

SUGGESTIONS ARISING FROM:

**RECOMMENDATIONS ON ADJUSTMENTS OF 2011/12 CATCH LIMITS AT
INACCESSIBLE AND NIGHTINGALE ISLANDS IN RESPONSE TO THE
IMPACTS OF SPILLS OF OIL AND SOYA AS A RESULT OF THE OLIVA
INCIDENT**

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Future monitoring of the situation at Nightingale, and in particular the catch rates obtained from further experimental fishing, can reduce the wide number of scenarios that can be put forward at the current time for the impacts of the oil and soya spill, and provide a basis for a decision in due course to re-open fishing at Nightingale. Ongoing insurance claim negotiations might therefore be appropriately structured in a manner that allows the results from such future monitoring to be taken into account as they become available (e.g. rather than to settle the claim immediately, instead negotiate to have a maximum possible claim sum placed in trust, and for the next few years claim losses against that annually as the situation about the extent of damage to the resource clarifies further, given these new data).

However the interpretation of the results of future monitoring data will not be straightforward, nor will the development of sound rules to determine from these data when the fishery at Nightingale might appropriately be re-opened. **We therefore recommend that a workshop of scientific experts on the situation be convened in the near future to deliberate how such monitoring data could best be utilised** to reduce the range of damage scenarios considered in Johnston and Butterworth (2011), and concomitantly give guidance on the choices amongst these scenarios that constitute the most appropriate basis upon which to set catch limits in the short term. It would be desirable to invite the Insurer's technical experts to attend this workshop, which could also provide an opportunity to discuss the basis for the computations of catch loss in Johnston and Butterworth (2011). There are many aspects of these computations which the insurers might wish to discuss further; if the proposed workshop could also be used to speed reaching finality on a number of these aspects, that would reduce the scope for further questioning of this nature, thus leading to a more time- and resource-efficient resolution process.