

Joint Opening Statement for Panel 4

Welcoming Canada's Proposal for an Immediate Retention Ban for Shortfin Mako Shark in the North Atlantic and a Science Based TAC in the South Atlantic.

Following up on the [joint statement made in the Plenary on behalf of 38 organisations, including retail and ocean conservation entities](#), calling to ICCAT to take immediate and bold action to adopt a full no-retention measure for the shortfin mako shark, we would like to summarise our detailed analysis of the respective proposals to your delegation's decision making.

Canada's proposal PA4-806

Canada has submitted proposal PA4-806 asking the Commission to replace Rec. 19-06 and "*prohibit retaining onboard, transshipping, or landing part or whole of a North Atlantic shortfin mako caught in any of the fisheries managed by ICCAT.*" The proposal also follows the scientific advice requesting that "*the annual TAC for 2021 and subsequent years is 2,001 t for South Atlantic shortfin mako and shall remain in place until it is revised based on scientific advice.*" Furthermore, the proposal includes the recommendation for further scientific research investigating and implementing avoidance and mitigation measures to reduce shortfin mako mortality.

We welcome and support Canada's proposal following the scientific advice.

EU's proposal (PA4-804) & USA's proposal (PA4-805)

The proposed TAC of 500 t per year (PA4-804) from the EU "*for the fish caught already dead, and as confirmed by the presence of an observer/EMS onboard*" starting in 2021 will not achieve the required reduction of mortality, as it does not take dead discards into account, and will indeed prevent implementation of effective improvements for live release. While the proposal acknowledges that its recommended action *can create a market incentive which could lead to the targeting of these fish,*" it does not offer any suggestions as to how to address this problem. On the contrary, the EU has been responsible for about 60% of all shortfin mako shark catches in the past years and Portugal's catch has actually increased in 2019, thereby demonstrating that there is no incentive to release animals unharmed. Shortfin mako is highly valued for its meat and fins and, thus, market prices for this shark have continued to increase over the last two years. Therefore, economic incentives will always outweigh conservation efforts as long as commercial profit can be drawn from such catch.

The EU proposal claims that the 2019 CITES listing, combined with the effects of the introduction of a TAC, would "*already make [it] necessary for the fleets to deliberately avoid shortfin mako sharks*", but this is also not automatically true. The CITES' mandate to regulate international trade in species listed on its Appendices, including shortfin mako on Appendix II, is complementary to and can be reinforcing of fisheries measures, but the responsibility to comply with CITES provisions, including making non-detriment findings for specimens caught on the high seas ("introduction from the sea") prior to their introduction into the territory of a state, lies with the individual CITES Parties, not ICCAT.

Continued take of shortfin mako sharks from the high seas by CPCs that are CITES Parties and their subsequent landing of those sharks without scientific justification (showing that such takes are not detrimental to the species) would already be in contravention of CITES obligations, as CITES' definition of international trade includes "introduction from the sea" defined as "*transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State*", which explicitly includes one-state transactions. This provision further applies regardless of whether or not specimens were dead upon haul as CITES defines specimens to include any animal or plant, whether alive or dead. The fact that ICCAT's own science committee has recommended adoption of a non-retention measure since 2017, casts doubt on any such scientific justification that would be forthcoming.

We therefore conclude that the EU's proposal contradicts the clear scientific advice for a full retention ban without providing any scientific rationale or evidence and not addressing some of the relevant concerns such as economic incentives and taking into account dead discards.

The USA's proposal (PA4-805) recommends an even higher TAC for 2021 of 700 t and a TAC of 500 t from 2022 onwards provided "*the shark is dead at haulback, and the vessel has an observer or electronic monitoring system on board to verify the condition of the shark;*" or "*a minimum size of at least 180 cm fork length for males and of at least 210 cm fork length for females.*" This exemption would even allow retaining adult sharks for the purpose of sport fishing - regardless of whether the animal is dead or alive at the point of haulback and thus putting the fate of this endangered shark species at stake - for the benefit of sport fishing activities as USA considers this species still to be a game, despite its endangered status.

Conclusion

None of the TACs proposed by the EU or USA, nor the allocation of the proposed quota can be implemented effectively. Furthermore compliance with those proposed TACs and the quota allocation could not actually be monitored as observer coverage in longline fisheries is still far below 20%.

Therefore, both proposals fail to stop the complete collapse of the North Atlantic mako shark stock and, as neither proposal includes limits for the South Atlantic stock, this stock would soon follow a similar trajectory if commercial interests from the EU and the USA are allowed to prevail over the urgent conservation needs for this endangered species.

Recommendation

On the basis of the above we very much hope that all delegations will support the Canadian proposal and suggest that the delegations of the USA and the EU revise their proposals and follow the scientific advice, providing a realistic chance for stock rebuilding of endangered shortfin mako sharks rather than hoping for a barely 50% probability of stock rebuilding by 2070 as proposed by the EU's and USA's proposals.

M&S

EST. 1884



Deutsche Umwelthilfe



SHARKPROJECT



WILDAID

