



**Recommendations to the 36th NAFO Annual General Meeting,
September 22nd- 26th in Vigo, Spain**

The Ecology Action Centre and The Pew Charitable Trusts, as accredited observers to NAFO, are pleased to be representing the Deep Sea Conservation Coalition (DSCC) at the 36th Annual Meeting of NAFO in Vigo, Spain. We have attended NAFO meetings and actively worked with Contracting Parties and NAFO Working Groups since 2007, with the primary goal of encouraging and supporting the full implementation of the United Nations General Assembly (UNGA) resolutions 61/105, 64/72 and resolution 66/68. Each year, NAFO has made incremental progress in implementing the requirements of the resolutions through improvements in scientific advice and associated management measures to protect vulnerable marine ecosystems. We maintain however, that NAFO has yet to fully implement the requirements of the resolutions. With a view towards the review of the implementation of the UNGA Resolutions in 2015, decisions taken this year can ensure VME protection. NAFO must follow scientific advice and recommendations of the Scientific Council particularly in regards to the protection of VMEs, VME indicators and VME elements.

In addition to the UNGA Sustainable Fisheries Resolutions, NAFO Contracting Parties also made commitments at the Rio + 20 Conference, including a commitment to protect biodiversity in areas beyond national jurisdiction (para 162), to restore fish stocks to at least MSY levels (para 168), and to increase transparency and accountability in RFMOs specifically an (para 172)_implementing the recommendations of the Performance Reviews.

NAFO has made significant progress in protecting VME areas, increasing research and data collection, and deepening its organizational shift to a more ecosystem based approach. We welcome the progress made in transparency with the allowance of observers at intersessional and working group meetings. We also welcome the addition of the Working Group on Bycatch, as this is a significant issue jeopardizing the conservation and sustainability of deep-sea fish populations. Finally, we welcome progress made towards standardization of observer data collection as this information is imperative for use in scientific advice on management of vulnerable marine ecosystems and bycatch mitigation. Despite considerable progress since 2007, NAFO continues to face challenges around full implementation of the UNGA resolutions 61/105, 64/72 and 66/68. At the 36th Annual Meeting, we recommend the following to ensure that NAFO and its Contracting Parties (CPs) fulfill requirements for conservation of vulnerable marine ecosystems and protection of deep-sea fish populations.

Recommendations

Protection of Vulnerable Marine Ecosystems from the Impacts of Fishing

NAFO has made considerable progress in identifying and closing areas of VMEs, including seamounts, over the past several years. However, as scientific data become available, the NAFO NAFO Working Group on Ecosystem Science Assessment (WGESA), through the Scientific Council and NAFO Joint Fisheries Commission-Scientific Council Working Group on Ecosystem Approach Framework to Fisheries Management (WG-EAFFM), have identified new areas that warrant protection. In light of both scientific and management capacity increases over the past several years as well as the commitment from NAFO CPs to fully implement the UNGA Sustainable Fisheries Resolutions, we strongly recommend the following for agreement at the 36th Annual Meeting:

1. Area Closures

- a. Agree to permanent closure of existing closed areas as part of the 2014 closure review. Following permanent closure, this information should be conveyed to other competent agencies to ensure integrated ecosystem management and cooperation between governance structures responsible for management of the high seas.
- b. Agree to inclusion of VMEs, VME indicator species and elements as well as high concentrations of VME indicator species, as provided by the Scientific Council (NAFO SCS 14/17) in the NAFO NCEM for the 2015 fishing year.
- c. Where existing protection is viewed as poor or moderate, according to the June 2014 Scientific Council assessment (NAFO SCS 14/17, pg 51) areas should be expanded to ensure that protection for known VME areas is “good” for the 2015 fishing year. This includes specifically,
 - i. **Extend Closed Area 2** to encompass a suite of VME indicators, including gorgonians, sponges, cerianthids and crinoids.
 - ii. **Extend Closed Area 4** (Flemish Cap) to protect concentrations of sponges and large gorgonians as well as steep slopes and canyons.
 - iii. **Extend the 30 coral closure** to shallower depths (500m) to include concentrations of gorgonians and seapens. The original proposal for this closure recommended this action at the outset.
 - iv. **Create closed areas 13 and 14** to maximize protection in the NRA of sea pens and large sea pens and as proposed at the 34th NAFO Annual Meeting where agreement for closure was not reached.
 - v. **Create closed area 15** to increase protection of VMEs in the area of the Beothuk Knoll.
 - vi. Conduct further research on the VME indicators in 30, including
- d. **Commit** to using predictive habitat modeling, as per the work of the ICES WGDEC, to ensure that areas are included for closure where agreed VME indicators and elements are likely to occur, particularly with a view towards ecosystem restoration.
- e. Conduct an impact assessment of research surveys in closed areas and agree, as a precautionary measure, to remove VME closures from research surveys until such analysis is complete.
- f. Encounter protocols and move-on rules should be maintained, until such time as adequate data collection and reporting is in place by NAFO CPs and all VME indicators and elements are well protected through area closures.

