



## 8<sup>th</sup> Meeting of the Fisheries Commission BES Bonaire, November 27<sup>th</sup>, 2018

### **Open summary of the Meeting**

The Fisheries Commission BES (FCBES) is an advisory body established to enhance the joint management and policy-making of fisheries in the Caribbean Netherlands. In this body Bonaire, St. Eustatius, Saba and the national government can discuss and advise the minister. The Commission consists of four members, being the three representatives of the island governments plus an independent Chair, and is assisted by an official Secretary. The members representing the three island governments are appointed by their respective government, Bonaire, St. Eustatius and Saba. The Chair is appointed by the Minister after consultation with the Commission members. The Ministry fulfills the role of the Secretariat. The FCBES convenes at least once per year. This summary is intended for open distribution, therefore it does not contain privacy-sensitive aspects of the meeting.

## Introduction

On Bonaire, November 27<sup>th</sup> 2018, the 8<sup>th</sup> Meeting of the Fisheries Commission BES (FCBES) was held. Present were all four members of the Commission Mr. Joselito Statia for Bonaire, Mrs. Monique James-Brown for St. Eustatius, Mr. Menno van der Velde for Saba, and the new Chair of the Commission Mr. Nico Visser. Also present was the Secretariat in the persons of Mrs. Gelare Nader from the Ministry of Agriculture, Nature and Food Quality (LNV) and Mr. Yoeri de Vries from the same ministry at the National Office for the Caribbean Netherlands (RCN). Furthermore, present were the observers Mr. Paul Hoetjes, nature policy officer for LNV at RCN; Mrs. Dahlia Hassell and Mr. Fabien Havedings, representing Bonaire fishermen cooperative 'Piskabon'; Mrs. Ayumi Kuramae Izioka, science officer at the Saba Bank Management Unit (SBMU); and Mr. Pieter van Baren, program advisor at WWF-NL for the Caribbean Netherlands.

The new Chair Mr. Visser has experience in the Caribbean region due to his previous work for the Netherlands Antilles. In 1995, Mr. Visser has set up the Department of Environment and Nature at the Ministry of Public Health and Environmental Hygiene for the Netherlands Antilles.

## Outcomes of regional meetings

The Secretariat informed the attendants about the regional meetings that deal with fisheries which had taken place in the six-month period since the 7<sup>th</sup> Meeting of the Fisheries Commission BES.

For the Western Central Atlantic Fisheries Commission (WECAFC) several meetings took place:

- The 1st Meeting of the WECAFC-CRFM-OSPESCA Regional Fisheries Data and Statistics Working Group, Barbados, May 14-16<sup>th</sup> 2018. For the Caribbean Netherlands Mr. Yoeri de Vries was present. The goal of this meeting was to strengthen collaboration on fisheries data and statistics and to standardize data collection through the creation of formats developed for the Caribbean region. The recommendation of this working group was that each WECAFC member state adopt and apply the Data Collection Reference Framework (DCRF) in its area of authority. The DCRF contains standardized formats for data gathering specific for the Caribbean region and the WECAFC mandatory information.
- The 3<sup>rd</sup> Meeting of the CFMC/OSPESCA/ WECAFC/CRFM/CITES Regional Working Group on Illegal, Unreported and Unregulated (IUU) Fishing, Panama, September 26-28<sup>th</sup> 2018. The recommendation of the meeting is that member states should continue their efforts to combat IUU.
- The 3<sup>rd</sup> Meeting of the CFMC/OSPESCA/ WECAFC/CRFM/CITES Working Group on Queen Conch, Barbados, October 30<sup>th</sup> – November 1<sup>st</sup> 2018. The recommendation of the meeting was that the members states should implement the Regional Queen Conch Fisheries Management and Conservation Plan.
- The 9<sup>th</sup> Session of the Scientific Advisory Group, Barbados, November 19-20<sup>th</sup> 2018.

Other meetings related to fisheries that took place were:

- The 71<sup>st</sup> Conference of the Gulf and Caribbean Fisheries Institute (GCFI), San Andres, November 5-9<sup>th</sup>, 2018. From the Caribbean Netherlands the following parties were present: Mr. Yoeri de Vries; Stinapa (the acting Marine Park Manager and two biologists); the SBMU; the DMO of St.

Eustatius; and the president of Piskabon; the coordinators of WWF-NL's Caribbean program were also present. Some of the topics discussed were the Sargassum influxes that Caribbean islands deal with and for which the GCFI has created a poster to help authorities act in a responsible manner to these influxes<sup>1</sup>; research results on e.g. spawning aggregations, reef fish, coral reefs, lionfish and the recent advances in optical and acoustic technologies; challenges for fisheries management related to e.g. socio-economics, tourism, governance structures (e.g. co-management and regional coherence) and marine protected areas; hurricane impacts on fisheries and marine resources; and climate change.

