



COMMISSION
SIXTEENTH REGULAR SESSION
Port Moresby, Papua New Guinea
4 – 11 December 2019

**PROPOSED AMENDMENTS TO CONSERVATION AND MANAGEMENT
MEASURE FOR PROTECTION OF CETACEANS FROM PURSE SEINE FISHING
OPERATIONS(CMM 2011-03)**

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REPUBLIC OF KOREA

Proposed Amendments to Conservation and Management Measure for Protection of Cetaceans from Purse Seine Fishing Operations(CMM 2011-03)

I. Explanatory Note

According to a technical paper by FAO(Bycatch in longline fisheries for tuna and tuna-like species : A global review of status and mitigation measures), marine mammals such as cetaceans and seals are known to interact with longline gear although information on marine mammal interaction with longline fisheries is limited. WCPFC has Conservation and Management Measure for protection of cetaceans from purse seine fishing operations(CMM 2011-03) but there are no management measures that pertain to the issue of operational interactions between marine mammals and longline fisheries.

There is no specific advice from Scientific Committee on the population of cetacean species or bycatch mitigation measure but we believe this is due to lack of information and data on cetacean interactions with longline fisheries as well as purse seine fisheries. Therefore, it is crucial for the Commission to collect as much information and data as possible while protecting all cetacean species to the extent practicable, as a precautionary and comprehensive ecosystem approach. Korea believes that, once a certain amount of information and data are accumulated at some point in future, the SC may produce specific recommendations for cetaceans by species, preferably.

In this context, this proposal seeks to expand the scope of application of CMM 2011-03 to longline fisheries. Since no fishery under the purview of WCPFC is known to target cetaceans, we don't believe that this new obligation would create practical difficulties for CCMs of WCPFC. If this proposal is adopted, CMM 2011-03 shall remain in force until the entry into force of this new CMM.

II. Consideration of CMM 2013-06

a. Who is required to implement the proposal?

This proposal applies to all CCMs that have tuna longliners and/or purse seiners fishing in Western Central Pacific Ocean.

b. Which CCMs would this proposal impact and in what ways and what proportion?

No fishery under the purview of WCPFC is known to target cetaceans so this proposal would have very little or no impact on any CCMs.

c. Are there linkages with other proposals or instruments in other Regional Fisheries Management Organizations or international organizations that reduce the burden of implementation?

No, there aren't.

d. Does the proposal affect development opportunities of SIDS?

No, this proposal does not affect development opportunities of SIDS.

e. Does the proposal affect SIDS domestic access to resources and development aspirations?

No, this proposal does not affect SIDS domestic access to resources or development aspirations.

f. What sources, including financial and human capacity, are needed by SIDS to implement the proposal?

No resources are required for SIDS to implement this CMM.

g. What mitigation measures are included in the proposal?

No mitigation measures are included.

h. What assistant mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?

This proposal does not place a disproportionate burden on SIDS.



EIGHTH ~~SIXTEENTH~~ REGULAR SESSION
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~~26-30 March 2012~~ **4-11 December, 2019**

**CONSERVATION AND MANAGEMENT MEASURE FOR PROTECTION OF
CETACEANS FROM PURSE SEINE FISHING OPERATIONS**

Conservation and Management Measure ~~2011-03~~ 2019-XX

The Western and Central Pacific Fisheries Commission;

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention);

Recognising the ecological and cultural significance of cetaceans in the Western and Central Pacific Ocean (WCPO);

Mindful that cetaceans are particularly vulnerable to being encircled by purse seine nets, due to the propensity of tuna to form schools around them, or for toothed cetaceans to be attracted to the same prey as tuna;

Aware that pelagic longline fishing grounds overlap with the distributions of most cetacean species and that cetacean interactions with longline fisheries do take place in the Convention Area;

Committed to ensuring that potential impacts on the sustainability of cetaceans from accidental mortality through purse seine **and longline** operations are mitigated;

Required, by Articles 5(d) and (e) of the Convention, to adopt management arrangements for cetaceans as non-target and associated or dependent species, as they are incidentally caught by purse-seine **and longline** fisheries in the WCPO.

