

Original: English

DRAFT 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
(Submitted by COC Chair)

RECALLING that ICCAT has adopted several recommendations for sharks, either in a general or species-specific manner, in accordance with an ecosystem approach;

FURTHER RECALLING Recommendation by ICCAT on Compliance with Existing measures on Shark Conservation and Management [Rec. 12-05] and Recommendation by ICCAT on Improvement of Compliance Review of Conservation and Management Measures regarding Sharks Caught in Association with ICCAT Fisheries [16-13], which required CPCs to report on their implementation of and compliance with the shark conservation and management measures;

RECOGNIZING the need to improve the means to facilitate review process of implementation of and compliance with the shark conservation and management measures, while minimizing the reporting burden on CPCs;

DESIRING to streamline ICCAT reporting requirements, including by eliminating redundancies;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1. All CPCs shall submit to the ICCAT Secretariat, with their Annual Reports, details of their implementation of and compliance with shark conservation and management measures using the check sheet in **Annex 1**, as may be revised by the ICCAT Secretariat in consultation with the COC and PA4 Chairs to reflect new shark measures adopted by the Commission.
2. If there are no changes from the previous year in a CPC's implementation of ICCAT shark measures covered by the check sheet in **Annex 1** and no additional reporting fields have been included to reflect new shark measures, the CPC shall not be required to submit a shark check sheet, provided that it affirms in its Annual Report that there are no changes. If there are changes from the previous year in a CPC's implementation, or the additional reporting fields have been included in the shark check sheet to reflect new shark measures, the CPC shall only be required to submit such updates regarding implementation or responses to new reporting fields with their Annual Reports. However, CPCs shall submit updated shark check sheets in full in the years when the Compliance Committee is scheduled to prioritize review of the shark check sheets in accordance with paragraph 4.
3. 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.
4. The Compliance Committee meeting shall prioritize review of CPC shark check sheets on an ICCAT meeting cycle as determined by the Committee, without prejudice to the competency of the Committee to consider shark measure implementation issues at annual meetings during other years as appropriate.
5. Recommendations 12-05 and 16-13 are repealed.

Shark Implementation Check Sheet

(Name of CPC) _____

Note: Each ICCAT requirement must be implemented in a legally binding manner. Just requesting fishermen to implement measures should not be regarded as implementation.

<i>Rec. #</i>	<i>Para #</i>	<i>Requirement</i>	<i>Status of implementation</i>	<i>Relevant domestic laws or regulations, as applicable (include text, references, or links to where this information is codified)</i>	<i>Note</i>
04-10	1	Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall annually report Task I and Task II data for catches of sharks, in accordance with ICCAT data reporting procedures, including available historical data	Yes or No or N/A (Not applicable)		If "No" or "N/A", explain the reason. N/A is only permitted in the case of CPCs that have confirmed to the Secretariat that there was no relevant shark catch, in accordance with procedures implementing Rec. 11-15.
	2	CPCs shall take the necessary measures to require that their fishermen fully utilize their entire catches of sharks. Full utilization 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	Yes or No or N/A		If "Yes", explain the details of the measures, including ways to monitor the compliance. If "No" or "N/A", explain the reason.
	3	(1) 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	Yes or No or N/A		If "Yes", explain ways to monitor the compliance. If "No" or "N/A", explain the reason.

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		(2) 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	Yes or No or N/A		If "Yes", explain the details of the measures, including ways to monitor the compliance. If "No" or "N/A", explain the reason.
	5	Fishing vessels are prohibited from retaining on board, transshipping or landing any fins harvested in contravention of this Recommendation	Yes or No or N/A		If "Yes", explain ways to monitor the compliance. If "No" or "N/A", explain the reason.
07-06	1	Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities (hereinafter referred to as CPCs), especially those directing fishing activities for sharks, shall submit Task I and II data for sharks, as required by ICCAT data reporting procedures (including estimates of dead discards and size frequencies) in	Yes or No or N/A		If "No" or "N/A", explain the reason.

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		advance of the next SCRS assessment			
	2	Until such time as sustainable levels of harvest can be determined through peer reviewed stock assessments by SCRS or other organizations, CPCs shall take appropriate measures to reduce fishing mortality in fisheries targeting porbeagle (<i>Lamna nasus</i>) and North Atlantic shortfin mako sharks (<i>Isurus oxyrinchus</i>)	Yes or No or N/A		If "Yes", explain the details of the measures, including ways to monitor the compliance. If "No" or "N/A", explain the reason.
09-07	1	Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit, retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of bigeye thresher sharks (<i>Alopias superciliosus</i>) in any fishery with exception of a Mexican small-scale coastal fishery with a catch of less than 110 fish	Yes or No or N/A		If "Yes", explain ways to monitor the compliance. If "No" or "N/A", explain the reason.

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	2	CPCs shall require vessels flying their flag to promptly release unharmed, to the extent practicable, bigeye thresher sharks when brought along side for taking on board the vessel	Yes or No or N/A		If "No" or "N/A", explain the reason.
	4	CPCs shall require the collection and submission of Task I and Task II data for <i>Alopias</i> spp other than <i>A. superciliosus</i> in accordance with ICCAT data reporting requirements. The number of discards and releases of <i>A. superciliosus</i> must be recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements	Yes or No or N/A		If "No" or "N/A", explain the reason.
10-06	1	CPCs shall include information in their 2012 Annual Reports on actions taken to implement Recommendations 04-10, 05-05, and 07-06, in particular the steps taken to improve their Task I and Task II data collection for	Yes or No or N/A		If "No" or "N/A", explain the reason.

