

INTER-AMERICAN TROPICAL TUNA COMMISSION

85TH MEETING

**Veracruz, Veracruz (Mexico)
10-14 June 2013**

PROPOSAL IATTC-85 E-3

SUBMITTED BY COSTA RICA

**AMENDMENT OF RESOLUTION C-05-03 ON THE
CONSERVATION OF SHARKS CAPTURED IN ASSOCIATION
WITH THE FISHERIES IN THE EASTERN PACIFIC OCEAN**

EXPLANATORY MEMORANDUM

The sustainable utilization of species of interest to fisheries is the basic objective of the administration of fisheries. Although in the fisheries for tunas and tuna-like species sharks frequently submit to the rules of incidental catch, over time an important interaction is seen which generates catches which under the provisions of the Code of Conduct for Responsible Fishing should be managed with prudence, reducing by-catches, guaranteeing the complete utilization of catches, and the elimination of discards.

In that context, the IATTC issued in the year 2005 Resolution C-05-03 with the express objective of fighting against shark finning through the establishment of a weight ratio between the fins and the body or carcass of the shark, due to the fact that this practice not only violates the provision of complete utilization of catches, but also similarly promotes indiscriminate catches of sharks, which makes effective management of those stocks impossible. Over time various countries developed efficient alternatives to guarantee the eradication of the practice of finning, abandoning the weight ratio to accept a mechanism more transparent to control, conceived as the natural adherence of fins with partial cuts which, without cutting off the fins, allow correct handling of the meat by prompt and timely bleeding, together with the beheading and gutting of the animal.

To date, the Central American countries in the framework of OSPESCA adopted Regulation OSP-05-11 by which the partial cutting of fins and the maintaining of natural adherence are regulated, showing that the mechanism adopted is useful, viable, objective, transparent and demonstrably for the eradication of finning.

This proposal, although it aspires to countries subject to IATTC regulations adopting the mechanism of naturally-attached fins with partial cuts, recognizes the merit of the implementation of the regulations contained in resolution C-05-03, for which reason what this proposal attempts to do is make known and accepted the formula of naturally-attached fins with partial cuts, alternative or optional for the management of fins corresponding to sharks captured in compliance with the management measures in force.

Costa Rica's intention is that this proposal for amendment, which introduces substantive improvements to resolution C-05-03, which is effected by means of the proposal for partial reform, by means of the incorporation of a paragraph into the preamble to the resolution and the substitution of paragraphs 4 and 5 of the Resolution, so that it would henceforth read:

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;

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;

Recognizing, that it is indispensable for guaranteeing the conservation of sharks in the EPO, to promote management alternatives that guarantee the eradication of the practices of finning sharks;

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

Resolves as follows:

1. 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. 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.
3. 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.
4. CPCs shall require of their vessels that the fins they have aboard and until the first point of unloading on dry land, be kept naturally attached to the carcass, allowing them to show longitudinal cuts in the muscle area adjacent to the shark's fins and at the fork or caudal peduncle in a partial form, and may be cut off at the point of unloading. The competent authorities of the CPCs will develop the mechanisms of compliance control and data collection necessary to guarantee compliance with this provision.
5. Alternatively, when the particular circumstances of a member or cooperating non-member, or of a fishery, renders it necessary, separating the fins from the carcass will be allowed, provided that the weight of the fins is no more than 5% of the weight of shark carcasses onboard, up to the first point of landing. Members and cooperating non-members are urged to gradually replace this 5% method with that of naturally-attached fins described in paragraph 4 above. Meanwhile, those members and cooperating non-members that continue to use the 5% method shall take the necessary measures to ensure compliance with that ratio through certification, monitoring by an observer, or other

appropriate measures.

6. Fishing vessels are prohibited from retaining on board, transshipping, landing or trading in any fins harvested in contravention of this Resolution.
7. 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.
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.
10. The Commission shall consider appropriate assistance to developing CPCs for the collection of data on shark catches.
11. 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.
12. Paragraphs 2-11 of this resolution apply only to sharks caught in association with fisheries managed by IATTC.

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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;

Recognizing, that it is indispensable for guaranteeing the conservation of sharks in the EPO, to promote management alternatives that guarantee the eradication of the practices of finning sharks;

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Deleted: to have onboard

Deleted: CPCs that currently do not require fins and carcasses to be offloaded together at the point of first landing

Deleted: the 5%

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Deleted: <#>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.¶