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# LDAC Status Report and Proposal for Recommendations on Static Gear in NEAFC

## Background

The number of vessels fishing for snow crab<sup>1</sup> in NEAFC zone 1a has increased drastically in a short period of time. The crab vessels prefer to harvest at the very same grounds the shrimp fleet has been at for more than a decade. Currently some 25 vessels are fishing for snow crab in the region and more are expected during the summer. A number of Russian crab vessels have moved to NEAFC from Kamchatka for the last two years. Today the vessels are mainly from Norway<sup>2</sup> and Russia<sup>3</sup>, at least three from Lithuania, three from Spain<sup>4</sup>, 4-5 from Latvia<sup>5</sup> and some are flying a flag of convenience according to our information (from nations not members of NEAFC).

The crab vessels are using static gear, crab pots (traps), which they place on the seabed. The pots are kept there for days before they are hauled back on board the crab vessels. The crab pots, while located on the seabed, exclude bottom trawling in the same area. The pots used are sometimes large (approx. 1x2x3 meters) and with frame made from steel. If a trawler accidentally catches a pot the trawl will get badly damaged.



Photo 1: Unwelcomed snow crab pot on deck of f/v "Ontika"

LDAC member vessels have repeatedly tried to reach a common understanding about dividing the area with the crab vessels during a period of a week, or few days only. No such common understanding has been possible to reach and the crab vessels insisted upon blocking the entire fishing area for themselves and have the means to do so by distributing their pots widely and report pots in a greater area than actually used. Without any restrictions on the crab activity in

<sup>1</sup> Scientific (Latin) name: *Chionoecetes opilio*.

<sup>2</sup> Among the Norwegian ones are the f/t; "Havnefjell", "Talbor", "Polaris", "Kvitungen", "Northeastern" (ex. "Kvitbjørn") and "Arctic Wolf".

<sup>3</sup> Among the Russian ones are the f/t; "Start", "Selenga", "Ivangorod", "Polaris", "Solyaris", "Kopytin", "Sokol" and "Santana".

<sup>4</sup> Among the Spanish ones is f/v "Adexe Primera"

<sup>5</sup> Among the Latvian vessels is f/v „Solvita“, "Saldus", "Solveiga" and "Senator" (ex "Otto") expected to join later this year.

NEAFC the shrimp fleet, and other trawlers, will be dispelled from these traditional trawling grounds. There should be historical prescription rights in place for the trawler fleet.



Photo 2: The Norwegian crab vessel "Arctic Wolf".

## Infringement – Insufficient Marking of Crab Gear

According to masters on LDAC shrimp trawlers the entire crab fleet is using unlawful buoys in NEAFC waters which does not fulfil obligations about marking and visibility. According to the NEAFC Scheme 2015, article 7:

1. Each Contracting Party shall ensure that gear used by its fishing vessels in the Regulatory Area is marked consistent with the Convention on Conduct of Fishing operations in the North Atlantic signed in London on 1 June 1967.
2. Marker buoys or similar objects floating on the surface and intended to indicate the location of fixed fishing gear shall display the registration number of the fishing vessel to which they belong.

The above mentioned London Convention provides the following:

Acc. to Article 5; Nets, lines and other gear anchored in the sea and nets or lines which drift in the sea shall be marked in order to indicate their position and extent. The marking shall be in accordance with the provisions of Annex IV to the London Convention.

Annex IV; Marking of nets, lines and other gear. Rule 1 – Anchored gear:

(1) The ends of nets, lines and other gear anchored in the sea bed shall be fitted with flag or radar reflector buoys by day and light buoys by night sufficient to indicate their position and extent. Such lights should be visible at a distance of at least 2 miles in good visibility.

...

(5) The flagpole of each buoy shall have a height of at least 2 metres above the buoy.

The above rules are being violated. Lack of marking, e.g. unmarked pots and indistinguishable buoys is a matter of infringement of NEAFC rules. No crab vessel, out of the approx. 25 currently fishing, is using flagpoles and flags, lights or radar reflectors on their buoys.



Photo 3: Crab pots w/ legal buoys incl. flagpole, flag and light.



Photo 4: Common buoys used by crab vessel in NEAFC Ia.

The ongoing infringement must come to an end. The EU has means to affect the situation promptly as at least 9 vessels are Community vessels. Static gear that is not noticeable is a serious security matter and does not only affect the trawlers in the region.

Two recent examples of known accidents connected with illegal buoys: The Estonian ex. trawler “Eldborg” and Latvian “Otto” got unmarked buoys and ropes into their propellers during steaming in April and July 2013. “Otto” was taken to port in Kirkenes and “Eldborg” to Tromsø for repairs. Fortunately the weather condition was good on both occasions and no danger to vessels or crews. A vessel drifting high seas without a functioning propulsion system is always at risk and can easily cause danger to other ships.

