



COMMISSION
SIXTEENTH REGULAR SESSION
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**PROPOSAL FOR A CONSERVATION AND MANAGEMENT MEASURE
ON MOBULID RAYS CAUGHT IN ASSOCIATION WITH FISHERIES IN THE WCPFC
CONVENTION AREA**

WCPFC16-2019-DP02_rev1
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Submitted by
FFA

**Conservation and Management Measure
on Mobulid Rays caught in association with fisheries in the WCPFC Convention Area**
(update on FFA member Delegation Paper 02)

Rev 1 Explanation:

The following revised version (rev 1) of the proposed Mobulid CMM has incorporate the views provided by CCMs that have provided feedback to the FFA.

The changes are explained as follows:

Para 7 includes “(i.e. number of surrenders, discards and releases)”. Surrenders has been added to this bracket to ensure more complete data collection and the second half of para 8 has been removed as suggested by 1 CCM.

Para 11-13: 1 CCM suggested that these paragraphs were better suited as a tasking from WCPFC16 rather than within the CMM and so are presented here as suggested taskings.

1 CCM also suggested that tasking the SC to present an assessment in 2023 was not appropriate since the SC has already determined the assessment schedule to 2023. Another CCM insisted that this “tasking” remain. The current proposed shark research plan has only silky shark scheduled for 2023 (SC15 report table 2A) and mobulids do not have an assessment scheduled although they are a key species for assessment.

Recommended tasking from WCPFC16:

WCPFC16 tasks the scientific services provider with reviewing the data available via the Regional Observer Program and Scientific data to be provided to the Commission and identify any additional data requirements to undertake an assessment, either via traditional stock assessments or on the basis of quantitative risk assessments, ecological risk assessments, indicators assessment or other data-poor analytical techniques. Such information shall be considered by the Scientific Committee to advise the Commission on the feasibility and schedule for an assessment for mobulid rays.

Pending the advice in paragraph 10, WCPFC16 tasks the scientific services provider to present an assessment of mobulids to the Scientific Committee no later than 2023.

WCPFC16 requests the Scientific Committee to recommend, whenever considered adequate on the basis of evolving knowledge and scientific advice, further improvements to the handling practices detailed in Annex 1.

ATTACHMENT 1

DRAFT CONSERVATION AND MANAGEMENT MEASURE ON MOBULID RAYS CAUGHT IN ASSOCIATION WITH FISHERIES IN THE WCPFC CONVENTION AREA

Conservation and Management Measure 2019-XX

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

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

Considering that the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Sharks calls on States to cooperate through regional fisheries management organizations to ensure the sustainability of shark stocks;

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

Noting that manta and mobula rays are listed in Appendix I and Appendix II of the Convention on the Conservation of Migratory Species of Wild Animals and that the parties to that Convention have a range of obligations related to the conservation of such species;

Further noting that manta and mobula rays are also listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora for which trade shall be closely controlled under specific conditions including, inter alia, that trade will not be detrimental to the survival of the species in the wild;

Acknowledging the 13th Regular Session of the Commission designated six species of manta and mobula rays as key shark species for assessment and called for the development of safe release guidelines for manta and mobula rays;

Further acknowledging the 14th Regular Session of the Commission adopted non-binding guidelines of best handling practices for the safe release of manta and mobulids for both purse seine and longline fisheries;

Noting that the 13th Regular Session of the Scientific Committee confirmed that as species of special interest, manta and mobula rays will have all required data collected under the Regional Observer Programme Minimum Standard Data Fields;

Concerned that the species of the family Mobulidae, which includes manta rays and mobula rays, are considered by CITES to be vulnerable to overfishing as they are slow-growing, experience late sexual maturity, have long gestation periods, and often give birth to only a few pups;

Also concerned about the possible impacts on these species by the different fisheries occurring from coastal areas to the high seas;

Adopts in accordance with Article 10 of the Convention, the following Conservation and Management Measure:

1. This Conservation and Management Measure (CMM) shall apply to all fishing vessels operating in the high seas and/or exclusive economic zones of the Convention area and flagged to Members, Cooperating Non-Members and Participating Territories (CCMs), and authorized to fish for highly migratory fish stocks in the Convention Area.
2. For the purpose of this CMM, “mobulid rays” means species of the family Mobulidae, which includes manta rays and mobula rays.
3. CCMs shall prohibit their vessels from targeted fishing or intentional setting on mobulid rays in the Convention Area.
4. CCMs shall prohibit their vessels from retaining on board, transshipping, or landing any part or whole carcass of mobulid rays caught in the Convention Area.
5. CCMs shall require their fishing vessels to promptly release alive and unharmed, to the extent practicable, mobulid rays as soon as possible, and to do so in a manner that will result in the least possible harm to the individuals captured. CCMs should encourage their fishing vessels to implement the handling practices detailed in Annex 1, while taking into consideration the safety of the crew.
6. Notwithstanding paragraph 4, in the case of mobulid rays that are unintentionally caught and landed as part of a purse seine vessel’s operation, the vessel must, at the [first?] point of landing, surrender the whole mobulid ray to the responsible governmental authorities, or other competent authority, or discard them where possible. Mobulid rays surrendered in this manner may not be sold or bartered but may be donated for purposes of domestic human consumption.
7. Each CCM shall submit data on interactions (i.e. number of surrenders, discards and releases) with mobulid rays in accordance with Scientific Data to be Provided to the Commission (WCPFC Key Document Data-01) and/or the requirements for provision of ROP data.
8. CCMs shall advise the Commission (in Part 2 of their Annual Report) on implementation of this CMM.
9. CCMs shall ensure that fishers are aware of and use proper mitigation, identification, handling and releasing techniques and should encourage them to keep on board all necessary equipment for the safe release of mobulid rays. For this purpose, CCMs are encouraged to use the handling practices included as Annex 1.
10. CCMs are encouraged to investigate at-vessel and post-release mortality in mobulids

