

Position Statement for the 100th Session of the Inter-American Tropical Tuna Commission and Response to the IATTC 100th Commission Meeting Proposals

SHARKPROJECT International is a marine conservation NGO focusing on healthy marine ecosystems and healthy shark populations, a 'conditio sine qua non' for healthy oceans that can support seafood supplies for this and future generations and are able to contribute to combatting climate change.

SHARKPROJECT appreciates joining ICCAT as an observer and will be contributing to the sustainable management of fisheries in the convention's waters and the rebuilding of depleted stocks, which is equally important for target species as for bycatch species, especially referring to the increasing number of depleted stocks and threatened shark and ray species.

We are committed to the sustainable management of all stocks and are proud of now being also an observer at IATTC, to support applying best available science and a precautionary approach especially in lack of sufficient data as often the case for bycatch species and especially for sharks.

We really would have hoped to participate in this 100th Meeting of the Commission, but unfortunately have restrictions for overseas travelling at this time and couldn't justify paying the same, substantial fees for participating online. Online participation does not generate additional costs for the Commission and in the wake of the pandemic and as a result of the global change in meeting culture has to be provided in any case regardless of the number of online participants.

Nevertheless, we are committed to the proceedings and the important proposals that will be discussed and therefore feel that we should provide our input, offering our support and expertise to this year's Commission Meeting.

SHARKPROJECT has been calling for a global [transition to an ecosystem based fishery management](#), for ALL stocks, whether a target species or a bycatch, applying best available science and in the absence of sufficient data following a precautionary approach to immediately stop overfishing and to rebuild overfished stocks with a high probability of success.

Sharks and rays are in a crisis – globally and also in the Eastern Pacific, an ocean famous for its unique biodiversity and once home to some of the world's most abundant fishing grounds supporting the livelihoods of millions of people in coastal areas.

[In 2021 N. Pacoureau](#) et al. warned that more than half of all pelagic shark and ray species are now globally endangered or even critically endangered by extinction and that the abundance of pelagic sharks and rays has decreased by more than 71% over the last 50 years due to the impact of industrial fishing. Due to their biology and high spatial overlap with high seas fishing operations these pelagic species are most vulnerable to overfishing, but have nevertheless been targeted over many decades by both, industrial and artisanal fisheries - without adequate management, poor monitoring, little if any reporting of mortality, and virtually without catch limits in place.

Today many stocks are globally at the brink of collapse and equally concerning, the majority of sharks and rays still have an unknown stock status due to poor reporting or severe under reporting of catches and discards, and due to IUU activities including finning and noncompliance with the few existing conservation measures such as retention bans that have been adopted for a few species in some but not all of the big tuna RFMOs. At observer coverage rates of well below 10% such infringements are impossible to detect and reporting quality on sharks generally remains to be very poor, hindering accurate stock assessments and meaningful projection models.

SHARKPROJECT International

Rebhaldenstrasse 2
8910 Affoltern am Albis

Switzerland

CONTACT

+41 44 586 50 02

info@sharkproject.org
www.sharkproject.org

BOARD

P. Alex Smolinsky
VP. Christine Gstöttner
Jasmin Finger
Denise Smolinsky

SHARKPROJECT Germany e.V.
SHARKPROJECT Austria
SHARKPROJECT Switzerland

No data means no certainty, and without certainty no management measures get implemented – this appears to be the vicious circle for these most vulnerable species, which are therefore neither adequately reported nor managed sustainably in most RFMOs, including the IATTC.

Yet, once overfished many of these species will require decades for stock rebuilding even at a fishing mortality of zero, as e.g. projected by ICCAT's SCRS for the overfished Northern Atlantic stock of *Isurus oxyrinchus* which is projected to take 50 years for rebuilding with a probability of 60-70% if total fishery induced mortality is limited 250 t per year, as adopted at last year's meeting for the Northern Atlantic.

