



BRIEFING

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Marine Program

Briefing for the 1st Commission Meeting of the SPRFMO

A more comprehensive set of management measures must be agreed at the 1st Commission Meeting to allow the recovery of the currently overexploited jack mackerel stock, a straddling species of extreme importance to the South Pacific.



Introduction

WWF warmly welcome the entry into force of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, and encourages other interested states that are not already Parties to ratify it as soon as possible, so that universality strengthens its legitimacy and ensures everyone is subject to its compliance measures. In addition, WWF is grateful for having been granted observer status for Commission meetings.

WWF is also grateful for the opportunity to provide our views and recommendations on the Items 7, 8 and 9 of the Draft Provisional Agenda (COMM-01-01). In particular, we would like to refer to:

- the poor status of the Chilean Jack mackerel stock and the proposed management measures to be agreed by the Commission with a view to addressing the problem, and
- the Convention on Biological Diversity (CBD) process to identify and describe ecologically or biologically significant marine areas (EBSAs) which is linked with the SPRFMO's existing work on vulnerable marine ecosystem (VMEs) and members' broader commitments to establish MPAs and, more generally, to protect the marine environment.

As set out below, WWF has a range of concerns about (1) the compliance with the current fishery management measures on Jack mackerel and (2) the lack of work on the identification of VMEs and its link with EBSAs already described by CBD scientific workshops that are located wholly or partly within the Convention area.

WWF's specific comments are as follows:

360,000 tonnes

SHOULD BE CONSIDERED

BY THE SPRFMO

COMMISSION AS THE

MAXIMUM CATCH FOR

2013 FOR JACK MACKEREL

Status of the Chilean jack mackerel fish stock.

Results from the 11th Scientific Working Group indicate that **the biological status of the Chilean jack mackerel stock in the South Pacific is still very poor and continues to be overexploited**. Estimated total catches (417,317 t) of the entire SE Pacific stock continued to decline in 2012 compared with the highest peak of 4.7 million t in 1995. Updated assessment results indicate that the current biomass is now estimated to be 8% - 16% of the spawning biomass which would have existed had there been no fishing, which is below the threshold of 20% of unfished spawning biomass informed in the report of the 10th Meeting of the Scientific Working Group. This is far from an appropriate target reference point, which would probably be around 40% of unfished biomass (report of the 11th Meeting of the SWG).

Compliance with interim measures. In 2011, participants agreed on interim management measures that would limit the 2011 annual catch of Chilean jack mackerel to 60 per cent of the 2010 level (estimated in 750,000 t), for a total of 450,000 t when actually 605,817 t were caught in that year. Peru, Ecuador, Russia and Korea accounted for the excess of catch, raising issues of non-compliance with the 2011 interim catch measures.

For 2012, participants agreed to limit their annual catches of *Trachurus* sp. in 2012 to 40% of 2010 levels, resulting in a total of 300,000 t, which was in line with the scientific recommendation at that time. However, the total estimated catch in 2012 was 417,317 t, exceeding by 40% the agreed measure and threatening the recovery of this important fishery. Peru, Chile and Korea were responsible for the excess catch, which must call the attention of the SPRFMO Commission in relation with the degree of compliance. **Furthermore, in the current scenario in which Peru, Ecuador and China are not legally obliged to the SPRFMO fishery management measures, the Commission must find a formula to secure total compliance with the 2013 fishery management measures.**

2013 catch management measure. Analyses made by the Jack Mackerel Sub-group (JMSG) of the Science Working Group (SWG) in its 11th meeting, under the assumption of recent average recruitment at the levels estimated for the recent period (2000–2012) and using different models, indicate that **total catch for 2013 must be between 120,000 and 360,000 tons to accomplish the goal of recovering the spawning biomass to the level of 40% of unfished spawning biomass in ten years. This result means to limit the 2013 annual catch of Chilean jack mackerel to about 50 per cent of the updated estimated catch level for 2010** (i.e., 726,708 ton; see Table A1.3 in the Report of the Jack Mackerel Subgroup).

In addition, WWF believes that a more comprehensive set of fishery management measures must be agreed at the First Commission Meeting to allow the recovery of the currently overexploited Chilean jack mackerel stock (*Trachurus murphyi*), a straddling species of extreme importance to the Southern Pacific region. Therefore, WWF recommend to all concerned parties in the SPRFMO:

