

19.61 By-Catch of Non-Target Species

RECALLING Recommendations 18.35 and 18.36 of the 18th Session of the General Assembly;

ALSO RECALLING the provisions of the UN Convention on the Law of the Sea (UNCLOS), including Article 119(b), relating to the obligation 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;

AWARE that fisheries often incur a by-catch of marine mammals, reptiles particularly turtles, seabirds and other species, which may significantly reduce the breeding populations of these species and increase the risk of irreversible damage to them;

CONCERNED in particular that for a number of marine species, including the vaquita and wandering albatross, current rates of by-catch appear to be seriously threatening the reproduction, and possibly even the survival, of the species;

NOTING that in many cases little information is available from commercial fishing operations with which to assess the magnitude of by-catch of non-target species;

RECOGNIZING the progress made by the Inter-American Tropical Tuna Commission in greatly reducing the mortality of dolphins incidental to the purse-seine fishery for yellow fin tuna in the Eastern Tropical Pacific Ocean;

APPRECIATIVE of the withdrawal of several distant water fishing nations from large scale driftnet fishing on the high seas, in compliance with Resolutions 44/225, 45/197 and 46/215 of the UN General Assembly;

The General Assembly of IUCN - The World Conservation Union, at its 19th Session in Buenos Aires, Argentina, 17-26 January 1994;

1. CALLS UPON all coastal and fishing States and regional fisheries organizations to implement or enhance data collection, monitoring and reporting on by-catches of non-target species including seabirds, marine mammals, reptiles particularly turtles, and other species in their respective fishing operations, both within Exclusive Economic Zones and on the High Seas;
2. URGES scientists from coastal States, distant water fishing nations and regional fisheries and wildlife conservation organizations to share data and conduct analyses of the impact on non-target species as a component of target fisheries assessments;
3. SUPPORTS cooperation by States and regional organizations to develop or improve devices, including modifications of fishing practices, to minimize catches of non-target species, especially

where non-target species are threatened;

4. URGES organizations and States to require fishing vessels to adopt all reasonable measures to minimize the by-catch of non-target species, including if necessary limiting the catch of target species, to maintain dependent species above levels at which their reproduction may become seriously threatened;
5. URGES the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks to develop a convention to ensure the sustainable management and conservation of fisheries including measures to minimize the by-catch of non-target species.

Note. An amendment to replace "a convention" in Operative Paragraph 5 by "an appropriate legal instrument" was rejected by a show of hands. The Recommendation was then adopted by consensus. On behalf of the European Union and its Member States, the delegation of the State member Greece indicated that had there been a vote, the delegations of those States present would have abstained; they were fully in favour of the objectives of the Recommendation but could not accept the agreed wording of Operative Paragraph 5. The delegation of the State member Denmark (a Member State of the European Union) asked that its reservation along these lines also be noted. The delegation of the State member Norway indicated that had there been a vote, the delegation would have abstained.

