



WWF comments on key points in the “LDRAC Draft recommendation on management measures for fish population units and marine ecosystems, to be adopted by the Annual Meeting of NAFO” (R-04-11/WG2)

**Notification:** Text in blue approved by 23 Executive Committee members. Text in black, comments by WWF.

**3.1 - Cod 3NO**

In 2007 a management plan was adopted with the aim to moderate the total by-catches of this cod population down to 40% of the average for the period 2004-2006. The stock is showing signs of recovery, though the spawning biomass is below Blim (60,000 tons) When 50% of Blim is reached, the Scientific Council will revise the limit points of reference, in order that the fishery may only be reopened in total safety. The fishing mortality rate has been falling, and so have by-catches, according to the statistics of NAFO and of the European Union. There is no point in anticipating any reduction to the level of by-catches as provided for under Art. 12<sup>o</sup> of the CEM (*Conservation and Enforcement Measures*) for stocks that are under a moratorium (1,250 kg or 5%).

**Recommendation:** LDRAC supports maintaining the management plan in force and applying the regime of by-catches under the CEM, for stocks under moratorium.

The LDRAC recommendations to the EC in respect to 3NO cod is the following:

- LDRAC supports maintaining the management plan in force and applying the regime of by-catches under the CEM, for stocks under moratorium.

WWF does not support LDRAC’s recommendation to maintain the status quo for the management plan and the provision made for by-catch under Article 12 (1) (b) of the NCEM for stocks that are under a moratorium (i.e. 1,250kg or 5%). According to NAFO’s 3NO cod stock assessment (STACFIS 3-16 Jun 2011, p. 155) the catch rate, since the moratorium, increased from 170t in 1995, peaked at about 4,800t in 2003 then declined to 600t in 2006. Since 2006 catches have increased steadily to 1,100t in 2009 then declined to 950t in 2010. The by-catch of cod in 3NO fisheries has not been consistently declining, as stated in LDRAC’s recommendations.

Right now there is a time-limited opportunity to achieve a long-term recovery of cod in NAFO division 3NO. The key to recovery is keeping the removals of cod to the lowest possible level to allow for a significant increase in the initial stage of stock recovery. When there is no directed fishery, which is the case in 3NO for cod, bycatch of cod in other fisheries is the main concern



that needs to be carefully monitored. WWF recommends that the 3NO cod interim recovery strategy be accepted at the annual meeting in September, only if the by-catch mortality is included in the recovery strategy by 2012. In addition, WWF recommends a binding and enforceable regulation on by-catch be incorporated into the NCEM, i.e. **amendment to Article 12 (1) (b) so that the current level of allowable cod bycatch in other fisheries be reduced in half to 626 kg or 2.5%, whichever is lowest**, to allow for further spawning stock growth at this pivotal moment in the recovery of cod in 3NO.

#### Vulnerable marine ecosystems

The Fisheries Commission requested the Scientific Council to revise the new scientific information for the areas defined under Chapter 1, article 16, paragraph 3, that may support or refute the designation of such areas as vulnerable marine ecosystems (VME).

The merit and timeliness of the NEREIDA project is highlighted, to map the seabed in SA-3, in international NAFO waters, conducted by the vessel Miguel Oliver and involving scientists with multidisciplinary competences, linked to Scientific Institutes of various contracting parties. If the deadlines are met, the project is to be completed in 2014 and will provide the Scientific Council of NAFO with information of the essence, which it currently lacks, on the density of VMEs inside and outside of the areas closed to fishing. The seabed surveys already concluded by the NEREIDA project in the NAFO area have covered area 6 (Sackville Spur) and areas 4 and 5 of the Flemish Cap. In the first area the analyses have revealed the existence of important benthic communities that justify its closure. The biomass and the diversity of organisms are higher inside the closed area than outside of its limits. The samples taken in area 5 have revealed the existence of sponges from 1,300 metres and increased presence of corals in depths up to 2,450 metres. As a result of this work the Scientific Council reaches the conclusion that in the areas closed to fishing is where there are greater concentrations of VMEs, and it is necessary to further the research in order to collect data pertaining to the make-up of the seabed in the areas closed preventively.

LDRAC recommends the European Commission:

- To maintain the funding for the NEREIDA project and to request the financial support of the other contracting parties for its execution, within the established timelines, in order that the decisions to be adopted by the Fisheries Commission pursuant to the prevention of significant adverse impacts on relevant VMEs may be based on the best scientific knowledge available.

