



HUMANE SOCIETY
INTERNATIONAL

Position Statement for the 17th Session of the Indian Ocean Tuna Commission

Grand Baie, Mauritius • May 6 - 10, 2013

Our organizations appreciate the opportunity to express our views regarding proposals from the European Union (EU), Australia, and the Maldives for Indian Ocean Tuna Commission (IOTC) measures for sharks.

We share concern over the International Union for the Conservation of Nature (IUCN) Shark Specialist Group findings that roughly half of Indian Ocean pelagic shark and ray species are classified as *Threatened* on the IUCN Red List, as well as alarm over the failure of most IOTC Members and Cooperating non-Contracting Parties (CPCs) to submit complete, accurate, and timely shark catch records. We appreciate the ongoing commitment by Australia and the EU to secure precautionary, effective management measures to reverse the decline of Indian Ocean shark populations. In particular, we generally support these Parties' efforts to protect exceptionally vulnerable species, improve regional shark catch data, and/or effectively implement the IOTC ban on shark finning (slicing off a shark's fins and discarding the body at sea). Our specific comments follow.

EU proposals for oceanic whitetip, hammerhead & silky sharks

Position: We strongly support the EU proposal to prohibit the retention, transshipment, landing, and storing any part or whole carcass of oceanic whitetip sharks (*Carcharhinus longimanus*), hammerhead sharks (Family Sphyrnidae), and silky sharks (*Carcharhinus falciformis*). These species have indeed been highlighted by the international scientific community as exceptionally vulnerable to overfishing. We urge CPCs to also ban the sale of these species, as proposed in 2012, to enhance enforcement.

We suggest removing mention of "taking onboard" these species. This change should help to avoid the impression that these sharks should be brought onboard before release, and will produce language consistent with the hammerhead protection measure adopted by the International Commission for Conservation of Atlantic Tunas (ICCAT).

We support allowing exceptions to the proposed shark retention prohibitions for scientific observers to collect biological samples from dead sharks taken in IOTC fisheries, provided that details about the samples and results from the associated research are presented to the IOTC Working Party on Ecosystems and Bycatch (WPEB), as proposed.

Rationale: The IOTC Scientific Committee (SC) has reported the following findings for **oceanic whitetip, scalloped hammerhead, and silky sharks**:

- Current fishing effort presents considerable risk to populations;
- Displacement and subsequent concentration of longline fishing into areas of the southern and eastern Indian Ocean may result in localized depletion;
- Total catches (that drive assessment) are highly uncertain and should be investigated further as a matter of priority;
- Reported catches are mostly likely largely underestimated;
- Maintaining/increasing effort will probably result in further declines in biomass;
- The Commission should develop mechanisms to encourage CPCs to comply with shark reporting requirements.

The IUCN has classified **oceanic whitetip sharks** as Globally *Vulnerable* with a decreasing trend under the Red List of Threatened Species. This species has ranked high in ecological risk assessments, can survive capture relatively well, is easily identifiable at sea, warrants a precautionary approach to management, and is therefore well-suited for full prohibitions on take. Indeed, the widespread recognition of the need to protect this particularly vulnerable species is reflected in prohibitions on take adopted by the ICCAT, the Inter-American Tropical Tuna Commission (IATTC), and the Western and Central Pacific Fisheries Commission (WCPFC), as well as the recent Appendix II listing under the Convention on International Trade in Endangered Species (CITES). The IOTC SC has reported clear and significant declines in oceanic whitetip shark abundance over recent decades, and has recommended measures to minimize bycatch and facilitate safe release of this species for all types of fishing gears.

The IUCN has highlighted key species of **hammerhead sharks** as the most threatened semi-pelagic/pelagic sharks in the world. Scalloped hammerheads (*Sphyrna lewini*) and great hammerheads (*Sphyrna mokarran*) are included on the IUCN Red List as Globally *Endangered* while smooth hammerheads (*Sphyrna zygaena*) are classified as Globally *Vulnerable*. These shark species were also recently listed under CITES Appendix II in recognition of their exceptionally vulnerable status. Whereas we are most concerned about these three species, we agree that it would be prudent to apply protections for the entire Family based on potential difficulties in differentiating between species at sea. We stress that, as hammerhead sharks are largely coastal (rather than oceanic) species and are often heavily exploited by inshore fisheries, complementary national measures are essential to reversing population declines.

The IUCN classifies **silky sharks** as *Near Threatened* on a global scale. ICCAT has adopted specific safeguards for this species based on high ranking in the ICCAT Ecological Risk Assessment. The IOTC SC has reported clear and significant declines in silky shark abundance over recent decades.

