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WWF comments on key points in the “Draft recommendation by the LDRAC on NAFO 2012” (R-04-12/WG2)

Thank you for the opportunity to provide comments on LDRAC draft recommendations to the European Community with respect to the NAFO Annual Meeting in September 2012. WWF supports measures that ensure long-term sustainability of the stocks through adherence to scientific advice and implementation of the precautionary and ecosystem approaches in accordance with the obligations contained in the 1995 UN Fish Stocks Agreement. In addition to this good governance pillar, WWF also works with market transformation approaches and fisheries financing mechanisms as a means to incentivize best practices that contribute to a more sustainable blue economy.

Please find below WWF comments on specific points addressed in the LDRAC draft recommendations.

3M Cod

The LDRAC recommendations to the EC in respect to 3M cod is the following:

Recommendation: The LDRAC invites the European Union to propose to the Fisheries Commission to request to the scientific council clarification on how yield per recruit curve drafted and its influence on the underestimation of the values for $F_{0.1}$ and F_{max} referred in the biomass and catch forecasts recorded in the assessment. The LDRAC accepts the recommendation for management by the scientific council and to this respect proposes the European Commission to support a TAC for cod, in 2013, that is the resultant of $F_{max} = F_{msy}$, at 14,133 tons.

From the discussions held during the Scientific Council meeting in June, WWF understands that F_{max} does not equal F_{msy} and cannot be used as a proxy for F_{msy} because of the amount of uncertainty associated with the state of the stock and catch data. Reference points, targets and timelines have not been determined for this stock yet and caution is needed to ensure sound rebuilding of the stock.

Nonetheless, for 2013, WWF supports the Scientific Council (SC) advice that the 3M cod TAC should be set **below F_{max} (14,113 tons)**. It is important to note that F_{2011} is more than twice F_{max}

and that according to the SC estimations any fishing mortality over F_{max} is not sustainable and will result in an overall loss in yield in the long term.

3LN Redfish

LDRAC recommended:

Recommendation: By analysing the results of the scientific assessment overall and despite the fact that the European Union has a less relevant share in the relative stability of this stock, the LDRAC recommends supporting that a fully sustainable TAC be fixed, resulting from $1/3 F_{msy}$, corresponding to 12,126 tons. Canada and Russia, whose quotas make up 81% of the TAC, will have no doubts in supporting this option, and the European Union may submit to them a position with the same transparency and rationality as when supporting the decision on TACs for stocks where Community stakes prevail.

WWF cannot agree with LDRAC recommendation to increase the TAC to 12,126tons. WWF supports the Scientific Council advice to set a TAC for 2013 and 2014 of approximately **6,200 t**. This is a recent re-opened fishery and the response of the stock to fishing is uncertain.

3LNO Thorny skate

LDRAC recommended:

Recommendation: The LDRAC recommends the European Union not to yield to the lobbying by contracting parties for which this stock lacks economic relevance. Any initiative to such a respect, not being justified under the viewpoint of stock sustainability, must be replied by the EU with a proposal for discussion to readjust the weight of the quotas, considering the catches in recent years. The TAC for skate, which was reduced by 37% between 2009 and 2012, as a minimum management measure, must remain unchanged at 8,500 tons. Any decisions imposing further reductions of the TAC are not understandable in the context of defending the Community's stakes.

WWF recommends adherence to the SC advice to set the TAC at a level that **does not exceed** the 2009-11 average of **4,700 t**. It is important to note that the stock has remained at low levels since mid-1990s and the life history characteristics of thorny skate indicate low resilience to fishing pressures.

Fish stocks under moratorium (including 3NO cod)

LDRAC recommended:

Recommendation: These are stocks under fishing moratorium since the 1990s, in order to foster the restocking of the spawning stock biomass above Blim. The LDRAC supports to continue the ban on directed fishing, up until such a reference limit be reached.

