

Informal consultations of State Parties (ICSP) to the UN Fish Stocks Agreement
Contribution from the North-East Atlantic Fisheries Commission on the topic of the
ecosystem approach to fisheries management as a focus of the fifteenth round of Informal
Consultations of States Parties to the United Nations Fish Stocks Agreement, May 2022
(delayed from March 2020).

Introduction

Party vessels are managed. This includes publicly accessible fisheries statistics and annual compliance reports as well as the NEAFC vessel register. In addition to at sea monitoring and potential inspections, NEAFC has a system of controls at ports of its Contracting Parties aligned with the FAO Port States Measures Agreement. This system is innovative in that it also includes electronic exchange of information to support inspections.

These control measures have been a successful instrument to combat illegal, unreported or unregulated (IUU) in the NEAFC regulatory area. NEAFC nevertheless continues to cooperate with its sister RFMOs through the sharing and publication of IUU lists.

The most current development in NEAFC with regard to monitoring of fisheries activity is the ongoing implementation of a new Electronic Reporting System. This system, which enables reporting of electronic logbook data, will be able to enhance aspects of fisheries information, such as bycatch, which could significantly enhance the ability of science to support an ecosystem-based approach.

Additional technical measures should be noted as a contribution to reducing impacts on marine ecosystems. NEAFC has in place limits on net mesh size, a ban on the use of gill nets in water deeper than 200m, the use of sorting grids to allow fish to escape shrimp nets, and bans on shark finning and bans on discarding as some of its older regulations. In addition, regulations on lost abandoned and discarded fishing nets aim not only to reduce marine pollution but address the problem of ghost fishing.

The Ecosystem Approach; wider considerations on Ecosystems and Biodiversity in NEAFC

deep sea fish stocks and the associated marine ecosystems in the late 1990s, and into the 2000s.

Developments in deep sea fishing regulations:

Deep sea stocks are generally recognised as needing careful fisheries management in view of low productivity in some cases and often unique environments. In 2016 the Commission adopted the NEAFC approach to deep-sea fisheries conservation and management

A new comprehensive and consolidated Recommendation on the protection of VMEs entered into force in 2014. This included all the general rules regarding the protection of VMEs, coordinates of existing bottom fishing areas and areas closed to bottom fishing. The network of closed areas now included very large areas on the Mid Atlantic Ridge. The Recommendation also included annexes on VME Data Collection Protocol, rules for the Assessment of Exploratory Bottom Fishing Activities as well as on VME Indicator Species.

See: <https://www.neafc.org/system/files/Recommendation-19-2014-VME-protection-as-amended-by-%20Rec-09-2015-Rec-10-2018-Rec-10-2021.pdf>

The above developments mean that effectively all the Regulatory Area has been closed to bottom fishing by NEAFC in areas where the best available scientific advice indicates that vulnerable marine ecosystems occur, or are likely to occur. The development of measures to protect VMEs based on scientific advice from ICES continuing, as set out below.

false positives, although two apparent infringements had occurred and been followed up by NEAFC compliance reporting.

An ICES review of its advice indicated no reductions in protections to the closed areas. Over the last 5 years ICES had recommended one increase in coverage to the current closed areas, which had accordingly been extended (see above). ICES advice also highlighted the ongoing issue false positive signals which would be alleviated by more up-to-date information on the gear used at the time of the activity (as offered by the future NEAFC Electronic Reporting System).

From a combination of information from Contracting Parties on national enforcement activities, from the NEAFC Secretariat on alerts on potential bottom fisheries activities, and from ICES analysis of fishing activity, PECMAS advised the Commission that compliance with the closures had been effective. The vast majority of bottom fishing activity had been carried out inside existing bottom fishing areas.

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, the

monitoring of compliance with RECOMMENDATION 19:2014.

- The NEAFC Secretariat to work on reducing the number of false positives alerts. The Secretariat has now completed this, with a new process leading to a small number of targeted alerts going to Contracting Parties when the Monitoring, Control and Surveillance officer is unable to identify evidence to show bottom fisheries were not in fact taking place. The Secretariat is also continuing to monitor and analyse bottom fishing activity in the Regulatory Area to support Contracting Parties as requested following NEAFC's performance review in 2014. The Secretariat is also working with the ICES Secretariat to address data issues to ensure common understanding of bottom fishing activity.
- In terms of scientific advice, ICES will be informing NEAFC on progress on improving the use of VME indicators to develop management advice. ICES was also invited to consider completeness of VME habitats and indicators in the ICES database. NEAFC had already in 2018 noted that, while the effect of the Rockall haddock box closure could be useful in protecting VMEs in the area, it was in fact created for protection of juvenile haddock. Thus, the risk existed that if ICES were to change its advice on the haddock, future decisions only based on this would affect the VMEs. ICES subsequently produced advice that indicated that there was not relevant evidence to justify closure of the Rockall haddock box for VME protection alone. It is currently also reviewing the effectiveness of the measure to protect juvenile haddock.

The most recent change to the VME Recommendation was an amendment adopted in 2021 to clarify the terminology, to emphasise that the areas outside the closed areas and existing areas were in fact *restricted* to bottom fisheries, in effect being closed unless an exploratory fishery had been authorised.

Cooperation with organisations focused on the environment.

Applying an ecosystem-based management approach to oceans, taking into account the different impacts on ecosystems, implies that all organisations involved in regulation/management of human activities in the marine environment are cooperating and coordinating actions under their different legal mandates. While NEAFC has become involved in considering the effects of fisheries on the other parts of the marine ecosystem and on biodiversity, NEAFC's legal competence remains limited to managing fisheries. The fact that the vulnerable marine ecosystems that NEAFC is making efforts to protect can be affected by human activities other than fishing led NEAFC to work with other organisations, with complementary legal competences. One key cooperation is between NEAFC and OSPAR (the Commission for the protection of the marine environment of the North-East Atlantic). This developed following initial contacts in the early 2000s, with an MOU agreed in 2004 that allowed for increased cooperation through attendance at key meetings. Two significant developments as a result of this cooperation are set out below.

Ecologically or Biologically Significant Areas (EBSAs) (Convention on Biological Diversity (CBD))

The 10th Conference of Parties of CBD invited Regional Fisheries Management Organisations and Regional Seas Organisations to establish processes to describe EBSAs in the marine

species. In addition, the meetings have been the basis for detailed consultation by OSPAR on a High-