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UNGA resolutions & reviews on managing the impacts of deep-sea fisheries on vulnerable marine ecosystems/biodiversity in ABNJ

2002, 2004, 2006, 2009, 2011, 2016

implementation by States individually and through RFMOs

It all began 20 years ago with...

UNGA 57/141 (2002): “consider urgently ways to integrate and improve, on a scientific basis, the management of risks to marine biodiversity of seamounts and certain other underwater features” (para 56)

UNGA 59/25 (2004): “take action urgently, and consider...the interim prohibition of destructive fishing practices, including bottom trawling that has adverse impacts on vunB rse t has ⋠MCQne /P

Core Agreement UNGA 61/105 & 64/72 (2006/2009)

Prevent “Significant Adverse Impacts” on “Vulnerable Marine Ecosystems”

- Conduct prior Environmental Impact Assessments before fishing is permitted (no fishing without an EIA)
- Establish precautionary Area Closures to protect deep-sea habitats and biodiversity where VMEs are ‘known or likely to occur’ unless fisheries can be manafged to prevent SAIs
- Ensure sustainable catch and minimal bycatch of deep-sea species
- ‘Move-on’ rule

Adopt and implement these measures or else not authorize bottom fisheries to take place (flag states and RFMOs)

UNGA resolutions deep sea fisheries in ABNJ
Implementing key conservation provisions - Articles 5 & 6 of UNFSA

Prevent overfishing

- prevent or eliminate overfishing [5(h)]
- MSY limit not target reference point [Annex 2.7]

Conduct EIAs

- Assess the impact of fishing on target stocks and species belonging to the same ecosystem [5(d)]
- develop data collection and research programmes to assess the impact of fishing on non-target, associated or dependent species and their environment [6.3(d)]

Protect Biodiversity

- minimize impacts on non-target, associated and dependent species [5(f)]
- protect habitats of special concern [6.3(d)]
- “protect biodiversity in the marine environment” [5(g)

Apply Precautionary approach

- be more cautious when information is uncertain, unreliable or inadequate [6.2]
- the absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures [6.2]

UNFSA Article 6.1 “States shall apply the precautionary approach widely…in order to protect the living marine resources and preserve the marine environment” - Part XII UNCLOS

UNGA reviews of the implementation of resolutions

2006 – resolution 61/105

2009 – resolution 64/72

2011 – resolution 66/68

2016 – resolution 71/123

2022

UN 1st Global Marine Assessment/World Ocean Assessment

Global Marine Assessment/World Ocean Assessment 1, Chapter 51: Seamounts (pp16-17)

"Deep-sea ecosystems… are now and will increasingly be subjected to multiple stressors from habitat disturbance, pollutants, climate change, acidification and deoxygenation…The scientific understanding of how these stressors may interact to affect marine ecosystems remains particularly poorly developed. For example, the widespread destruction of deep-water benthic communities due to trawling has presumably reduced their ecological and evolutionary resilience as a result of reduced reproductive potential and loss of genetic diversity and ecological connectivity."

"Although it is heartening that some seamounts, ridges and other sensitive marine habitats are being protected by fishing closures, Marine Protected Areas and other actions, little scientific understanding of the efficacy of actions implemented to date and few studies to assess this exist. The connectivity between these habitats remains largely unknown, as are the factors that influence colonization, species succession, resilience and variability.

Since 2016

The last UN GA review (2016): reinforced call to implement previous resolutions, & the FAO Guidelines re conducting EIAs, protecting VMEs and assessing SAIs

Most RFMOs have incorporated UNGA resolutions and International Guidelines into their bottom fishing regulations

Atlantic: NAFO closed alfonsino fishery (collapsed); in 2021 closed all seamounts shallower than 4000m to bottom fishing; NEAFC prohibited fishery for orange roughy. Spain SW Atlantic implementation of GA resolutions; other flag states?

