



**Opening Statement to the 32st Annual Meeting of the North-East Atlantic Fisheries
Commission**

11-15 November 2013

Mr. Chairman, Distinguished Delegates and Observers,

Thank you for once again providing with us the opportunity to observe and address this meeting. I am delivering this statement on behalf of WWF, the Pew Charitable Trusts, Oceana, Seas At Risk and the Deep Sea Conservation Coalition.

Review of Consolidated Text of all NEAFC recommendations on regulating bottom fishing

This year, the NEAFC contracting parties are due to adopt a revised set of regulations to regulate bottom fisheries to protect Vulnerable Marine Ecosystems (VMEs) in the NEAFC Regulatory Area. In this regard, we would like to acknowledge the efforts of NEAFC parties to align the current Consolidated Text of all NEAFC recommendations on regulating bottom fishing with the language of the United Nations General Assembly Resolutions on high seas bottom fisheries, specifically Resolutions 61/105 and 64/72, as discussed at the PECMAS meeting in October 2013.

We welcome the Proposal by PECMAS for a Recommendation on the protection of vulnerable marine ecosystems in the NEAFC Regulatory Area (AM 2013-24) and recognize that this proposal is a significant improvement over the proposal put forward to the Annual Meeting in 2012.

We urge Contracting Parties to adopt the Proposal by PECMAS for a Recommendation on the protection of vulnerable marine ecosystems in the NEAFC Regulatory Area (AM 2013-24).

ICES advice on VME-indicator species

ICES has provided new advice on species and underwater features that should be considered as VME-indicators in line with the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas. We welcome the fact that this advice has been incorporated into the Proposal by PECMAS for a Recommendation on the protection of vulnerable marine ecosystems in the NEAFC Regulatory Area (AM 2013-24).

ICES advice on area closures

It is important to bring the NEAFC measures in line with para 83(c) and 119 (b) of UNGA resolutions 61/105 and 64/72, which establish that area closures need to be put in place in areas where VMEs are known or likely to occur unless conservation and management measures have been established to prevent significant adverse impacts. ICES recommends an additional seven area closures in South-west Rockall, Hatton-Rockall Basin, Hatton Bank and the Josephine Seamount.

We welcome the recommendation from PECMAS to adopt these area closures and we strongly urge Contracting Parties to agree to the ICES advice and PECMAS recommendation and for the European Union and Russian Federation to remove any reservations.

With regard to the "existing fishing area" on the Josephine Seamount, we recall that the occurrence of VMEs is confirmed by background documents for this from OSPAR which designated this area as an MPA. The use of bottom trawl gear in the area is demonstrated by WWF's analysis of SAIS signals, including vessel track and speed analysis, presented to NEAFC last year (document AM 2012-64) which was also provided to ICES WGDEC and OSPAR. The recent ICES advice reads: "In view of the present status of Josephine Seamount MPA as an existing fishing area, ICES considers that there is a risk of significant adverse impacts to VMEs in the area from bottom fishing gear. (...) Should NEAFC wish to protect these VMEs, ICES advises a closure to bottom fisheries, the boundary of which should correspond to the Josephine Seamount High Seas MPA established by OSPAR".

Impact assessments

We welcome the incorporation of the Annex 4 impact assessment requirements, together with the Notice of Intent, into the Exploratory Fisheries Articles (6 and 7) in the Proposal by PECMAS for a Recommendation on the protection of vulnerable marine ecosystems in the NEAFC Regulatory Area (AM 2013-24).

We would reiterate our recommendation from previous years, however, that all bottom fisheries, including those in existing fishing areas, be subject to impact assessments as is called for in the UN General Assembly resolutions.

Move-on rule

We support the proposal for amending the bottom fishing regulation in regard to the move-on rule in the Proposal by PECMAS for a Recommendation on the protection of vulnerable marine ecosystems in the NEAFC Regulatory Area (AM 2013-24). We would note however, that the cornerstone of the rule, the encounter threshold levels, are set at levels which have no scientific basis and which effectively render the rule meaningless in all but exceptional circumstances. This results not only in significant further losses of habitat, but also is a serious impediment to the recovery of these ecosystems. As ICES has been unable to provide advice on science-based threshold levels, and the rate of retention of certain cold water corals may well be in the range of zero to one percent, **we reiterate our recommendation from previous years that any encounter with VME indicator species should be established as a threshold for triggering the move-on rule.**

The management of deep-sea fish stocks

We recognize that ICES has made improvements regarding the number of deep-sea stocks for which advice is provided, particularly the new approach for data-limited stocks that has been applied to many European stocks and, where possible, to deep sea stocks. However, the ability of ICES to provide good advice is seriously hampered by the low quality of the data on these stocks, which is directly related to deficient information provided by NEAFC parties.

