

Review of Implementation and Data Reporting Related to ICCAT Shark Conservation and Management Recommendations

Submitted to the ICCAT Secretariat by the Ecology Action Centre (NGO Observer)
July 19th, 2019



The Ecology Action Centre, as an official observer to ICCAT since 2011, appreciates the opportunity, as per the *Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information* (Rec. 08-09), to submit a brief review of reporting by Parties on shark-specific Recommendations and data. Our organization is a member of the Shark League for the Atlantic and Mediterranean, an international coalition dedicated to science-based conservation of sharks and rays.¹ The Shark League is concerned that the lack of timely, detailed reporting of national shark catches and management is a significant hindrance to ICCAT's assessment and conservation of shark populations.

We look forward to the fulfilment of *Recommendation by ICCAT to Replace Recommendation 16-13 on Improvement of Compliance Review of Conservation and Management Measures Regarding Sharks Caught in Association with ICCAT Fisheries* (Rec. 18-06) (entered into force as of June 2019) requiring countries to update any fields of the Shark Implementation Check Sheet that may have been previously been missing, lacked full information, or are related to new measures.

In the meantime, we hope that the deficiencies noted below regarding 2018 Shark Implementation Check Sheets as well as Task I data reporting will be helpful for improving ICCAT compliance. We request that this compilation be forwarded to the Compliance Committee (COC) for consideration and follow-up with relevant ICCAT Parties to ensure updates are submitted in advance of the Annual Meeting.

¹ The Shark Trust is a UK charity working to safeguard the future of sharks through positive change. Shark Advocates International is a project of The Ocean Foundation dedicated to securing science-based policies for sharks and rays. Focused on sharks in peril and marine debris, Project AWARE is a growing movement of scuba divers protecting the ocean planet – one dive at a time. Ecology Action Centre is a Canadian charity promoting sustainable, ocean-based livelihoods, and marine conservation nationally and internationally.
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Exemption Claims

A number of Parties use 'NA' or phrases such as 'no target fishery for this shark' or 'this species is not in our waters' to claim exemptions on their Shark Check Sheets from implementing measures or reporting data for some shark species.

We note that Para 3 of Rec.18-06 states,

“CPCs may be exempt from the submission of the check sheet when vessels flying their flag are not likely to catch any sharks species covered by the abovementioned Recommendations in paragraph 1, **on the condition that the concerned CPCs obtained a confirmation by the Shark Species Group through necessary data submitted by CPCs for this purpose.**” [emphasis added]

Table 1 indicates the Parties that have recorded 'NA' with respect to species-specific measures on their Shark Check Sheets. We request the COC ensure Parties have applied for and been explicitly granted an exemption by the ICCAT Shark Species Group before accepting this answer.

To facilitate the improvement of species-specific shark catch reporting, we propose that COC request the ICCAT Shark Species Group of the Standing Committee on Research and Statistics (SCRS) produce a review of the geographic ranges of relevant shark species to assist in determination of valid exemptions.

TABLE 1 – ICCAT Parties and 'NA'. Parties using 'NA' or an equivalent claim, such as 'no target fishery' or 'this species is not in our waters' are indicated with an 'x'

ICCAT Party	shortfin mako (<i>Isurus oxyrinchus</i>)	porbeagle (<i>Lamna nasus</i>)	thresher (<i>Alopias spp.</i>)	oceanic whitetip (<i>Carcharhinus longimanus</i>)	hammerhead (<i>Sphyrnidae spp.</i>)	silky (<i>Carcharhinus falciformis</i>)
Albania	x	x	x	x	x	x
Algeria	x	x	x	x	x	x
Angola						
Barbados	x	x				
Belize						
Brazil	x	x				
Canada						
Cape Verde						
China PR	x	x				
Cote D'Ivoire				x		x
Curacao	x	x	x	x	x	x
Egypt	x	x	x	x	x	x
El Salvador						

EU (Commission)						
France (St P & M)	x	x	x	x	x	x
Gabon	x	x				
Ghana	x	x		x		
Guatemala						
Guinea Bissau						
Guinea Eq						
Guinee Rep						
Honduras						
Iceland	x	x	x	x	x	x
Japan	x	x				
Korea (Rep of)	x	x	x	x	x	x
Liberia	x	x				
Libya	x	x	x	x	x	x
Mauritania	x	x	x	x		x
Mexico		x				
Morocco	x	x	x	x		x
Namibia	x	x				
Nicaragua	x	x				
Nigeria*						
Norway^	x		x	x	x	x
Panama						
Philippines*						
Russian Fed*						
Sao Tome e Principe	x	x	x	x	x	x
Senegal	x	x	x	x		
Sierra Leone						
South Africa	x					
St Vincent & Grenadines						x
Syria	x	x	x	x	x	x
Trinidad & Tobago	x	x				
Tunisia	x	x	x	x	x	x
Turkey						
UK (OST)		x				
Uruguay						

USA						
Vanuatu						
Venezuela	x	x				
Bolivia						
Chinese TP		x				
Costa Rica	x	x	x	x		
Guyana						
Suriname	x	x	x	x	x	x

*Nigeria, the Philippines, and the Russian Federation have reported to COC they have no ICCAT fisheries

^Norway - the 2018 Shark Implementation Check Sheet indicates Norway has requested an exemption.

