



Recommendations to the 22nd Regular Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT)

11-19 November, 2011 in Istanbul, Turkey

Sharks are caught in ICCAT fisheries as bycatch and are targeted by many pelagic longline fleets for their valuable fins. More than half of all highly migratory shark species are considered overexploited or depleted by the FAO.ⁱ As one of the largest RFMOs, ICCAT has a responsibility to address the depletion of these key predators. According to the ICCAT SCRS ecological risk assessment carried out in 2009, many sharks caught in the Atlantic are at high risk for extinction.ⁱⁱ Further, the SCRS recommended that for those with the greatest biological vulnerability, precautionary management measures should be considered.ⁱⁱⁱ The United Nations General Assembly (UNGA) has passed eight resolutions calling on RFMOs to improve management of shark fisheries.

ICCAT has led the way on prohibiting shark finning and in 2010 made some further steps forward on protecting sharks in the Atlantic. It is important to continue this momentum to provide better protection for sharks at the international level and reverse the population decline of these vulnerable apex predators. Contracting parties (CPCs) have an opportunity in 2011 to show that ICCAT is willing to incorporate both the ecosystem and precautionary approach into its mandate and decisions.

RECOMMENDATIONS FOR SHARK PROTECTION PROPOSALS

The Ecology Action Centre's (EAC) action recommendations for ICCAT in 2011 follow the 2009-2011 Course of Actions from the 2nd Joint Tuna RFMOs Meeting in San Sebastian, Spain:

Consistent with the FAO IPOA-Sharks, establish precautionary, science-based conservation and management measures for sharks taken in fisheries within the convention areas of each tuna RFMO, including as appropriate:

- Measures to improve the enforcement of existing finning bans;
- Prohibitions on retention of particularly vulnerable or depleted shark species, based on advice from scientists and experts;
- Concrete management measures in line with best available scientific advice with priority given to overfished populations;
- Precautionary fishing controls on a provisional basis for shark species for which there is no scientific advice; and
- Measures to improve the provision of data on sharks in all fisheries and by all gears.

1. Implement a 'fins naturally attached' policy. ICCAT was the first RFMO to ban shark finning, but loopholes exist with the 5% rule that mean illegal shark fins are still being landed. Requiring sharks to be landed with fins attached is the most straightforward way of enforcing the finning ban and improves species-specific data collection for sharks.

2. Prohibit the retention of porbeagle. Porbeagle sharks are considered by the IUCN as critically endangered in the Northeast Atlantic and Mediterranean, and endangered in the Northwest Atlantic. The joint ICCAT-ICES assessment of porbeagle sharks in 2009 shows that a rebuilding of the population to MSY would take decades, even if all fisheries and bycatch of porbeagle are banned and fishing mortality is reduced to zero.^{iv} In 2008, ICES gave the following advice for Northeast Atlantic porbeagle: 'Given the state of the stock, no targeted

Marine Program

2705 Fern Lane • Halifax, Nova Scotia • Canada B3K 4L3

Phone: (902) 446-4840 • Fax: (902) 405-3716 • Email: marine@ecologyaction.ca

www.ecologyaction.ca/content/marine

*Atlantic Canada's largest conservation organization
working to promote sustainable fishing practices*



fishing for porbeagle should be permitted and bycatch should be limited and landings of porbeagle should not be allowed.^{iv} Considering the endangered or critically endangered status of porbeagle sharks throughout much of the ICCAT regulatory area, the long timeline for recovery, and the 2008 recommendation from ICES, retention of porbeagle sharks should be prohibited.

3. Ban the use of wire leaders in ICCAT fisheries. The use of single monofilament nylon traces help increase the survivability of sharks caught as bycatch.^{vi}

4. Set precautionary catch limits for shortfin mako. The 2008 SCRS ecological risk assessment concluded that shortfin mako is one of the most vulnerable of the shark species examined due to its low biological productivity, making it susceptible to overfishing even at low levels of fishing mortality.^{vii} ICCAT has an obligation under recommendations 05-05 and 07-06 to reduce mortality of short fin mako shark. Until biological-based limits can be recommended, catch of short fin mako should be capped at the average total catch from 2004-2008 including an estimate for discards minus 10% to ensure a precautionary limit that reduces fishing mortality. Alternatively, this hard cap could be set according to each country's average catch over these years, including a post-release mortality estimate, minus 10%.

5. Adopt a recommendation that CPCs must report task I and II data on all species managed by ICCAT, including sharks, or they will be prohibited from retaining them. There is a desperate need to improve the data collection on both direct and indirect catches for many highly migratory species. CPCs should not be allowed to continue fishing for species when they are out of compliance on reporting.

6. Recommend protection of known mating and nursery grounds for threatened and endangered shark species. ICCAT should continue to recommend CPCs undertake research to locate areas important to life-stage of highly migratory sharks, such as mating and nursery grounds. Measures should be adopted to protect these areas in order to bolster recovery of sharks with declining and low population numbers.

7. Incorporate the ecosystem approach and precautionary principle into the convention text. UNCLOS Article 119 states the obligation to include ecosystem considerations when RFMOs set conservation and management measures on the high seas. The ICCAT Convention lacks specific language concerning ICCAT's responsibility to manage with an ecosystem approach and has no explicit reference to the precautionary approach as laid out in the UN Fish Stock Agreement of 1995. The Convention needs specific reference to ICCAT's responsibility to adopt conservation and management measures for not just tuna and tuna-like species, but also for associated and dependent species. ICCAT should follow other RFMOs and clarify their responsibility to adopt measures to avoid by-catch, minimize waste and discards, and mitigate the effects of fishing on the marine environment.

ⁱ Maguire, Jean-Jacques et al. 2006. The state of world highly migratory, straddling and other high seas fishery resources and associated species. Food and Agriculture Organization of the United Nations. p.30.

ⁱⁱ Cortes, e., et al. "Ecological Risk assessment of Pelagic sharks Caught in Atlantic Pelagic Longline Fisheries." sCRs/2008/138. www.iccat.int/Documents/meetings/Docs/sCRs/sCRs-08-138_Cortes_et_al.pdf.

ⁱⁱⁱ Report of the Standing Committee on Research and Statistics (SCRS). Madrid, Spain, October 5-9, 2009.

^{iv} Ibid.

^v ICES. 2009. Report of the Joint Meeting between ICES Working Group on Elasmobranch Fishes (WGEF) and ICCAT Shark Subgroup, 22-29 June 2009, Copenhagen, Denmark. ICES CM 2009/ACOM:16. 424 pp.

^{vi} Ward, P., et al. 2008. "Large-scale experiment shows that nylon leaders reduce shark bycatch and benefit pelagic longline fishers," Fisheries Research 90:100-108.

^{vii} Cortes, e., et al. "Ecological Risk assessment of Pelagic sharks Caught in Atlantic Pelagic Longline Fisheries." sCRs/2008/138. www.iccat.int/Documents/meetings/Docs/sCRs/sCRs-08-138_Cortes_et_al.pdf.

Marine Program

2705 Fern Lane • Halifax, Nova Scotia • Canada B3K 4L3

Phone: (902) 446-4840 • Fax: (902) 405-3716 • Email: marine@ecologyaction.ca

www.ecologyaction.ca/content/marine

*Atlantic Canada's largest conservation organization
working to promote sustainable fishing practices*