

1st Meeting of the Southern Indian Ocean Fisheries Agreement (SIOFA) Scientific
Committee

21-14 March 2015, Esplanade Hotel, Fremantle

SC-01-10 (03)

Draft CMM for the prohibition of deep water and large scale pelagic
drift nets in the SIOFA Area

Relates to agenda item: 10

Working paper info paper

Delegation of Australia

Abstract

Concerned by the impact that deep water and large scale pelagic drift nets can have on gillnets on fishery resources, bycatch species and deep sea habitats and ecosystems, Australia has prepared a draft conservation and management measure to prohibit the use of these nets in the SIOFA Area for the Scientific Committee's consideration. This CMM is supported by [SC-01-10 \(01\)](#), prepared by Australia, which sets out relevant scientific considerations.

Recommendations *(working papers only)*

1. That the Scientific Committee consider the scientific elements of this draft CMM before it is presented to the Meeting of the Parties.
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Australian Proposal

(Draft) Conservation and Management Measure on the Prohibition of the use of large-scale pelagic gillnets and deepwater gillnets in the Southern Indian Ocean Fisheries Agreement Area

Contracting Parties to the Southern Indian Ocean Fisheries Agreement;

CONCERNED by the impact of large-scale pelagic gillnets and deepwater gillnets on fishery resources, bycatch species and deep sea habitats and ecosystems, including the impact of lost and abandoned gillnets;

NOTING the relevance of UNGA Resolution 46/215 on *Large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas*, which calls for the implementation of UNGA resolutions 44/225 and 45/197 and for a global moratorium on all large-scale pelagic drift-net fishing on the high seas of the world's oceans;

FURTHER NOTING Resolution 61/105, adopted by the United Nations General Assembly (UNGA) at the 61st Plenary Meeting on 8 December 2006 and subsequent UNGA resolutions that call on States and regional fisheries management organisations to regulate bottom fisheries and implement measures in accordance with the precautionary approach and ecosystem approaches to fisheries management;

RECALLING that articles 6(c) and 6(d) of the Southern Indian Ocean Fisheries Agreement (the Agreement) call on Contracting Parties, in giving effect to the objectives of the Agreement, to evaluate the impact of fishing on the fishery resources and on the marine environment, taking into account the environmental and oceanographic characteristics of the Area and to adopt conservation and management measures (CMMs) necessary for ensuring the long-term conservation and sustainable use of the fishery resources in the Area;

RECOGNISING article 4(e) of the Agreement which requires Contracting Parties to apply the principle that fishing practices and management measures shall take due account of the need to minimise the harmful impact that fishing activities may have on the marine environment;

ADOPTS the following conservation and management measure in accordance with Articles 6 and 8 of the Agreement:

1. The use of large-scale pelagic driftnets¹ and all deepwater gillnets² in the Convention Area is prohibited.
2. Where a vessel who flies its flag seeks to transit the Area with any gillnet or gillnets on board, a Contracting Party, Cooperating non-Contracting Party (CNCP) or Participating Fishing Entity (PFE) shall provide the following information to the Secretariat:

¹ 'Large-scale pelagic driftnets' (drift gillnets) are defined as a gillnet or other net or a combination of nets which is more than 2.5 kilometres in length the purpose of which is to enmesh, entrap or entangle fish by drifting on the surface or in the water.

² 'Deepwater gillnets' (trammel net, set nets, anchored nets, sink nets) are defined as strings of single, double or triple netting walls, held vertically, on or near the bottom, in which fish will gill, entangle or enmesh. Deepwater gillnets consist of single or, less commonly, double or triple netting mounted together on the same frame ropes. Several types of nets may be combined in one gear. These nets can be used either alone or, as is more usual, in large numbers placed in line ('fleets' of nets). The gear can be set, anchored to the bottom or left drifting, free or connected with the vessel.

a. the dates that the vessel will enter and exit the Area, at least 36 hours prior to the vessel's entry into the Area and no later than 24 hours after its exit from the Area;

b. details of the type and length of gillnet/s to be carried on board;

c. if gillnets are lost or fall overboard; the date, time and position at which the gillnet/s were lost, and length in metres of the gillnet/s lost. This information must be provided as soon as possible, but no later than 48 hours after the gillnet/s are lost.

3. Nothing in this measure shall prevent Contracting Parties, CNCPs or PFEs from applying more stringent measures to regulate the use of large-scale pelagic driftnets or deepwater gillnets, or any other type of gillnet.

4. The Meeting of the Parties may take a decision at any time to regulate the use of additional types of gillnets in the Area taking into account any advice from the Scientific Committee].

5. Until a Compliance Monitoring Scheme is adopted by the Meeting of the Parties, each Contracting Party, CNCP and PFE shall provide a report on its implementation of this CMM to the Compliance Committee meeting in 2017. In the event that the Compliance Committee does not meet in 2017, implementation reports shall be provided to the 2017 ordinary Meeting of the Parties. In the case of States that are not yet Party to the Agreement, implementation reports shall be provided to the first Compliance Committee meeting after the Agreement enters into force for that State. CNCPs and PFEs shall provide implementation reports to the first Compliance Committee meeting after their CNCP status or PFE status becomes effective.