WWF supports LDRAC position that these stocks should remain under moratorium at least until they reach Blim. We further note that rebuilding plans should be completed for all stocks under moratorium with specific precautionary reference points and harvest control rules for when the fishery is re-opened. In addition, trophic considerations should also be incorporated to the rebuilding plans to ensure sound rebuilding.

Vulnerable Marine Ecosystems

The LDRAC draft describes the progress made by NAFO to address the requirements of the United Nations General Assembly resolutions 61/105 and 64/72, but does not contain any specific recommendations to improve protection of vulnerable marine ecosystems. WWF agrees that NAFO is taking good steps towards the implementation of the UNGA resolutions, but cannot agree with the statement that measures adopted by NAFO “have gone well beyond other initiatives along these lines adopted by other RFMOs”. WWF believes the scientific work conducted by the NAFO Scientific Council on VMEs in collaboration with NEREIDA is outstanding, but further conservation and management measures need to be adopted to reflect the scientific work and advice. RFMOs, such as CCAMLR, SPRFMO and the North Pacific Fisheries Commission, are proving leadership on the protection of VMEs, through *inter alia*, mandatory impact assessments, gear modification requirements, scientific-based encounter protocols and area closures. Furthermore, NEAFC has just held a symposium to evaluate its progress on the implementation of the UNGA resolutions.

One of the most important requirements of the UNGA resolutions 61/105 and 64/72 – conducting comprehensive impact assessments¹ prior to bottom fishing to assess and mitigate significant adverse impacts – has not been met by NAFO yet. The international community’s call for impact assessments has been reinforced by the most recent UNGA Resolution on Sustainable Fisheries 66/68 (2011) and by the political document adopted by world leaders during the 2012 United Nations Conference on Sustainable Development (UNCSD or Rio+20). During the 2011 NAFO Annual Meeting, the Fisheries Commission tasked the Scientific Council to conduct such an impact assessment. It is expected that during the 2012 Annual Meeting the Fisheries Commission endorses the workplan and commit to make available the resources and

¹ Following the criteria established by the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas.

data required by the Scientific Council to complete the assessment by 2016 (eight years after the deadline given by UNGA Resolution 61/105).

In addition, in accordance with scientific advice, encounter thresholds should be reduced for sponges (from currently 600 kg and 400 kg inside and outside the fishing footprint, respectively) to 300 kg per tow and sea pens (from currently 60 kg) to 7 kg per tow. Alternatively, WWF recommends that given the difficulties associated with the implementation of such a reduced threshold for sea pens, and recognizing that encounter protocols do not offer the best way of VME protection, areas known to contain dense aggregations of sea pens (see Scientific Report) should be closed prior to the 2014 VME closure review.

Technical Measures

LDRAC does not support proposals to change NAFO Conservation and Enforcement Measures (NCEM) with respect to: recording catches on a haul per haul basis due to the additional work this would bring to the crews; direct communication of bycatch; and labelling. WWF's position on these 3 specific issues is the following:

a) Monitoring Catches

WWF understands that this measure would constitute an extra burden to the crew, but supports the proposed changes to the NCEM. Recording catches on a tow-by-tow basis is a necessary requirement for the collection of finer-scale data on target, non-target and associated and dependent species that could be applied in a sensible manner, through for example, the use of scales for conveyor belts and random sampling (e.g. 2 baskets in the beginning, 2 in the middle and 2 in the end). This requirement is in accordance with the obligations contained in the UN Fish Stocks Agreement, Articles 5, 14 and its Annex I, and would also contribute to a more effective compliance monitoring.

b) Communication whenever by-catch limits are exceeded

In general terms, WWF supports the proposed changes to the NCEM on direct reporting as a means to increase transparency and better determine the effectiveness of current bycatch related measures.

c) Labelling production with date of catch and division

WWF supports the proposal to amend NCEM to improve the current labelling requirement. A requirement that all catches should be labelled according to the stock area (i.e. identified by species, product category, date of capture and NAFO division area) is consistent with the 2011 NAFO's Performance Review recommendations. This measure would also improve traceability and promote market-related incentives.