

## **Recommendation XIII: 2009**

### **RECOMMENDATION BY THE NORTH-EAST ATLANTIC FISHERIES COMMISSION IN ACCORDANCE WITH ARTICLE 5 OF THE CONVENTION ON FUTURE MULTILATERAL COOPERATION IN NORTH-EAST ATLANTIC FISHERIES AT ITS ANNUAL MEETING ON 10-14 NOVEMBER 2008 TO ADOPT THE FOLLOWING RECOMMENDATION ON OPERATIONAL PROCEDURES FOR FISHING IN EXISTING AND NEW BOTTOM FISHING AREAS**

Pursuant to Article 6 of the NEAFC Recommendation on bottom fishing activities in the NEAFC Regulatory Area, the Commission has adopted the following interim measure:

#### **1 Definition of encounter**

An encounter is defined to be, above threshold levels as set out in paragraph 4, with indicator species of coral identified as antipatharians, gorgonians, cerianthid anemone fields, lophelia, and sea pen fields or other VME elements. Any encounter with a VME indicator species or merely detecting the presence of an element itself is not sufficient to identify a VME. That identification should be made on a case-by-case basis through assessment by relevant bodies.

#### **2 Existing bottom fishing areas**

2.1 Vessels shall quantify catch of VME indicator species, i.e. coral [and sponge].

2.2 If the quantity of VME elements or indicator species caught in a fishing operation (such as trawl tow or set of a gillnet or longline) is beyond the threshold defined in paragraph 4 below, the following shall apply:

- a. The vessel master shall report the incident to the flag state, which without delay shall forward the information to the Secretary. Contracting Parties may if they so wish require their vessels to also report the incident directly to the Secretary. The Secretary shall archive the information and report it to all Contracting Parties. The Contracting Parties shall immediately alert all fishing vessels flying their flag.
- b. The vessel master shall cease fishing and move away at least 2 nautical miles from the position that the evidence suggests is closest to the exact encounter location. The master shall use his or her best judgment based on all available sources of information.
- c. The Secretary shall make an annual report on single and multiple encounters in discrete areas within existing fishing areas to PECMAS. On the basis of an assessment by ICES, PECMAS shall evaluate on a case-by-case basis the information and provide advice to the Commission on whether a VME exists. The advice shall be based on annually updated assessments from ICES of the accumulated information on encounters and PECMAS's advice on the need for action, using FAO guidelines for management of deep-sea fisheries in the high seas as a basis.

#### **3 New fishing areas**

3.1 Vessels shall quantify catch of VME indicator species, i.e. coral and [sponge]. Observers deployed shall identify corals, [sponges] and other organisms to the lowest possible taxonomical level.

The sampling protocol found in Annex 1 of the Recommendation on bottom fishing activities in the NEAFC Regulatory Area shall be used.

3.2 If the quantity of VME element or indicator species caught in a fishing operation (such as trawl tow or set of a gillnet or longline) is beyond the threshold defined in paragraph 4 below, the following shall apply:

- a. The vessel master shall report the incident without delay to its flag State, which shall forward the information to the Secretary. Contracting Parties may if they so wish also require their vessels to report the incident directly to the Secretary. The Secretary shall archive the information and without delay transmit it to all Contracting Parties. The Contracting Parties shall issue an immediate alert to all vessels flying their flag.
- b. The Secretary shall at the same time request Contracting Parties to implement a temporary closure of two miles radius around the reporting position. The reporting position is that provided by the vessel position that the evidence suggests is closest to the exact encounter location.
- c. PECMAS at its next meeting shall examine the temporary closure. If, on the basis of assessment by ICES, PECMAS advises that the area consists of a VME, the Secretary shall request Contracting Parties to maintain the temporary closure until such time that the Commission has acted upon the advice from PECMAS. If the PECMAS evaluation does not conclude that the proposed area is a VME, the Secretary shall inform Contracting Parties which may re-open the area to their vessels.
- d. The vessel shall cease fishing and move away at least 2 nautical miles from the position that the evidence suggests is closest to the exact encounter location.. The master shall use his or her best judgment based on all available sources of information.
- e. The Secretary shall make an annual report on archived reports from encounters in new fishing areas to PECMAS. This report shall also include reports from the exploratory fishing activities that were conducted in the last year. ICES shall assess the reports and PECMAS shall evaluate the information and provide advice to the Commission on the appropriateness of temporary closures and other measures. The advice should be based on annually updated assessments of the accumulated information on encounters as well as other scientific information. The PECMAS advice should reflect provisions outlined in the FAO guidelines for management of deep-sea fisheries in the high seas.