- The GCFI/NOAA collaboration program MPACONnect's Peer-to-Peer learning exchange on fisheries management for Caribbean MPAs (Marine Protected Areas), Saba, September 24-28<sup>th</sup> 2018. From the Caribbean Netherlands the following parties were present: Mr. Menno van der Velde; Mr. Yoeni de Vries; Stenapa; SCF; Stinapa; the SBMU; the Data Monitoring Officer (DMO) of St. Eustatius; the president of Piskabon; and WWF-NL. In this learning exchange the MPA authorities determined their objectives; fisheries management approaches; functional groups/species of interest; challenges/concerns identified; data needs/possible assessment or monitoring methods; specific management actions; and the investment/resources needed. For the four MPA's of the Caribbean Netherlands three recurring management actions could be identified: outreach and communication (to decision-makers, fishers, local community, and law enforcement); cost-effective and resource-realistic monitoring; and establishing a zoning system.
- The 15<sup>th</sup> Scientific Committee Meeting for the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC), Honduras, September 17-19<sup>th</sup> 2018. For the Caribbean Netherlands Mr. Paul Hoetjes was present. One of the methods to prevent or lower turtle bycatch is by using offset circle hooks, as opposed to non-offset circle hooks. Piskabon noted that they have experience with non-offset circle hooks. According to them these hooks work better but take some time to get used to as fishermen.
- The kickoff meeting of the CARIMAM (Caribbean Marine Mammal) project, Martinique, October 16-17<sup>th</sup> 2018. From the Caribbean Netherlands the following parties were present: Mr. Paul Hoetjes; the SBMU; the DMO of St. Eustatius; the Marine Park Manager of Stenapa; and the Managing Director of the St. Maarten Nature Foundation. Piskabon mentioned that collaboration with fishermen for the performance of surveys should be kept in mind.

## Upcoming regional meetings

- The 8<sup>th</sup> SPAW STAC (Scientific and Technical Advisory Committee), Panama, December 3-7<sup>th</sup> 2018.
- The 33<sup>rd</sup> ICRI General Meeting, Monaco, December 5-7<sup>th</sup> 2018.
- The 12<sup>th</sup> IAC CCE (Consultative Committee of Experts), Washington, February 13<sup>th</sup> 2019.
- The 15<sup>th</sup> COP Cartagena Convention, and SPAW and LBS Protocol COPs, Grenada, March 25-29 2018.
- The 9<sup>th</sup> IAC COP, Dominican Republic, June 5-7<sup>th</sup> 2019.

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<sup>1</sup> <https://www.gcfi.org/wp-content/uploads/2018/05/ONLINE-Sargassum.png>

## Fisheries legislation

### Update on process

Since the last meeting of the Fisheries Commission several stakeholder sessions with fishermen and other involved parties have been held on the BES islands to discuss the recommendations of the Ecovision report. These sessions took place on the following dates: Bonaire on March 3<sup>rd</sup>; St. Eustatius on June 21<sup>st</sup>; and Saba on June 18<sup>th</sup> and August 7<sup>th</sup>. The reason that there have been two stakeholder sessions organized on Saba and one session on Bonaire and St. Eustatius, is because due to some miscommunication and misunderstanding on the aim of the stakeholder meeting the first session on June 18<sup>th</sup> did not cover all recommendations that needed consultation with the fishermen.

Based on the stakeholder sessions a two-pager was written by Min. LNV that summarizes the most pressing recommendations and action points regarding the fisheries legislation. The outcome of the stakeholder sessions were the following:

#### Bonaire

1. There should be better regulations and enforcement during the open season for lobster. Only residents of the island should be allowed to fish on lobster, in accordance with the regulation that residents are eligible for a fishing license. Tourists will then only be allowed to fish on lobster in the open season through a permitted resident (e.g. charter fisher). Lobster fishing will then be regulated in a clear manner which allows for better enforcement, also will the consumption and catch of lobster then come to the benefit of the formal island economy. Saba advised to articulate this carefully in legislation with regard to the principle of equality ('gelijkheidsbeginsel'). It was suggested to only allow fishing on lobster for people that are a resident to the Caribbean Netherlands. Tourists that want to fish on lobster could then be allowed if they do so through a charter fisher. In that way it does not compete with the fisheries sector and it will also be more easy to enforce for the marine park authority.
2. It will be prohibited to fish on sea cucumbers and sea urchins because the stocks are small and easily overfished and especially sea-urchins are key species for the coral reefs.
3. 'Traditional fishery' needs to be defined as there is much ambiguity currently on the meaning of this.
4. A fishing license system will be established for all fishing vessels in both the territorial waters and the EEZ in close involvement with Piskabon. Through the purchase of the FADs by Piskabon and their subsequent responsibility for the management of the fisheries around these FADs, the first steps to a fishing license system are already taken. Piskabon noted that the scenario should be kept in mind where due to the FADs previously recreational fishermen will become commercial fishermen as their fishing productivity might increase.

