PERMANENT COMMITTEE ON MANAGEMENT AND SCIENCE (PECMAS)

Report of Meeting on 1-2 October 2019
at NEAFC Headquarters, 44 Baker Street, London. W1U 7AL

1 Opening of the meeting
1.1 The Vice Chair of PECMAS, Þorsteinn Sigurðsson, Iceland, opened the meeting and welcomed the delegates. All Contracting Parties were represented at the meeting.

1.2 The Vice Chair explained that the Chair, Evgeny Shamray, had left his position in the Russian Administration and was therefore no longer able to continue as Chair of PECMAS. PECMAS expressed its thanks for the useful contribution and excellent Chairing by Mr. Shamray. The Vice Chair then set out the main points for discussion at the meeting.

2 Adoption of the agenda and appointment of rapporteur
2.1 The agenda was adopted in the form circulated before the meeting.

2.2 The Secretary was appointed as rapporteur.

3 Cooperation with the International Council for Exploration of the Seas.
3.1 General cooperation with ICES
3.1 Lotte Worsøe Clausen for ICES, set out the process within ICES for the development of scientific advice, information on accreditation on quality assurance, and an explanation that future stock specific advice would be delivered as a subset of the Ecosystem Overviews. She also explained that work was developing to look at the Arctic in more detail.

3.2 The Secretariat introduced the ICES report of its 2019 Meeting with the Recipients of Advice (MIRIA) which was attended by the Secretariat and most Contracting Parties. The Secretariat explained that a 2019 ICES-NEAFC bilateral had not taken place, but rather been replaced by a bilateral discussion on likely changes needed to the ICES-NEAFC MOU (see Item 3.4 below).
3.3 ICES was thanked for its presentation and its aim to put fisheries advice in the context of a wider perspective.

**PECMAS noted that an ICES-NEAFC bilateral would go ahead in early 2020.**

3.2 Review of advice from ICES

**Widely distributed stocks**

3.4 The representative of ICES, Rui Catarino, presented the ICES advice regarding widely distributed stocks (Document PECMAS 2019-01-18). This included advice on blue whiting, herring and mackerel. ICES noted in all these stocks, total catch had exceeded the advice due to lack of agreement on allocations. Redfish advice was due to come out on 9 October.

3.5 For blue whiting, the key point of interest was a very small year class for 2018 which would in turn be likely to mean a lower Spawning Stock Biomass (SSB) in future years.

3.6 On herring it was noted a strong 2016 year class was coming through, although this was not due to increase the SSB in 2020, but rather over a longer term.

3.7 On mackerel, while the assessment was improved, the conflicting trends in egg survey data versus swept area surveys continued to be a challenge to the aim to reduce the uncertainty in the scientific advice. ICES highlighted the effort to improve the surveys; this was the most scrutinised stock in the ICES system now. In terms of the language describing the stock, it was noted that this was a little more positive now that more data was available to support trend analysis and a slight increase in SSB with new year classes moving in.

**Deep sea stocks**

3.8 The representative of ICES, Rui Catarino, presented the ICES advice regarding deep sea stocks, including the NEAFC categories (Document PECMAS 2019-01-19). This included advice on roundnose grenadiers in areas 10b, 12c, 12a1, 14b1 and 5a1. For blue ling in areas 1, 2, 8 and 9 and divisions 3a and 4a and tusk in divisions 12a and 12c the catch advice was zero.

3.9 On Roundnose Grenadier, ICES noted new advice was due in 2020 for the stocks in areas 6/7/5b and 12b, however ICES would value guidance on how the total quota advice could be split between the two components of the stock.

3.10 In discussion on orange roughy it was noted that while some fisheries were on single seamounts the few numbers of vessels involved meant VMS data was not available due to anonymity requirements.

3.11 It was noted that the NEAFC deep sea species categorisations was missing from all the relevant ICES advice sheets, so these would be re-issued by ICES.
3.12 ICES responded to several requests for clarifications on the information, including on how much of the historic data was divided between catches in the Regulatory area and in EEZs. Some questions were to be taken away for further examination by experts at ICES.