- **Encourages other interested states that are not already Parties to ratify the Convention** as soon as possible, so that universality strengthens its legitimacy and ensures everyone is subject to its compliance measures. Moreover, the Commission should find ways of bringing in all states 'with an interest' in the region in order to prevent IUU fishing or other non-compliant activities applying *inter alia* ports, markets and vessels measures. We urge the Commission to invite such countries to become party to the Convention (whether or not they join the Commission) so that they are obliged to ensure compliance with measures.
- Ensure the SPRFMO Commission manages catch levels and fleet capacity following scientific advice and in line with delivering IOM/EBM (Integrated Oceans Management/Ecosystem Based Management). To that end, **the Commission should ensure that the total catch of *Trachurus* species for 2013 do not exceed 360,000 tonnes.**
- **Comply and enforce the 2013 management measures for pelagic fisheries both in the high seas as well as in the EEZs**, with a clear commitment from all participating countries.
- **Adopt and implement a long-term and comprehensive management/recovery plan for the Chilean jack mackerel**, including explicit target and limits reference points (TRP, LRP), precautionary catch rules, fishing ground closures, and other precautionary measures that will drive full recovery of the spawning biomass to a sustainable level, in line with the scientific advice of the SPRFMO Scientific Working Group.
- **Design and adopt an international rights-based management program (RBM) on Chilean jack mackerel** in order to strengthen stewardship incentives among fishing nations to follow ecosystem-based management practices, resulting in more secure access to fisheries resources, providing sustainable jobs, assisting in poverty alleviation and improving food security.

Protection of values of EBSAs, whether as VMEs or otherwise

1. At its last Conference of the Parties (COP), the Convention on Biological Diversity agreed to have the first suite of EBSA summary reports included in the CBD EBSA Repository. This was the culmination of six year work by the CBD in developing the EBSA process. A WWF briefing paper on the EBSA process is attached. **The SPRFMO Commission now has an obligation to cooperate with the CBD in taking appropriate management action to control maritime activities over which it has competency in high seas areas to ensure that values identified by the CBD are effectively protected to the limits of that competency.**

2. The criteria developed and adopted by the CBD for identifying EBSA values were chosen bearing in mind criteria already adopted by other bodies for similar and related processes, including International Maritime Organization, International Seabed Authority, FAO and various RFMOs. The intention is to contribute towards building a consensus in the international community as to which values are important to protect. A comparison of criteria adopted by CBD for EBSAs identification and by SPRFMO for VMEs identification in paragraph 6 below shows the resultant high degree of overlap to be expected. Moreover, as it's stated in the Report of the 11th SWG and the Deepwater Sub-Group (Annex SWG-11-04) the approaches to identify EBSAs and VMEs have converged over the time and might overlap and, the Deepwater Sub-Group recommended developing an approach to manage differences/ commonalities of both criteria. **Therefore, WWF would like to suggest that the Commission invite the Scientific Committee to develop such approach in a scientific and fisheries management context.**

3. The CBD EBSA process is a science-based process initiated by regional or sub-regional expert workshops. Two such workshops are particularly relevant in the framework of the SPRFMO (Western South Pacific workshop, 22-25 Nov 2011, Fiji, and; Eastern Tropical and Temperate Pacific, 27-31 Aug 2012,, Ecuador) because they identified EBSAs in the area of competence of the SPRFMO (a map with the described EBSAs in the South Pacific Ocean identified by the CBD is attached). Once Summary Reports of these workshops have been included in the CBD EBSA Repository, copies will be sent to relevant competent bodies, including SPRFMO. **On receipt of those Summary Reports, it will then be up to SPRFMO to decide what management action should be taken** to ensure that values identified in these Reports are adequately protected, whether as VMEs, Marine Protected Areas (MPAs), or other spatial/temporal measures or any other fisheries management measure deemed appropriate. Note that one of those workshop reports has already been processed by CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and CBD COP.

4. As well Members' general duty to cooperate, SPRFMO objectives include safeguarding marine ecosystems in

which fishery resources occur (Article 2 of Convention). Members already have an obligation to conservation and management measures "to prevent significant adverse impacts on vulnerable marine ecosystems and precautionary measures where it cannot adequately be determined whether vulnerable marine ecosystems are present or whether fishing would cause significant adverse impacts on vulnerable marine ecosystems" (Article 20, paragraph 1e). In addition, specific conservation and management measures may include "the determination of the general or specific locations in which fishing may or may not occur" (Article 20, paragraph 2d).