## Intolerable Behaviour

The crab vessels have used the lack of clear rules in the region as an excuse to act irresponsibly. The following behaviour, carried out by several crab vessels, has been recorded by the shrimp fleet:

1. Shooting crab pots in the towing-path, behind and in front of a trawler.
2. Leaving crab pots at the seabed during a port visit (mainly the Norwegian crab vessels).
3. Not informing timely about location of crab pots.
4. Claiming an area much larger than actually covered by pots and denying requests for detailed info about the exact location to block areas for trawling.
5. Discard of garbage and scrap metal (e.g. empty lubrication oil barrels) into the sea.

Some Norwegian vessels leave their pots at the seabed during a port visit. Several crab vessels active in the region, mainly Russian vessels, are landing their catch into a reefer at sea. These vessels bunker fuel and get supplies at sea as well. The crab vessels are carrying a lot of pots and a big crew. Therefore the space on board is limited especially when you don't call port for months and garbage and disposals accrue on board. Under such conditions a fishing vessel should transport garbage, scrap metal etc. over to a supply vessel. Masters on LDAC shrimp vessels report that is not the case and garbage etc. is discard into the ocean from the crab vessels not calling port on a regular basis.

Below are photos of lubrication oil barrels captured into the trawls of Reval Viking in March 27 2015. The barrels damaged the trawls and destroyed one haul. The labels on the barrels indicate they were supplied on board a vessel at the beginning of the year in Busan Korea, a port frequently visited by the vessels fishing in the Kamchatka area.



Photo 5 & 6: Oil barrels “caught” by f/t “Reval Viking” in NEAFC area Ia March 27 2015.

## General Recommendation

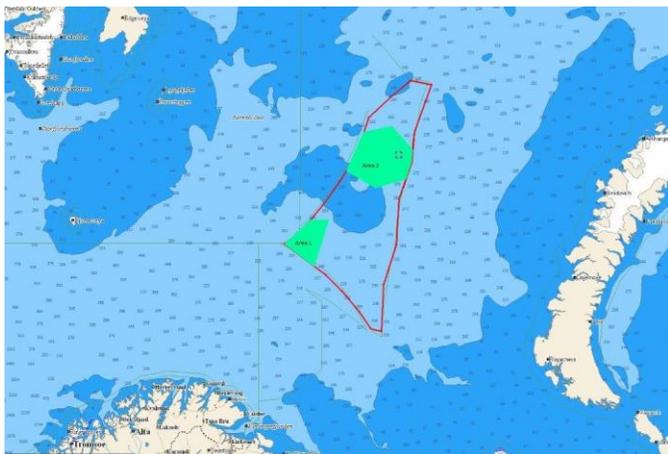
The EU Commission should take immediate action against illegal static gear currently used by EU snow crab vessels in NEAFC zone Ia.

The EU Commission should furthermore draft a proposal about common practice of static fishing gear and present this year at NEAFC’s PECCOE. The proposal should at least cover the following points;

- a) Seasonal closure of certain areas within NEAFC’s zone Ia for static gear.
- b) Maximum period of days for pots left unattended at the seabed.
- c) Recognition of trawlers exclusive right to its ongoing towing-path.
- d) Information obligation about intended future location of static gear. A time limit of min 24-hours’ for advance notice is reasonable.
- e) Limits to the size of area one vessel fishing with static gear can claim at any given time.
- f) Size limits to the pots allowed in the territory.

## Recommendation – Closure of Areas for Static Gear in NEAFC Ia

Areas in NEAFC zone Ia should be closed for static gear. The recommended areas of closure have been marked with green zones in the map below. Area I is the one in the south-west of the zone and area II in the northern part. The areas combined represent approx. 16,9% of the total Ia zone.



Map 1: Map showing the closures of areas I and II.

**Recommendation<sup>6</sup>:** NEAFC should restrict the access of fishing vessels using static gear in the regulatory area. The following areas should be closed during specified periods. LDAC recommends a free access for fishing vessels using static gear to the entire area from January 1 till February 28, and from November 1 to December 31. During the following time periods a closure to pot fishing should be adopted within the coordinates stated below:

- From March 1 till June 30 two areas closed:

**Area I:**

- 1) 7426,2-3530,1
- 2) 7358,9-3342,7
- 3) 7330,3-3556,1
- 4) 7426,2-3658,8
- 5) 7426,2-3530,1

**Area II:**

- 1) 7600,0-3918,3
- 2) 7606,2-4125,2
- 3) 7542,1-4252,8
- 4) 7529,8-4248,1
- 5) 7511,0-4224,9
- 6) 7501,3-4014,5
- 7) 7520,1-3801,6
- 8) 7600,0-3918,3

- From July 1 till October 30:

**Area I (same as area I above):**

- 1) 7426,2-3530,1
- 2) 7358,9-3342,7
- 3) 7330,3-3556,1
- 4) 7426,2-3658,8
- 5) 7426,2-3530,1

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<sup>6</sup> LDAC has developed three different versions of the size and scope of the areas of closure. Further suggestions are available upon request.