



10th Meeting of the Fisheries Commission BES Saba, December 17th, 2019

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 of Agriculture, Nature and Food Quality on policy issues and permit requests in the framework of sustainable fisheries management in the waters of the Caribbean Netherlands. 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 for a six year term by the Minister after consultation with the Commission members. The Ministry fulfills the role of the Secretariat of the FCBES. 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.

Opening of the meeting

Mr. Jonathan Johnson, Island Governor of Saba, formally welcomed the Fisheries Commission BES and other attendants to Saba and speaking a few opening words on the relevance and appreciation of fisheries and fishermen to the island Saba. The Island Governor stated the necessity to stay cautious on finding a balance between commerce and conservation, mentioned the visit of Her Royal Highness Princes Beatrix of the Netherlands to Saba in which there was also a meeting with the fishermen, and wished the Members of the Commission a fruitful discussion.

Mr. Nico Visser, Chair of the Fisheries Commission BES, thanked the Island Governor Mr. Johnson and welcomed the Members and Acting Members of the Commission - Mr. Diego Marquez for Bonaire, Ms. Monique James-Brown for St. Eustatius, and Mr. Menno van der Velde for Saba – and thanking them for their attendance. The Chair also welcomed the Secretariat, Mr. Paul Hoetjes and Mr. Yoeri de Vries of the LNV-Unit at the RCN and Mr. Martijn Peijs of LNV.

The Chair welcomed and introduced the observers to the meeting Ms. Cynthia Devere, Head Department Law Enforcement at the Coast Guard, Mr. Roberto Levenstone, Head of the Coast Guard substation on St. Maarten; Ms. Ayumi Kuramae Izioka, senior Program Officer/Science Coordinator at the Saba Bank Management Unit (SBMU); Mr. Kai Wulf, Director of SCF; Mr. Bradley Johnson, Board Member of the Saba Fishermen Association (SFA); Mr. Ryan Hassell, Board Member of the SFA; Ms. Dahlia Hassell, as supporter to the SFA; and Mr. Pieter van Baren , Programme advisor for WWF-NL.

Several persons announced that this meeting will most likely be the last Fisheries Commission BES meeting that they attend in their current capacity. Mr. Paul Hoetjes announced his upcoming retirement and therefore his retreat as Secretariat to both the Fisheries Commission BES and the Dutch Caribbean Committee on Marine Biodiversity and Fisheries (the EEZ Committee); Mr. Diego Marquez announced that he will most likely not become the new Member for Bonaire, the Commission is still awaiting the decision of the Executive Council of the Public Entity of Bonaire on this matter; Ms. Monique announced her probable departure as Member to the Commission for St. Eustatius. The Chair thanked all for their efforts and commitment to this Commission, regretting their departure and wishing them the best.

Island state of the fisheries reports

Saba

- The SBMU is looking for solutions regarding the Queen Triggerfish and Red Hind issue. The research of dr. Dolfi Debrot does not show an increase or decrease of the stock, and recommends to follow the precautionary approach.
- Ms. Dahlia Hassell and two board members of the SFA went to Panama City to attend the FAO Workshop on Best Practices to Prevent and Reduce Abandoned, Lost or otherwise Discarded Fishing Gear from 18 to 22 November 2019. The SFA stated that they wish to collect more discarded fishing gear and find better use for 'end-of-life' fishing gear, for instance through recycling.
- Ms. Dahlia Hassell will continue to assist the SFA regarding communications.

- All except one fishermen have paid the membership fee to the SFA. This includes both the commercial and the recreational fishermen.

St. Eustatius

- The OLE is updating their local legislation, including legislation on sewage and hull cleaning. They have received judicial assistance for this task, however, this person has recently left. The OLE is awaiting if and when they will receive follow-up regarding this assistance.
- The fishermen are still working on (re)organizing themselves. CNSI and Stenapa have engaged with the fishermen and held a general meeting.
- The Statia Blue app has been launched and is experiencing the trial phase now. The app seems to be working fine, it connects fishermen and buyers and helps in data gathering.

