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Statements

The following statements and interventions were made available for the report:

- a. Welcome Address of Senator Anne Ruston, Assistant Minister for Agriculture and Water Resources
- b. Opening Speech by the Chairperson of the Commission, Mr. Gordon Neil
- c. Executive Secretary of SPRFMO
- d. Executive Secretary of CCAMLRL
- e. Executive Secretary of SIOFA
- f. WMO Representative
- g. Deep-Sea Conservation Coalition

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Welcome Address by Senator Anne Ruston, Assistant Minister for Agriculture and Water Resources

Acknowledgements

Mr Raul Sunico, Undersecretary of Fisheries and Aquaculture, Chile

Mr Hector Soldi, Deputy Minister of Fisheries and Aquaculture, Peru

Mr Gordon Neil, Chairman, South Pacific Regional Fisheries Management Organisation

Thank you and good morning.

I am delighted to be here today to welcome you to our great city. There is no better time to visit Adelaide and if you are a cycling fan there is plenty of action on that front too.

It's great to have more than 150 delegates here and I am sure we will all benefit from the discussions in the coming days of this meeting. This conference is an opportunity for us to continue to build upon the development of effective international fisheries policy in the South Pacific. The Objective of the Convention speaks to the need to manage the fishery in a way that ensures the long term conservation and sustainable use of the fishery resources. As we have seen in the hard work and success towards recovering the Jack Mackerel stock, good fisheries management, based on solid scientific evidence, delivers results.

Balancing economic, environmental and social objectives is not easy but it is essential to achieving the best possible management of the shared fisheries resources in the region. Australia has traditionally had a key focus on the Pacific. Our fisheries policy, regional aid and development objectives are strongly interlinked.

Australia recognises the importance of engaging with regional fisheries management organisations adjacent to Australia's exclusive economic zone. We support the right of all states in having a voice and for fair consideration to be given to everyone's interests and concerns. In Australia, our domestic fisheries management practices are underpinned by the principles of economic development and environmental sustainability.

We are proud that the most recent fish status report noted that no solely Australian Government managed fishery is subject to overfishing. This is due in part to the strong fisheries management framework that Australia has in place, which we are continually seeking to improve. Our commitment to responsible fishing management is reflected in our participation in international forums, where we aim to achieve similar outcomes for those shared fishing resources. On that note, I would like to take this opportunity to commend the Commission for its efforts to date to rebuild the jack mackerel stock. The turn-around has been achieved in only a few short years. It's a perfect example of the effectiveness of this Commission and the importance of good science, a robust legal framework, collaboration and goodwill between member countries. I strongly encourage your continued commitment to improving the condition and sustainability of this stock.

It is vital that we also work to combat issues that threaten the achievements of the Commission. Illegal, unreported and unregulated fishing poses a key risk to undermine the hard work and objectives of this Commission and regional fisheries management organisations more broadly. Australia is committed to combatting illegal, unreported and unregulated fishing. This issue is now receiving increasing global attention and most importantly, action. Our experience shows that collaboration and sharing of information is the only pathway to success against IUU fishing. We have seen a significant reduction in this fishing activity in the Southern Ocean and other areas, where a concerted effort has been made to combat offending vessels. This fight will require ongoing vigilance and cooperation. Australia welcomed the entry into force of the FAO Port State Measures Agreement

in June 2016. Australia strongly encourages other states that are yet to join this Agreement to get on board, and thereby strengthen its effectiveness. The Pacific also saw the entry into force of the Niue (new ay) Treaty Subsidiary Agreement in July 2014. The Agreement enhances cooperative surveillance and enforcement activities in the Pacific and provides a more efficient framework to combat IUU fishing in the region. Australia signed the agreement in 2014 and we hope to finalise our accession to it in the coming months. We have also seen several regional fisheries management organisations - including this Commission - introduce new measures to take action against stateless vessels fishing on the high seas. Again, I commend the Commission for its leadership on this important issue.

