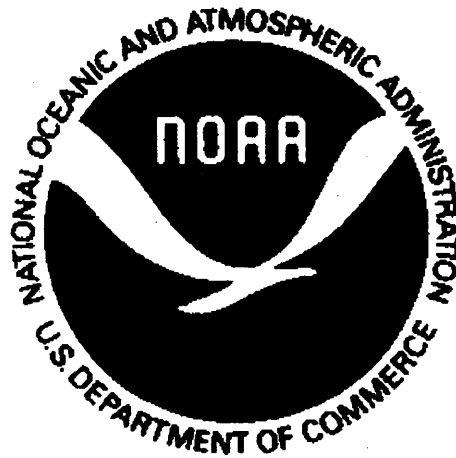
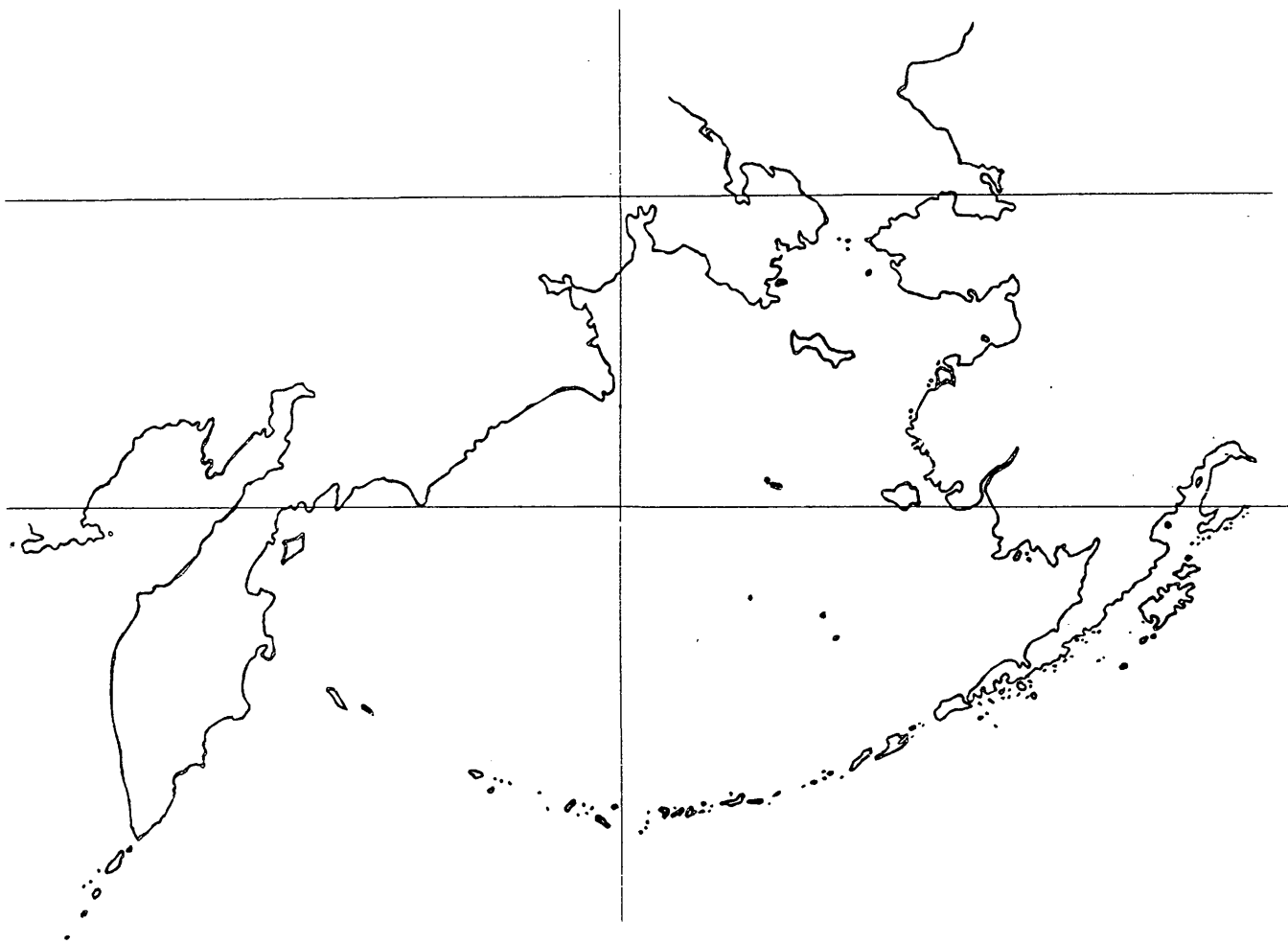


