



**COMMISSION
ELEVENTH REGULAR SESSION**
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1 - 5 December 2014

FFA CCMs proposal for a shark Conservation and Management Measure

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Paper submitted by FFA Members



FFA CCMs proposal for a shark Conservation and Management Measure

Explanatory Note addressing CMM 2013-06 criteria

a. Who is required to implement the proposal?

This proposal applies to flag State CCMs. It requires flag States to implement certain management measures to be complied with by their purse seine, pole and line and longline vessels. It also places reporting obligations on flag States.

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

As above, impacts are largely restricted to flag States. Those with very large fleets will require more effort for implementation and compliance.

The proposals do come at cost to SIDS domestic fleets, and also have the potential to reduce attractiveness of EEZ fishing if there is a perception of greater enforcement in EEZs than on high seas. However, this is an impact that FFA members believe is justified given the stock status and international concern over many shark species in the WCPO. The impacts are manageable as long as all CCMs faithfully enforce the measures on their flagged vessels.

c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?

There is a direct linkage to the FFA “Harmonised Minimum Terms and Conditions for Access to Exclusive Economic Zones by Foreign Fishing Vessels”. Under the HMTCs wire traces will be prohibited for any foreign vessel licensed to fish in FFA EEZs.

d. Does the proposal affect development opportunities for SIDS?

The proposals are likely to reduce profitability in longline fisheries, and experience has shown that small domestic fleets are the most financially vulnerable. Nevertheless, FFA members are committed to shark conservation, as evidenced by the recent amendment to the HMTCs (referenced above) and the fact that many members have more stringent measures as well, such as shark sanctuaries.

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

As explained in (b) and (d) above, there will be impacts on development opportunities. These are necessary to ensure sustainability of shark stocks and to prevent the conservation burden that could accrue if more species are assessed to be of conservation concern and/or subject to CITES trade restrictions. FFA members therefore see these mitigation measure approach in the proposal as the best way to ensure the long term continuation of longline fisheries, including trade of sharks and shark product caught by longlines.

There is an urgent need for the Commission to strengthen the management longline fisheries more generally, which will improve sustainability but also increase profitability – which in turn will reduce the impact of any forgone revenue from shark products.

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

SIDS that are flag States will need to implement legislative change. SIDS more generally will also require additional enforcement capability to assess compliance by vessels with these measures.

g. What mitigation measures are included in the proposal?

Paragraph 14 has been retained from the current CMM. This provides a degree of flexibility for the implementation of measures for small scale and artisanal fisheries.

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

None. As explained in (b), (d) and (e) above, while there are costs to SIDS, this proposal is consistent with FFA members' approach to shark conservation through HMTCs and more stringent national measures.



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CONSERVATION AND MANAGEMENT MEASURE FOR SHARKS

Conservation and Management Measure 2014-xx

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).

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:

General Provisions

4. This measure applies in Exclusive Economic Zones and areas of high seas throughout the Convention Area.
5. Each CCM shall include key shark species¹, 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.

Measures that apply to purse seine, pole and line and longline vessels

6. CCMs shall require that any shark landed by their purse seine, pole and line and longline vessels to have all fins, including the tail fin naturally attached in order to guarantee that no finning occurs at sea 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.

7. Fins may be removed at sea [in national waters](#) where coastal states have regulations for monitoring and data collection, including through the development and notification of species specific fin to weight ratios, for their domestic vessels that are sufficient to guarantee that no fins are landed without corresponding carcasses and to collect critical data about shark mortality. [Details of measures adopted by any coastal State CCM under this paragraph sufficient to enable TCC to assess effectiveness of this provision](#) shall be notified to the Commission before [Date] and reported against in the Part 2 Annual Report.

8. 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).

¹ 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).

Measures for longline fisheries targeting tuna and billfish

9. CCMs shall ensure that their vessels comply with at least one of the following options:
 - a. do not use or carry wire trace as branch lines or leaders; or
 - b. do not use branch lines running directly off the longline floats or drop lines, known as shark lines. See Figure 1 for a schematic diagram of a shark line;
10. CCMs that choose to allow their vessels to only implement option b in paragraph 8 must also ensure the following:
 - a. That vessels use large circle hooks to prevent the ingestion of the hook and therefore facilitate de-hooking by the crew; and
 - b. That these vessels shall be subject to a minimum of 10% observer coverage using ROP observers
11. 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.

Measures for longline fisheries targeting sharks

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 by December 2015 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.

Measures for purse seine fisheries

13. Vessels operating in the purse seine fishery should abide by the handbook “How to safely handle sharks when captured by fishing vessels” 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.

Final Provisions

14. 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.

15. 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.

16. On the basis of advice from the SC and TCC, the Commission, shall review the implementation and effectiveness of management arrangements provided in this measure, after 2 years of its implementation and shall consider the application of additional measures for the management of shark stocks in the Convention Area, as appropriate.

17. 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.

18. This CMM shall replace 2010-07 but does not replace or prejudice any other existing shark CMM. This CMM shall come into force on 1 July 2015.

Figure 1 – Schematic diagram of a shark line