#### **4 Threshold levels**

For both existing and new fishing areas, an encounter with primary VME indicator species is defined as a catch per set (e.g. trawl tow, longline set, or gillnet set) of more than 100 kg of live coral [and/or 1000 kg of live sponge]. These thresholds are set on a provisional basis and may be adjusted as experience is gained in the application of this measure

For a map of new and existing fisheries areas in the NEAFC Regulatory Area, please see the following page.

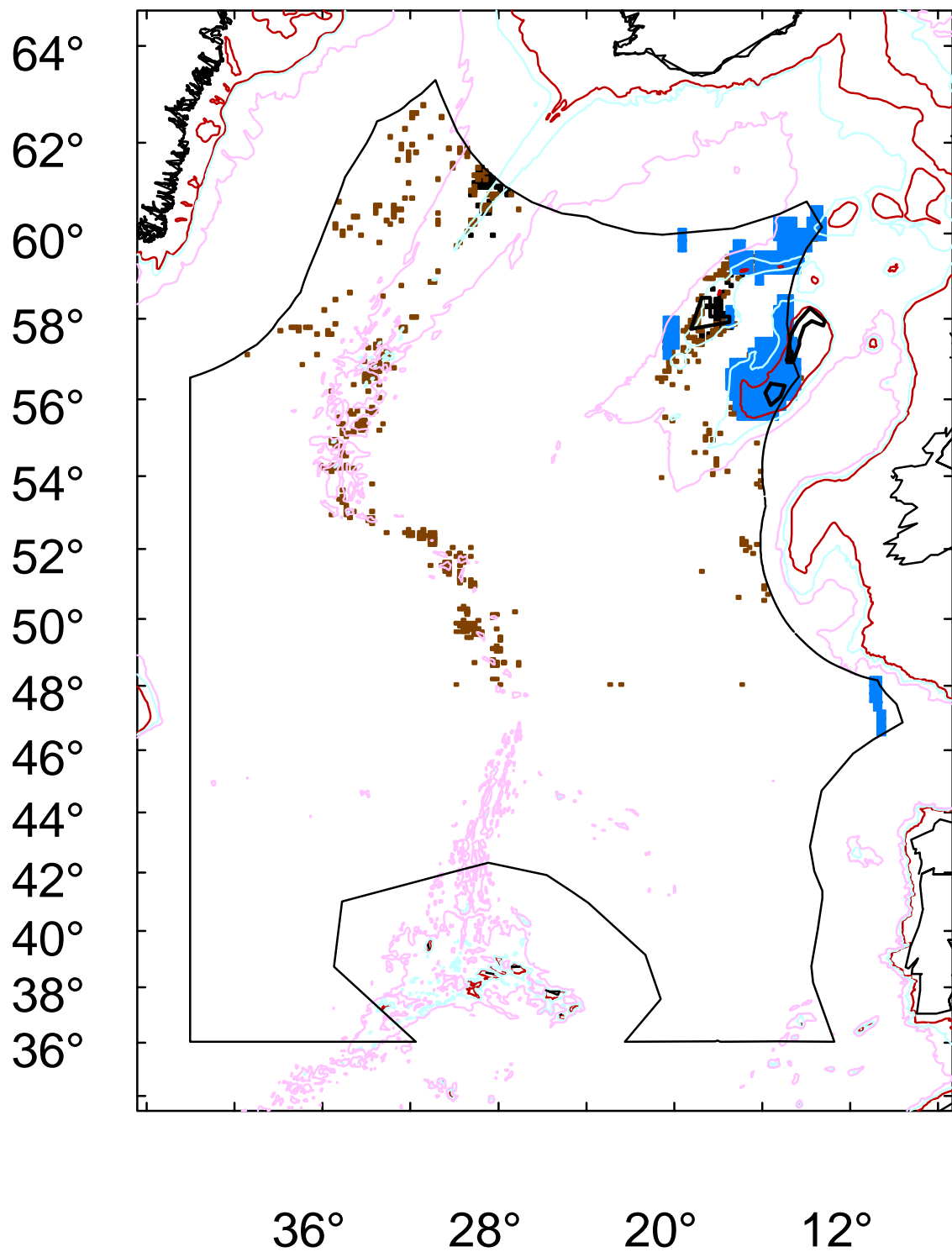


Fig. 1. Overview of the data. brown = russian data, all gears, black= icelandic data, all gears; blue = main effort, based on VMS data 2005-2007). Note that data from the Barents Sea area are excluded from the figure. Also note that VMS data from the northern Reykjanes Ridge area are excluded.