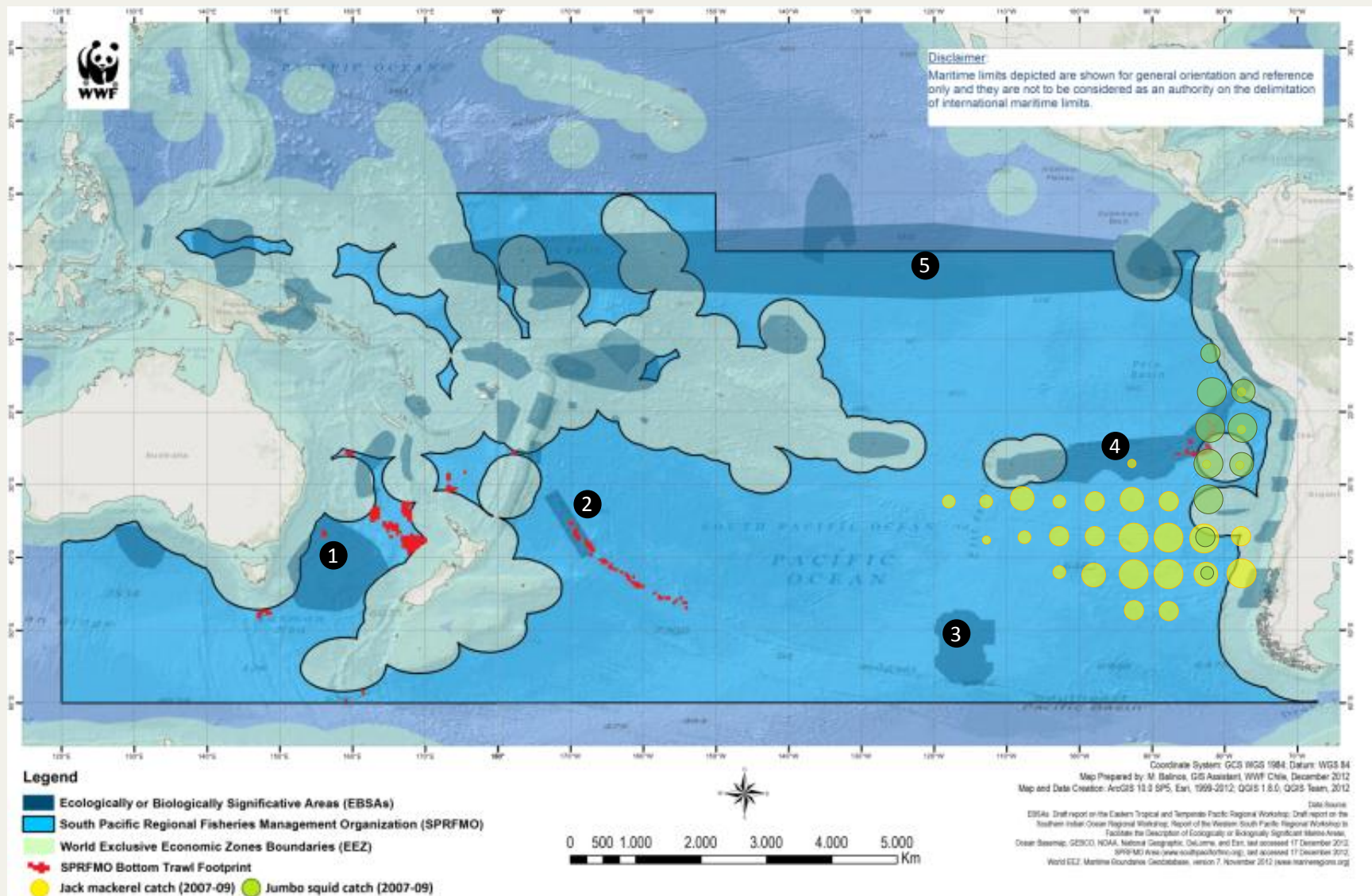
5. WWF notes, however, that despite these specific obligations set out in the Convention, the Commission has yet to request the Scientific Committee to identify VMEs in the area and we further note that no habitat profiles have been produced so far. WWF therefore recommends that **the Commission request the Scientific Committee to formulate advice on processes and procedures that the Commission might adopt in order to ensure that, when EBSA Summary Reports are received from the CBD, SPRFMO develops appropriate management responses**, including designation of VMEs, MPAs or any other effective measures, to ensure that identified EBSA values are protected.

6. Such an EBSA response process would allow the Commission to meet its obligations to implement the Convention insofar as there are no inherent incompatibilities between the two sets of criteria (SPRFMO VMEs and CBD EBSAs) (see <http://www.cbd.int/doc/meetings/mar/ebsa-ettp-01/other/ebsa-ettp-01-vmes-ebsas-en.pdf>):

CBD EBSAs	FAO VMEs
Uniqueness or rarity	Uniqueness / rarity
Special importance for life history stages of species	Functional significance of habitat and life story attributes of species
Importance for threatened, endangered or declining species and/or habitats	
Vulnerability, fragility, sensitivity or slow recovery	Fragility
Naturalness	
Biological productivity	
Biological diversity	Structural complexity and functional significance of habitat

7. Therefore, WWF further recommends that the Commission, as an initial step, **request the Scientific Committee to advise on the extent to which CBD EBSA criteria do, indeed, overlap with SPRFMO VME criteria.**

8. WWF would like to suggest that the Commission invite the Scientific Committee to consider Salas y Gomez and Nazca Ridges as a suitable case study to allow the development of suitable procedures and arrangements. To this end, a WWF factsheet on the values of these Ridges is attached.



Ecologically or biologically significant (EBSAs) described in CBD's regional workshops: ① South Tasman Sea ② Central Louisville Seamount Chain ③ Southern end of the East Pacific Rise ④ Salas y Gomez and Nazca ridges ⑤ Equatorial High-Productivity Zone. Yellow circles: Chilean jack mackerel catch (2007-09). Green circles: Jumbo squid catch (2007-09). Red squares: Join bottom trawl footprint.