

Report by New Zealand on actions taken pursuant to paragraphs 113, 117 and 119 to 124 of resolution 64/72, paragraphs 121,126, 129, 130 and 132 to 134 of resolution 66/68, and paragraphs 156, 171, 175, 177 to 188 and 219 of resolution 71/123

11 March 2020

Introduction

New Zealand continues to be actively engaged in developing, improving and implementing measures to sustainably manage deep-sea fish stocks and prevent significant adverse impacts from bottom fishing on vulnerable marine ecosystems (VMEs), both in its own exclusive economic zone and on the high seas.

New Zealand is a member of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and the South Pacific Regional Fisheries Management Organisation (SPRFMO). On the high seas, New Zealand-flagged fishing vessels undertake bottom fishing in the CCAMLR Convention Area and the SPRFMO Convention Area.

Since 2016, New Zealand has:

- Continued to advocate for, and implement, improved measures adopted by CCAMLR to prevent significant adverse impacts on VMEs in the CCAMLR Convention Area;

- Co-developed the Ross Sea region Marine Protected Area (RSRMPA) with an objective of better understanding the effects of fishing on the Ross Sea region ecosystem. The RSRMPA was adopted by CCAMLR in 2017; and

- Developed and implemented further measures to prevent significant adverse impacts on VMEs from bottom fishing and measures to improve the management of deep-sea fisheries in the SPRFMO Convention Area.

to implement paragraphs of

Implementing the International Guidelines for the Management of Deep-sea Fisheries in the High Seas

This section addresses paragraphs 113 and 117 (res 64/72), paragraph 122 (res 66/68), and paragraph 171 (res 71/123).

New Zealand was actively involved in developing the Food and Agriculture Organization (FAO) International Guidelines for the Management of Deep-Sea Fisheries in the High Seas and uses the guidelines when formulating proposals for new, or improvements to existing, bottom fishing measures. New Zealand provided a list to the FAO of New Zealand flagged vessels that have approval to fish on the high seas using bottom fishing methods in 2009.

Conservation measures for bottom fisheries

This section addresses paragraphs 119 (a-d), 120, and 123 (res 64/72), paragraphs 129 (a-d) and 132 (res 66/68), and paragraphs 180 (c) and 182 (res 71/123).

CCAMLR Conservation Measures for bottom fisheries

The Conservation Measures (CMs) adopted by CCAMLR to regulate bottom fisheries in the Convention Area and to address the requirements of paragraph 119(a) to (d) have been CMs 22-04 to 22-07) are also publicly available on the CCAMLR website (www.ccamlr.org).

6 report, CCAMLR has:

- Closed further areas recognised as VMEs to bottom fishing based on the best scientific and technical information available;
- Strengthened and stream-lined procedures for carrying out assessments to take into account cumulative impacts on VMEs;
- Refined the data reporting requirements for CCAMLR Members to improve the effectiveness of VME impact assessments and corresponding management measures;
- Established a scientific review focus topic for VMEs, scheduled to take place in 2020. This will review current available information to identify information gaps, revise current impact assessment methodologies, and help to determine whether the current management measures are sufficient;
- Established the RSRMPA in 2017 with an objective to better understand the effects of fishing on the Ross Sea region ecosystem.

New Zealand continues to implement CCAMLR's bottom fishing requirements (CM 22-04 and 22-07) through permits issued under its Antarctic Marine Living Resources Act 1981. These permits are required by any New Zealand national (defined to include corporate bodies) participating in Southern Ocean fisheries. The conditions of the permits reflect all applicable CCAMLR Conservation Measure requirements for operating in CCAMLR fisheries.

SPRFMO Conservation and Management Measures for bottom fisheries

The SPRFMO Convention specifies the use of the precautionary approach and an ecosystem approach to the sustainable management of non-highly migratory species in the high seas of the South Pacific Ocean.

In recent years, SPRFMO has adopted a number of Conservation and Management Measures (CMMs), both at its own initiative and in response to resolutions 64/72 and 66/68, to prevent potential significant adverse impacts on VMEs and sustainably manage deep-sea fisheries:

CMM 08-2019 prohibits the use of large-scale pelagic driftnets and all deepwater gillnets in the Convention Area.

CMM 03-2019 and CMM 03a-2019¹ implement a comprehensive suite of measures to ensure the long-term conservation and sustainable use of deep-sea fishery resources, including target fish stocks as well as non-target or associated and dependent species. In doing so, the measures safeguard the marine ecosystems in which these resources occur, including the prevention of significant adverse impacts on VMEs, by *inter alia*:

- Limiting bottom fishing catch in the Convention Area to precautionary levels estimated from stock assessment models where available, or where no stock assessments are available, to a level that does not exceed the annual average over the period 1 January 2002 and 31 December 2006;
- Restricting where bottom fishing can be conducted to carefully designed bottom fishing management areas. Bottom fishing management areas are based on the best scientific information and are designed to exclude priority areas for conservation and take into account the history and cumulative impacts of past and proposed bottom fishing. In establishing these areas, research and predictive modelling of areas where VMEs are known to occur or likely to occur are taken into account and these data and analyses are provided to the SPRFMO Secretariat (for circulation) and Scientific Committee (for scientific review);
- Ensuring 100 percent observer coverage for vessels using trawl gear and at least 10 percent observer coverage for vessels using bottom line fishing gear;
- Establishing threshold levels and protocols for encounters with potential VMEs, which include both a set of indicator taxa and a biodiversity threshold. Thresholds and move on rules are reviewed every three years using the best available scientific information;
- Requiring vessels to apply a VME encounter protocol, including a *move-on* rule, whereby they must cease bottom fishing activities within one nautical mile either side of the trawl track extended by one nautical mile from each

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shortly be reissued with a new date, for instance CMM 03-2019 will be reissued, with amendments, as CMM 03-2020. All activities conducted under CMM 03a-2019 must be conducted in accordance with CMM 03-2019.

end when a VME encounter occurs; and bottom fishing within the encounter area is suspended by all SPRFMO Members unless, based on scientific advice, the Commission agrees to allow fishing to continue;

- Reporting encounters with VMEs to the SPRFMO Secretariat;
- vessels to enga

Group and is available on the SPRFMO website.³ As required under CMM 03-2019, New Zealand and Australia are undertaking a joint cumulative bottom fishing impact assessment in 2020 based on an updated Bottom Fishing Impact Assessment Standard adopted by the Commission. Assessments are to be submitted to the Scientific Committee and Commission at least every three years, and also when a substantial change in the fishery has occurred such that it is likely that the risk or impact of the fishery may have changed.

Marine scientific research

This section addresses paragraph 119(b) (res 64/72), paragraphs 129(b) and 133

CCAMLR VME encounter measure

CCAMLR has adopted a VME encounter measure (CM 22-07) which is described in New

SPRFMO VME Encounter Notification Template

SPRFMO bottom fishing measure (CMM 03-2019) includes a VME encounter protocol. If there is an encounter, vessels must immediately cease fishing in the vicinity of the encounter. New Zealand submits the data from New Zealand-flagged vessels encounters with VMEs to SPRFMO at the time of the encounter. This information is then reviewed by SPRFMO Scientific Committee to determine whether encounters were unexpected based on the relevant VME habitat suitability models

