grand Prize

The winner of the Grand Prize of £1,500 and the winners of the Commission prizes of £1,000 in the NASCO Tag Return Incentive Scheme will be announced on the NASCO website and on Twitter. They will be recorded in the relevant Reports of the Meetings.

- no decision is required.

No other action is required with respect to this matter in 2020.

d) Scientific Advice from ICES

This item is important business but not required annually under the Convention. Articles 3 and 4 of the Convention require NASCO to take into account the best scientific evidence and establish working arrangements with ICES, respectively. Advice is provided annually under the NASCO-ICES Memorandum of Understanding.

ICES will provide its advice as normal. However, due to the Covid-19 pandemic the Working Group on North Atlantic Salmon met virtually. This meant that the additional questions requested in 2019 were not addressed.

The Report of the ICES Advisory Committee (ACOM) will be circulated by ICES in early May, [CNL\(20\)10](#). ICES will make the report of the Working Group on North Atlantic Salmon available on its website after the scientific advice is released.

The advice relating to the North Atlantic area and the individual Commission areas will be presented by a representative of ICES in a webinar on Monday 1 June. The presentation will be made available afterwards.

- no decision is required.

The presentation of advice in a webinar means that correspondence is unlikely to be needed and will take place only if indicated by a Party or NGO Co-Chair.

e) Scientific Research Fishing in the Convention Area

Under Article 2 of the NASCO Convention, fishing of salmon is prohibited beyond

areas of fisheries jurisdiction and within areas of fisheries jurisdiction beyond 12 nautical miles except in the West Greenland Commission area (up to 40 nautical miles) and in the North-East Atlantic (within the area of fisheries jurisdiction of the Faroe Islands). In these areas, scientific research fishing may be undertaken in accordance with the Resolution on Scientific Research Fishing, [CNL\(96\)60](#).

The annex to CNL(96)60 states:

‘Any Party or Parties wishing to undertake scientific research fishing for Atlantic salmon in accordance with this Resolution shall deliver a proposal to the Secretary no less than 45 days before it wishes to commence fishing’.

A proposal regarding scientific research fishing from the Norwegian Environment Agency was received in August 2019. Paper [CNL\(20\)11](#) gives the results of this scientific research fishing.

- no decision is required.

Parties have agreed this is not a priority item for 2020. Correspondence is, therefore, unlikely to be needed and will take place only if indicated by a Party or NGO Co-Chair.

f) **Report of the International Atlantic Salmon Research Board**

The Terms of Reference for the International Atlantic Salmon Research Board and its Scientific Advisory Group ([ICR\(20\)03](#)) state ‘Board meeting reports will be considered by the Council for adoption.’

The main topic for consideration by the Board will be the Report of the Working Group to Review the SALSEA-Track Programme and the Inventory of Research Relating to Salmon Mortality in the Sea, and consideration of the recommendations.

The report of the Board will be circulated in advance of the Council Meeting, CNL(20)12. Board papers are available on the Board [website](#).

- a decision to adopt the report is required.

The decision to adopt the report will be taken formally during the VC.

g) **Report of the Standing Scientific Committee**

Articles 3 and 4 of the Convention require NASCO to take into account the best scientific evidence. Advice is provided annually under the NASCO-ICES Memorandum of Understanding.

At its 1992 Annual Meeting, the Council established a Standing Scientific Committee (SSC) to assist the Council and Commissions in formulating their questions to ICES. The Committee comprises two representatives from each Commission, ideally one scientist and one administrator. Its work is co-ordinated by Paddy Gargan (European Union).

The SSC will work to finalise its recommendations for the draft request for Scientific Advice from ICES once the ICES Advice has been presented by webinar on 1 June.

The recommendations of the Standing Scientific Committee concerning the request to ICES for scientific advice will be available in document CNL(20)13 in time for consideration by the Council on 3 June.

- a decision to adopt the SSC recommendations is required.

The decision to adopt the recommendations will be taken formally at the VC.

6. The Third Performance Review

a) Decisions by the Council on the Process for the Third Performance Review

In 2018, the Council of NASCO agreed that the process to consider conducting the third performance review of NASCO should commence in 2019, with a view to holding the review in 2021. The process for conducting this performance review (e.g. the composition of the review panel, the criteria to use, and the Terms of Reference) has not yet been agreed.

Paper [CNL\(20\)15](#) provides information on the process and decisions needed to arrange the Third Performance Review of NASCO.

- several decisions are needed.

During the Covid-19 contingency planning, the Parties agreed to postpone this item until the autumn Inter-Sessional Council Meeting. During the VC meeting, Council may wish to note this formally.

The Performance Review Special Session: ‘Best Practice in Conducting Regional Fisheries Management Organization’s Performance Reviews’ is cancelled.

7. Conservation, Restoration, Enhancement and Rational Management of Atlantic Salmon under the Precautionary Approach

a) Evaluation of Implementation Plans under the Third Reporting Cycle (2019 – 2024)

Implementation Plans (IPs), and their review, are not required under the Convention. However, the ‘Guidelines for the Preparation and Evaluation of NASCO Implementation Plans and for Reporting on Progress’ ([CNL\(18\)49](#)) do require review of the IPs and its presentation at the Annual Meeting, stating ‘*The Review Group will present its evaluation of the Implementation Plans to the Annual Meeting of the Council in a Special Session*’ (section 2.4). The Parties have agreed that in ordinary times such Guidelines should be adhered to. However, in this extraordinary year, they may be waived.

In addition, the revised schedule for the IPs agreed at the 2019 Annual Meeting states that ‘*All Implementation Plans whether accepted or not, will be discussed at the Special Session of the Council*’ in June 2020. In this extraordinary year, Parties have agreed that this Special Session is cancelled.

The Report of the IP / APR Review Group for the Second Review of IPs under the Third Reporting Cycle, is available [CNL\(20\)17](#).

All IPs are on the [NASCO website](#).

- no decision is required.

During the Covid-19 contingency planning, the Parties agreed to postpone this item until the autumn Inter-Sessional Council Meeting. During the VC meeting, Council may wish to note this formally.

The Special Session: ‘Evaluation of Implementation Plans under the Third Reporting Cycle (2019 – 2024)’ is cancelled.

b) **Evaluation of Annual Progress Reports under the 2019 – 2024 Implementation Plans**

Under [Article 15 of the NASCO Convention](#) Parties are required to report catch statistics and other information to Council annually. This is achieved through the submission of Annual Progress Reports (APRs). However, annual review and evaluation of APRs is not required under the Convention.

The ‘Guidelines for the Preparation and Evaluation of NASCO Implementation Plans and for Reporting on Progress’ ([CNL\(18\)49](#)) state that: ‘*The Annual Progress Reports will be subject to a critical evaluation by a Review Group appointed by the Council... Parties / jurisdictions will be expected to respond to these shortcomings at the Annual Meeting of the Council and these shortcomings should then be addressed in the Annual Progress Reports for the following year, commencing in 2021*’ (p8).

Due to Covid-19 pandemic, the face-to-face meeting of the IP / APR Review Group, in April, was cancelled. Alternative plans for the meeting proved impossible. The Parties have therefore agreed that the APRs submitted in 2020 will not be reviewed and the schedule will resume as normal in 2021.

The APR summary, providing information on stock status and catches and additional information required under the Convention will be provided, [CNL\(20\)19](#), as usual.

The APRs are on the [NASCO website](#).

- no decision is required.

The Special Session: ‘Evaluation of Annual Progress Reports under the 2019 – 2024 Implementation Plan’s is cancelled.

c) **Addressing the Recommendations to NASCO to Address Future Management Challenges in the Report from the Tromsø Symposium**

In 2019, a Symposium was held immediately in advance of the Annual Meeting entitled ‘Managing the Atlantic salmon in a rapidly changing environment – management challenges and possible responses’. The Steering Committee produced a report to Council after the Symposium, [CNL\(19\)16](#).

The report contains 11 recommendations to NASCO to address future management challenges. The Council will consider how it wishes to address the recommendations.

Paper, [CNL\(20\)20](#), supports this item.

- decisions are required on how to respond to each of the 11 recommendations.

During the Covid-19 contingency planning, the Parties agreed to postpone this item until the autumn Inter-Sessional Council Meeting. During the VC meeting, Council may wish to note this formally.

d) **The International Year of the Salmon: Consideration of the Final Report**

In 2016, the NASCO Council decided to hold an International Year of the Salmon (IYS) in partnership with the North Pacific Anadromous Fish Commission (NPAFC). The focal year for the IYS was 2019 with some efforts continuing to 2022. The aim of the IYS is to raise awareness of the factors driving salmon abundance, the environmental and anthropogenic challenges they face, and the measures being taken to address these.