Rockall haddock

3.13 ICES presented its data on Rockall haddock which had been benchmarked in 2019. Current advice was that the stock was being harvested sustainably.

Aggregated Deep Sea stock data

3.14 Under this discussion the Secretariat presented PECMAS 2019-01-12 setting out NEAFC aggregated catch data for deep sea species from 2012 to July 2019 (provisional).

3.15 PECMAS thanked the Secretariat for a useful overview, noting no stocks had expanded rapidly over the last years. However it was also noted that the aggregated nature of reporting of this data by Contracting Parties meant that any rapid expansion of fishing on a biologically different stock within a species may not be spotted. ICES would therefore be in a better situation to do that kind of analysis if needed. The Secretariat would explore other ways of presenting the data to enhance clarity.

3.3 Formulation of requests for advice from ICES

3.16 The Chair introduced the discussion on the recurring request for advice from ICES, noting this was last amended at the 2018 Annual Meeting in AM 2018-91. He noted that the development of the MOU also would have to be taken into account in the wording of the recurring advice at the 2019 Annual Meeting.

3.17 Norway was invited to present document PECMAS 2019-01-08, a proposal to request to ICES to provide an assessment of the status of the ecosystem in the NEAFC portion of the Central Arctic Ocean. This request would be in the context of the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean (the CAO Agreement) and the related NEAFC statement agreed at the AM 2018.

3.18 In discussion, the proposal was welcomed by Contracting Parties. A concern was expressed on the need for specifying the fisheries areas/eco-regions to be covered in order to avoid too large a body of work for ICES.

3.19 ICES explained it also welcomed the proposal, given it was already developing its capacity and resources to examine the area. However the detailed framework for the work, including how to tweak the regions or match up parts of existing regions to fit the relevant area, was expected to take some time to develop.

3.20 PECMAS noted there was not complete consensus at the meeting on going ahead with a NEAFC request for recurring advice on the relevant part of the Central Arctic Ocean. Nevertheless, PECMAS invited Norway to work with the Secretariat to bring back a
reformulation of the request to the 2019 Annual Meeting. The Chair invited the Russian Federation to consider the issue before the Annual Meeting.

3.4 Review of MOU with ICES

3.21 The Secretariat introduced the Chair’s paper on the update of the ICES-NEAFC MOU (documents PECMAS 2019-01-04 and PECMAS 2019-01-04 – Appendix); The prior process for the review of the MOU was set out, including bilateral discussions in the margins of the 2019 MIRIA meeting and input from the Contracting Parties and ICES and NEAFC Secretariats over the preceding year. The Secretariat explained that, while the MOU had not been reviewed since 2007, the scope of the update was not to change the fundamental agreement or terms of the MOU but rather to reflect changes in practice in operating the MOU and any changes in policy etc in NEAFC and ICES. In addition, some streamlining with bilateral MOUs ICES had with Contracting Parties was aimed at. ICES confirmed that there were no changes in substance but some deadlines had been extended and costing aspects were under a general review separately by ICES on a slower timescale.

3.22 The above process had delivered a draft revised version of the MOU in tracked changes for consideration by PECMAS. The Secretariat explained that any changes in costings decided by ICES in its future internal process would only be included in the MOU following the normal negotiations expected for any change in charges to NEAFC for advice.

3.23 In discussion several rounds of amendments were made to the text to reflect Contracting Party suggestions. One issue that was left unresolved was drafting to ensure NEAFC did not request advice from ICES where there were concerns about issues outside the competence of NEAFC - article 4 e of the revised MOU, which remained in square brackets.

3.24 PECMAS agreed to adopt the amended ICES-NEAFC MOU as set out in PECMAS 2019-01-04 – Appendix Rev 2 (as amended). This was subject to a final agreement on 4e before adoption at the Annual Meeting. The NEAFC and ICES Secretariats were also requested to re-check the order of text in Annex 1 of the MOU and insert an updated list of NEAFC stocks. It was also noted that the finance annex (annex 3) would need to be revisited in due course (possibly 2020).

