

A draft ERS recommendation on measures to ensure the conservation and management and sustainable use of sharks taken in SBT fisheries for discussion at CCSBT-ERS 7

Delegations of Australia and New Zealand

Abstract

Noting the discussions at CCSBT ERS 6 (paragraph 50 of the meeting report) on measures to ensure the conservation and management and sustainable use of sharks taken in SBT fisheries, Australia and New Zealand have further reviewed the draft recommendation developed at that meeting (CCSBT-ERS 6 Attachment 8b). The review highlighted several changes that were needed to develop an effective recommendation. This paper provides rationale for the changes, a revised recommendation for consideration by CCSBT ERS 7 and recommendation to the CCSBT and documentation of the changes from the ERS 6 resolution.

Introduction

This proposal recognises the direction in the FAO International Plan of Action for the Conservation and Management of Sharks (IPOA-SHARKS) that States should implement a national programme for conservation and management of shark stocks if their vessels conduct directed fisheries for sharks or if their vessels regularly catch sharks in non-directed fisheries. A number of shark species are routinely taken during fishing for SBT.

The IPOA-Sharks further directs that data collected by States should, where appropriate, be made available to, and discussed within the framework of, relevant subregional and regional fisheries organizations and FAO. International collaboration on data collection and data sharing systems for stock assessments is particularly important in relation to transboundary, straddling, highly migratory and high seas shark stocks.

This proposal is prepared to facilitate the commitment expressed by the ERS 6 to conclude agreements on the advice to the CCSBT on conservation and sustainable utilisation of shark bycatch at ERS 7 (para 50 of ERS 6 Meeting Report).

Members should note further that the status of highly migratory sharks is to be considered at a meeting of parties to the Convention on Migratory Species of Wild Animals in December 2007. Continued inaction by tuna RFMOs on the issue of highly migratory shark species can not be sustained.

This paper is structured as follows:

- An introduction and general comments (pages 1 - 2);

- A draft recommendation on conservation and sustainable utilisation of sharks taken as bycatch SBT fisheries for the consideration of ERS 7 (pages 3 – 5);and
- A copy of the ERS 6 Attachment 8b (page 6).

We would expect the discussion of this paper to focus on the draft recommendation on the conservation and sustainable utilisation of shark bycatch in SBT fisheries (pages 3 – 4). We have provided the background material so that all participants are aware of changes made to the recommendation from the version discussed at ERSWG 6.

General Comments

In developing this recommendation, the need for text as preamble to the recommendation was identified. Text is proposed, outlining the clear justification for the draft recommendation.

It is recognised that considerable progress has been made by other RFMOs in developing Resolutions or Conservation and Management Measures since February 2006. In particular, the Western and Central Pacific Fisheries Commission adopted a binding conservation measure in December 2006 and the joint Tuna RFMO meeting in Kobe (January 2007) confirmed the need for RFMOs to cooperate to address bycatch issues associated with their target fisheries.

We have simplified the text in minor ways and introduced formatting changes, with the intention of making the recommendation clearer and easier to read.

We have separated the data provision requirements from this recommendation and addressed them in a separate data resolution. However we reiterate that in accordance with the CCSBT Convention, which acknowledges the importance of information and data collection related to ecologically related species (ERS) and states that the parties shall provide this to the Commission and cooperate in data collection (Article 5) and that the Commission shall collect and accumulate statistical data relating to ERS (Article 8). These data will be important for the effective implementation of this shark recommendation.

With the exception of additional preamble and wording changes to improve the resolution, we suggest changes of substance to the recommendation, considered by ERS 6 as follows:

1. Recommendations relating to the collection and exchange of shark bycatch data have been deleted subject to the agreement on a general data collection and exchange resolution;
2. Requirements to ensure full utilization of retained shark species.

Resolution on the conservation and sustainable use of sharks taken in SBT fisheries

In accordance with the Convention for the Conservation of Southern Bluefin Tuna, which acknowledges the importance of information and data collection related to ecologically related species (ERS) and states that the parties shall provide this to the Commission and cooperate in data collection (Article 5) and that the Commission shall collect and accumulate statistical data relating to ERS (Article 8);

In accordance with the ERSWG terms of reference, the ERSWG shall provide:

- Information and advice on issues relating to species associated with SBT, with specific reference to species (both fish and non-fish) which may be affected by SBT fisheries operations (TOR 2a);
- Advice on measures to minimise fishery effects on ERS, including but not limited to gear and operational modifications (TOR 5); and
- Advice on other measures which may enhance the conservation and management of ERS (TOR 6);

Recognising the FAO International Plan for the Conservation and Management of Sharks (IPOA-SHARKS) with the objective to ensure the conservation and management of sharks and their long-term sustainable use, including: minimizing unutilized incidental catches of sharks and encouraging full use of dead sharks. The IPOA-SHARKS recommends that:

- States should implement a National Plan of Action for the Conservation and Management of Sharks (Shark-plan) if their vessels conduct directed fisheries for sharks or if their vessels regularly catch sharks in non-directed fisheries.
- Data collected by States should, where appropriate, be made available to, and discussed within the framework of, relevant subregional and regional fisheries organizations and FAO.
- Where transboundary, straddling, highly migratory and high seas stocks of sharks are exploited by two or more States, the States concerned should strive to ensure effective conservation and management of the stocks.

