1) Opening of the meeting

The PECMAS Chair, Mr Snorri Pálmason, Norway, was unable to attend the meeting. The PECMAS Vice-Chair, Mr Thorsteinn Sigurdsson, Iceland, chaired the meeting and is referred to as “the Chair” in this report.

The Chair opened the meeting of PECMAS at 10:00 at the NEAFC HQ. He welcomed the members of PECMAS, representing all Contracting Parties, and the observer from ICES. He noted that all the meeting documents were available on the NEAFC website. He also noted that the symposium on bottom fisheries that has been held the day before and had been very useful for the work of the current meeting.

2) Adoption of the agenda and appointment of rapporteur

The draft agenda had been developed by the PECMAS Chair and the Secretariat. No comments on the circulated draft agenda had been received from Contracting Parties.

The Chair presented the draft agenda and explained how he suggested the meeting be structured. He suggested that discussions under agenda items 3-7 should be focused on identifying issues that would need further consideration. This would result in the creation of a shopping list of issues that would be discussed substantively under agenda item 8, where conclusions would be reached and proposals to the Annual Meeting would be formulated. He stated that agenda items 3-7 should be dealt with reasonably quickly, and that most of the time available should be spent on agenda item 8, i.e. working on the issues identified under agenda items 3-7.

Regarding the eventual output of the meeting, the Chair suggested that document 13, prepared by the PECMAS Chair, be used as a basis. PECMAS could amend this document and add to it to create a new document that would cover all the relevant issues and PECMAS’ conclusions on them.

The Representative of the EU stated that he had similar ideas to the Chair regarding how to proceed. He agreed that the first step would be to identify the key issues that were most important for the process. He noted that the regulation being reviewed, the consolidated text of all NEAFC recommendations on regulating bottom fishing, was not a very readable document. It would be useful to streamline it and improve clarity. He recognised that carrying out this editorial work was
not a priority for the current meeting, but stated that this was an issue that would need to be addressed at some point.

The Representative of the EU stressed that PECCOE would need to identify the key issues and consider them carefully. He stated that it was important that this is done properly, so PECMAS should not emphasise the need to complete its task quickly. It was more important to ensure that it is done properly. He stated that he was in agreement with the way of working as suggested by the Chair.

The Representative of Iceland supported the way of working the Chair had suggested and agreed with the representative of the EU that the most important task was to identify the key issues and reach conclusions on them. He further noted that this would not only involve identifying issues where NEAFC needs to improve, but also to explicitly conclude on issues where NEAFC is consistent with the UNGA resolutions, FAO Guidelines and other relevant documents.

The Representative of the Russian Federation supported the way of working that the Chair had suggested, including using Document 13 as a basis in formulating the output of the meeting. She stated that the task could be split into two steps: firstly, to analyse the current measures and compare them with the ICES advice, UNGA resolutions and other relevant documents and, secondly, to formulate proposals to the Annual Meeting on the basis of the conclusions reached. Furthermore, she agreed with the representative of the EU that editorial work was needed for the NEAFC regulation, and also that this should not be a priority task for this meeting. She suggested that this might be taken up at the next PECMAS meeting in October.

The Representative of Norway agreed with the Chair on how the process should run at the meeting. He stated that the PECMAS Chair’s paper, Document 13, was a good point of departure and would provide structure for the output of the meeting. He agreed with the representative of Iceland that PECMAS should highlight both where NEAFC is doing well and where improvements are needed.

The Representative of Denmark (in respect of the Faroe Islands and Greenland) also supported the way of working that the Chair had suggested.

The Chair summed up that there was consensus on the meeting formulating a new document which would present PECMAS’ conclusions and recommendations regarding the review of the NEAFC regulation on bottom fishing. He further summed up that there was consensus on using Document 13 as the basis for formulating the new document.

It was generally noted that the bulk of the work at the current meeting would be towards formulating a document that would serve as the output of the meeting. It was therefore concluded that there was no need for normal reporting of discussions at the meeting. The document to be formulated would include both conclusions and the reasoning for those conclusions and a further report highlighting different steps in the formulation work would not be needed. Rather than have the Secretary take detailed notes to use in his work as the meeting’s rapporteur, he should be editing the new documents and use his time to reflect the discussions in draft language for the output of the meeting.

It was agreed that the report of the meeting would be relatively short and only reflect the discussions in a very general way. The new document would be the main output of the meeting.

The agenda was adopted on the understanding that the way of working would be as the Chair had suggested.
The Secretary was appointed rapporteur, and instructed to act as such in the manner that had been agreed regarding the output of the meeting.

3) Following up on proposals from the Annual Meeting

The instructions from the Annual Meeting were discussed and relevant points were added to the list of issues to be dealt with under agenda item 8.

4) Consideration of advice from ICES

The advice from ICES was discussed, clarifications were sought from the observer from ICES, and relevant points were added to the list of issues to be dealt with under agenda item 8.

5) Consideration of the relevant provisions of UN General Assembly Resolutions

The relevant provisions of the United Nations General Assembly resolutions were discussed and relevant points were added to the list of issues to be dealt with under agenda item 8.