3.25 PECMAS also agreed to send the draft MOU to Heads of Delegation in advance of Annual Meeting to seek guidance on the issue raised in article 4e.

3.5 Other

3.26 PECMAS members are invited to raise any other issue relating to NEAFC’s cooperation with ICES.

Nothing raised
4 Protection of vulnerable marine ecosystems

4.1 As a general introduction, ICES (Lotte Clausen) presented its work on Ecosystem Overviews. These overviews looked at key signals and main pressures in a sub-regional ecosystem as well as state of the components of that ecosystem. The next overview to be published covered South of Scotland to the Greenland Ridge, so equivalent to the large Regulatory Area to the West of Europe. ICES explained that while the Ecosystem Overviews were initiated by ICES itself, the overviews followed the normal ICES advisory process, checks and sign-offs.

4.2 ICES (Eugene Nixon) then presented its latest annual advice on VME closures. The advice showed some new VME indicators within the haddock box, but given the existing closure, it did not identify any need for any change to closed areas. ICES described its understanding of bottom fishing activities, with closed areas well observed, but there were limited indications of presumed bottom fishing in some areas outside existing bottom fishing areas.

4.3 ICES also identified some continuing issues with the VMS/catch data it was receiving from NEAFC. An ICES working group WGDEC was continuing to look at new approaches to identifying VMEs including a new algorithm for weighting indicators of VME habitats. Not only was the new approach aimed at identifying high indices of VMEs but also at developing a confidence estimate. In response to a query, ICES stated it was not aware of any work on assessing recovery of VMEs in the closed areas.

4.4 An observer pointed out that the UN General Assembly would be reviewing the UNGA resolutions on bottom fisheries and VMEs in 2020.

4.5 In discussion, the ongoing issue of the once a year NEAFC gear notifications was highlighted as a cause of many false positive indications of bottom fishing. The issue of data was an ongoing challenge, but it was hoped the new Electronic Reporting System (ERS) could solve most of this.

4.6 ICES had included some maps of apparent bottom fishing in the Barents Sea outside existing fishing areas. Norway made the following statement: ‘Following the 2010 bilateral treaty on delimitation between Norway and Russia in the Barents Sea, the maritime delimitation line separating the Fisheries Protection Zone around Svalbard from international waters was adjusted, resulting in an area previously being a part of the Fisheries Protection Zone around Svalbard now being international waters. All the relevant coordinates as to Norwegian delimitations have been notified to the United Nations in accordance with UNCLOS, and they have also been notified to NEAFC Contracting Parties and communicated to the NEAFC Secretariat.

4.7 However, the extension of the northwestern part of international waters in the Barents Sea is regarded as being outside existing bottom fishing areas according to Rec 19:2014 despite the fact that bottom fishing activities did take place in this area in the reference period referred to in Rec 19:2014 article 4. The area in question was heavily fished during the years 1987-2007 when the area was under Norwegian jurisdiction. It is therefore obvious that this area should have been added to the existing bottom fishing area at the time it was included in international waters.
4.8 The process of changing the coordinates has been put on hold because of the work in the NEAFC working group of VMES.’

4.9 OSPAR explained that it also held information such as the OSPAR List of Habitats which could help the work of ICES WGDEC, including the possibility of assessing the level of encounter reporting within areas of high VME.

4.10 The discussion then moved onto a broader review of Recommendation 19:2014 - see 4.1 below:

### 4.1 Review of Recommendation 19:2014 on protection of VMES

4.11 The Chair introduced the review, explaining it was a requirement of article 10.1 of Recommendation 19:2014 itself. PECMAS considered the following in its review of the effectiveness of Recommendations 19:2014 on the protection of VMES. The following evidence was considered.

1. A Secretariat paper (PECMAS 2019-01-03) setting out scope and evidence for the Review.
2. Draft conclusions from PECMAC 2 2019 (PECMAS 2019-01-11) on compliance with the Recommendation. This included a request to the Secretariat to improve its analysis of bottom fisheries to support Contracting Party actions.
3. An ICES presentation reviewing the development of the Recommendation since 2008 in light of its scientific advice (PECMAS 2019-01-15), showing the improvements in knowledge and extension in closed areas following the scientific advice. In addition, earlier ICES presented the latest scientific advice on VMES and closures for 2019 as well as on apparent bottom fishing indications in the Regulatory Area, including closed areas.

