



**PERMANENT COMMITTEE ON MANAGEMENT AND SCIENCE
PECMAS
OF THE NORTH-EAST ATLANTIC FISHERIES COMMISSION
17-18 June 2008 at NEAFC Headquarters, London**

1st DRAFT AGENDA
With annotations

The Chair of PECMAS has suggested that the Secretariat as soon as possible sends out a work plan for 2008, which is expected to become a busy year for PECMAS in the light of the discussion of United Nation General Assembly Resolution 61/105.

This is done by making first drafts of the agendas for the two meetings of PECMAS in 2008

1) Opening of the meeting

The Chair, Mr Snorri Pálmason, Norway, will open the meeting at 10 am 17 June in the meeting room at the 3rd floor Berners Street.

2) Adoption of the draft agenda and appointment of rapporteur

The first draft agenda was sent out in December 2007. It is suggested that the Secretariat will rapporteur.

3) UNGA Resolution 61/105

There was not agreement in NEAFC on the interpretation of UNGA 61/105 with respect to how to handle new and expanding fisheries and their possible impact on Vulnerable Marine Ecosystems, VMEs. However, there was agreement on the expediency of having a clear answer to UN on the impact of fisheries and protection of vulnerable marine ecosystems.

The following proposal from Norway for terms of reference for PECMAS in 2008 was adopted by the NEAFC Commission in November.

Recognising that paragraph 83 of the UN General Assembly Resolution 61/105, among other things, calls on regional fisheries management organisations to protect vulnerable marine ecosystems from bottom fishing activities that would have significant adverse impact on such ecosystems, PECMAS shall at the meeting 17-18 June 2008 prepare proposals to the NEAFC extraordinary meeting 1-3 July 2008 which enable NEAFC to take appropriate measures to come into effect from 1 January 2009.

In doing so, PECMAS shall take into account any relevant scientific advice by ICES, in particular the response to the NEAFC request of November 2007 concerning the identification of vulnerable ecosystems and definitions and assessment of fishing activities that may cause significant adverse impacts on such ecosystems, as well as any progress made in other international organisations, including the outcome of the FAO Technical Consultation concerning Technical Guidelines for the Management of Deepwater High Seas Bottom Fisheries scheduled for February 2008 and the outcome of the extraordinary meeting of NAFO Fisheries Commission taking place in May 2008.

a) A timeline for producing a response to the resolution

1. Input from FAO Technical Consultation concerning Technical Guidelines for the Management of Deepwater High Seas Bottom Fisheries scheduled for February 2008.
2. Input from PECCOE on monitoring of closed areas in April.
3. Input from the inter-sessional meeting of the Fisheries Commission of NAFO
4. First Meeting PECMAS 17-18 June reporting to the Extraordinary Meeting of the NEAFC Commission
5. Second Meeting of PECMAS following up on any further requests from the NEAFC Commission

b) Background for the NAFO Fisheries Commission Meeting 5-6 May.

The discussion in NAFO, where all NEAFC Contracting Parties are Contracting Parties, covers ground of interest to PECMAS. The following background information is found in the Report of the Fisheries Commission of NAFO NAFO/FC Doc. 07/24.

13. Proposal to Protect Vulnerable Marine Ecosystems – Deep Sea Corals

In line with the United Nations General Assembly Resolution 61/105 of 2006 which states,

...83. Calls upon regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries to adopt and implement measures, in accordance with the precautionary approach, ecosystem approaches and international law, for their respective regulatory areas as a matter of priority, but not later than 31 December 2008:...

A proposal from Canada (FC WP 07/9 Rev) and one from the EU (FC WP 07/16) were tabled concerning bottom fishing restrictions to protect of vulnerable marine ecosystems (which includes seamounts, hydrothermal vents, cold water corals and sponge fields) in the NAFO Convention Area. The proposals were subjected to intense review and discussions. No consensus was reached on either proposal. Instead, interim measures were **adopted** to establish a Coral Protection Zone closing all fishing activity involving bottom contact gear for a large area in Division 3O from January 1, 2008 until December 31, 2012 (FC WP 07/9, Revision 2) (Annex 24).