Australia & Maldives whale shark proposal

Position: Our organizations greatly appreciate Australia's continuing efforts to safeguard whale sharks throughout the Pacific Ocean. We strongly support the latest joint proposal with the Maldives to ban deliberate setting of purse seine nets around whale sharks, to mitigate the impact of inadvertent encirclement, and to require detailed reporting of all interactions to relevant authorities. We also support the proposed development of best practice guidelines for safe release of encircled whale sharks, in concert with similar efforts by the WCPFC, for endorsement at the 2014 IOTC meeting.

Rationale: Whale sharks are classified by IUCN as globally *Vulnerable* and listed under Appendix II of CITES and the Convention on Migratory Species (CMS). The lifetime value of a single whale shark to Belize tourism was estimated at more than \$2 million USD, while whale shark tourism worldwide has been valued at nearly \$50 million¹. The proposed actions – together with obligations under national regulations, CITES, and CMS -- should go a long way toward comprehensively managing fishery impacts on this globally threatened and economically important species.

EU, Australia & Maldives proposals regarding at-sea fin removal

Position: Our organizations strongly support revision of the existing IOTC shark Resolution to require that shark fins remain *naturally* attached (allowing for partial cuts) to shark carcasses until landing, and that fins and carcasses are offloaded together at the first point of landing. We stress that such changes should apply to *all of the fins* of a shark (including anal and pelvic fins) to prevent enforcement loopholes. We therefore prefer the EU proposal and/or urge amendment of the proposal from Australia and the Maldives (so that the measure applies beyond the dorsal, pectoral, and caudal fins).

Rationale: The IOTC SC has advised that the best way to encourage full utilization of sharks, to ensure accurate catch statistics, and to facilitate the collection of biological information, is to revise the IOTC Resolution 05/05 such that all sharks must be landed with fins attached to respective carcasses. The IOTC WPEB has specifically recommended that a "fins naturally attached" policy be adopted by the IOTC.

Our organizations, along with most other conservationists and scientists worldwide, strongly support the "fins naturally attached" method as the most reliable means for enforcing a shark finning ban. As detailed in a 2010 expert report² from the European Elasmobranch Association and the IUCN Shark Specialist Group, under such a policy:

- Enforcement burden is greatly reduced
- Information on species and quantities of sharks landed is vastly improved
- "High-grading" (mixing bodies and fins from different animals) is impossible
- Value of the finished product can be increased.

¹ Graham, R. 2004. Global whale shark tourism: a 'golden goose' of sustainable and lucrative income. Shark News 16: 8-9.

² Fowler, S. and Séret, B. 2010. *Shark fins in Europe: Implications for reforming the EU finning ban*. European Elasmobranch Association and IUCN Shark Specialist Group.

The technique of making a partial cut (allowing fins to be folded against the body) can address industry concerns about safety and efficient storage. Costa Rican fishermen are effectively using this practice for frozen as well as fresh sharks.

Because of the numerous practical advantages associated with the fins naturally attached method, the policy has been:

- mandated for most fisheries of the U.S., Central America, and South America;
- adopted in Taiwan (2011);
- agreed by the European Union (2012).

The policy is also gaining acceptance in international arenas, as reflected in:

- The 2007 United Nations General Assembly Sustainable Fisheries Resolution;
- The 2008 IUCN *Global Policy against Shark Finning*; and
- The 2010 Fish Stocks Agreement Review Conference on the Law of the Sea

Potential enforcement challenges associated with applying fins attached rules to only dorsal, pectoral, and caudal fins are a serious concern. Smaller anal and pelvic fins have value, are traded, and can be confused with pectoral fins from juvenile sharks. Bags of these excepted fins on board would create an enforcement burden and could open a loophole for finning.

Shark data collection & assessment

We echo concerns that have been expressed by the IOTC SC, Australia, and the EU regarding the paucity of shark catch data being collected from Indian Ocean fisheries and resulting challenges for population assessment. We applaud these entities' continuing interest in improving the collection and reporting of data on shark catches including information on species, sex, numbers, and size, in line with recommendations from the IOTC SC, WPEB, and the KOBELL bycatch workshop. We remain hopeful that Australia and the EU will lead the IOTC to consensus on new measures to maximize the requirements and incentives to report catches of sharks. In particular, we continue to support prohibiting CPCs that do not report nominal catch data for one or more species from retaining those species.

We continue to strongly support the IOTC SC placing a high priority on the continued study and assessment of shark species population status and conservation needs, as well as related capacity building efforts.

Summary

We urge the IOTC Parties to safeguard Indian Ocean sharks by adopting measures to:

- prohibit retention, transshipment, landing, and sale of oceanic whitetip, hammerhead, and silky sharks;
- end the intentional setting of purse seines on whale sharks, and promote safe release;
- prohibit the removal of *any* of a shark's fins at sea;
- improve requirements and incentives to report shark catch data; and
- prioritize shark assessment and research, as well as related capacity building.