Bonaire

- An action plan for the reorganization of the 'dienst Landbouw, Veeteelt en Visserij' (Department for Agriculture, Animal Husbandry and Fisheries; LVV) has been delivered. In the plan four scenarios for this reorganization are described. The Executive Council has made a decision on what scenario they wish to follow, a transition manager is now sought to execute the plan and lead the reorganization.
- The 6 FADs have been constructed by Piskabon. They are awaiting a timeslot from the vessel that can deploy the FADs in the water.
- The Executive Council will decide on the appointment of their new Member to the Fisheries Commission. It was stated that it is important this Member can represent the OLB and in this capacity be able to advise the Minister on fishing permits and other policy matters without a conflict of interest.
- The WUR has performed the field research for a stock assessment collaborating with Ms. Dahlia Hassell, Piskabon and the Bonaire Marine Park authority. Data analysis is expected to be performed in the first quarter of 2020. It was mentioned that for this research the methodology from the Saba Bank was used, which turned out to not be the ideal methodology for the waters around Bonaire. A lot of area was covered, but the waters were too deep for proper data analysis. Bonaire states more data is needed and clarifies that the presence of queen conch will not mean the fishery on this species will be opened. A discussion on a queen conch fishery follows after a proper stock assessment. A second field study will be possible in October 2020. The OLB is requested to facilitate in the gathering of more data for a proper stock assessment.

IUU and enforcement

- The Coast Guard questioned what the legal status of the FADs on the Saba Bank is. A discussion developed on whether or not the FADs on the Saba Bank are illegal. It was clarified that rather than under fisheries legislation, it is under the Maritime Management Act BES that a permit is required for moored FADs related to safety on sea. It was furthermore stressed that it is not the goal of this Commission to make sure that the FADs are removed out of the water without consultation with the fishermen, but rather to facilitate in realizing a safe and legal fisheries and engage with the fishermen in doing so. The FSA requested information on the required permits for FADs.

- The SBMU announced the renewed closed season for the Red Hinds spawning aggregation site.
- The SBMU commented on the issue with the Pelagia research vessel. The Pelagia communicated their route plan late to the SBMU, and therefore it was not possible for the SBMU anymore to communicate this to the fishermen. Due to this, some fishermen have experienced loss or damage to their traps. The question by the SFA and the SBMU is if there will be a financial compensation for this damage. WWF-NL mentioned that for claiming retribution, it might be a good idea to start tagging the traps in order to substantiate a claim of damage. Furthermore, it was clarified that the Pelagia did have a permit to enter the Saba Bank area, but that the condition to inform the SBMU was not followed. LNV will contact IenW (Ministry of Infrastructure and Water) to adjust the permit requirements. This adjustment includes the condition to inform the SBMU on the period and route plan that the vessel is on the Saba Bank, with an extended time period so that the SBMU can inform the fishermen timely and the fishermen have the possibility to remove and safeguard their traps. It also includes the presence of an SBMU staff member on board of the vessel when it is on the Saba Bank, in order to make sure no traps are damaged. SCF states that this is a resource-intensive solution, but supports this solution. The Chair requested that LNV will inform Min IenW and the Pelagia that the short notice and lack of communication with the SMP and SBMU were unacceptable and have caused damage to the fishermen and that for future research missions of the Pelagia the conditions in the permit shall be strictly observed.
- A St. Maarten vessel was present in the waters of the windward BES-islands with ca. 30 handlines. The Coast Guard has confiscated its catch. The Coast Guard clarifies that this type of vessel will remain an issue until the fisheries legislation is changed. Bonaire mentioned that they experience the same type of problem, but with vessels from Curacao.
- The Secretariat has had contact with the Coast Guard on organizing a workshop on the BES-islands regarding safety and enforcement. The Coast Guard mentioned such a workshop is most relevant for the fishermen on Bonaire, considering the situation with Venezuela. The Coast Guard furthermore mentioned the confusion regarding fishing gear on Bonaire, where the fishing gear “palanka” resembles a long-line which is forbidden. This is something that can be included in the workshop, where fishermen can display the gear to the Coast Guard and visually explain how one can see that it is different from a long-line. The Secretariat will follow-up on this workshop with the Coast Guard.
- The creation of a means to better communicate and provide an overview of the rules and regulations to fishermen was discussed. St. Eustatius suggested to consider modern solutions, such as the use of videos or apps. The Coast Guard stressed the usefulness for them to have an overview of all the different island legislations related to fisheries in a concise manner.