It was noted that steps were already taken by NAFO in addressing the impacts on seamounts found in the NAFO Regulatory Area (FC Doc 06/5) and that it was important to take further precautionary steps to address the impacts of fishing on VMEs. In this regard, the Fisheries Commission **decided** to hold an intersessional meeting on the Protection of Vulnerable Marine Ecosystems from Significant Adverse Impacts in Montreal, Canada in May 2008 dedicated to a more comprehensive consideration of strategies and measures to address VME (see Annex 6).

Specifically, the intersessional meeting will review the UNGA Resolution, assess the processes for fisheries and VME in the context of the Regulatory Area, develop measures to mitigate significant adverse impacts on vulnerable marine ecosystems, and develop an exploratory fishing protocol.

During the discussions on this item, observers representing the Ecology Action Centre and World Wildlife Fund – Canada presented their respective statements regarding the protection of vulnerable Marine Ecosystems (Annexes 25 and 26).

4) Meeting with the Biodiversity Committee of OSPAR

It has been suggested that a meeting be arranged between members of the OSPAR Biodiversity Committee and the NEAFC PECMAS. PECMAS is invited to consider this proposal and practical ways to arrange such a meeting.

5) Cooperation with ICES

a) Report from meeting between client Commissions and ICES 3-4 April

The Chair of PECMAS is expected for the first time participate in this meeting together with the Secretariat. The meeting gives the opportunity to raise matters with ICES. It is suggested that the attention of ICES is drawn to the importance of acquiring more information about VMEs and the impact of fisheries. Another item that has been suggested is to discuss the different approaches by OSPAR and NEAFC when describing the status of and the impact of human activities on the environment, incl. fish stocks (medium and long term indicators versus short term analytical assessments of the status of fish stocks).

b) Reviewing the advice from ICES

The spring 2008 Advice from will be published 6 June 2008. This leaves 6 working days before the Group meets for consideration of the advice on deep sea fisheries and vulnerable areas and redfish.

- i) Pelagic *Sebastes mentella* in the Irminger Sea
- ii) Deep-sea fisheries, incl. permanent measures for orange roughy
- iii) Closed areas incl. reviewing the closures in place and new proposals
- iv) Pelagic *Sebastes mentella* in ICES Sub-areas I and II in the Regulatory Area

6) Area Management and monitoring

a) Conclusions from the 26th Annual Meeting of the NEAFC Commission

The Commission accepted the approach suggested by PECMAS, as presented by the PECMAS Chair as follows:

The Chair of PECMAS reported that the Committee had met on 18 – 19 October. Area management was among the items on the agenda. At the Extraordinary Meeting in June PECMAS had defined this as one of the core tasks for the future.

At the meeting PECMAS had focused on three issues:

The development of working procedures for dealing with proposals on area management that are brought for consideration by PECMAS. He hoped that this meeting would guide PECMAS on whether this procedure should be developed further or if another approach should be taken.

The procedure is supposed to cover all types of area management, be it to protect bottom structures or vulnerable habitats, or fish i.e. juveniles, spawning areas etc. This is illustrated on page 10 in the report from the meeting of PECMAS in October.

This procedure consists of four steps.

The first step is where a Contracting Party makes a proposal for area management measures. The understanding is that a Contracting Party could send proposals directly to PECMAS, without having to go through the Commission first.

The second step is a review of the proposal. It is suggested that the NEAFC Secretary and the PECMAS Chair study the proposal based on predefined criteria. This is to ensure that the proposal is well thought through and based on robust science. At this stage the proposal can be rejected.

The third step is for PECMAS to review the proposal. If needed, PECMAS may request information or advice from ICES, or other relevant sources, for example OSPAR. It was established at the Extraordinary Meeting of the Commission in June 2007 that PECMAS can send requests directly to ICES when it is considered necessary to obtain advice so as to be able to report to the Commission in time. It is also foreseen that if the knowledge on which to base a measure is weak, it should be possible for PECMAS to recommend temporary measures while more information is gathered and ICES answers a request.

The fourth step is for the PECMAS decision to eventually become a recommendation on measures to the Commission. A recommendation would include suggestions on regulations of gear, area and time (long term, seasonal or short term).

