



## CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Resolution 9.18

Original: English

### BY-CATCH

Adopted by the Conference of the Parties at its Ninth Meeting (Rome 1-5 December 2008)

*Concerned* that despite considerable progress on implementing by-catch mitigation measures to reduce the adverse impacts of fishing on listed migratory species, by-catch still remains one of the major causes of mortality of listed migratory species from human activities in the marine environment;

*Noting* that different stakeholders apply different definitions of by-catch and that this may cause confusion and inconsistency in reporting bycatch and in the development and delivery of by-catch mitigation strategies;

*Further noting* the work already completed or underway under the auspices of CMS daughter agreements and other relevant bodies;

*Welcoming* the work underway through the implementation of Resolution 8.22 to identify gaps and overlaps between CMS and other relevant bodies with respect to their work on by-catch; and

*Recalling that* the Conference of the Parties adopted Resolutions 6.2 and 8.14 on by-catch with a view to stimulating remedial and pre-emptive measures by the Parties;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Invites* Parties to improve reporting of by-catch information and data in their CMS National Reports, or via their reports to CMS daughter Agreements, particularly on by-catch mitigation methods that have proved to be effective;
2. *Urges* Parties that have not already done so, to implement the United Nations Food and Agriculture Organization's *International Plan of Action (FAO IPOA) for Reducing the Impacts of Longline Fisheries on Seabirds*, *IPOA for the Conservation and Management of Sharks* and the *FAO Guidelines to reduce sea turtle mortality in fishing operations*, and to develop and implement national plans of action as required by the IPOAs;
3. *Strongly encourages* Parties, through their participation in relevant fora, for example through regional fisheries management organisations (RFMOs), to raise the serious and ongoing problem of by-catch of migratory species, especially as it refers to seabirds, sharks, marine

turtles and marine mammals, with a view to improving mitigation measures for the reduction of by-catch as well as improving data collection through, *inter alia*, independent observer programmes;

4. *Encourages* Parties to apply appropriate fisheries management measures to mitigate by-catch of migratory species;

5. *Further encourages* Parties to provide financial and technical support to developing countries for the mitigation of by-catch of species listed on the appendices of CMS, focussing on work with indigenous and local communities that depend on fisheries for their livelihoods;

6. *Invites* Parties to consider making voluntary contributions or provision of in-kind support for the work of the 2007-2010 Work Programme on By-catch;

7. *Requests* the Scientific Council to:

- (a) continue to identify emerging and best practice by-catch mitigation techniques as relevant to the Convention-listed species as a priority and in coordination with relevant international competent bodies in order to avoid the duplication of effort; and
- (b) consider any scientific and technical information submitted by Range States or other relevant bodies, relating to impacts on migratory species from by-catch, in particular CMS daughter agreements;

8. *Requests* the CMS Secretariat, taking into account information already made available by CMS daughter agreements and other relevant international fora, to investigate the feasibility of producing:

- (a) an assessment of the impact of fisheries by-catch and discarding on the conservation status of migratory species covered by the Convention;
- (b) a review to identify priority fisheries, regions and species that would benefit from cooperative action through the CMS and relevant activities; and
- (c) advice to the Standing Committee of the likely cost and completion date of such an assessment and review by no later than the next meeting of the Committee;

9. *Requests* the CMS Secretariat, in conjunction with CMS daughter agreements (to avoid duplication of effort), to write to relevant RFMOs and other competent international bodies, inviting them to share with the CMS Secretariat available information on:

- (a) migratory species by-catch policy and management;
- (b) migratory species by-catch in the fisheries for which they have responsibility;
- (c) assessments of the impacts by their respective fisheries on seabirds, sharks, turtles and cetaceans;
- (d) adoption of monitoring, control and surveillance measures on by-catch in the fisheries relevant to migratory species; and

- (e) best practices on the basis of the performance reviews that are underway;

and *requests* the CMS Secretariat to transmit this information to the Scientific Council;

10. *Instructs* the CMS Secretariat to make the information gathered under paragraph 7(a) readily accessible to all relevant range states for migratory species threatened by by-catch, *inter alia* to assist in the application of by-catch mitigation techniques relevant to migratory species and report progress to each Standing Committee meeting;

11. *Further requests* the CMS Secretariat to:

- (a) improve cooperation and communication between CMS and the FAO, in particular the Committee on Fisheries, by extending invitations to the FAO to attend relevant CMS meetings; and
- (b) communicate with, and consider the results of, other ongoing efforts to document by-catch in fisheries, for example Project GLoBAL (Global Bycatch Assessment of Long-Lived Species), which attempts to document by-catch of birds, marine turtles, marine mammals and migratory sharks; and

12. *Invites* the Secretariats of CMS and relevant daughter agreements to improve cooperation and communication on by-catch-related issues.