

# Deep Sea Biodiversity beyond areas of national jurisdiction

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Consultant

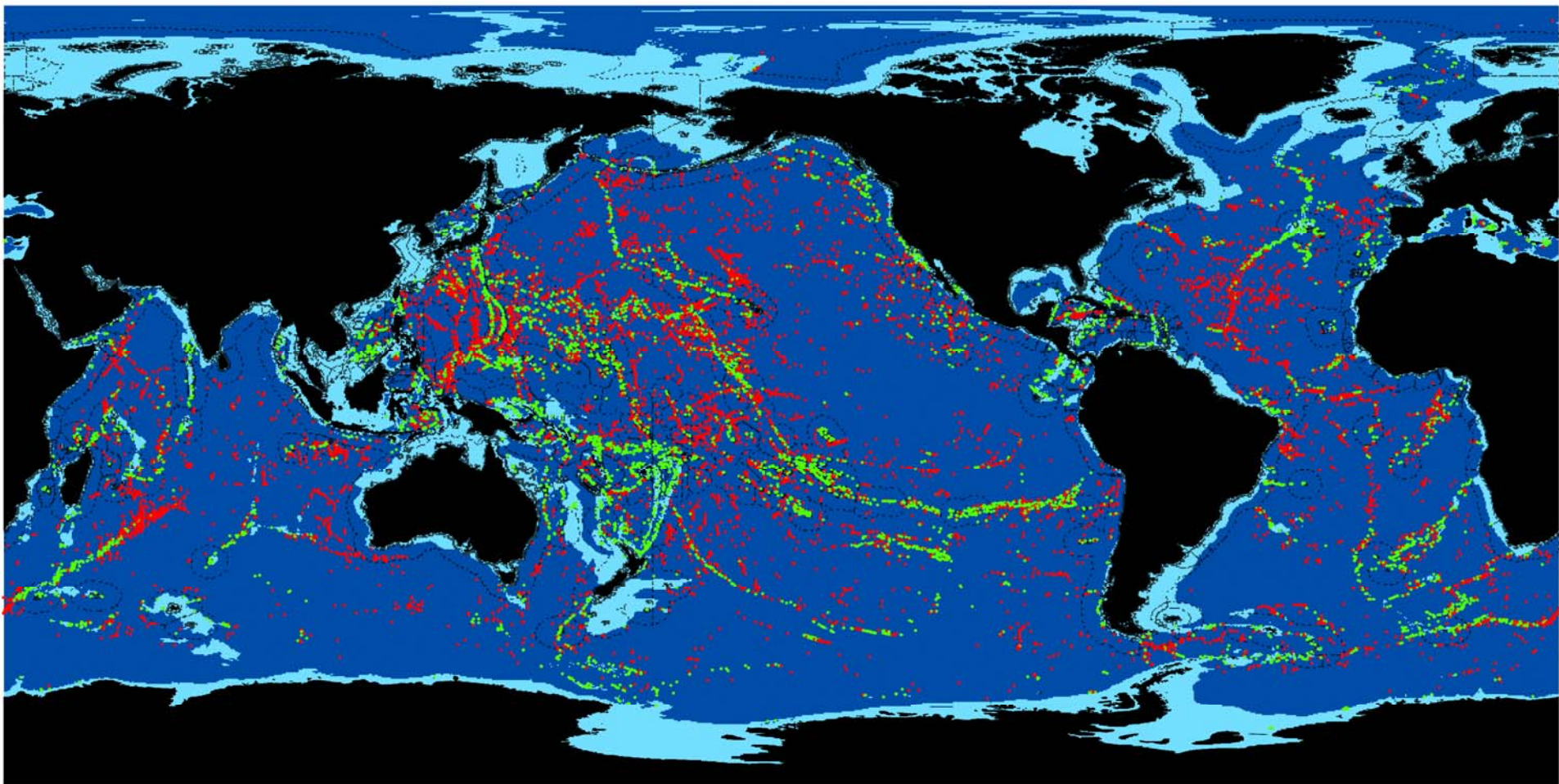
Political Advisor

Deep Sea Conservation Coalition

6<sup>th</sup> meeting of the United Nations Open-ended Informal  
Consultative Process on Oceans and the Law of the Sea

