



FIFTH REGULAR SESSION

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**DRAFT CONSERVATION AND MANAGEMENT MEASURE TO PROHIBIT THE USE
OF LARGE SCALE DRIFTNETS ON THE HIGH SEAS IN THE CONVENTION AREA**

WCPFC5-2008/DP07 (Rev.1)

10 December 2008

Proposal by the United States

The Western and Central Pacific Fisheries Commission (WCPFC);

Recalling that the United Nations General Assembly (UNGA) Resolution 46/215 calls for a global moratorium on large-scale high seas driftnet fishing and the Wellington Convention seeks to prohibit driftnet fishing activities in its convention area;

Noting that a number of vessels continue to engage in large-scale high seas driftnet fishing in the North Pacific Ocean, including within the Western and Central Pacific Fisheries Convention area (Convention Area);

Mindful that any vessel fishing with large-scale driftnets on the high seas in the Convention Area, or configured to conduct large-scale high seas driftnet operations, has the capacity to take species of concern to the WCPFC and is likely to undermine the effectiveness of Conservation and Management Measures (CMMs) adopted by the WCPFC;

Noting with concern that recent information indicates that such vessels are interacting more frequently with highly migratory species, such as tunas, swordfish, sharks, and other species covered by the Convention; and that associated “ghost fishing” by lost or discarded driftnets have serious detrimental effects on these species of concern and the marine environment;

Aware that the WCPFC Northern Committee in its 4th Regular Session recommended that the WCPFC adopt a CMM prohibiting large-scale high seas driftnet fishing in the Convention Area;

Adopts the following CMM in accordance with Article 10 of the Convention:

1. The use of large-scale driftnets¹ on the high seas within the Convention Area shall be prohibited and such nets shall be considered prohibited fishing gear, the use of which shall constitute a serious violation in accordance with Article 25 of the Convention.
2. CCMs shall take all measures necessary to prohibit their fishing vessels from using large-scale driftnets while on the high seas in the Convention Area.
3. A CCM-flagged fishing vessel will be presumed to have used large-scale driftnets on the high seas in the Convention Area if it is found operating on the high seas in the Convention Area and is configured² to use large-scale driftnets or is in possession of large-scale drift-nets.
4. Paragraph 3 is not intended to apply to a CCM-flagged vessel that can demonstrate that it is duly authorized to use large-scale driftnets in waters under national jurisdiction and while on the high seas in the Convention Area all of its large-scale driftnets and related fishing equipment are stowed or secured in such a manner that they are not readily available to be used for fishing.
5. CCMs shall include in Part 2 of their Annual Reports a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing on the high seas in the Convention Area.
6. The WCPFC 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 Convention Area.
7. Nothing in this measure shall prevent CCMs from applying more stringent measures to regulate the use of large-scale driftnets.

¹ “Large-scale driftnets” are defined as gillnets or other nets or a combination of nets that are more than 2.5 kilometers in length whose purpose is to enmesh, entrap, or entangle fish by drifting on the surface of, or in, the water column.

² “Configured” to use large-scale drift-nets means having on board gear, either assembled or disassembled, that collectively would allow the vessel to deploy and retrieve large-scale driftnets.