including, but not exclusively, the application of satellite tagging programs to investigate the effectiveness of this measure and more effective methods of live release.

11. Observers shall be allowed to collect biological samples of mobulid rays caught in the WCPFC Convention Area that are dead at haul-back, provided that the samples are a part of a research project approved by the WCPFC Scientific Committee. In order to obtain the 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 effort must be included in the proposal. Annual progress of the work and a final report on completion shall be presented to the Scientific Committee.
12. This measure will take effect on 1 January 2021.

ANNEX 1

BEST HANDLING PRACTICES FOR THE SAFE RELEASE OF MANTAS & MOBULIDS

Purse Seine

Do's:

- Release rays while they are still free-swimming whenever possible (e.g., back down procedure, submerging corks, cutting net).
- It is preferable that larger rays (>60 kg), that are too large to be lifted safely by hand are brailed out of the net and released using a purpose built large-mesh cargo net or canvas sling or similar device as recommended in document SC08-EB-IP-12 (Poisson *et al.* 2012, Good practices to reduce the mortality of sharks and rays caught incidentally by the tropical tuna purse seiners). It is preferable that release nets or devices are prepared prior to each set.
- It is preferable that small (<30 kg) and medium rays (30-60 kg) are handled by 2 or 3 people and carried by the sides of its wings or preferably using a purpose-built cradle/stretchers while ensuring the safety of the crew.
- When entangled in netting, carefully cut the net away from the animal and release to the sea as quickly as possible while ensuring the safety of the crew.

Don'ts:

- Do not leave a ray on deck until hauling is finished before returning it to the sea.
- Do not punch holes through the bodies of rays (e.g., to pass a cable or line through for lifting the ray).
- Do not gaff, drag, carry, lift or pull a ray by its "cephalic lobes" or tail or by inserting hooks or hands into the gill slits or the spiracles.

Longline

Do's:

- For small rays, gently bring on board and remove as much gear as possible by backing the hook out. If hooks are embedded, either cut the hook with bolt cutters or cut the line at the hook and gently return the animal to the sea.
- For medium to large rays (>30 kg), leave the animal in the water and use a dehooker to remove the hook or a long-handled line cutter to cut the gear as close to the hook as possible (ideally leaving <0.5 meters of line attached to the animal).

Don'ts:

- Do not hit or slam a ray against any surface to remove the animal from the line.
- Do not attempt to dislodge a deeply hooked or ingested hook by pulling on the branch line or using a dehooker.
- Do not attempt to lift medium to large (>30 kg) rays aboard vessel.
- Do not cut the tail.
- Do not gaff, drag, carry, lift or pull a ray by its "cephalic lobes" or tail or by inserting hooks or hands into the gill slits or the spiracles.

Additional recommendation:

Knowing that any fishing operation may catch rays, several tools can be prepared in advance (e.g., canvas or net slings or stretchers for carrying or lifting, large mesh net or grid to cover hatches/hoppers in purse seine fisheries, long handled cutters and de-hookers in longline fisheries).

ATTACHMENT 2

CMM 2013-06 ASSESSMENT – IMPACT OF PROPOSED CONSERVATION AND MANAGEMENT MEASURE ON MOBULID RAYS ON SIDS AND TERRITORIES

In considering any new proposal, the Commission shall apply the following questions to determine the nature and extent of the proposal on SIDS and territories in the Convention Area:

A.) Who is required to implement the proposal?

The proposal would be implemented by all CCMs.

In particular, the requirements will need to be applied by CCMs to any of their fishing vessels to which the proposal applies (i.e. all fishing vessels flagged to CCMs, and on the WCPFC record of fishing vessels or authorized to fish for highly migratory fish stocks in the Convention Area). CCMs whose vessels have interactions with mobulid rays will also have to report logbook data to the Commission.

CCMs that undertake boarding and inspection at sea, or port inspections, could be required to change their procedures to monitor compliance with the proposed requirements (for example, whether equipment for safe release is being kept on board, or whether information on interactions is being kept in logbooks).

CCMs that are parties to the CMS, CITES, IATTC or IOTC may have already implemented domestic regulations to give effect to their obligations under those instruments, which would meet the requirements of this proposal (see (c) below).