7 June 2005





EEZ

**Seamounts**

- < 2000m
- > 2000m

**Depth (m)**

- < 2000
- > 2000

Total Seamounts in High Seas = 7,409

Seamounts in High Seas (<2000m) = 2,167

Seamounts in High Seas (>2000m) = 5,242

Total Area of High Seas = 339,804,000 km<sup>2</sup>

Area < 2000m = 31,280,000 km<sup>2</sup>

Area > 2000m = 308,524,000 km<sup>2</sup>

Total Seamounts in EEZ = 6,878

Seamounts in EEZ (<2000m) = 3,883

Seamounts in EEZ (>2000m) = 2,995

Map prepared by John Guinotte, MCBI

Notes: Area estimates were calculated from ETOPO2 cells (3.7 x 3.7km). The Mediterranean Sea and Antarctic waters are considered High Seas. 2000m is the approximate maximum depth of present day fishing gear.

Sources: Predicted seamount locations (Kitchingman and Lai 2004). ETOPO2 bathymetry data (Smith and Sandwell 1997). EEZ boundaries (Veridian Global Maritime Boundaries Database 2004).





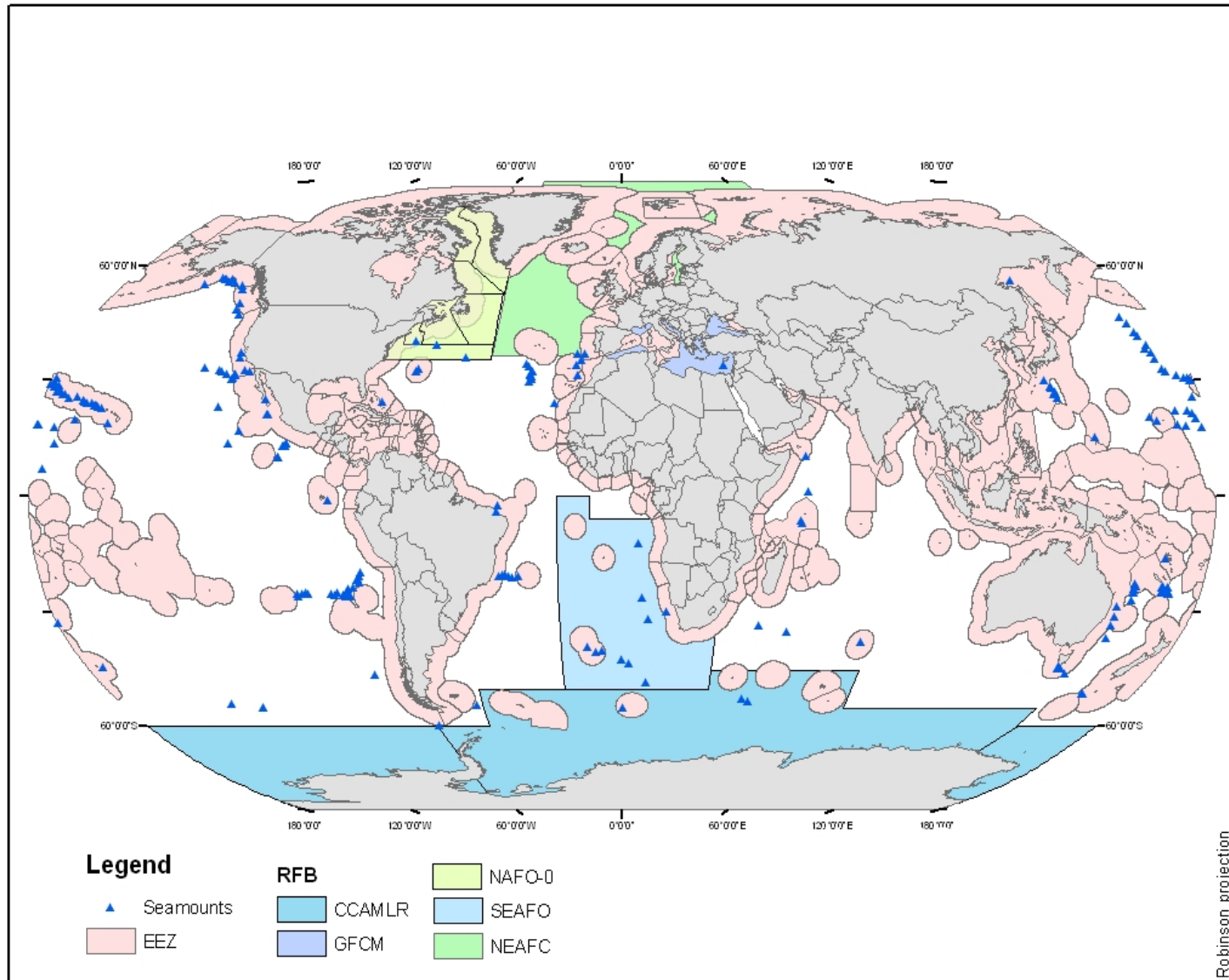
# UN General Assembly 2004

paras 66-69 Fisheries Resolution (A/59/25)

- States by themselves or through RFMOs to take urgent action to protect vulnerable deep-sea ecosystem from destructive fishing practices, including bottom trawling (66)
- RFMOs with competence over bottom fisheries to do the same (67)
- Establish new RFMOs or expand existing RFMO coverage where none exists (68-69)



