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Chair: Mr Kristofer Du Rietz

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Report in Implementation of SIOFA CMMs- Cook Islands

Relates to agenda item: 8,9,10,13

Info Paper [X](#)

Delegation of The Cook Islands

Abstract

The Cook Islands presents a review of their implementation of SIOFA Conservation Measures

The Cook Islands note that CMMs 2016/01, 2016/02, 2016/03, 2016/04, 2016/05, 2016/06 and 2016/07 entered into force on 18 October 2016. Reporting on Implementation of these CMMs was contained in the Cook Islands National Report presented to the Second Meeting of the Scientific Committee, and this National Report should be made 'available' to the Meeting of the Parties each year. This current implementation report covers the period 1 January 2016-31 December 2016.

CMM 2016/01 – CMM for the Interim Management of Bottom Fishing in the Agreement Area

Cook Islands vessels fished more than 40 days in a single year in the Agreement Area, hence paragraph 9 (1)(a) of CMM 2016/01 applies to the Cook Islands.

Pursuant to paragraph 9(1)(a) of CMM 2016/01, Cook Islands has established and applied a wide range of measures to its vessels fishing in the Agreement Area, and these measures satisfy the requirements listed in paragraph 9(1)(a)(i) – (iv) and paragraph 11 of CMM 2016/01. Cook Islands is disclosing these measures in accordance with paragraph 9(2) of CMM 2016/01.

9(1)(a)(i): limit bottom fishing effort and or catch

The Cook Islands has limited all vessel effort to below maximum annual levels over the period 1 January 2001 – 31 December 2012, which is 664 Days at Sea. Two vessels were licenced to fish, and fished for 590 days, less than the peak of 621 days in 2010 when there were 3 vessels licenced to fish. For the past 5 years the Cook Islands have constrained fishing operations in the SIOFA area to ensure continued sustainable utilisation

9(1)(a)(ii): constrain spatial distribution

The Cook Islands is preparing a BFIA for presentation to the Scientific Committee in 2018. Cook Islands vessels have only fished within the historical footprint as defined by 20 minute blocks fished between 1997 and the introduction of this CMM.

9(1)(a)(iii): ensure no significant adverse impacts on VME

The Benthic Protected Areas recommended for closure by the First Meeting of the Scientific Committee remain closed to fishing by Cook Islands vessels, and we note they were also closed to Australian and Japanese flagged vessels in 2017. Some of these Benthic Protected Areas contain recognised VMEs, and are also recognised as EBSAs under the Convention on Biological Diversity.

These closures were introduced to protect known VMEs and also to maintain and protect biodiversity in the SIOFA region.

The Cook Islands VME encounter protocol requires that for a trawl tow, the presence of more than 60 kg of live coral and/or 400 kg of live sponge indicates a VME encounter that must be reported to Ministry of Marine Resources within 24 hours. If any subsequent trawl within 1nm of the encounter trawl contains more than 30 kg of live coral/and or 200 kg of live sponge the vessel must not fish within 5nm of that area until the Ministry of Marine Resources has completed an investigation. However, if the vessel deploys an underwater camera system on the trawl net, and the Cook Islands Observer verifies that no substantial VME structures (such as a Cold water reef community) are present, fishing can continue.

The VME indicator list from the FAO VME database accessed by the vessels includes 52 potential indicators, with 115 items observed caught in 2016. One single trawl caught 60 kg of stony coral when a strong current pushed the trawl into an area known as “Suicide Drive”. Subsequent trawls on this seamount did not hit the 30 kg trigger. This area is now under consideration by the Cook Islands as a potential “no bottom contact area”, in line with the spatial management program recommended by the UNGA.

CMM 2016/02 – CMM for the Collection, Reporting, Verification and Exchange of Data relating to fishing activities in the Agreement Area.

Data collection and reporting

In accordance with paragraph 5 of CMM 2016/02, the Cook Islands collects logbook data on a haul-by-haul basis. National laws on confidentiality prevent the submission of these data in accordance with paragraph 6 of CMM 2016/02. However Cook Islands submitted historical vessel daily catch and effort data to the Secretariat at the commencement of the Second Meeting of the Scientific Committee meeting the terms of CMM 2016/02, and this also included 2016 catch data, which no other CP supplied to the Scientific Committee.