Pacific: many seamounts/ridges/features still open to bottom trawling; SPRFMO-major debate around whether UNGA resolutions only commit states to protecting some VMEs

Indian Ocean: few restrictions on trawling on seamounts, little progress on implementation of UNGA resolutions

Examples of shortcomings

- Much more biological information needed on the species that comprise VMEs – protecting biodiversity much more than VME indicator taxa
- Often RFMOs ignore one or more VME criteria in FAO Guidelines – e.g. areas/habitats containing rare species
- Assessing / identifying cumulative impacts required, e.g. extent of VME loss by past bottom fishing
- Move-on rule often main conservation measure where fishing is permitted – major shortcomings/allows continued degradation of VMEs and biodiversity loss
- Presumption that where trawling has occurred in past, no need to protect already degraded VMEs
- Claim that if it isn't 'possible' to protect all VMEs, protecting some VMEs good enough

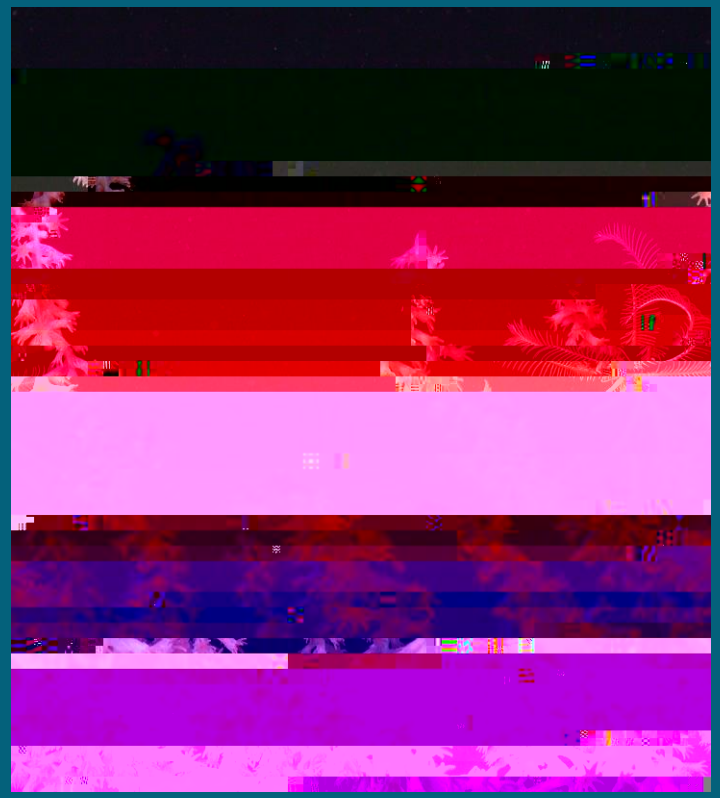
UN 2nd World Ocean Assessment 2021

Chapter 7L: Seamounts and pinnacles

High seas bottom trawl fisheries on seamounts and other features beyond continental slope areas

Protecting Global Seamounts

DSCC March 2021



Numbers of vessels: app 20 vessels bottom trawling on seamounts in ABNJ in recent years

Main flag states: New Zealand, Cook Islands, Japan, Spain, (Poland/Russia)

Overall catch: 10,000 - 12,000 tonnes (app 0.014% of marine capture fisheries globally)

Main target species:

- pelagic armourhead - North Pacific
- splendid alfonsino - North Pacific, Southern Indian Ocean (SE Pacific)
- orange roughy -

Intergovernmental Conference – 3rd UNCLOS Implementing Agreement for the conservation and sustainable use of marine biodiversity in ABNJ:
Q: Can RFMOs deliver on international biodiversity conservation commitments?

2030 Sustainable Development Goals

SDG 14, Target 14.2: “By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans”

Leaders Pledge for Nature: United to Reverse Biodiversity Loss by 2030 for Sustainable Development - Signed by almost 100 Heads of State, Prime Minister of New Zealand, President of the European Commission, Heads of State of all EU Member Countries, others

UN Decade of Ecosystems restoration: 2021 – 2030

Coherent, coordinated approach to the conservation of marine biodiversity in ABNJ: The UNGA & deep-sea fisheries on the high seas

UNGA resolutions 59/25 & 61/105 (2004, 2006) thru 71/123 (2016):

