
**AN IOTC RESOLUTION FOR THE CONSERVATION OF SHARKS CAUGHT
IN ASSOCIATION WITH FISHERIES MANAGED BY IOTC**

SUBMITTED BY THE EUROPEAN COMMUNITY

Explanatory Memorandum

EC DRAFT PROPOSAL FOR

**A RESOLUTION FOR THE CONSERVATION AND MANAGEMENT OF SHARKS IN THE
IOTC AREA OF COMPETENCE**

In response to the Commission's request for more information on the technical aspects of IOTC Resolution 05/05 *Concerning the conservation of sharks caught in association with fisheries managed by IOTC*, specifically paragraph 4 "CPCs shall require their vessels to not have onboard fins that total 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", the SC concludes that:

- Though not specified in Resolution 05/05, the adoption of this management measure appears to be in response to concerns about the threats to shark populations from fishing and the practice of shark finning;
- The current percentage fins:body weight ratio requirement has no clear scientific basis as a conservation measure for sharks in the Indian Ocean, rather it appears to be aimed at slowing down the rate of fishing or to deter fishing on sharks by not allowing fins only to be landed and requiring vessels to return to port more often to unload fins and body parts;
- Maintaining the use of the fin:body weight ratios will preclude the collection of essential information on species level interactions with fishing fleets, crucial for accurate stock assessments for sharks;
- Current scientific evidence clearly indicates that percentage fins:body weight 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 ratio measure is unlikely to address any sustainability issues that might exist for particular species;
- The abandonment of the current measure would remove the need for deriving species-, fleet- and processing technique-specific fin:body weight ratios that would have no conservation value.
- The only way to guarantee that sharks are not finned (and full utilisation of sharks is encouraged) is to require that the trunks be landed with the fins attached, while in cases where shark fins cannot be attached to the body due to storage difficulties, the fins and the torso are kept onboard and identifiable as belonging to one shark by matching numbers. If fully implemented, it would be expected to end the practice of finning and facilitate the collection of data that would be highly beneficial in shark stock assessments (e.g. data on species, sex ratios, numbers and size distributions of catches), that the Commission may require from the SC.

Considering these IOTC Scientific Committee's agreed conclusions, the European Community is proposing a new Resolution which aims at tackling the threats to shark populations from fishing and the practice of shark finning.

The Indian Ocean Tuna Commission (IOTC),

RECALLING that the United Nations Food and Agriculture Organisation (FAO) International Plan of Action of Sharks calls on States, within the framework of their respective competencies and consistent with international law, to cooperate through regional fisheries organisations 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 (including all species of the class Chondrichthyes).

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

CONSIDERING that the current percentage fins: body weight ratio requirement has no clear scientific basis as a conservation measure for sharks in the Indian Ocean and maintaining the use of the fin:body weight ratios will preclude the collection of essential information on species level interactions with fishing fleets, crucial for accurate stock assessments for sharks;

CONSIDERING that the use of the ratio measure is unlikely to address any sustainability issues that might exist for particular species taking into account that the scientific evidence clearly indicates that percentage fins:body weight 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);

RECOGNISING that the only way to guarantee that sharks are not finned (and full utilisation of sharks is encouraged) is to require that the trunks be landed with the fins attached, and if fully implemented, it would be expected to end the practice of finning and facilitate the collection of data that would be highly beneficial in shark stock assessments (e.g. data on species, sex ratios, numbers and size distributions of catches).

ADOPTS, in accordance with the provisions of Article IX of the Agreement establishing the IOTC, the following:

1. The 5% fin:body weight ratio measure is replaced with the obligation that shark bodies and fins are landed together. This obligation could be put in place through one of the following practices:
 - a) the fins are kept attached to the body;
 - b) the fins are removed but, placed in a plastic bag, they remain attached to the body with a tie. The plastic bag and the torso would be identifiable with matching numbers.
 - c) where fins cannot remain attached to the carcass due to storage difficulties, the fins and carcasses may be stored separately, in a single, specifically designated storage space, but in such a manner so that they can immediately be identified as belonging to the same shark. In this case, the fins and torso shall be marked with matching numbers.
2. From 2010 on, IOTC Members that have adopted a National Plans of Action for Sharks, should provide to the Commission appropriate information on that matter.
3. Contracting Parties, Cooperating non-Contracting Parties (CPCs) shall annually report data for catches of sharks, at the species level, in accordance with IOTC data reporting procedures, including available historical data.

4. CPCs shall take the necessary measures to require that their fishermen fully utilise their entire catches of sharks. Full utilisation 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.
5. In fisheries that are not directed at sharks, CPCs shall encourage the release of live sharks, especially juveniles and pregnant sharks, to the extent possible, that are caught incidentally and are not used for food and/or subsistence.
6. CPCs shall, where possible, undertake research to identify ways to make fishing gears more selective (such as the implications of avoiding the use of wire traces).
7. CPCs shall, where possible, conduct research to identify shark nursery areas.
8. The Commission shall consider appropriate assistance to developing CPCs for the collection of data on their shark catches.
9. This resolution applies only to sharks caught in association with fisheries managed by the IOTC.
10. This provision to apply without prejudice to many artisanal fisheries which traditionally do not discard carcasses.
11. The IOTC Scientific Committee, in 2012, will assess Blue shark, Porbeagle and Mako shark stocks in the Indian Ocean, analyse the effect in those stocks of the measure described in the first paragraph, and will propose, if necessary, appropriate measures to the Commission in 2013 for its consideration.
12. The IOTC Resolution 05/05 *concerning the conservation of sharks caught in association with fisheries managed by IOTC* is superseded by this Resolution.