

Terms of Reference for the protected areas and ecosystems working group (PAEWG)

Objectives and background

Following the adoption of UNGA Resolution 61/105 in 2006, 64/72 in 2009 and 66/68 in 2013 on deep-sea fisheries, the management of bottom fisheries and protection of deep-sea ecosystems on the high seas has been a priority for the international community.

Measures to implement these UNGA Resolutions have been put in place by a number of States and through RFMOs, including those active in high seas bottom fisheries in the Southern Ocean, North East Atlantic, North West Atlantic and South East Atlantic Oceans.

UNGA Resolution 61/105 calls on high seas fishing nations and RFMOs to take urgent action to protect vulnerable marine ecosystems (VMEs) from destructive fishing practices. In particular, Resolution 61/105 calls on States to:

- Conduct impact assessments to determine whether bottom fishing activities would have significant adverse impacts on VMEs, and ensure effective management to prevent such impacts, or else prohibit the activity;
- Close areas of the high seas to bottom fishing where VMEs are known or likely to occur unless fishing in these areas can be managed to prevent significant adverse impacts to such ecosystems; and
- Establish and implement protocols requiring vessels to cease fishing in areas where an encounter with VMEs occurs and to report the encounter so that appropriate measures can be adopted in respect of the site.

An evaluation of the status of biotic components in an ecosystem assessment will depend upon an adequate understanding of the components. Further, a successful predictive ability will require a good understanding of current and past ecosystem dynamics and how they are likely to change in the future. An important adjunct to the ecosystem assessment process would be a continual review of the information required to understand the system sufficiently to make effective assessments. This review would include reappraisal of, *inter alia*, the taxa considered as key species within the dependent and harvested components, spatial and temporal aspects, and the most appropriate parameters to measure.

In accordance with Article 7(a) of CMM 2017-01 the SC will establish by no later than the close of its ordinary meeting in 2020 will recommend an appropriate SIOFA bottom fishing footprint.

Finally, in accordance with CMM 2017/01 paragraph 35, if the Meeting of the Parties, taking into account advice provided by the Scientific Committee, determines that bottom fishing may have significant adverse impacts on VMEs in areas where VMEs are known to occur, or a likely to occur, based on the best available scientific information, it may take a decision to close such areas to bottom fishing, either entirely or with respect to bottom fishing by a particular gear type or types. In this context, SC2 was requested by MoP3 to provide standard protocols to assist the development of protected area designation (areas which should be closed to fishing) by no later than the close of the ordinary meeting of the SC in 2017.

The MoP4 adopted the standard protocol for future protected areas designation as recommended by the SC2 (Annex H, SC2 Report). The SC has recommended to the MoP5 that a revised protocol be adopted (Annex H Standard protocol for future protected areas, SC3 Report).

The main focus of the SS regarding ecosystem monitoring and management will be on the review of protected areas proposals, their management and the potential improvement of the protocol for protected areas designation. Under these Terms of Reference, participants will commit to involvement in the process. All of those guidelines will be consistent with the SC Terms of Reference, and so are not included here.

Terms of reference

1. The Scientific Committee's PAEWG tasks will include:
 - to review the protected areas proposals in SIOFA;
 - to provide advice on an ecosystem assessment combining information from dependent and harvested species and the environment;
 - to use this assessment to provide advice on management and/or research plans in the proposed and/or validated protected zones;
 - when a CP proposes a modification of the protocol, to review of the usefulness and application of the SIOFA Standard protocol for protected areas designation; and
 - to formulate other relevant advice for the SC and Meeting of the Parties, as required.
2. Any CP that wishes to propose a protected area is strongly encouraged to ask for guidance from the working group through intersessional exchanges by email.
3. The working group can conduct its work intersessionally.

Regarding protected area proposal(s):

4. The working group shall be provided with a CP's protected area proposal's project at least 60 days before the SC meeting for discussion.
5. The PAEWG shall provide its conclusions, including minutes of its discussions and eventual proposals on the project, at least 30 days before the SC meeting. If there is no clear conclusions, the PAEWG can also advise for further debate during the SC.
6. The SC will submit its recommendations regarding the protected area proposals to the MoP.