#### St. Eustatius

1. Establish definition in which 'commercial sport fishing' is well distinguished from 'commercial fishing'. This is important because 1) otherwise commercial sport fishing (or 'charter fishing') will compete with commercial fishing, and 2) otherwise the restrictions set for commercial sport fishing will also apply to commercial fishermen (e.g. catch and release and bag limits).
2. Explore if 'drifting longline' can be a permitted method under certain requirements. Two requirements that can be kept in mind are that 1) the total length of the line should be in eyesight

(i.e. a maximum of 'x' meters should then be defined) and 2) the line is not allowed to be left unsupervised. Because drifting longline is a method with generally high negative impacts on the (marine) environment due to bycatch of sharks, sea birds and turtles. St. Eustatius will look into whether or not drifting longline should be an allowed method (under requirements) or prohibited altogether. After the meeting St. Eustatius communicated that it supports a full ban on longlining.

3. A marine spatial zoning plan should be created. This is relevant especially on St. Eustatius because the large tankers have designated anchor zones but do not have designated access routes towards these zones. This results in fishermen losing traps and which they cannot prevent because they cannot anticipate what routes the ships will take.

### **Saba**

1. Bag limits should not be set as an amount per vessel, but per person that is sport fishing.
2. If a limit on the number of traps will be set, then it should be considered if these traps are transferable between fishermen.

### **Results of research for species specific regulations**

- In a study on biodegradable panels it several materials were tested to establish what their break down time is. From this study it followed that using hemp and cotton to attach the panel (or as hinges on the trap door) are most suitable to effectuate a biodegradable panel, as these materials break down after an average of respectively 105 and 150 days of soaking time.
- A study on different sized lobster traps compared the effect of a 4 ft. trap to that of a 5 ft. trap. The results showed that there was no significant difference in lobster catches and that there was less bycatch in the 4 ft. trap. The 4 ft. trap catches fewer different species, less Queen Triggerfish, more Red Hind and less White Grunt.
- The effect of escape slots versus no escape slot for lobster traps was researched, using two sizes of escape slots: respectively 25 mm (1") and 38 mm (1.5") wide (with a height of 25 cm or 9.8"). The results show that by far most lobster are caught using a trap with a 38 mm escape slot, followed by the trap with the 25 mm escape slot and finally the least amount of lobster was caught in the traps with no escape slot. Other results of this research were that the 38 mm escape slot resulted in less bycatch and in fewer parrotfish and surgeonfish caught.
- Another study analysed the effects of escape slots for redfish traps, using the same two sizes of escape slots: 25 mm (1") and 38 mm (1.5") wide (with a height of 25 cm or 9.8"). The results show that more redfish is caught by the traps with an escape slot of 25 mm, than in traps with no escape slot. By far the least amount of redfish is caught by the traps with an escape slot of 38 mm. Other results are that the 25 mm escape slot does not affect the sizes of the redfish caught.
- Following the Redfish Agreement on Saba in which it was decided that for 6 months (April 1<sup>st</sup> 2017 – September 30<sup>th</sup> 2017) the redfish fishery would be closed for the entire Saba Bank, the fisheries data was analysed to see what the effect of the closure was. The catch data from the months after the closure in 2017 show an increase in the amount of fish per trap.

## **MinLNV Summary of the most pressing recommendations and action points regarding the fisheries legislation (two-pager fisheries legislation)**

### **General legislation**

- All small vessels in the territorial waters will be brought under a permit regime. All members agreed with this.
- Create a legal basis for additional management measures.

### **Fisheries Commission BES**

- Obligation to develop a Fisheries Management Plan (named hereafter 'Sustainable Fisheries Plan' or SFP) in the Fisheries Act BES (FABES). The FCBES will then be responsible for developing a 5-year plan.
- Extend the role of the FCBES to advise on all types of controls, not only temporal controls. The members agreed that the mandate should be broadly defined. Mrs. Nader will make a proposal document in which the mandate of the FCBES will be defined and share this with the members. Furthermore the members agreed that the Coast Guard should be invited as a standing observer to the FCBES meetings since they occupy a crucial role in fisheries management. The Secretariat will henceforth invite the Coast Guard.

