

# COMPETING NARRATIVES

## GETTING YOUR VME STORY HEARD ABOVE THE REST

### Summary

Three themes stand out in the ongoing debate over conservation and protection of fragile deep-sea benthic fauna from the effects of fishing activities. The first of these is the frequent reference to Resolution

61/105 on Sustainable Fishing of the United Nations General Assembly in 2006. Four paragraphs of this resolution, 83 - 86, have gained almost iconic status in this ongoing discourse. These paragraphs provide an early use, but no definition, of the concept of a vulnerable marine ecosystem, and the obligation of states to protect such entities through controls of high seas fishing operations. The second theme has been the evolution of the concept of the vulnerable marine ecosystem and what constitutes a VME, and the related issue of what is destructive fishing. In this regard we have seen groups of 'experts' undertake subjective definitions of these concepts and then commonly undertake analyses leading to conclusions framed in terms of the definitions they have proposed. Equally often, the 'scientific literature may use the term without any formal description. The third of the themes has been the manner of adoption of the concept of the vulnerable marine ecosystem, inevitably uncritically, to describe or justify a wide range of research on benthic fauna and justified by the need to undertake research on vulnerable marine ecosystems. However, much of this research may be better described as basic marine research that is of tangential benefit to ensuring better practices of sustainable fishing no matter the quality of the research being undertaken.

This paper examines the growing development of the concerns with conservation of fragile deep-sea benthic fauna, starting with the IMO resolution of 1992 and continuing through a series of advisory reports of the Secretary General of the United Nations, meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, an initiative of the Division of Ocean Affairs and Law of the Sea, and resolutions of the United Nations General Assembly. These resolutions become the 'marching orders' for national delegations and through them, national departments of fisheries of states undertaking fishing on the high seas.

Jointly, UNGA Resolution 61/105 and the implicit importance of vulnerable marine ecosystems have provided the basis for the different stakeholder groups to promote and develop narratives pertaining to fragile benthic fauna and the programmes of their respective institutions. A series of future steps are identified to address the deficiencies of the various narratives that are discussed in this paper. A particular concern has been claims based on the UNGA Resolution 61/105 and subjective definitions as to what is a VME to justify public funding of self-evidently flawed applications of predictive modeling: a consequence of promoting one particular narrative of how to ensure sustainable fisheries.

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