**REPORT OF THE FIRST ANNUAL CONFERENCE OF
THE PARTIES TO THE CONVENTION
ON THE CONSERVATION AND MANAGEMENT
OF THE POLLOCK RESOURCES IN THE
CENTRAL BERING SEA**



**1-ST ANNUAL CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE CONSERVATION
AND MANAGEMENT OF POLLOCK RESOURCES
IN THE CENTRAL BERING SEA.**



Nov. 13-15, 1996 Moscow, Russia

**THE FIRST ANNUAL CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE CONSERVATION
AND MANAGEMENT OF POLLOCK RESOURCES
IN THE CENTRAL BERING SEA
(Moscow, November 13-15, 1996)**

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I.

INTRODUCTION

Representative from six countries meeting in Moscow took an unprecedented step forward in developing and fostering cooperation between coastal states and fishing nations in managing living marine resources in the central Bering Sea.

The first meeting of a new international fishery organization, dealing with pollock resources in the central Berig Sea, took place November 13-15, 1996. The six countries that are parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea met to agree on conservation and management measures and to establish procedures through which they will conduct the business of the Convention.

Representative from China, Japan, the Republic of Korea, Poland, the Russian Federation, and the United States reviewed scientific information on the status of pollock stocks in the Central Bering Sea, and agreed that there were insufficient data to estimate stock abundance of the stocks. After thorough discussion the parties agreed by consensus that there would be no fishery in the Central Bering Sea again in 1997.

The participants continued to discuss measures by which a fishery in the area would be managed, once stocks of pollock are sufficient to support a fishery. They formed a Scientific and Technical Committee, and they adopted a number of conservation and management measures, anticipating a fishery in the future. This body advise the Annual Conference of the Parties to the Convention on scientific issues, such as observer training and a cooperative research plan, data exchange, and additional monitoring and control measures which will be adopted by the Parties for the conduct of fisheries in the Convention Area.

The USA Delegate offered to convene the Second Annual Conference in November in 1997. This was accepted by the Conference.

II.

Agenda

**The First Annual Conference of States - signatories
to the Convention on Conservation and Management of
Pollock Resources in the Central Bering Sea
(Moscow, November 13-15, 1996)**

1. Opening of the Conference
2. Opening statements and introduction of delegations
3. Elections:
 - Chairman and Vice-Chairman;
 - Appointment of rapporteur
4. Adoption of Agenda
5. Development and adoption of the Rules of Procedure
6. Establishment of the Scientific and Technical Committee;
election of its Chairman.
7. Measures for conservation and management of pollock
resources in the Convention Area for 1997 as based on the
advice of the Scientific and Technical Committee.
8. Review of the reports by Parties on measures taken by them
to investigate infringements of the Convention.
9. Review of matters relating to conservation and management
of the living resources other than pollock in the
Convention Area.
10. Second Annual Conference:
 - Time and place
 - Election of Chairman and Vice-Chairman
11. Other matters
12. Closing statements
13. Adjournment

III.
REPORT OF
THE FIRST ANNUAL CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE CONSERVATION
AND MANAGEMENT OF POLLOCK RESOURCES
IN THE CENTRAL BERING SEA

Plenary Session on November 13, 1996

1. Opening of the Conference.

Dr. V.K.Zilanov, Deputy Chairman of the Fisheries Committee of the Russian Federation welcomed on behalf of the Government of the Russian Federation the delegates from the Countries-Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea, i.e. China, Japan, the Republic of Korea, Poland, Russia and the USA. He declared the First Annual Conference of States-signatories to the Convention opened. (The welcoming address is attached).

He then proposed a plan of work, which was adopted by the Conference.

2. Opening statements and introduction of the Delegations.

The head of the USA Delegation, Dr. J.W.Balsiger made a statement (attached) and introduced members of the Delegation.

The head of the Republic of Korea Delegation, Mr. Hak Haing CHO made a statement (attached) and introduced members of the Delegation.

The head of the Chinese Delegation, Mr. Ruifeng FENG made a statement and introduced members of the Delegation.

The head of the Japanese Delegation, Mr. K.Kawaguchi made a statement (attached) and introduced members of the Delegation.

The head of the Polish Delegation, Mr. I.Wojcik made a statement and introduced members of the Delegation.

The head of the Russian Delegation, Dr.V.K.Zilanov made a statement (attached) and introduced members of the Delegation.

The List of Delegates is attached.

3. Election of Chairman and Vice-Chairman and appointment of rapporteur.

The USA Delegation proposed that Russia, as the host Country, chair the Conference. The Republic of Korea, Chinese, Japanese and Polish Delegations seconded the USA proposal. Dr. V.K. Zilanov was thus elected the Chairman of the Conference. He left the post of the head of the Russian Delegation to Mr. V. G. Fedorenko.

The Japanese Delegation proposed Mr. R. B. Lauber (USA) to be the Vice-Chairman. This proposal was seconded by the Russian Delegation and Mr. R. B. Lauber was thus elected the Vice-Chairman of the Conference.

Dr. V. M. Nikolaev was proposed by the Chairman to serve as the rapporteur, USA, Korea and Japan seconded the nomination and he was thus appointed to serve as the rapporteur.

4. Adoption of the Agenda.

The first draft of the Agenda was distributed to the Parties prior to the Conference. At the first Plenary meeting the Russian Delegation proposed a revised draft, which took into account the results of the Seattle meetings last October and that under Agenda item 6 for the establishment of the Scientific and Technical Committee provided under this proposal, the Scientific and Technical Committee would cover many of the original Agenda items.

The Russian proposal was supported by the USA Delegation. The Japanese Delegation questioned the absence of some Agenda items in the new draft, e.g. "training of observers", suggesting they should not be in the Agenda of the S&T Committee. The Russian Delegation explained that it expected all such items to be dealt with by the S & T Committee.

The Chairman proposed that any matter might be considered under Agenda item 11 "Other Matters", and added that the S&T Committee may consider any matter referred to it by the Plenary, but its recommendations should in any event be approved by the Plenary.

The Japanese Delegation, while expressing its understanding of the explanation, proposed to establish a Working Group on enforcement to work simultaneously with the S&T Committee. This was agreed by the Plenary.

The Polish Delegation expressed its concern over the unusual, specific circumstances relating to Agenda item 6, since usually the Conference should consider the Report of the S&T Committee, the meeting of which should have taken place prior to the Conference. The Chairman agreed that the situation was, indeed, unusual but indicated that unofficial meetings of the informal S&T Committee had, in effect, taken place at Seattle.

It was agreed to adopt the Agenda with the above remarks and reservations being taken into account (attached).

5. Development and adoption of the Rules of Procedure.

The Chairman reminded the Delegates, that at the Seattle meeting draft Rules of Procedure for the Conference and for the S&T Committee have been prepared and met no objection.

The Polish Delegation requested additional time to reflect on the drafts.

The Korean Delegation proposed to add to Rule 6 for the S&T Committee the simultaneous election of Vice-Chairman of the Committee. This proposal was seconded by the US Delegation and adopted by the Plenary.

