

**ST. GEORGE'S DECLARATION ON CONSERVATION,
MANAGEMENT AND SUSTAINABLE USE OF THE CARIBBEAN
SPINY LOBSTER (*PANULIRUS ARGUS*)**

15 May 2015

PREAMBLE

WE THE CRFM MEMBER STATES,

RECOGNIZING the important contribution of the Spiny Lobster fisheries to food and nutrition security, employment, international trade, and the economic and social well-being of the people of the region;

RECOGNIZING that Spiny Lobsters play a role in proper marine ecosystem function and in the services that such ecosystems provide;

NOTING that the Spiny Lobster is a high-value and highly traded marine species which generates foreign exchange for Member States and Associate Members;

CONCERNED that the long-term sustainable use and contribution of the Spiny Lobster fisheries to the Region's social and economic development and food security is being threatened by illegal, unreported and unregulated fishing, inadequate conservation and management of the resource and its habitats, and climate change and related risks;

RECALLING the Decisions of the 4th and 5th Meetings of the Ministerial Council of the CRFM in support of the conservation and management of the Spiny Lobster;

RECALLING ALSO the relevant provisions of the 2012 Belize Declaration on Caribbean Regional Fisheries Mechanism (CRFM) and the Central America Fisheries and Aquaculture Organization (OSPESCA) Cooperation for Sustainable Development of Fisheries and Aquaculture Resources, and the Joint Action Plan (CRFM – OSPESCA);

RECALLING FURTHER the relevant provisions of the Caribbean Community Common Fisheries Policy;

ACKNOWLEDGING the objectives of the Revised Treaty of Chaguaramas and more specifically Articles 58 and 60 which enjoin Member States to co-operate in all areas necessary to foster regional development and integration regarding Natural Resource Management and Fisheries Management and Development respectively;

ACKNOWLEDGING ALSO that the main objectives of the Caribbean Regional Fisheries Mechanism (CRFM) are to promote efficient management and sustainable development of marine and other aquatic resources, and promote and establish cooperative management arrangements for shared and highly migratory resources in conformity with the economic objectives of the Member States;

AWARE that existing regional organizations, including OSPESCA, the United Nations Environment Programme, Regional Coordinating Unit (UNEP RCU) and the United Nations Food and Agriculture Organization / Western Central Atlantic Fisheries Commission (FAO/WECAFC) have programmes relevant to the conservation and management of Spiny Lobster and their habitats in the Caribbean region;

RECOGNIZING the importance of involving all relevant parties including inter-governmental, non-governmental and private sector organizations and resource users, in co-operative conservation and management of the Spiny Lobster and its habitats;

RECOGNIZING ALSO the rights and duties of States established in international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, relating to the conservation, management and sustainable use of living marine resources;

INSPIRED by the principles contained in the 1992 Rio Declaration on Environment and Development, the 2002 Johannesburg Declaration on Sustainable Development, and the 2013 Rio+20 Outcome Document - The Future We Want;

INSPIRED ALSO by OSPESCA's Regulation OSP-02-09 for the Regional Management of the Caribbean Spiny Lobster (*Panulirus argus*) Fishery in Central America;

CONSIDERING the principles and recommendations set forth in the 1995 Code of Conduct for Responsible Fishing adopted by the Conference of the Food and Agriculture Organization;

RECALLING the United Nations General Assembly Resolutions on the Caribbean Sea and supporting sustainable fisheries and oceans management;

RECOGNISING the trans-boundary nature of the Spiny Lobster and the interconnectedness of the marine ecosystems in which they live and, therefore, the need for range States to cooperate and coordinate actions to achieve long-term sustainable use and effective conservation and management;

ACKNOWLEDGING our shared responsibility for long-term sustainable use through conservation and effective management of the Spiny Lobster populations and their habitats;

DESIRING to enhance the contribution of the Spiny Lobster fisheries to regional food and nutrition security and to support the progressive realization of the right to adequate food; and

DETERMINED to establish, through this Declaration, appropriate measures for the conservation, protection, management and long-term sustainable use of the Spiny Lobster and their habitats for the benefit of present and future generations;

HAVE **AGREED** AS FOLLOWS:

PART I GENERAL PROVISIONS

ARTICLE 1 USE OF TERMS

'Berried female' means a female Spiny Lobster bearing eggs attached to the abdominal appendages.

'Carapace Length' means the straight line measurement from the forward edge between the rostral horns, excluding any soft tissue, and proceeding along the middle to the posterior edge of the carapace.

