

DSCC Intervention to SPRFMO on Encounter Protocols

Jan 26 2021

Thank you Mr Chair

We want to thank the 3 proponents for their explanations.

Firstly, Mr Chair, since this issue will primarily be discussed in the margins, we would like to be able to join those discussions.

Secondly, very briefly, delegates will have seen our briefing. In light of the news of the encounter which came to light yesterday, we would like to add a recommendation to amend paragraph 30 in two ways:

Firstly to provide for notification of encounters on the website within 3 days of the encounter. Encounters are a matter of public interest.

Secondly to provide that the notification should include the reason for the encounter notification including the taxa recorded.

Thirdly, we have taken note of the compilation measure posted in the files section. We want to highlight 3 key issues:

Firstly, on the proposed 17bis, we have concerns with the term 'level of protection': the UNGA resolutions make it very clear that all significant adverse impacts on VMEs must be prevented, and there should be no implication that a lower level of protection is envisaged. This is a policy matter and clear instructions must be given to the Scientific Committee.

We suggest this issue could be addressed by replacing the words "level of protection" with the word "steps" or "measures" to prevent SAIs on VMEs.

Secondly, on paragraph 33, relating to encounters, the bracketed words "[**the extent to which encounters are consistent or inconsistent with VME habitat suitability model predictions, and therefore unexpected**]" should be deleted. The task of the Scientific Committee is to recommend closing the area to prevent SAIs on VMEs.

On the issue of nautical miles, we suggest this needs to be science driven. We are aware that some features in the Louisville Ridge are far greater than 1 NM. Other relevant issues concern the length of the tows and the net. 5 NM is used by many other RFMOs and is precautionary.

Finally, on thresholds, it is not clear how the proposed changed levels in Annex 6A were derived. The concerns with the model are not limited to Louisville or NW Challenger, and we believe the VME taxa levels should be reduced across the board pending the review. We suggest reducing them to the 80th percentile, pending SC advice on what levels signify an encounter with a VME, which is the correct test. We would also note that the thresholds only apply to taxa and not to individual VME indicator species within each taxa whose range of distribution may be different from that of the taxa overall nor to other species associated with VMEs potentially vulnerable to adverse impacts from bottom fishing, for example rare species. In fact, in spite of high percentages of rare species New Zealand has reported found in many of the areas where trawling is permitted under CMM - 03, no specific measures are in place to protect these species from SAIs.

Again however as we mentioned in our intervention yesterday our view is that the bottom trawl fishery on seamounts and other underwater features as permitted in CMM - 03 should be suspended as the BFIA submitted by Australia and New Zealand indicates a considerable level and range of uncertainties on the distribution of VME indicator species, connectivity, rare species and their habitats and other issues and clearly cannot demonstrate that the fishery can be managed to prevent SAIs on VMEs as has been repeatedly called for by the UN General Assembly.

Thank you.

