

CONSERVATION MEASURE 22-07 (2008)^{1,2}
Interim measure for bottom fishing activities subject to
Conservation Measure 22-06 encountering potential
vulnerable marine ecosystems in the Convention Area

Species	all
Area	see CM 22-06
Season	all
Gear	bottom fishing

The Commission,

Noting the commitment made by Members to avoid significant adverse impacts on vulnerable marine ecosystems (VMEs) from bottom fishing activities,

Acknowledging the current prohibitions on bottom trawling in Conservation Measure 22-05 and on deep-sea gillnetting in Conservation Measure 22-04 in the high seas areas of the Convention Area,

Agreeing on the need to implement the precautionary approach for managing bottom fisheries with respect to VMEs due to the difficulty in acquiring data on their location, extent and risk of significant adverse impacts,

Further noting the need to acquire additional data during the 2008/09 season to contribute to assessments and advice on a long-term precautionary approach to avoiding significant adverse impacts on VMEs,

hereby adopts the following conservation measure in accordance with Article IX of the Convention and Conservation Measure 22-06:

Area

1. This conservation measure applies to the same area as Conservation Measure 22-06.

Definitions

2. The following definitions apply to this conservation measure:
 - (i) Those contained in paragraphs 3 and 4 in Conservation Measure 22-06 relating to ‘vulnerable marine ecosystems’ (VMEs) and ‘bottom fishing activities’.
 - (ii) VME indicator organism means any benthic organism listed in the Benthic Invertebrate Classification Guide³.
 - (iii) ‘VME indicator unit’ means either one litre of those VME indicator organisms that can be placed in a 10-litre container; or one kilogram of those VME indicator organisms that do not fit into a 10-litre container.
 - (iv) ‘Line segment’ means a 1 000-hook section of line or a 1 200 m section of line, whichever is the shorter, and for pot lines a 1 200 m section.
 - (v) ‘Risk Area’ means an area where 10 or more VME indicator units are recovered within a single line segment. A Risk Area has a radius of 1 n mile from the midpoint⁴ of the line segment from which the VME indicator units are recovered. However, Members may require their vessels to observe a larger Risk Area in accordance with their domestic laws.

Vessel requirements

3. Members shall require their vessels to clearly mark fishing lines into line segments and to monitor all line segments for the number of VME indicator units.
4. Members shall require their vessels, if 10 or more VME indicator units are recovered in one line segment, to complete hauling any lines intersecting with the Risk Area without delay and not to set any further lines intersecting with the Risk Area. The vessel shall immediately communicate to the Secretariat and to its Flag State the location of the midpoint of the line segment from which those VME indicator units were recovered along with the number of VME indicator units recovered.
5. Members shall require their vessels, if five or more VME indicator units are recovered within one line segment, to immediately communicate to the Secretariat⁵ and to their Flag State the location of the midpoint of the line segment from which those VME indicator units were recovered along with the number of VME indicator units recovered.

Management

6. On receipt of a notification under paragraph 4, the Secretariat shall:
 - (i) record the location of the Risk Area;
 - (ii) within one working day of receipt, notify all fishing vessels in the relevant fishery and their Flag States that the Risk Area is closed; and that, as in paragraph 4, all vessels shall immediately cease setting any further lines intersecting with the Risk Area.
7. On receipt of five notifications under paragraph 5 within a single fine-scale rectangle⁶, the Secretariat shall, within one working day of receiving the fifth notification, notify all fishing vessels in the relevant fishery and their Flag States of the coordinates of the fine-scale rectangle, indicating that VMEs may occur within that area. Vessels may continue to fish in the area consistent with paragraphs 4 and 5.

Data

8. Vessels shall report in accordance with Conservation Measure 23-01 total benthos recovered in a 5-day period. To the extent possible, VME indicator units for each line segment and the midpoint of each line segment on all lines should be reported in the fine-scale data.

Review

9. A Risk Area shall remain closed for any fishery until reviewed by the Scientific Committee and management actions are determined by the Commission. Scientific research as agreed by the Scientific Committee shall be allowed in Risk Areas.
10. The Commission will review this conservation measure in 2009, in light of observer, vessel and other data collected during the 2008/09 season, the results of the 2009 Expert Workshop on Vulnerable Marine Ecosystems, any other relevant information, the

deliberations of the Working Group on Ecosystem Monitoring and Management (WG-EMM) and the Working Group on Fish Stock Assessment (WG-FSA), and in accordance with the advice of the Scientific Committee.

¹ Except for waters adjacent to the Kerguelen and Crozet Islands

² Except for waters adjacent to the Prince Edward Islands

³ Available from the Secretariat.

⁴ In latitude and longitude.

⁵ This may be through the Flag State or directly to the Secretariat, whichever is the most practicable.

⁶ A fine-scale rectangle is defined as an area of 0.5° latitude by 1° longitude with respect to the northwest corner of the statistical subarea or division. The identification of each rectangle is by the latitude of its northernmost boundary and the longitude of the boundary closest to 0°.