



North East Atlantic Fisheries Commission

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# Regional Cooperation for Fisheries Management

ABNJ Regional Leaders Program

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Freedom of the high seas

Absolute, or limited?



# Article 87

## Freedom of the high seas

1. The high seas are open to all States, whether coastal or land-locked. Freedom of the high seas is exercised under the conditions laid down by this Convention and by other rules of international law. It comprises, inter alia, both for coastal and land-locked States:

- (a) freedom of navigation;
- (b) freedom of overflight;
- (c) freedom to lay submarine cables and pipelines, subject to Part VI;
- (d) freedom to construct artificial islands and other installations permitted under international law, subject to Part VI;
- (e) freedom of fishing, subject to the conditions laid down in section 2;
- (f) freedom of scientific research, subject to Parts VI and XIII.



## Conditions for fishing on the high seas

The right of States for their national to fish in the high seas is subject to:

- “the rights and duties as well as the interests of coastal States”
- The duty to conserve the living marine resources of the high seas
- The duty to cooperate in conservation and management



# UN Fish Stocks Agreement

The 1995 Agreement on straddling and highly migratory fish stocks strengthens this regime further:

- Reinforces the key position of coastal States
- Strengthens the duty to conserve the living marine resources
- Reinforces the duty to cooperate



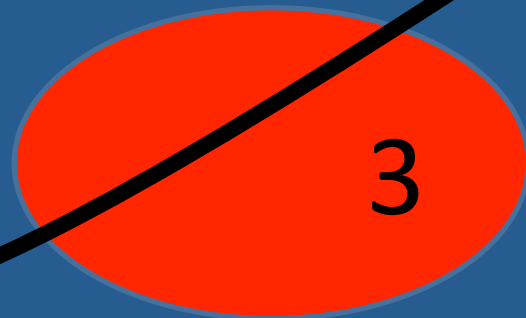
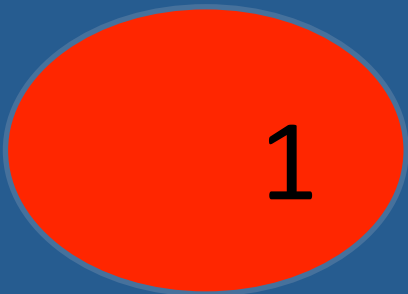
Implications for management