Some provisions are to be implemented by the scientific services provider and the Scientific Committee.

B.) Which CCMs would this proposal impact and in what way(s) and what proportion?

As per section (a) above, the proposal would have some impact on CCMs associated with its implementation.

CCMs whose vessels catch mobulids would need to take steps to prevent and manage such catch in accordance with the proposed requirements. Where the species are commercially harvested, this may entail a reduction in income for some fishers and a need for adaptation to other fishing practices.

This proposal will primarily impact CCMs with flagged purse seiners, with large-scale purse seine fisheries considered a significant threat to mobulid rays globally, though we are not aware of tuna fleets in the WCPO that retain mobulids for commercial value.

C.) Are there linkages with other proposals or instruments in other regional fisheries management organisations or international organisations the reduce the burden of implementation?

The species covered by this proposed CMM are listed in Appendix I and II of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and in Appendix II of the

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Both the IATTC and the IOTC have adopted measures for the conservation of mobulid rays. CCMs who are party to these agreements and have implemented obligations relating to mobulid rays may have a reduced burden of implementation.

D.) Does the proposal affect development opportunities for SIDS?

We are not aware of any SIDS targeted fisheries for mobulid rays, nor any desire to develop targeted fisheries for these species. Hence we do not consider that this proposal will inhibit the development of existing or potential fisheries.

Increased protection of mobulid rays, including through actions to mitigate the impacts of regional fisheries on these species, will reduce the risk of these populations becoming threatened. This has the potential to lead to increased tourism development opportunities centred around experiences with mobulid rays for Pacific Island countries.

In addition, this proposal will meet specific requirements for Marine Stewardship Council certification for certain SIDS fisheries.

E.) Does the proposal affect SIDS domestic access to resources and development aspirations?

Refer above

F.) What resources, including financial and human capacity, are needed by SIDS to implement the proposal?

SIDS will need to reflect the key provisions of this measure in national legislation/licensing conditions/access agreements. Hence SIDS may require financial or human capacity to implement the provisions into national regulations and to incorporate new data collection and reporting requirements into their national systems.

G.) What mitigation measures are included in the proposal?

The proposal permits mobulids that are unintentionally caught by purse seine vessels to be discarded, rather than surrendered, to avoid a requirement to have government or other representatives present at all landing points. The proposal also permits mobulids that are surrendered to be donated for domestic human consumption, rather than discarded.

The proposal provides for interactions to be reported through logbooks (and/or observers) rather than as a standalone reporting requirement, aimed at reducing additional reporting burden for CCMs.

H.) What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?

A delayed implementation timeframe is included (measure to take effect 1 Jan 2021) to allow time for CCMs to reflect the provisions of this measure in national management frameworks.

ATTACHMENT 3

CMM Audit Point Checklist

What is the obligation?

CMM 2019-XX, para 3-7

Set out the obligation. Where there are separate obligations in the paragraph, set out each separately.

3. CCMs shall prohibit all vessels from intentionally setting any gear type for targeted fishing of mobulid rays in the Convention Area.
4. CCMs shall prohibit all vessels from retaining on board, transhipping, landing or storing, any part or whole carcass of mobulid rays caught in the Convention Area.
5. CCMs shall require their fishing vessels to promptly release alive and unharmed, to the extent practicable, mobulid rays.
6. Where mobulid rays are unintentionally caught and frozen as part of purse seine operations, vessels must surrender or discard the whole mobulid ray, which may not be sold.
7. CCMs shall report interactions with mobulid rays through logbooks and/or observer programs.

Should any other obligations be assessed in combination with this obligation?

Yes – if so, which CMM _____, para ____ No

To whom does the obligation apply?

All CCMs Flag CCMs Some CCMs - if so, which CCMs?

Set out any exceptions or exclusions.

What does it apply to (if relevant)? *(does it apply to a particular geographical area, fishery, stock, species of special interest?)*

This measure applies to the species of the family *Mobulidae*

What is the nature of the obligation?

Report deadline Report Implementation Limit Other

Go to relevant section:

Reporting Compliance Assessment

Specify how compliance is to be assessed:

Is this information already provided as part of the submission of operational level catch and effort data?

Yes No

If no, is this information to be provided in Annual Report pt1 Annual Report pt2 or Directly?

Must the information provided be complete? Yes No

Can the information provided be verified through another source? Yes No

If yes, what other data or information source should be used? Please specify:

Observer reports

Implementation Compliance Assessment

Specify how compliance is to be assessed:

Adoption by an applicable CCM, in accordance with its own policies and procedures, of binding measures that implement the requirement, and provision of the requisite information on this in Annual Report pt 2 (eg provision of information on or link to relevant legislation, or policies or procedures).

If this information has been provided in the past, confirmation from the CCM that it has checked that this information is current for the reporting year, and if not, that it has updated the requisite information.

Provision by an applicable CCM of information in Annual Report pt 2 showing that it has a system to monitor and ensure compliance with this obligation. Specify the type and nature of the information required to be provided to demonstrate this:

Specify how compliance is to be assessed where incidents of non-compliance have been identified on the on-line compliance case file system: