

CMM 2016/05

Conservation and Management Measure regarding the use of large-scale pelagic driftnets and deepwater gillnets in the Southern Indian Ocean Fisheries Agreement Area (Pelagic Driftnets and Deepwater Gillnets)

The Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement;

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

NOTING the relevance of United Nations General Assembly (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 driftnet fishing on the high seas of the world's oceans;

FURTHER NOTING Resolution 61/105, adopted by the 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 Article 6(1)(c) and (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 SIOFA Area of Application (the Agreement 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 Agreement Area; and

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 CMM in accordance with Article 6 of the Agreement:

1. The use of all large-scale pelagic driftnets¹ in the Agreement Area is prohibited for any vessel flying the flag of a Contracting Party, cooperating non-Contracting Party (CNCP) or participating fishing entity (PFE).
2. Contracting Parties, CNCPs and PFEs recommend that deepwater gillnets² not be used in the Agreement Area by any vessel flying the flag of a Contracting Party, CNCP or PFE until such time as the Meeting of the Parties has received a recommendation from the Scientific Committee.

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, usually on or near the seafloor, in which fish will gill, entangle or enmesh. 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.

3. Nothing in this measure shall prevent Contracting Parties, CNCPs or PFEs from applying more stringent measures to large-scale pelagic driftnets not covered by this CMM, or to deepwater gillnets.

4. 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 ordinary 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 a State or fishing entity that becomes a Contracting Party, CNCP or PFE after this CMM enters into force, implementation reports shall be provided to the first Compliance Committee meeting after the Agreement enters into force for that State or their CNCP status or PFE status becomes effective.