**BYCATCH**

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*(Prepared by the Aquatic WG and the COW)*

DRAFT DECISION

**BYCATCH AND OTHER FISHERIES-INDUCED MORTALITY**

***Directed to Parties***

14.AA Parties are requested to:

1. take account of the Food and Agriculture Organization of the United Nations (FAO) Technical Guidelines to prevent and reduce bycatch of marine mammals in capture fisheries and the associated Technology Fact Sheets (2023) in addition to the best available scientific advice for the fisheries concerned, and implement effective bycatch mitigation measures for marine mammals, as appropriate to their fishing operations including the introduction of alternative gears;
2. apply the recommendations included in Drynan and Baker (2023), *Technical mitigation techniques to reduce bycatch of sharks,* provided in Annex 2 to UNEP/CMS/COP14/Doc.27.1.1, with emphasis on
3. applyingtailored solutions with timebound action plans for individual fisheries;
4. considering species specificity and management objectives including for individual fisheries;
5. balancing target catch and minimizing bycatch while accounting for unintended impacts;
6. techniques need to be assessed for the species and regions where they will be deployed, and the involvement of the fishing industry must be encouraged and actively sought early in the process;
7. if capture cannot be avoided, then efforts need to be made to allow escape prior to hauling in the gear;
8. if escape prior to hauling is not possible, efforts need to be made to reduce at-vessel mortality and increase post-release survival;
9. collecting detailed data on shark species movements and life history characteristics as a matter of priority;
10. capitalizing on the knowledge of and support from the fishing industry and fisheries management and advisory bodies, that are necessary for developing and deploying effective bycatch mitigation and post release survival strategies; and
11. supporting fishers to modify fishing techniques as well as ensuring appropriate regulatory measures with oversight, and adequate penalization for lack of compliance;
12. report to the Conference of the Parties at its 15th meeting on the implementation of Decision 14.AA b) through their National Reports.

***Directed to Parties that are Range States of the Baltic Proper Harbour Porpoise***

14.BB Parties that are Range States of the Baltic Proper Harbour Porpoise are requested to:

1. urgently implement time-bound action plans and measures for effective bycatch mitigation;
2. report to the Conference of the Parties at its 15th meeting on the implementation of Decision14.BB a) through their National Reports.

***Directed to the Scientific Council***

14.CC The Scientific Council is requested to, subject to the availability of external resources:

1. identify regions where reviews of relative levels of bycatch of CMS-listed marine mammals and marine turtles in commercial and artisanal fisheries would be a priority and/or beneficial; collaborate with all relevant organizations including fisheries management bodies to develop regional reviews with a view to reducing the levels of bycatch of all CMS-listed marine mammals and turtles in commercial and artisanal fisheries; identify and prioritize fisheries and areas in which adverse impacts of bycatch are highest for CMS-listed marine mammals and turtles cooperate with the relevant organizations, including fisheries bodies to develop the most appropriate bycatch mitigation measures for fisheries of highest priority; and develop appropriate bycatch mitigation measures with associated timebound action plans;
2. in collaboration with the IOSEA Marine Turtle MOU and, if possible, the Inter-American Convention for the Protection and Conservation of Sea Turtles and the Caribbean Environment Programme, review current knowledge about existing measures to reduce and mitigate bycatch of marine turtles for both commercial fisheries and artisanal fisheries, and make recommendations to Parties and the Signatory States of the IOSEA Marine Turtle MOU on the most effective and appropriate measures to reduce and mitigate bycatch, while ensuring that recommended measures do not act to the disadvantage of other CMS-listed marine species;
3. in collaboration with the Advisory Committee of the Sharks MOU, review and appraise current data and knowledge regarding the levels of fisheries-induced mortality of CMS- and Sharks MOU-listed shark and ray species and to prepare recommendations on reducing fisheries-induced mortality;
4. In collaboration with other relevant stakeholders, ensure cross-referencing with seabird bycatch work, to ensure consideration of cross-taxa implications, and identify opportunities for further collaboration on addressing fisheries-induced mortality across taxa;
5. to assess the experience gained from bycatch mitigation strategies of: marine mammals as developed for COP13, sharks and rays as developed for COP14, seabirds as developed by AEWA and the ACAP Seabird Bycatch Working Group in collaboration with CMS, and on marine turtles as developed as part of paragraph 14.CC b), and any new relevant scientific information which arises, prepare a synthesis report on all species and an update of Resolution 12.22 on Bycatch for COP15;
6. report to the Conference of the Parties at its 15th meeting on the progress in implementing Decisions 14.CC a) - c).

***Directed to the Secretariat***

14.DD The Secretariat shall, subject to the availability of external resources:

1. support the Scientific Council with the implementation of Decision 14.CC; and
2. engage with the International Whaling Commission (IWC), Food and Agriculture Organization (FAO) of the United Nations, Regional Fisheries Bodies (RFBs), and Regional Seas Conventions (RSCs) and Action Plans regarding bycatch of CMS-listed aquatic species.