Paper [CNL\(20\)21](#) is the Final Report on the Activities in the International Year of the Salmon. It highlights some of the activities which took place under the IYS banner.

Paper CNL(20)22 supports decisions required to conclude IYS business.

- decisions are required to conclude IYS business.

This item will be discussed by inter-sessional correspondence with decisions approved formally during the VC. However, during the VC meeting, Council may wish to agree to postpone the decisions until the autumn inter-sessional Council meeting.

e) **Progress in Implementing the ‘Action Plan for Taking Forward the Recommendations of the External Performance Review and the Review of the ‘Next Steps’ for NASCO’, CNL(13)38**

A paper, CNL(20)23, will be presented on progress in implementing the measures contained in the ‘Action Plan for taking forward the Recommendations of the External Performance Review and the Review of the ‘Next Steps’ for NASCO, [CNL\(13\)38](#)’, which was adopted at NASCO’s Thirtieth (2013) Annual Meeting.

- no decision is required.

Parties have agreed this is not a priority item for 2020. Correspondence is, therefore, unlikely to be needed and will take place only if indicated by a Party or NGO Co-Chair.

f) **Liaison with the Salmon Farming Industry**

In 2013, the Council agreed that the regular meetings of the International Salmon Farming Association (ISFA) / NASCO Liaison Group would not continue but that if a specific need arose, consideration would be given to convening a joint *ad hoc* group. The Council decided to retain an item on its Agenda during which a representative of the ISFA could be invited to participate in an exchange of information on issues concerning impacts of aquaculture on wild salmon.

ISFA has been invited to contribute a paper which will be made available on the website, if provided.

- no decision is required.

Parties have agreed this is not a priority item for 2020. Correspondence is, therefore, unlikely to be needed and will take place only if indicated by a Party or NGO Co-Chair.

g) **New or Emerging Opportunities for, or Threats to, Salmon Conservation and Management**

This agenda item was included for the first time in 2006, in accordance with the Strategic Approach for NASCO’s ‘Next Steps’, [CNL\(05\)49](#). ICES has been asked to report on any significant new or emerging threats to, or opportunities for, salmon conservation and management and its advice will be presented in document CNL(20)10.

The Report of the ICES Advisory Committee (ACOM) will be circulated by ICES in early May, CNL(20)10. ICES will make the report of the Working Group on North Atlantic Salmon available on their website after the scientific advice is released.

ICES information on New or Emerging Opportunities for, or Threats to, Salmon Conservation and Management will be presented by a representative of ICES in a webinar on Monday 1 June. The presentation will be made available afterwards.

- no decision is required.

The presentation of information in a webinar means that correspondence is unlikely to

be needed and will take place only if indicated by a Party or NGO Co-Chair.

h) Incorporating Social and Economic Factors in Salmon Management

The Council has previously requested that the Parties / jurisdictions advise the Secretariat of any new studies relating to the socio-economic values of the wild Atlantic salmon. Any such studies will be referred to in paper CNL(20)23. Any papers provided by the Parties will be made available.

The Socio-Economic study commissioned to support some of the content in the State of North Atlantic Salmon Report was [published by NINA](#).

- no decision is required.

Parties have agreed this is not a priority item for 2020. Correspondence is, therefore, unlikely to be needed and will take place only if indicated by a Party or NGO Co-Chair.

i) Management and Sampling of the St Pierre and Miquelon Salmon Fishery

In recent years, the North American Commission and the Council have been concerned about catches of salmon at St Pierre and Miquelon which, although low, occur at a time when there are serious concerns about the abundance of North American stocks and when strict harvest restrictions have been introduced throughout the North American Commission area.

In 2017, the President of NASCO wrote to France (in respect of St Pierre and Miquelon) noting NASCO's concerns and encouraging France (in respect of St Pierre and Miquelon) to become a member of NASCO. In response, France (in respect of St Pierre and Miquelon) noted that it wished to retain its observer status at NASCO and committed to providing NASCO with information on the fishery and taking NASCO recommendations on catch taken by communities dependent on fishing into account.