Recognising that certain species of sharks, such as great white shark, whale shark and basking shark, have been listed on Appendix II of the Convention on International Trade in Endangered Species and the Convention on the Conservation of Migratory Species of Wild Animals (CMS);

Acknowledging that Members and Cooperating Non-members are engaged in the preparation and implementation of national Shark-plans, with Shark-plans compiled to date for Japan and Australia;

In accordance with the CCSBT5 request to the ERS 4 to provide specific advice about how the CCSBT might fulfil the FAO call for regional fisheries management bodies to cooperate in the implementation of the IPOA-SHARKS. Also in accordance with the commitment expressed by the ERS 6 at CCSBT13 to conclude agreements on the advice to the CCSBT on reducing incidental seabird catch, conservation and sustainable utilisation of sharks and data collection and provision for ERS at ERS 7 (in 2007);

Recalling the agreed Course of Actions for RFMOs from the Kobe meeting of joint tuna RFMOs, January 26, 2007 which included:

- Reviewing the performance of tuna RFMOs.
- Implementation of the precautionary approach and an ecosystem-based approach to fisheries management including improved data collection on incidental by-catch and non-target species and establishment of measures to minimize the adverse effect of fishing for highly migratory fish species on ecologically related species, particularly sea turtles, seabirds and sharks, taking into account the characteristics of each ecosystem and technologies used to minimize adverse effect.
- Development of data collection, stock assessment and appropriate management of shark fisheries under the competence of tuna RFMO.

Recommends that the Commission adopt the following Recommendation to enter into force from 01 January 2008:

Recommendation ERSWG – 2007 - XX

Conservation and sustainable use of sharks taken in SBT fisheries

1. All Members and Cooperating Non-Members shall implement the FAO International Plan of Action for the Conservation and Management of Sharks and provide progress reports to the Commission on their implementation, including, as appropriate, the status of their National Plans of Action for the Conservation and Management of Sharks;

Data and monitoring

2. Data on catch of sharks in SBT fisheries shall be collected by observers and in logbooks and reported annually to CCSBT by Members and Cooperating Non-Members of the Extended Commission in accordance with the standards and specifications outlined in the data collection and provision recommendation (Recommendation ERS – XXXX)].

Management Measures

3. Members and Cooperating Non-Members shall take measures necessary to limit shark catches to sustainable levels, minimise unutilised incidental catches of sharks and encourage full use of dead sharks. Full use is defined as retention by the fishing vessel of all parts of the shark excepting head, guts, and skins, to the point of first landing or transshipment.
4. In relation to 3. Members and Cooperating Non-Members shall implement at least one of the following options:
 - requiring their vessels to have on board fins that total no more than 5% (based on the wet weight of the primary fin set) of the dressed weight of sharks onboard, up to the first point of landing;
 - requiring their vessels land sharks with fins attached to the carcass or that fins not be landed without the corresponding carcass;
 - Set total allowable catch limits for individual shark species taken in SBT fisheries through a quota management system.

Research and review

5. The Extended Commission requests that by August 2008 the ERS review existing data on sharks catches, life histories, and abundance trends to assess potential risks to shark populations of shark bycatch from SBT fisheries. This review should draw on work undertaken in other relevant RFMOs.
6. The Extended Commission requests the ERS regularly assess the status of shark stocks, ideally in collaboration with other RFMO's, in line with providing management advice to the Commission. The stocks to be assessed should be identified based on the outcomes of 5 with the first assessment completed by August 2009. Such assessments will be used as the basis for determining sustainable catch limits for sharks taken in SBT fisheries.
7. Members and Cooperating Non-Members shall report annually to the Commission on the management in place and measures of their effectiveness, commencing in May 2008.
8. The Extended Commission requests that the ERS regularly review points 3 and 4, and provide recommendations on any other management measures necessary, based on the outcomes of 6 and 7.

Conservation and sustainable utilisation of sharks taken in SBT fisheries

Noting that

- Members and Cooperating Non-Members of the Extended Commission are engaged in preparation and implementation of NPOA-sharks
- Shark NPOAs aim to ensure that catches from directed and non-directed fisheries are sustainable and unutilised incidental catches should be minimised
- There is limited information available to assess the impact of shark bycatch across SBT fisheries

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ERSWG6 **recommends** to the Commission for consideration at CCSBT-13 the following:

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1. Data on shark catch and interactions shall be collected by observers. Observer data and available logbook data on shark catch by 5° x 5° grids for longline and 1° x 1° squares for all other gears, by each calendar month shall be provided to the Commission. In instances where the provision of data at this spatial scale would result in breaches of domestic confidentiality agreements (e.g. identification of individual vessel operations), data should be provided at the finest possible scale, but no larger than the level of CCSBT Statistical area.]
2. All Members and Cooperating Non-Members of the Extended Commission should develop and implement NPOAs, and provide progress reports to CCSBT on their implementation;
3. Requests the ERSWG the review existing data on sharks catches, life histories, and abundance trends to assess potential risks to shark populations of shark bycatch from SBT fisheries.
4. CCSBT should assess the status of relevant shark stocks, where appropriate, in collaboration with other RFMO's
5. Encourages Members and Cooperating Non-Members of the Extended Commission to achieve conservation and sustainable utilisation of sharks or avoid catches of unwanted sharks
6. to promote full utilisation of retained catches, options could include:
 - Setting of trip or overall catch limits;
 - Prohibiting vessels from carrying, retaining, or landing all shark dorsal, pectoral, caudal, pelvic and anal fins that are not attached to their carcass;
 - Setting fin to whole weight ratios for catches to the first point of landing.
7. encourage the release of unwanted shark bycatch in a live state
8. Requests that the ERSWG regularly review points 5 and 6, based on the outcomes of 3 and 4 above.

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