We therefore call to all RFMOs, that

- at sea monitoring must be improved by introducing risk based minimum levels for independent monitoring of all fishing operations by a combination of human observers and / or electronic monitoring systems
- all catch and compliance data (unless posing a safety risk or restricted by legal requirements) must be made publicly available in an easily accessible, transparent and timely way for use for scientific, compliance and management purposes and this must also apply to bycatch data at species level
- all unwanted bycatch must be reduced progressively by introducing and continuously improving bycatch avoidance strategies and by testing and subsequent implementation of technical improvements.
- all bycatch **must be fully documented and reported**. If bycaught animals are still alive, they must be released immediately, applying the best available measures and species-specific handling procedures to release them safely thereby maximising probability of post-release survival; such best practices already exist for all fishing methods and bycatch species of sharks, rays, marine mammals, turtles, seabirds) but require continuous improvement as to date still not sufficiently effective for most species and gear.
- the bycatch of IUCN threatened species must be reduced to an absolute minimum, with **bycatch numbers of critically endangered species approaching zero**.
- for all species classified as threatened by the IUCN and/or protected by national, international, or multilateral agreements, effective management plans must be adopted to rebuild overfished stocks to pre-industrial levels (or at least to pre-1970 population sizes). Such recovery plans must be defined and implemented for both, target species and **all species impacted by fishing activities** as "observed bycatch", "unobserved bycatch", ghost fishing, or by other ecosystem impacts from fishing activities.
- in absence of scientific reference points or significant models, the precautionary principle shall always be applied and agreed management measures shall assume a "worst case" scenario for the species.
- if "unwanted" bycatch of overfished stocks is still marketed generating commercial benefit for the fisheries, **total allowable catch (TAC) quotas or retention bans in line with a precautionary approach must be defined for the species also in the absence of harvest control rules** and compliance must be monitored adequately to prevent further overexploitation.
- to end the unsustainable finning of sharks specifically a **Fins Naturally Attached policy without exceptions and a risk-based monitoring of compliance with FNA** is mandatory for all fisheries interacting with sharks either as bycatch or targeting sharks.
- to **ban the transshipment of sharks at sea and require 100% monitoring of all transshipment activities** by human observers and an EMS (electronic monitoring system) being in place at both, the fishing and the carrier vessel.
- to prohibit the deliberate setting of nets on marine mammals and whale sharks

SHARKPROJECT is very concerned to see that IATTC continues to have insufficient reporting and conservation measures for sharks and rays in place to adequately assess, manage and protect its stocks.

1. We specifically note that the **lack of a Fins Naturally Attached regulation** - without exemptions for all sharks – imperils all sharks in the Convention area including those species being most vulnerable to overfishing and most sought after in the global shark fin trade.

It is our [stated position that all fisheries engaging with sharks either as targeting them or having them as a bycatch species must without exemptions comply with a Fins Naturally Attached policy](#). This is globally acknowledged to be the only truly effective measure to prevent shark finning when combined with adequate monitoring of compliance via independent monitoring by electronic monitoring systems in combination with human observers.

The currently applied fin to carcass ratio is completely inadequate to achieve this as impossible to monitor and lacks the ability for prosecution of finning as impossible to be verified.

We urge the Commission to finally follow global best practice and adopt a Fins Naturally Attached policy prohibiting to remove, retain, tranship, and land fins on board of all its vessels.

Therefore, we appreciate and fully support **Proposal IATTC-100 B-1 submitted by the EU to replace RESOLUTION C-05-03** and to require that *“CPCs shall prohibit the removal of shark fins on board vessels. CPCs shall prohibit the retention onboard, transshipment, carrying and landing of shark fins which are not naturally attached to the shark carcass until the first point of landing.”*

By adopting FNA IATTC will following suit to other RFMOs like NAFO and GFCM and to many fishing nations that have already taken this step.

We note that also **Proposal IATTC-100 B-2 submitted by Canada and Ecuador** includes a request for replacing fin to carcass ratios by Fins Naturally Attached.

Referenced [WCPFC CMM 2019-04](#) indeed still allows several exceptions to FNA and the artificial re-attachment of fins as an alternative, thereby allowing cutting of fins at sea to continue in some fisheries, which hinders effective prevention of finning and the prosecution of offenses.

While we suggest removing in the text reference to WCPFC CMM 2019-04 and to apply the provided definition of FNA in the proposal without exceptions, requiring all fins to *“be fully or partially, connected to the carcass of the shark by connective tissue or cartilage”* we very much support the included shark definition to define **all Condriichthyes as sharks in the context of this resolution**, as all of them are affected by finning for the unsustainable and irresponsible shark fin trade.

In view of both proposals and the established global best practice of FNA, we call to the Commission to adopt a Fins Naturally Attached policy without exceptions and to combine wording from both proposals as IATTC-100 B-2 includes an important shark definition relevant to the suggested resolution.

2. We also fully support the **requested improvements in IATTC-100 B-2 for reporting** of catch efforts, retained shark bycatch at species level and the reporting of amounts and status of discards as well as the specifics referring to the reduction of shark bycatch in longline fisheries by **banning the use of shark lines and wire leaders in all fisheries targeting tuna or swordfish, and in all multispecies fisheries**. However we suggest to review and further detail Safe Release Requirements for sharks, highlighting that best practices for avoidance, mitigation and improved post release survival exist for different gear and bycatch species and should therefore be for each gear in detail including specific requirements for highly vulnerable shark species, i.e. for juvenile silky sharks and oceanic whitetip sharks in purse seine gear or for hammerheads, mako sharks and other oceanic species in longline gear, but also for the bycatch of manta rays and mobulids in different gears. Avoiding shark bycatch in the first place should always be the priority and if this is not completely possible then existing release measures must be implemented but also continuously optimised based on a periodic review of their effectiveness to increase post release survival rates.
3. The proposed conservation measures in IATTC-100 B-2 for oceanic white tip sharks, while copied from the existing resolution C-11-10, demonstrate that there is a different level of conservation in place throughout the convention and we therefore urgently call to those IATTC members that are not or not yet covered the Antigua Convention to support an harmonised measure and prohibit **“retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of oceanic whitetip sharks”**. Harmonised measures building consistent conservation for this globally critically endangered shark species are long time overdue and should urgently be adopted removing any commercial incentive for the catch of this species as populations further decline.

4. The proposed measures specific to the protection of silky sharks in IATTC-100 B-2 as copied from the existing resolution C-21-06 in should be substantially reviewed and improved at the latest in 2023 as defined in the resolution as the measures adopted as an ad interim measure will be impossible to monitor for compliance as it is much too complex and too variable for different fleets and even vessels to monitor, especially in light of independent monitoring levels being far too low overall. Furthermore, the measures to limit the bycatch of silky sharks in surface longline fisheries to 20% of total catch in weight and the catch of juveniles in multispecies longline fisheries using surface longlines to 20% of the caught number of individuals of silky sharks are neither appropriate in lack of adequate bycatch avoidance measures, nor will they be effective to reduce mortality of this vulnerable species in lack of best practice safe release measures being effectively implemented and complied with. Most importantly however, the measures do not apply to those fisheries that actively target sharks in the Convention area, nor does it intent to sustainably manage this stock in line with an ecosystem-based management approach by limiting total mortality based on either stock assessment or scientific reference points and in absence of these following a precautionary approach for the definition of an overall total allowable catch.
This globally vulnerable species is listed on CITES Appendix II but caught massively for the international fin trade, subject to a high bycatch rate in all longline fisheries and with 0.5 -1% of the total catch constituting the highest percentage of a single bycatch species in purse seine fisheries fishing with drifting FADs and catching a massive tonnage of fish per set. The species is highly vulnerable to overfishing due to its biology and the fact that mostly juveniles are caught in the purse seine fishery with dFADs while both, juveniles and adults, are caught by longliners. Many RFMOs have therefore already adopted a full retention ban for this species excluding only subsistence fishing, to remove all incentives to target and retain them coming from the lucrative fin trade.
5. Therefore, we **encourage all contracting and cooperating non contracting parties to adopt during the next Commission meeting in 2023 effective conservation measures for the sustainable management of silky sharks and all other shark species being most vulnerable to overfishing, experiencing overfishing today, or possibly already being overfished. This year the Commission should already task the Working Group on Bycatch and the Scientific Advisory Committee to develop and propose such measures in 2023 for silky sharks and other oceanic shark species like hammerheads or mako sharks, applying a precautionary approach in lack of stock** assessments, scientific reference points, and adequate catch reporting data.
6. We support **Proposal IATTC-100 K1 submitted by Ecuador** to amend resolution C-19-08 on scientific observers for longliners, increasing **minimum observer coverage for longliners of more than 20 m in a stepwise approach to 100% by 2026 having ever human observers and/or an electronic monitoring system (EMS) on board** in line with predefined and approved minimum requirements by the Commission as to the specification of such a system. This is a much appreciated and long-time overdue step as inadequate reporting of catch and bycatch data has continently hindered or even prevented the implementation of adequate conservation measures and the sustainable management of all stocks, including shark species and the bycatch of ETP species. We hope the Commission will adopt this resolution but also hope to see improved independent monitoring for smaller longline vessels as the majority of longliners impacting sharks is less than 20 meters including many artisanal fishing vessels, but due to their large number also have a significant impact especially on bycatch species and are often also targeting sharks. Those should therefore also be considered to have at least some level of electronic monitoring albeit less complex and expensive systems may suffice in this case.
7. We also appreciate the Commission's initiative to improve the management of dFADs and specifically the proposed improvements to the design of dFADS as made by the Scientific Advisory Committee. It should however also be highlighted that today drifting FADs constitute the major gear for catching tuna and tuna like species in all tuna RFMOs but are known to generate massive impact on ecosystems and substantially increase the bycatch of ETP species as well as other unwanted catch, including juvenile tuna and sharks. Nervertheless, effective bycatch avoidance and mitigation measures are broadly lacking and dFAD management is still extremely poor in all RFMOs thus substantial improvements are urgently required in both, the construction requirements for dFADs and the management of dFADs, also at IATTC.

