

PROTOCOL OF THE 29<sup>th</sup> SESSION OF THE U.S.-RUSSIA INTERGOVERNMENTAL  
CONSULTATIVE COMMITTEE (ICC) ON FISHERIES

August 20-22, 2018 — Kazan, Russian Federation

**1. Opening Remarks; Introduction of Members of Delegations**

Pursuant to Article XIV of the 1988 Agreement on Mutual Fisheries Relations, representatives of Russia and the United States conducted the 29<sup>th</sup> Session of the ICC on Fisheries in Kazan, Russia, on August 20-22, 2018. The delegation of the Russian Federation was led by Dr. Vasily Sokolov, Deputy Head of the Fisheries Agency of the Russian Federation, and the delegation of the United States of America (U.S.) was led by William Henry Gibbons-Fly, acting Deputy Assistant Secretary for Oceans and Fisheries, U.S. Department of State.

**2. Election of Chairman and Rapporteurs**

Dr. Vasily Sokolov, Deputy Head of the Fisheries Agency of the Russian Federation, was elected as Chair of the 29<sup>th</sup> session of the ICC. Mr. Dmitry Kremenjuk and Alexander Glubokov from the Russian Federation and Dr. C. Colin Brinkman and Mrs. Elizabethann Mencher from the U.S. were appointed as Rapporteurs to draft the Protocol.

**3. Adoption of the Agenda**

Agenda was adopted without changes (Attached).

**4. Discussion of Issues Connected with the Agreement on Mutual Fisheries Relations (1988). U.S. —Russia Cooperation in the Study of Living Marine Resources**

**4.1. Status of Bering Sea Pollock Stocks**

Russia reported on results of studies of the Bering Sea pollock conducted in 2017. Bottom trawl survey was conducted in the Northwestern and Western Bering Sea in summer 2017 aboard R/V Buhoro. Pollock biomass according to the survey data estimated at 1,365 mln. t. In July-August 2018 R/V Professor Levanidov is conducting an ecoinTEGRATION midwater trawl (EIMWT) survey for pollock abundance and biomass assessment in the northwestern Bering Sea. Final assessment of resources' status has not been completed yet, but comparative analysis of long-term data on pollock resources' assessment by bottom trawl and EIMWT surveys indicates that resources of Navarin pollock are at the average level. During the last 12 years most pollock year classes had an average abundance (2006, 2009-2011, 2013-2014) and some were high abundance (2008 and 2012). The total allowable catch (TAC) of this resource for 2018 was established at 392.8 ths.t by the modeling data and using a precautionary approach.

The pollock stock in the Karaginsky and Olutorsky Bays remains at low levels due to the absence of new abundant year classes. The TAC for 2018 was established again at a low level - 8,9 thousand tons.

The Russian side informed about adoption of a legal ban on driftnet fisheries in the EEZ of the Russian Federation and also requested the U.S. side to clarify on the measures adopted by the United States for the purpose of driftnet fishing restrictions.

The United States reported on the status of Bering Sea pollock in the U.S. EEZ, highlighting the status of the stocks in the Eastern Bering Sea, Aleutian Islands, and Bogoslof management areas. The United States reported that the overall trends in biomass and catch continue to be stable in the Eastern Bering Sea. The United States reported that biomass in the Aleutian Islands is stable, but harvests are very limited. The United States reported that biomass in the Bogoslof management area had increased based on the survey conducted in 2018, but overall biomass is still well below peak biomass levels observed in the late 1980s. The United States noted that final assessments for 2018 were not available prior to this meeting, but biomass is expected to be stable relative to recent biomass estimates. The total allowable catch (TAC) in 2018 is 1.36 million tons in the Eastern Bering Sea, 19,000 tons in the Aleutian Islands, and 450 tons in the Bogoslof Area. As a result of a question on chinook salmon bycatch in Pollock fisheries, the United States welcomed Russia's offer to share information on salmon bycatch in Russian Pollock fisheries.

The U.S. noted that there are many fisheries regulations at the state and Federal levels. The U.S. offered to provide an overview of the impact of the Marine Mammal Protection Act and the Endangered species Act on these fisheries.

#### **4.2. Status of Walruses**

Russia reported on the interannual variations of walrus abundance in the Bering and Chukchi Seas. Significant decrease of walrus abundance occurred in the end of 19th and early 20th centuries. In middle 1930th abundance increased, but again decreased in 1960. In early 1980 abundance recovered on optimal level as result of effective scientific management of exploitation and undertaken protection measures. At the same time some present data show beginning of a new period of both reproduction and abundance decreasing. During the last 30 years there have been significant changes in the walrus population structure as well as spatial differentiation. In the last decade, distribution of the walrus population shifted into the northern part of its habitat area. The negative influence on walrus' reproduction quite possibly is climate change and warming in the eastern Arctic.

