



PRESS RELEASE

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DSCC RESPONSE TO THE UN REPORT OF HIGH SEAS PROTECTION:

SPARSE, INEFFECTIVE, WOEFULLY INADEQUATE – NOW WILL YOU TAKE ACTION?

The long awaited UN Report of measures to protect the vulnerable deep oceans of the high seas has confirmed that these areas receive about as much protection as the dodo did in seventeenth century Mauritius.

The Report was ordered by the United Nations General Assembly (UNGA) in 2004 and was conducted by the UN Oceans Division known by its acronym DOALOS. It is based on submissions from member states reporting on what they have done individually, and as members of Regional Fisheries Management Organisations (RFMOs), to stop destructive fishing practices - including bottom trawling - on the high seas.

It concluded that: “Many fisheries are not managed until they are overexploited and clearly depleted and, because of the high vulnerability of deep-sea species to exploitation and their low potential for recovery, this is of particular concern for these stocks. This raises the question of the urgent need for interim measures in particular circumstances, pending the adoption of conservation and management regimes.*

Matthew Gianni of the Deep Sea Conservation Coalition (DSCC) said, “the dodo was extinct within decades of sailors hitting Mauritius in the 1600s; deep sea bottom trawlers work even faster. It’s taken two years for this report to confirm what everyone knew already, that there are no comprehensive measures to protect the most vulnerable areas of the high seas. There is now no excuse for not taking the only step which can halt this uncontrolled destruction. The UN must declare a moratorium on high seas bottom trawling when the UNGA meets in November.”

Pointing to the extreme vulnerability of deep ocean ecosystems, the Report says: “Among all the fishing gears currently used particular concern has been raised over the adverse impacts of bottom trawling on vulnerable marine ecosystems and their associated biodiversity.” It adds: “It appears that, beyond the “first level” of visual, short-term impacts on biodiversity, there is uncertainty on the long-term detrimental impacts of trawling on vulnerable marine ecosystems, and further research is urgently needed. In this regard, the application of the precautionary approach needs to be emphasized.”

While recognizing that some states and RFMOs have adopted a wide range of measures to address the impacts of destructive fishing practices on vulnerable marine ecosystems, the Report goes on to say: "However, it is difficult to assess, from the submissions received, the extent to which these measures are being effectively implemented."

The DSCC, an alliance of nearly 60 international environmental and conservation organisations has been campaigning for a moratorium on high seas bottom trawling since 2003 and condemned the UNGA's postponement of such action pending the Report.

Karen Sack of Greenpeace, a member of the DSCC said, "NGOs, scientists even governments have repeatedly said that the existing measures are inadequate and that a Review would only confirm this. Sadly it is a Review which has cost the deep oceans two years worth of protection. This must now be the year when the buck passing stops."

Arlo Hemphill of DSCC member, Conservation International, said "All eyes will now be on the GA. They delayed action pending the results of the Report, so they are now ethically bound to act on the basis of its conclusions."

If the international community fails to take action to protect the global commons where the evidence is so clear cut, one must seriously call into question its ability to manage other global resources of benefit to all humankind.

The negotiations around a moratorium will occur at the UNGA on October 4 and 5.

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Notes to Editors:

Extracts from "The Impacts of Fishing on Vulnerable Marine Ecosystems: Actions taken by States and regional fisheries management organizations and arrangements to give effect to paragraphs 66 to 69 of General Assembly resolution 59/25 on sustainable fisheries, regarding the impacts of fishing on vulnerable marine ecosystems." Report of the Secretary-General.

The report can be viewed at:

http://www.un.org/Depts/los/general_assembly/documents/impact_of_fishing.pdf

A DSCC analysis of some of the most important State submissions to DOALOS and a map showing the few high seas areas which have been afforded protection, can be found at www.savethehighseas.org.

Based on the numerous submissions obtained by the DSCC from States that engage in high seas bottom trawling, it appears that none have taken any unilateral action to curtail bottom trawling in the high seas by its own vessels.

Limited action was taken by States as members of RFMOs, but insufficient to qualify as the urgent action called by UNGA in previous resolutions.

RFMO FAILINGS

The most serious shortcoming of the RFMO system is the fact that most high seas areas of the world's oceans are not covered by RFMOs with the legal competence to regulate bottom fisheries. Any bottom trawl fishing on the high seas in the Indian Ocean, the Pacific Ocean, the Central Atlantic and Southwest Atlantic Ocean is not covered by an operational RFMO and, as such, constitutes unregulated high seas fishing. It will take years before RFMOs are established and effective, comprehensive protection measures are put into place and implemented.

In those few high seas areas where RFMOs are already operational – the northern North Atlantic Ocean, the Southeast Atlantic Ocean, the Southern Ocean and the Mediterranean Sea, only the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and the General Fisheries Council of the Mediterranean (GFCM) have taken steps to regulate bottom trawl fisheries.

In the North Atlantic, the failure of the Northwest Atlantic Fisheries Organization (NAFO) and the North-East Atlantic Fisheries Commission (NEAFC) to regulate the impact of bottom trawl fishing on deep-sea ecosystems is a long-standing failure of the past four decades or more.

In addition to the fact that there are few RFMOs with the authority to regulate high seas bottom trawling, RFMOs share a number of other significant shortcomings.

While fishing fleets from states that are members of an RFMO are generally bound by the rules adopted by the RFMO, member countries may elect unilaterally not to be bound by particular RFMO rules. Furthermore, enforcement of the rules adopted by RFMOs is almost entirely left to each individual member country. As a result, RFMOs are entirely dependent on the good faith efforts of their member states. Even where RFMO member countries do enforce the rules, ship owners are free to transfer their vessels to flags of convenience in order to circumvent restrictions.

Under international law, a country is not bound by the decisions of an RFMO to which it does not belong. RFMO rules, therefore, apply only to states that are RFMO members. Vessels flagged to states that are not members, including vessels flying flags of convenience, are unregulated in RFMO waters. Although RFMO member countries can apply some sanctions on uncooperative non-member countries, for example trade restrictions and import bans of certain types of fish products, the lack of control over non-member state fleets is an enormous loophole in the RFMO scheme.

RFMOs often set catch limits or quotas well in excess of the advice from scientists and, in some cases, based on the highest historical effort.

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