2. Seamounts

- a. Extend the seamount closures to include the full extent of the Corner Rise and New England Seamount chains, as recommended by the Scientific Council (NAFO SCS 14/17).
- b. Despite the existing closure of seamounts to fishing in the NRA, a fishery directing for alphonso on the Corner Rise seamounts has occurred. An application for an Exploratory Fishery has been submitted (SC WG 13/20); however no impact assessment has been submitted and this area was agreed by NAFO for closure to fishing activity. NAFO should review potential impacts of the use of mid water trawls and require an impact assessment for this fishery by 2016. In the future, no fishery should be allowed in seamount areas and NAFO should adhere to the International Guidelines for the Management of Deep-Sea Fisheries on the High Seas as well as the UNGA Resolutions.

Data Collection, Sharing and Enhancement of Observer Protocols

Imperative to adequate ecosystem protection is the collection of data from fishing vessels on encounters and bycatch of VME indicator species as well as bycatch of unregulated species. NAFO has had difficulty reaching agreement on data collection protocols and as far as we are aware no VME encounters have been reported to NAFO. The work of the WG-EAFM has generated a significant amount of data and information on biodiversity and ecosystem elements. This data is a valuable resource and should be available for sharing with other responsible governance organizations.

1. Data Collection and Sharing

- a. NAFO must agree on a comprehensive data collection protocol for VME indicator species and bycatch species.¹
- b. CPs must follow this protocol as well as commit to act on the results of scientific research regarding VME protection.

2. Observer Protocols and Data Use

- a. CPs must commit to maintain existing observer coverage at 100%, and ensure that observer reports are being submitted in a timely manner. Failure to do both jeopardizes catch reporting as well as reporting of VME encounters, which reduces the ability of NAFO to manage fish stocks and protect VMEs.
- b. The Scientific Council, together with the Secretariat, should explore mechanisms to use observer data in stock assessments and in identification of ecosystem elements including VME species and bycatch.
- c. To improve data collection and provision for scientific use, NAFO should consider adopting a scientific observer scheme, as is in effect in CCAMLR.

Additional Conservation Measures

NAFO plays an important role in protecting the biodiversity of the Northwest Atlantic. To this end, we are concerned with the continued number of species that are caught in NAFO directed fisheries that continue to be unregulated and unprotected.

¹ NAFO data collection protocols should follow the advice outlined in the *2010 FAO Guidelines on Bycatch Management and Reduction of Discards* as well as the recommendations of the *Report of the UN FAO Workshop on Data and Knowledge in Deep-sea Fisheries in the High Seas (2008)*, and continue to implement the 2008 FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas.

1. Unregulated Species & Bycatch

- a. NAFO should continue the NAFO Ad Hoc Working Group on Bycatches, Discards and Selectivity (WGBDS), with a view towards agreement on data collection on a tow-by-tow basis.
- b. NAFO should take measures to reduce the number of species that are caught with no TAC or management measures, first by identifying priority species for management based on known population status. Bycatch limits should be set for all fisheries within the NRA for deep-sea species in particular.
- c. NAFO must begin to address bycatch in directed fisheries and implement the *FAO Guidelines on Bycatch Management and Reduction of Discards* and take management decisions to minimize the impacts of directed fishing on vulnerable and long lived deep sea fish species.
- d. NAFO should consider establish temporal and spatial closures to reduce the impact of directed fisheries on bycatch and unregulated fisheries.

2. Fins Attached

- a. NAFO should agree to adopt a fins attached policy for all shark species caught as bycatch in NAFO regulated fisheries.

3. Climate Change & Ocean Acidification

- a. NAFO should agree to the inclusion of the impacts of climate change and ocean acidification into the work of the Scientific Council stock assessments as well as the Ecosystem Approach to Fisheries (EAF)A Road Map.

Conclusion

We look forward to the 36th Annual Meeting of NAFO, and to seeing good progress on the recommendations stated above. NAFO has the opportunity to provide continued and much needed leadership in high seas fisheries governance and protecting high seas ecosystems. Progress towards full implementation of the UNGA Sustainable Fisheries Resolutions should be a priority for NAFO and the CPs so that measures taken can be considered for the 2015 Review of implementation of the Resolutions.

Respectfully submitted,

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