

INTER-AMERICAN TROPICAL TUNA COMMISSION

98TH MEETING

(by videoconference)

23-27 August 2021

PROPOSAL IATTC-98 F-1

SUBMITTED BY ECUADOR

PROPOSED RESOLUTION ON THE CONSERVATION AND MANAGEMENT OF SHARKS

EXPLANATORY MEMORANDUM

Issue

Currently, nine (9) resolutions have been identified that regulate the management and conservation of sharks in the Commission Area. This Delegation considers that maintaining such a dispersed set of regulations causes difficulties in the implementation, monitoring and compliance of these measures. Likewise, it urges Members to consider updating the resolutions in the future to avoid duplication of current regulations, and the Secretariat to ensure that the provisions adopted by the Members be simplified.

Objective

Consolidate shark conservation provisions in the management of the fishery.

Affected resolutions

- C-04-05 (p. 2-3)
- C-05-03 Sharks [removed]
- C-11-10 Oceanic whitetip sharks [removed]
- C-16-05 Sharks species [removed]
- C-16-04 Amendment C-05-03 [removed]
- C-19-06 Whale sharks [removed]
- C-19-05 Silky shark [removed]
- C-20-06 (p. 14)

PROPOSED TEXT

The Inter-American Tropical Tuna Commission (IATTC):

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”; [C-16-05]

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; [C-05-03] [C-16-05]

Taking due note that the Scientific Advisory Committee expressed concern about the recent declining trend in catches of oceanic whitetip shark (*Carcharhinus longimanus*) by purse seiners; [C-11-10]

Recognizing that the Scientific Advisory Committee recommends that conservation measures for this species be taken immediately without waiting for the results of the stock assessment; [C-11-10]

Recognizing that the IATTC Fishery Status Reports show the silky shark (*Carcharhinus falciformis*) and the hammerhead shark (*Sphyrna spp.*) as the shark species most frequently caught by purse-seine vessels fishing for tuna in the Convention Area, [C-16-05]

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; [C-05-03]

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; [C-05-03]

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; [C-05-03]

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; [C-05-03]

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; [C-05-03]

Believing that specific measures to be respected by vessels of all fishing gears are necessary for the conservation of sharks in the EPO; [C-05-03]

Resolves as follows:

SCOPE

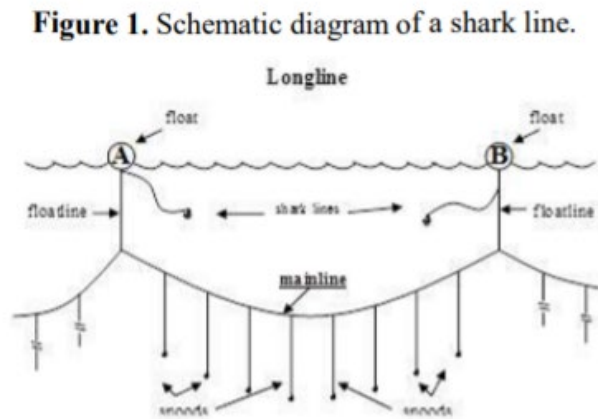
1. **These conservation and management measures cover all vessels registered and authorized to conduct fishing operations in the Convention Area.**

Vessels of less than 12 m length overall using manually-operated fishing gear (i.e. without mechanical or hydraulic winches) and that do not deliver to motherships at any time during the fishing trip are excluded from the application of this resolution. For this excluded fleet, CPCs shall continue working with the Commission's scientific staff on the strengthening of data-collection programs, which shall be presented at the meeting of the SAC ~~in 2020 and 2021~~ 2022. [C-19-05]

2. 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. [C-05-03]

~~12. Paragraphs 2-11 of this resolution apply only to sharks caught in association with fisheries managed by IATTC. [C-05-03]~~

3. CPCs shall prohibit longline vessels flying their flag and targeting tuna or swordfish in the Convention Area from using “shark lines” (individual lines attached to the floatline or to the floats directly, and used to target sharks; Figure 1). [C-16-05]



4. Fishing vessels are prohibited from retaining on board, transshipping, landing or trading in any fins harvested in contravention of this Resolution. [C-05-03]

In fisheries for tunas and tuna-like species that are not directed at sharks, CPCs shall encourage the release of live sharks, especially juveniles, to the extent practicable, that are caught incidentally and are not used for food and/or subsistence. [C-05-03]

5. CPCs shall take the 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 head, guts, and skins, to the point of first landing. [C-05-03]

6. 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. [C-05-03]

