

## **Tentative protocol for encounter with coral**

### 1. Definition of an encounter

Definition of encounter is an encounter above the threshold level as set out in paragraph 3, with indicator species of coral identified as Alcyonacea, Antipatharia, Gorgonacea, and Scleractinia. Any encounter with these species or merely detecting the presence of an element itself is not sufficient to identify a VME. That identification should be made on a case-by-case basis through assessment.

### 2. Response to an encounter

Participating States shall require that vessels flying their flag and conducting bottom fishing activities within the Northwestern Pacific, abide by the following rules, where, in the course of fishing operations, evidence of the species above is encountered:

#### 1) Existing fishing areas

- a) Vessels shall quantify catch of the coral species.
- b) If the quantity of the coral species caught in a fishing operation (such as trawl tow or set of a gillnet or longline) is beyond the threshold defined in paragraph 3 below, the following shall apply:
  - The vessel master shall report the incident to the flag state, which without delay shall forward the information to the Interim Secretariat. Participating States may if they so wish require their vessels to also report the incident directly to the Interim Secretariat. The Interim Secretariat shall archive the information and report it to all Participating States. The Participating States shall immediately alert all fishing vessels flying their flag.
  - The vessel master shall cease fishing and move away at least 2 nautical miles from the endpoint of the tow/set in the direction least likely to result in further encounters. The captain shall use his best judgment based on all available sources of information.
  - The Interim Secretariat shall make an annual report on single and multiple encounters in discrete areas within existing fishing areas to the Scientific Working Group. The Scientific Working Group shall evaluate and, on a case-by-case basis the information and provide advice to the Inter-governmental Meeting on whether a VME exists. The advice shall be based on annually updated assessments of the accumulated information on encounters and the Scientific Working Group's advice on the need for action, using "Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species" as a basis. The Inter-governmental Meeting shall consider the advice by the Scientific Working Group.

#### 2) Unfished areas that are defined as "New fishing areas"

- a) Vessels shall quantify catch of the coral species. Observers deployed shall identify corals to

the lowest possible taxonomical level.

b) If the quantity of the coral species caught in a fishing operation (such as trawl tow or set of a gillnet) is beyond the threshold defined in paragraph 3 below, the following shall apply:

- The vessel master shall report the incident without delay to its flag state, which shall forward the information to the Interim Secretariat. Participating States may if they so wish require their vessels to also report the incident directly to the Interim Secretariat. The Interim Secretariat shall archive the information and without delay transmit it to all Participating States. The Participating States shall issue an immediate alert to all vessels flying their flag.
- The Interim Secretariat shall at the same time request Participating States to implement a temporary closure of a two mile radius around the reporting position. The reporting position is that provided by the vessel, either the endpoint of the tow/set or another position that the evidence suggests is closest to the exact encounter location.
- The Scientific Working Group at its next meeting shall examine the temporary closure. If the Scientific Working Group advises that the area consists of a vulnerable marine ecosystem, the Interim Secretariat shall request Participating States to maintain the temporary closure until such time that the Inter-governmental Meeting has acted upon the advice from the Scientific Working Group. If the Scientific Working Group does not conclude that the proposed area is a VME, the Interim Secretariat shall inform Participating States which may re-open the area to their vessels.
- The vessel shall cease fishing and move away at least 2 nautical miles from the endpoint of the tow/set in the direction least likely to result in further encounters. The captain shall use his best judgment based on all available sources of information.
- The Interim Secretariat shall make an annual report on archived reports from encounters in new fishing areas to the Scientific Working Group. This report shall also include reports from the exploratory fishing activities that were conducted in the last year. The Scientific Working Group shall evaluate the information and provide advice to the Inter-governmental Meeting on the appropriateness of temporary closures and other measures. The advice should be based on annually updated assessments of the accumulated information on encounters as well as other scientific information. The Scientific Working Group's advice should reflect provisions outlined in the "Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species". The Inter-Governmental Meeting shall consider the advice by the Scientific Working Group.

### 3. Threshold

For both existing and new fishing areas, an encounter with the coral species is defined as a catch per set (trawl tow, or gillnet set) of more than 50 kg of live coral. This threshold is set on a provisional basis and may be adjusted as experience is gained in the application of this measure.