UNCLOS splits fish stocks into  
four different categories



A

B

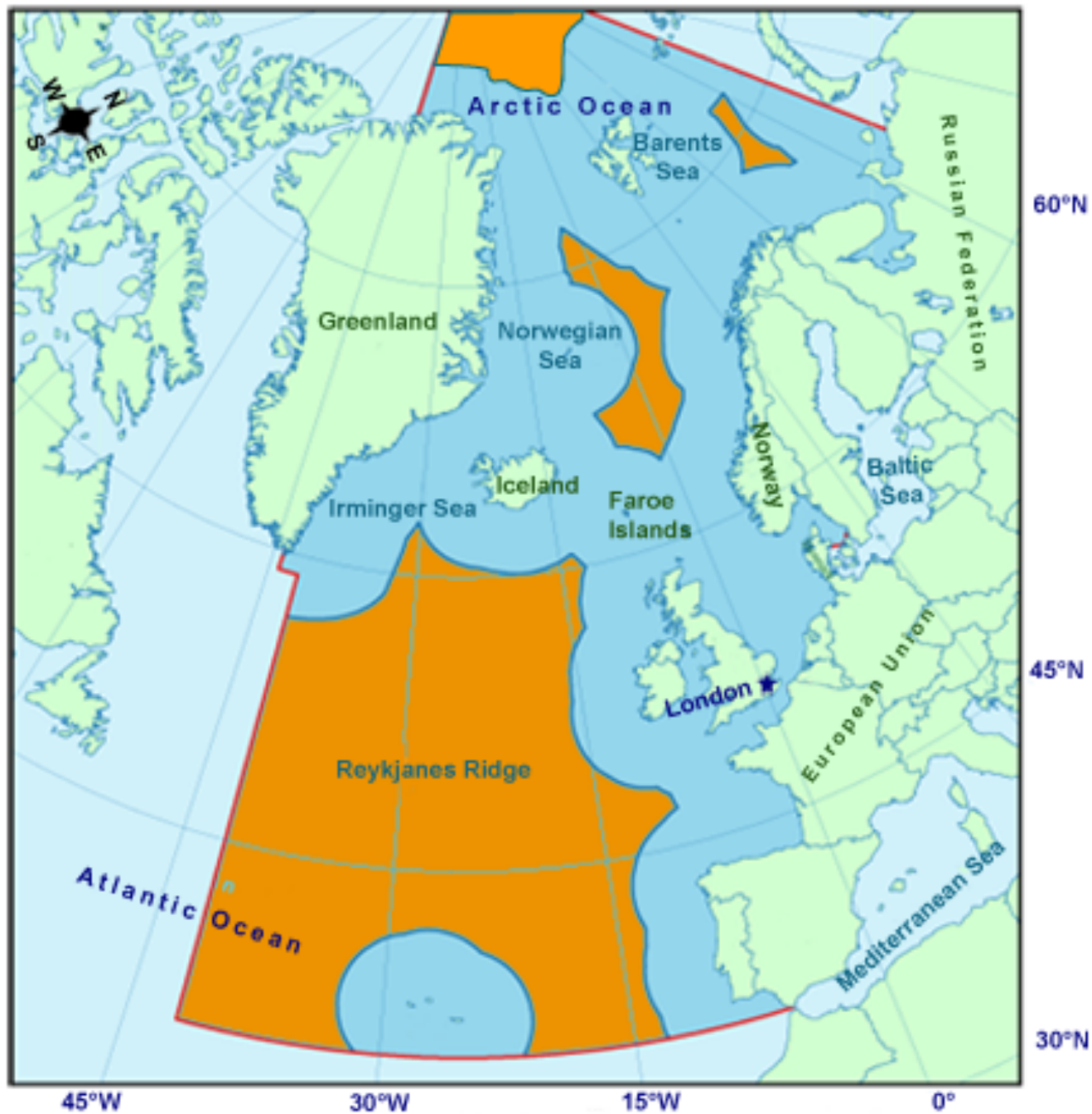




# Management

UNCLOS defines roles,  
but does not solve all problems



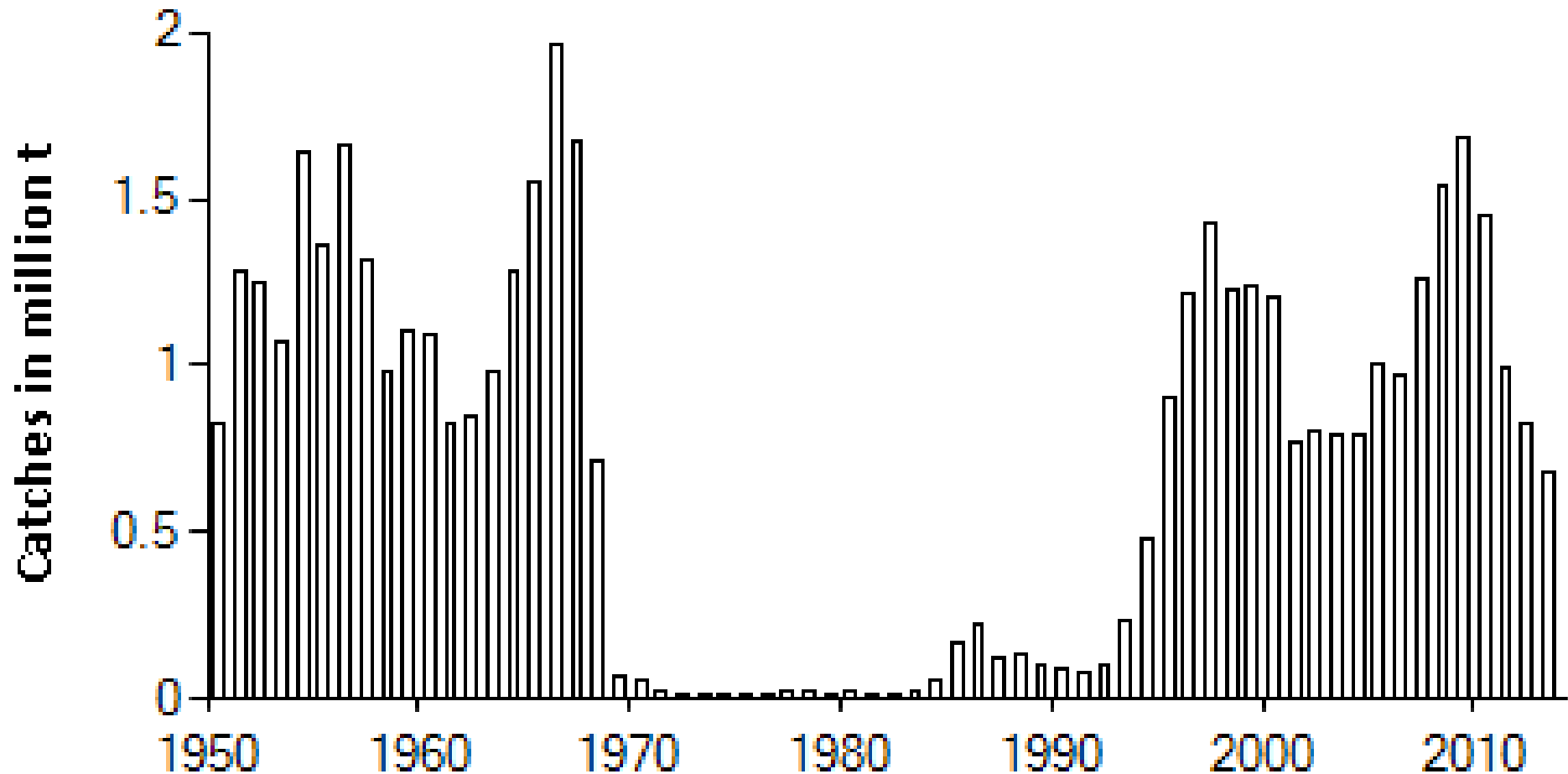




# Catches of Norwegian Spring Spawning (Atlanto Scandian) herring from 1950

her-nozz 2014 5417 2014929092041

## Catches





# NEAFC's Fisheries Management

TACs and allocation

Technical measures

Control and enforcement

Protection of VMEs



# TACs and allocation

Main species:

- Herring
- Blue whiting
- Mackerel
- Redfish
- Haddock
- Deep-sea species



# Technical measures

Examples:

- Mesh size limitations
- Seasonal closures for spawning
- Conversion factors
- Limits on the use of certain types of fishing gear (e.g. area limits, depth limits)



# Control and enforcement

## Main areas:

- At sea inspections
- VMS system and VTI
- Port State Control
- Control of non-Contracting Parties
- IUU lists



# Protection of VMEs

- Identifying VMEs and adopting appropriate management measures (including area closures)
- Adopting precautionary measures in areas where VMEs are likely to occur but have not been identified
- Ensuring that encounters with VMEs result in an appropriate reaction (such as temporary closures)
- Ensure that new areas are only open to bottom fisheries after assessing results from fishing under exploratory fishing plan



# Protection of VMEs

In 'existing bottom fishing areas': move-one rule applies, reporting, temporary closure.