# High Seas Bottom Fisheries Unregulated in Majority of Oceans (in white)

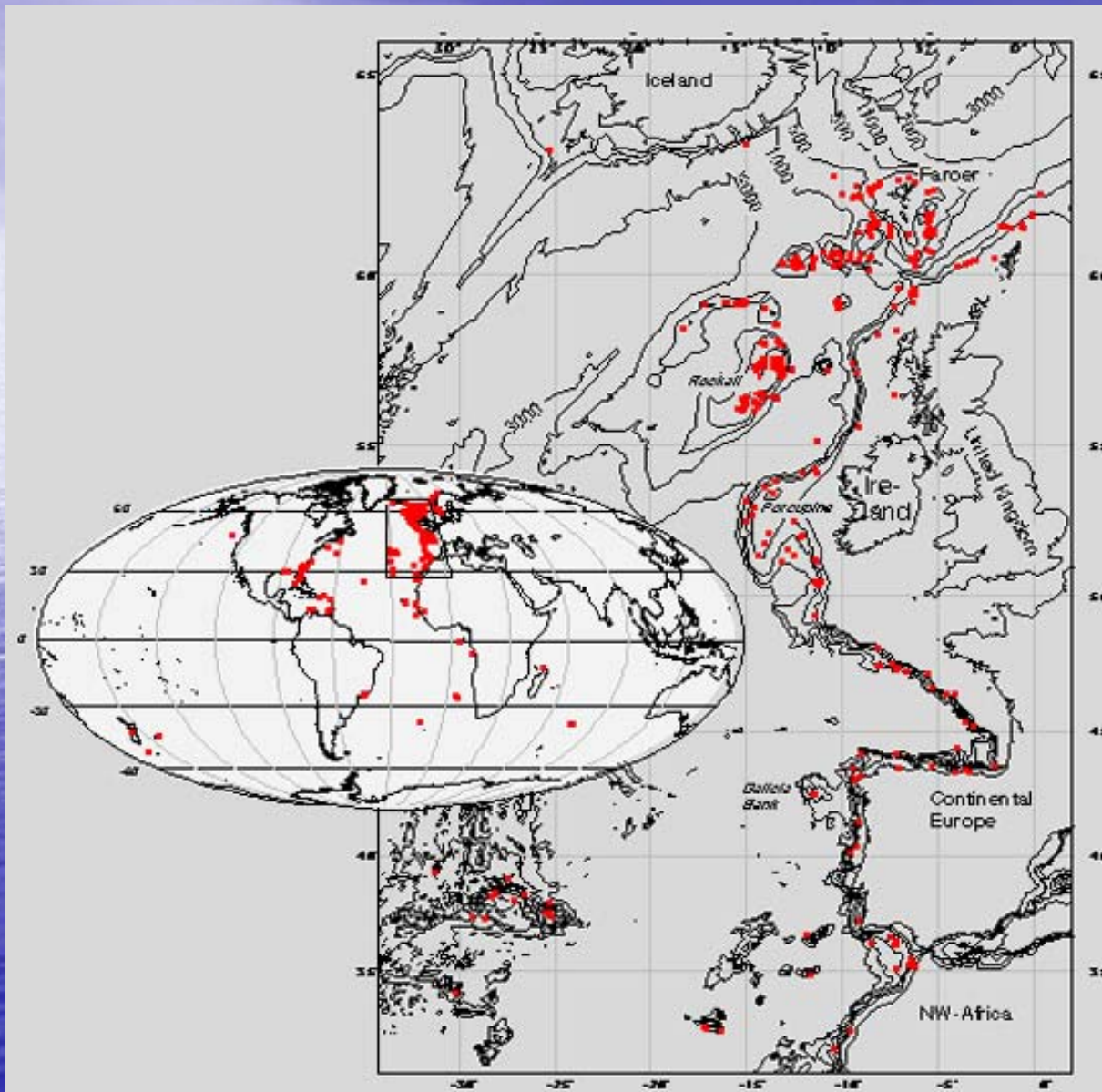




# RFMO deep water fisheries regulations

- CCAMLR: comprehensive measures to regulate bottom trawling and all exploratory fisheries for impacts
- SEAFO: entered into force in 2003, limited membership, no measures yet
- GFCM: ban on bottom trawling in areas  $> 1000$  m
- NEAFC: effort limit to 70% of highest level in previous years; 5 areas temporarily closed for bottom trawling
- NAFO: no regulations for impacts on deep-sea biodiversity

# Northeast Atlantic



## Distribution of cold-water coral *Lophelia pertusa* (1999)

Map from: Andre Freiwald  
Picture – Deep-Sea Group  
(Southampton)

