
**CONCERNING THE CONSERVATION OF SHARKS CAUGHT IN ASSOCIATION WITH
FISHERIES MANAGED BY IOTC****SUBMITTED BY AUSTRALIA**

Background

The 12th Session the Indian Ocean Tuna Commission (IOTC) noted the concerns of some Members regarding *Resolution 05/05 Concerning the Conservation of Shark Caught in Association with Fisheries Managed by IOTC*, in particular the clarity of Paragraph four concerning the interpretation of the 5 % fin:body weight ratio. As an interim measure, the Commission agreed that Contracting Parties, Cooperating non-Contracting Parties (CPCs) notify the Secretariat of how they are interpreting the current wording of the Resolution and provide information on processing methods and fin retention practices which, along with other relevant information, would be reviewed by the Working Party on Ecosystem and Bycatch (WPEB) and the Scientific Committee (SC).

At the 2010 discussion towards the UN Sustainable Fisheries resolution, States were call upon to take immediate action to implement and ensure compliance with shark conservation and management measures that 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.

The WPEB has continuously stressed the ongoing non-compliance by Contracting Parties and CPCs to collect and report data on ecosystems and bycatch matters. The WPEB notes that this prevents progression of estimates on the impact of fishing on bycatch and ecosystems. For sharks, the WPEB noted the need to improve data collection at the species level for stock assessment purposes, including species, sex ratios, numbers and size distributions of catches. At the 6th Session of the WPEB the majority of participants made the following recommendation:

- that the current 5% fin to body ratio rule should be replaced by the landing of sharks with fins naturally attached to improve data collection at species level while deterring finning practices and contributing to shark stock assessments
- where operational factors (e.g. storage methods) preclude the attachment of natural attachment of fins to the carcass, other measures may be employed but must ensure that fins can be immediately cross-referenced to the carcasses
- that 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.

At the 13th session of SC in 2010, among other recommendations, the majority of participants agreed to this recommendation of the WPEB and a recommendation to amend Resolution 08/04 in order to improve collection of data on shark bycatch in the Indian Ocean.

The IOTC Performance Review Panel also identified a need to improve the quality and quantity of data collected and reported. It recommended increasing the number of shark species for which species-specific catch data is mandatorily collected.

In response to the concerns raised at the 12th annual session Commission, the advice of the Science Committee and IOTC Review Panel, Australia is proposing to strengthen the resolution pertaining to the collection and reporting on shark catches and ensure full retention of sharks caught in association with fisheries under the mandate of the IOTC. Key aspects of the proposed resolution include:

- A requirement for shark fins to be landed attached to the carcass, either naturally or in a manner that allows immediate cross referencing between the fins and carcass of an individual shark, and

- Reporting catches of shark species/groups identified by the IOTC and other international instruments and bodies as being of conservation concern.

The Indian Ocean Tuna Commission (IOTC),

RECALLING that the Food and Agriculture Organisation (FAO) of the United Nations International Plan of Action for the Conservation and Management of Sharks, adopted at the 23rd FAO Committee on Fisheries, expressly calls on States to co-operate internationally, including through regional fisheries management organisations such as IOTC and by implementing National Plans of Action of the Conservation and Management of Sharks;

ALSO RECALLING the recommendations adopted in accordance with the KOBELI workshop on bycatch, held in Brisbane, Australia, June 2010, in particular that RFMOs should: consider adopting standards for bycatch data collection which, at a minimum, allows the data to contribute to the assessment of bycatch species population status and evaluation of the effectiveness of bycatch measures, and that the data should allow the RFMOs to assess the impact and level of interaction of the fisheries with bycatch species; seek binding measures or strengthen existing mitigation measures, including the development of mandatory reporting requirements; identify and undertake research to assess the impact of fisheries and support mitigation; and consider capacity building programs for developing countries to assist in the implementation of additional or new requirements;

CONSIDERING that many sharks are part of pelagic ecosystems in the IOTC area of competence, and that sharks are targeted or taken incidentally in a range of fisheries that fall under the mandate of the IOTC;

NOTING the recommendation of the Working Party on Ecosystem and Bycatch in 2008 that stock assessments be initiated for sharks in the Indian Ocean to the extent possible, given the current data limitations, and that the Scientific Committee has adopted executive summaries of the status of five shark species; blue shark, silky shark, oceanic whitetip shark, shortfin mako shark and scalloped hammerhead;