The U.S. reported on the status of the multi-year, genetics based, capture-mark-recapture project for estimation of abundance and demographic rates (i.e. survival and fecundity) of Pacific walruses. The study was initiated in 2013 with the completion of the 5th year of joint walrus research cruises occurring in the summer of 2017. An analysis of the first 2 years of data produced a preliminary estimate of approximately 280,000 Pacific walruses but this should be viewed with caution. The United States is continuing its analysis and evaluation of the full 5 years of data using more modern techniques to assess alternative approaches for moving forward with a future effort. The United States proposes the continuation of this project and suggests reinitiating our joint U.S. and Russian research cruises in 2020 in the Bering and Chukchi Seas of both the U.S. and Russia. Both sides decided to continue joint research.



#### **4.3. and 4.4 Status of Other Marine Mammals**

Russia reported on the results of marine mammals visual observations survey in the eastern Sea of Okhotsk conducted onboard R/V Vladimir Safonov in August-September 2017. The survey research data concerned the credible abundance estimates and distribution of northern fur seals, Steller sea lions, orcas, finwhales, humpbacks, sperm whales and other marine mammals. Russia also presented data for stock assessment of gray and Greenland whales in Russian waters. The stocks of gray and Greenland whales are common for Russia and US, and their abundances are used as the basis for calculation of the harvest level for both species, and that level is also related to the needs of aboriginal people that live in Chukotka and Alaska.

The United States presented preliminary findings based on household survey data on the sustainability of hunting for ice associated seals. The United States also noted efforts to tag and track ice associated seals, beluga whales, and bowhead whale have improved understanding of the seasonal distribution of these species. Several very successful collaborative research projects on pinnipeds were also conducted in recent years.

Continuing to conduct routine joint research in Russia and Alaska to monitor the status and trends of pinnipeds remains a high priority.

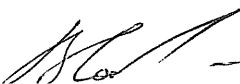
#### **4.5. Status of Crab**

Russia reported on the results of studies of crab resources in the Bering Sea. The stock of blue crab (*Paralithodes platypus*) in the Bering Sea is in good condition at present, and the increasing of commercial stock is expecting in nearest years. In 2019, the recommended TAC is 3.040 ths. t for fishing in the Western Bering Sea statistical zone. Stocks of Bairdy (*Chionocetes bairdi*) and opilio (*Ch. opilio*) crabs are currently stable and there is a trend toward increasing in abundance basically by influence of natural factors. The recommended catch volumes in 2018 are almost completely developed. The measures of crab fishery management in the Russian part of the Bering Sea provide for a sustainable status of stocks. The bottom trawl survey in the Northwestern and Western Bering Sea in 2018 for assessment of crab stock planned by the end of the year.

The United States presented on the current status of major Bering Sea crab stocks in the U.S. zone (snow crab, tanner crab, blue king crab, red king crab, and Aleutian Island golden king crab). Some stocks are above the maximum sustainable yield biomass ( $B_{msy}$ ), and some are below. Pribilof blue king crab is at a critically low abundance and the St. Matthew Island blue king crab fishery was closed in 2017/2018 due to low abundance. The biomass estimates for nearly all surveyed stocks show a declining trend. The United States explained that these crab fisheries are managed through a partnership between Federal and State of Alaska managers, with the latter responsible for active management of the fishery, developing most of the regulations and establishing the final harvest limits.

#### **4.6. Seabird Bycatch**

Russia adopted new Program concerned scientific observers in 2015 and according to the Program all observers onboard fishing vessels conducts constant observations of the influence of fishing operations on birds' behavior and survival of seabirds. Bycatch of seabirds during trawl fisheries of pollock, herring and other fish in Russian EEZ are extremely low.



The United States described its ongoing efforts to prevent seabird bycatch in North Pacific fisheries. The United States reported that existing regulations put in place to reduce seabird bycatch continue to be effective, particularly for reducing albatross bycatch. The United States noted that it periodically observes seabird die-offs unrelated to fishing activity, though the reasons for these events remain undetermined. The United States reported that it intends to continue seabird bycatch efforts and monitoring for mortality events. The United States also offered to provide an overview of the role of the Marine Mammal Protection Act and the Endangered Species Act in fisheries management.

#### **5. Update and Status of Joint Research Planning, Data Exchange, and Surveys**

Russia noted the importance of continued cooperative research in the Bering Sea and Arctic ocean for the purpose of estimation status of living marine resources. Russia plan to conduct trawl survey in the Chukchi Sea onboard R/V TINRO in September 2018.

The United States emphasized the importance of continuing cooperative research for the conservation and sustainable use of living marine resources. The United States noted that, despite productive discussions at the 28th session of the ICC on the subject, Russia denied marine scientific research consent for a NOAA research vessel to enter the Russian EEZ to conduct the joint Russia-U.S. Pollock survey in the summer of 2018. The United States expressed concern that this and previous denials jeopardize long-standing cooperative efforts to manage Bering Sea fisheries resources. The United States and Russia exchanged potential strategies to avoid similar situations in the future and ensure the success of joint cooperative research on Bering Sea living marine resources.

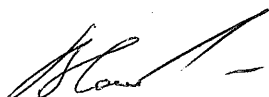
Both Russia and the United States declared their readiness to work together to facilitate coordinated research in 2019 and in future years.

#### **6. Exchange of Information about Cooperation on Issues of Law Enforcement Activities in the Fisheries Field**

The Russian Border Guard representative provided information on the results of the law enforcement activity in the area adjacent to the U.S.-Russian maritime boundary in the Bering sea and in the NPAFC Convention area, as well as on the results of cooperation with the U.S. coast guard.

The U.S. Coast Guard representative provided an overview of joint law enforcement activities conducted with the Russian Border Guard Directorate for the Eastern Arctic District. These joint efforts were focused on combating Illegal Unreported Unregulated (IUU) fishing adjacent to the Maritime Boundary Line between the Russian and U.S. EEZs. The U.S. Coast Guard provided an overview of five recent suspected IUU incidents involving transshipment activity, as examples of cooperation between the U.S. Coast Guard and Russian Border Guard.

High seas enforcement by the U.S Coast Guard was showcased with the 2018 Operation North Pacific Guard deployment. This deployment supported multiple international agreements and Regional Fisheries Management Organizations. Most significantly, the IUU fishing vessel RUNDA (China) was intercepted, detained and escorted in accordance with the China – US bilateral agreement. The F/V RUN DA was found to have 80 tons of illegally caught salmon and admitted to using 8-9 Kilometers of driftnet, which is in direct violation of the United Nations General Assembly resolution 46/215. The vessel was turned over to the Chinese Coast Guard Vessel CCGV 2301 for prosecution.



The sides stressed the high level of cooperation between the Russian Eastern Arctic Directorate of Border Guard and the U.S. Coast Guard District 17 which provides for feasible results in countering IUU activity. Both sides expressed the interest in strengthening of this cooperation.

Keeping in mind the information provided to the U.S. side in July 2018, the Russian side reported on the outcomes of investigation of Russian vessels activity which had been listed in the NOAA report to the U.S. Congress, as well as the measures taken as result of this investigation. In particular the Russian side noted that the detailed analysis of the VMS data and all further related information did not confirm the fact of intrusion of the “Admiral Kolchak” fishing vessel into the U.S. EEZ in the area of maritime boundary in the Bering Sea. Built upon that, the Russian side proposed to review a capability of holding a bilateral meeting experts on the issues of vessel monitoring, with a view to clarify the exact line of the maritime boundary in the Bering Sea.

## **7. Multilateral Issues**

### **7.1. Review of Results of the 22nd annual virtual Conference of Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea**

The Russian Federation stated that S&T in the frame of the Convention, will be held on September 3-14, 2018, and Annual Conference will be held on October 1-12, 2018. Poland will be a host country.

The Russian Federation noted the positive role of cooperation between Russia and the United States within the framework of the Convention for Conservation and Management of Pollock Resources in the Central Bering Sea and the Agreement for Conservation of Transboundary Fishery Resources in the Central Sea of Okhotsk which ensures conservation of offshore pollock stocks in the Bering and Okhotsk seas.

The United States expressed the opinion that proposals to adopt a new rule for establishing annual harvest limits for the Convention Area are premature, although it noted that the continuing trend for increased biomass estimates for the Convention Area could lead to increased interest in such proposals among the other Parties to the Convention. The United States proposed that it is not too early to consider how to address new proposals for establishing annual harvest limits. The United States also noted a proposal from Poland to amend the membership provisions of the Convention to allow for certain new types of parties to the Convention. The United States expressed some reservations about this proposal but also noted that there may be some merit in ensuring that all potential fishing States were bound by the provisions of the Convention.

The U.S. noted the continuing increase of the Bogoslof Pollock stock biomass and suggested to consider the approach to future fisheries. The Russian side proposed to hold a discussion of this issue between the scientists of both countries.

## **7.2. Arctic Fisheries**

### **7.2.a. Presentation on Domestic and International Arctic Fisheries Research -Discussion of Areas of Cooperation**

Russia plans on bottom Ecosystem and plankton communities in the Chukchi Sea in September 2018 onboard R/V TINRO.

Russia support work to facilitate coordinated integrated ecosystem research efforts in the northern Bering Sea and Chukchi Sea with United States with goal better understanding structure the ecosystem and influence life history upper trophic level and their potential vulnerability to the rapidly changing environment in the Arctic.

The United States presented information on the integrated ecosystem survey conducted in the Chukchi Sea during August to September 2017. The goal of this research is to understand the impact of loss of seasonal sea ice on the Chukchi Sea ecosystem.

Research operations included collections on physical oceanography, determining the presence and species composition of phytoplankton and zooplankton resources, and sampling of benthic communities using a beam trawl, midwater communities using acoustics and trawl sampling, and surface communities using a surface trawl. Three Russian scientists participated in the survey: Alexey Somov and Natalia Kuznetsova from TINRO Center and Igor Grigorov from VNIRO Center. The U.S. noted their participation was fundamental to the success of the cruise and extended an invitation for them to participate in a proposed research cruise in 2019.

### **7.2b Discussion of the Proposed Arctic Fisheries Agreement**

The Russian side noted that the Agreement had passed through all internal clearance procedures. Besides that it stated that the Agreement does not provide for a Secretariat and a decision making mechanism. These issues need to be considered at the first meeting of Parties to the Agreement. Also the Russian side stressed the necessity of meetings for the purpose of discussion of the scientific background, which need to be hold prior to meeting of the Parties.

The United States thanked the Russian side for their participation in the negotiations on the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean and noted its satisfaction with the positive outcome. The United States agreed with the Russian side that some decisions need to be taken regarding meeting of the parties and implementation of the scientific research plan.

## **7.3 Biodiversity Beyond National Jurisdiction**

The sides exchanged views on the UN process related to the establishment of a new Agreement on biodiversity beyond national jurisdiction (BBNJ). The Russian side reiterated again to the U.S. side its concern over the continuing lack of consensus between countries on the key elements of a possible UN Agreement, as well as its concern over a possible replacement of the high seas regime and displacement of the current international fisheries management system based on RFMOs, which operate in strict compliance with the UN 1995 Agreement. The Russian side once again confirmed its principal position that fishery should not be the subject of the possible

Agreement.

The U.S. remains committed to ensuring that existing relevant international legal instruments and frameworks and relevant regional and sectoral bodies, including regional fisheries management organizations, are not undermined by any resulting instrument.

The U.S. noted that the negotiations may have some consequences for marine resource exploration. The U.S. highlighted concerns related to creating additional administrative and financial burdens that would discourage marine scientific research and development. Both the U.S. and the Russian Federation noted that any potential new instruments should not stifle or impede innovation, marine exploration, science, and entrepreneurship. The United States agreed that coming to resolution on terminology would be an important factor in the upcoming negotiations.

#### **8. Special Topic of Mutual Interest: Consideration of Matters Connected with Implementation of the Agreement between the Government of the Russian Federation and the Government of the United States of America on Cooperation for the Purposes of Preventing, Deterring, and Eliminating Illegal, Unreported, and Unregulated Fishing**

The Russian side stressed the effective bilateral cooperation in exchange of information within the Agreement between the Government of the United States and the Government of the Russian Federation on Cooperation for the Purposes of Preventing, Deterring, and Eliminating Illegal, Unreported, and Unregulated Fishing. It confirmed its readiness for timely assistance of the U.S. side in identification of the Russian originated crab products, which are supplied to the U.S. market through third countries.

The United States reaffirmed its commitment to implementing the joint US-Russia IUU agreement, and provided an update on improvement of internal processes to enable effective and timely reporting. The United States also noted the ongoing cooperation with Russia on a potential IUU related issue, and requested additional information, including information on the contact persons from the relevant law enforcement offices of U.S. and Russia.

#### **9. Other Matters**

Neither side raised any issues under this agenda item.

#### **10. Time and Place for Holding the 30th ICC meeting.**

The United States proposed hosting the next ICC meeting. Place and time will be communicated through diplomatic channels.



Dr. Vasily Sokolov  
Head of the of the Russian Federation delegation



Mr. William Henry Gibbons-Fly  
Head of the U.S.A. delegation