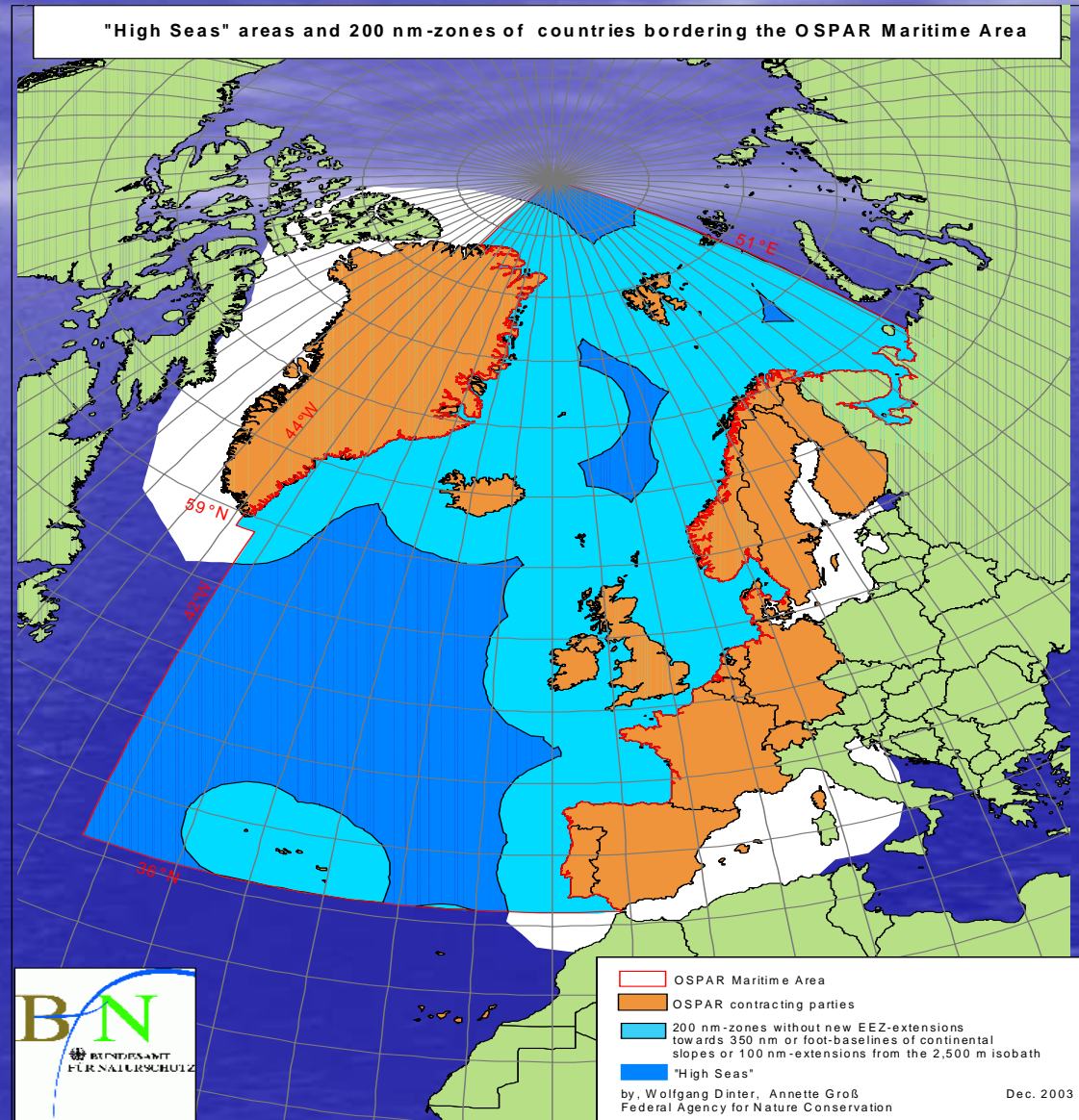




# Northeast Atlantic

North East  
Atlantic  
Fisheries  
Commission  
NEAFC