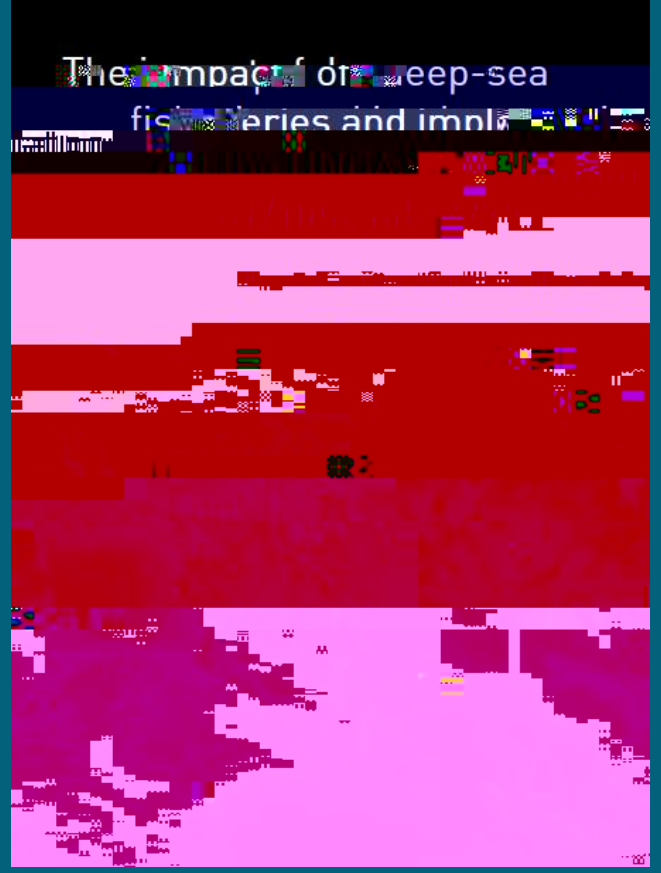
- Manage deep-sea bottom fishing on the high seas to prevent significant adverse impacts on vulnerable deep-sea ecosystems (VMEs) or else “not authorize to proceed”
- Coldwater corals, deep-sea sponge, hydrothermal vent and other deep-sea ecosystems recognized as VMEs
- Deep sea bottom fishing pioneered in 1960’s/1970’s - few restrictions in place until early 2000s (Gianni, IUCN C q0014305 0 960 54

The Anthropocene?

A million species at risk of extinction, many over the next few decades: Direct exploitation/mortality, habitat loss, climate change...

IPBES report (May 2019)/UNEP February 2021

Phasing out bottom trawling on seamounts and other underwater features in ABNJ would be a significant step in advacing international commitments for the conservation, sustainable use and protection on marine biodiversity


The impact of deep-sea
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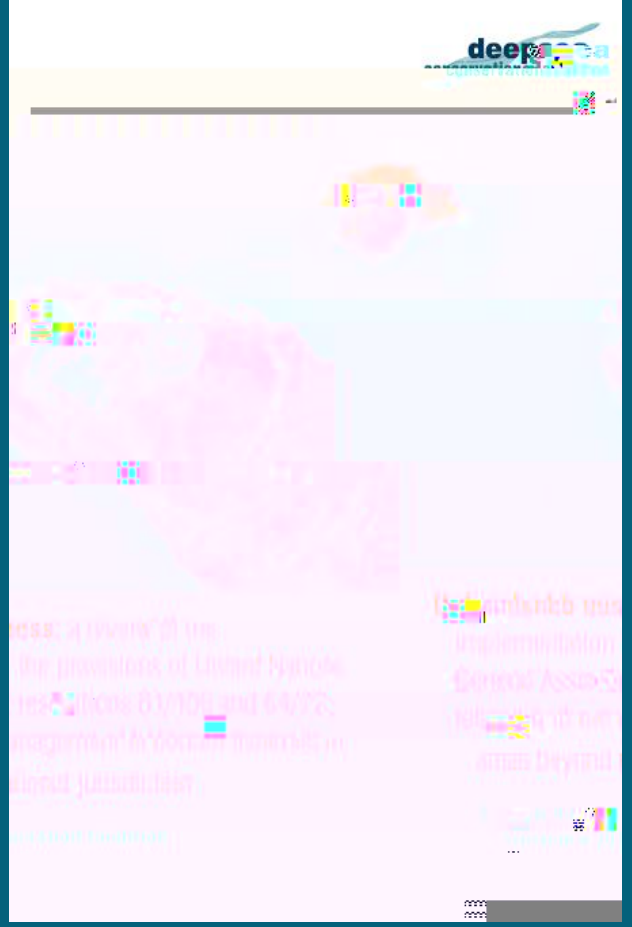
deep sea

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