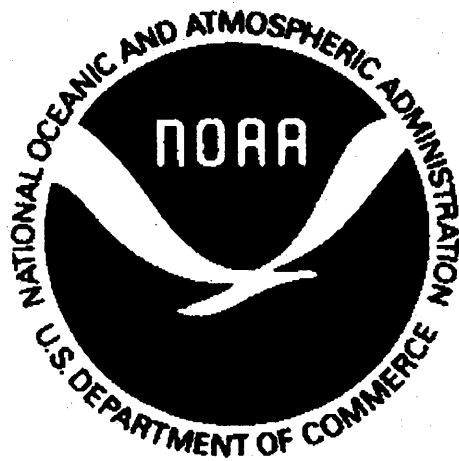


**REPORT OF THE SECOND ANNUAL CONFERENCE OF
THE PARTIES TO THE CONVENTION
ON THE CONSERVATION AND MANAGEMENT
OF THE POLLOCK RESOURCES IN THE
CENTRAL BERING SEA**



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**5-7 November 1997
Seattle, Washington, USA**

Final 0900 7 November 1997

1. Opening of the Conference

On behalf of the United States, Mr. Richard Lauber, Chair of the North Pacific Fishery Management Council, welcomed the delegations from the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea (the Convention) to the Second Annual Conference. Mr. Lauber convened the Annual Conference at 1000, Wednesday, 5 November 1997.

2. Opening Statements and Introductions

2.1. The opening statements of the Parties are provided in Appendix 1.

2.2. A complete list of the delegates is provided in Appendix 2.

2.3. With the unanimous agreement of the Parties, Mr. Arthur Goddard, Consul-General, Canada, and Dr. Irina Shestakova, Executive Director, North Pacific Anadromous Fish Commission, participated as observers at the Annual Conference.

3. Elections

3.A. Chairperson

Mr. Lauber was elected Chairman at the conclusion of the First Annual Conference.

3.B. Vice Chairperson

Mr. Kyoichi Kawaguchi, Director, Far Seas Fisheries Division, Fisheries Agency of Japan and head of the Japanese delegation, was elected Vice-Chairperson at the conclusion of the First Annual Conference.

3.C. Rapporteur

Mr. Paul Niemeier and LCDR William Quigley (United States) were appointed rapporteurs for the Annual Conference.

4. Adoption of the Agenda

The Parties adopted the Provisional Agenda (Appendix 3), as modified.

5. Report of the Scientific and Technical Committee

5.1. Dr. Richard Marasco (United States), Chair of the Scientific and Technical (S&T) Committee, reported on the S&T Committee Meeting of 3-5 November 1997 (report provided to the delegations separately). Dr. Marasco acknowledged that the Parties did not object to the admission of Mr. Robert Steinbock, International Directorate, Department of Fisheries and Oceans, Canada, as an observer.

5.2. Dr. Marasco noted that the presence of an observer generated a discussion about the interpretation of Article XII.5 of the Convention concerning observers to S&T Committee meetings. Prior to the meeting, the United States submitted to the other Parties a proposal on rules of procedure for admitting observers to the Annual Conference and S&T Committee meetings. The Procedures Group met to discuss the proposal, as well as the interpretation of Article XII.5. The Group concluded that Article XII.5 does not govern participation by observers other than representatives of non-Party States attending sessions of the Annual Conferences. Based on the discussions, the United States agreed to submit a revised proposal to the Parties in advance of the Third Annual Conference. The S&T Committee recommended that this issue be discussed during the Third Annual Conference.

5.3. Dr. Marasco reviewed the report of the Science Group Intersessional Meeting held in Gdynia, Poland, 3-5 September 1997, and recommended on behalf of the S&T Committee that the Parties approve the report. He also reviewed the report of the Enforcement Group Intersessional Meeting held in Seattle, Washington, 20-22 May 1997, and recommended that the Parties approve this report and the Central Bering Sea Observer Program As Required by Article XI to the Convention.

5.4. Dr. Marasco reviewed the discussion of issues from the S&T Committee Meeting. Regarding the Allowable Harvest Level (AHL) in the Convention Area, the S&T Committee concluded that there is insufficient information to estimate the absolute abundance of the Aleutian Basin pollock stock directly. The best available starting point for the estimation of the Aleutian Basin pollock biomass is 342,000 metric tons assessed for the Specific Area.