The Cook Islands submitted its National Report to the Scientific Committee on 14 February 2017 which fulfilled the requirements of paragraphs 8(a), 12 and 19(c) of this CMM, as well as paragraph 12 of CMM 2016/015. Consistent with paragraph 8(c), Cook Islands National Report was prepared in accordance with the *Guidelines for the Preparation of National Reports* adopted by the Scientific Committee at its first ordinary meeting in March 2015.

In January 2017, the FAO convened a workshop under the ABNJ program to review the acoustic studies in the Indian Ocean that were presented by the Cook Islands at SC-01, which were then recommended for review by the Meeting of the Parties. The workshop provided an opportunity for experts to review and recommend further work in 2017. The interim report of this workshop was included as a working paper to SC II, and outlined important advice for research activities in 2017.

A large set of biological data on the two major target species has been collected by Cook Islands vessels since 2004. The bulk of the data has been collected under self-sampling programs, with some also collected by Cook Islands Observers or scientists on specific voyages. Length frequency distributions of Orange Roughy vary significantly within the SIOFA area, as reported in 2016 (SC-01-INFO-15). In total, 50,369 Orange Roughy were sampled for length, weight, sex and maturation from 522 target trawls shots between 2004 and 2015. In 2016 another 4878 samples were added to the database.

Cook Islands has expanded its national scientific observer program to comply with paragraph 11, with the first Observer training program conducted in May 2017, in Nelson, New Zealand, to cross-endorse professional certified Pacific Islands Fisheries Observers contracting into the Cook Islands program in Deepwater Trawl Fisheries Scientific Observation and Compliance Monitoring..

VMS and Data Verification

In accordance with paragraphs 14 and 15 (and paragraph 33 of CMM 2016/01), all Cook Islands flagged vessels operating in the Agreement Area are required to operate a functional always on VMS unit, which is actively monitored by the MMR Fisheries Surveillance Centre in the Cook Islands.

Cook Islands vessels operating in the Agreement Area submit VMS position reports every two hours, which is greater than required under paragraph 18. Each position report includes the information required by paragraph 18. However the Compliance Unit randomly polls vessels in addition to automatic polling.

CMM 2016/03 – CMM for Data Confidentiality and Procedures for the Access and Use of Data

The Cook Islands need full confidentiality provisions and data management to be operational in SIOFA because of the Intellectual Property contained in these data.

CMM 2016/04 – CMM on Vessels without Nationality

Cook Islands vessels maintain vessel sighting logbooks and have not sighted any vessels without nationality in the Agreement Area during the relevant period and therefore Cook Islands has not taken any specific action against vessels without nationality by the means suggested in paragraphs 3 and 5 of CMM 2016/05.

CMM 2016/05 – CMM regarding the use of large-scale pelagic driftnets and deepwater gillnets in the [SIOFA] Area

Section 29 of the Marine Resources Act 2005 prohibits the use of large-scale pelagic driftnets or deepwater gillnets on vessels flying the flag of the Cook Islands.

CMM 2016/06 – CMM on the Listing of IUU Vessels

The Cook Islands have not identified the presence of any IUU vessels in SIOFA during 2016.

CMM 2016/07 – Vessel authorisation and notification to fish

Consistent with paragraph 2 of CMM 2016/07, The Cook Islands has electronically submitted to the SIOFA Secretariat a list of vessels under its flag that were authorised to operate in the Agreement Area. This list included the information listed in paragraphs 2(a) - 2(o), and these are shown in the list of SIOFA Authorised Vessels.

The Cook Islands has taken all necessary measures to ensure its arrangements comply with the obligations outlined in paragraphs 6 and 7. The recent history of the operator and the vessel, including any IUU listing, the compliance history and commitment to research activities have been taken into account when deciding whether or not to continuing to authorise a High Seas permit for a particular fishing vessel.

Report on fishing activities in the Area

Article 11(3)(c) of the Agreement provides that each Contracting Party shall *'in conformity with the rules determined by the Meeting of the Parties, make available to each annual Meeting of the Parties a report on its fishing activities in the Area.'*

Fishing activity by The Cook Islands over the past five years is described in its 2017 National Report to the Scientific Committee. This report was provided to the second Meeting of the Scientific Committee (SC-02-04 (01)), summarised in the Report of the Second Meeting of the Scientific Committee, and is available to the Meeting of the Parties at:

<http://www.siofa.org/meeting-reports/Scientific%20Committee%20Meeting>.

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