'Closed Season' means a period in the year when it is prohibited to fish for, capture, kill, possess, sell or trade the spiny lobster.

'Competent Authority' means the Government Fisheries Department or Fisheries Division or any other body designated by the State as the competent body responsible for management, conservation and sustainable use of the Spiny Lobster.

'Escape Gap' means an opening in the side of a trap designed to facilitate the exit of juvenile and undersized Spiny Lobster from that trap.

'Escape Panel' means a panel, or other mechanism, designed to allow for the exit of Spiny Lobster from a trap after a period of time if the trap has been lost or abandoned at sea.

'Forum' means the body established by Article 6(b) of the 2002 Agreement Establishing the Caribbean Regional Fisheries Mechanism.

'Member States' mean the States Parties to the 2002 Agreement Establishing the Caribbean Regional Fisheries Mechanism.

'Ministerial Council' means the body established by Article 6(a) of the 2002 Agreement Establishing the Caribbean Regional Fisheries Mechanism.

'Industrial vessel' means a vessel over 20 meters LOA that commercially engages in the catching, taking, harvesting, storing or transporting of Spiny Lobster or an activity that can reasonably be expected to result in the catching, taking, harvesting, storing or transporting of Spiny Lobster; or any vessel designated as an 'industrial vessel' by the national Competent Authority and engaged in such activities.

'OSPESCA' means the Fisheries and Aquaculture Organization of the Central American Integration System (SICA).

'Possession' means to have in one's custody or control, either personally, or by another who is under one's control.

'Spiny Lobster' means the Caribbean spiny lobster, *Panulirus argus*.

'Tail length' means the straight line measured from the anterior edge of the first abdominal segment to the terminal portion of the telson.

'Trap' means a lobster trap, pot, or other stationary device that may be set on the seafloor and used for catching or holding of Spiny Lobster.

ARTICLE 2 SCOPE

1. This declaration applies to the use, conservation and management of the Spiny Lobster (*Panulirus argus*) stocks and their habitats within areas under national jurisdiction or sovereignty of Member States and Associate Members of the CRFM.
2. Nothing in this declaration shall preclude Member States and Associate Member States from implementing stronger national conservation and management measures than those specified herein for the Spiny Lobster and its habitats.

ARTICLE 3 OBJECTIVE

1. The objective of this declaration is to ensure the long-term sustainable use of the spiny lobster (*Panulirus argus*) resources through effective implementation of conservation and management measures for the stocks and their habitats based on the best scientific evidence available.

ARTICLE 4 GENERAL PRINCIPLES

1. Member States and Associate Member States, in order to achieve the objectives of this declaration and in giving effect to their duty to cooperate in accordance with relevant regional and international law, shall apply the following guiding principles:

- (a) The precautionary approach and the ecosystem approach to fisheries;
- (b) Ensure long-term sustainability of the spiny lobster and promote the objective of their optimum utilization;
- (c) Ensure that conservation and management measures are based on the best scientific evidence available and are designed to maintain or

restore stocks at levels capable of producing sustainable yields, as qualified by relevant environmental, socio-economic and ecological factors;

- (d) Protect biodiversity in the marine environment;
- (e) Ensure that the levels of fishing effort do not exceed those commensurate with the sustainable use of the lobster stocks and that ecosystem impacts are taken into account;
- (f) Take into account the interests of small-scale and subsistence fishers and promote their participation in the decision-making processes that affect their livelihoods;
- (g) Take into account traditional ecological knowledge and local knowledge of fisheries and fishing communities regarding conservation and management of the resource and protection of critical habitats;
- (h) Collect and share, in a timely manner, complete and accurate data and information concerning fishing activities; and
- (i) Ensure compliance with conservation and management measures through effective monitoring, control and surveillance, and public education and awareness programmes.
- (j) Utilize pre-agreed harvest control rules that are based on appropriate reference points.

PART II CONSERVATION AND MANAGEMENT

ARTICLE 5 RESEARCH, DATA COLLECTION AND SHARING OF DATA AND INFORMATION

1. Member States and Associate Members shall, as far as possible and as appropriate, ensure that fishing vessels, fishers and other natural or legal persons within their jurisdiction, who are directly or indirectly involved in the capture, processing, marketing or trade of Spiny Lobster provide such data and information as may be necessary in order to fulfil their obligations under this Declaration. To this end, Member States and Associate Members shall:

- (a) Collect and share scientific, technical, and statistical data with respect to fisheries for the spiny lobster with each other and with other competent organizations and stakeholders including, but not limited to

the CRFM, OSPESCA, WECAFC and their relevant Working Groups responsible for lobster assessment and management, fisherfolk organizations, and educational institutions.