The Japanese and Polish Delegations stated that the second sentence of Rule 2 for the Conference should be deleted in line with the understanding reached at the Seattle meeting. The Russian Delegation proposed to change the word "hosting" at the end of the third line of the Rule to "expected to host". But the Japanese Delegation objected on the grounds that this wording would still not overcome the difficulty.

The US Delegation proposed to use the relevant wording from the text of Article 6, para 3, of the Convention.

The Chairman noted, that this would be in line with Agenda item 10. But the Japanese Delegation indicated that during previous discussions there was a certain general feeling against the simple repetition of the Convention text. Therefore, they would prefer the first sentence to remain as it was in the draft. The Polish Delegation proposed to start Rule 2 with the text from Article 6, para 3 of the Convention to be followed by the first and third sentences of the present draft. The Japanese Delegation proposed simply to change the present second sentence of the draft to read "The Parties shall also elect the Vice-Chairperson". This was

seconded by the Russian and US Delegations.

The Polish Delegation proposed to clarify the election procedure by adding at the beginning that elections take place at the end of the Conference. The Russian Delegation expressed concern about possible misunderstanding in the future about reasons for using certain parts of the Convention for the Rules while not using the others.

The Plenary adopted the Rules for the Annual Conference with the Japanese modification of Rule 2 and the Korean modification of Rule 5 (attached).

Chairman called for remarks on draft Rules of Procedure for the S&T Committee. Hearing no objections, the Rules were adopted by the Plenary (attached).

6. Establishment of the Scientific and Technical Committee;
election of its Chairman.

The Russian Delegation brought attention to the Korean amendment to Rule 6 adopted by the Plenary in accordance with which the Vice-Chairman of the S&T Cttee should also be elected. The Chairman agreed and reminded the Delegates of other relevant provisions of the Convention.

The Russian Delegation nominated Dr. B. N. Kotenev to the Cttee.

The Polish Delegation nominated all three members of the Polish Delegation to the Cttee, with Mr. Wojcik as the chief representative.

The Japanese Delegation nominated Dr. K. Wakabayashi.

The Chinese Delegation nominated Prof. Ying Qi Zhou and Prof. Tani-Ji-San.

The Korean Delegation nominated Mr. W. S. Yang.

The US Delegation nominated Mr. Loh-Lee Iow.

The Russian Delegation proposed Dr. R. Marasco to be elected Chairman of the Cttee. This was seconded by the Polish, Chinese, Japanese and Korean Delegations. Dr. R. Marasco was elected Chairman of the S&T Cttee.

For the Vice-Chairman the US Delegation proposed nomination of Dr. K. Wakabayashi from Japan, this was seconded by Poland, Russia, Korea and China. Thus Dr. K. Wakabayashi was elected Vice-Chairman of the S&T Cttee.

The Chairman noted that item 7 of the Agenda is of major importance under the Convention and brought attention to the Suggested Agenda of the S&T Cttee by Russian and US Parties, which, hopefully, would facilitate the Cttee in the provision of its advice to the Conference. He indicated the proposed separation of tasks between the Science WG and the Enforcement WG within the S&T Cttee.

The Polish Delegation again referred to its previous observation on the unusual circumstances of the S&T Cttee meeting this year and proposed for the S&T Cttee to meet in the afternoon today and in the morning session tomorrow, November 14, so as to report to the Plenary at its afternoon meeting at 3.00 p.m.

The Japanese Delegation again requested clarification of functions of the S&T Cttee regarding the enforcement matters, stating that such matters should be handled by a separate body which could be an informal WG, operating independently from the S&T Cttee, whose term of reference were indicated in the Convention.

The Chairman explained that the Science WG and the Enforcement WG would work simultaneously and separately from one another, and that their existence does not contradict to the Convention (article 9, para 5).

The Russian Delegation indicated that both approaches, i.e. two separate WGs or a single S&T Cttee, were acceptable to them to facilitate the subject.

