Agenda item 4: Some thoughts on Protected Area Protocols (FAO)

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Protected Area Protocols: acknowledging assistance from Masashi Kiyota

North Pacific Fisheries Commission

Updated summary comparison of VME encounter protocols in bottom fish RFMO/As

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FAO VME database


Vulnerable Marine Ecosystems Database
A global inventory of fisheries measures to protect vulnerable marine ecosystems in areas beyond national jurisdiction.
What I have here…

- CCAMLR (Antarctic)
- NAFO (NW Atlantic Ocean)
- NEAFC (NW Atlantic Ocean)
- SEAFO (SE Atlantic Ocean)
- GFCM (Mediterranean Sea)
- SPRFMO (S Pacific Ocean)
- NPFC (NW and NE Pacific Ocean)

- Key aspects for each highlighted
CCAMLR Protocols

- Closed areas and protocols specified in Conservation Measure 22/07 (2013): *encountering potential vulnerable marine ecosystems*

- Very many small Risk Areas already closed (plus MPA):
  
Following a VME encounter:

- Master hauls lines, sets no further lines, immediately reports to the Secretariat and Flag State (Article 4);
- Secretariat notifies Risk Area (radius 1 nm from mid-point of line segment) as closed. All vessels cease setting lines that intersect with the Risk Area (Article 6-ii);
- Risk Area remains closed until reviewed by Scientific Committee and management actions are determined by Commission (Article 9);
- After 5 notifications in a VME fine-scale rectangle, Secretariat notifies the coordinates of that rectangle;
  - Fishing may continue the rectangle (Article 7);
- Registered VMEs can be permanently closed by Commission (CM22-09 (2012))
NAFO Protocols

- Many large areas already closed
- Closed areas specified in Article 17 of NAFO’s Conservation & Enforcement Measures
- NAFO COM Doc. 19-01 Serial No. N6901

https://www.nafo.int/Fisheries/VME
NAFO Protocols

Following a VME encounter:

• Fishing master reports the encounter, ceases fishing, moves at least 2nm from the endpoint of the tow/set;

• Executive Secretary requests all Contracting Parties to implement and maintain a temporary closure of 2 nm radius around the encounter location outside of footprint (Article 22.3, c, d);

• Executive Secretary reports annually to Scientific Council on details of all single & multiple encounters and exploratory fishing (Article 22.3, b);

• SC analyses all information and advises Commission on the need for action, using FAO guidelines as a basis (Article 22.4, a-c)
NEAFC Protocols

- Many large areas already closed;
- Closed areas and protocols specified in Recommendation 19 2014: Protection of VMEs in NEAFC Regulatory Areas as Amended by Rec 09:2015

https://www.neafc.org/managing_fisheries/vmec
NEAFC Protocols:
Rec 19-2014 (amended by Rec 9-2015)

Following a VME encounter:

- Master ceases fishing, moves at least 2nm, reports the encounter to the Executive Secretary (Article 8.1, b-iii);
- Executive Secretary informs CPs & ICES, implements temporary closure in those areas (Article 8.2);
- Sea bed mapping using echo-sounders or multi-beam conducted and submitted to ICES (Article 8.3);
- Permanent Committee on Management and Science considers closure and any ICES advice (Article 8.4);
- If PECMAC advises likely VME, CPs requested to maintain temporary closure until Commission has acted;
- If the PECMAS concludes no VME, CPs may re-open the area to their vessels (Article 8.4)

SEAFO Protocols

- Many large areas already closed;
- Closed areas and protocols specified in Conservation Measure 30/15: *Bottom Fishing Activities and Vulnerable Marine Ecosystems*

http://www.seafo.org/Management/VME-Protection
Following a VME encounter:

- Master ceases fishing, moves at least 2nm from end of trawl tow, defining a buffer area 2 nm radius, 1 nm for other gears (Articles 8.1 b-i and b-ii);
- Master reports to CP, Executive Secretary (Article 8.1, b-iii);
- Executive Secretary implements temporary closure if outside existing fishing areas (Article 8.2);
- Sea bed mapping using echo-sounders or multi-beam conducted, submitted to Scientific Committee (Article 8.3);
- SC evaluates mapping and advises Commission (Article 8.4);
- SC examines temporary closure: if sufficient evidence of VME, CPs maintain closure until Commission has acted;
- If insufficient evidence of VME, CPs may re-open the area to their vessels.
GFCM Protocols

- Some areas already closed;
- Fishing deeper than 1000 m prohibited by GFCM/2005/1;
- Area closures specified in GFCM/30/2006/3;
- No specified protocols?

SPRFMO Protocols

- Bottom fishing restricted to method-specific bottom fishing management areas;
- All other areas closed to bottom fishing;
- Management areas carefully designed to provide very high protection for VMEs at a regional scale;
- Closed areas and protocols specified in CMM-03-2019: Bottom Fishing

SPRFMO Protocols

Following a VME encounter:

- Master ceases fishing within 1 nm of trawl track (Article 28a);
- Reports to Member and Secretariat in accordance with specified guidelines (Article 28b, Annex 7);
- Secretariat suspends fishing in encounter area, notifies Members (Article 30);
- Member submits to Scientific Committee a detailed comparison of the encounter with model predictions, and suggested actions to prevent SAIs on VMEs (Article 32);
- SC reviews all encounters and determines whether any were unexpected based on VME habitat suitability models, and advises Commission (Article 33);
- Commission determines management actions for each encounter area (Article 34).
NPFC Protocols

- Some areas already closed;

- Closed areas and protocols specified in Conservation & Management Measures for bottom fisheries: CMM2018-05 (NW Pacific), CMM2017-06 (NE Pacific), (including Annex 2 of both)

https://www.npfc.int/active-conservation-and-management-measures
Following a VME encounter:

- Master ceases bottom fishing and moves no less than 2 nm, so that additional encounters with VMEs unlikely;
- All encounters reported to the Secretariat, who notifies other Members so that appropriate measures can be adopted (Article 4G of CMM2018-05 and 3j of CMM2017-06);
- Subsequent protocols via assessment of SAIs on VMEs...
NPFC Protocols:
CMM2018-05 (NW Pacific), CMM2017-06 (NE Pacific), Annex 2

5. Assessment of SAIs on VMEs or marine species

5. Each member ... is to conduct assessments to establish if bottom fishing activities are likely to produce SAIs in ... VMEs. Such an impact assessment is to address ...

6. Impact assessments are to consider ... the information in these Standards & Criteria, relevant information from similar ... fisheries, ecosystems;

7. Where an assessment concludes that the area does not contain VMEs or SAIs are not likely, assessments are to be repeated when there have been significant changes to fishery, other activities or natural processes

6. Proposed CMMs to prevent SAIs

As a result of the assessment in 5, if it is considered that fishing is likely to cause SAIs on VMEs or marine species, the member ... is to adopt CMMs to prevent SAIs. The member ... is to clearly indicate how such impacts are expected to be prevented or mitigated by the measures.
What’s “missing” here?

- Published protocols are nearly all “reactive” to encounters by fishing vessels;
- But most RFMO/As have large VME closures based on (e.g.) surveys, features, precaution;
- Few formal protocols on how to designate such areas;
- Some guidance on information requirements contained in BFIAs (SPRFMO, SIOFA) or in scientific standards & criteria (NPFC);
- I suggest closures generally based on proposals and papers to SC or equivalent bodies who advise their Commissions?
Specific Contract No. 8
FRAMEWORK CONTRACT
EASME/EMFF/2016/008

Scientific Approaches for the Assessment and Management of Deep-Sea Fisheries and Ecosystems in RFMOs and RFBs

FINAL REPORT

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