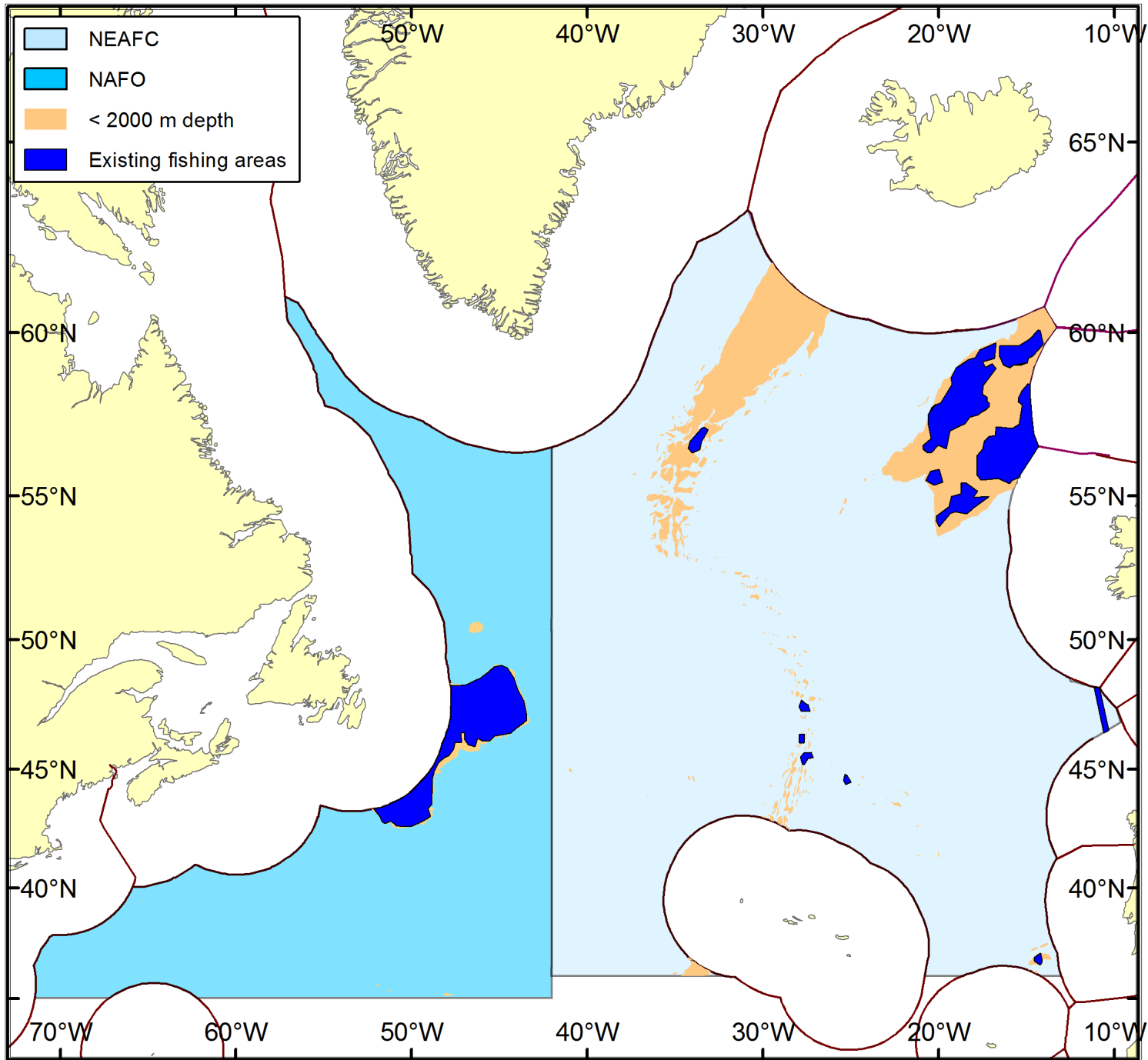
In 'new bottom fishing areas': no bottom fishing without exploratory fishing plan, observers, move-on rules, temporary closures

