



# CONVENTION ON MIGRATORY SPECIES

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## BYCATCH OF CMS-LISTED SPECIES IN GILLNET FISHERIES

Adopted by the Conference of the Parties at its Tenth Meeting  
(Bergen, 20-25 November 2011)

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*Concerned* that despite the progress made so far by the Parties, bycatch remains a key threat to aquatic species, especially those listed on Appendix I and Appendix II of the Convention (including seabirds, fish, turtles and aquatic mammals) and that significant additional efforts are required to ensure that bycatch is reduced or controlled to levels that do not threaten the conservation status of these species;

*Recognizing* that Objective 2 of the CMS Strategic Plan 2006-2011 and its updated version for the period 2012-2014 is to “ensure that migratory species benefit from the best possible conservation measures”, and that migratory aquatic species in particular, due to the inherent connectivity of their dynamic habitats, can best be conserved through joint international cooperative efforts;

*Concerned* that migratory aquatic species face multiple, cumulative and often synergistic threats with possible effects over vast areas, such as bycatch of species, over-fishing, pollution, habitat destruction or degradation, marine noise impacts, hunting as well as climate change;

*Recalling* previous related decisions of the Conference of the Parties including Resolution 6.2, Recommendation 7.2, Resolution 8.14 and Resolution 9.18 on By-Catch;

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

*Recognizing* the important role of the FAO and where appropriate Regional Fisheries Management Organizations in reducing bycatch of CMS-listed species and *welcoming* the 2011 FAO International Guidelines on Bycatch Management and Reduction of Discards;

*Noting* that gillnets are widely used in both commercial and artisanal fisheries in all oceans of the world; and therefore *welcoming* the assessment of the impact of fisheries on CMS-listed species and the review to identify priority fisheries, regions and species and suitable mitigation measures called for in Resolution 9.18 and presented to the Conference in document UNEP/CMS/Inf.10.30;

*Aware* that there is a scarcity of information of the magnitude of gillnet fishing effort, bycatch incurred through this fishing method, the efficacy of mitigation measures, as well as abundance and distribution of many aquatic species listed on the CMS Appendices;

*Recognizing* that the taking of Appendix I shark species is prohibited under Article III (5) of the Convention; and

*Noting* that Section 3 paragraph 8 of the Shark MoU, to which a number of CMS Parties have acceded, provides that “sharks should be managed to allow for sustainable harvest where appropriate, through conservation and management measures based on the best available scientific information”, and that paragraph 13j of Section 4 of the Shark MoU encourages relevant bodies to set targets based on the best available science for fish quotas, fishing effort and other restrictions to help achieve sustainable use;

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

1. *Notes* the conclusions of the review presented to the Conference in document UNEP/CMS/Inf.10.30;
2. *Takes note* that the species most exposed to risk from gillnet fisheries are likely to include representatives of all aquatic taxonomic groups listed on the Appendices of the Convention;
3. *Further notes and encourages* Parties to implement the best practice approach and procedures outlined in the 1999 FAO International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds) and its related Best Practices Technical Guidelines, the 1999 FAO International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), the 2009 FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations and the 2011 FAO International Guidelines on Bycatch Management and Reduction of Discards;
4. *Urges* Parties to assess the risk of bycatch arising from their gillnet fisheries, as it relates to migratory species, including by using observer programmes and/or other methods, where appropriate, to implement best practice mitigation measures and to review regularly the effectiveness of their implementation of mitigation measures with a view to refining them if required;
5. *Encourages* Parties to conduct research to identify and improve mitigation measures, including use of alternative fishing gear and methods, to avoid or reduce bycatch where feasible, and subsequently promote their use and implementation;
6. *Encourages* stakeholders to consult experts on all taxa concerned to consider the potential effects on aquatic mammals, seabirds, marine turtles and sharks when choosing mitigation measures;
7. *Further encourages* all stakeholders to make full use of CMS agreements related to aquatic species and the particular expertise available within them related to bycatch of the taxonomic groups they deal with;
8. *Further encourages* Parties and *invites* other governments, fisheries and fisheries-related organizations and the private sector to facilitate collection of species-specific bycatch data and to share such data wherever possible;
9. *Requests* Parties to provide available information, including the results of bycatch risk assessments or mitigation research, to the Scientific Council to allow the Scientific Council,

upon request from one or several Parties, to identify and provide advice to them on best-practice mitigation techniques for each particular circumstance;

10. *Requests* the Secretariat, the Scientific Council and Parties to continue and increase efforts to collaborate with other relevant international fora and where appropriate the Regional Fisheries Management Organizations (RFMOs), with a view to avoiding duplication, increasing synergies and raising the profile of CMS and CMS agreements related to aquatic species in these fora;

11. *Calls upon* Parties to support the participation of representatives of the Secretariat and Scientific Council in relevant international fora through voluntary contributions;

12. *Further instructs* the Scientific Council to develop terms of reference for studies identifying the degree of interaction between gillnet fisheries and CMS-listed species, as well as identifying for each particular situation the most effective mitigation techniques, which should build upon and complement existing initiatives within the fisheries sector;

13. *Calls upon* Parties and *invites* other governments, partner organizations and the private sector to provide voluntary contributions for the execution of these follow-up reviews and to finance independent research on the effectiveness and further improvement of mitigation measures; and

14. *Reaffirms* Resolutions 6.2, 8.14 and 9.18 on By-Catch and *urges* Parties, the Scientific Council and the Secretariat to address outstanding or recurring actions.