



TECHNICAL AND COMPLIANCE COMMITTEE
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SHARK CMM-RELATED MATTERS FOR TCC11

WCPFC-TCC11-2015-22
3 September 2015

Purpose

1. This paper summarizes two specific shark-related tasks assigned to TCC by the Commission in 2014:
 - a. *WCPFC11 agreed that TCC should discuss identifying barriers to implementing the mitigation methods raised in SC10-EB-WP-05 (e.g. costs, operational issues and safety), along with any considerations raised by WCPFC11, and develop solutions where appropriate (WCPFC11 Summary Report, para 368)*
 - b. *SC10 report noted that “SC11 will further review and develop i) Guidelines for the safe release of encircled animals, including whale sharks (Attachment I, SC10 Report) and ii) Development of new guidelines for the survival of sharks (other than whale sharks) to be released from longline or purse-seine gear (Attachment J, SC10 Report), which will be forwarded to TCC11 (SC10 Summary report 6.2.3 f)”.*
2. Notes are also provided on two specific matters from the SC11 Executive Summary (August 24 2015 issue) which were referred to TCC and that are related to review of shark CMMs.
3. TCC11 is invited to discuss, and as appropriate, provide recommendations and technical advice on these three issues as described in the remainder of this paper.

a) Identifying barriers to implementing mitigation methods (SC10-EB-WP05)

4. Based on a SC111 recommendation, WCPFC11 agreed that *“TCC should discuss identifying barriers to implementing the mitigation methods raised in SC10-EB-WP-05 along with any considerations raised by WCPFC11, and develop solutions where appropriate”* (WCPFC11 Summary Report, para 368) No other considerations were formally noted in the WCPFC11 Summary report at the time this item was considered.
5. Paper SC10-EB-WP10 notes among the conclusions from the review that:
 - “1. The three most promising approaches to mitigating mortality of sharks from pelagic longline are hook type (circle), leader type (monofilament) and best practice handling at the vessel.”*
 - ...
 - “3. There is a need to better understand the barriers to the uptake of measures that have demonstrated technical efficacy. Research (scientific and economic)*

on the likely costs/benefits of changing gear and fishing practices to mitigate shark mortality is required and should address: changes to target species catch rates, loss of economic byproduct, initial costs of gear, ongoing costs of gear and labour. An additional item relates to operational safety issues from deploying modified gear and implementing best practice handling of sharks."

6. In addition WCPFC11 received two proposals to modify CMM 2010-07 on Sharks: WCPFC11-2014-DP03_rev1 by FFA members and WCPFC11-2014-DP17 by the European Union. The eventual outcome from WCPFC11 based on the work of a small working group was adoption by the Commission of CMM 2014-05: Conservation and Management Measure for Sharks, which is not intended to replace or prejudice any other Shark CMMs.
7. CMM 2014-05 prescribes the use of at least one of two prescribed mitigation measures in longline fisheries that are targeting tunas and billfishes: either prohibit use or carrying of wire trace as branch lines or leaders; or prohibit use of branch lines running directly off the longline floats or drop lines, known as shark lines (diagram provided in CMM). Furthermore for longline fisheries that target sharks in association with WCPFC fisheries, flag CCMs are required to develop a management plan that among other things includes specific authorisations to fish such as a license and a TAC, or other measures, to limit the catch of sharks to acceptable levels. The management plan is to be reviewed by SC before discussion at WCPFC12 or WCPFC13.
8. SC11 made several recommendations for changes to the WCPFC Minimum Data Standards and Fields collected by observers to give effect to the new shark mitigation requirements contained in CMM 2014-05 for wire leaders and/or shark lines. These changes will be reviewed by TCC11 as a component of its annual review of the Regional Observer Programme. (WCPFC-TCC11-2015-19)

Recommendation

9. TCC11 is invited to discuss, and as appropriate, provide recommendations and technical advice related to identifying barriers to implementing mitigation methods in longline fisheries.

b) Guidelines for Safe Release of Encircled Animals and Non-encircled Sharks and Rays

10. The SC10 report noted that “*SC11 will further review and develop i) Guidelines for the safe release of encircled animals, including whale sharks (Attachment I, SC10 Report) and ii) Development of new guidelines for the survival of sharks (other than whale sharks) to be released from longline or purse-seine gear (Attachment J, SC10 Report), which will be forwarded to TCC11*(SC10 Summary report 6.2.3 f)
11. SC11 discussed both aspects as prefaced in the SC10 report The agreed outcomes from SC11 were:

SC11 recommends that WCPFC12 adopt the guidelines for safe release of encircled animals including whale sharks as contained in the ISG-4 report (SC11 Executive Summary, Attachment F) and recommends that TCC11 provide any additional considerations for the Commission’s decision. (SC11 Executive Summary, paragraph 91)

Guidelines pertaining to the safe release of non-encircled sharks and rays were not finalized by ISG-4 and are retained in draft form for future discussion by SC (SC11 Executive Summary, Attachment G). It was noted that further information is necessary to advance the development of these guidelines. (SC11 Executive Summary, paragraph 94).

12. A copy of the recommended “Guidelines for Safe Release of Encircled Animals including Whale Sharks” are provided for TCC’s consideration as Attachment 1 to this paper.

