

2.65 Incidental capture of marine turtles by pelagic longline fisheries

RECALLING Resolution 1.16 *Fisheries by-catch*, which was adopted by the 1st Session of the World Conservation Congress (Montreal, 1996) and Recommendation 19.61 *By-catch of non-target species*, which was adopted by the 19th Session of the IUCN General Assembly (Buenos Aires, 1994);

ACKNOWLEDGING the provisions of the UN Convention on the Law of the Sea (UNCLOS) of 10 December 1982, including:

- (a) Part V, Article 61, paragraph 4, relating to the obligations of States to consider the effects of fishing operations on “...species associated with or dependent upon harvested species with a view to maintaining or restoring populations of such associated or dependent species above levels at which their reproduction may become seriously threatened”;
- (b) Part V, Article 63, paragraphs 1 and 2, which instruct States to cooperate in the conservation of the same stock or stocks of associated species occurring within the exclusive economic zones of two or more coastal States or both within the exclusive economic zone and in an area beyond and adjacent to it; and
- (c) Part VII, Section 2,1 Articles 116 through 119 which provide obligations to States in relation to *Conservation and Management of the Living Resources of the High Seas*;

RECOGNIZING Article 8(c) of the Convention on Biological Diversity which instructs Parties to:

“Regulate or manage biological resources important for the conservation of biological diversity whether within or outside protected areas, with a view to ensuring their conservation and sustainable use”, and Article 8(f) which impels parties to “promote the recovery of threatened species, *inter alia*, through the development and implementation of plans or other management strategies”;

NOTING that the Convention on the Conservation of Migratory Species of Wild Animals (CMS or Bonn Convention) states in Article II, paragraph 1 that:

“Parties acknowledge the importance of migratory species being conserved and of Range States agreeing to take action to this end whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in cooperation appropriate and necessary steps to conserve such species and their habitat”;

FURTHER NOTING that the 6th Conference of Parties to CMS (Bonn Convention), in Resolution 6.2 (By-catch), *inter alia*:

“Requests all Parties, as a matter of gravity, to continue and strengthen measures with fisheries under their control, to minimize as far as possible the incidental mortality of migratory species listed in Appendices I and II, including sea birds, marine turtles, and cetaceans”;

AWARE of the UN *Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks*, that requires (according to Article 5, paragraph f) coastal States and States fishing on the high seas to:

“minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species ... and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques”;

RECOGNIZING the endangered status of marine turtles, as listed in CITES and the IUCN Red List, and the broad range of threats, which include overexploitation, habitat loss, and fisheries by-catch;

ACKNOWLEDGING that marine turtles are slow-growing, slow-to-mature, long-lived, have low juvenile survival and thus may take decades to recover once human-induced sources of mortality are significantly reduced;

CONSIDERING that pelagic longline fishing has been shown to cause long-term harm to populations of some non-target species, especially marine turtles;

OBSERVING that marine turtles are captured worldwide in the lines and hooks of pelagic longlines and this number has not been adequately quantified, but is estimated to be at least tens of thousands of turtles annually;

RECOGNIZING that the incidental hooking or entanglement of marine turtles by pelagic longlines routinely results in their injury and subsequent death, either immediately observed or after release;

GREATLY CONCERNED that the incidental capture of marine turtles by pelagic longline fisheries has contributed significantly to the decline and near-extinction of several populations (e.g. Pacific populations of Leatherback Turtle *Dermochelys coriacea*) and is impeding the recovery of marine turtle populations worldwide, and thus undermines decades of conservation efforts and investments undertaken by many nations, organizations, and individuals;

APPLAUDING the United Nations Food and Agriculture Organization’s (FAO) Committee on Fisheries (COFI) for recognizing the adverse impact of pelagic longline fishing on seabirds worldwide and for developing, under the *Code of Conduct for Responsible Fisheries*, and *International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries* (IPOA–Seabirds);

NOTING that each member State of COFI has agreed to develop a *National Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries* (NPOA–Seabirds) that will require mitigation measures to decrease the incidental catch of seabirds;

NOTING that mitigation measures have been developed and proposed to reduce seabird by-catch in longline fisheries, and emphasizing that such measures should not adversely affect marine turtles;

AWARE that no gear/technological solution currently exists to mitigate the incidental capture of marine turtles by pelagic longline fisheries;

NOTING that the impact of Illegal, Unregulated and Unreported (IUU) fishing on marine turtles is not known; and

ALSO NOTING that the incidental catch of marine turtles may have an adverse impact on fishing activities;

The World Conservation Congress at its 2nd Session in Amman, Jordan, 4–11 October 2000:

1. IMPLORES the FAO, in cooperation with IUCN members, States and regional fisheries bodies, to conduct a technical consultation to assess the magnitude of the incidental catch and mortality of marine turtles in pelagic longline fisheries worldwide;
2. URGES the FAO–COFI:
 - (a) to advise forthwith all nations and agencies involved in developing NPOA–Seabirds and similar initiatives that the incidental capture of marine turtles by longline fisheries is a serious threat to the survival of some populations of these reptiles in our world’s oceans, and thus the FAO, and all States and regional fishery organizations should develop collaborative and integrated efforts to ensure that such initiatives are consistent with each other and mitigation measures for some species do not negatively impact other species; and
 - (b) in cooperation with IUCN members, States, regional fishery organizations and other relevant intergovernmental organizations, to develop expeditiously an *International Plan of Action for Reducing Incidental Catch of Marine Turtles in Longline Fisheries* based on the assessment advocated in paragraph 1 which should be integrated fully with similar initiatives focused on other species, including the IPOA–Seabirds;
3. CALLS UPON States and other interested parties to support FAO in undertaking these initiatives;
4. EXHORTS, in accordance with the legal obligations derived from the instruments mentioned herein, all States and regional fishery bodies to take all possible measures to immediately assess the magnitude of the incidental capture of marine turtles in pelagic longline fisheries worldwide and to reduce the capture of marine turtles to the lowest possible levels;
5. REQUESTS that the FAO and IUCN members inform the Director General prior to, or at, the 3rd Session of the World Conservation Congress on progress made toward evaluating and reducing incidental marine turtle mortality;

6. CALLS ON the Director General to report on the progress made toward implementing this Resolution at the 3rd Session of the World Conservation Congress and make further recommendations, as appropriate and necessary, to implement fully this Resolution.