4.12 Discussion by Contracting Parties included: on how to improve data; how to reduce false positive alerts of bottom fishing activity; work in OSPAR to help definitions of Other Effective area-based Conservation Measures (OECMs); concerns if some bottom fisheries were occurring outside existing areas; the relevant UNGA resolutions; the possibility to revisit the few decisions on those areas that had not been closed on earlier advice.

4.13 PECMAS agreed to conclude its discussion as set out in the section below.

### 4.2 Formulation of proposals to the Annual Meeting

4.14 The Chair noted that there were no identified needs to formulate proposals for amendments to Recommendation 19:2014 on the protection of vulnerable marine ecosystems based on the most recent annual advice set out by ICES (PECMAS 2019-01-16).
4.15 On the Review of the effectiveness of Recommendation 19:2014 PECMAS Agreed to advise the Annual Meeting as follows:

1. PECMAS considered the scope of the Review to focus on protection of VMEs’. That included: that ICES had identified and advised PECMAS on areas that need protection from VMEs; that NEAFC had closed the relevant areas accordingly; whether fishing activities were not taking place in the closed areas or outside the existing fishing areas and; that the move on rule had been respected.

2. PECMAS believed there was sufficient evidence presented at its October 2019 meeting to make an assessment of Recommendation 19: 2014, according to the scope set out above.

3. PECMAS concluded that NEAFC has been, and continues to be, advised effectively by ICES on all issues pertinent to the protection of VMEs against significant adverse impacts from bottom fisheries including on areas that should be closed. NEAFC has closed most of the areas that ICES has advised should be closed, and ICES has confirmed that actions were appropriate.

4. From a combination of information from Contracting Parties on national enforcement activities (via PECMAC), NEAFC Secretariat on alerts on potential bottom fisheries activities, and from ICES analysis of fishing activity, PECMAS assessed that compliance with the closures had been effective. Some records of fishing in the new fishing areas indicate that some unauthorised fishing have occurred but the scale is limited. The vast majority of bottom fishing activity had been carried out inside existing bottom fishing areas.

5. While PECMAS believed the review of the information presented to it indicated the Recommendation was effective in its aim to protect VMEs as well as areas outside defined existing fishing areas in the Regulatory Area from bottom fisheries, nevertheless performance could be improved.

6. The following actions were suggested to improve performance of the Recommendation in protection of VMEs:
   
   a. PECMAS noted that PECMAC had welcomed any progress the Secretariat could make on reducing the number of false positives alerts reporting back on this to PECMAS 1 2020. PECMAC should also be invited to consider further options for Contracting Parties to improve transparency of investigations into the (mostly false positive) alerts on bottom fishing outside existing bottom fishing areas and also to address gear identification.

   b. PECMAC should be invited to assess if reporting on encounters with VMEs is functioning effectively.

   c. Following the implementation of the NEAFC ERS across all Contracting Parties, all opportunities to enhance monitoring of compliance with the Recommendation are investigated.

   d. The Secretariat (within current capacity) should continue its analysis/monitoring of bottom fishing activity in the Regulatory Area to support Contracting Parties as requested by AM 2018 and EM 2015.
e. NEAFC and ICES Secretariats to work together to address data issues to ensure common understanding of bottom fishing activity.

f. ICES to inform PECMAS in 2020 on progress on WGDEC on improvements on the use of VME indicators to develop management advice. ICES was also invited to consider completeness of VME habitats and indicators in ICES database.

g. The Secretariat to report back to PECMAS 2020 on the above actions.

h. PECMAS should consider in due course any outcomes of the UNGA 2020 review of implementation of Resolution 61/105 and subsequent resolutions (bottom fisheries/VME protection). The Chair should request guidance from the AM 2019 on whether PECMAS 2020 should consider UNGA resolution 71/123 on further actions on management of bottom fisheries impacts on VMEs.

i. PECMAS should by 2020 revisit ICES closure proposals not yet acted on by NEAFC.

j. PECMAS should report back to AM 2020 on progress.