Paper [CNL\(20\)24](#), received from France (in respect of St Pierre and Miquelon) is available on the NASCO website.

- no decision is required.

Correspondence is unlikely to be needed and will take place only if indicated by a Party or NGO Co-Chair.

j) Reports on the Conservation Work of the Three Regional Commissions

Article 10 of the Convention states, 'Each Commission, shall, on a timely basis, make a report of its activities to Council.'

Reports will be produced for each Commission and made available to Council before its last meeting.

- no decision is required.

The reports are for information only. Any questions could be raised during the VC.

8. Other Business

Any other business may be raised via inter-sessional correspondence or at the start of the VC. Any decisions required with respect to these matters may be approved formally by VC or postponed until the autumn intersessional or the 2021 Annual Meeting.

9. Date and Place of the Next Meeting

The Council will be asked to confirm the venue for its Thirty-Eighth Annual Meeting to be held during 1 – 4 June 2021. The Secretariat has received no invitations from any Party to host the Thirty-Eighth Annual Meeting in June 2021.

The Council will also be asked to confirm the dates of, and consider the venue for, its Thirty-Ninth Annual Meeting in 2022.

- a decision on the venue for its Thirty-Eighth Annual Meeting, to be held during 1 – 4 June 2021, is required; and
- a decision on the dates of the 2022 meeting is required; 7-10 June 2022 are proposed as the meeting dates.

It is proposed that this item be conducted by correspondence should any Party / jurisdiction wish to contact the Secretariat with an offer to host the Annual Meeting in 2021 or 2022. The decisions will be approved formally by VC.

10. Report of the Meeting

Rule 29 of the Rules of Procedure for Council requires that ‘A draft report shall be considered by the Council before the end of the meeting.’

A Draft Report of the Meeting will be circulated for review. A summary of business conducted inter-sessionally via correspondence will be annexed to the Report.

- a decision to adopt a Report of the meeting is required.

Any proposed changes to the Draft Report will be discussed, agreed revisions incorporated, and a final Report of the meeting adopted during the VC.

11. Close of the Meeting

The Acting President will close the Thirty-Seventh Annual Meeting at the end of the VC.

Secretariat
Edinburgh
5 May 2020

Summary of Council Decisions

Agenda Item	Decision	Paper No.
2. Adoption of the Agenda	The Agenda will be adopted via correspondence by 8 May	CNL(20)03
3. Election of Officers	Elect the President and the Vice-President	
4a. Report of the Finance and Administration Committee	<ul style="list-style-type: none"> • accept the Audited Accounts for 2019; • adopt a budget for 2021; • decide on any actions required under NASCO's MoU with ICES; and • adopt the report of the FAC. 	CNL(20)06 Issued at meeting
4b. Future Status of the UK Within NASCO	Note agreement to postpone decisions until the autumn Inter-Sessional Council Meeting	CNL(20)07
5b. Report on the Activities of the Organization in 2019	Adopt the Report on the Activities of the Organization	CNL(20)09
5f. Report of the International Atlantic Salmon Research Board	Adopt the Report of the International Atlantic Salmon Research Board	CNL(20)12 Issued at meeting
5g. Report of the Standing Scientific Committee	Adopt the Standing Scientific Committee recommendations	CNL(20)13
6a. Decisions by the Council on the Process for the Third Performance Review	Note agreement to postpone decisions until the autumn Inter-Sessional Council Meeting	CNL(20)15
7a. Evaluation of Implementation Plans under the Third Reporting Cycle (2019 – 2024)	Note agreement to postpone decisions until the autumn Inter-Sessional Council Meeting	CNL(20)17

7c. Addressing the Recommendations to NASCO to Address Future Management Challenges in the Report from the Tromsø Symposium	Note agreement to postpone decisions until the autumn Inter-Sessional Council Meeting	CNL(20)20
7d. The International Year of the Salmon: Consideration of the Final Report	Decisions to conclude IYS business. However, Council may agree to postpone the decisions until the autumn Inter-Sessional Council Meeting	CNL(20)22
9. Date and Place of the Next Meeting	<ul style="list-style-type: none"> • the venue for the Thirty-Eighth Annual Meeting, to be held during 1 – 4 June 2021; and • the dates of the 2022 meeting. 	
10. Report of the Meeting	Adopt the Report	Issued at meeting