

INTER-AMERICAN TROPICAL TUNA COMMISSION

101st MEETING

Victoria, Canada
7-11 August 2023

PROPOSAL IATTC-101 C-4

SUBMITTED BY CANADA

**PROPOSAL BY CANADA TO CONSOLIDATE RESOLUTIONS
C-05-03, C-16-04, AND C-16-05 ON THE CONSERVATION AND
MANAGEMENT OF SHARK SPECIES IN THE EASTERN
PACIFIC OCEAN**

EXPLANATORY MEMORANDUM

The existing conservation and management framework for shark species pursuant to the Antigua Convention area is dispersed across six key resolutions, excluding Resolution C-19-06 on whale sharks. This poses challenges with respect to the implementation, monitoring and compliance by Parties and cooperating non-Parties (CPCs) of these important obligations and requirements. Mindful of these considerations, Canada proposes to consolidate the following three resolutions:

- **C-05-03 (Conservation of Sharks Caught in Association with Fisheries in the Eastern Pacific);**
- **C-16-04 (Amendment to Resolution C-05-03 on the Conservation of Sharks Caught in Association with Fisheries in the Eastern Pacific Ocean); and,**
- **C-16-05 (Management of Shark Species).**

The proposed consolidation and restructuring of existing measures under logical themes are expected to improve their implementation by CPCs. To facilitate review, Canada has identified by colour and number, which paragraphs have been copied and/or modified from existing shark resolutions. Text from existing Resolutions that is not included in this proposal are as follows:

- C-05-03, paragraphs 4,5,7,8, and 9
- C-16-05, paragraph 1

This proposal also introduces strengthened measures to more effectively address the practice of shark finning in the IATTC Convention Area. There are a number of issues with the shark fin requirement (i.e. ratio of fin weight to shark body weight) currently in force at the IATTC. Most notably, that this ratio varies by species, cutting practice, and processing method, which allows for the practice of shark finning to continue undetected. This proposal, aligned with the most recent Scientific Advisory Committee (SAC) recommendations, introduces a requirement for fins to be naturally attached. The introduction of this requirement is consistent with approaches on shark fin requirements adopted by other tuna-RFMOs, including the Western and Central Pacific Fisheries Commission (WCPFC) and the North Pacific Fisheries Commission (NPFC).

Moreover, this proposal seeks to reduce the mortality of sharks caught in EPO longline fisheries by expanding the restrictions on the use of shark lines and wire leaders. The adoption of these new elements is also expected to benefit conservation efforts related to sea turtles and seabirds in the EPO.

Finally, with a view to improving clarity and minimizing the potential for differences in interpretation of key paragraphs in the proposed resolution, the proposal includes a definitions section. Definitions are included for key terms including sharks, shark finning, full utilization, naturally attached, shark lines, and wire leaders.

CONSERVATION MEASURES FOR THE PROTECTION AND SUSTAINABLE MANAGEMENT OF SHARKS

The Inter-American Tropical Tuna Commission (IATTC):

Recalling that the United Nations Food and Agriculture Organization (FAO) International Plan of Action for the Conservation and Management of Sharks calls on States, 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 a National Plan of Action for the conservation and management of sharks;

Recognizing that certain species of sharks and rays have been listed on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);

Recognizing further that some shark species are highly migratory, and that harmonized conservation and management, where appropriate, may help to ensure sustainable management.