- (b) Ensure that data are collected in sufficient detail and accuracy to facilitate effective assessment, preparation of conservation and management advice, and monitoring of management performance; and
- (c) Adopt provisions requiring vessel owners and masters, fishers, processors and traders to submit to the competent authority, data regarding the biology, ecology, catch, effort, sale, processing, marketing, social, economic, and trade aspects of the Spiny Lobster.

2. Member States shall cooperate through the organs of the CRFM to agree on the specification of data, the frequency and format in which they are to be provided for analysis by the appropriate regional Working Group or other competent body;

3. Member States and Associate Members shall promote and conduct scientific research related to the use, conservation and management of the Spiny Lobster, including aspects of the marine environment and ecosystems such as habitat and non-target species, and actively promote the publication and dissemination of the results of that research.

4. Without prejudice to the generality of paragraph 3, Member States and Associate Members should conduct research to:

- (a) determine whether the introduction of casitas would be appropriate before their introduction and use in the commercial fishery; and where casitas have already been introduced, the relevant studies should be conducted to determine their economic and ecological impacts;
- (c) determine and address, as appropriate, the impacts of climate change and ocean acidification on Spiny Lobster stocks and fisheries;
- (d) establish an appropriate maximum legal harvest size for the Spiny Lobster; and
- (e) determine ways of promoting value addition and optimizing economic and social benefits to Member States and stakeholders.

5. Member States and Associate Members shall seek to cooperate with neighbouring States in the wider Caribbean region in the conduct of scientific research related to the Spiny Lobster. Cooperation with the Central American States shall take place in accordance with the Memorandum of Understanding between CRFM and OSPESCA, the Belize Declaration on CRFM and OSPESCA Cooperation, and the CRFM-OSPESCA Joint Action Plan.

ARTICLE 6 CONSERVATION AND MANAGEMENT

1. The Ministerial Council shall make policy decisions to ensure long-term conservation, management and sustainable use of the Spiny Lobster stocks, and protect and safeguard their habitats.

2. The Ministerial Council shall make the policy decisions mentioned at paragraph (1) above on the basis of scientific advice provided by the Forum or other competent technical or scientific body.

3. Each Member State and Associate Member shall, in accordance with its particular conditions and capabilities, and as appropriate based on the local fisheries:

- (a) Develop or adapt existing national strategies, plans, programmes or regulations to, as far as possible and as appropriate, give effect to the decisions of the Ministerial Council regarding conservation, management and sustainable use of the Spiny Lobster stocks and protection of their habitats; and
- (b) Integrate, as far as possible and as appropriate, the conservation, management and sustainable use of the Spiny Lobster stocks and protection of their habitats into relevant sectoral or cross-sectoral plans, programmes, policies and regulations.

4. Without prejudice to the generality of paragraphs 1 and 2, each Member State and Associate Member shall, as far as possible and as appropriate, taking into account the overall importance of the fishery, local conditions and the state of the stocks:

- (a) Prohibit fishing for the Spiny Lobster without a valid licence issued by the Competent Authority;
- (b) Within three (3) years from the date of adoption of this Declaration, implement a Closed Season for the Spiny Lobster for a period of not less than 4 months, between 15th February and 31st August each year, during which no Spiny Lobsters may be caught, sold, stored or possessed except as provided for in this Agreement;
- (c) Each Member State may determine whether to establish a maximum number of Traps per vessel or per fisher, taking into account the nature of the fishery and the socio-economic condition of the fishers;
- (d) Ensure that any Trap used for targeting, catching or holding the Spiny Lobster at sea is made wholly or in part from biodegradable material to avoid ghost fishing and other negative environmental impacts;

