



## **Submission by the North-East Atlantic Fisheries Commission**

### **Regarding the report of the Secretary-General of the United Nations on Oceans and the Law of the Sea, pursuant to General Assembly resolution 72/124**

The following is the contribution by the North-East Atlantic Fisheries Commission (NEAFC) to the preparation of the report of the Secretary-General of the United Nations on Oceans and the Law of the Sea, pursuant to General Assembly resolution 73/124 of 11 December 2018, as requested in a letter from Miguel de Serpa Soares, Under Secretary-General in charge of the Office of Legal Affairs, dated 6 May 2019.

In making this submission, account has been taken of the need to ensure that the document is as brief as possible. The submission therefore focuses on a few developments, activities and measures adopted in the key areas addressed in resolution 73/124, in particular since the last report by NEAFC in 2018.

#### **The substantive part of the NEAFC submission is as follows:**

##### **Introduction/General**

The North-East Atlantic Fisheries Commission (NEAFC) is the Regional Fisheries Management Organisation (RFMO) for the North-East Atlantic. The NEAFC Contracting Parties are Denmark (in respect of the Faroe Islands and Greenland), the European Union, Iceland, Norway and the Russian Federation. NEAFC's objective is to ensure the long-term conservation and optimum utilisation of the fishery resources in the Convention Area, providing sustainable economic, environmental and social benefits. The area covered by the NEAFC Convention stretches from the southern tip of Greenland, east to the Barents Sea, and from the North Pole south to Portugal. Recommendations adopted by NEAFC are legally binding. NEAFC Port State Control procedures apply to the use of ports of NEAFC Contracting Parties by foreign fishing vessels (including fish processing vessels and vessels engaged in transshipment) with catch on board of fisheries resources that have either been caught in the NEAFC Convention Area by foreign fishing vessels or that have not been previously landed or transhipped at a port. These NEAFC Port State Control procedures have been aligned with those of the FAO Port State Measures Agreement.

The North-East Atlantic is one of the most abundant fishing areas in the world. NEAFC has adopted conservation and management measures for fisheries for tens of different fish stocks, although three major stocks constitute the bulk of the overall catches, these being blue whiting, herring and mackerel. NEAFC operates an efficient and effective monitoring and control system for its fisheries. A recent step forward for NEAFC is to be more transparent about compliance with its regulatory measures by both Contracting Parties and cooperating

non-Contracting Parties. NEAFC now publishes an annual compliance report to be found at: <https://www.neafc.org/compliance>.

While NEAFC adopts management and control measures for target fish stocks, it also adopts measures to protect other components of the marine ecosystem (including biodiversity) from potential negative impacts of fisheries. NEAFC thereby contributes to the ecosystem approach to fisheries and the protection of marine biodiversity. This includes preventing significant adverse impacts on vulnerable marine ecosystems through area-based conservation and management measures. In that context, NEAFC has closed large areas to bottom fisheries, and implements rigorous restrictions for other areas.

NEAFC's conservation and management measures, including those related to other parts of the marine ecosystem, do not depend on NEAFC undertaking any scientific work but rather rely on the International Council for the Exploration of the Sea (ICES) for scientific advice. While maintaining a clear separation between the management and policy role of NEAFC and the scientific role of ICES, NEAFC has improved its cooperation with ICES, including via regular bilateral meetings to discuss long-term developments, such as multispecies advice, possible climate effects and other ecosystem considerations. ICES develops appropriate research programmes to meet longer-term issues raised by NEAFC, and takes these issues into account in presenting its advice to NEAFC. NEAFC also continues to focus efforts on sustainability of deep sea fisheries, requesting ICES to ensure it reflects NEAFC stock categorisations in its advice on deep sea species. This is in particular with an aim to pay attention to (category 3) rapidly changing or increasing fisheries.

## **Part II Capacity Building**

None of NEAFC's Contracting Parties are developing countries, and NEAFC's core activities do not include capacity building in developing countries or other types of development cooperation. Nevertheless, NEAFC does take part in various projects aimed at capacity building in developing countries. This is primarily done by sharing NEAFC's knowledge and experience regarding fisheries management; fisheries monitoring, control and surveillance (MCS), Electronic Port State Control, Electronic Reporting Systems, and related fields. The NEAFC Secretariat also continues to share experience in other regions in support of capacity building and cross-sectoral engagement at the level of regional intergovernmental organisations and bodies.

Within the last year NEAFC has continued to be an active participant in the deep seas and biodiversity element of the Global sustainable fisheries management and biodiversity conservation in the Areas Beyond National Jurisdiction Program (the Common Oceans ABNJ Program). This programme is funded by the Global Environment Facility and coordinated by the UN Food and Agriculture Organization in close collaboration with two other GEF agencies, the United Nations Environment Programme and the World Bank.