~~*Considering*~~ *Noting that many sharks are part of pelagic ecosystems= and are caught by vessels operating pursuant to the Antigua Convention.*~~*in the Convention area, and that sharks are captured in fisheries targeting tunas and tuna-like species;*~~

Recalling that under the Antigua Convention, “fish stocks covered by this Convention” means “stocks of tunas and tuna-like species and other species of fish taken by vessels fishing for tunas and tuna-like species in the Convention Area”, and that under Article VIII, paragraph 1 (c), the Commission shall “adopt measures to ensure the long-term conservation and sustainable use of the fish stocks covered by this Convention”;

~~*Further recalling*~~ *Considering that that Article VII, paragraph 1 (f) of the Antigua Convention establishes that the Commission shall “adopt, as necessary, conservation and management measures and recommendations for species belonging to the same ecosystem and that are affected by fishing for, or dependent on or associated with, the fish stocks covered by the Convention, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened”;*

Emphasizing the importance of obtaining additional data to inform conservation and implement management measures, as well as to improve the understanding of fishing and pupping areas, discards, trade, catch and effort data, and other information on biological parameters of other species, that affect the fishing mortality of sharks.

Determined to combat IUU fishing;

Noting that the IATTC has adopted, in its Consolidated Resolution on Bycatch, a requirement for fishermen on purse-seine vessels to release unharmed non-target species, to the extent practicable, including sharks, and that governments with longline fleets also provide the required bycatch information as soon as possible;

Further noting the IATTC staff’s 2016 conservation recommendations for the release of sharks caught by purse-seine vessels and for prohibiting the use of shark lines by longline vessels;

Believing that specific measures to be respected by vessels of all fishing gears are necessary for the conservation of sharks in the EPO;

Desiring to consolidate IATTC Resolutions C-05-03, C-16-04, C-16-05, and to strengthen shark conservation and management measures in the eastern Pacific Ocean.

Agrees as follows:

DEFINITIONS

1. For the purpose of this Resolution:

shark includes all species of sharks, skates, sawfish and chimaeras.

shark finning means the practice of removing the fins from a shark and discarding the remainder of the shark while at sea.

full utilization means retention by the fishing or transshipment vessel of all parts of the shark.

naturally attached means that all fins of the shark must be fully connected to the carcass of the shark by connective tissue, or cartilage, except head, guts, vertebrae and skins as appropriate, to the first point of landing.

shark lines means individual lines or leaders used for the purpose of targeting sharks that are constructed of steel, metal, wire trace, or other materials, and that are attached to the float line or to the floats directly and are deployed in the water column at depths shallower than the mainline. Schematic diagram available at Annex 1.

wire leaders means individual lines or leaders that are constructed of steel, metal, or wire trace, and that are attached to the main line or a branch line. Schematic diagram available at Annex 1.

OBJECTIVE AND APPLICATION

2. The objective of this Resolution is, through the application of the precautionary approach and an ecosystem approach to fisheries management, to ensure the long-term conservation and sustainable use of sharks.
3. This Resolution shall apply to all vessels operating pursuant to the IATTC Convention, on the high seas and within exclusive economic zones of the Convention Area.

NATIONAL PLAN OF ACTION

4. (PARA 1 C-05-03) Each Party and co-operating non-party, co-operating fishing entity or regional economic integration organization (collectively “CPCs”) should establish and implement a national plan of action for conservation and management of shark stocks, in accordance with the FAO International Plan of Action for the Conservation and Management of Sharks.

RETENTION AND UTILIZATION

5. (PARA 3 C-05-03) CPCs shall take the measures necessary to require that their fishers fully utilize ~~any~~ all retained catches of sharks, with the exception of those species for which a retention ban has been adopted by the IATTC. ~~Full utilization 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.~~
6. CPCs shall ensure that the practice of shark finning is prohibited.
7. CPCs shall ensure that all sharks are landed with fins naturally attached to the carcass.
8. (PARA 6 C-05-03) Fishing vessels are prohibited from retaining on board, transshipping, landing or trading in any fins harvested in contravention of this Resolution.

