

INTER-AMERICAN TROPICAL TUNA COMMISSION

101st MEETING

Victoria, Canada

7-11 August 2023

PROPOSAL IATTC-101 C-1

SUBMITTED BY THE EUROPEAN UNION

EU PROPOSAL TO REPLACE RESOLUTION C-05-03

EXPLANATORY MEMORANDUM

The Antigua Convention requires IATTC to adopt conservation measures for species associated with the main targeted stocks.

The European Union is proposing a new Resolution which aims at eliminating the loopholes that prevent the effective enforcement and control of the implementation of the finning ban in the Convention area introduced through IATTC Resolution C-05-03.

This management measure aims to respond to concerns about the threats to shark populations from the practice of shark finning, in fact:

- The current fins to carcass weight ratio requirement has no solid scientific basis underpinning its appropriateness reliable and robust method for the implementation of the finning ban;
- Current scientific evidence clearly indicates that fins to carcass weight ratio varies widely among species, fin types used in calculations, the type of carcass weight used (whole or dressed), and the method of processing used to remove the fins (fin cutting technique);
- The use of the fins to carcass weight ratios undermines the collection of essential information on species level interactions with fishing fleets, crucial for accurate stock assessments for sharks;
- The use of the ratio measure is not possible to control at sea;
- The only way to guarantee that sharks are not finned is to require that the carcasses be landed with the fins attached.

**RESOLUTION C-23-XX ON THE CONSERVATION OF SHARKS
CAUGHT IN ASSOCIATION WITH FISHERIES IN THE ~~EASTERN~~
~~PACIFIC OCEAN~~ IATTC CONVENTION AREA**

The Inter-American Tropical Tuna Commission (IATTC):

Considering that many sharks are part of the pelagic ecosystems in the ~~Convention~~ IATTC area, and that tunas and tuna-like species ~~sharks~~ are captured in fisheries targeting sharks; ~~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 VII, 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”;

Considering 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”;

Recognizing the need to improve the collection of species-specific data on catch, effort, discards, and trade, as a basis for improving the as well as information on the biological parameters of many species, as part of shark conservation and management of shark stocks and aware that identifying sharks by species is rarely possible when fins have been removed from the carcass;

Recalling that United Nations General Assembly Resolution on Sustainable Fisheries, adopted annually by consensus, since 2007 (62/177, 63/112, 64/72, 65/38, 66/68, 67/79, 68/71 and A/RES/69/109) calls upon States to take immediate and concerted action to improve the implementation of and compliance with existing regional fisheries management organization or arrangement measures that regulate shark fisheries and incidental catch of sharks, in particular those measures which prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with each fin naturally attached;

Further ~~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;

Aware that despite regional agreements on the prohibition of shark finning, sharks' fins continue to be removed on board and the rest of the shark carcass discarded into the sea;

Underlining the specific recommendation adopted by the IATTC Scientific Advisory Committee at its 2023 meeting to prohibit the removal of shark fins on board vessels, requiring fins be naturally attached to the shark carcass until the first point of landing for consistency and compatibility throughout the Pacific Ocean, taking into account the measures adopted by the WCPFC (CMM 2022-04).

Emphasising the recommendations of IOTC and WCPFC Scientific Committees and WCPFC Technical and Compliance Committee that the use of fins-to-carcass weight ratios is not a verifiable means of ensuring the eradication shark finning and that it has proven ineffective in terms of implementation, enforcement and monitoring;

Noting the recent adoption of Recommendation 2015:10 on Conservation of Sharks Caught in Association with Fisheries Managed by the North-East Atlantic Fisheries Commission (NEAFC), which establishes the fins attached policy as exclusive option for ensuring the shark finning ban in the NEAFC Convention area;

Further noting the recent adoption of the fins naturally attached policy by NAFO at its 2016 Annual Meeting;

~~Considering that many sharks are part of pelagic ecosystems in the Convention area, and that sharks are captured in fisheries targeting tunas and tuna-like species;~~