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		direct and incidental catches			
10-07	1	Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of oceanic whitetip sharks in any fishery	Yes or No or N/A		If "Yes", explain ways to monitor the compliance. If "No" or "N/A", explain the reason.
	2	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	Yes or No or N/A		If "No" or "N/A", explain the reason.
10-08	1	Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of hammerhead sharks of the	Yes or No or N/A		If "Yes", explain ways to monitor the compliance. If "No" or "N/A", explain the reason.

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		family Sphyrnidae (except for the <i>Sphyrna tiburo</i>), taken in the Convention area in association with ICCAT fisheries			
	2	CPCs shall require vessels flying their flag, to promptly release unharmed, to the extent practicable, hammerhead sharks when brought alongside the vessel	Yes or No or N/A		If "No" or "N/A", explain the reason.
	3	(1) Hammerhead sharks that are caught by developing coastal CPCs for local consumption are exempted from the measures established in paragraphs 1 and 2, provided these CPCs submit Task I and, if possible, Task II data according to the reporting procedures established by the SCRS. If it is not possible to provide catch data by species, they shall be provided at least by genus <i>Sphyrna</i>	Yes or No or N/A		If "No" or "N/A", explain the reason.

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		(2) Developing coastal CPCs exempted from this prohibition pursuant to this paragraph should endeavor not to increase their catches of hammerhead sharks. Such CPCs shall take necessary measures to ensure that hammerhead sharks of the family Sphyrnidae (except of <i>Sphyrna tiburo</i>) will not enter international trade and shall notify the Commission of such measures	Yes or No or N/A		If "Yes", explain the details of the measures, including ways to monitor the compliance. If "No" or "N/A", explain the reason.
	4	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	Yes or No or N/A		If "No" or "N/A", explain the reason.
11-08	1	Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall require fishing vessels flying their	Yes or No or N/A		If "Yes", explain ways to monitor the compliance. If "No" or "N/A", explain the reason.

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		flag and operating in ICCAT managed fisheries to release all silky sharks whether dead or alive, and prohibit retaining on board, transshipping, or landing any part or whole carcass of silky shark			
	2	CPCs shall require vessels flying their flag to promptly release silky sharks unharmed, at the latest before putting the catch into the fish holds, giving due consideration to the safety of crew members. Purse seine vessels engaged in ICCAT fisheries shall endeavor to take additional measures to increase the survival rate of silky sharks incidentally caught	Yes or No or N/A		If "No" or "N/A", explain the reason.
	3	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	Yes or No or N/A		If "No" or "N/A", explain the reason.

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	4	(1) Silky sharks that are caught by developing coastal CPCs for local consumption are exempted from the measures established in paragraphs 1 and 2, provided these CPCs submit Task I and, if possible, Task II data according to the reporting procedures established by the SCRS. CPCs that have not reported species-specific shark data shall provide a plan by July 1, 2012, for improving their data collection for sharks on a species specific level for review by the SCRS and Commission.	Yes or No or N/A		If "No" or "N/A", explain the reason.
		(2) Developing coastal CPCs exempted from the prohibition pursuant to this paragraph shall not increase their catches of silky sharks. Such CPCs shall take necessary measures to ensure that silky sharks will not enter international trade and shall notify the Commission of such measures	Yes or No or N/A		If "Yes", explain the details of the measures, including ways to monitor the compliance. If "No" or "N/A", explain the reason.

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	6	The prohibition on retention in paragraph 1 does not apply to CPCs whose domestic law requires that all dead fish be landed, that the fishermen cannot draw any commercial profit from such fish and that includes a prohibition against silky shark fisheries	Applicable or N/A		
11-15	1	CPCs shall include information in their Annual Reports on actions taken to implement their reporting obligations for all ICCAT fisheries, including shark species caught in association with ICCAT fisheries, in particular the steps taken to improve their Task I and Task II data collection for direct and incidental catches	Yes or No or N/A		If "Yes", explain the details of the actions. If "No" or "N/A", explain the reason.
14-06	1	CPCs shall improve their catch reporting systems to ensure the reporting of shortfin mako catch and effort data to ICCAT in full accordance with the ICCAT requirements for provision of Task I	Yes or No or N/A		If "No" or "N/A", explain the reason.

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		and Task II catch, effort and size data			
	2	CPCs shall include in their annual reports to ICCAT information on the actions they have taken domestically to monitor catches and to conserve and manage shortfin mako sharks	Yes or No or N/A		If "No" or "N/A", explain the reason.
15-06	1	Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall require their vessels to promptly release unharmed, to the extent practicable, porbeagle sharks caught in association with ICCAT fisheries when brought alive alongside for taking on board the vessel.	Yes or No or N/A		If "No" or "N/A", explain the reason.
	2	CPCs shall ensure the collection of Task I and Task II data for porbeagle sharks and their submission in accordance with ICCAT data reporting requirements. Discards and releases of	Yes or No or N/A		If "No" or "N/A", explain the reason.

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		porbeagle sharks shall be recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.			