We agree with the conclusion of the PECMAS meeting that “Regarding general measures for deep sea species, it was agreed that the current approach was far from satisfactory, but still better than nothing” (AM 2013-15-Rev.1, page 7). This is an area where major improvement is needed in the NEAFC regulations to bring the management of deep-sea fisheries into line with the UN General Assembly resolutions on deep-sea fisheries and international law.

In this regard, at a minimum, we would recommend incorporating paragraph 119(d) of UN General Assembly resolution 64/72 (with minor modifications to the text as indicated below) as a general obligation for the management of deep-sea fish stocks into the text for as a separate, stand-alone Article.

Text of recommended amendment:

~~“Adopt c~~Conservation and management measures, including monitoring, control and surveillance measures, shall be adopted on the basis of stock assessments and the best available scientific information, to ensure the long-term sustainability of deep sea fish stocks and non-target species, and the rebuilding of depleted stocks, consistent with the Guidelines; and, where scientific information is uncertain, unreliable, or inadequate, ensure that conservation and management measures be established consistent with the precautionary approach, including measures to ensure that fishing effort, fishing capacity and catch limits, as appropriate, are at levels commensurate with the long-term sustainability of such stocks.”

Alternatively, NEAFC Recommendation 07 2013 –Deep Sea Species – could be amended accordingly, i.e. by adopting the PECMAS Recommendation on Conservation and Management Measures for Deep Sea Species in the NEAFC Regulatory Area (AM 2013-19) with the addition of the above text.

TACs for deep-sea species

Although NEAFC parties have made some efforts to improve the management of certain stocks in the Regulatory Area, such as deep-sea sharks stocks, these efforts should be completed by adopting effective measures to minimize or eliminate the by-catch of these stocks.

It should also be noted that in certain cases - such as the adoption of TACs and quotas for orange roughy and the failure to adopt a TAC for roundnose grenadier on the Mid-Atlantic Ridge - NEAFC has clearly not acted on the basis of ICES advice.

We urge NEAFC Contracting Parties to set quotas for deep-sea species following ICES advice in 2012 and in doing so, take into consideration both the status of the stocks and the need to establish management measures to minimize or avoid the bycatch of stocks and species of concern.

In addition we urge NEAFC Contracting Parties to do their utmost to improve the data provided to ICES, which will in turn benefit PECMAS and the annual meeting in agreeing on management measures following the best available science.

EBSAS

Once again, we underline the importance of the ongoing process to identify, and nominate to the CBD, candidate Ecologically or Biologically Significant Areas (EBSA) in the North-East Atlantic. Again, following and implementing pertinent ICES advice is a matter of being consistent in this case. ICES is recommending the nomination of four EBSAs including one in the high Arctic (Arctic Ice EBSA). We are concerned that dropping and omitting the Arctic Ice EBSA proposal for merely political reasons would not only undermine the credibility of NEAFC as a body that takes science-based decisions but also lead to a misrepresentation of polar environments and ecosystems. We emphasize the fact that the delimitations of the Arctic Ice EBSA proposal were chosen by the joint NEAFC/OSPAR/CBD workshop itself and that this is the only EBSA proposal fully confirmed by the ICES review without any substantial modifications.

We urge NEAFC parties assume responsibility and act according to the scientific advice with regard to all four candidate EBSAs concerned, including the Arctic Ice EBSA.

Transparency

In past years, the Commission has maintained a good collaborative relationship with NGOs allowing us to participate and intervene during the NEAFC annual meeting. In addition, some NEAFC parties have repeatedly stated the value of having NGOs attending and providing expert advice at the annual meetings, and strongly advise having them participate in other NEAFC meetings.

Other RFMOs such as CCAMLR, ICCAT, NAFO, and IATTC to which many of the NEAFC parties are also members, are fully open to observers, allowing them to attend and intervene not only at the annual meeting but also at their scientific and compliance meetings.

We urge NEAFC Contracting Parties to agree to allow observers to attend NEAFC meetings of PECMAS and PECCOE.

Thank you.