5.5. Dr. Marasco reviewed the Science Group's Work Plan for 1998. He noted that Poland submitted a written trial fishing plan for 1998, while China and Korea indicated their intention to also conduct trial fishing in 1998. The S&T Committee expressed concern that not all Parties had made written detailed trial fishing plans available for approval by the Annual Conference and suggested that the Annual Conference may desire to establish specific requirements for trial fishing plans if the AHL is determined to be zero.

5.6. Dr. Marasco also reviewed the Parties' 1998 cooperative research plans. The United States noted that it would conduct a survey of the Bogoslof Island area during March 1998, but that the U.S. research vessel MILLER FREEMAN will undergo planned repairs in September 1998 and may not be available to conduct the 1999 survey. The United States indicated that it was still interested in conducting the Bogoslof survey on an every-other-year basis, with assistance from the other Parties in the off-years.

5.7. Dr. Marasco commented that Russia intends to host a pollock symposium during May-June 1998. Russia will provide details on this symposium at a later time.

5.8. Dr. Marasco mentioned several issues of discussion pertaining to enforcement. The United States provided to the Parties a proposal for a management system in the Central Bering Sea, based on a draft list of management plan requirements developed by the Enforcement Group at its May 1997 intersessional meeting. Written comments on the proposal should be submitted to the United States via diplomatic channels by 1 June 1998. Other components of a management system were also discussed. They include the number and priority placement of Article XI Observers, methods to determine catch weight, the number of vessels in an Olympic-style fishery, the starting date for a fishery, and sources for data management. The S&T Committee could not reach consensus on any of these components and expressed the need to continue discussions.

5.9. Dr. Marasco concluded his report by highlighting three meetings the S&T Committee recommends holding in 1998: (1) Age Determination Workshop in Seattle during 17-20 March 1998; (2) the pollock symposium to be hosted by Russia; and (3) an intersessional meeting of the S&T Committee to be held two months in advance of the Third Annual Conference.

5.10. The Annual Conference approved the Report of the S&T Committee and its Work Plan for 1998.

6. Action Items

6.A. The Review of Scientific Data and Conservation Measures of the Coastal States related to Pollock Fishing in the Central Bering Sea.

6.A.1. The United States reviewed the conservation and management measures employed in its zone. The United States again did not authorize a Bogoslof Island pollock fishery in 1997. Pollock are concentrated in this area during the February-March spawning season. The fact that the United States has foregone a valuable Bogoslof pollock roe fishery is a significant action and illustrates its support of the conservation principles of the Convention.

6.A.2. The United States explained that it annually assesses the Eastern Bering Sea and Aleutian Island pollock stocks, utilizing fishery and scientific survey data and population dynamics models. The allowable biological catch (ABC) for the Eastern Bering Sea stock is 1.13 million metric tons and the total allowable catch (TAC) is set at this level. Retrospective analyses show that the

exploitation rate on this stock was 16 percent for 1992-1996. The ABC and TAC for the Aleutian Island pollock stock is 28,000 metric tons. The exploitation rate on this stock was 19 percent for 1992-1996. The United States believes that management of its fish stocks is based on very conservative principles.

6.A.3. The United States noted that it also employs other management measures. Its fisheries are highly monitored, with rigorous at-sea boardings and dockside monitoring. There is 100 percent observer coverage on vessels over 125 feet long, 30 percent observer coverage on vessels between 60 and 125 feet long, and the catches from smaller vessels are sampled dockside. These measures ensure the viability of the stocks.

6.A.4. Russia indicated that it approaches fisheries management from an ecosystem approach. The biological status of the stocks, as well as the food base, hydrological conditions, and species interactions are studied. Russia conducted four trawl hydroacoustic surveys in 1996 and 2 trawl hydroacoustic surveys in 1997. The data from the 1997 surveys is still being processed, but the Russians hope to make a detailed presentation on the results at the pollock symposium in 1998. Russia assesses the current biomass of the Western Bering Sea pollock stock at 500,000 metric tons and the Navarin Basin pollock stock, based on 1997 preliminary estimates, at about 1 million metric tons. Russia said that the niche of pollock in the Western Bering Sea is currently being occupied by herring and squid. Russia believes that the strong increase in herring and squid stocks are the result of an ecosystem change in the Western Bering Sea.

