

## **Third Session of the Preparatory Conference for the Commission of the South Pacific Regional Fisheries Management Organisation**

Santiago, Chile, 30 January - 3 February 2012

Speech by the Chair, Bill Mansfield, at the Opening Ceremony on 30 January

Your Excellencies Senor Pablo Longueira, Minister of Economy, Senor Fernando Schmidt, Acting Minister of Foreign Affairs and Senor Pablo Galilea, UnderSecretary of Fisheries, distinguished delegates and observers, ladies and gentlemen, it is a great pleasure to be here in Santiago at the opening of this third and, we confidently expect, final session of the Preparatory Conference for the Commission of the South Pacific Regional Management Organisation.

I very much hope that we will get the two necessary ratifications to bring the Convention into force within the next month or two. As I will comment on a little later in my remarks, I am convinced it is in the interests of the participants and important for the responsible management of global fish stocks that the Commission we are preparing for is brought into operation and starts taking binding conservation and management measures as soon as possible.

It is appropriate that this final session of the Preparatory Conference before the Convention enters into force and we move from our present environment of voluntary measures to the more formal and solemn environment of binding legal obligations and duties is held here in Chile. It is appropriate as Chile was one of the cosponsors or initiators of the negotiations that led to the successful adoption of the Convention and it also has a vital interest in the sustainability of one of the key species (jack mackerel) for which the new Commission will have management responsibilities. On your behalf I want to say to their Excellencies, the Ministers and the Under Secretary that we are most grateful to the Government of Chile for agreeing to host this third and final meeting of the Preparatory Conference.

As you know, this Preparatory Conference is charged with finalising the necessary practical arrangements to ensure the Commission can undertake its work without delay when the Convention enters into force. We have already made great progress on that work but we still have some matters to settle before completing our report to the Commission. But the Preparatory Conference also has the vital task of continuing to oversee the state of the fishery resources in the Convention area, reviewing the Interim Measures that have been adopted and revising them as far as may be necessary to ensure the long term conservation and use of those resources.

Regrettably, the world's fish stocks, and the marine ecosystems that support them, continue to be placed under severe and increasing pressure. At the same time, the capacity of the world fishing fleets remains far greater than that which can be sustained by our fishery resources, resulting in ongoing over-fishing of many stocks.

The obligation to bring this situation under control and ensure that future generations continue to have access to fishery resources rests today with regional fisheries management organizations. And may I remind you that it was the absence of a regional organization to manage the non-highly migratory species of fish in the huge area of the South Pacific Ocean between, on the one side South America, and, on the other side New Zealand, Australia and the Western Pacific that led to the treaty negotiations that were successfully concluded with the adoption of the Convention in November 2009.

Without diminishing the importance of the other work we must do to complete our report to the Commission, it is our duty again at this third session of the Preparatory Conference to focus much of our attention on our response to the report of the Science Working Group from their meeting in September last year on the status of jack mackerel, the most important fish stock to be managed by the new Organisation when it comes into force. Unfortunately, despite the significant actions that we took at the last session to revise the pelagic interim measures, and to reduce jack mackerel catches to sustainable levels, these measures have not been enough to halt the decline in jack mackerel abundance.

You will recall that, at our last meeting in Colombia, we tasked the interim Scientific Working Group with updating the jack mackerel stock assessment to provide further advice on the stock status and recovery. The SWG conducted the updated stock assessment at their 10th meeting in Port Vila, Vanuatu, in September last year, and has provided us with a

comprehensive report on the assessment results.

These results are no less disturbing than those presented to us last year, and must continue to be of great concern to us all. Between the time of our first meeting in 2006 and the end of last year, jack mackerel total biomass is estimated to have declined by 63% to its historically lowest levels – now estimated to be only about 14% of the unfished biomass level. Spawning biomass is estimated to be only 5% of the unfished level, confirming that this is one of the most depleted major fish stocks under the responsibility of an RFMO anywhere in the world.