6) Consideration of the FAO Guidelines for the management of deep-sea fisheries in the high seas

The FAO Guidelines for the management of deep-sea fisheries in the high seas were discussed and relevant points were added to the list of issues to be dealt with under agenda item 8.

7) Consideration of points arising from written inputs into the review process and from the NEAFC symposium on the management of bottom fisheries (25 June 2012)

The written inputs into the review process that had been received, and the points that were made at the symposium on bottom fisheries on 25 June 2012, were discussed and relevant points were added to the list of issues to be dealt with under agenda item 8.

8) Formulations of proposals to the NEAFC Annual Meeting

Under this agenda item, the issues that had been identified under previous agenda items were discussed. A document was formulated by PECMAS as a whole which outlines the relevant calls in the UNGA resolutions and other relevant documents, concludes on NEAFC’s consistency with them and makes proposals as appropriate. PECMAS agreed that the document should be considered as the main output of the current meeting. The document is an annex to this report.

The following is a summary of conclusions and recommendations in the document:
PECMAS has reached the conclusion that the NEAFC bottom fishing regulation is in general consistent with the UNGA resolutions and the FAO Guidelines. However, PECMAS also recognises a need for addressing some elements of the regulation and the associated provisions. Furthermore, the current interim protocols must be reviewed and transformed into permanent regulations.

PECMAS considers that the bottom fishing regulation is not very clearly written, and would benefit from editorial improvements. PECMAS concludes that in making amendments to the regulation in the context of the current review, the opportunity should be used to also generally streamline the text of the regulation to add clarity and readability.

The current closures have a fixed duration, and PECMAS recommends that the NEAFC Commission considers whether this is appropriate.

PECMAS recommends that the NEAFC Commission considers the utility of limiting the time period of submission of data from the reference period.

It is the conclusion of PECMAS that NEAFC has implemented the provisions of paragraph 83(a)-(c).

PECMAS concludes that although there have not been assessments of individual bottom fishing activities in areas where the best available scientific advice does not indicate that VMEs occur or are likely to occur it is not in conflict with the conclusion that the NEAFC regulation is consistent with paragraph 83 (a)-(c).

NEAFC should look further at the issue of buffer zones around closures in consultation with ICES. Advice on buffer zones should continue to form an integral part of the advice from ICES.

PECMAS considered whether the provisions on assessments in the interim exploratory bottom fishing protocol and the provisions on assessments in Annex 5 are consistent with the requirements for such assessments in the FAO Guidelines. The conclusion is that they are consistent with the FAO Guidelines. The difference that exist reflect the decision by NEAFC to focus separately on the issues of a) VME protection measures and b) conservation and management measures for deep sea fish species.

PECMAS recommends that the additional elements advised by ICES are added to Annex 5.

PECMAS notes the recommendations by ICES regarding how impact assessments and risk analyses may be conducted as potentially useful and advises that this guidance from ICES is made available to any Contracting Party that intends to submit proposals for exploratory fisheries. Strict adherence to these recommendations should however not be made mandatory.

PECMAS considers the current system whereby the Regulatory area is split into subareas denoted ‘bottom fisheries closures’, ‘existing’ and ‘new’ bottom fishing areas and the associated regulations of activity to satisfy the requirements in the UNGA resolutions and the FAO Guidelines. It is recommended that this arrangement be maintained.

PECMAS concludes that further mapping should be encouraged.
PECMAS recommends that the NEAFC Commission encourages Contracting Parties to carry out joint relevant research such as mapping of comparatively unknown subareas of the RA where VMEs are unknown but may be likely to occur.

Contracting Parties should ensure that the data deriving from the exploratory fisheries will be immediately available to ICES and useful for generating ICES advice to NEAFC.

PECMAS will work on a draft amended protocol by correspondence with the aim of finalising it in time for it to be proposed to the 2012 Annual Meeting of NEAFC.

PECMAS concludes that co-ordinated mapping efforts and timely transfer and sharing of all relevant scientific data between Contracting Parties and ICES should be further encouraged. PECMAS is of the opinion that the institutional and procedural arrangements are in place to satisfy the FAO Guidelines in this regard, but that effort to derive new relevant information from the NEAFC RA can be improved further.

PECMAS concludes that the current list of VME indicator species is comprehensive, but recognises that it is possibly not fully exhaustive. PECMAS proposes to ask ICES for further advice on this. Further advice should also be requested from ICES on hydrothermal vents and associated communities in the NEAFC RA.

PECMAS concludes that, on the basis of ICES advice, the threshold levels in ‘existing bottom fishing areas’ for both coral and sponge should be reduced by 50% compared with the existing levels.

PECMAS concludes that, on the basis of ICES advice, the threshold levels in ‘new bottom fishing areas’ for both coral and sponge should be reduced by at least 50% compared with the existing levels. This should apply to bottom trawling.

ICES recommends that special regulations should apply to longline fisheries and fisheries conducted in steep rugged areas and e.g. seamounts, but the advice is not very specific. PECMAS suggests that threshold levels for longlines as adopted in the South East Atlantic Fisheries Organisation (SEAFO) and the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) be considered as an alternative. ICES should be asked for further advice on this issue. In ‘existing bottom fishing areas’ and without more specific scientific advice PECMAS considers the risk of significant adverse impacts to be sufficiently low to justify maintaining current move on provisions.

PECMAS recommends that Contracting Parties that are planning exploratory fisheries should give preference to exploratory fisheries using fishing gear and methods with the least bottom contact, and experiments in well-mapped waters.

PECMAS emphasises that assessments should be quantitative and comprehensive, utilising all relevant sources of information.

Additional new requirements are proposed for exploratory fisheries:

- Pre-fishing bottom mapping of intended fishing sites using echosounders, if practicable multi-beam sounders.
- Monitoring of bottom fishing operations using gear monitoring technology, including cameras if practicable.
PECMAS recommend mandatory provision of these monitoring data to facilitate assessments of the exploratory fishery by PECMAS and ICES.

PECMAS considers that there is a need to further develop the current move on rule in steep slope, seamount areas and ‘new bottom fishing areas’. However, there are operational problems with the alternatives that have been suggested and PECMAS does not have specific proposals in this regard. Contracting Parties are encouraged to work on developing alternatives that would be operational. In the further development of the move on rule, it should be kept in mind that in some cases, especially when fishing in structured habitats (e.g. steep rugged terrain, seamounts), moving off a structural feature is more important and may require a longer move on distance than 2 nm in a specific direction.

PECMAS recommends that the current provisions for temporary closures in ‘new bottom fishing areas’ be extended to ‘existing bottom fishing areas’. To this end it is recommended that alerts with detailed positional data of the encounter site and the temporary closure is immediately conveyed to all Contracting Parties and posted on the NEAFC website. Contracting Parties should ensure that vessels flying their flag respect the temporary closure without delay.

PECMAS concludes that NEAFC’s policy of making all measures and reports of meeting where assessments are made publicly available is consistent with the UNGA res. However, the clarity of the publicly available information should be increased. A clear explanation of the approach that has been used in NEAFC, and the conclusions that have been reached, should be formulated and made publicly available.

PECMAS concludes that NEAFC should consider adopting specific requirements for collection and reporting of data, for vessels engaged in bottom fishing.

ICES should be asked for guidance regarding what type of data that can realistically be gathered in commercial fisheries would be most useful for scientific purposes. This should be considered in the context of the development of guides for the identification of corals and sponges in the NEAFC area.

PECMAS concludes that NEAFC, and the NEAFC Contracting Parties, should make efforts to increase the availability to ICES of all data that are helpful in providing scientific advice to NEAFC.

The ICES advice, the reports of PECMAS meetings where proposals are formulated and the reports of the NEAFC Annual Meetings where formal decisions are made are all publicly available. PECMAS considers that they should be promoted more, and made available in clearer form.

PECMAS concludes that NEAFC can act consistently with paragraph 129(a) of UNGA res. 66/68 by bringing the relevant issues to the attention of ICES. Furthermore, PECMAS concludes that the NEAFC regulation is already consistent with paragraphs 129(b) and (c) of UNGA res. 66/68. NEAFC’s consistency with paragraph 129(d) of UNGA res. 66/68 will be considered by PECCOE.

9) Any other business

The representative of Norway noted that Norway had sent to NEAFC Heads of Delegation a letter regarding reforming areas closed to bottom fishing as Marine Protected Areas. He encouraged
PECMAS members to initiate a domestic discussion on this and encouraged Contracting Parties to provide feedback on the letter in the next few weeks.

The representative of the EU raised the issue of ICES advice regarding area closures.

PECMAS agreed to ask the Secretary to write to ICES and seek further information on the reasoning behind the ICES most recent advice regarding area closures, in particular on the Hatton Bank, with the aim to have an answer from ICES available before the Annual Meeting.

The letter will highlight the following:

PECMAS is concerned on what basis ICES has determined the revision of the Southwest boundary of the Hatton Bank closure (Area 3). PECMAS ask ICES for clarification regarding whether or not the criteria used to provide the advice:

1. discriminates quantitatively and qualitatively when encounters of corals and sponges take place in the surveys that have been undertaken in the area. It is not clear enough whether ICES gives the same weight to an encounter, with no account being taken of the size. Moreover, it seems that the new recommended thresholds are well beyond the encounters. Similarly, it is unclear if dead and alive coral is under distinction, as the case of absence vs presence data

2. takes into consideration the degree of knowledge of the habitats. A significant surface of the area in the Hatton Bank has been mapped using multi-beam techniques, namely in the western slope where the main trawling grounds occur. The outcomes in particular in most of Area 3 suggest that presence of VMEs is unlikely. However ICES has proposed to close it and an explanation is deserved.

PECMAS has also concerns regarding the possible lack of consistency in the application of the criteria for defining boundaries of closures in the Hatton Bank and in other existing fishing areas.

10) Report of the meeting

The report of the meeting was adopted at the end of the meeting on 29 June 2012.

11) Closing of the meeting

The Chair closed the meeting at 13:45 on 29 June and thanked all the participants and wished them a safe journey home.