



November 19, 2021

Dear Council Members and Staff,

For most substantive RFMO issues I will defer to Mr. Tosatto to provide any relevant general updates on WCPFC and SPRFMO, but I do have several other updates for you below.

### **SPRFMO High Seas Boarding and Inspection**

- SPRFMO has an interim HSBI measure that applies relevant provisions of the UN Fish Stocks Agreement (UNFSA), but which lacks certain useful operation details specified in the HSBI procedures of some other RFMOs. For several years the United States has introduced a specific proposal, and in 2021 it garnered support for the proposal from all members except one. Convinced that SPRFMO needs HSBI now to strengthen enforcement of its conservation and management measures the United States has notified the Secretariat that it plans to operationalize the interim measure. We have not decided if we will introduce a measure at the next Commission meeting, but we do plan to continue to work toward a specific measure.

### **Commissioner Appointments**

- NMFS is working with Archie (for SPRFMO) and Roger (for WCPFC) to prepare their appointment packages. Once they are done, they will pass them along to State, and we'll forward them to the White House.

### **UN Meetings**

As with RFMOs, most United Nations meetings related to fisheries have been postponed, some until next year:

- The UN also intends to hold an informal consultations of States parties to the UN Fish Stocks Agreement in the first half of 2022, if conditions allow. That meeting will focus on the ecosystem approach to fisheries management as well as preparations for the UN Fish Stocks Agreement resumed Review Conference. The UN also intends to hold an informal consultation of States parties to the UN Fish Stocks Agreement in the first half of 2023, focused solely on planning for the resumed Review Conference.
- The UN Fish Stocks resumed Review Conference has been postponed again, and is currently slated to be held in 2023, if conditions allow.
- A UN General Assembly workshop on the impacts of bottom fishing on vulnerable marine ecosystems and the sustainability of deep-sea fish stocks was originally scheduled for August 2020 but has been postponed to a date to be determined in 2022. The workshop will inform a review of provisions and recommendations related to bottom fishing as part of the negotiations of the annual UN General Assembly resolution on sustainable fisheries.
- The fourth session of the Intergovernmental Conference (IGC) on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ), has been rescheduled again, this time for March 7-18, 2022.

- The UN Ocean Conference, originally scheduled for June 2-6, 2020, will likely be held during the last week in June 2022. A decision on this will be made by the UN General Assembly this fall.

### **Other items of Interest to the Council**

- **Our Ocean Conference:** The United States is partnering with Palau to co-host the 7th Our Ocean conference February 16-17 in Palau. The conference will focus on the themes that have long been central to the series: Sustainable Fisheries; Climate Impacts on the Ocean; Sustainable Blue Economy; Marine Protected Areas; Maritime Security; and Marine Pollution. Conferences typically host 500 high-level invitees including foreign ministers, CEOs, ocean leaders, and opinion makers in government, industry, finance, philanthropy, science, and civil society. The primary focus of Our Ocean conferences is for invitees to announce significant, new voluntary actions to ensure protection of the ocean, responsible management of marine resources, and sustainable future economic growth. Participants at Our Ocean conferences to date have pledged \$91.4 billion worth of new commitments. Implementation of prior commitments is reported annually to the host country to assess progress and impact. There is no negotiated outcome document or communique. This is not an official government meeting; it is a high-level, multi-stakeholder meeting.
- **Deep-sea Mining:** The ISA Council is scheduled to meet in person in Kingston the week of December 6. The African States have objected to an in-person meeting given the continuing threat of COVID-19. A decision on the meeting proceeding is pending. In June, Nauru activated a process in the ISA rules to complete the exploitation regulations by July 2023 so that an application that it may sponsor for exploitation in the Clarion-Clipperton Zone may be submitted and considered. If the ISA Council meets in December, it will consider a roadmap prepared by the Secretariat for completing the mining regulations in 2023 but is not expected to consider the substance of the draft regulations at this December meeting. Nauru's sponsored entity, Nauru Ocean Resources Inc., opened a stakeholder consultation in October on the environmental impact statement it prepared on technical trials of its prototype nodule collector in the Clarion-Clipperton Zone. Details of the consultation are provided on the ISA website.

Sincerely,

C. Colin Brinkman  
Office of Marine Conservation