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DRAFT CONSERVATION AND MANAGEMENT MEASURE FOR SHARKS

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TENTH REGULAR SESSION

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CONSERVATION AND MANAGEMENT MEASURE FOR SHARKS

Conservation and Management Measure 2013-07¹

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

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

Recognizing the ecological and cultural significance of sharks in the western and central Pacific Ocean (WCPO);

Identifying the specific objective of reducing fishing mortalities on shark species that are currently overfished and bring shark catches to within sustainable levels

Recalling that the United Nations Food and Agriculture Organization (FAO) International Plan of Action for the Conservation and Management of Sharks calls on FAO members, within the framework of their respective competencies and consistent with international law, to cooperate through regional fisheries organizations with a view to ensuring the sustainability of shark stocks as well as to adopt National Plans of Action for the conservation and management of sharks;

Recognizing the need to collect data on catch, effort, discards, and trade, as well as information on the biological parameters of many species, to enable effective shark conservation and management;

Recognizing further that certain species of pelagic sharks, such as basking shark and great white shark, oceanic white tips, porbeagle and scalloped, greater and smooth hammerhead sharks have been listed on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Noting the growing international concern from environment groups and the general community following recent stock assessments for oceanic white tip sharks and silky sharks;

Resolves as follows:

1. Commission Members, Cooperating non-Members, and participating Territories (CCMs) shall implement, as appropriate, the FAO International Plan of Action for the Conservation and Management of Sharks (IPOA Sharks).

¹ By adoption of this CMM (CMM 2012-0??), the Commission rescinds CMM 2010-07 which has been revised and replaced.

2. CCMs shall advise the Commission (in Part 2 of the annual report) on their implementation of the IPOA Sharks, including, results of their assessment of the need for a National Plan of Action and/or the status of their National Plans of Action for the Conservation and Management of Sharks.

3. National Plans of Action or other relevant policies for sharks should include measures to minimize waste and discards from shark catches and encourage the live release of incidental catches of sharks.

And adopts, in accordance with Articles 5 and 10 of the Convention, that:

4. This measure applies in Exclusive Economic Zones and areas of high seas throughout the Convention Area.

5. Each CCM shall include key shark species², as identified by the Commission, in their annual reporting to the Commission of annual catch and fishing effort statistics by gear type, including available historical data, in accordance with the WCPF Convention and agreed reporting procedures. CCMs shall also report annual retained and discarded catches in Part 2 of their annual report. CCMs shall as appropriate, support research and development of strategies for the avoidance of unwanted shark captures.

6. CCMs shall take measures necessary to require that their fishers fully utilize any retained catches of sharks. Full utilization is defined as retention by the fishing vessel of all parts of the shark excluding the head and viscera, to the point of first landing or transshipment.

7. CCMs shall require their vessels to have on board fins that total no more than 5% of the weight of sharks on board up to the first point of landing. CCMs that currently do not require fins and carcasses to be offloaded together at the point of first landing shall take the necessary measures to ensure compliance with the 5% ratio through certification, monitoring by an observer, or other appropriate measures. CCMs may alternatively require that their vessels land sharks with fins attached to the carcass or that fins not be landed without the corresponding carcass.

8. As finer resolution data become available, the specification of the ratio of fin weight to shark weight described in paragraph 7 shall be periodically reviewed by the Scientific Committee (SC) and the SC will recommend any appropriate revisions to the Commission for its consideration. The SC and the Technical and Compliance Committee (TCC) are directed to consider if additional appropriate measures that give affect to paragraph 7 are required.

~~9. CCMs shall require their vessels to land sharks with all fins, including the tail fin to be naturally attached in order to guarantee that no finning occurs and to facilitate the collection of critical data about shark mortality. Fins may be cut so they can be folded but must remain naturally attached and not be completely severed from the carcass. For the purpose of this measure the term "carcass" means all parts of the shark except for the head and viscera.~~

~~10. A CCM may apply alternative arrangements to the prohibition on finning in paragraph 7 for domestic vessels in its EEZ where species-specific national catch limits are in place for oceanic shark species including arrangements to ensure those limits are rigorously monitored and enforced, or to domestic vessels less than 15 metres in length that are subject to rigorous measures to promote shark conservation and reduce shark interactions. CCMs that exercise the provisions of the~~

² The key shark species are blue shark, silky shark, oceanic whitetip shark, mako sharks, and thresher sharks, porbeagle shark (south of 20° S, until biological data shows this or another geographic limit to be appropriate), whale sharks and hammerhead sharks (winghead, scalloped, great, and smooth).

~~alternative arrangements shall report annually in their Part 2 reports to the Commission on progress towards the elimination of shark finning in their fisheries in accordance with their NPOAs for sharks.~~

~~11.9.~~ CCMs shall take measures necessary to prohibit their fishing vessels from retaining on board, transshipping, landing, or trading any fins harvested in contravention of this Conservation and Management Measure (CMM).

~~12. — The use of branch lines running directly off the longline floats or drop lines, known as shark lines, is prohibited on all vessels from implementation of this CMM. See Figure 1 for a schematic diagram of a shark line~~

~~13.10.~~ In pelagic longline or vertical longline fisheries that target tunas and tuna-like species and are not directed at sharks, CCMs shall take measures to encourage the release of live sharks that are caught incidentally and are not used for food or other purposes.