NOTING the recent listing in Appendix II of the *Convention on the Conservation of Migratory Species of Wild Animals* (CMS) of long-fin mako shark, short-fin mako shark, porbeagle and the northern hemisphere population of spiny dogfish and that range States parties to the CMS are encouraged to develop cooperative arrangements to improve the conservation status of species listed in Appendix II;

RECOGNISING the need to collect data on catch, effort, discards and trade, as well as information on the biological parameters of many species, in order to conserve and manage sharks;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement that:

1. This measure shall apply to all fishing vessels on the IOTC Register of Authorised Vessels.
2. Contracting Parties, Cooperating non-Contracting Parties (CPCs) shall annually report data for catches of sharks, in accordance with IOTC data reporting procedures in Resolution 11/XX, including all available historical data. At a minimum, CPCs shall ensure reporting of the following sharks at species level by all fishing gear: blue shark (*Prionace glauca*), shortfin and longfin mako sharks (*Isurus* spp.), porbeagle shark (*Lamna nasus*), great white shark (*Carcharodon carcharias*), crocodile shark (*Pseudocarcharias kamoharai*), thresher sharks (*Alopias* spp.), tiger shark (*Galeocerdo cuvier*), oceanic whitetip shark (*Carcharhinus longimanus*), other requiem sharks

(*Carcharhinus* spp.), hammerhead sharks (*Sphyrna* spp.), spiny dogfish (*Squalus acanthias*), and pelagic stingrays (*Pteroplatyrygon violacea*), other sharks.

3. CPCs shall require that all sharks have their dorsal, pectoral, and caudal (tail) fins attached to the carcass until landed and that fins and carcasses are offloaded together. Sharks may be processed (trunked – headed and gutted). The tail tip may be cut off at the sub-terminal notch, but the caudal lobe must be left attached.
4. For the purposes of paragraph 2 ‘attached’ means either:
 - a. naturally attached (including partially cut and folded), or
 - b. fins removed and attached to the trunk with the following conditions:
 - i. the fins are removed with a single cut and cannot be dressed while at sea to enable the clear matching of fins to trunks
 - ii. the fins must be retained and remain attached to the trunk using tamper-proof mechanisms until offloaded, and
 - iii. the corresponding shark trunk must also be numbered with the same number to allow cross-referencing.
5. In accordance with paragraph 3, CPCs shall prohibit their vessels from carrying, retaining, or landing any shark dorsal, pectoral or caudal fins that are not attached to the carcass.
6. CPCs shall prohibit their vessels from retaining on board, transshipping or landing any fins harvested in contravention of this Resolution.
7. In fisheries that are not directed at sharks, CPCs shall encourage the release, to the extent possible, of live sharks, especially juveniles and pregnant sharks, which are not used for food and/or subsistence.
8. CPCs shall prohibit the use of wire traces on all long line fishing vessels on the IOTC Register of Authorised Vessels.
9. CPCs are encouraged to educate and provide appropriate training to their fishers regarding shark identification, data collection; and the implementation of mitigation measures.
10. CPCs are encouraged to undertake research to identify ways to improve handling practices for live sharks to maximise post release survivorship, and to share and take appropriate action in response to research findings.
11. The Scientific Committee shall request the Working Party on Ecosystems and Bycatch to continue its work on identifying and monitoring indicators of the status of sharks until such time as comprehensive assessments are possible for all relevant shark species/groups.
12. The Scientific Committee shall annually review the information reported by CPCs pursuant to this measure and, as necessary, provide recommendations to the Commission on ways to strengthen the conservation and management of sharks within IOTC fisheries.
13. CPCs are encouraged to undertake research to identify ways to make fishing gears more selective and to share and take appropriate action in response to research findings.
14. CPCs are encouraged to conduct research to identify shark nursery areas, and where these area lie in national waters take appropriate action to provide protection to these areas in accordance with the United Nations FAO International Plan Of Action for the Conservation and Management of Sharks.

15. 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.
16. This resolution only applies to sharks caught in association with fisheries managed by the IOTC.
17. This provision is to apply without prejudice to any artisanal fishery which traditionally does not discard carcasses.
18. This Resolution supersedes Resolution 05/05 *Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by IOTC*.