



## **Fourth Meeting of the Commission of the South Indian Ocean Fisheries Agreement**

**Flic en Flac, Mauritius**

**26-30 June 2017**

DSCC Intervention 26 June 2017

Thank you Mr Chair and good morning delegates

This intervention is given on behalf of the Deep Sea Conservation Coalition (DSCC), which represents over 70 NGOs. We firstly thank the Mauritian government and delegation for its hospitality and for providing us with this beautiful day. We also welcome Minister Koonjoo's address this morning and in particular his warning that we must leave future generations with a sustainable environment. We also welcome Thailand's accession and look forward to working with Thailand.

Mr Chairman, first and foremost, we are concerned to have seen restrictions on the availability of documents in the leadup to this meeting.

The Rio+20 Outcome Document *Future We Want*<sup>1</sup> states the need for institutions at all levels that are effective, transparent, accountable and democratic, and underscores that broad public participation and access to information and judicial and administrative proceedings are essential to the promotion of sustainable development.<sup>2</sup> Just last month at the United Nations Oceans Conference in the Call to Action, all States committed to work in concert with all stakeholders to conserve and sustainably use the oceans, seas, and marine resources for sustainable development, including by engagement with NGOs and other relevant actors. And in last year's Fish Stocks Agreement Review Conference, the outcome document reflects a need to improve the transparency of RFMO/As, both in terms of decision-making that incorporates the precautionary approach and the best scientific information available and by providing reasonable participation for intergovernmental and nongovernmental organizations through the organizations' arrangements' rules and procedures. Transparency was emphasised by the United Nations General Assembly in last year's Sustainable Fisheries resolution, including that RFMOs should improve transparency and to ensure that their decision-making processes are fair and transparent.

Mr Chairman, the Almaty Guidelines of the Aarhus Convention, which reflects best practice in transparency in international organizations, note that public participation generally contributes to the quality of decision-making on environmental matters in international forums by bringing different opinions and expertise to the process and increasing transparency and accountability.<sup>3</sup>

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<sup>1</sup> The Future We Want. 2012. A/RES/66/288. At <https://sustainabledevelopment.un.org/futurewewant.html>. Para 10.

<sup>2</sup> The Future We Want para 43.

<sup>3</sup> Almaty Guidelines para. 28.

The Almaty Guidelines emphasised that participation in the meetings of international forums, including their subsidiary bodies and other groups should be allowed at all relevant stages of the decision-making process, unless there is a reasonable basis to exclude such participation according to transparent and clearly stated standards that are made available, if possible, in advance.<sup>4</sup> Participation should include access to all documents relevant to the decision-making process produced for the meetings, circulation of written statements and the ability to speak at meetings, without prejudice to the ability of international forums to prioritize their business and apply their rules of procedure.<sup>5</sup>

Mr Chair, turning to the measures before this Commission and specifically CMM 2016/01. We note the objective of that measure being to promote the sustainable management of deep-sea fisheries resources in the Agreement Area, including target fish stocks and non-target species, and to protect the marine ecosystem, including inter alia, the prevention of significant adverse impacts on vulnerable marine ecosystems. We also note the recommendation that all Contracting Parties note the advice from the first meeting of the Scientific Committee in relation to Benthic Protected Areas. That includes assessment of the scientific basis for benthic protected areas (BPAs) for the purpose of developing criteria for future definition and assessment of BPAs.

The UNGA held a bottom fishing review last year, and made a number of recommendations. These are directed specifically at RFMOs and States engaging in bottom fishing.

We welcome Australia's call to protect the deep sea and note that last year's resolution Reaffirmed the importance of paragraphs 80 to 90 of resolution 61/105, paragraphs 113 to 127 of resolution 64/72 and paragraphs 121 to 136 of resolution 66/68 addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks and the actions called for in those resolutions, and emphasized the need for full implementation by all States and relevant regional fisheries management organizations and arrangements of their commitments under those paragraphs on an urgent basis- UNGA 71/123 (2016).<sup>6</sup>

Mr Chairman, we look forward to a productive meeting.

Thank you

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<sup>4</sup> Almaty Guidelines para. 29.

<sup>5</sup> Almaty Guidelines para. 34.

<sup>6</sup> Some of the specific calls were that: (para 180 of resolution 71/123)

(a) to use the full set of criteria in the Guidelines to identify where VMES occur or are likely to occur as well as for assessing significant adverse impacts (SAIs);

(b) to ensure that impact assessments, including for cumulative impacts, are:

- conducted consistently with the Guidelines, particularly paragraph 47,
- are reviewed periodically and are revised
- carried out as a priority before authorizing bottom fishing activities;

(c) To ensure that measures are based on and updated on the basis of the best available scientific information, noting in particular the need to improve effective implementation of thresholds and move-on rules