Further measures are required to halt this decline and rebuild this stock. To have a reasonable prospect of rebuilding it to long-term sustainable levels the scientific advice is we need to reduce the total annual catch to 390,000 tonnes and perhaps significantly less. Every indication is that failing to do so will result in continued decline in a stock that was once the largest fish stock in the South Pacific Ocean, but has now reached a level that is uneconomic for some fleets to fish.

One of our key tasks here in Santiago is therefore to agree on further voluntary measures that, in accordance with the advice of the Science Working Group, will have a high probability of halting the decline and commencing the rebuilding of this stock – a stock that is not only a key component of the wider ecosystems in the region, but is also of great significance for the food security and economic development of the countries of the region over the long term.

To do this – to ensure the total catch next year does not exceed 390,000 tonnes and is preferably less – we must grapple in a practical and effective manner with the issue we have been aware of from the beginning – this species straddles economic zones and high seas. In some years it seems to be concentrated in economic zones, in other years it is found to be in greater numbers further out on the high seas.

It is obvious that it is impossible to ensure a species remains at a sustainable level if, in the years in which it is concentrated in the high seas it is over fished by distant water fleets and in the years when it is concentrated in economic zones it is over fished by vessels authorized by the relevant coastal states.

Last year is an interesting case. The total catch on the high seas was only 114,000 tonnes – a much greater percentage reduction than the 40% reduction on the 2010 catch specified in the interim measures we had

adopted. Accordingly if the “in zone” catches had reduced by even just a little over 20% then the total catch would have been well under the 390,000 tonnes suggested by the Science Working Group as the maximum catch limit that offers some prospect of rebuild. But what happened was that, although one of the “in zone” catches was significantly down on last year’s catch, the catch in two other zones increased dramatically so that the total catch last year was 608,000 tonnes. In other years, however, the reverse has been the case – in zone catches have been down and catches on the high seas have increased substantially.

It is clearly essential that the “in zone” and high seas catches are managed cooperatively to ensure that in all years the total catch is within the parameters for sustainability established on the best available scientific advice. Otherwise collapse is inevitable and everyone will lose out, coastal states and distant water states and also the international community that has an interest in the health of the wider ecosystem of which the species is a significant part. I acknowledge that the level of cooperation necessary to achieve this is perhaps more difficult before the Convention enters into force and decisions of the Commission have legally binding effect backed by compulsory dispute settlement. But it is certainly possible with goodwill and a sense of international responsibility and that has been shown already in these negotiations in the voluntary catch restraints and commitments on data sharing that have formed part of the interim measures we have previously adopted. In the present situation we can renew or make further voluntary commitments to each other and the international community and, most importantly, we can ensure we live up to them.

At the same time I cannot emphasise strongly enough the importance of bringing the Convention into force. Not only will that enable this carefully designed and negotiated Convention to function as it was intended for the benefit of all parties and the international community at large and with the backing of formal dispute resolution if necessary. But it will also be very important for the message it will send to those countries that have not participated in the negotiations or have not become party to the Convention. Under the Law of the Sea Convention and customary international law they will then be legally obliged to cooperate with the new Organisation and respect the conservation and management measures it adopts. To gauge the significance of entry into force one has only to look at the correspondence on the website between the Executive Secretary of the Interim Secretariat and three governments that had responsibility for vessels that were observed to be fishing in the

Convention Area contrary to the interim measures we had adopted. Once the Convention is in force and the Commission and Secretariat formally established under international law we can be confident that such communications from the Executive Secretary will, in contrast to the present situation, receive much more substantive and timely responses from any country so addressed if it expects to remain in good standing in the international community.

So we are at the crossroads to a new era. We have important and difficult work to do this week. But we need to approach it with an eye to the imminent entry into force of the Convention and the formal responsibilities it will create. And I must say that with the excellent facilities, arrangements and support provided to us by the Chilean Government we have every opportunity to succeed.

May I, on your behalf, thank Ministers Longueira and Schmidt for their warm welcome to Santiago, for formally opening our session and for giving us their important thoughts in relation to our work. May I also again express our gratitude to them and UnderSecretary Galilea for the excellent facilities that the Government of Chile has so generously provided.

Please join me in expressing our thanks to them.