Outcomes of regional meetings

- The WECAFC 17th Commission Session was held July 15-19 2019. Some important documents that were adopted/endorsed are the following:
 - Regional Plan of Action to Eliminate Illegal, Unreported and Unregistered fishing,
 - Regional Plan of Action on the Caribbean Spiny Lobster,
 - Report of the First Preparatory Meeting of the WECAFC reorientation,
 - Roadmap for 2019-2020 for progressing towards the development of a model for a regional fisheries management entity or arrangement in the WECAFC area,

- Interim Data Collection and Reference Framework

Other important decisions were on the collaboration with CLME+, moored/anchored FADs, management of sharks and rays, and data sharing and access.

- The UNEP 18th Inter Governmental Meeting (IGM) of the Caribbean Environment Programme (CEP) coincident with the 15th COP of the Cartagena Convention, including also the COPs of the SPAW (Biodiversity) and LBS (Pollution) Protocols, took place on in Honduras, June 3-7, 2019. Main decisions were:
 - To list the Largetooth Sawfish on SPAW Annex II; and the Silky Shark on Annex III
 - To accept Mt. Scenery National Park on Saba as protected area of regional importance
 - To form a new Working Group on Sargassum; to task the Species Working Group work with formulating a proposal for listing of parrotfish on Annex III (and maybe also sea urchins); to revitalize the Marine Mammal WG under the Species WG (to address the issue of legal hunt in the region); and task the Protected Areas WG to develop improved cooperation, capacity building and networking for CaMPAM, in particular with regard to listed PAs
 - To strengthen the existing MoU with IAC and address NW Atlantic Leatherbacks and legal turtle harvest.
- The 9th COP of the IAC took place in June 12-14 in the Dominican Republic. Main outcomes were:
 - A resolution on NW Atlantic Leatherbacks, focused a.o. on actions to involve non-member countries Canada, T&T and Guyana's. Subsequently France has indicated interest to ratify for French Guyana as well as Guadeloupe and Martinique.
 - To work towards an MoU with ICCAT.
- The GCFI 72nd Annual Conference was held in Punta Cana, Dominican Republic, from November 4-8 2019. Present from the Caribbean Netherlands were the OLB, SBMU, the DMO on St. Eustatius, Piskabon, Stinapa, DCNA, CNSI, and Clean Coast Bonaire. Two important themes at the conference were 1) plastics and 2) co-management.
 1. The focus on the issues with (micro-)plastics becomes more and more prominent. The SFA remarked that there is an issue with plastics that originate from other islands on the Saba Bank, and that there is a need for more facilities in harbors to discard fishing gear. This includes possibilities to process it into new useful products and to recycle 'end-of-life' gear. St. Eustatius mentioned that they experience issues with sea turtles and plastics.
 2. Cooperation and co-management with fishermen continuously proves to be a key factor to successful management. The manner in which cooperation or co-management is pursued or operationalized differs between examples, but it is clear that it is vital and should also be pursued in the Caribbean Netherlands.

Some presentations by participants from the Caribbean Netherlands were a presentation on queen conch populations in Jamaica by dr. Kimani Kitson-Walters, on stony coral tissue loss disease by Mr. Tadzio Bervoets, and on plastics by Stinapa.
- The FAO Workshop on Best Practices to Prevent and Reduce Abandoned, Lost or otherwise Discarded Fishing Gear, which was held November 18-22 2019. Ms. Dahlia Hassell and two board members of the SFA were present.

Upcoming regional meetings

- WECAFC:
 - Fourth Regional Working Group meeting on Illegal, Unreported and Unregulated fishing (2020)
 - WECAFC Second Working Group meeting of the regional fisheries data and Statistics working group (Q2 2020)
 - Second Preparatory Meeting of the Western Central Atlantic Fishery Commission for the Transformation into a Regional Fisheries Management Entity/Arrangement (Q2 2020)
 - Eleventh session of the Scientific Advisory Group (SAG) of WECAFC (November 2020)
- First Kingdom consultation on CITES on Dec. 19-20, 2019, on Saba, bringing together the CITES Management Authorities of all the parts of the Kingdom: Aruba, Curaçao, St. Maarten, the Caribbean Netherlands and the Netherlands .
- GCRMN-Caribbean Steering Committee Meeting, Bonaire Jan. 28-30, 2020. (Global Coral Reef Monitoring Network Caribbean initiative).
- IAC Consultative Committee of Experts meeting, Feb. 2020.
- SPAW Scientific and Technical Advisory Committee (STAC) meeting, 4th quarter 2020.