4.3 Other

No other issues or proposals raised.

5 Management of deep sea species

5.1 Formulation of proposals to the Annual Meeting

5.1 Under this item the Chair invited PECMAS members to formulate proposals for conservation and management measures for deep sea species.

5.2 In discussion, Contracting Parties considered opportunities to formulate proposals on those expiring recommendations which would be likely to be uncontroversial for adoption at the Annual Meeting. However, no stocks appeared to have new advice/advice yet delivered to take up at this stage.

5.3 PECMAS agreed that it was not aware of any new advice from ICES on elasmobranchs that would lead to a change of approach on the relevant Recommendations at AM 2019, however since the new advice was out on 4th Oct, it could not conclude on this issue at the meeting.

5.2 Other

5.4 PECMAS members were invited to raise any other issue related to the management of deep sea species.

Nothing raised.
6 Cooperation with OSPAR

6.1 A dedicated part of the PECMAS agenda was set aside so PECMAS and OSPAR observers have time to exchange views on areas of cooperation under the MoU as outlined by the Commission.

6.1 Implementation of the collective arrangement

6.2 The collective arrangement was adopted in 2014. The Secretariat introduced the aide memoire from the fifth meeting under the collective arrangement, held in May 2019 in Gothenburg (document PECMAS 2019-01-06). The Secretary highlighted the continuing robust discussions that showed a real engagement in the relevant issues discussed at the collective arrangement. Some of the key issues would be discussed under items within this agenda item.

6.3 The OSPAR Secretariat highlighted the agreement at the collective arrangement on an action to follow up on the issue of marine litter. OSPAR had shared a questionnaire on design of fishing gear with NEAFC via the Secretariat. OSPAR has received many responses to the questionnaire and was currently in the process of analysing the information. A workshop to consider issues around the design of fishing gear and extended consumer responsibility was planned for late February 2020.

6.4 The scoping document on key waste items from the fishing industry and aquaculture was published at OSPAR 2019 https://www.ospar.org/documents?v=41242. The OSPAR Secretariat explained OSPAR developed scoping documents in order to collate available information as a basis for further action, but without any commitment to taking that action.

6.5 OSPAR had recently completed updated indicator assessments on marine litter by assessing ingestion rate by fulmars and litter observer on beaches. The assessments indicated that marine litter continued to be a pressure on the North East Atlantic environment. Both assessments will shortly become available on https://oap.ospar.org/en/.

6.2 The proposed OSPAR High Seas MPA

6.6 The Secretariat set out the current process in OSPAR to develop a High-Seas MPA for the protection of birds in the west-central part of the convention area (Document PECMAS 19-01-06 and appendix 1 and 2). The Secretariat explained the engagement process which had included the last two collective arrangement meetings as well as input from ICES and PECMAS in 2018. More recently, the NEAFC Heads of Delegation views on the MPA proforma had been sent to OSPAR (see PECMAS 19-01-06). This had underlined the view that while the proforma may be strong on the science, the information on human activities in the area was lacking. OSPAR had requested PECMAS 2019 to consider if it had any further information to offer the process beyond last year’s conclusion that there was very little activity in the area from NEAFC fishing vessels. No further evidence was presented at PECMAS.

6.7 The OSPAR Secretariat explained that OSPAR was happy with the NEAFC involvement in the proforma process. The ongoing process within OSPAR was set out, looking forward to its adoption and an MPA designation to be considered at the OSPAR Ministerial in 2020.
OSPAR acknowledged its designation could only include measures under its own competence but it would continue to engage with NEAFC on the MPA through the collective arrangement.

6.3 Update on Joint NEAFC/OSPAR request to ICES on deep sea sharks

6.8 ICES briefly updated PECMAS on the work in hand to respond to the 2018 joint request from NEAFC and OSPAR for scientific advice on deep sea sharks, rays and chimaeras. The results, based on ICES working groups on elasmobranchs and bycatch, and an ICES ‘shark workshop’, would be reported to PECMAS in 2020.