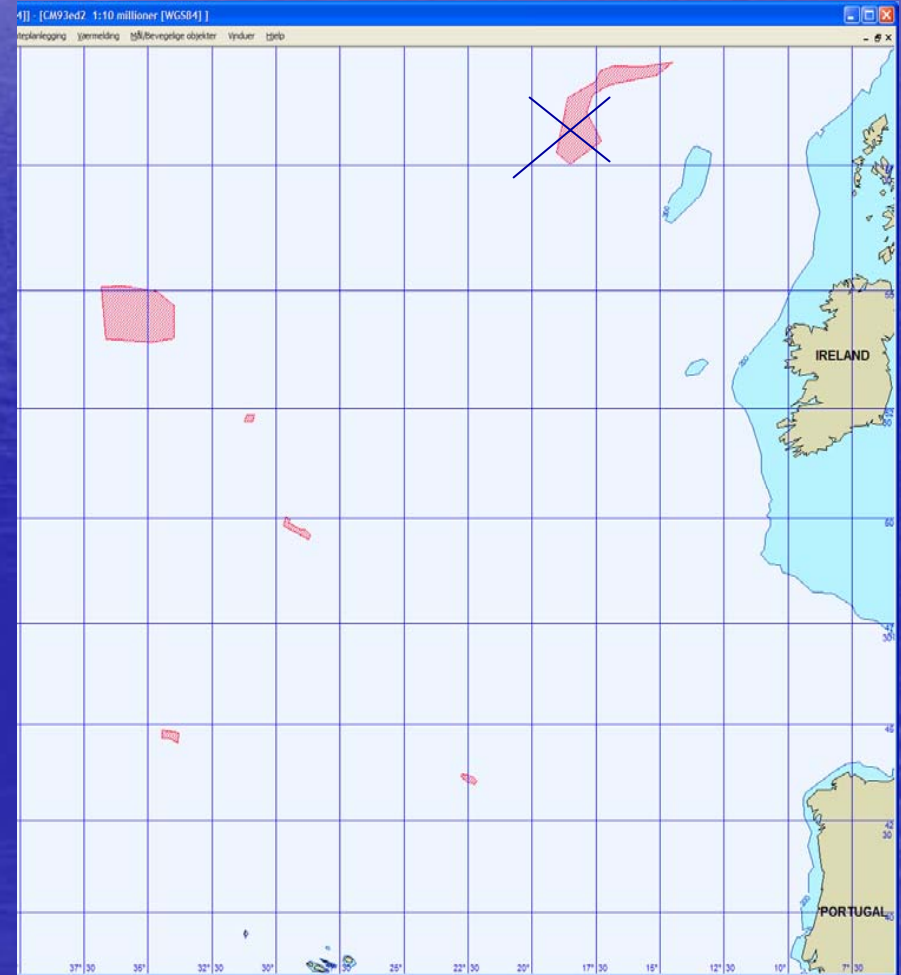
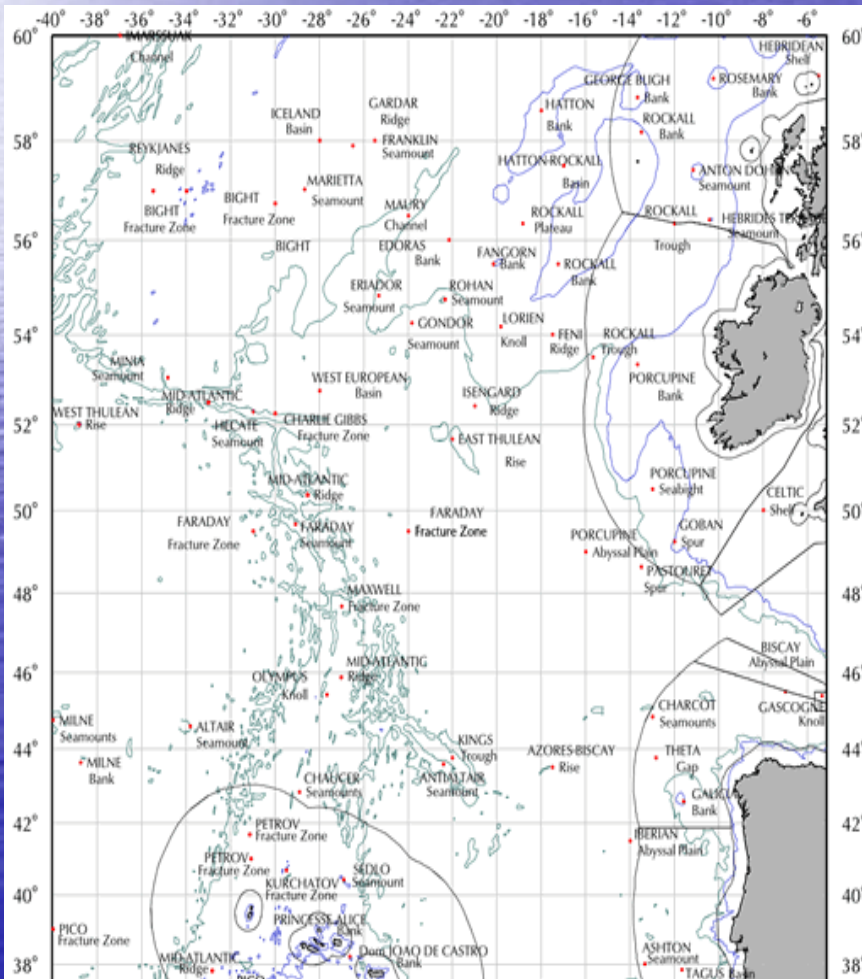
(dark blue areas  
International  
waters – NEAFC  
Regulatory Area)