~~14. — From 1 January 2015, vessels operating in fisheries and using wire trace on their branch lines must at all times when fishing use or abide by mitigation measures to be developed by the SC to reduce shark mortalities.~~

~~11.~~ In 2014, the Scientific Committee shall advise on mitigation measures to be implemented by vessels to reduce the catch of overexploited shark species. ~~Potential measures are detailed in attachment 1.~~

~~15.12.~~ In 2014, the Commission shall develop an Integrated and Comprehensive Shark Conservation and Management Measure that implements mitigation measures recommended by the Scientific Committee in order to reduce the catch of overexploited shark species. These measures shall be applied from 1 July 2015 onwards.

~~16.13.~~ Vessels operating in the purse seine fishery should abide by the handbook “How to safely handle sharks when captured by fishing vessels³” and are encouraged to release all sharks alive where possible. Purse seine operators are encouraged to develop and trial nets with larger meshes in the lower panels that may allow encircled sharks (particularly silky sharks) to escape by swimming downwards during the brailing process.

~~17.14.~~ For fisheries that target sharks, CCMs or use shark lines (see Figure 1 for a schematic diagram of a shark line) must develop a management plan for that fishery that includes specific authorisations to fish such as a licence and a TAC or other measure to limit the catch of shark to acceptable levels. These management plans must be developed within 2 years and submitted to the Commission. These plans must explicitly demonstrate how the fisheries avoid catch of highly depleted species such as silky and oceanic whitetip sharks.

~~18.15.~~ Nothing in this measure shall prejudice the sovereignty and sovereign rights of coastal States, in respect of traditional fishing activities and the rights of traditional artisanal fishers, to apply alternative measures for the purpose of exploring, exploiting, conserving and managing sharks, including any national plans of action for the conservation and management of sharks, within areas under their national jurisdiction. In addition, nothing in this measure shall prevent coastal states from applying more stringent or additional measures in their EEZ should they wish to.

³ Which we will have to develop and can be done along similar lines to the whale shark release guidelines. There is material available as a starting point

19.16. CCMs shall advise the Commission in Part 2 of the annual report on the implementation of this CMM and any alternative measures adopted under this CMM.

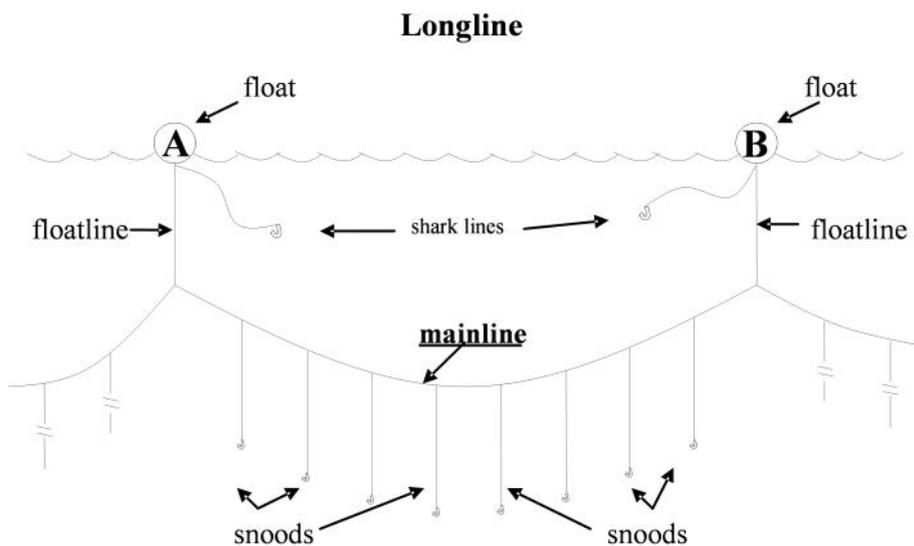
20.17. On the basis of advice from the SC, the TCC and the Commission, CCMs shall review the implementation and effectiveness ~~of this measure, and the effectiveness~~ of management arrangements provided under paragraph 105, after 2 years of its implementation ~~and any alternative measures applied under paragraph 11~~, and shall consider the application of additional measures for the management of shark stocks in the Convention Area, as appropriate.

21.18. This CMM shall apply to sharks caught in association with fisheries managed under the WCPF Convention, and to sharks listed in Annex 1 of the 1982 Convention. This CCM shall remain in force until Commission members develop an integrated and comprehensive shark Conservation and Management Measure to reduce the catch of overexploited shark species.

22.19. The Commission shall provide appropriate assistance as requested by developing State Members and participating Territories for the implementation of this measure, including, in accordance with Article 7 of the Convention, in areas under national jurisdiction.

23.20. This CMM shall replace 2010-07.

Figure 1 – Schematic diagram of a shark line



Attachment 1 — Some potential mitigation measures for SC to consider or other measures as the SC deems appropriate:

- a. — CPUE based indicators to obtain a required reduction in fishing mortality
- b. — Species specific catch limits such as Individual Transferable quotas or a fishery TAC
- c. — Trip limits of X shark carcasses for fresh tuna vessels and X shark carcasses for frozen tuna vessels.
- d. — Efficacy of Increased observer coverage of 15% of fishing activity to better determine shark catch rates and mitigation
- e. — Changes in hook type (circle, tuna/J) and dimensions of hooks,
- f. — Removal of the shallowest fishing branchlines between longline floats in deep set longline fisheries,
- g. — Changes in bait types, soak times, set times, and leader material,
- h. — Consideration of the disposition (retained/discarded) and condition if discarded (alive/dead)
- i. — Consideration of temporal and/or spatial closures designed to protect sharks
- j. — Other mitigation measures as approved by the WCPFC Science Committee (i.e. electronic and chemical based deterrents that are currently being researched and developed)