SHARKPROJECT's position with regard to dFADs therefore includes dFAD management and effective bycatch avoidance / mitigation measures as a priority:

a. Continuously Reducing the Bycatch of Endangered, Threatened and Protected Species

- From 2023 onwards, only such dFAD designs without any net elements and/or meshing as part of the raft or the underwater structure (tail) may be used. This is essential to ensure that dFADs do not pose any risk of entanglement throughout the complete lifetime to sharks, marine mammals, or sea turtles; the use of simpler/smaller dFAD structures is encouraged.
- By 2024, all structures that do not meet these requirements must be removed from the water (proof of their removal must be provided before new FADs can be used).
- From 2023, only fully biodegradable materials should be used for the construction of dFADs; these materials must be 100% biodegradable within 12-18 months under normal environmental conditions at sea.
- Introduce science-based mortality limits for all IUCN threatened bycatch species, taking the collective impact of the entire fishery in an area on these species into account, and set mandatory, species-specific targets for the reduction of this bycatch for dFADs, applying the precautionary principle. This should start as early as 2023 for silky sharks and oceanic whitetip sharks, as these species are particularly affected as bycatch by this specific fishing method.
- Fisheries must use science-based, safe handling and release practices to release sea turtles, sharks, rays and marine mammals as gently and quickly as possible. New tools/technologies for the safe live release of endangered species must be tested as soon as they become available (e.g., mandatory installation/refitting of purse seine fishing vessels with additional release ramps and/or conveyor belts for the fast and gentle return of all bycatch from deck into the sea).
- Development and implementation of improved bycatch avoidance measures for silky sharks and other non-target species (e.g., sea turtles) e.g., verifying the level of potential bycatch of threatened species under a dFAD prior to setting the nets, the use of camera systems in combination with echo sounders or other appropriate technologies as they become available.

b. Improving dFAD Management

- Scientifically based limits on the number of dFADs must be introduced through management measures including limits on total number of dFADs per area, number of dFADs launched annually per fishing vessel / fleet and number of fishing activities ("sets") using dFADs.
- Implementing a fully transparent dFAD recovery and retrieval policy to reduce marine litter and the impacts from beaching of lost dFADs.
- Effective and enforceable closures to all fishing operations with dFADs shall be implemented, including temporal and spatial closures to protect e.g. hotspots for ETP species and megafauna, and shark nurseries; during these periods all dFADs shall be removed from the water and not allowed to continue drifting.
- Introducing rules for possession and ownership of dFADs, ensuring lifetime ownership and non-transferable responsibility for all damage caused by dFADs.
- 100% monitoring of industrial fishing vessels and all activities (including trans-shipment and landing) through a combination of human observers and electronic monitoring systems.
- Near real-time reporting of electronic data on the use of drifting FADs (transponder tracks from dFAD buoys and echo-sounder estimates of biomass), independent verification and reporting of this data.
- the use of camera systems in combination with echo sounders or other appropriate technologies as they become available.

Therefore, we call to the Commission to act now and to stop letting poor compliance with shark reporting requirements prevent the implementation of urgently needed management and conservation measures, including precautionary catch limits and retention bans for those stocks that are at highest risk of over-exploitation until a time when stocks are confirmed to be or having been rebuild at least to above SBMSY.

We all must no longer ignore the global crisis sharks are in today and it is therefore important that the Commission takes a much more proactive and precautionary approach to shark management for the future, rather than reiterating the old paradigm that we need more and better data, which eventually never will become available.

SHARKPROJECT will gladly work together with all contracting and non-contracting parties and support drafting improved management measures for sharks and rays in the Indian Ocean based on best available science and a precautionary approach.

Tina Reiterer

International Cooperation
t.reiterer@sharkproject.org

Dr. Iris Ziegler

Head International Cooperation
i.ziegler@sharkproject.org

SHARKPROJECT International

An international initiative for the conservation of sharks and the marine ecosystems