# Northeast Atlantic – limited protection to date

Left: map showing seamounts and ridge systems on high seas. Right: high seas areas (pink) temporarily closed by NEAFC to deep-water fishing in 2004



# Northeast Atlantic Rockall and Hatton Bank

(neither area protected by NEAFC/both heavily trawled)

“There is general agreement among scientists, the fishing industry and the politicians that the fragile deep-water stocks are seriously over-exploited, but political imperatives dictate that uncertainties and inconsistencies in the scientific assessment and advice are used to postpone the urgent action that is required.”

“It is perhaps not much of a consolation, but at least in the Rockall Trough, we know a lot about the ecosystem that is being destroyed, while in other areas, such as the Hatton Bank, we will never know what is being destroyed”

Dr John Gordon, Scottish Association of Marine Scientists, quoted in ‘End of the Line’ by Charles Clover. 2004.



# UN Fish Stocks Agreement and FAO Code of Conduct

States should/shall:

- Prevent overfishing
- Assess and minimize impact of fishing
- Minimize bycatch
- Protect habitats of special concern
- Apply the precautionary approach
- Protect biodiversity

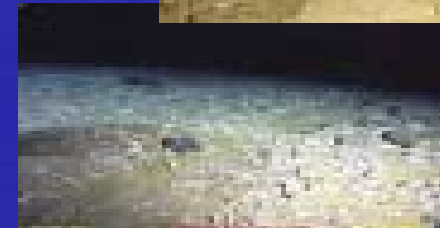
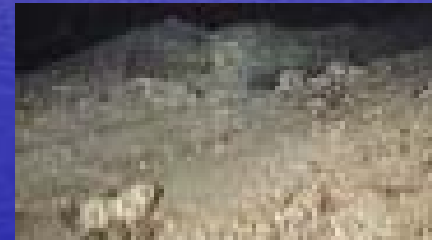
# Legal Deficiencies and Gaps