6.A.5. Russia stated that, while the pollock productivity has declined in the Western Bering Sea, waters of the Navarin Basin area are highly productive. Two strong year classes have emerged in the Navarin Basin area in the 1990s. Russia emphasized that this northern stock doesn't migrate to the high seas of the Central Bering Sea.

6.A.6. Russia also reviewed various management measures taken in its zone to ensure the conservation of stocks. It employs the precautionary approach when establishing the AHL and TAC. Based on domestic laws, the TAC is distributed to companies and economic enterprises. Fishing limits are strongly enforced and the bycatch of juveniles and other species is limited to 8 percent of the catch. Areas with juvenile fish are closed to commercial fishing. Fishing vessels are required to submit catch data daily to analytical centers. Fishing vessels are also monitored by fisheries enforcement vessels, at-sea inspectors, and aerial surveillance. In addition, a special body for high seasons is established to monitor catch data and determine when to open and close areas to fishing.

6.A.7. Russia explained that because of the appearance of the two strong year classes in the Navarin Basin stock, additional measures will be taken to protect the stock in 1998. Fish processing vessels will have inspectors embarked, a minimum net mesh size of 110 mm has been established, and transponders will be placed on vessels to improve monitoring of the fishery.

6.B. The Establishment of a Plan of Work for the Scientific and Technical Committee

6.B.1. Dr. Marasco presented the S&T Committee Work Plan for 1998. The elements of the Plan consisted of (1) Age Determination Workshop to be held in Seattle during March 1998; (2) pollock symposium in Russia in May-June 1998; (3) the March 1998 U.S. Bogoslof Island area pollock survey; (4) a Russian hydroacoustic and ichthyoplankton survey during summer 1998; and (5) an intersessional S&T Committee meeting approximately two months prior to the Third Annual Conference.

6.B.2. The Annual Conference approved the work plan submitted by the S&T Committee.

6.C. The Adoption of Appropriate Conservation and Management Measures Based Upon the Advice of the Scientific and Technical (S&T) Committee

6.C.1 The Annual Conference adopted the "Central Bering Sea Observer Program as required by Article XI to the Convention," dated Final 04 November 1997 and its attachment "Circumstances Related to Interference with an Observer," dated Final 21 May 1997.

6.C.2. The Annual Conference concurred with the S&T Committee that the Parties provide comments on the draft management proposal to the United States by 1 June 1998. Comments should be submitted via diplomatic channels and the United States will distribute the comments to the other Parties.

6.D. The Review of Trial Fishing During 1996-1997

6.D.1. Poland reported that one vessel conducted trial fishing in the Central Bering Sea in 1996 and 1997. Detailed information was presented to the Parties on 1996 trial fishing at the Science Group Intersessional Meeting in Poland. However, Poland said that it is not ready to present the results for 1997 yet.

6.D.2. China reported that one vessel conducted trial fishing in 1996 and two in 1997, one in June and one in August. The planned duration of the trial fishing for each vessel in 1997 was one month. However, the two vessels had no success and only fished for four days. A report on the results of China's trial fishing in 1997 is provided in Appendix 4.

6.E. The Establishment of the Allowable Harvest Level

6.E.1. The United States stated that it was disappointed that pollock stocks in the Central Bering Sea are showing no signs of recovery, despite the sacrifices made by fishers of all Parties. The United States agreed with the S&T Committee's conclusions that there is insufficient data to estimate the Aleutian Basin pollock biomass directly. There is no information clearly available to estimate this biomass better than the U.S. R/V MILLER FREEMAN survey of the Bogoslof Island area. This estimate was 342,000 metric tons for 1997--about 50 percent lower than last

year's estimate when the Parties set the AHL at zero. The 1997 estimate is, in fact, the lowest biomass on record for this area. The United States noted that all test fishing results show little or no fish in the Central Bering Sea. Therefore, the United States, taking a precautionary approach to the conservation and management of this valuable resource, recommended to the other Parties that the AHL be set at zero for 1998.

6.E.2. Russia, noting the views of the S&T Committee and the other Parties at the Annual Conference, stated that it believes that pollock stocks are at a very low level in the Convention Area. It sees no indication that this situation will improve in the near future. Therefore, Russia supported the proposal from the United States that the AHL for 1998 be set at zero.

6.E.3. Japan noted that, at the First Annual Conference in Moscow, it had hoped that an AHL would be established for 1997, but based on the best available information at that time, Japan agreed to establish the AHL at zero. Japan had pointed out to the Parties at that Annual Conference that regardless of the pollock biomass level, it is possible for the Annual Conference to establish an AHL for that level based on Article VII of the Convention. Japan reiterated this position at the Second Annual Conference. Japan explained that the closure of the commercial fishery in the Central Bering Sea since 1993 has greatly affected its commercial fishers and their patience is running short. Japan said it realized that currently, even if the Annual Conference established an AHL, it would be difficult to resume commercial fishing. Such an action would, however, give Japanese fishers some hope. Japan said that it hoped this Annual Conference would accomplish two things: (1) consideration of the situation of the fishers, who have waited through 5 years of moratoria on fishing in the Convention Area, and (2) show the fishers the effectiveness of the Convention. Japan stated that, with the expectation that its position would be taken into full account, and giving due consideration to the status of the pollock stocks and the information provided by the S&T Committee, it would go along with a consensus to establish the AHL at zero for 1998. However, if the AHL is zero, then the coastal States should take equitable measures for the conservation of the pollock stocks, according to the Joint Resolution of 1995.

6.E.4. China noted that the fishing moratoria have also adversely affected its fishers. It acknowledged that trial fishing and the Bogoslof Island survey show that the abundance of pollock is low in the Convention Area. China recalled that if consensus is not reached on an AHL at the Annual Conference, then the default mechanism in Part 1 of the Annex to the Convention would be used to determine the AHL. It stated that it could accept an AHL equal to zero for 1998, but reiterated Japan's statement that the coastal States should also take appropriate conservation measures in their exclusive economic zones.

6.E.5. Korea commented that it is reasonable to establish the AHL at zero for 1998, given the results of the research cruises and trial fishing. It noted that even after five years of moratoria on commercial fishing of pollock in the Convention Area, the pollock stock has not improved. Given the hardship also faced by its fishers, Korea requested that the Parties consider reopening the fishery at next year's Annual Conference.

6.E.6. Poland acknowledged the information provided by the scientists at the S&T Committee Meeting and the results of trial fishing. Poland is also disappointed that there has been no improvement in the Central Bering Sea pollock stocks despite the 5-year sacrifice of the fishers. It noted that it is difficult to explain the lack of recovery of the stocks. Like Japan, Poland explained that despite the biomass level, it can see no reason why the Annual Conference can't establish an AHL. Poland commented that it always acts responsibly and strives to reach a consensus. Therefore, Poland said it would concur with establishing the AHL at zero for 1998, if it was the will of the other Parties. Poland requested that the other Parties reconsider the situation in the future, in light of the problem of the fishers.

6.E.7. In the spirit of consensus, the Annual Conference established the AHL at zero for 1998.

6.F. The Establishment of the Individual National Quotas

Because the Annual Conference established the 1998 AHL at zero, no individual national quotas were established.

6.G. The Establishment of the Terms and Conditions for Trial Fishing in 1998

6.G.1. The United States commended the Parties on the reporting of trial fishing in the Central Bering Sea, but stated that standardized reporting is required. It believed that more specific guidelines and rules are needed for trial fishing. The United States recognized that planning trial fishing cruises requires advance notice and often difficult coordination between governments and fishing fleet managers. Therefore, the United States presented a proposal for consideration at the Annual Conference. The United States noted that the Polish Delegation provided a trial fishing plan (Appendix 7 of the S&T Committee Report). It believes that Poland's plan meets the needs of the Convention. The Polish Delegation also submitted a report of trial fishing (Attachment 1 of the report of the September 1977 Science Group Intersessional Meeting in Poland). The United States believes that this report contains the types of information that should be collected and reported for each trial fishing cruise. Finally, the United States said that trial fishing terms and conditions (taken from the First Annual Conference) and monitoring and control measures must be established for 1998 trial fishing. It suggested that the Parties adopt the monitoring and control measures set out in relevant documents approved at the First Annual Conference. The United States circulated a proposal on measures to be taken for trial fishing in 1998.

6.G.2. Poland noted that it had submitted plans and reports for trial fishing. It thanked the United States for its kind words on Poland's efforts. Poland expressed the desire that trial fishing in the future years would not be necessary. Poland also reiterated its position, expressed at the First Annual Conference, that the measures adopted for trial fishing would be observed by Polish vessels. As a matter of principle, the delegation insisted that the report of the Conference contain its opinion that measures elaborated for commercial fishing vessels were not applicable to vessels conducting trial fishing.