Australia is interested in ways to incorporate new technology into fisheries management. In particular, new technology has the potential to significantly improve compliance and reporting outcomes. An example is the implementation of electronic monitoring systems that are used to verify catch and logbook data. Australia has been implementing this technology domestically. We would like to see its uptake internationally as a cost-effective data collection tool that can improve accuracy and reliability of fisheries data. Depending on the data needs in a fishery, electronic monitoring can replace the need for human observers on board vessels. Last year, the UN General Assembly recognised the advantages that new technology can offer by encouraging their uptake, including electronic monitoring. I am pleased to see that electronic monitoring is on the SPRFMO Scientific Committee work plan. I trust that this Commission gives full consideration to the merits of introducing such innovative technology to the SPRFMO Convention Area.

In closing, I again commend the Commission for its work and success to date, towards the recovery of the Jack Mackerel stock. That is an achievement of which we should all be proud. I wish you all the best for a productive meeting and trust that your discussions will lead to improved outcomes for the management of the South Pacific Regional fishery resources. I know that you will enjoy your stay in the beautiful city of Adelaide.

I look forward to joining you tomorrow evening at the Reception that Australia is hosting at our stunning Adelaide Oval.

Thank you.

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Opening Speech by the Chairperson of the Commission, Mr Gordon Neil

Delegates and observers, ladies and gentlemen, I am honoured to welcome you to the city of Adelaide for the fifth meeting of the Commission of the South Pacific Regional Fisheries Management Organisation.

Firstly, I would like to acknowledge that 2016 has been a significant year for Oceans and the Law of the Sea in the context of the United Nations.

- The United Nations held a successful review conference for the UN Fish Stocks Agreement which reaffirmed many important elements of relevance to this Organisation, including its emphasis on applying the precautionary approach and ecosystem approach to fisheries management, and a strong focus on combatting IUU fishing.
 - It was particularly encouraging to note that the Report of the Resumed Review Conference cited SPRFMO's decision making procedures as an example of good practice¹.
 - The voting and objection procedures set out in our Convention are strong and innovative provisions that provide a mechanism for this Organisation to effectively exercise its duty to cooperate to conserve and manage the fishery resources within its competence.
 - I note this practice was encouraged in the official Outcomes of the Review Conference.² This is a positive signal for fisheries more generally and reaffirms my view that our Convention is one that represents a contemporary, best-practice approach.
- We have also seen renewed attention on the UN resolutions relating to bottom fishing and the actions that States and RFMOs have taken to implement those important Resolutions. SPRFMO, I think, is making good progress in this regard but of course we have more work to do.
- We have also seen work commence for a new implementing agreement under UNCLOS.

In preparing this opening address, I have reflected on my time with this Commission – both in the privileged role as your Chairperson for the last two years, and in my capacity as a delegate for Australia in the years prior. I am impressed by the progress this Commission has made in just 5 short years. We have, together, developed a suite of conservation and management measures that enable our Organisation to function as a cost-efficient and effective RFMO. We have a strong foundation upon which we can continue to grow. I note that our Convention requires us to commence a performance review this year and it is clear that SPRFMO will have a positive story to tell.

Our Organisation plays a key role in a global effort to cooperate to conserve and manage fish stocks and the marine ecosystems in which they exist. The action that we take, together, demonstrates our commitment to this important objective to the international community. The progress we have made

¹ See paragraph 110 of the Report of the Resumed Review Conference which reads as follows: *Several delegations noted recent improvements, especially within newly established RFMO/As, in decision-making rules and procedures, while highlighting the need for continuous adaptation. They stressed that although the adoption of conservation and management measures by consensus was a desirable practice, it sometimes led, when it was the only rule, to blockage of measures or adoption of weak measures. They therefore suggested that decision-making rules should allow for voting when necessary, and highlighted the practice of the South Pacific Regional Fisheries Management Organization in that regard.*

² See paragraph 5(d) of the Outcomes of the Review Conference (a sub-section of the report) which reads as follows: *Encourage RFMO/As to review their decision-making procedures, noting the need for procedures that facilitate the adoption of conservation and management measures in a timely and effective manner and, in particular, to consider provisions for voting and objection procedures.*

in rebuilding the jack mackerel stock is an excellent example of SPRFMO's commitment to discharging its duty to conserve and manage the fishery resources under its competence. The most recent advice from our scientific committee is positive. When we consider that at the time our Convention entered into force in 2012, spawning stock biomass was an estimated 5% of unfished biomass, we have come a long way. I commend all Members for their continued investment in the work of our scientific committee in this regard.