Further Required, by Articles 5(f) of the Convention, to adopt measures to minimize catch of non-target species, both fish and non-fish species, and to protect biodiversity in the marine environment;

Acknowledging that the conservation of these species depends on co-operative and coordinated activity at the international level, and that Regional Fisheries Management Organisations play an integral role in mitigating the impacts of fishing on these species;

Alarmed by observer reports on fishing activities by vessels flagged to Members, Co-operating Non-Members and Participating Territories that indicate a number of instances of interactions with these species, and instances of misreporting of such interactions in logbooks;

Adopts the following Conservation and Management Measure in accordance with Article 10 of the Convention:

1. CCMs shall prohibit their flagged vessels from setting a purse seine net on a school of tuna associated with a cetacean in the high seas and exclusive economic zones of the Convention Area, if the animal is sighted prior to commencement of the set.
2. CCMs shall require that, in the event that a cetacean is unintentionally encircled in the purse seine net, the master of the vessel shall:
 - (a) ensure that all reasonable steps are taken to ensure its safe release. This shall include stopping the net roll and not recommencing fishing operation until the animal has been released and is no longer at risk of recapture; and
 - (b) report the incident to the relevant authority of the flag State, including details of the species (if known) and number of individuals, location and date of such encirclement, steps taken to ensure safe release, and an assessment of the life status of the animal on release (including, if possible, whether the animal was released alive but subsequently died).

~~3. CCMs shall prohibit all longline vessels flying their flag from retaining onboard any part or whole carcass of cetaceans in the Convention Area.~~

~~4. CCMs shall require that, in the event that a cetacean is incidentally hooked on or entangled with longline gear, the master of the vessel shall :-~~

~~(a) ensure and supervise the prompt and safe release of the individual; and-~~

~~(b) report the incident to the relevant authority of the flag State, including details of the species (if known) and number of individuals, location and date of such incidents, steps taken to ensure safe release, and an assessment of the life status of the animal on release (including, if possible, whether the animal was released~~

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~~alive but subsequently died).~~

3. CCMs shall prohibit ~~purse seine and longline~~ vessels flying their flag and ~~purse seine and longline~~ vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any cetacean caught in the Convention Area, in whole or in part, in the fisheries covered by the Convention.

4. CCMs shall require all ~~longline vessels flying their flag and longline vessels under charter arrangements to the CCM~~ to release any cetacean that is caught in the Convention Area as soon as possible, and to do so in a manner that results in as little harm to the cetacean as possible.

5. CCMs shall estimate, through data collected from observer programs and other means, the number of releases of cetacean caught in the Convention Area, including the status upon release (dead or alive), and report this information to the WCPFC in Part 1 of their Annual Reports. Each CCM shall submit data on interactions with cetaceans in accordance with Scientific Data to be Provided to the Commission (WCPFC Key Document Data-01) and the requirements for provision of ROP data. SC16 is requested to provide advice on a revision to the Scientific Data to be Provided to the Commission relating to cetaceans.

6. In taking steps to ensure the safe release of the cetacean as required under paragraph 2(a) and ~~4(a)~~4, CCMs shall require the master of the vessel to follow any guidelines adopted by the Commission for the purpose of this measure. The Commission tasks SC16 to develop and recommend best handling practices for the safe release of cetaceans, taking into account existing standards or guidelines adopted in other fora, for consideration at WCPFC17 in 2020.

7. In applying steps under paragraphs 2(a), ~~4(a)~~ and ~~3~~4, the safety of the crew shall remain paramount.

~~8. CCMs are encouraged to provide their purse seine and longline operators with outreach and education on the protection of cetaceans in the Convention Area.~~

9. CCMs shall include in their Part 1 Annual Report any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels, reported under paragraph 2(b) ~~and 4(b)~~.

10. The Secretariat shall report on the implementation of this conservation and management measure on the basis of observer reports, as part of the Annual Report on the Regional Observer Programme.

Comment [USA1]: If members feel it is more appropriate, this could be reflected as a decision by the Commission and not included in the measure itself.

11. The Commission tasks the Scientific Services Provider to review data available via the Regional Observer Program and the Scientific Data to be Provided to the Commission and identify any additional data requirements necessary to undertake an assessment of the effects of fishing on cetaceans.

Comment [USA2]: If members feel it is more appropriate, this could be reflected as a decision by the Commission and not included in the measure itself.

12. The Commission tasks the Scientific Committee to consider information provided by SPC on the effects of fishing on cetaceans and to advise the Commission on the feasibility and schedule of an assessment for cetaceans.

Comment [USA3]: If members feel it is more appropriate, this could be reflected as a decision by the Commission and not included in the measure itself.

13. This Conservation and Management Measure shall enter into force on ~~January 1, 2013~~.
[July 1, 2020].