~~5. This Resolution shall enter into force on 1 January 2018. [C-16-05]~~

~~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. [C-05-03]~~

~~The IATTC scientific staff shall develop a workplan, with a timeline to share with the Commission in advance of the meeting of the Scientific Advisory Committee in 2017, for completing full stock assessments for the silky shark (*Carcharhinus falciformis*) and hammerhead sharks (i.e., *Sphyrna lewini*, *S. zygaena* and *S. mokarran*). The workplan shall clearly identify any data requirements needed to complete the stock assessments for these species and the action plan for meeting the timelines in the workplan. [C-16-05]~~

PROTECTED SPECIES

Oceanic whitetip sharks (Carcharhinus longimanus)

7. Members and Cooperating non-Members (CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of oceanic whitetip sharks in the fisheries covered by the Antigua Convention. [C-11-10]
8. CPCs shall require vessels flying their flag to promptly release unharmed, to the extent practicable, whitetip sharks when brought alongside the vessel. [C-11-10]
9. CPCs shall record inter alia, through the observer programs, the number of discards and releases of oceanic whitetip sharks with indication of status (dead or alive) and report it to IATTC. [C-11-10]

Whale shark (Rhincodon tipus)

10. The Members and Cooperating Non-Members (CPCs) shall prohibit their flag vessels from setting a purse-seine net on a school of tunas associated with a live whale shark (*Rhincodon typus*), if the animal is sighted prior to the commencement of the set. [C-19-06]
11. CPCs shall require that, in the event that a whale shark is not deliberately encircled in the purse-seine net, the captain of the vessel shall: [C-19-06]
 - a. ensure that all reasonable steps are taken to ensure its safe release; and [C-19-06]
 - b. report the incident to the relevant authority of the flag CPC, including the number of individuals, details of how and why the encirclement happened, where it occurred, steps taken to ensure safe release, and an assessment of the life status of the animal(s) on release (including whether any were released alive but subsequently died). [C-19-06]

Silky shark (Carcharhinus falciformis)

12. To continue the long-term sampling program (Project C.4.a), to the extent possible, in those shark fisheries related to tunas and tuna-like species in Central America with the goal of improving data collection for assessing indicators of silky shark stocks. [C-19-05]
13. Members and Cooperating Non-Members (CPCs) shall prohibit retaining on board, transshipping, landing, or storing, in part or whole, carcasses of silky sharks (*Carcharhinus falciformis*) caught by purse-seine vessels in the IATTC Convention Area. CPCs shall require that their purse-seine vessels release live silky sharks whenever possible.

However, if silky sharks are unintentionally caught and frozen as part of purse-seine vessel's operations, if the flag CPC's governmental authorities are present at the point of landing, the whole silky shark must be surrendered to them. If the flag CPC's governmental authorities are unavailable, the whole silky shark surrendered may not be sold or bartered but may be donated for purposes of domestic human consumption. Silky sharks surrendered in this manner shall be reported to the Secretariat. [C-19-05]
14. CPCs shall require all longline vessels whose fishing licenses do not include sharks as a fishing target but catch sharks incidentally, to limit bycatch of silky sharks to a maximum of 20% of the total catch by fishing trip in weight. The 20% limit is set as an interim limit in the absence of data and scientific analysis on which to base conservation and management measures, and will be revised, based on recommendations by the scientific staff, once improved species-level catch, and composition data are available. [C-19-05]

15. CPCs shall require their multi-species fisheries using surface longlines¹ to limit the catch of silky sharks of less than 100 cm total length to 20% of the total number of silky sharks caught during the trip. [C-19-05]

16. CPCs that allow retention of silky sharks by their longline vessels, shall ensure compliance with the measures established in paragraphs ~~3 and 4~~ 10 and 11 by means of control and inspection mechanisms, for Port CPCs and Flag CPCs as applicable, at a minimum through effective inspections at the time of first unloading in port or the catch logbooks that will allow species identification, verification of size when caught, and enforcement of applicable sanctions such as prevention of entry into markets of product caught in violation of this measure. Where applicable, internationally-recognized certification and reporting procedures for the conservation of silky sharks may be used for fulfilling the obligations of this paragraph. CPCs shall inform the IATTC Secretariat of the use of said certification procedures. Data derived from these control and inspection measures shall be communicated to the Secretariat, in accordance with IATTC data submission requirements. [C-19-05]

17. CPCs shall require vessels to not fish in silky shark pupping areas, as may be adopted by the Commission, in accordance with the recommendation of the IATTC scientific staff, in coordination with the Scientific Advisory Committee (SAC). [C-19-05]

18. For those multi-species fisheries using surface longlines that have captured more than 20% of silky sharks in weight on average, CPCs shall prohibit the use of steel leaders during a period of three consecutive months each year. The average proportion of silky sharks in the catch will be calculated from data of the previous calendar year. New vessels entering the multi-species fisheries affected by this Resolution and those for which no data are available from the period immediately prior shall be subject to the provisions of this paragraph. [C-19-05]