Update LNV: Fisheries legislation, Yarari, Nature and Environment Policy Plan

LNV presented the concept legislation on fisheries and on Yarari in broad details to the Commission and observers. The concept legislation will be discussed with the Members in more detail.

Fisheries legislation

- The mandate of the Fisheries Commission BES is now quite narrow. This mandate will be changed to advise on anything dealing with fisheries.
- In the process to revise the legislation, first the laws will be changed and then the mandate of the Fisheries Commission BES.
- It will be clarified who the authority for which permit is. The current idea is the following:
 - Island governments (Public Entity): Fishing permits for smaller vessels (under 12 meters) in the Territorial Waters;
 - National government (LNV): Fishing permits for larger vessels (over 12 meters), and for all vessels fishing permits in the EEZ.

Saba made clear that the OLS does not give out permits specifically for the territorial waters. The request of Saba is to make sure that despite the different authorities it will remain 1 physical permit, since that is more clear and user-friendly for the fishermen than separate permits.

Yarari

- The boundaries of the Yarari Sanctuary will be defined in an ordinance. This will specify the Yarari Sanctuary to encompass the entire EEZ (including Territorial Waters) of the (three) BES-islands.
- The rules and regulations regarding the management of Yarari will be defined in a Decree. This management will refer to all elasmobranchs (sharks, marine mammals, rays, skates).

Nature and Environment Policy Plan

The adoption by the Minister of LNV of the Nature and Environment Policy Plan (NEPP) is planned for the third week of January 2020. Due to some delays regarding the decision on the allocation of financial resources of the Regional-Envelope, the adoption of the NEPP has been delayed as it was originally planned to be adopted in the last week of November 2019.

Following the adoption of the NEPP, island-specific action plans will be established with each Public Entity.

Sustainable Fisheries Plan

The process for finalizing the Sustainable Fisheries Plan (SFP) is the following:

1. Collect and process all feedback on the previous version(s),
2. Complete the final version in the first quarter of 2020,
3. Distribute this version to the Members of the Fisheries Commission BES,
4. Fisheries Commission BES adopts the plan in the next meeting and submits it to the Minister of LNV for adoption.

General remarks

- Not enough data available on stocks to make informed decisions on permits. This data (stock assessments) needs to be collected as soon as possible.
- The plan does not contain management tools to deliver stock data.
- Bring back the chapter on research, including stock assessments.
- The plan should clarify that if there is not enough data available on certain stocks, the precautionary principal should be followed.
- The roles and responsibilities (Islands, FCBES, LNV, Coast Guard, Marine Park Authorities, Fisheries Cooperatives) in fisheries are unclear, the plan should clarify these.
- The role of the marine national park authorities is missing from the plan, this should be included.
- The resources to execute the plan should be included.
- Add definition of “local management authority”.
- More responsibilities should be delegated to the Public Entities in the Fisheries Act BES.
- Add definition of “ecologically sustainable”.
- Enforcement should include all stakeholders on each island.
- There is an imbalance between the descriptive part and the actual management plan itself, the descriptive parts should be moved to the Annexes.
- The Commission requested LNV to take the lead in writing island-specific action plans and to involve the Public Entities for these plans. The island-specific action plans will then be added as Annex to the SFP.

Introduction

- Clarify the borders of the EEZ and the area that this plan regards.

Description of resource

- Identify potential interesting commercial species for the future.
- Include masbangu (Big Eyed Scads) as a commercial species.
- Queen conch is a commercial species, but also a protected species on Bonaire. Add it therefore also to protected species.
- Include sea urchins as protected species.

