



## CONVENTION ON MIGRATORY SPECIES

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### BY-CATCH

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Concerned* that by-catch remains one of the major causes of mortality of migratory species from human activities in the marine environment;

*Recognising that* by-catch has been highlighted as a priority threat to be mitigated in a number of CMS subsidiary agreements and memoranda of understanding;

*Noting* that the Sixth Meeting of the Conference of the Parties adopted Resolution 6.2 (By-catch) with a view to stimulating remedial measures by the Parties;

*Further noting* that the Seventh Meeting of the Conference of the Parties adopted Recommendation 7.2 (Implementation of Resolution 6.2 on by-catch) with a view to guiding implementation of Resolution 6.2;

*Recognising* that Article II of the Convention requires all Parties to take action to avoid migratory species from becoming endangered and that Article III requires parties to prevent, reduce or control factors that are endangering or are likely to further endanger species on Appendix I; and

*Concerned* that despite the progress made so far by the Parties, by-catch remains a key factor that is threatening many species listed on Appendix I and Appendix II of the Convention (including seabirds, sharks, turtles, marine mammals and sturgeons) and that significant additional efforts are required to ensure that by-catch is reduced or controlled to levels which are not threatening the conservation status of these species;

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

1. *Invites* CMS Parties to endorse the proposed FAO's 'Technical Guidelines on the Interaction Between Sea Turtles with Fisheries' at the 27<sup>th</sup> meeting of COFI, and in the meantime, implement, as appropriate, the by-catch elements of the draft guidelines as a priority;

2. *Calls on CMS Parties:*

- (a) to implement the FAO's 'International Plan Of Actions (IPOA) for reducing the impacts of longline fishing on Seabirds' and 'Sharks' and develop and implement national plans of action as required by those IPOAs;
- (b) to require the implementation of proven by-catch solutions for these areas of work;
- (c) that are also members of relevant Regional Fisheries Management Organisations (RFMOs) (e.g. ICCAT, IOTC, CCSBT, WCPFC) to work within those RFMOs to reduce by-catch in these fisheries through *inter alia* the development of by-catch action plans, independent observer schemes, assessments of the scale of the problem, awareness raising, and promoting technical mitigation; and
- (d) to agree to the appointment of a Scientific Councillor with expertise in by-catch to coordinate all of the work of the Scientific Council on by-catch;

3. *Requests the CMS Secretariat to:*

- (a) Source funds for:
  - i. a study to assist developing countries to determine relative levels of by-catch in their commercial and artisanal fisheries when they so require; and
  - ii. a series of specialist by-catch mitigation workshops in developing country Parties and non-Parties with substantial commercial fisheries in coordination with interested Parties;
- (b) report progress on these actions to the CMS Standing Committee;

4. *Requests the Scientific Council to:*

- (a) identify emerging and best practice techniques of by-catch mitigation as a priority in coordination with relevant international competent bodies in order to avoid the duplication of effort; and
- (b) make this information readily available to key range states for migratory species threatened by by-catch and report progress to the CMS Standing Committee; and

5. *Urges the secretariats of Agreements or Memoranda of Understanding which include actions to address by-catch (such as ACAP, ACCOBAMS, ASCOBANS, West African Marine Turtle MOU, and the IOSEA Marine Turtle MOU) to identify any range states not yet signatory to such arrangements and encourage such range states to become parties and/or signatories to these arrangements and report progress to the CMS Standing Committee at its 2007 and 2008 meetings.*