6.4 Other issues relating to cooperation between NEAFC and OSPAR

6.9 PECMAS noted that the next collective arrangement meeting would be held in the OSPAR Secretariat office but no date had yet been decided.

7 Information regarding relevant international initiatives

7.1 The Secretariat briefly introduced PECMAS 2019-01-07; on international meetings it had attended in 2019. This included the Intergovernmental Conferences an international instrument on Biodiversity Beyond National Jurisdiction instrument (BBNJ), the FAO Common Oceans Programme, and the OSPAR Biodiversity Committee.

7.2 In addition, the Secretary reported on his observer attendance at the Convention on Biological Diversity, Environmentally and Biologically Significant Areas (EBSA) in North East Atlantic workshop (22-27 Sept). This was a CBD follow-up process to the joint NEAFC-OSPAR-CBD EBSA process started in 2011. It would finally mean the North East Atlantic would not be a gap in the global EBSA network. The Secretariat noted that ICES had attended the meeting to provide its scientific input, including the conclusions of the 2013 ICES peer review of the joint NEAFC-OSPAR draft EBSA descriptions. The output of the workshop would be considered at CBD COP 2020 after review by the scientific and technical subsidiary body of CBD (SBSTTA).

7.3 The European Union provided information about its efforts contributing to the implementation of the Agreement to prevent Unregulated High Seas Fisheries in the Central Arctic Ocean. A significant amount of funds (4 million Euros) were allocated to the European scientific consortium to collect data in Central Arctic ocean in support of knowledge development in this area. The Secretariat explained that the NEAFC President had attended on behalf of NEAFC the Scientific Researchers’ Conference of participating countries about The Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean (CAOF Agreement), in 2019 at the Northern (Arctic) Federal University in Arkhangelsk.
8 Access to documents

8.1 PECMAS did not identify any documents which should be marked as exceptions to the NEAFC policy on access to meeting documents. Thus, if not marked otherwise at the Annual Meeting, the PECMAS meeting documents would be made publicly available on the NEAFC website at the same time as the Annual Meeting documents are published.

9 Any other business

9.1 Rules of procedure for observers

9.1 PECMAS considered a paper on the NEAFC rules of Rules of Procedure, Chapter 7, on the rules of procedure regarding observers (PECMAS 2019-01-1). The provisions of the rules regarding observers at PECMAS allow particular agenda items of PECMAS meetings to be limited to Contracting Parties at the request of a Party. This rule was due to be assessed at the 38th Annual Meeting of the Commission. PECMAS had therefore been asked to pass on its experience of the observers to the Annual Meeting.

9.2 After a brief discussion PECMAS concluded that the role of the Observers to the meetings had been constructive and useful. In addition, it had not been found necessary to invoke any restricted sessions in the 5 years’ of PECMAS experience with Observers. PECMAS nevertheless considered this a useful provision to keep in hand. The Chair would therefore advise the Annual Meeting accordingly.

Review of NEAFC Scheme Annex 5 Species List

9.3 PECMAS was requested by the Secretariat (in document PECMAS 2019-01-14) to advise it on the list of NEAFC Species which needed to be corrected and harmonised with the FAO ‘AFSIS’ list of species in order to prepare a Master Data register for the new Electronic Reporting System.

9.4 Norway kindly provided the necessary corrections and clarifications to assist the Secretariat.

Election of PECMAS Chair:

9.5 Given that Evgeny Shamray was no longer available to Chair PECMAS, Contracting Parties were requested to elect a new Chair for 2020 onwards. The Vice Chair was willing to continue in his duties as Vice Chair and was duly supported by Contracting Parties with thanks. The European Union indicated it would look to provide a candidate for PECMAS Chair. Contracting Parties welcomed the proposal from the European Union; the candidate would be advised to the Heads of Delegation meeting at the Annual Meeting.
10 Report of the meeting

10.1 The report was circulated on 15 October 2019.

11 Closure of the meeting

11.1 The Chair thanked all the participants for a fruitful meeting and wished everyone a safe journey home. He then closed the meeting.