

Renewal of the SPRFMO interim pelagic fisheries measure for jack mackerel

Background

In May 2007 in Reñaca, Chile, interim, voluntary and non-binding measures were agreed upon for pelagic and bottom fishing in the SPRFMO Area.

The pelagic interim measure consists basically of effort control, by freezing the total GT of active vessels registered in the Area. It was agreed that by 1 January 2008 the participants would communicate to the interim Secretariat the total level of GT recorded in the Area in 2007, for those vessels flying their flag actively fishing in 2007. In addition, a two-year period was granted to coastal and distant water fishing countries with a previous fishing history in the Area but which were not fishing in 2007, thus enabling them to incorporate ships on voluntarily restricted terms in 2008 and 2009.

It was agreed that during 2009 the interim Science Working Group will inform the participants on the status of the pelagic stocks and, on that basis, the participants will determine the conservation and management measures that would apply from 2010 onwards.

Effects of the pelagic interim measure

Allowing participants to incorporate new vessels to the fishery until December 31st 2007 and granting an additional two years period to those that were not fishing for pelagic resources in the high seas to enter the fishery in 2008 and 2009 with voluntary restraint, added an incentive for incorporating new vessels rapidly. According to up-to-date follow up, besides the ships flying the Chilean flag, which remain equal, at present there would be 34 ships operating in the FAO 87 Area, a number much higher than the one in 2007, which at the time was estimated to be 12 in all. The exact number and size of the ships that will be incorporated in 2009 is still unknown, but it is likely that the total number of ships will increase to over 40 units and, consequently, the fishing effort will have increased dramatically. It is clear that the increase of the fleet has not been restricted as the pelagic interim measure indicated.

The above confirms once more the inefficacy of using solely effort control to maintain the stocks, because its control is not effective and will not be in the future either, since it is always possible to introduce technological improvements that increase the fishing capacity without necessarily changing the size of the ships or any other technical parameter, such as GT, used to freeze the fishing fleet in the pelagic interim measure.

Present situation

The interim Science Working Group is called to report on the status of the pelagic fish stocks and surely it will do so, in accordance with its means and possibilities. Due in part to the planned progress of its own plan of work and mainly to the absence of sufficient data and information from most of the main participants in pelagic fisheries, probably it will not have all the necessary tools to be in a position to recommend precise conservation and management measures, let alone a TAC for the whole Area 87.

Therefore, taking into account the scientific report on the status of pelagic resources, which is bound to be general, the parties to the developing SPRFMO should apply the precautionary approach and take action on an effective renewal and improvement of the present pelagic interim measure.

Renewal of the pelagic interim measure

Considering the pressing need to preserve the jack mackerel stock in the South East Pacific, mainly in the FAO 87 Area, in addition to closing access to the Area for such resource, a main and effective measure to control the catches at sustainable levels is needed, so as to prevent them from spiralling up in quantities of fish caught and on the basis of scaling as a result of the incorporation of new fishing fleets in the high seas. The single and best measure at hand at the present information level is freezing the catches at the historic precautionary levels, while the tools that enable to scientifically support recommendations of levels of total allowable catches become available. The scientific recommendations for a TAC must necessarily wait for the completion of the negotiations of the SPRFMO and, probably, its entry into force, since only at that moment there will be in implementation a common methodology and it will be possible to work and process all the existing data and not just part of it.

In addition to the above, the new pelagic measure that will be in force from 1 January 2010 must close access to the area and thus freeze the fishing units at the present level, i.e. the one registered and accepted in the SPRFMO, making possible for the vessels to be replaced without increasing the fishing capacity and haulage.

Maintenance of catch levels

Although the establishment of a maximum catch fulfils the objective of conservation, it does not fulfil the objective of management, for which we will necessarily have to address the maintenance of the catch levels and allocations among participants (on the basis of catch history of the States present in the fishery), which forces to distribute voluntarily and in percentages the total catch levels agreed on. If no global catch is distributed among the participating States, there is no doubt that a race will be encouraged between them to fish more within the historic catches established. We already know the consequences: shortening of the fishing season, overcapitalisation of the fleet, higher pressure on the resource.

The distribution of percent allocation must be fair and equitable, respecting the rights of all participants. In order to do this, it is necessary, first, to recognise the historic rights derived from past and present catches by the fleet of each State and to start a negotiation process between the participants in the fishery present in the high seas, for the purposes mentioned previously. Afterwards, it is necessary to widen the circle incorporating the rest of the States considered in the pelagic interim measure that enabled them to incorporate vessels in 2008 and 2009, whether they are coastal or distant water fishing States.

Supervision

Having in mind the experience from the present interim measures, when renewing them it is absolutely necessary to consider a mechanism that effectively controls that the agreements are complied with and that non-compliance is made clear.

The above measures for pelagic fisheries should be included in an Annex to the Convention. They should be voluntary and non-binding until the Convention enters into force, and binding on Contracting Parties when the Convention enters into force.