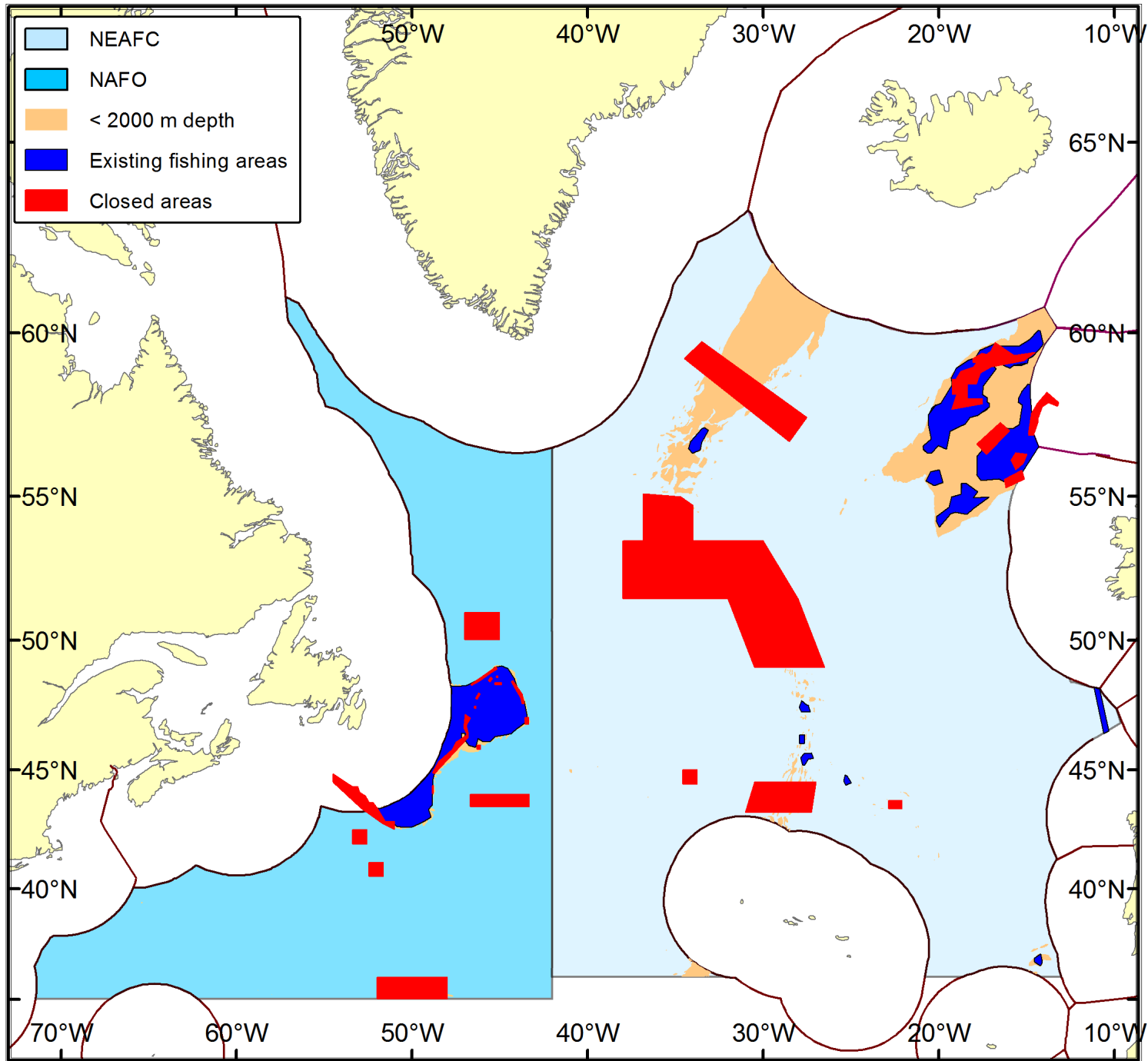
In closed areas: no fishing with bottom fishing gears

Encounter protocol: an encounter with a VME indicator is defined in terms of a quantity of corals and sponges caught in a fishing operation.

Move-on rule: move away certain distance, report, temporary closure









# Further Regional Cooperation Regarding VMEs

- Formal “Collective arrangement” with the OSPAR Commission on the Protection of the Marine Environment
- Cooperation and coordination, not joint management
- Second meeting under the arrangement will take place next month
- Efforts underway to get other relevant organisations to join, particularly ISA and IMO



# Key successes of NEAFC

- Setting management measures that ensure total catches that are at sustainable levels, based on scientific advice
- Good compliance, elimination of flag-of-convenience IUU fisheries
- Identification and protection of VMEs
- Leading the way, rather than copying others, and quick to implement globally agreed instruments



# Key challenges for NEAFC

- Difficulty in reaching agreements on allocation of catches.
- Difficulty in agreeing on the scientific basis regarding redfish.
- Data and statistics issues



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