Gianni M. *"High Seas Bottom Trawl Fisheries and Their Impacts on the Biodiversity of Vulnerable Deep-Sea Ecosystems: Options for International Action"* IUCN 2004

[www.iucn.org/themes/marine/pubs/pubs.htm](http://www.iucn.org/themes/marine/pubs/pubs.htm)

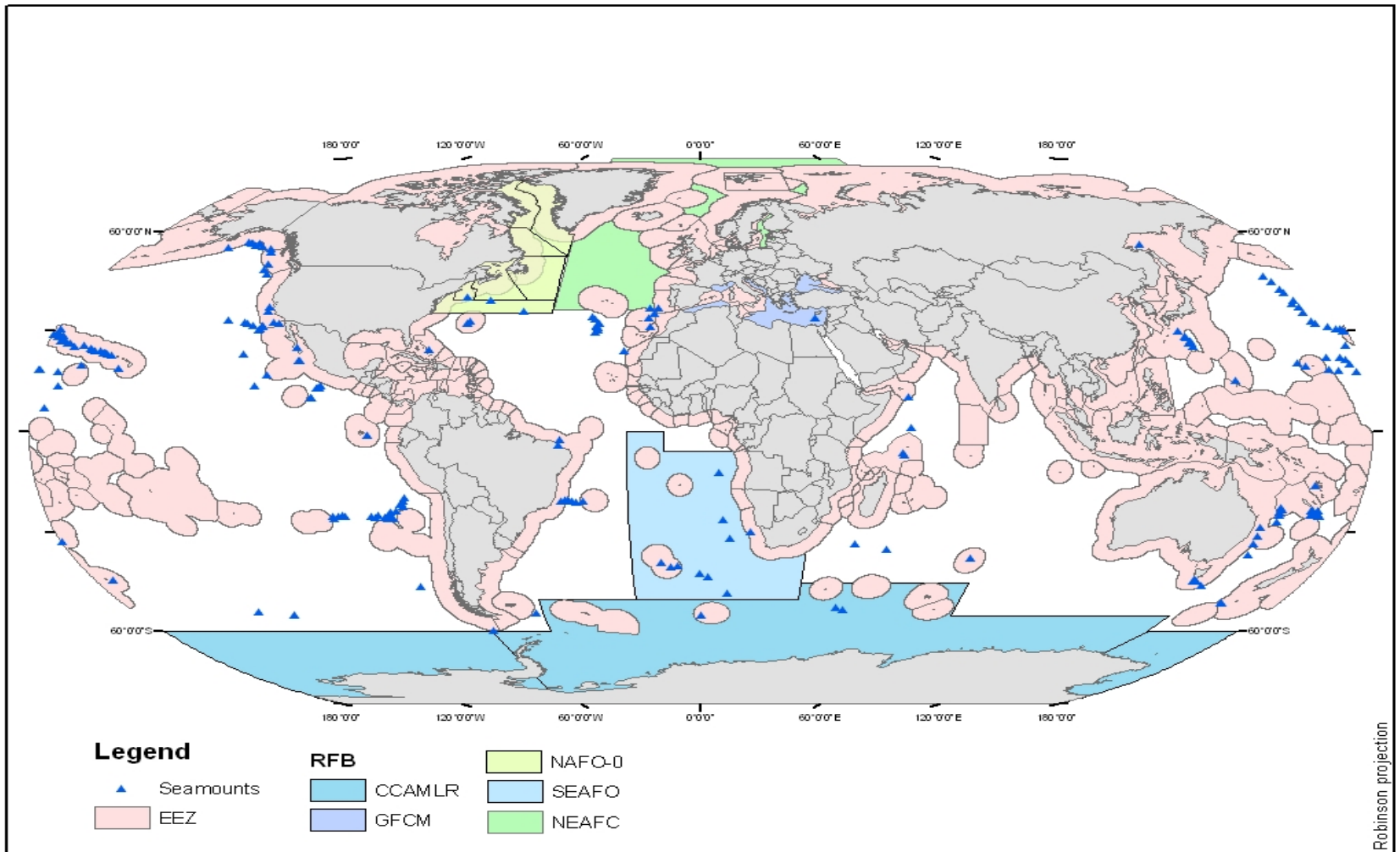
Deep-water bottom trawl fisheries on the high seas largely characterized by:

