

**Record of the Second Inter-governmental Meeting on Management of
High Seas Bottom Fisheries in the North Western Pacific Ocean**

**Busan, Republic of Korea
31 January – 2 February 2007**

1 Opening

The meeting was opened at 10:00am on Wednesday, 31 January 2007 by Mr. Gwang Youl Park from Korea. Participants from Japan, the Republic of Korea, the Russian Federation and the United States of America attended the meeting (Attachment 1). Mr. Gwang Youl Park from Korea was elected as chair. Ms. Shannon Dionne from the United States agreed to serve as rapporteur.

Japan, the United States of America and the Republic of Korea all made opening statements, and each stressed the importance of developing interim measures for bottom fishing in the North Western Pacific Ocean consistent with the 2006 United Nations General Assembly Resolution.

2 Adoption of Agenda

The agenda was adopted (Attachment 2).

3 Outcome of the First Inter-governmental Meeting

Japan, as Interim Secretariat, reported the outcome of the First Inter-governmental Meeting held 22-24 August 2006 in Tokyo, Japan.

4 Report of the Scientific Working Group

Mr. William Gibbons-Fly reported the outcome of the Scientific Working Group (SWG) meeting, held 29-30 January 2007, drawing particular attention to four points.

1. The SWG report specified what additional information is needed to assess the impacts of relevant fisheries on target fish stocks, associated and dependent species caught in these fisheries, and the impact of those fisheries on habitats and ecosystems.
2. In its report, the SWG put forward a revised draft TOR for consideration and adoption by the intergovernmental group.
3. The SWG highlighted the need to achieve a common understanding of the terms “vulnerable marine ecosystem” and “significant adverse impact.”
4. The SWG discussed the feasibility of developing a Future Work Plan and decided that additional guidance was needed from the Second Inter-governmental Meeting before a draft Work Plan could be finalized, particularly with regard to the identification of vulnerable marine ecosystems and assessing whether bottom fishing activities would have significant adverse impacts on vulnerable marine ecosystems.

The meeting accepted the report of the SWG and adopted the draft TOR with one edit clarifying that the work of SWG will respond to requests by the Inter-governmental Meeting and will provide scientific and technical advice and recommendations (Attachment 3). The meeting also decided to separate draft elements of a Future Work Plan (Attachment 4) from the TOR so that they are two independent documents. The meeting also accepted the data specifications contained in Attachment 5, recognizing that this could be amended as needed.

The meeting discussed the importance of reaching a common understanding with respect to the terms “vulnerable marine ecosystem” and “significant adverse impact.” The meeting discussed initial thoughts on the meaning of these terms but it was agreed that this group would not be able to provide a concrete definition for these terms at this time and that such work should also be informed by similar work to be undertaken in a broader international fora.

The meeting also discussed the draft Future Work Plan as put forward by the SWG and agreed to develop a timetable to guide the work of the SWG intersessionally.

Japan circulated draft Data Handling and Data Sharing Protocols and requested that the meeting participants review the document and provide comments intersessionally. The United States and Korea requested time to review the document in detail and will provide comments by 30 March 2007 in order to facilitate revision of document. The United States requested that the issue of data handling and sharing protocols be added to the agenda for the next SWG meeting, so that they can review the draft in detail and provide comments to the Third Inter-governmental Meeting.

5 Review of 2006 United Nations General Assembly Resolution (A/61/L.38)

The Interim Secretariat presented a summary of the 2006 UNGA Sustainable Fisheries Resolution regarding protection of vulnerable marine ecosystems and regulation of bottom fisheries. To be consistent with that Resolution, participants agreed that the Inter-governmental Meeting should expand its scope beyond bottom trawling and instead work to develop a new mechanism for management of high seas bottom fisheries in the North Western Pacific Ocean.