- (e) Ensure that any Trap used for targeting, catching or holding the Spiny Lobster at sea is equipped with an Escape Panel to permit the exit of Spiny Lobster or other marine species from the trap after a period of time if the trap is lost or abandoned at sea;
- (f) Ensure that any Trap used solely for catching Spiny Lobster:
 - (i) has at least one Escape Gap for the purpose of facilitating the exit of juvenile Spiny Lobster from that Trap;
 - (ii) the Escape Gap shall be located on the opposite side of the line used to lift the Trap; and
 - (iii) the Escape Gap shall have an opening of 5.4 centimeters (2 1/8 inches) or larger between the bottom and the first rib from the bottom of the Trap, depending on each country's minimum size limit and country specific harvest strategy.
- (g) Ensure that Traps and other gears used solely for the purpose of catching, holding or storing Spiny Lobster are removed from the sea by the beginning of the Closed Season as far as practicable. Thereafter, such traps must be removed within 5 days after the commencement of the Closed Season and any catch released.
- (h) Adopt provisions that:
 - (i) require fishers, vessel owners, processors, traders, wholesalers, retailers and any other person in Possession of Spiny Lobster to submit to the Competent Authority by the third working day after the commencement of the Closed Season, a signed declaration of the inventory and exact location of Spiny Lobsters or parts thereof in their Possession;
 - (ii) require the Competent Authority to verify and certify the declaration of inventory as soon as possible within a period of not more than five days after receipt of the declaration;
 - (iii) empower and require the Competent Authority to carry out inspections as deemed necessary to ensure compliance with this provision, notwithstanding any other provision of control that each State Party may implement; and
 - (iv) during the Closed Season, prohibit any person from having in his Possession, processing, storing, selling or dealing in Spiny Lobster, except those declared and verified by the Competent Authority.
- (i) Determine and establish the time period prior to the opening of the fishing season when persons authorized to fish for Spiny Lobster may place or return their Traps to the sea in order to prepare for the commencement of fishing when the season reopens. The maximum time allowed shall not

exceed fourteen (14) days prior to the commencement of the fishing season;

- (j) Adopt a minimum size for catching Spiny Lobster, of eighty millimeters (80 mm) Carapace Length or greater, or alternatively one hundred forty millimeters (140 mm) Tail Length or greater, and prohibit the catching, handling, processing, storage, possession, sale and trade of Spiny Lobster less than the minimum legal size;
- (k) Adopt, for packaging and marketing, a minimum weight of 142 grams (5 ounces) per unit of commercial packaging for each thawed Spiny Lobster Tail;
- (l) Adopt an appropriate maximum legal size limit and prohibit the catching, handling, processing, storage, possession, sale and trade of Spiny Lobster greater than the maximum legal size;
- (m) Prohibit the importation of Spiny Lobster below the minimum size and weight limits or above the maximum size limit in any area under its jurisdiction;
- (n) Prohibit the catch, possession, processing, storage, sale, offer for sale, export or import of Spiny Lobster:
 - (i) with spermatophore or tar spot;
 - (ii) that is carrying eggs (Berried Lobster);
 - (iii) that is moulting;
 - (iv) that has been scrubbed or has in any manner other than natural hatching had the eggs removed from the tail; andrequire that a Spiny Lobster with spermatophore (tar spot) or carrying eggs or moulting is returned to the sea immediately.
- (o) Require fishing vessels and persons fishing for Spiny Lobster to land the Spiny Lobster whole, and prohibit the Possession on board a vessel or landing of Spiny Lobster parts such as shelled tails, or head meat;
- (p) Prohibit or regulate, as appropriate, the use of scuba diving and hookah for Spiny Lobster fishing within four (4) years from the date of adoption of this Declaration.

ARTICLE 7 MONITORING, CONTROL AND SURVEILLANCE

1. Member States and Associate Members shall cooperate through the CRFM and other competent regional and sub-regional bodies in taking appropriate

enforcement action, consistent with regional and international law and their respective domestic laws, to prevent, deter and eliminate Illegal, Unreported and Unregulated fishing activities for the Spiny Lobster.

2. The Ministerial Council shall adopt regional guidelines for use by Member States and Associate Members, as appropriate, in order to:

- (a) Establish cooperative arrangements to enhance monitoring, control and surveillance systems;
- (b) Establish sanctions for non-compliance by vessels, fishers and other natural or legal persons connected to the Spiny Lobster fisheries and trade, that are adequate in severity to effectively secure compliance, deter further violations and deprive offenders of the benefits arising from their wrongful or illegal activities, to be applied in accordance with national laws; and
- (c) Evaluate their systems of sanctions to ensure that the penalties are effective in securing compliance and deterring violations.

ARTICLE 8. PUBLIC EDUCATION AND AWARENESS

1. Member States and Associate Members shall:

- (a) Promote and encourage understanding of the importance of, and the measures required for, the conservation, management and sustainable use of the Spiny Lobster, and protection of its habitats and ecosystem;
- (b) Cooperate, as appropriate, through the CRFM and other regional, international and non-governmental organizations in developing educational and public awareness programmes for the conservation, management and sustainable use of the Spiny Lobster; and
- (c) Promote the use of information and communication technology tools including social media, in order to improve public awareness and understanding of the importance of the Spiny Lobster and the measures required for their conservation, management and long-term sustainable use.