

CMM 1.02

Conservation and Management Measure 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 Conservation and Management Measure in accordance with Articles 8 and 20 of the Convention:

1. Members shall require that vessels flying their flag prohibit the use of large-scale pelagic driftnets¹ and all deepwater gillnets² in the Convention Area.

¹ 'Large-scale pelagic driftnets' (drift gillnets) 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' (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.

2. Members whose flagged vessels seek to transit the Convention Area with gillnets onboard shall:
 - a) Give at least 36 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 once every two hours while in the Convention Area;
 - c) Submit VMS position reports to the Secretariat within 30 days of the vessel leaving the Convention Area; and
 - d) If gillnets are accidentally lost or fall overboard from the vessel, report the date, time, position (using WGS84) and length (metres) of gillnets lost to the Secretariat as soon as possible and within 48 hours of the gear being lost.