



ON THE PROHIBITION TO USE LARGE-SCALE DRIFTNETS IN THE IOTC AREA

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Explanatory Memorandum

Driftnets fishing of net lengths of tens of kilometres began to be used in the late 1970s and 1980s. These large-scale driftnets resulted in significantly increased amounts of incidental mortality of protected species including, in particular, cetaceans, sea turtles and sharks. This led to international concerns about the environmental impacts of this fishing method.

In the early 90s, specific United Nations General Assembly (UNGA) Resolutions¹ called for a moratorium on large-scale pelagic driftnet fishing on the High Seas.

The IOTC Scientific Committee, in the report from its 19th Session (December 2016), has noted that gillnets are regularly being used with lengths between 4 and 7 km. These gillnets may drift sometimes onto the high seas in contravention of Resolution 12/12. The Scientific Committee reiterated its recommendation that the Commission should consider a ban on large scale gillnets also in IOTC CPC Exclusive Economic Zones (EEZs), and recalled the negative ecological impacts of such large scale drifting gillnets in areas frequented by marine mammals and turtles.

In view of that recommendation of the IOTC Scientific Committee, this proposal intends to replace Resolution 12/12 by extending its scope beyond the high seas, to IOTC CPC EEZs.

¹ United Nations General Assembly Resolutions: 44/225 of 22 December 1989; 45/197 of 21 December 1990; 46/215 of 20 December 1991

RESOLUTION 17/XX

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Keywords: large-scale driftnets, gillnets, EEZ, cetaceans, marine mammals

The Indian Ocean Tuna Commission (IOTC),

RECALLING that the United Nations General Assembly (UNGA) Resolution 46/215 calls for a global moratorium on large-scale high seas driftnet fishing and that IOTC Resolution 12/12 prohibits the use of large-scale driftnets on the high seas in the IOTC; and also that both texts recognize the negative impact of such fishing gears;

NOTING that a high number of vessels continue to engage are engaged in large-scale high seas driftnet fishing in the Indian Ocean area (IOTC area of competence); continental shelf and offshore waters of several CPCs;

MINDFUL that any vessel fishing with large-scale driftnets on the high seas in the IOTC area of competence, or configured to conduct large-scale high seas driftnet operations, has fisheries have a major impact in the ecosystems, the capacity to take catch species of concern to the IOTC, and is also that they are likely to undermine the effectiveness of IOTC Conservation and Management Measures;

NOTING with concern that recent information indicates that such vessels are interacting more frequently with highly migratory, in addition to ecologically important species, such as tunas, swordfish, sharks, cetaceans (whales and other species covered by the IOTC Agreement; dolphins), turtles and that associated "ghost fishing" by lost or discarded elasmobranchs (sharks, mobulid rays and whale sharks), a number of commercially important finfish species are also caught by large scale driftnets have serious detrimental effects, i.e. predominantly billfishes, Spanish mackerels, queen fishes and dolphinfishes;

TAKING INTO ACCOUNT the available scientific information and advice, in particular the IOTC Scientific Committee conclusions establishing that billfishes and Spanish mackerels are overexploited;

NOTING that drifting gillnets are regularly being used with lengths in excess of 4,000 m (and up to 7,000 m) within and occasionally into the high seas, and that those used within the EEZ may sometimes drift onto the high seas in contravention of Resolution 12/12;

Furthermore, NOTING that the SC reiterated its previous recommendation that the Commission should consider whether a ban on large scale drifting gillnets should also apply within IOTC CPC EEZs because it would be especially important to avoid the negative ecological impacts of large scale drifting gillnets in areas frequented by marine mammals and turtles;

ADOPTS₂ in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

1. The use of large-scale driftnets²³ on the high seas within the IOTC area of competence shall be prohibited by 2019.
2. Each Contracting Party and Cooperating Non-Contracting party (hereinafter referred to as CPCs) shall take all measures necessary to prohibit their fishing vessels from using large-scale driftnets while on the high seas in the IOTC area of competence. before the 1st January 2019.

³ "Large-scale driftnets" are defined as gillnets or other nets or a combination of nets that are more than 2.5 kilometres in length whose purpose is to enmesh, entrap, or entangle fish by drifting on the surface of, or in, the water column.



- ~~3.~~ A CPC-flagged fishing vessel will be presumed to have used large-scale driftnets ~~on the high seas in the IOTC area of competence if it is found operating on the high seas in the IOTC area of competence and is configured⁴ to use:~~
- a) ~~with large-scale driftnets; or with assembled gear, collectively with a length of more than 2.5 km.; and/or~~
 - b) ~~has on board large-scale driftnets and/or assembled gear that collectively would allow the vessel to deploy and retrieve large-scale driftnets.~~
- ~~4.~~ For the purposes of monitoring the implementation of this Resolution, CPCs must communicate the CPC-flagged vessel ~~duly authorised to use~~ using large-scale driftnets in their EEZs. ~~While on before the high seas~~ ~~31st of December 2017.~~
- ~~3.5.~~ The Scientific Committee will assess ~~in the IOTC area of competence all of such driftnets and related fishing equipment shall be stowed or secured~~ ~~2018~~ the possibility to recommend exemptions to this prohibition in such a manner that they are not readily available to be used for fishing ~~the CPC's Exclusive Economic Zones (EEZs) attending the selectivity of certain fisheries carried out with large-scale driftnets.~~
- ~~4.6.5.~~ —CPCs shall include in their Annual Reports a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing ~~on the high seas in the IOTC area of competence.~~
- ~~6.~~ The IOTC shall periodically assess whether additional measures should be adopted and implemented to ensure that large-scale driftnets are not used ~~on the high seas in the IOTC area of competence.~~ The first such assessment shall take place ~~in 2013.~~
- ~~7.~~ Nothing in this measure shall prevent CPCs from applying more stringent measures to regulate the use of large-scale driftnets.
- ~~7.~~ This Resolution shall be revised in 2020 to take into account the latest advice of the Scientific Committee.
- ~~5.8.~~ This Resolution supersedes Resolution ~~09/05~~ ~~12/12~~ to prohibit the use of large-scale driftnets on the high seas in the IOTC area.