The Japanese Delegation reserved its interpretation of Article 9, para 5, and proposed to hold two separate meetings, since they required different expertise.

The Chairman agreed with this proposal, since it met with no objections from other Delegations.

The Polish Delegation requested clarification on whether it would be two separate WGs or whether they would operate within the framework of the S&T Cttee.

The Chairman referred to evident differences in the interpretation of Article 9, para 5 of the Convention. But, in order to facilitate the work of the Conference, it might be wise for the moment not to insist on the definition of the status of the Enforcement WG.

But the Polish Delegation insisted on the clarification of the formal status of the Enforcement WG.

The US Delegation proposed that both WGs operate under the

auspices of the S&T Cttee.

The Russian Delegation clarified that under the Convention the Annual Conference was the sole and the only formal body entitled to make decisions on recommendations prepared for it by supplementary working bodies. Provisions of the Convention indicate that the S&T Cttee deals with management, which in itself include enforcement, monitoring and control. Therefore, operation of both WGs under the auspices of the S&T Cttee does not contradict to the Convention.

The Chairman indicated that only the Plenary was in the position to empower the S&T Cttee to deal with certain matters and proposed to reconvene the Plenary in the afternoon of November 14 suspending the final decision on the subject under discussion for the time being.

Plenary session on November 14, 1996

The Plenary was reconvened at 4.00 p.m. on November 14, 1996.

The Chairman of the S&T Cttee Dr. R. Marasco, reported on the progress achieved by the Cttee. He expressed his belief that the work could be finalized by the evening. Preliminary reports of the Science Group and the Enforcement Group have been considered and modified by the Committee. After modified reports are printed and distributed for consideration by the members of the S&T Cttee, the Chair will be in a position to report to the Plenary.

The Chairman of the Conference proposed to the Delegates that the S&T Cttee should finish its work and report to the Plenary at 9.30 a.m. on November 15, 1996 and this was agreed upon.

He then reported to the Delegates about inquiries from press-media about the results of the Conference and suggested that a short press-release should be prepared. The US and Russian Delegations supported this proposal, indicating that it should not necessarily be too detailed. The Plenary agreed to it.

Plenary session on November 15, 1996

The Plenary was reconvened at 9.30 a.m. on November 15, 1996.

7. Measures for conservation and management of pollock

resources in the Convention Area for 1997 as based on the advice of the Scientific and Technical Committee.

The Chairman of the Conference gave the floor to the Chairman of the Scientific and Technical Committee, Dr. R. Marasco. Dr. R. Marasco presented the Report, indicating that the Committee agreed to initially discuss Agenda items 7-9 in the context of a recommendation on an allowable harvest level (AHL) for the Central Bering Sea for the 1997 fishing year. Upon completion of the above discussion the Committee entertained a broader deliberation of the issues under each of these Agenda items and of those stemming from the report of the Science Group meeting and the report of the Monitoring, Control, and Surveillance Experts Group Meeting. These reports are attached to the Report of the Meeting of the Scientific and Technical Committee (13-14 November 1996, Moscow) which, in turn, is annexed to the Report of the First Annual Conference.

The US Delegation inquired about the S&T Cttee estimate of the Aleutian Basin pollock biomass. Dr. R. Marasco replied that there were insufficient data to estimate the biomass. Replying to a further question he indicated that results of the Polish trial fishing in 1995 and those of the Korean survey gave ground to believe that the biomass did not exceed 1.6 mln. tons.

On the basis of the S&T Cttee recommendation the Conference approved the reports of the Science Group, Enforcement Group and Procedures Group. The Report of the S&T Cttee as a whole was also approved by the Conference with the Korean Delegation's addition of the word "Korea" to the first line of para 7.b.ii of the Report.

The US Delegation noted that the AHL for 1996 was zero and that the S&T Cttee believed that the biomass was at a low level and proposed that the AHL for 1997 was set at zero. The Russian Delegation seconded the motion.