BYCATCH AND RELEASE

9. (PARA 4 C-16-05 with slight modifications) CPCs shall prohibit longline vessels ~~flying their flag and targeting tuna and or swordfish in the Convention Area~~ billfish from using “shark lines” ~~(individual lines attached to the floatline or to the floats directly, and used to target sharks; Figure 1)~~ and or wire leaders.
10. (PARA 3 C-16-05 – with slight modifications) ~~CPCs shall require purse seine vessels flying their flag to follow safe release requirements for all sharks, except those retained aboard the vessel. Any sharks (whether alive or dead) caught in the Convention Area that is~~ that are not retained must be promptly released unharmed, to the extent practicable, as soon as it is seen on the line, in the net or on the deck, ~~without compromising~~ taking due consideration of the safety of any persons, in the following manner:
If a shark is alive when caught and is not retained, the shark must be released by using the following procedures, or equally effective means:
 - a. Leave the shark in the water, where possible.
 - ~~a.~~ b. Sharks must be released out of the net by directly releasing them from the brailer into the ocean. Sharks that cannot be released without compromising the safety of persons or the sharks before being landed on deck must be returned to the water as soon as possible, either utilizing a ramp

from the deck connecting to an opening on the side of the vessel, or through escape hatches. If ramps or escape hatches are not available, the sharks must be lowered with a sling or cargo net, using a crane or similar equipment, if available.

- ~~b~~c. The use of gaffs, hooks, or similar instruments is prohibited for the handling of sharks.
- ~~e~~d. No shark may be lifted by the head, tail, gill slits, or spiracles, or by using bind wire against or inserted through the body, and no holes may be punched through the bodies of sharks (e.g., to pass a cable through for lifting the shark).
- e. No whale shark (*Rhincodon typus*) may be towed out of a purse-seine net, e.g., using towing ropes.
- ~~e~~f. Use a line cutter to cut the line as close to the hook as possible and so that less than 1 meter remains on the animal.

RESEARCH

11. (PARA 2 C-05-03 with slight modifications) In ~~2006~~2025, the IATTC, in cooperation with scientists of CPCs and, if possible, the Western and Central Pacific Fisheries Commission, shall provide preliminary advice on the stock status of key shark species and propose a research plan for a comprehensive assessment of these stocks.
12. (C-16-04) CPCs shall, where possible, in cooperation with the IATTC scientific staff, undertake research to:
 - a. identify ways to make fishing gears more selective, where appropriate, including research into alternative measures to prohibiting wire leaders;
 - b. improve knowledge of key biological/ecological parameters, life-history and behavioural traits, and migration patterns of key shark species;
 - c. identify key shark mating, pupping, and nursery areas; and
 - d. improve handling practices for live sharks to maximise post-release survival.

REPORTING AND DATA COLLECTION

13. (PARA 10 C-05-03) The Commission shall consider appropriate assistance to developing CPCs for the collection of data on shark catches.
14. (PARA 11 C-05-03) Each CPC shall annually report data for catches, effort by gear type, landing and trade of sharks by species, where possible, in accordance with IATTC reporting procedures, including available historical data. CPCs shall send to the IATTC Secretariat, by May 1, at the latest, a comprehensive annual report of the implementation of this Resolution during the previous year.
15. (PARA 2 C-16-05 with slight modifications) CPCs shall require their fishers to collect and submit catch data for ~~silky and hammerhead~~all sharks, and shall submit the data to the IATTC in accordance with IATTC data reporting requirements. CPCs shall also record, through observer programs or other means, for purse-seine vessels of all capacity classes, the number and status (dead/alive) of ~~silky sharks and hammerhead~~ sharks caught and released, and report it to the IATTC.

REPEAL AND ENTRY INTO FORCE

16. This Resolution shall enter into force on January 1, 2024.
17. Upon the date this Resolution enters into force, the following Resolutions are repealed and replaced: C-05-03, C-16-04, and C-16-05.

Annex 1

Schematic diagram of shark lines and wire leaders

Shark lines: individual lines or leaders used for the purpose of targeting sharks that are constructed of steel, metal, wire trace, or other materials, and that are attached to the float line or to the floats directly and are deployed in the water column at depths shallower than the mainline.

Wire leaders: individual lines or leaders that are constructed of steel, metal, or wire trace, and that are attached to the main line or a branch line.