### **Caribbean Spiny Lobster**

- Set minimum size for lobster at 95 mm. This is already the case in national legislation. However, on St. Eustatius there is an island legislation in which a lower minimum size is written. To avoid confusion and ambiguity in legislation this needs to be adapted.
- Legislate for catch certification for export purposes. Saba noted that there is not yet an official veterinarian on Saba that can write such certificates. The Secretariat informed that the Chief Veterinary Officer (CVO) of LNV is currently working on that issue. The Secretariat and Mrs. Nader will remain in contact with the CVO with regard to this issue. Furthermore, because the Caribbean Netherlands is not part of Europe it needs to be on the list of allowed countries to export to the EU. There is ambiguity at the moment whether the BES is or is not yet on this list. In 2012 the BES were put on this list, but it is unsure whether or not this is still valid. The Secretariat will look into this and if the BES is not on this list create an overview of the steps to be taken in order for the BES to be included on that list. The members also requested the Secretariat to check the import regulations on French St. Martin.
- Prohibit the use of the following methods for lobster fisheries or in general: entanglement nets, spearguns, scuba, and hookah.
- Prohibit the landing of tarred lobster. It was agreed that more research need to be done on the effect and the enforcement issues of this measure.
- Set maximum size for lobster. It was agreed that more research need to be done on the effect and the enforcement issues of this measure.

### **Queen Conch**

- Change minimum legal shell length (18 cm) to a minimum legal lip thickness (10 mm). Details on the specifics of these measures can be put in the 'memorie van toelichting'.
- Add the obligation to land whole shells.

- Create legal base for a ban on conch fisheries unless in possession of a permit. The island can issue a permit when there is a monitoring plan and a management plan (as required by CITES). It was suggested to change 'conch fisheries' to 'conch harvesting' or 'conch collecting'. Saba expressed the desire to have the entire Saba Bank be a Conch Sanctuary. For the part of the Saba Bank that lies within the territorial waters of Saba, the Saba government can declare such a sanctuary. For the part that lies within the EEZ, this is the responsibility of the Minister of LNV.

### **Tuna and other highly migrating pelagic species<sup>2</sup>**

- Change the Fisheries Decree BES (FDBES) to prohibit all use of gillnets (longer than 'x' meter) and drifting longlines. Fishing with gillnets is generally a harmful method due to the high bycatch. However, with a limited length, in open ocean (pelagic) this is a very sustainable fishing method for targeting flying fish. It needs to be researched what maximum length should be set in the legislation. LNV will facilitate this research.
- Ratify ICCAT. A provision in the FABES will be included to be able to adopt relevant management measure including a compliant monitoring and registration system for catch and effort data.

### **Grouper, snapper and barracuda**

- Introduce a requirement for permit holders (and others) to release live large grouper and snappers immediately after capture and enhance survival by venting the fish before release. The members noted that it should be defined what is understood by a 'large' grouper or snapper. Also, regarding the venting the issue should be considered what needs to be done when a fish is already dead when landed on the boat. It was decided that the venting obligation should be put in the SFP. Finally, Saba and St. Eustatius noted that barracuda is not a target species on their islands, therefore it is better to also address barracuda management measures in the SFP.

### **Sharks**

- Release sharks and rays immediately after capture.
- Prohibit the possession of (fins from) sharks or rays.

### **Herbivorous fish<sup>3</sup>**

- Prohibit the catch of sea cucumbers and sea urchins. Mr. Paul Hoetjes noted that regarding parrot fish, France will request to have these be placed on the Annex 3 list of the SPAW-Protocol, this would mean that management measures need to be formulated to ensure that their populations remain stable.

### **Recreational fisheries and the use of FADs**

- Define "commercial fisheries", "commercial sport fisheries (with crew)" and "recreational fisheries" in the FABES for future specification of management regime. The definitions proposed by the Secretariat are the following:
  - o Commercial fishery concerns fishing using any permitted method with any catch landed ashore for the purpose of selling it.

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<sup>2</sup> Dolphin, Wahoo, Swordfish, Billfish

<sup>3</sup> Parrotfish, Surge fish

- Commercial sport fishery concerns fishing using handlines or trolling, for profit, where the primary source of profit is through permitting third parties to fish from one's vessel.
- Recreational fishery concerns fishing using handlines or trolling and any catch is exclusively for personal use and not sold or traded on domestic or export markets.

