



Recommendations to the 18th Special Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT)

12 -19th November 2012 in Agadir, Morocco

The Ecology Action Centre (EAC) is pleased to be participating once again as a Canadian civil society observer here at ICCAT. The EAC has worked proactively at RFMOs and the UNGA for many years lending expertise in fisheries science and experience working with sustainable fishing industries. At ICCAT, we work to support continued progress towards ecosystem based and precautionary management measures.

The Ecology Action Centre is particularly focused on ensuring progress continues on addressing bycatch issues in the ICCAT convention area, especially management of shark species, which are caught in greater numbers than some ICCAT target species, but have had little proactive management or data reporting to date.

Shark Conservation

ICCAT has worked to respond to the eight resolutions from the United Nations General Assembly calling on RFMOs to improve shark management. Work remains in front of ICCAT to adequately address the actions recommended by the 2nd Joint Tuna RFMO 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.

Should a broader action plan be proposed to improve shark management with long term goals, it should not replace immediate adoption of actions that will address ongoing pressure on shark species.

Porbeagle Shark

Prohibit the retention of porbeagle shark in the ICCAT convention area

The EAC urges all contracting parties to come to consensus on the need to give the highest degree of protection possible to the porbeagle shark. The SCRS Ecological Risk Assessment has named the porbeagle shark one of the most vulnerable sharks in the ICCAT area and the International Union for the Conservation of Nature has assessed the species as critically endangered in the North East Atlantic and Endangered in the North West Atlantic.

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There is now a ban on retention in European Union waters and the Mediterranean. Current fishing mortality in the North West Atlantic adds decades to the already slow recovery trajectory pushing it to upwards of 100 years for this vulnerable shark. According to the SCRS 2009 porbeagle assessment the current female spawning population in the North West Atlantic is at only 12-16% of its 1961 level. In the North West Atlantic the main fishing mortality over the last three has been from bycatch fisheries.

While admirable research and management efforts have been made there are unaccounted for factors that jeopardize recovery plans for this depleted species - estimates of dead discards and post release mortality are not accounted for, nor environmental changes over the possible century of recovery time, and there may be unregulated and unreported high seas catch not represented in abundance models.

Further, Southern Atlantic stocks have historically been unmanaged and the 2012 SCRS characterizes them as 'grossly' under reported. Available data points to similar declines in the South as experienced in the North Atlantic.

There is a need for convention wide consensus on conservation for porbeagles. A ban on retention in the ICCAT convention area would be the strongest way to deal with negative human impact on the recovery time of the endangered porbeagle shark ensuring there is no incentive to keep live sharks caught as bycatch or increase catch with new market demand and any high seas catch would be illegal to land. We urge the commission to take the most precautionary action possible to ensure the shortest recovery time for porbeagles.

Shortfin mako shark

In accordance with SCRS advice, establish catch limits to ensure mortality is kept below current levels

ICCAT has identified short fin mako shark as a priority for the past seven years. According to the SCRS 2012 report data reporting has improved, however the results of current efforts to establish status are highly uncertain and resulted in wide confidence levels. The SCRS continues to recommend fishing mortality does not increase for shortfin mako.

Catch should be limited to historical average catches that ensures mortality is below current levels until such a time as scientifically based catch limits can be established. Further, ICCAT should ask for advice to establish a maximum and minimum size for landed shortfin makos.

In accordance with ICCAT Recommendation 10-06 no CPCs should be able to land shortfin mako sharks if they are not in compliance with data reporting by 2013.

Blue Shark

Set precautionary limits that maintain catch at or below current levels

Blue sharks have been prioritized by ICCAT for management attention since they are caught in very high numbers in ICCAT fisheries compared with other sharks and indeed even some target species managed by the commission. The SCRS Ecological Risk Assessment has also identified blue sharks as vulnerable and recommend measures to ensure catches stay within the Convention Objective.

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The 2010 SCRS report indicates that the data is still 'uninformative' and has led to 'highly uncertain' results for blue sharks. While it seems that the stocks are still above Bmsy, the population trends appear to be declining with the assessment showing blue sharks decreased in the North Atlantic by over 50% in only the last 10 years.

The Commission needs to act with precaution to ensure sustainable harvest of blue shark is maintained before this shark becomes as depleted as other shark species in the convention area. Establishing precautionary catch limits based on historic averages that maintain mortality below current levels is the first step until such time as scientifically based limits can be established.

Improve the existing finning ban by moving to a 'fins naturally attached' rule

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 at the first point of landing is the most straightforward way of enforcing the finning ban and will greatly improve species-specific data collection for sharks. The Ecology Action Centre urges the Commission to support a proposed 'fins attached' regulation.

Western bluefin tuna

Maintain TAC at the status quo &

Include post-release mortality estimates in catch reports

Western bluefin tuna is showing promising signs of gaining ground, however it is important to remember that the stock is still in a very depleted state and there remains substantial uncertainty in our knowledge of the population. The SCRS report notes that there has not been sufficient time to detect the response to the management measures of the past three years.

There is still no clear evidence with which to decide between the high recruitment and low recruitment scenario - both are equally plausible. Management decisions have been made following the low recruitment scenario. If this assumption is wrong, the outcome may prove to be disastrous for the stock. If landings continue to be allowed under the low recruitment scenario, a very precautionary catch level should be chosen. The SCRS advises that the current TAC of 1750 tonnes would allow the biomass to continue to increase anything over 2000t prevents the 2003 year class from adding to the productivity. However, if the high recruitment scenario is correct catches need to be 1200 t or less to initiate rebuilding. Given this uncertainty, we hope CPCs will agree to maintain status quo.

Conservation Measure for the Sargasso Sea

The Ecology Action Centre urges CPCs to support a proposal to request the ICCAT SCRS to consider the need for special conservation measures in the Sargasso Sea. This request is consistent with the obligations contained in the UN Fish Stocks Agreement with respect to, *inter alia*: assessment of impacts of fishing on target stocks and species belonging to the same ecosystem or associated with or dependent upon the target stocks (Art. 5 (d)); and protection of biological diversity (Art. 5 (g)).

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It is also important to note that the Sargasso Sea has recently been identified as a pupping ground for porbeagle sharks through Canadian tagging data.

The eleventh meeting of the Convention on Biological Diversity (CBD) Conference of the Parties (COP 11) described the Sargasso Sea as an area that meets the ecologically or biologically significant area (EBSA) criteria. During the 2012 NAFO Annual Meeting in September, the Fisheries Commission requested the Scientific Council to:

comment and advise on whether the Sargasso Sea provides forage area or habitat for living marine resources that could be impacted by different types of fishing; and on whether there is a need for any management measure including a closure to protect this ecosystem. (NAFO/FC Doc. 12.24, Request 15)

In order to promote consistency and integration among different RFMOs and policy instruments with respect to conservation and sustainable use of marine biodiversity and its resources, and in accordance with international law, we believe that ICCAT is in a great position to show leadership; namely, by addressing this important and timely issue in the same way that NAFO did.

Further information for the basis of this request can be found in Laffoley, D.d'A. (2011). *The protection and management of the Sargasso Sea: The golden floating rainforest of the Atlantic Ocean. Summary Science and Supporting Evidence Case*. Sargasso Sea Alliance, 44 pp.

We can supply copies to any interested parties.

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