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**28th ANNUAL MEETING – SEPTEMBER 2006**

**Proposal on precautionary closure to four seamount areas  
based on the ecosystem approach to fisheries  
(ADOPTED)**

**Background/ Explanatory Memorandum**

At the 2005 annual meeting, NAFO agreed to launch a process to modernize itself by incorporating and implementing modern fisheries management and conservation standards established by current international fisheries instruments, including the 1982 United Nations Convention on the Law of the Sea and the 1995 United Nations Fish Stocks Agreement.

As part of this process, the Fisheries Commission adopted in 2005 a proposal (NAFO/FC Doc. 05/7) on ecosystem approach to fisheries (EAF) interim measures, which included a request to seek additional information on four seamounts located in the NAFO Regulatory Area.

Recently, the United Nations (UN) Secretary-General published a report outlining actions taken by States and regional fisheries management organizations (RFMOs) to address the impacts of fishing on vulnerable marine ecosystems in response to UN General Assembly Resolution 59/25. This issue will be discussed at the UN General Assembly in November 2006. An evaluation of the report indicates that more could be done by RFMOs, including NAFO, to protect potentially sensitive marine areas.

Canada is proposing that a cautious approach be adopted by NAFO to address the impacts of fishing on benthic habitats, communities and species. Consistent with the Canadian proposal, Contracting Parties could allow a small scale and cautious exploratory fishery to gather data to be provided to the Scientific Council. This would enable NAFO to improve its knowledge of these seamount areas and better assess the impact of fishing activities on these areas.

This approach would assist in determining the future management strategy that could apply to these and other seamount areas, on an individual basis.

**Proposal**

It is proposed that the following measures be undertaken in order to further implement precautionary and ecosystem-based approaches for the protection of seamounts.

Amend Article 12, paragraphs 5 and 6 of the NAFO Conservation and Enforcement Measures with the following new paragraphs:

5. As of January 1, 2007, and until December 31, 2010, the following areas shall be closed to all fishing activities involving demersal fishing gears. The closed areas are defined by connecting the following coordinates (in numerical order and back to coordinate 1).

Area	Coordinate 1	Coordinate 2	Coordinate 3	Coordinate 4
Orphan Knoll	50°00'30"N 45°00'30"W	51°00'30"N 45°00'30"W	51°00'30"N 47°00'30"W	50°00'30"N 47°00'30"W
Corner Seamounts	35°00'00"N 48°00'00"W	36°00'00"N 48°00'00"W	36°00'00"N 52°00'00"W	35°00'00"N 52°00'00"W
Newfoundland Seamounts	43°29'00"N 43°20'00"W	44°00'00"N 43°20'00"W	44°00'00"N 46°40'00"W	43°29'00"N 46°40'00"W
New England Seamounts	35°00'00"N 57°00'00"W	39°00'00"N 57°00'00"W	39°00'00"N 64°00'00"W	35°00'00"N 64°00'00"W

6. At the 2007 Annual Meeting, the Fisheries Commission shall consider providing access to a small scale and restricted exploratory fishery, effective January 1, 2008, not to exceed 20% of the fishable area of each seamount. These representative areas that may be fished on each seamount will be recommended by the Scientific Council based on existing survey and commercial data from these seamount areas. Scientific Council is requested to provide the Fisheries Commission, at the 2007 Annual Meeting, recommendations on: 1) areas that could be fished on each seamount and, 2) a protocol for the collection of the data required to assess these seamounts, with a view to future recommendations on management measures for these areas.
7. Contracting Parties shall provide the Executive Secretary, in advance of the June 2007 Scientific Council meeting, with all existing data from survey and commercial fisheries that have taken place in these seamount areas. The Executive Secretary will forward this information to the Scientific Council for its review in making the above noted recommendations to the Fisheries Commission.
8. Vessels may only fish in the defined areas in accordance with the protocol established by the Scientific Council and adopted by the Fisheries Commission. In addition to the protocol, vessels fishing in the areas defined in paragraph 5, shall have a scientific observer onboard.
9. If vessels fishing in the areas defined in paragraph 5 encounter hard corals, notification of the location of the coral area is to be provided to the Executive Secretary which will implement an immediate temporary closure of that area to all Contracting Parties pending a Fisheries Commission decision at the next Annual Meeting.
10. The measures referred to in paragraphs 5-9 shall be reviewed in 2010 by the Fisheries Commission, based on the advice from the Scientific Council, and a decision shall be taken on future management measures which may include extending the application of these measures for an additional period or making the closure(s) permanent.