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**FFA members – Proposed Revisions to the Conservation and Management Measure for Sharks**

**WCPFC9-2012-DP18**

**5 November 2012**



02 November 2012

Glenn Hurry  
Executive Director  
Western and Central Pacific Fisheries Commission  
PO Box 2356  
Kolonias  
Federated States of Micronesia

Dear Professor Hurry,

**FFA Member's Proposed Revisions to the conservation and management measure for sharks**

I write in my capacity as the Chair of the Forum Fisheries Committee on behalf of the 17 FFA Members. Please find attached a proposal from FFA members for improvements to the conservation and management measure for sharks.

Yours Sincerely

Dr Sione Vailala Matoto  
Chair  
Forum Fisheries Committee

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**CONSERVATION AND MANAGEMENT MEASURE FOR SHARKS**

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**Conservation and Management Measure 2010-07<sup>1</sup>**

*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);

*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, 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).
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.

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

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.

~~4. Each CCM shall include key shark species<sup>2</sup>, as identified by the Scientific Committee, 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 (e.g. chemical, magnetic and rare earth metal shark deterrents).~~

~~5. The Commission shall consider appropriate assistance to developing State Members and participating Territories for the implementation of the IPOA and collection of data on retained and discarded shark catches.~~

*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 species<sup>3</sup>, 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 (e.g. chemical, magnetic and rare earth metal shark deterrents).

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 ~~excepting which may not include~~ head ~~and, guts, viscera and skins~~, to the point of first landing or transshipment.

7. 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 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.

~~7. 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 to the carcass or that fins not be landed withoutwithoutcorresponding carcass.~~

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<sup>2</sup> 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) and hammerhead sharks (winghead, scalloped, great, and smooth).

~~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.~~

8. 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.

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).

10. In pelagic longline or vertical longline fisheries ~~for that target~~ tunas and tuna-like species ~~that 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.

11. Vessels operating in fisheries described in paragraph 10 shall not be permitted to use wire trace as branch lines or leaders to enable sharks to self release by biting through monofilament trace.

12. For fisheries that target sharks CCMs 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.

~~11.13.~~ Nothing in this measure shall prejudice the sovereignty and sovereign rights of coastal States, including for 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.

~~12.14.~~ CCMs shall advise the Commission in Part 2 of the annual report on the implementation of this CMM and any alternative measures adopted under paragraph 8 or 13.

13.—On the basis of advice from the SC, the TCC and the Commission, CCMs shall review the implementation and effectiveness of this measure, and any alternative measures applied under paragraph 14, and shall consider the application of additional measures for the management of shark stocks in the Convention Area, as appropriate.

~~14.15.~~ In 2010, the SC, and if possible in conjunction with the Inter American Tropical Tuna Commission, provide preliminary advice on the stock status of key shark species and propose a research plan for the assessment of the status of these stocks.

- | ~~15.16.~~ 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.
- | ~~16.17.~~ The Commission shall provide ~~consider~~ appropriate assistance ~~to 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.
- | ~~17.18.~~ This CMM shall replace ~~2009-04-2010-07.~~