This is an encouraging sign. It shows the international community that SPRFMO is an Organisation that values its scientific advice. And, more importantly, it demonstrates that this is an Organisation that acts on the advice of its scientists. This is critical to our Organisation's success.

As in previous years, we will have an important discussion this week on the allocation of the jack mackerel total allowable catch. It is well understood that this is a sensitive and challenging issue for many Members and CNCPs in SPRFMO. I am optimistic that we can, as we have done before, take full account of our Scientific Committee's advice and maintain clear sight of our objective in the course of our negotiations, which is to rebuild the jack mackerel stock to within sustainable limits to ensure it is available to us for many generations to come.

We cannot forget our bottom fisheries, which will always receive global attention. SPRFMO, like other RFMOs with competence over deepsea fisheries, can play a role in demonstrating that bottom fishing can be managed for the sustainability of target species and deep water ecosystems.

I am mindful that we have a busy agenda ahead of us. As is our usual practice, we must examine the list of vessels that are presumed to have engaged in IUU fishing in the South Pacific Ocean, as well as consider any modifications to the 2016 IUU list. I believe SPRFMO has a strong record in its efforts to combat IUU fishing. We have very clear rules about what constitutes IUU fishing. Any vessel fishing in contravention of those rules—regardless of its flag State, size or purpose—should be aware that inclusion on the SPRFMO IUU list is a very real consequence and this Commission will not be lenient in listing such vessels.

Once again, I see that progressing establishment of the VMS is a priority for the Commission this year. Our Commission made positive progress at our 2016 annual meeting and I am confident this trend will continue. I acknowledge the hard work of the VMS working group during the intersessional period, as well as that of the CTC during its meeting, to resolve complex and interrelated issues that are critical for the implementation of our system.

The Observer Program working group has also made significant progress which I commend – we recognised the importance of a developing a SPRFMO Observer Program during the negotiations on our Convention and I look forward to seeing this materialise.

I am pleased to see so many Members and CNCPs contributing intersessionally, and during meetings, to these important issues. Thank you to everyone involved for your efforts.

We will also review a number of measures at this meeting, including our Compliance Monitoring Scheme and the Minimum Standards of Inspection in Port. Regularly reviewing our measures and procedures, and committing to continuous improvement, is an important practice for any RFMO.

Finally, I would like to take the opportunity to thank you all personally for your support and advice during my term as Chairperson of the Commission. It has been a rewarding two years. It has been a wonderful opportunity to contribute to the work of this very important RFMO from its establishment.

I am confident the Commission can elect a new Chairperson from within its membership that can capably lead this Organisation into its next stage of development. The success we have experienced thus far is as much a reflection on the hard work and dedication of all delegations as it is on the strength of our Convention and our CMMs. I am proud to leave this office with SPRFMO in such a positive place.

On that note, I am pleased to declare the 5th meeting of the SPRFMO Commission open.

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Intervention by SPRFMO Executive Secretary, Dr Johanne Fischer

Thank you for giving me the floor. I would like to congratulate the Members on the excellent progress made again this month in addressing the objectives of this Convention and the important results in this regard achieved during this meeting.

It is good to be involved in an organisation as vibrant as this one, and it is a great pleasure to work with all of you, not just during the annual and scientific meetings but also throughout the year. I feel very much a part of these activities: As Executive Secretary I am responsible to ensure that every Member and CNCP receives all information it requires to implement the decisions and measures adopted by the Commission. To achieve this important goal, my colleagues and I at the Secretariat provide you with the necessary guidance. We read and reply to many thousands emails per year and talk things through over the phone if needed.

We also provide you with numerous reports which summarise and analyse the data you send to us. In addition, we produce information documents to assist you in your work, such as the development of a VMS and an Observer Programme, the review of the financial formula, the regular review of the organisation, our collaboration with other organisations and so on. Furthermore, the organisation is benefitting from the new GST status that I have been able to negotiate with New Zealand and which ensures that taxes paid on goods and services are returned to the Organisation.

As Executive Secretary, I am responsible for the wellbeing of staff members and to ensuring that the work conditions at the Secretariat are fair and equitable. The functioning of this organisation much depends on the essential work of me and my colleagues at the Secretariat, and the appropriate level of staffing in the Secretariat depends on you. I believe that the staff regulations adopted by you in 2016 provide a good foundation in this regard. For expatriate staff members, the Secretariat could find a recognised retirement fund in New Zealand, and we have also been lucky by joining the WCPFC group health insurance that will allow future international staff members to work for SPRFMO even if they or one of their family member is handicapped or ill.

Working in my position has its ups and downs but overall it brings me much satisfaction. Therefore, it is with great regret that I must inform you that at this time I cannot confirm my availability for a second term of my appointment. My contract ends in June 2018 and it is my intention to fulfil this term. So, during the coming months you can fully count on me to perform my duties with the same level of commitment as I have done until now.

I thank you all for very much for your support during these two years and I would also like to convey my deep appreciation to my colleagues at the Secretariat for their hard work, loyalty and dedication.

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Intervention by CCAMLR Executive Secretary, Dr Andrew Wright

Thank you Chair. At last year's meeting, CCAMLR Members accepted Australia's offer to observe your meeting here on behalf of CCAMLR members. Nevertheless, it has been useful taking advantage of the proximity of your meeting to our office in Hobart to sit in and observe the current issues for SPRFMO from a Secretariat perspective. Thank you Australia, and the SPRFMO Secretariat, for the efficient administrative arrangements and hospitality for this meeting.

SPRFMO and CCAMLR have had a formal relationship for several years now – initiated by CCAMLR Members in 2013. This relationship has perhaps not been quite so formal as might be provided for under a MoU; it was signed by the respective Chairs and the Arrangement has proven useful in terms of facilitating regular exchanges between both Secretariats and, as is evident this week, among your Members that are also Members of CCAMLR.

Of course, CCAMLR is extremely interested in compliance-related issues – particularly matters of non-compliance involving vessels that have a history in CCAMLR. Our procedures associated with Compliance Evaluation are not dissimilar as are our IUU discussions. It goes without saying that New Zealand's research fishing for toothfish in the SPRFMO Convention Area is a very encouraging initiative that offers significant opportunity for SPRFMO/CCAMLR collaboration particularly for our respective Scientific Committees.

Your discussions this week on VMS and the on-going work to develop an observer programme are also very relevant.

Another area of strong interest to CCAMLR is by-catch – particularly seabird mortality in fisheries north of the CCAMLR Convention Area. As you all probably know, CCAMLR has been very successful in reducing seabird mortality in CCAMLR fisheries to very low numbers in the past 5 years – approaching zero in some years. This is a very different story to the thousands of birds that were killed in fisheries operating in the CCAMLR Convention Area in the early 1990s.

However, the mitigation efforts of fishing vessels in the CCAMLR Convention Area is severely undermined if seabird populations that are now relatively protected in the CCAMLR Convention Area are exposed to elevated mortality levels in fisheries to the north of CCAMLR's Convention Area. Efforts in all multinational regional fisheries arrangements, and domestically within areas under national jurisdiction, within the range of these seabird populations is urgently needed to minimise mortality and complement the successes in CCAMLR. The information reporting and assimilation intent described in CMM 4.09, and the invitation to the SC to advise on possible improvements to mitigate seabird interactions, is encouraging – as is SPRFMO's on-going engagement with ACAP – an organisation with which CCAMLR also has a formal working arrangement. It is to be hoped a fully implemented observer scheme will help collect appropriate data that the SC can use to advise the Commission on options for strengthening mitigation efforts in all SPRFMO fisheries.

Finally, Chair, as SPRFMO Members who are also Members of CCAMLR are aware, CCAMLR will be undertaking a second performance review this year. It is possible that our experience with that, and its outcomes, may be informative for consideration of the first review of SPRFMO procedure that you will consider at next year's meeting.

Thank you Chair. We look forward to the continuing strengthening of relations between our two organisations for mutual benefit.

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Intervention by SIOFA Executive Secretary, Mr Jon Lansley

Dear Chairperson and distinguished delegates I would like to make a brief statement on behalf of the Southern Indian Ocean Fisheries Agreement (SIOFA) to express my pleasure at being able to attend this 5th Meeting of the Commission of the South Pacific Regional Fisheries Management Organisation.

My name is Jon Lansley and I have been awarded the honour of being appointed the first Executive Secretary for SIOFA and recently commenced this appointment in October 2016.

SIOFA is a new non-tuna RFMO and the Secretariat is based in La Réunion in the Southern Indian Ocean.

Attending this meeting is a great opportunity for me to learn more about the management of RFMO meetings from those who have more experience in this, and as this is my first SPRFMO meeting, to make many new useful contacts.

It is important that we ensure good cooperation and harmony amongst RFMO's, share good practice in the management of our organisations and in achieving our objectives.

SIOFA aims to model best practice of existing RFMO's and therefore I am very happy to be here to observe best practices of SPRFMO and receive advice and support as has been generously offered to me by SPRFMO secretariat staff and members.

It is an honour to be amongst you all and I look forward to building and maintaining good working relations between SPRFMO and SIOFA.

I would like to take this opportunity to announce that the SIOFA website is now live. If one searches for 'www.siofa.org' you should find it. Please view this website as a work in progress but it is a start and all basic documents can be found here. This website has been developed with the generous support of IT staff of the North East Atlantic Fisheries Commission (NEAFC).

I wish you a productive meeting and thank you very much.

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Proposal for WMO and RFMO Collaboration, Dr Karen Evans

REGIONAL FISHERY BODY SECRETARIATS' NETWORK

Sixth Meeting
Rome, 9 and 15 July 2016
PROPOSAL FOR WMO AND RFMO COLLABORATION

As a specialized agency of the United Nations, the World Meteorological Organization (WMO) is dedicated to international cooperation and coordination on the state and behavior of the Earth's atmosphere, its interaction with the land and oceans, the weather and climate it produces, and the resulting distribution of water resources.

Over the past few years, there has been greater interaction of the WMO community with the fisheries communities of the world and increased discussion between WMO and FAO on fisheries issues. WMO has learned that Regional Fisheries Management Organizations (RFMOs) and other institutions collect marine meteorological and ocean observations by ships and anchored fish aggregating devices (FADs).

WMO Members, the National Meteorological and Hydrological Services of the world, work around the clock to provide vital weather and climate information worldwide. Their early and reliable warnings of severe weather and ocean conditions as well as of climate variability and change allow decision-makers, communities and individuals to be better prepared for weather and climate events. This includes such as events such as El Niño and La Niña and other ocean conditions that can greatly impact oceanic and inland fisheries.

In order to provide warnings over land and oceans, there is a need for the establishment and liaison of networks of observational sources to provide weather, climate and ocean related data. The National Meteorological and Hydrological Services maintain their own observational networks along with liaising with other national and regional partner institutions. The observations collected are also used to determine the status of the atmosphere and oceans with regards to climate change. The amount of direct surface and sub-surface ocean observations are very sparse and any increase in the number of observations will lead to increased accuracy of short-term weather forecasts (1-10 days) and long-term climate predictions (3-12 months) over the coastal and open oceans areas.

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RSN members are kindly requested to bring their copies to meetings. RSN related documents can be accessed at <http://www.fao.org/fishery/nems/40832/en>, in order to minimize environmental impact and promote greener communications.

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Intervention by Deep Sea Conservation Coalition, Mr Duncan Currie

Thank you Mr Chair and good afternoon delegates.

This intervention is given on behalf of the Deep Sea Conservation Coalition (DSCC), which represents over 70 NGOs. We firstly thank the Australian government and delegation for its hospitality and for keeping the weather cool.

We have made our briefing available on the website but would like to briefly outline some recommendations. They appear on pages 1 and 2 of our briefing.

First and foremost, we recall the UNGA bottom fishing review this year, and highlighted on page 4 of our briefing the recommendations. These are directed specifically at RFMOs and States engaging in bottom fishing.

Some of the specific calls were that: (para 180 of resolution 71/123)

(a) to use the **full set of criteria** in the Guidelines to identify where VMES occur or are likely to occur as well as for assessing significant adverse impacts (SAIs);

(b) to ensure that **impact assessments**, including for cumulative impacts, are:

- conducted consistently with the Guidelines, particularly paragraph 47,
- are **reviewed periodically and are revised**
- carried out as a priority **before authorizing bottom fishing activities**;

(c) To ensure that measures are based on and updated on the basis of the best available scientific information, noting in particular the need to improve **effective implementation of thresholds and move-on rules**".

Mr Chair, the NZ information paper recommended that the Commission:

- **Comment** on the merits of a prescriptive bottom fishing CMM versus a high-level bottom fishing CMM.

We note that the SC has already advised on that and on page 13:

- **agreed** that a more prescriptive bottom fishing CMM for all members may be easier to implement and control, more consistent, and more likely to work effectively, compared with a high-level CMM under which members can choose how to give effect to the CMM's requirements;

In response to Chile's intervention, the SC noted that a single, prescriptive measure may not be possible across both western and eastern parts of the SPRFMO Area given that Chile has a historical footprint as well as Australia, New Zealand and Korea.

We therefore recommend that the Commission directs the SC to develop a more prescriptive measure which implements the relevant UNGA resolutions and the FAO Deep Sea Guidelines.

Other recommendations are listed in our briefing and in brief are as follows:

1. CMM 4.03 should be amended and implemented consistent with the key provisions of UNGA resolutions, avoiding significant adverse impacts on VMEs as well as ensuring the sustainability of deep-sea stocks and non-target species¹.
2. On Vulnerable Marine Ecosystems (VMEs)² it is crucial that the measure be revised according to the UNGA resolutions and FAO DS Guidelines.
3. States that intend to continue bottom trawling should update their impact assessments as a matter of urgency by a specified date³.
4. Finally, the Commission should put into place a process to study ecologically or biologically sensitive areas (EBSAs) identified in the Commission area and to identify appropriate responses, including protected areas. This should include a specific request to the SC to assess the EBSAs in the Commission Area and make recommendations.

We welcome the EU's intervention calling for an inclusive process and look forward to stakeholders being included. In response to NZ's intervention, DSCC specifically requests to be involved in the working group, and welcome Australia's suggestion to hold a workshop in Australia. DSCC would be happy to contribute experts.

Mr Chairman, we look forward to a productive meeting. Thank you.

¹ 1. On target species: The Commission should require the provision by all Members and CNCs of a complete catch history for all stocks of all target species, with sufficient precision, as well as ask for the SC to advise and provide recommendations on reference points.

2. On bycatch species: The Commission should instruct the SC to prioritize further research and advice on conservation measures for non-target species, and amend the list of "other species of concern" in Annex 14 of CMM 4.02, as proposed by the SC, to include deep-sea sharks. With respect to both target and bycatch species, the Commission should urgently ensure that conservation and management measures are established consistent with the precautionary approach, in particular with regard to vulnerable, threatened or endangered species, as called for in resolution 71/123

² 1. The Commission should instruct SC-5 to:

1. Modify the measure to specifically address the potential impacts of midwater trawling for benthic-pelagic species on VMEs;
2. Redraw the bottom fishing footprint to correspond to areas where bottom fishing has actually occurred over the past several years;
3. Initiate a program of marine scientific research according to resolution 71/123, including predictive modelling, non-impact methods of sea-based surveys and investigating and encouraging the use of cameras on towed nets;
4. Initiate a program to map the distribution of VMEs within the footprint, using the full set of criteria in the FAO Guidelines to identify VMEs and where they occur or are likely to occur, as well as for assessing significant adverse impacts (SAIs) as called for in resolution 71/123;
5. Assess cumulative impacts, including past impacts from bottom fishing and impacts from other sources than bottom fishing, such as from ocean acidification and climate change and take further measures to protect VMEs accordingly; and
6. Design a SPRFMO-wide move-on rule in the SPRFMO area to be established and consistently applied to vessels from all flag States fishing in the region, apply to all areas where vessels are permitted to bottom fish, and require the immediate temporary closure of an area for all vessels where a VME encounter occurs pending an assessment by the SC that either VMEs do not occur in the area or SAIs will not occur as a result of reopening the area to one or more methods of bottom fishing. Consistent, science-based encounter protocols should be designed and implemented to ensure the effective implementation of thresholds and move-on rules.

³ The Commission should require all countries carrying out bottom fishing to expeditiously update their impact assessments in line with the seven criteria outlined in paragraph 47 of the FAO Guidelines