6 Discussion on the Role of FAO

The Interim Secretariat presented a summary of the report of the 26th session of the Committee on Fisheries (COFI) of FAO held on 7-11 March 2005 in Rome, Italy, regarding deep-sea fisheries as well as the outcome of the expert consultation on deep-sea fisheries in the high seas held on 21-23 November 2006 in Bangkok, Thailand.

Participants discussed the role of FAO with respect to this issue, taking into account relevant part of the 2006 UNGA resolution on sustainable fisheries, including paragraph 88, 89 and 90, noting the fast-approaching 27th session of COFI scheduled 5-9 March 2007 in Rome, Italy. In particular, the meeting discussed a proposed timeframe of FAO’s work with respect to the management of the deep sea fisheries in the high seas.

Participants discussed the merits of the possible development of an international plan of action (IPOA) or technical guidelines on the subject including standards and criteria for use by States and RFMO/As in identifying vulnerable marine ecosystems and the impacts of fishing on such ecosystems. The participants agreed to consult informally by 16 February 2007 in an effort to identify a possible way forward for the COFI meeting, including speaking with other interested States, in particular those central to the negotiations that led to the adopting of the 2006 UNGA Resolution.

7 Discussion and Adoption of Interim Measures

The meeting participants discussed interim measures based on a revised draft prepared by the Interim Secretariat. A small group, chaired by Dr. Dean Swanson from the United States, met to develop an agreed text, taking into account the events which have occurred since the First Inter-governmental Meeting, *inter alia*, the 2006 UNGA resolution and the meeting of the SWG. The meeting adopted the “Establishment of new mechanisms for protection of vulnerable marine ecosystems and sustainable management of high seas bottom fisheries in the North Western Pacific Ocean” (Attachment 6). The

interim measures set out the objectives as the sustainable management of fish stocks and the protection of vulnerable marine ecosystems. Among other provisions contained in the interim measures, the countries decided to limit fishing effort to the existing level and not to expand bottom fisheries into new areas, while working on a long-term agreement to achieve the identified objectives.

8 Discussion on a New Mechanism

The meeting participants discussed the elements of a long-term mechanism for international management of high seas bottom fisheries in the North Western Pacific Ocean and other important matters. The participants agreed that the mechanism should be consistent with established principles of international law, as outlined in UNCLOS, UNFSA, and other relevant instruments, and should build on the best practices of existing RFMO/As. The participants discussed how the development of the new mechanism relates to the mandate established by the 2006 UNGA Resolution. The Interim Secretariat agreed to develop a draft text of a long-term agreement for consideration by the next meeting and to circulate that draft one month prior to that meeting.

9 Timeframe

The Interim Secretariat presented a draft timeframe. The participants discussed timing for the development of the new mechanism, the timeline imposed by the 2006 UNGA Resolution and work that needs to be completed intersessionally.

Identified intersessional work includes:

- The Interim Secretariat will complete and circulate a draft long-term agreement one month prior to the next Inter-governmental Meeting;
- Each country will start compiling the list of available data and information as identified in the draft templates prepared by a small group chaired by Dr. Gerard DiNardo from the United States;
- The participants will consult further with respect to the development of a common understanding of the terms “vulnerable marine ecosystem” and “significant adverse impact”;
- The participants will review the draft Data Handling and Data Sharing Protocols and provide comments to Japan by 30 March 2007.

10 Date and place of next meeting

The third Inter-governmental Meeting will be convened in summer of 2007, specific dates to be determined. The host for the next meeting also is to be determined, once delegations have the opportunity to consult with capitals. The participants agreed on the need to identify the dates and place of the next meeting as soon as possible.

11 Others

Japan has been approached by another State with interest in participating in these discussions on the management of high seas bottom fisheries in the North Western Pacific Ocean. The meeting agreed that any new participants with a real interest should be encouraged to respect the previous decisions of the meeting.

12 Adoption of record of the meeting

The meeting adopted this report as its record.

13 Closing of meeting

The meeting closed at 12:15pm on Friday, 2 February 2007.