Description of fishery

- On Saba there are 9 fishermen, not 7. It is advised to make the plan more general in order to avoid the plan from being factually outdated quickly.
- “Off-the-rocks” fishing is permitted without a license on Saba for residents. This should be added here, as well as in the legislative chapter.
- The queen conch fishery on St. Eustatius was never closed. In 2014 the study by de Graaf showed the amount that can be harvested.

Problems in the fishery

- Change the word ‘problems’ in the title to ‘challenges’.

Description of legislative framework

- Add a hyperlink to the actual legislation or a direction on where to find it.
- Add more in-depth information on the Fisheries Decree BES (Visserijbesluit BES).
- Cross-reference the Nature and Environment Policy Plan
- Translate the upcoming revised legislation to English.
- The local fisheries ordinance of Saba is not valid anymore, and take out the second sentence in the island-legislation part on Saba.
- Add the marine environmental ordinance and marine environmental decree for St. Eustatius.
- Add the establishment of the Saba Bank National Park in the national legislation.
- Add the Saba Marine Park ordinance.
- Move all legislation to the Annexes.

Management objectives

- Break up sustainability in 3 items (the three pillars of sustainability).
- Bring back the vision that was in the previous version.

Measures

- Assessments of all current and potential fish stocks that are being fished on to allow for research based educated fisheries permit issuing.
- Add ecological impact study.
- Add the collection of relevant fisheries independent data.
- Define targets under resources. It was explained that these targets will be included in the island-specific action plans.
- Provide the establishment of a basis for a license system that can set additional conditions.
- Collect more data from fishermen, and find solutions to gather data from fishermen more efficiently.

- Add plastics and discarded gear to measure 5.
- Inclusion of fishermen in policy- and decision-making processes should be included as a measure.
- Include education and the non-commercial value of fisheries. Example text is “Achieve a fisheries sector that is educated and recognized”.

Next meeting date and venue

The next meeting is scheduled between 26-28 February 2020, and will be held on Bonaire.

The subsequent meeting is tentatively scheduled for the 1st week of November, and will be held on St. Eustatius.

Annex 1. Agenda

08:15	Registration of participants
08:30	Opening of the Meeting Welcome words: Mr. Jonathan Johnson – Governor of Saba Mr. Nico Visser – Chair of the Fisheries Commission BES Mr. Martijn Peijs – Ministry of Agriculture, Nature and Food Quality
08:45	Introduction of participants and observers
08:50	Adoption of the agenda
08:55	Review of status of recommendations and adoption of the report of the 9 th meeting
09:05	Island state of the fisheries reports
09:20	IUU and enforcement
09:30	Outcomes of regional meetings
09:50	Upcoming regional meetings
10:00	Coffee Break
10:30	Update LNV: Fisheries legislation, Yarari, Nature Policy Plan
11:00	Sustainable Fisheries Plan
12:00	Lunch
13:30	Sustainable Fisheries Plan (continued)
15:00	Coffee Break
15:30	Permit requests and concept legislation
16:30	FAO fisheries data reporting
16:40	Any other business
16:50	Summary: Recommendations and action points of the meeting
16:55	Next meeting date and venue
17:00	Closure of the Meeting

Annex 2. Meeting Participants

Present	Representing	Role	Comment
Nico Visser	Fisheries Commission BES	Chair	
Menno van der Velde	Saba	Member	
Monique James- Brown	St. Eustatius	Member	
Diego Marquez	Bonaire	(Acting) Member	
Yoei de Vries	LNV-Unit at RCN	Secretariat	
Paul Hoetjes	LNV-Unit at RCN	Secretariat	
Martijn Peijs	LNV	Secretariat	
Cynthia Devere	Coast Guard	Observer	
Jonathan Johnson	Saba	Island Governor of Saba	Formally opened the meeting on behalf of the government of Saba.
Roberto Levenstone	Coast Guard	Observer	
Ayumi Kuramae Izioka	Sababank Management Unit	Observer	
Bradley Johnson	Saba Fishermen Association	Observer	
Ryan Hassell	Saba Fishermen Association	Observer	
Dahlia Hassell	Supporting the Saba Fishermen Association	Observer	
Kai Wulf	SCF	Observer	
Pieter van Baren	WWF-NL	Observer	