- To maintain, until new scientific data becomes available, the provisions under Article 5 bis of Chapter I bis, relative to the measures to be ensured by the contracting parties and by vessel captains whenever a VME is encountered, with biomass above the limits currently fixed under aforesaid article: sponges 800 kg and live coral 60 kg.





The LDRAC recommendations to the EC in respect to vulnerable marine ecosystems (VMEs) are the following:

- To maintain the funding for the NEREIDA project and to request the financial support of the other contracting parties for its execution, within the established timelines, in order that the decisions to be adopted by the Fisheries Commission pursuant to the prevention of significant adverse impacts on relevant VMEs may be based on the best scientific knowledge available.
- To maintain, until new scientific data becomes available, the provisions under Article 5 bis of Chapter I bis, relative to the measures to be ensured by the contracting parties and by vessel captains whenever a VME is encountered, with biomass above the limits currently fixed under aforesaid article: sponges 800 kg and live coral 60 kg.

WWF agrees with the LDRAC first bullet point (re: maintaining the funding for the NEREIDA project).

WWF, however, does not support the LDRAC's second bullet point (re: maintaining the current threshold for sponge bycatch – 800kg, until new scientific data becomes available) for the reasons described below.

New scientific information has become available through the GIS framework model developed by the NAFO Working Group on Ecosystem Approaches to Fisheries Management (WGEAFM) in December 2010. Based on this model, the WGEAFM recommended that the encounter threshold for sponges fished with bottom trawl gear be significantly reduced. The WGEAFM further recommended that commercial fishery data on coral and sponge bycatch be obtained so that these modelled results can be directly compared with commercial catches. Based on this information, NAFO's Scientific Council (SC) in June 2011 concluded that "The results obtained from the application of the GIS framework, indicate that the current encounter threshold for sponge bycatch is rarely met. If the intention of the threshold is to accomplish protection of sponges outside the closed areas this analysis therefore indicates that the threshold needs to be reduced." (NAFO SCS Doc. 11/16, pp. 38) In addition, the SC recommended the maximization of efforts in the reporting of bycatch of corals and sponges, regardless of whether or not these bycatches reached the thresholds indicated in the encounter protocols. In light of this, WWF therefore recommends:



- A significant reduction of the encounter protocol threshold for sponges fished with bottom trawl gear, and the revision of the encounter threshold for corals by the Working Group on Ecosystem Approaches to Fisheries Management; and
- The Establishment of a process for reporting and reviewing all possible VME encounters (regardless of whether or not the respective bycatches reach the thresholds indicated in the encounter protocols), as classified by the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas.

## 5.2 – Program of Observers

The Fisheries Commission asked the Scientific Council to evaluate the potential negative scientific impacts of reducing or altogether removing the observers (Article 28 of the CEM). The Scientific Council notes in the report of the June meeting that the information supplied by the observers is irrelevant for scientific work, and is thus dispensable. The programs of data collection are the basic information support for their work.

**Recommendation:** Given that the activity reports are being carried out electronically and bearing in mind the cost of the program for the companies, LDRAC recommends that it be abolished in 2012.

The LDRAC recommendations to the EC in respect to the Program of Observers are the following:

- Given that the activity reports are being carried out electronically and bearing in mind the cost of the program for the companies, LDRAC recommends that it be abolished in 2012.

WWF does not support the LDRAC's recommendation to abolish the Program of Observers. Historically there has been some misreporting of catches in NAFO waters, making stock assessment difficult and inaccurate. Observers are usually the only independent data collection source for some types of at-sea information, such as vessel and catch position, target and non-target catch composition and discard levels, high grading, amount of quota uptake, and gear configuration data. Independent data collection in this context refers to data that is not potentially biased by the fishermen. Data obtained directly from fishermen can have some dependent bias associated with it. Fisheries-dependent information is critical for the responsible management and conservation of living marine resources. Furthermore, the observation and recording of good fishing practices at sea can build up a relationship of trust between industry and managers/NGOs.

To address the issue of the costs of on board observers, alternative programs could be designed and implemented, for example, equipping fishing vessels with Closed Circuit TV



(CCTV) observation systems. The advantages of CCTV systems over human observers include reduced cost, information that can be verified, a record of data if the observer program objectives are changed (e.g.: recording of new species), administratively more simple (no logistical problems of placing personnel on board and cameras are always there).

In light of this, WWF therefore recommends:

**- To keep the program of observers. Elimination of observer programs could be considered only in the case when alternative observation programs are in place.**

WWF has no further comments on the LDRAC position paper.