Recommendation

13. TCC11 is invited to discuss, and as appropriate, provide recommendations and technical advice on the recommended “Guidelines for Safe release of Encircled Animals including Whale Sharks are provided for TCC’s consideration as Attachment 1 to this paper.

c) SC11 Review of CMM 2010-07 (Conservation and Management Measure for Sharks)

14. CMM 2010-07 *Conservation and Management Measure for Sharks* says the following with respect to the requirement to implement the fin-to-carcass ratio and its review by SC and TCC:

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 effect to paragraph 7 are required.*

15. At TCC10, CMM 2010-07 was reviewed as a TCC Workplan 2013-2015 priority. Among the matters discussed under this agenda item was an exchange of views amongst CCMs on the efficacy of the fin-to-carcass ratio requirement and the extent to which it is being implemented by CCMs. The agreed outcome from TCC10 was “*TCC10 noted that FFA members will be presenting a draft CMM to revise CMM 2010-07 to WCPFC11. (TCC10 Summary Report, paragraph 343).*”

16. In 2015, The SC11 Executive Summary (August 24 2015 issue), paragraph 89 notes the following in relation to the review of CMM 2010-07:

SC11 recommends that the Commission:

- a) *SC11 was able to review the ratio of fin weight to shark carcass weight from one study (SC11-EB-IP-03). This study demonstrated that shark fin weight data suffered from some serious limitations, potential biases and errors. SC11 was unable to confirm the validity of using a 5% fin to carcass ratio in CMM 2010-07 and forwards these concerns to TCC, noting that an evaluation of the 5% ratio is not currently possible due to insufficient information for all but one of the major fleets implementing these ratios.*

- b) *Notes that according to the most recent information provided by SPC, finning still occurs in the Convention Area.*
- c) *Notes that information which can be used to evaluate the effectiveness of the WCPFC ban on shark finning (CMM 2010-07) is currently very limited.*
- d) *Encourages CCMs to gather and submit information on the implementation of CMM 2010-07, including data on fin to carcass ratios where CCMs apply that approach, to the Secretariat, in their AR-Part 2 reports or other formats, in order to support future evaluation.*

Recommendation

17. TCC11 is invited to discuss, and as appropriate, provide recommendations and technical advice related to the SC11 review of CMM 2010-07.

d) SC11 Review of CMM 2013-08 (Conservation and Management Measure for Sharks)

18. CMM 2013-08 *Conservation and Management Measure for Silky Sharks* contains the following operative paragraphs:
2. *CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any silky shark that is caught in the Convention Area as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.*
 5. *Observers shall be allowed to collect biological samples from silky sharks caught in the Convention Area that are dead on haulback in the WCPO, provided that the samples are part of a research project approved by the Scientific Committee. In order to get approval, a detailed document outlining the purpose of the work, number of samples intended to be collected and the spatio-temporal distribution of the sampling effect must be included in the proposal. Annual progress of the work and a final report on completion will be presented to the Scientific Committee.*
19. During SC11, the USA sought guidance on the procedure required for new research proposed by NOAA which will look at longline post-release mortality of oceanic whitetip sharks, silky sharks, pelagic thresher sharks and blue sharks. This CCM plans to tag these sharks and cut the line, and also bring them on board and remove the hook and branch line, however the two shark CMMs are rather prescriptive about cutting these sharks loose. In addition, SC11 also reviewed a proposal from the USA (SC11-EB-IP-10 ‘Project Update on Deployment Plan for Whale Shark Post-Release Mortality Tags’) to engage in post-release mortality tagging studies of blue, thresher, oceanic whitetip and silky sharks which involve bringing those sharks onboard the vessel. SC11 recommended that these studies, and other similar studies proposed in the WCPFC Shark Research Plan, be supported on a scientific basis and that the proposal be considered by TCC.
20. The agreed outcome reported in the SC11 Executive Summary (August 24 2015 issue) was a recommendation that the Commission notes that the SC endorses the post-release mortality study being proposed by USA and other similar studies proposed under the WCPFC Shark Research Plan.

Recommendation

21. TCC11 is invited to discuss, and as appropriate, provide recommendations and technical advice related to the SC11 review of CMM 2013-08.

SC11 RECOMMENDED GUIDELINES FOR THE SAFE RELEASE OF ENCIRCLED ANIMALS, INCLUDING WHALE SHARKS

General principles

- Safety of the crew is a paramount consideration.
- When releasing encircled whale sharks, the stress the animal receives should be minimized to the extent possible.
- The following possible release methods should be used as general guidelines.
- The effectiveness of the following possible release methods has not been fully evaluated. Further scientific research is necessary in order to investigate survival after the release by various release methods. Therefore, CCMs are encouraged to conduct analysis on methods used by their purse seine vessels. In addition, several agencies have initiated a program of satellite tag deployments by experienced observers to assess survival of encircled animals associated with various release techniques.
- The appropriate release method should be chosen in a flexible manner depending on the circumstances and condition of the particular purse seine set, e.g. the size and orientation of the encircled animal, amount of fish in the purse seine set, weather conditions and brailing operation style.

As noted in the TCC9 Summary Report, Para 318, the PNA requires that when a whale shark is encountered in a purse seine net in PNA waters the net roll must be immediately stopped and the whale shark released.

In the WCPFC Convention Area the following actions are not recommended when releasing encircled whale sharks (see WCPFC-SC11-2015/EB-WP-03 Rev.1).

- Vertically lifting sharks by tail
- Pulling sharks by a loop hooked around its gill or holes bored into a fin
- Gaffing
- Leaving attached any towing ropes
- Brailing whale sharks larger than 2 meters
- Brailing whale sharks onto the deck

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