

11TH MEETING OF THE SPRFMO COMMISSION

Manta, Ecuador, 13 to 17 February 2023

COMM 11 – Prop 02

PROPOSAL TO:

<input checked="" type="checkbox"/> Amend <input type="checkbox"/> Create	CMM 08-2019 on Gillnets in the SPRFMO Convention Area
Submitted by: Secretariat	
<p>Summary of the proposal:</p> <p>Driftnets and Deepwater gillnets are prohibited in the Convention Area therefore it is important that adequate monitoring be in place for any vessels transiting SPRFMO with gillnets onboard. In this regard, the measures should be at least aligned with CMMs for other activities. Amendments to the language and information pertaining to the advance notification period and the VMS reporting requirements are proposed.</p> <p>In this case, it is proposed to increase the advance notification period of entry consistent with that required of Deepwater Species fishing vessels (CMM 03a – Deepwater Species) apply the concept of “continuously monitoring the movements and activities of fishing vessels” (CMM 06 – Commission VMS) to vessels transiting the Convention Area carrying gillnets and increase the frequency of such reports to every hour in line with common practice and as per the current Bottom Fishing CMM (CMM 03-2022).</p> <p>An explicit link to the ALDFG provisions in CMM 17 is proposed along with the introduction of a “review clause” to the CMM (currently there isn’t one).</p>	
<p>Objective of the proposal:</p> <ul style="list-style-type: none"> - Increase the advance notification period to 72 hours prior to entry into the Convention area. - Require automatic hourly VMS updates in “near real time” if possible (with the manual reporting clauses of CMM 06 applicable when not possible) when in the Convention Area. - Align the CMM with the ALDFG process described in CMM 17 - Add an “as needed” review clause to the measure. 	
<p>Has the proposal financial impacts or influence on the Secretariat work? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
Ref: COMM11-PROP02	Received on: 23 December 2022

CMM 08-2023

Conservation and Management Measures for Gillnets in the SPRFMO Convention Area

The Commission of the South Pacific Regional Fisheries Management Organisation;

RECOGNISING that the Convention calls on the Commission, in giving effect to the objectives of the Convention, to adopt Conservation and Management Measures (CMMs) that take account of international best practices and protect the marine ecosystem, particularly ecosystems with long recovery times following disturbance, from significant adverse impact of unregulated and unmanaged fishing practices (Articles 3(1)(a)(i) and (vii) and 20(1)(d));

FURTHER RECOGNISING Article 3(1)(b) and (2) which calls on the Commission to apply the precautionary approach and ecosystem based approach to fisheries under the mandate of the Convention;

MINDFUL of Article 31(1) of the Convention that calls on the Commission to cooperate with other regional fisheries management organisations (RFMOs), the FAO and other specialised agencies of the United Nations and other relevant organisations on issues of mutual interest;

RECALLING that Parties to the 8th International Consultation on the establishment of the South Pacific RFMO (November 2009) adopted an interim measure for deepwater gillnet fishing in the Convention Area which came into effect on 1 February 2010;

NOTING Resolution 61/105, adopted by UNGA at the 61st Plenary Meeting on 8 December 2006 and subsequent resolutions of the United Nations General Assembly (UNGA) 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;

FURTHER NOTING Resolution 46/215 *Large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas* adopted by the UNGA at the 79th Plenary Meeting in 1991;

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

hereby *ADOPTS* the following CMM in accordance with Articles 8 and 20 of the Convention:

Gillnets

1. Members and CNCPs shall prohibit vessels flying their flag from using large-scale pelagic driftnets¹ and all deepwater gillnets² in the Convention Area.
2. Members and CNCPs whose flagged vessels seek to transit the Convention Area with gillnets onboard shall:
 - a) Give at least 72 hours advanced notice to the Secretariat prior to entering the Convention Area. In particular, Members shall report the expected entry and exit dates and length of gillnet carried onboard;
 - b) Ensure their vessels operate a vessel monitoring system polling at least once every hour while in the Convention Area;

¹ 'Large-scale pelagic driftnets' 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' (including trammel net, set nets, anchored nets, sink nets) are defined as strings of single, double or triple netting walls, held vertically, on or near the bottom, in which fish will gill, entangle or enmesh. Deepwater gillnets consist of single or, less commonly, double or triple netting mounted together on the same frame ropes. 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.



- c) Submit VMS position reports automatically to their FMC while transiting the Convention Area,
 - d) Ensure their FMC automatically forwards VMS reports to the SPRFMO FMC at an interval not less frequent than hourly ;
 - e) In situations where automatic reporting is not possible, ensures that the “Procedures for Manual Reporting”, as outlined in CMM 06 (Commission VMS), are applied; and
 - f) If gillnets are accidentally lost and/or abandoned overboard, report the date, time, position (using WGS84) and length (metres) of gillnets lost to the Executive Secretary as soon as possible and within 48 hours of the gear being lost using the process described for ALDFG³ in CMM 17 (Marine pollution).
3. This CMM shall be reviewed by the Commission as needed.

³ Abandoned, Lost or Otherwise Discarded Fishing Gear