There is no information from COC if this exemption has been considered and confirmed by SCRS

Task I Data Reporting

Parties are required in the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* (Rec. 04-10) to “annually report Task I and Task II data for catches of sharks, in accordance with ICCAT data reporting procedures, including available historical data.” Recommendations 09-07, 10-08, 11-08, 14-06, 15-06, 16-12 reiterate this for thresher, hammerhead, silky, shortfin mako, porbeagle, and blue sharks respectively.

We also note that the *Recommendation by ICCAT on Penalties Applicable in Case of non-Fulfillment of Reporting Obligations* (Rec.11-15) states that “CPCs that do not report Task I data, for one or more species (including shark species) for a given year, shall be prohibited from retaining such species until such data have been received by the ICCAT Secretariat”.

In order to be exempted from Rec. 10-08 and Rec. 11-08 prohibiting the retention of hammerhead sharks (all but *Sphyrna tiburo*) and silky sharks, respectively, developing coastal CPCs, must submit Task I data (*inter alia*)

Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries (Rec.10-06) Para 3 states, “CPCs that do not report Task I data for Atlantic shortfin mako sharks, in accordance with SCRS data reporting requirements, shall be prohibited from retaining this species, beginning in 2013 until such data have been received by the ICCAT Secretariat.”

Table 2 indicates per species Parties that have 1) never submitted data for that species and have not provided an explanation for recording “NA” on their Shark Implementation Check Sheet, and 2) Parties that have missed a number of recent years of reporting without explanation

TABLE 2 – ICCAT CPCs and Shark Data Reporting.* Parties that have not submitted data ever for a species are noted with ‘x’. Parties that have previously submitted some years of data, but have not submitted recently are notes with ‘/’

ICCAT Party	shortfin mako <i>Isurus oxyrinchus</i>)	porbeagle <i>(Lamna nasus)</i>	blue <i>(Prionace glauca)</i>	thresher <i>(Alopias spp.)</i>	oceanic whitetip <i>(Carcharhinus longimanus)</i>	hammerhead <i>(Sphyrnidae spp.)</i>	silky <i>(Carcharhinus falciformis)</i>
Albania	x	x	x	x	x	x	x
Algeria	x	x	/	/	x	x	x
Angola	/	x	x	x	x	x	x
Barbados		x	/	/	x	/	/
Belize		x		x	x	x	x
Brazil		x					/
Canada					x	x	x

Cape Verde	x	x	x	x	x	x	x
China PR		x		x	x	x	x
Cote D'Ivoire		x			x		
Curacao	/	x	x	x	x	x	x
Egypt	x	x	x	x	x	x	x
El Salvador	x	x	x	x	x	x	x
EU (Commission)					/		
France (St P & M)	/	x	/	x	x	x	x
Gabon	x	x	x	x	x	x	x
Ghana	x	x			/		/
Guatemala	x	x	x	x	x	x	x
Guinea Bissau	x	x	x	x	x	x	x
Guinea Eq	x	x		x	/	x	x
Guinee Rep	x	x	x	x	x	x	x
Honduras	x	x	x	x	x	x	x
Iceland	x	x	/	x	x	x	x
Japan				x	x	x	x
Korea (Rep of)		/				/	x
Liberia	x	x	x		x	x	x
Libya	x	x		x	x	x	x
Mauritania	/	x			x	x	/
Mexico		x					
Morocco				x	x	/	x
Namibia		x			x	x	x
Nicaragua	x	x	x	x	x	/	x
Nigeria*							
Norway	x		x	x	x	x	x
Panama	/	x		x	x	x	x
Philippines*							
Russian Fed*							
Sao Tome e Principe	x	x			x	x	x
Senegal		x			x		x
Sierra Leone	x	x	x	x	x	x	x
South Africa		x		/	x	/	x
St Vincent & Grenadines	/	x		/	x	x	x
Syria	x	x	x	x	x	x	x
Trinidad & Tobago		x			x		x

Tunisia	x	x	x	x	x	x	x
Turkey	x	x	x	x	x	x	x
UK (OST)		x			x	/	x
Uruguay	/	x	/	/	x	/	x
USA							
Vanuatu	x	x	x	x	x	x	x
Venezuela		x					/
Bolivia	x	x		x	x	x	x
Chinese TP							
Costa Rica	x	x	x	x	x	x	x
Guyana	x	x	x	x	x	/	x
Suriname	x	x	/	x	x	x	x