The NEAFC Secretariat has also participated in regional workshops, for instance on the possible roles of existing regional, sub-regional, sectoral organizations in the international legally binding instrument on the conservation and sustainable use of biodiversity beyond national jurisdiction. This was a workshop organised by the Government of Federated States

of Micronesia, the Government of Norway and the Pacific Small Island Developing States, in collaboration with the International Union for Conservation of Nature.

## **Part X Marine biodiversity**

### Vulnerable Marine Ecosystems (VME)/ Deep Sea Species and Sharks

A comprehensive Recommendation on the protection of VMEs from bottom fisheries entered into force in 2014, consolidating earlier recommendations on closed areas from 2004 onwards. This Recommendation has been updated several times since then, including following annual recurrent advice requests to ICES for all available information on distribution of vulnerable habitats and fisheries activities relevant to the Regulatory Area. Most recent advice from ICES has indicated there is no need for any changes to the Recommendation in 2019. Nevertheless, NEAFC noted in 2018 that one of the current NEAFC bottom fisheries closures only relates to evidence on protection of juvenile fish. The 2018 NEAFC Annual Meeting therefore underlined that the ICES advice should provide information on VMEs in all the relevant areas so that any change to other area-based management decisions (for instance related to juvenile fish stocks) do not affect the benefits provided to VMEs in these areas. It should be noted in this context that the majority of the NEAFC Regulatory Area is in practice closed to bottom fishing through either VME closures, or areas that require strictly regulated exploratory fisheries to be undertaken before bottom fishing is allowed.

The 2018 NEAFC Annual Meeting agreed to send a joint request from NEAFC and OSPAR (The Convention for the Protection of the Marine Environment of the North-East Atlantic) for scientific advice on deep sea sharks, rays and chimaeras. This request for scientific advice was an outcome of the collaboration between OSPAR and NEAFC under the collective arrangement, with the ultimate aim of conservation measures for these species, each under the respective competence of each organisation. The NEAFC Annual Meeting also extended the current NEAFC ban on targeted fisheries for spurdog under the Recommendation for conservation and management measures for spurdog for 2019 and 2020.

## **Part XIII Regional Cooperation**

Applying an ecosystem based management approach to oceans 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 has led NEAFC to work with other organisations, with complementary legal competences, such as OSPAR. At a May 2019 meeting in Gothenburg, Sweden, under the 'collective arrangement between competent international organisations on cooperation and coordination regarding selected areas in areas beyond national jurisdiction in the North-East Atlantic', NEAFC and OSPAR have continued in their cooperation. Apart from an update on the ICES work in developing scientific advice on deep sea sharks, rays and chimaeras, the 2019 collective arrangement meeting also discussed an update on work in OSPAR to develop a proposal for a new MPA primarily for bird

protection in an Area Beyond National Jurisdiction in the OSPAR Maritime Area. This item allows NEAFC and other interested regional organisations to input information on the proposed area to OSPAR. The collective arrangement meeting continues to include observers from the Secretariats of other regional environment and fisheries bodies.

NEAFC also cooperates with other regional organisations, thereby contributing to increased cooperation and coordination. This includes the continuing work of Joint Advisory Group on Data Management (JAGDM) held with the Northwest Atlantic Fisheries Organization (NAFO). The joint group is open to other regional fisheries management organisations and among its primary objectives is to increase harmonisation in the technical solutions applied in different areas to enhance cooperation in particular on monitoring control and surveillance. This type of coordination is important also in the context of NEAFC's recent adoption of a Recommendation to implement an Electronic Reporting System (ERS); a significant enhancement of the existing monitoring and control system ([https://www.neafc.org/system/files/Recommendation%2019 Introducing-ERS-based-on-FLUX-UN-CEFACT.pdf](https://www.neafc.org/system/files/Recommendation%2019%20Introducing-ERS-based-on-FLUX-UN-CEFACT.pdf)). When the new ERS becomes operational, recordings in electronic fishing logbooks will be transmitted to the NEAFC Secretariat. The ERS will enable detailed 'live' information of fishing activities to be made available to fisheries inspectors and should also lead to an improvement of other data such as haul by haul catches and bycatch (for instance, offering benefits to scientific advice).

Regarding regional cooperation, the NEAFC Annual Meeting 2018 agreed a Statement by the North-East Atlantic Fisheries Commission regarding the conclusion of the negotiations and signing of the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean ([https://www.neafc.org/system/files/NEAFC-statement Central-Arctic-Ocean-Agreement.pdf](https://www.neafc.org/system/files/NEAFC-statement%20Central-Arctic-Ocean-Agreement.pdf)). The Statement welcomes the signing of the Agreement and informs the signatories about the current conservation and management measures applicable in the NEAFC Convention Area situated in the central Arctic Ocean.

14 June 2019