The Japanese Delegation stated that for any level of the stock abundance there should be the corresponding AHL. Therefore, even for a low level there should be a certain AHL. For nearly five years Japanese fishermen were abstaining from fishing for pollock in the Central Bering Sea and they would be disappointed if even a low AHL were not set by the Conference. However, the Japanese Delegation agreed that the Conference could establish the AHL for 1997 at zero, requesting that a certain AHL for 1998 shall be established by consensus at next Annual Conference.

The Chinese Delegation agreed that the Conference could establish the AHL for 1997 at zero. However, the Delegation hoped that the concerns, expressed by the Japanese Delegation, could be taken into account.

The Polish Delegation expressed different interpretation of the biomass abundance and possible AHL from the USA Delegation. Taking into account the Polish fishing industry position the Polish Delegation shared the concerns expressed by the Japanese Delegation. However, in order to reach the consensus at the Conference, the Polish Delegation would not object to the zero AHL for 1997.

The Korean Delegation shared the Japanese Delegation opinion and believed that because of the economic situation a low AHL should be considered. The Chairman inquired whether the Korean Delegation shared the emerging general consensus and the Delegation replied positively.

The Chairman summarized that the AHL for 1977 is set at zero by consensus, on the basis of available scientific data. Simultaneously he drew attention to the necessity to improve the data base for abundance in order to meet the concerns expressed by the Japanese, Chinese, Korean and Polish Delegations.

The Russian Delegation presented a joint Russian-USA proposal on trial fishing for pollock in 1997:

**"Measures adopted pursuant to the Convention on the
Conservation and Management of Pollock Resources in the
Central Bering Sea**

Trial Fishing for Pollock in 1997

1730 14 November 1996

p.7 Measures for conservation and management of pollock resources in the Central Bering Sea for 1997.

Taking into account the recommendations of the Scientific and Technical Committee on the status of pollock resources in the Aleutian basin and the continuing decline in its biomass, the First Annual Conference decided, as follows:

7.1. Continue suspension of fishing for pollock in the Convention Area.

7.2. Conduct trial fishing in the Convention Area.

No more than two vessels from each Party to the Convention at

any time may conduct trial fishing for pollock in the Convention Area. Information on the vessels that will engage in the trial fishing will be provided to all States concerned before trial fishing begins. Parties conducting trial fishing shall notify the other Parties regarding the schedule of such trial fishing with sufficient notice to facilitate the import embarkation and disembarkation of observers. Such vessels will have Scientific Observers of the flag-State on board and will accept Scientific Observers of other Parties to the Convention in accordance with arrangements to be made between them. All provisions of the Convention and all measures adopted at this Annual Conference regarding boarding and inspections, vessel monitoring systems, entry and transshipment notifications, safe boarding ladder standards, and shipboard logs and records shall govern such trial fishing".

The Japanese Delegation indicated that the proposal is acceptable in principal, but made modification to the line in the second paragraph containing reference to the "and the continuing decline in its biomass", since in 1995 the biomass was not in decline, proposing to delete those words.

The Russian Delegation responded that it would be proper to delete the reference to the "continuing", but to retain the reference to the "decline in its biomass", since this corresponded to the actual situation.

The Japanese Delegation indicated that its earlier agreement to the consensus was not necessarily based on the S&T Cttee opinion on the declining biomass. The Polish Delegation supported this opinion indicating that the S&T Cttee Report contained no indication of the declining biomass, it simply stated that data were insufficient.

The US Delegation proposed the sentence to read "Taking into account the report of the Scientific and Technical Committee on the status of pollock resources in the Aleutian basin, the First Annual Conference decided, as follows:"

The Polish Delegation indicated that the terms and conditions for trial fishing operations for 1997 should be elaborated by the Working Group, and those prepared so far are only of the temporary character, pending final recommendations. Therefore, measures mentioned in the last sentence of para 7.2 of the proposal were applicable only to commercial fishing vessels, and not to those