+Data source: ICCAT Statistical Bulletin 1950-2017, Vol July 2019 and; ICCAT Task I web data www.iccat.int

•Nigeria, the Philippines, and the Russian Fed indicate they have no ICCAT fisheries and have reported this to COC

Shark Discard, Release, and Condition reporting

Task I data instructions require Parties to include dead discards and live releases as well as “0” for zero catches for all shark species. Including those species under ICCAT retention bans – oceanic whitetip (*Carcharhinus longimanus*), bigeye thresher (*Alopias superciliosus*), hammerhead (*Sphyrnidae spp*), and silky sharks (*Carcharhinus falciformis*).

Moreover, there are several Recommendations concerning sharks that require CPCs? to report discards, releases, and condition of released sharks. These include:

Rec 09-07 requiring that ‘the number of discards and releases of *A. superciliosus* must be recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.’

Rec. 10-07 requiring that ‘CPCs shall record through their observer programs the number of discards and releases of oceanic whitetip sharks with indication of status (dead or alive) and report it to ICCAT.’

Rec. 10-08 stating that ‘CPCs shall require that the number of discards and releases of hammerhead sharks are recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.’

Rec. 11-08 requiring that ‘CPCs shall record through their observer programs the number of discards and releases of silky sharks with indication of status (dead or alive) and report it to ICCAT.’

Rec. 16-12 stating that 'CPCs shall implement data collection programmes that ensure the reporting of accurate blue shark catch, effort, size and discard data to ICCAT in full accordance with the ICCAT requirements for provision of Task I and Task II.'

Rec. 17-08 requires CPCs to report the number of dead discards and live releases of North Atlantic shortfin mako through their observer program

Rec 11-10 requires Parties to collect bycatch and discard data in their existing domestic scientific observer while noting that fisheries less than 15m, artisanal, under Rec 10-10 (replaced by 16-14) can use alternative method, but must report that method in their observer report and annual reports due in 2012.

The information presented in Table 2, above, is concerning as it indicates many ICCAT Parties are unaware of or simply ignoring the requirement to report discards and zero catch. It is evident that most Parties are falling short of fully complying with data reporting requirements.

We request the COC take additional steps to ensure that Parties are collecting and submitting dead discards and live releases, as required.

Implementation of shark measures

The Shark Implementation Check Sheet in Rec. 18-06 states, “each ICCAT requirement must be implemented in a legally binding manner. Just requesting fishermen to implement measures should not be regarded as implementation.”

Table 3 indicates ICCAT Parties that have not provided details of legally binding domestic measures for the shark species covered by specific ICCAT measures.

TABLE 3 – ICCAT Parties Shark Measure Implementation. Parties failing to report details of legally binding domestic regulations implementing ICCAT shark Recommendations are noted with ‘x’.

ICCAT Party	Rec 15-06 porbeagle (<i>Lamna nasus</i>)	Rec 09-07 bigeye thresher (<i>Alopias superciliosus</i>)	Rec 10-07 oceanic whitetip (<i>Carcharhinus longimanus</i>)	Rec 10-08 hammerhead (<i>Sphyrnidae spp</i>)	Rec 11-08 silky (<i>Carcharhinus falciformis</i>)
Albania	x				
Algeria	x	x	x	x	x
Angola					
Barbados	x	x			
Belize					
Brazil	x				
Canada		x	x		
Cape Verde	x	x			
China PR	x				
Cote D'Ivoire	x	x	x	x	x
Curacao	x	x	x	x	x
Egypt	x	x	x	x	x
El Salvador	x	x	x	x	x
EU (Commission)					
France (St P & M)	x	x	x	x	x
Gabon	x	x	x	x	x
Ghana	x	x	x		
Guatemala	x	x	x	x	x
Guinea Bissau					
Guinea Eq					
Guinee Rep					
Honduras					
Iceland^	x				

Japan	x	x	x		
Korea (Rep of)	x	x	x	x	x
Liberia	x	x	x	x	x
Libya	x	x	x	x	x
Mauritania	x	x	x	x	x
Mexico	x	x			
Morocco	x				x
Namibia	x	x	x	x	x
Nicaragua	x	x			
Nigeria*					
Norway^	x				
Panama	x	x	x	x	x
Philippines*					
Russian Fed*					
Sao Tome e Principe	x	x	x	x	x
Senegal	x	x	x	x	x
Sierra Leone					
South Africa	x	x	x		
St Vincent & Grenadines	x	x	x	x	x
Syria	x	x	x	x	x
Trinidad & Tobago	x	x	x	x	x
Tunisia	x	x	x	x	x
Turkey		x	x		
UK (OST)	x	x	x		
Uruguay					
USA					
Vanuatu	x	x	x	x	x
Venezuela	x	x			
Bolivia					
Chinese TP	x	x	x		
Costa Rica	x	x	x		
Guyana	x	x	x	x	x
Suriname	x	x	x	x	x