19. At the SAC meeting in the year ~~2021~~ 2022 and at the subsequent meeting of the IATTC in ~~2021~~ 2022, the IATTC scientific staff shall present to the SAC an analysis of the unloading, observer, and long-term sampling program data on the catches of sharks in the fisheries in central America with which they shall also recommend any improvement of the resolution including an adjustment on the period of prohibition (paragraph ~~7~~ 15). [C-19-05]

20. CPC shall ensure that the closure period for not using steel leaders by their vessels subject to paragraph ~~7~~ 15 coincide with the periods recommended on the basis of the analyses indicated in paragraph 8. [C-19-05]

21. CPCs shall notify the Director, annually before 1 October ~~of 2020~~, the single period of restricted use of steel leaders referred to in paragraph ~~7~~ 15 which will be observed for the calendar year by each vessel operator or owner. [C-19-05]

The information provided by the CPCs shall be published on the IATTC website for general knowledge.

~~CPCs shall keep a record of the vessels and the period to which each vessel operator or owner has committed for the enforcement of this resolution. [C-19-05]~~

SHARK BYCATCH

~~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. [C-05-03]~~

~~8. CPCs shall, where possible, undertake research to identify ways to make fishing gears more selective. [C-05-03] replaced in [C-16-04]~~

¹ For the purposes of this resolution, surface longlines are those in which the majority of hooks fish at depths shallower than 100 meters and target species other than swordfish.

~~1. Paragraph 8 of Resolution C-05-03 is replaced by the following paragraph: [C-16-04]~~

22. CPCs shall, where possible, in cooperation with the IATTC scientific staff, undertake research to: [C-16-04]

- a. identify ways to make fishing gears more selective, where appropriate, including research into alternative measures to prohibiting wire leaders; [C-16-04]
- b. improve knowledge of key biological/ecological parameters, life-history and behavioural traits, and migration patterns of key shark species; [C-16-04]
- c. identify key shark mating, pupping, and nursery areas; and [C-16-04]
- d. improve handling practices for live sharks to maximise post-release survival. [C-16-04]

~~2. Current paragraph 9 of Resolution C-05-03 is deleted. [C-16-04]~~

~~9. CPCs are encouraged, where possible, to conduct research to identify shark nursery areas. [C-05-03] deleted in [C-16-04]~~

23. CPCs shall require purse-seine vessels flying their flag to follow safe release requirements for all sharks, except those retained aboard the vessel. Any shark (whether alive or dead) caught in the Convention Area that is not retained must be promptly released unharmed, to the extent practicable, as soon as it is seen in the net or on the deck, without compromising the safety of any persons. 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: [C-16-05]

a. 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. [C-16-05]

b. The use of gaffs, hooks, or similar instruments is prohibited for the handling of sharks. [C-16-05]

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). [C-16-05]

c. No whale shark (*Rhincodon typus*) may be towed out of a purse-seine net, e.g., using towing ropes. [C-16-05]

~~10. The Commission shall consider appropriate assistance to developing CPCs for the collection of data on shark catches. [C-05-03]~~

REPORTS AND RESEARCH

24. 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. [C-05-03]

25. CPCs shall require their fishers to collect and submit catch data for silky and hammerhead 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. [C-16-05]

~~CPCs shall require the collection and submission of catch data for silky sharks, in accordance with IATTC data reporting requirements. CPCs shall also record, through observer programs and other means, for purse-seine vessels of all capacity classes, the number and status (dead/alive) of silky sharks caught and released and report it to the IATTC. [C-19-05]~~

26. The Commission shall prioritize research by the scientific staff in the following areas: [C-19-05]

a. Identification of the pupping areas of the silky shark. [C-19-05]

b. Mitigation of bycatch of sharks, especially in longline fisheries, and survival of sharks caught by all types of gears, giving priority to gears with significant catches. Survival experiments should include studies of the effects on survival of shorter sets and the use of circle hooks. [C-19-05]

c. Improve handling practices for live sharks to maximize post-release survival. [C-19-05]

d. Establish the appropriateness of the percentage limit on silky sharks catch established in paragraphs 3 and 4. [C-19-05]

27. This Resolution shall be reviewed by the scientific staff and at the meeting of the SAC in ~~2020 and 2021~~ 2022, in order to evaluate the adequacy of the measures of this Resolution. [C-19-05]

~~16. This Resolution shall enter into force on 1 January 2020 and shall be reviewed at the IATTC annual meeting in 2021. [C-19-05]~~