~~Recognizing the need to collect data on catch, effort, discards, and trade, as well as information on the biological parameters of many species, as part of shark conservation and management;~~

~~Concerned that an extensive unregulated shark fishery is reported to be conducted in the eastern Pacific Ocean (EPO) by a large number of shark fishing vessels, including some slightly smaller than 24 m length overall, about which the Commission has little information;~~

~~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;~~

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

~~Resolves~~ Agrees as follows:

- ~~1.~~ 1. **Members and Cooperating non-Members** ~~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*.~~
- ~~2.~~ 2. ~~In 2006, 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.~~
2. CPCs shall take the ~~measures~~ necessary measures to require that their fishermen fully utilize ~~any retained~~ their entire 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.
3. CPCs shall prohibit the removal of shark fins on board vessels. CPCs shall prohibit the retention on-board, transshipment, carrying and landing of shark fins which are not naturally attached to the shark carcass until the first point of landing.
4. Without prejudice to paragraph 3, in order to facilitate on-board storage, shark fins may be partially sliced through and folded against the shark carcass, but shall not be removed from the carcass until the first point of landing.
- ~~3.~~5. CPCs shall prohibit the purchase, offer for sale and sale of shark fins which have been removed on-board, retained on-board, transhipped or landed, in contravention to this Resolution.
- ~~4.~~ ~~CPCs shall require their vessels to have onboard fins that total no more than 5% of the weight of sharks onboard, up to the first point of landing. CPCs 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.~~
- ~~5.~~ ~~The ratio of fin to body weight of sharks described in paragraph 4 shall be reviewed by the Working Group on Stock Assessment and reported back to the Commission in 2006 for revision, if necessary.~~
- ~~6.~~ ~~Fishing vessels are prohibited from retaining on board, transshipping, landing or trading in any fins harvested in contravention of this Resolution.~~
- ~~7.~~6. In fisheries in which incidental catches of sharks ~~for tunas and tuna-like species that are not directed at sharks~~ retained, CPCs shall, to the extent possible, encourage the release of live sharks, especially juveniles, ~~to the extent practicable,~~ and pregnant sharks that are caught incidentally and are not used for food and/or subsistence. CPCs shall require that fishers are aware of and use identification guides and handling practices.
- ~~8.~~ ~~CPCs shall, where possible, undertake research to identify ways to make fishing gears more selective.~~
- ~~9.~~ ~~CPCs are encouraged, where possible, to conduct research to identify shark nursery areas.~~
7. Sharks that are not retained must be promptly released unharmed, to the extent practicable, taking due consideration of the safety of the crew. CPCs shall also require vessels to:
 - a. Leave the shark in the water, where possible; and
 - b. Use a line cutter to cut the line as close to the hook as possible.

- ~~8. Each CPCs shall annually report data for catches, effort by gear type, landing and trade of sharks by species, where possible, in accordance with IATTC data reporting requirements and procedures, including all available historical data, estimates and life status of discards (dead or alive) and size frequencies. 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.~~
9. CPCs shall, where possible, in cooperation with the IATTC scientific staff, undertake research to:
- a. identify ways to make fishing gears more selective;
 - b. improve knowledge on key biological/ecological parameters, life-history and behavioural traits, 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.
10. In 2026, the scientific staff, in cooperation with the Scientific Advisory Committee, shall provide advice on the stock status of key shark species, and recommend management measures to the Commission.
11. The Scientific Advisory Committee shall annually review the information reported by CPCs and will, as necessary, provide recommendations to the Commission on ways to strengthen the conservation and management of sharks within IATTC fisheries.
12. The Commission shall consider appropriate assistance to developing CPCs for the identification of shark species/groups and the collection of data on their shark catches.
- ~~10.~~ 13. Resolution C-05-03 is replaced by this measure.
- ~~11. Paragraphs 2-11 of this resolution apply only to sharks caught in association with fisheries managed by IATTC.~~