6.G.3. With modifications, the Annual Conference adopted the United States proposal on measures for "Trial Fishing for Pollock in 1998." The Annual Conference adopted the measures on "Trial Fishing For Pollock in 1998" (Appendix 5).

6.H. The Reception of Reports Relating to Measures Taken to Investigate and Penalize Violations of the Convention

6.H.1. Japan reported that it has deployed one patrol vessel in the Central Bering Sea last year. During 1996, the vessel did not detect any violations.

6.H.2. As there was no commercial fishing for pollock in the Convention Area during 1997, there were no reports of violations from the Parties.

6.I. The Consideration of Matters Related to the Conservation and Management of Living Marine Resources Other Than Pollock in the Convention Area

The United States requested information from Russia on the expansion of the herring and squid stocks in the Western Bering Sea.

6.J. The Consideration of Observers at the Annual Conference

6.J.1. Poland noted the presence of observers from both Canada and the North Pacific Anadromous Fish Commission. Poland stated that it is interested in the full and broad participation of observers in the Annual Conference and supported full transparency. Poland explained that it had received an inquiry from officials of the European Union (EU) to participate as an observer at Annual Conferences. Poland enquired as to the best way to receive consideration from the Parties on this request.

6.J.2. China noted that the Procedures Group of the S&T Committee had discussed this issue and will be distributing a revised proposal to the Parties on rules of procedure for admitting observers to the Annual Conference and meetings of the S&T Committee for consideration and discussion at the next Annual Conference.

6.J.3. The United States made the observation that the next Annual Conference might be too late for a decision on admitting the EU as an observer. It observed that the review process of the revised proposal could be expedited through correspondence of the Parties, or that interim arrangements could be made for observers until the Parties have agreed on formal rules of procedure.

6.J.4. Japan cited Article XII.5. of the Convention and noted that this section applies only to non-Party States and does not mention intergovernmental organizations. Japan proposed that, for the next year only, simple interim procedures be adopted to deal with such requests. Specifically, requests should be provided to the Chairperson no later than 90 days prior to the Annual

Conference. The Chairperson will notify each Party of the request and the Parties will respond to the Chairperson with their views no later than 60 days prior to the Annual Conference.

6.J.5. Russia noted that under Article XII.5, the Parties are authorized to invite any non-Party State on the basis of unanimous consent.

6.J.6. Japan reconfirmed that Article XII.5 consensus should be obtained prior to the Annual Conference. Regarding intergovernmental organizations, the Convention makes no provisions for admitting them as observers. Japan said it welcomes the participation of such groups if they can contribute to the goals of the Convention. The Parties should examine previous actions of the international fisheries management organization prior to admission to the Annual Conference. Japan made clear that its earlier proposal would apply to non-Party States and international organizations on a provisional basis only. Regarding non-governmental organizations, the Procedures Group should continue to discuss this issue.

6.J.7. Poland supported the Japanese proposal.

6.J.8. The United States noted that Japan's proposal is only an interim step and that the U.S. revised proposal will be more comprehensive, addressing observer participation by non-governmental organizations as well as non-Party States and intergovernmental organizations.

6.J.9. Russia recommended that the Parties allow the Procedures Working Group to continue its work, and proceed with Japan's interim proposal.

6.J.10. The Annual Conference agreed to Japan's interim proposal for considering requests by non-Party States and intergovernmental organizations for observer status at Annual Conferences, while allowing the Procedures Group to complete work on formal comprehensive rules of procedures for observers.

7. Third Annual Conference

7.A. Japan offered to host the Third Annual Conference in Tokyo in October or November 1998. Japan will notify the other Parties of the exact time and place via diplomatic channels.

7.B. Election of Chairperson and Vice Chairperson

7.B.1 Under the Rules of the Procedure for the Annual Conference, the Parties shall elect as Chairperson a nominee of the Party hosting the next Annual Conference. The Parties shall also elect the Vice Chairperson. Therefore, Japan, as the hosting country for the Third Annual Conference, named Mr. Kyoichi Kawaguchi as Chairperson.

7.B.2. Korea announced that it would host the Fourth Annual Conference in 1999, however, it was not prepared to name the Vice Chairperson at this time. Korea will notify the Parties of its decision at a later date through diplomatic channels.

8. Other Business

8.1. Poland announced to the other Parties that it wanted to invite Canada to participate as an observer to the Third Annual Conference in Tokyo.

8.2. Japan responded that it had no objection to Canada participating as an observer, but asked Poland to follow the interim procedures set up by the Annual Conference to request approval for non-Party observers to attend the Third Annual Conference.

8.3. Poland said that it believed that such a decision could be made at this Annual Conference, but agreed to submit a written request to the Chairperson.

8.4. Japan announced that at the S&T Committee Meeting it had indicated that it was considering conducting a Bogoslof Island area survey in 1999. It informed the other Parties that it was still unable to confirm that commitment. Japan also requested that the United States continue to conduct its annual Bogoslof Island pollock spawning stock survey in the future because Japan believes that there was an understanding that the United States would continue such surveys annually based on the understanding that its institutions have a roll in the final determination of the pollock biomass for the Specific Area.

8.5. The Annual Conference agreed on a joint press release (Appendix 6).

9. Closing Statements

The Parties closing statements are provided in Appendix 7.

10. Adjournment

Chairman Lauber adjourned the Second Annual Conference at 1500 on Thursday, 6 November 1997.

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OPENING STATEMENTS

**SECOND ANNUAL CONFERENCE
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**OPENING STATEMENT
PEOPLES REPUBLIC OF CHINA**

**By Mr. Xin Deli
Head of Chinese Delegation
November 5, 1997**

Thank you, Mr. Chairman

Mr. Chairman, distinguished Delegates, Ladies and Gentlemen:

First of all, I would like on behalf of the Chinese Delegation to extend our gratitude to the government of the United States for hosting the Conference. Mr. Chairman, I believe that under your leadership, the meeting will be able to fulfill its objectives.

Mr. Chairman, before the meeting, the experts from six countries part to the Convention made efforts to solve the problems and draft the reports of intercessional enforcement group meeting and meeting of scientists both held in Seattle and in Poland respectively, I would like to thank these experts for their hard-work and we appreciate the work done by the experts.

It is the second time we gather together to discuss the measures related to the conservation and management of Pollock resources in the Central Bering Sea after the Convention came into force and we have made a lot of achievements although no fishing operation conducted in the Central Bering Sea. We find that all decisions have been made consist with the relevant provisions of the Convention. That is to say, we have common basis for discussing the relevant issues regarding the Pollock resources conservation and management in the Convention Management of Pollock Resources in the Central Bering Sea (the Convention). I wish that the work and results of this conference should be also under the framework of

the Convention, and we should not make any decision beyond the limitation stipulated by relevant provisions of the Convention.

Mr. Chairman, it is regretful that we cannot use the Convention and the relevant regulations to manage the fishing operation in the Convention area since there are not fishing operation in the area. Are we sure that the detailed regulations we have adopted is good and enough for meeting management requirements? I do not know because the regulations are not proven by the reality. In this connection, I sincerely wish that the fishing operation in the Central Bering Sea can be restarted soon.

Mr. Chairman, the Chinese Delegation will cooperate with you and other Delegations to discuss and decide the management measures for the next year during the period of the conference.

Thank you.

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**OPENING STATEMENT
JAPAN**

I am Kawaguchi, Representative of Japan and Director of Far Seas Fisheries Division of Resources Management Department of Fisheries Agency of Japan. It is my pleasure to say a few words at the opening of the 2nd Annual Conference of the Convention on the Conservation and Management of the Pollock Resources in the Central Bering Sea.

As you are all aware, the first Annual Conference was held in the Russian Federation in November of the last year, and with friendly cooperation the Contracting Parties determined on the AHL and deliberated on and adopted various documents necessary to implement the Convention.

The Enforcement Monitoring and Compliance Working Group met in May, and the Science Working Group in September, of this year. The two groups reviewed various issues from their respective perspectives as experts. I would like to pay high tribute to those who participated in those meetings.

For our country the Bering High Sea is a very important fishing ground. Five years have lapsed since the Contracting Parties suspended fishery for Pollock in the Convention area. The fishermen are anxiously waiting for fishing operation to resume.

At the outset of this 2nd Annual Conference, I hope that the Contracting Parties will deliberate in a constructive manner not only on the primary mandate of this Annual Conference of determining the Allowable Harvest Level and Individual National Quota for next year, but on the various pending issues as well, so that we may come to a fruitful conclusion.

In closing I would like to express out sincere gratitude to the Government of the United States of America and those individuals involved in the participation for having made all the arrangements for the Conference. Thank You.

