



DSCC Priorities for the protection of seamounts and other topographical features in areas beyond national jurisdiction in the South Pacific

In anticipation of the SPRFMO 11th Commission meeting in Manta, Ecuador in February, 2023, the DSCC wishes to draw your attention to the following priorities for action as a part of our collective responsibility for the protection and preservation of deep sea ecosystems:

1. A prohibition on bottom trawling on seamounts and other similar topographical features in areas beyond national jurisdiction (ABNJ) to be implemented by no later than December 2023;
2. Recognition of vulnerable marine ecosystems (VMEs) as the ecosystems themselves, including the totality of the populations and species associated with each VMEs, rather than simply the species or groups of species which have been designated as VME 'indicator taxa';
3. Reject proposals that seek to authorize and rationalize the continued destruction of a percentage or portion of VMEs in a given area (as part of a 'minimum level of protection');
4. Consistent application of the precautionary approach and the ecosystem approach as required by the Convention to protect VMEs, close areas, conduct impact assessments and protect deep-sea biodiversity.

In the SPRFMO context the effective implementation of these actions will require the consistent application of commitments that all Contracting Parties have made through the UN General Assembly (UNGA) Sustainable Fisheries Resolutions.

Background

Since 2004, the Deep Sea Conservation Coalition (DSCC) has been working with scientists, NGOs, intergovernmental organizations and governments to protect the biodiversity associated with seamounts and other deep-sea topographical features from damage and loss caused by bottom trawling in areas beyond national jurisdiction. In 2004 the member nations of the UNGA first committed to "take action urgently, and consider...the interim prohibition of destructive fishing practices, including bottom trawling that has adverse impacts on VMEs, including seamounts, hydrothermal vents and cold water corals located beyond national jurisdiction" in UNGA resolution 59/25.

Significant progress has been made over the past two decades with the adoption of conservation measures and regional regulations prohibiting bottom trawling on seamounts and other VMEs in many areas. At the same time, there has been growing international recognition and increasing global commitments over the past 20 years to halt and reverse marine biodiversity loss. This was reflected most recently in the UNGA Sustainable Fisheries resolution 77/181 adopted in 2022 which once again highlighted the importance of protecting deep-sea biodiversity by protecting VMEs and called for the assessment of the potential impacts on all species that constitute a VME "including their associated and dependent species" and not simply VME indicator taxa. Protecting biodiversity in the marine environment is an obligation under the UN Fish Stocks Agreement (Article 5(g)) and is recognised in the SPRFMO Convention. The SPRFMO Convention specifically requires that members ensure the long-term conservation and sustainable use of fishery resources and, in so doing, safeguard the marine ecosystems in which these resources occur through the application of the precautionary approach and an ecosystem approach to fisheries management.

The indefensible push back against the protection of deep-sea biodiversity

Over the past ten years, New Zealand has made numerous attempts to demonstrate, on a scientific basis, that bottom trawling can be managed to prevent significant adverse impacts (SAIs) on VMEs. It has consistently failed to do so.

A VME is the totality of the species and populations that comprise the VME, including but not limited to VME indicator taxa. In the SPRFMO area there are major gaps in the information on both VME indicator taxa and non-VME indicator species associated and dependent on VMEs. These gaps include identification of the full range of species associated with VMEs (including cryptic and undescribed species), and biological information about these species and ecosystems, such as population structure, connectivity, endemism and source and sink populations – all of which is essential to assessing the impacts of bottom trawling. The paucity of scientific information makes it impossible determine whether bottom trawling can be managed to prevent SAIs on VMEs and the gaps in the information are not likely to be filled for many years to come.

Any assertion that it is acceptable to protect only a percentage of the predicted range of distribution of a taxonomic group of VME indicator species is contrary to the UNGA resolutions. The 2022 UNGA Sustainable Fisheries resolution underlined the clear inadequacy of this approach in its call to assess impacts on associated and dependent species. In addition, continued failure to take into account cumulative impacts of bottom trawl fishing in the SPRFMO area makes the percentage approach even more scientifically indefensible. The reality is that the extent or ‘percentage’ of VMEs that have already been damaged (including populations of their associated and dependent species), the severity of impacts on individual VMEs and the loss of biodiversity on seamounts that has occurred as a result of the past 30-40 years of bottom trawling on these features in the SPRFMO area is largely unknown, but likely to be significant.

For these and other reasons, the 2021 UN World Ocean Assessment II, in Volume 1, Chapter 7L: Seamounts and pinnacles, concluded that “Fishing, especially bottom trawling, constitutes the greatest current threat to seamount ecosystems”. That this is still the case, a full seventeen years after the adoption of UNGA resolution 59/25 and fifteen years after resolution 61/105, makes it clear that it is time to finally put an end to the practice of trawling on seamounts.

The clear choice facing SPRFMO Members in 2023 is between continuing to delay adoption of effective conservation and management measures to prevent harm to deep-sea ecosystems and the loss of biodiversity, or to apply the precautionary approach given that available scientific information is uncertain, unreliable, or inadequate. The latter is a clear obligation under the SPRFMO Convention and the UN Fish Stocks Agreement – an obligation which requires that “the absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures” to meet established conservation objectives and obligations.

In 2023, as States move towards the completion of the BBNJ treaty negotiations; begin the process of working toward meeting the biodiversity conservation commitments adopted by COP-15 of the CBD; and look to address the emerging threat of deep-sea mining, it is time to acknowledge that bottom trawling on seamounts and associated features must end. Already parties to CCAMLR and NAFO have closed all seamounts to bottom trawling. Today DSCC estimates that fewer than twenty vessels flagged to a handful of countries are bottom trawling on seamounts in areas beyond national jurisdiction in the Pacific, Atlantic and Indian Oceans – all outliers in a sector that is increasingly recognizing its responsibility to help protect and preserve the ocean for common good. If SPRFMO does not take decisive action to effectively conserve and protect VMEs and biodiversity from the impacts of deep-sea trawling on seamounts, or worse, intentionally allows the damage or destruction

of a given percentage of VMEs to continue, it will be operating contrary to the UNGA resolutions and other international commitments to halt and reverse biodiversity loss.

Within the SPRFMO region there is only one State, New Zealand, still bottom trawling on seamounts. The catch reported in 2021 was a mere 20 tonnes. The time has clearly come for SPRFMO end bottom trawling on seamounts. SPRFMO Members have the opportunity to close the seamounts and associated features of the region this year to bottom trawling to prevent further damage and destruction of VMEs as well as provide the conditions to allow for the recovery or rebuilding of targeted fish stocks and bycatch species.

While only one Contracting Party authorizes bottom trawling on seamounts and related features, all Contracting Parties are responsible for the decisions SPRFMO takes. We urge you to adopt a prohibition on bottom trawling on seamounts and other underwater topographical features at the Annual Meeting this month.

Other recommendations and are included in the joint NGO briefing to SPRFMO [online at the SPRFMO website](#).

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About the DSCC

The Deep Sea Conservation Coalition is made up of over 100 non-governmental organizations working together to ensure the protection and resilience of vulnerable deep sea ecosystems for present and future generations.