Saba suggested to add the word 'exclusively' in the definitions for commercial sport fishery and for recreational fishery, to be placed in the sentences between the words 'using' and 'handlines'. The islands also requested the Secretariat to have the definitions be sent to them again after revision.

- Exclude island occupants who fish from land from the permit requirement. Others fishing from land need a permit. It was suggested to change the word 'occupant' to 'resident'. Furthermore it was discussed whether the collecting of whelk shells should also be placed under a permit regime. The members advised that this is not necessary but that it could be put on the research agenda what the effect of whelk shell collection can be for the stock, based on the results of other islands in the Caribbean.
- Introduce a harvest prohibition for recreational fishing and commercial sport fishing for all billfish (catch-release)

#### **International agreements and regional cooperation**

- Ratify ICCAT
- Ratify Port State Measures Agreement (PSMA) (Party: The Netherlands). State explicitly in the FABES that ports in the BES are not open to foreign fishing vessels (which is de facto the case). Appoint the harbor masters to control this regulation.

#### **Monitoring, control surveillance and enforcement**

- Remove the exemption from the permit requirement for 4 hand lines from the FABES in order to improve enforcement of the permit requirement.

Based on the feedback from the commission, Mrs. Nader will revise the two-pager and send these back to the members.

#### **Sustainable Fisheries Plan**

At the 7<sup>th</sup> Meeting of the FCBES the Members had requested the Secretariat to create a draft structure of the SFP. This structure was presented during the meeting and commented on by the Members.

Some aspects to be included in the SFP that came up during the meeting were:

- The recommendation to vent large groupers and snappers that are landed alive;
- The management or restrictions regarding barracuda's;
- The catch documentation and catch certification (a person will need to be assigned per island for these tasks) that are needed for (future) export possibilities;

It was decided to have a consultant or researcher write the SFP, in consultation with the islands and the relevant stakeholders.



## **Permit request format: new requests and renewals**

- On request of the Members of the Commission, the Secretariat is creating a format for fishing permit requests and renewals. During the meeting the format was presented and commented on by the Members. The format will aim to include all information mandatory by regional or international organizations such as the FAO and WECAFC.

## **ICCAT**

Mrs. Nader informed the Commission that the Ministry of LNV is continuing its efforts to attain ICCAT membership for the Caribbean Netherlands. The reason for membership to ICCAT is to not run the risk of having IUU in our waters. Furthermore it also creates more arguments towards the Ministry for fisheries research.

## **Update on the Yarari Sanctuary**

Following Bonaire and Saba, on 20 September 2018, St. Eustatius has signed the declaration of intention to join the Yarari Sanctuary. Furthermore, St. Maarten has also expressed the desire to join the Yarari Sanctuary. LNV will send an invitation letter to St. Maarten

## **Research / project programs**

### **WUR Nexus**

The water-food-energy nexus is a multi-sector approach by the Wageningen University centralized on water issues. The Ministry of LNV has asked the WUR to perform a quick scan and submit project proposals in December 2018, as the nexus might be a good approach in support of the Ministry's food- and water-related policies. Because of the integral nature of small-island states this approach is also useful for the Caribbean Netherlands. Researchers Mrs. Sabine Slijkerman and Mr. Matthijs van der Geest have visited the islands to speak with stakeholders for possible project proposals. Based on these project proposals and the project proposals from other regions, LNV will decide in 2019 on a go/no-go for financing this approach.

### **11<sup>th</sup> EDF**

In the 11<sup>th</sup> European Development Fund Program, there are 3 main focus areas:

1. Climate resilience
2. Sustainable energy
3. Marine biodiversity

Saba informed the Members that under the third focus area, it is continuing its efforts on the inter-island drone project with several of the windward islands regarding a system against illegal fisheries. The idea is to give the Coast Guard more means to enforce at sea. The islands currently involved in this project are St. Barts, Anguila, Saba, St. Eustatius, St. Maarten, French St. Martin and the BVI.

## **Hurricane restoration fund**

The Ministry of LNV has inventoried the damages in fishing gear that fishermen have suffered after hurricane Irma. On St. Eustatius this has resulted in retribution in the form of lobster/fish traps. These traps conform to the recommendations of the WECAFC and scientific research. This means the traps come with tags, a biodegradable panel, an escape slot, and a mesh width of minimally 1.5 inch.

## **Recommendations and Conclusions**

The recommendations and conclusions of the meeting are taken up in Annex 1.

## **Next Meeting Date and Venue**

The next meeting is scheduled to take place May 21<sup>st</sup> 2019 with St. Eustatius as the host.