The last issue PECMAS dealt with was UNGA Resolution 61/105. PECMAS was asked to study this resolution and report on how NEAFC is doing. The Chair admitted that the complexity and importance of this task was not clear, but was revealed through discussions at the meeting. It is obvious that the interpretation of the resolution has an impact on how PECMAS proceeds in this field. It is also clear that PECMAS may not be the right body to deal with the policy implications. Therefore PECMAS requested the Commission to give advice on the interpretation of the resolution in order to give it a basis to work further on the development of the procedure for setting management measures.

The Chair felt the main question is how to deal with areas that have not been fished before, and how to open areas that have been closed. This can be done in several ways, and PECMAS is ready to work on guidelines along lines agreed by the Commission.

He drew attention to a document provided by the Secretariat in which the status in the Regulatory Area is compared with the issues to be reported on according to Articles 83 and 84 in the resolution, AM2007/31.

The President thanked the Chair of PECMAS for a very full report. He noted that parts of the issues raised would be dealt with under agenda item 7 and drawing up terms of reference for the next PECMAS meeting under agenda item 14. There were no comments from Contracting Parties.

b) Protection of cold water corals as a case study

At the 26th Annual Meeting the following recommendation proposed by the EU and the Russian Federation was adopted by the NEAFC Commission by consensus. (*some parts taken out, the full text is at the NEAFC website*)

CLOSING CERTAIN AREAS IN THE REGULATORY AREA IN ORDER TO PROTECT DEEP-WATER CORALS

The Contracting Parties recommend the following measures:

Bottom trawling and fishing with static gear, including bottom set gillnets and long-lines should be prohibited within the NEAFC Regulatory Area enclosed by sequentially joining with rhumb lines the following positions:

On the Hatton Bank, in addition to the existing closure

On the Rockall Bank in the parts of the following areas that fall within the NEAFC Regulatory Area:

North-West Rockall (adjusted boundaries of existing closure)

South-West Rockall (Empress of Britain Bank)

The boundaries of these areas may be adjusted in the light of more precise scientific evidence on the distribution of deep-water corals.

Appropriate measures shall be taken to detect any diversion of fishing effort to other, previously unknown areas of deepwater corals.

This measure shall be in force for the period 1 January 2008 to 31 December 2009.

The sequence of events were as follows.

A recommendation with the same scope was adopted by the NEAFC Commission at the 25th Annual Meeting. Two proposals were presented.¹ The Russian Federation indicated that the scientific case for the South West Rockall closure to protect corals was not well substantiated.

At the meeting of PECMAS February 2007 the discussion on these closures continued. PECMAS was presented with new information on the South West Rockall bank by Russian scientists. Scientists at PINRO had made a detailed analysis of historic scientific and fisheries information on the distribution of cold-water corals on the Rockall bank. Data go back to 1958. It was suggested that analysis based on direct observations was more certain than analysis based on VMS data. The main outcome was a more accurate picture of the distribution of corals in three areas in the South West Rockall area and one area north of the haddock box. This was the basis for a revised proposal for closures in the South West area.

The Russian data were presented to the relevant ICES Working Group and that the advice from ICES included in their June 2007 package. It was not necessary to use fast track procedures, which should only be used in exceptional circumstances.

The new advice in June was not acted upon by the Extraordinary Meeting of the NEAFC Commission. The decision was taken at the 26th Annual Meeting.

The sequence of events may serve as an example for how to work with area closures

c) Monitoring and further amendments to the closures to protect corals

It was decided at the 26th Annual meeting that PECCOE shall review the control implications of the measure for protection of cold water corals (and by inference also the closure protecting vulnerable area agreed in 2004 and extended for 2008) and where appropriate come forward with proposals to ensure that vessels in the vicinity of the closed areas are monitored effectively. Furthermore PECCOE and PECMAS shall examine the implications of including the following area in the prohibition:

- 57°13'N, 14°49'W

- 57°12'N, 14°40'W

¹ Proposal by the European Community for a recommendation to close certain areas in the Regulatory Area in order to protect deep-water corals

Proposal by the Russian Federation for a recommendation to close certain areas in the Regulatory Area in order to protect deep-water corals

- 57°06'N, 14°39'W
- 56°56'N, 14°51'W
- 57°00'N, 14°53'W

7) Conservation value of the a ban on shark finning

PECMAS has an outstanding task of evaluating the conservation value of the ban on shark finning when new ICES advice is available.

8) Report of the meeting

9) Future Meetings

10) Any other business

11) Actions arising