- Serial depletion
- Unregulated fishing
- Unreported fishing
- No controls over new and exploratory fisheries
- Non environmentally safe/selective gear and practices
- No biodiversity protection



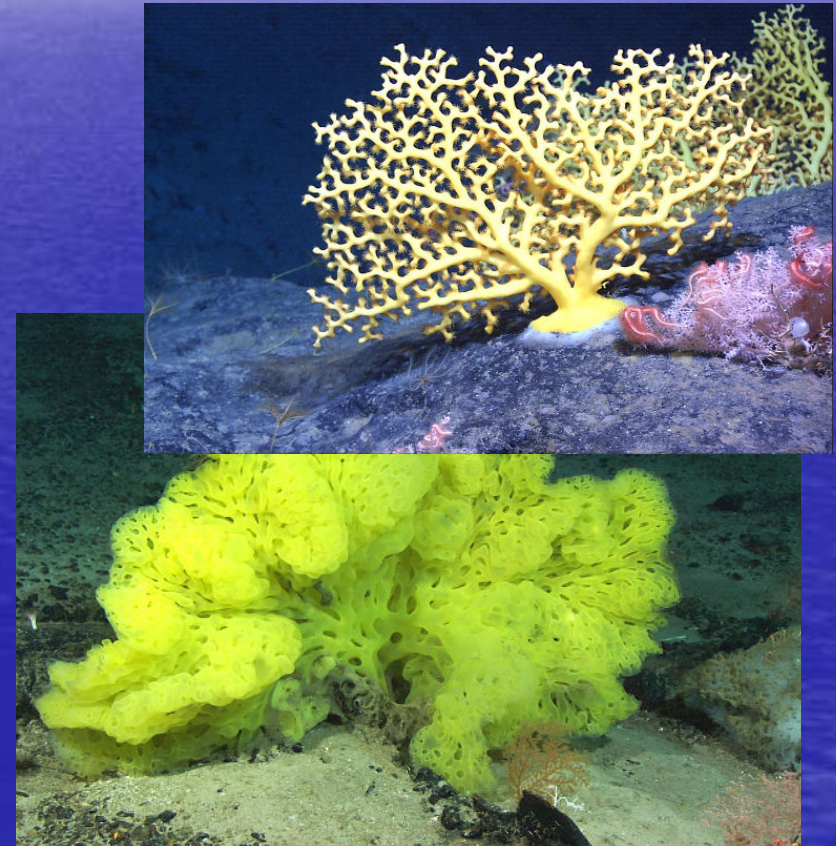


UN General Assembly 2004 Fisheries Resolution (A/59/25), paras 68-69:  
Establish new RFMOs or expand existing RFMO coverage where none exists  
Map (below): White shows areas of the high seas where no RFMO currently  
exists with legal competence to manage deep-water/bottom fisheries.



# Gaps - 'regulated' and unregulated deep-sea bottom trawl fisheries on the high seas:

- Impacting/destroying deep-sea genetic resources beyond areas of national jurisdiction
- Potentially threatening sedentary species of "wide margin" states (e.g. Brazil, South Africa, India – UNCLOS Art 77)
- Destroying the Common Heritage of Mankind?





## UN General Assembly 2005 (60<sup>th</sup> Session)

- At a minimum, the UN General Assembly this year should call for a prohibition on bottom trawl fishing on the high seas in areas not covered by an RFMO, as an interim measure, until a regional organization is established in an area and can effectively regulate deep-sea fisheries for sustainability and impacts on biodiversity (in accordance with A/59/25).

# IUU FISHING

Report on progress in the implementation of the  
UN FAO IPOA ON IUU FISHING  
preliminary findings of report by Gianni & Simpson

- Continued widespread use of flags of convenience by large-scale fishing vessels in spite of the adoption of the IPOA on IUU fishing
- Large numbers of companies and nationals from 'Responsible' flag states continue to own or operate FOC/IUU fishing vessels



# IUU FISHING

Report on progress in the implementation of the  
UN FAO IPOA ON IUU FISHING

- Extensive laundering of FOC/IUU catches by transshipment vessels on the high seas
- Genuine link: an issue for both fishing and transshipment vessels operating on high seas