•Nigeria, the Philippines, and the Russian Fed indicate they have no ICCAT fisheries and have reported this to COC
^Iceland and Norway have full discard bans in place and are exempt from retention bans for four of the sharks above

Implementation of 5% fin to carcass ratio

The Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT (04-10) requires Parties to ensure their vessels not have onboard fins that total more than 5% of the weight of sharks onboard and have some monitoring and control measures in place to ensure compliance. This Recommendation has been in force for 15 years, however, many Parties (Table 4) have not reported a related legally binding domestic measure in their Shark Implementation Check Sheet.

TABLE 4 – ICCAT Parties and the Shark Finning Ban. Parties failing to report legally binding domestic regulations to implement 04-10 are noted with 'x'.

ICCAT Party	REC 04-10, Paragraph 3
Albania	x
Algeria	x
Angola	
Barbados	x
Belize	
Brazil	
Canada	
Cape Verde	x
China PR	
Cote D'Ivoire	x
Curacao	x
Egypt	x
El Salvador	x
EU (Commission)	
France (St P & M)	x
Gabon	x
Ghana	
Guatemala	x
Guinea Bissau	
Guinea Eq	
Guinee Rep	
Honduras	
Iceland	x
Japan	x
Korea (Rep of)	x
Liberia	x
Libya	x
Mauritania	x
Mexico	

Morocco	
Namibia	x
Nicaragua	
Nigeria*	
Norway	x
Panama	x
Philippines*	
Russian Fed*	
Sao Tome e Principe	x
Senegal	x
Sierra Leone	
South Africa	x
St Vincent & Grenadines	x
Syria	x
Trinidad & Tobago	x
Tunisia	
Turkey	
UK (OST)	x
Uruguay	
USA	
Vanuatu	x
Venezuela	
Bolivia	
Chinese TP	x
Costa Rica	
Guyana	x
Suriname	x

•Nigeria, the Philippines, and the Russian Fed indicate they have no ICCAT fisheries and have reported this to COC

Implementation and Reporting Concerning North Atlantic Shortfin Makos

We are particularly concerned about the status of shortfin mako sharks. The Shark Species Group found at their May 2019 meeting that the North Atlantic shortfin mako population is continuing to decline due to the inadequacy of 2017 measures and will likely take several decades to recover even with immediate and dramatic reduction in fishing mortality². As ICCAT is due to evaluate their *Recommendation on the Conservation of North Atlantic Stock of Shortfin Mako Caught in Association with ICCAT Fisheries* (Rec. 17-08) this year, and in light of renewed advice for a full prohibition on retention, it is essential that Parties meet their mako data reporting obligations, submit details on domestic control measures, and the status of national observer programs.

We request, as per Rec 18-06, that the ICCAT Secretariat, in consultation with the COC and PA4 Chairs, revise the Shark Implementation Check Sheet to include the North Atlantic shortfin mako measure 17-08 as a matter of priority and seek immediate reporting from Parties to be available for the Annual Meeting of 2019 for consideration.

We also note that Rec. 16-12 concerning blue sharks caught in association with ICCAT fisheries was not included in the 2018 Shark Implementation Check Sheet and should be added as per Rec. 18-06 for relevant updates from Parties in time for the 2019 Annual Meeting

Hammerhead and silky shark landings increase and trade

The ICCAT Recommendations prohibiting the retention etc. of hammerhead sharks (family Sphyrnidae except *Sphyrna tiburo*) (Rec. 10-08) and silky sharks (Rec. 11-08) allows exceptions for developing coastal states for local consumption, provided they *also* submit catch data, endeavor to prevent increases in catches and take necessary measures to ensure that hammerhead and silky sharks not enter international trade; CPCs are to notify the Commission of such measures.

Given that silky sharks and large hammerheads are threatened species that have since been listed on Appendix II of the Convention on International Trade in Endangered Species (CITES) and the Convention on Migratory Species (CMS), we believe a more thorough reporting of the implementation of ICCAT measures is long overdue. We request that the COC place a high priority on eliciting much more detailed reporting on which CPCs consider themselves exempt from these two Recommendations and what steps have been taken to prevent catch increases and international trade.

Mexico Exemption for Thresher

Rec. 09-07 prohibits the retention of bigeye thresher sharks for all CPCs with the exception for the Mexican small-scale coastal fishery with a catch of fewer than 110 fish. We request that the COC query Mexico as to whether continuation of this exception is necessary.

² https://www.iccat.int/Documents/Meetings/Docs/2019/REPORTS/2019_SMA_SA_ENG.pdf