

Section 3: International Efforts to Advance the Goals of the Shark Finning Prohibition Act

The key components of a comprehensive framework for international shark conservation and management have already been established in global and regional agreements, as well as through resolutions and measures adopted by international organizations. These relevant mechanisms and fora have identified, adopted, and/or published detailed language, provisions, or guidance to assist States and regional fisheries management organizations (RFMOs) in the development of conservation and management measures for the conservation and sustainable management of sharks. Some of these mechanisms have created international legal obligations with regard to shark conservation and management, while others are voluntary. To that end, the United States continues to promote shark conservation and management by having ongoing consultations regarding the development of international agreements consistent with the Shark Finning Prohibition Act. Discussions have focused on possible bilateral, multilateral, and regional work with other nations. The Act calls for the United States to pursue an international ban on shark finning and to advocate improved data collection (including biological data, stock abundance, bycatch levels, and information on the nature and extent of shark finning and trade). Determining the nature and extent of shark finning is the key step toward reaching agreements to decrease the incidence of finning worldwide. Please go to <http://www.nmfs.noaa.gov/ia/species/sharks/shark.html> to learn more about the United States' international shark conservation activities.

3.1 Bilateral Efforts

The United States continues to participate in bilateral discussions with a number of States and entities to address issues relating to international shark conservation and management. Emphasis in these bilateral consultations has been on the collection and exchange of information, including requests for shark fin landings, transshipping activities, and catch and trade data. In addition, the United States continues to encourage other countries to implement the FAO's International Plan of Action (IPOA) for the Conservation and Management of Sharks by finalizing, implementing and periodically updating their own National Plans of Action and to adopt a policy that requires all sharks to be landed with their fins naturally-attached.

For example, in an effort to better monitor shark product trade in light of new additions of several shark species to CITES Appendix II, NMFS and NGO partners have been working to build capacity in Central and South American countries. These efforts have been broad covering topics from chain of custody, species identification using several visual keys, and genetic tools for monitoring. A kickoff workshop was held in Brazil in December 2013 (see http://www.nmfs.noaa.gov/ia/slider_stories/2014/01/recife_workshop.html). NOAA's Office of International Affairs also awarded a grant to WWF to establish 2 pilot project level genetic identification labs in Ecuador. Ecuador was chosen due to their already well-established fishery monitoring program allowing for more seamless implementation. Planning of the labs and training workshops is underway.

In order to promote data collection in Mexico, the SWFSC and SWR are collaborating on multiyear efforts with Centro de Investigación Científica y de Educación Superior de Ensenada (CICESE), to coordinate artisanal fish camp monitoring and sampling in Baja California, Mexico and help advance cooperative stock assessment efforts with Mexico, U.S. and IATTC scientists. Sampling has provided valuable data for international assessment efforts through the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC), as well as for a USA-Mexico partnership to assess the status of common thresher sharks. As a result of the sampling program, fishery data for pelagic sharks now includes some size and sex sampling as well as several years of species specific catch information. In 2013, the Mexican scientists produced a time series of North Pacific blue shark catch that was used in the International Scientific Committee's first North Pacific blue shark stock assessment.

3.2 Regional Efforts

The U.S. Government continues to place priority on shark conservation and management globally and work within RFMOs and other regional entities to facilitate shark research, data collection, monitoring, and management initiatives, as appropriate. In recent years, the United States has successfully led efforts to ban shark finning and implement shark conservation and management measures within a number of such organizations. Table 3.2.1 lists RFMOs and regional/multilateral programs in which the United States has worked to address shark conservation and management. Of the list in Table 3.2.1, The United States is a party to ICCAT, NAFO, CCAMLR, WCPFC, IATTC, ISC, and the South Pacific Tuna Treaty. Eight of the organizations or programs listed have adopted finning prohibitions: ICCAT, NAFO, WCPFC, IATTC, IOTC, GFCM, SEAFO, and NEAFC. Recent activities or planning of the RFMOs to which the United States is a Party are discussed below as a supplement to last year's Report to Congress.

Table 3.2.1 Regional Fishery Management Organizations and Programs.

Regional Fishery Management Organizations and Programs
<ul style="list-style-type: none"> • Northwest Atlantic Fisheries Organization (NAFO) • Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) • Inter-American Tropical Tuna Commission (IATTC)

- International Commission for the Conservation of Atlantic Tunas (ICCAT)
- Western and Central Pacific Fisheries Commission (WCPFC)
- Indian Ocean Tuna Commission (IOTC)
- South East Atlantic Fisheries Organization (SEAFO)
- General Fisheries Commission for the Mediterranean (GFCM)
- North East Atlantic Fisheries Commission (NEAFC)
- Commission for the Conservation of Southern Bluefin Tuna (CCSBT)
- Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America (South Pacific Tuna Treaty)
- International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC)
- South Pacific Fisheries Commission (SPRFMO)

Northwest Atlantic Fisheries Organization (NAFO)

The NAFO Fisheries Commissions maintains a ban on shark finning in all NAFO-managed fisheries and mandated the collection of information on shark catches. The NAFO Fisheries Commission was the first regional fisheries management organization to establish a total allowable catch (TAC) for a directed elasmobranch fishery, but that TAC was too high. The United States successfully negotiated a series of reductions since 2010 and the TAC (at 7,000 metric tons) is now consistent with scientific advice.

Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

In 2006, CCAMLR adopted a conservation measure prohibiting directed fishing on shark species in the Convention Area, other than for scientific research purposes. The conservation measure requires that any bycatch of shark, especially juveniles and gravid females, taken accidentally in other fisheries, shall, as far as possible, be released alive. Few sharks are caught in the Convention Area.

In 2011 and 2013, the United States tabled a proposal to require landing of sharks with fins naturally attached to discourage the finning of sharks incidentally caught and retained and improve the opportunities to collect data of such sharks. The proposal was not adopted in 2011 due to an early intervention by the EU indicating that they would not be able to take a position on the fins attached issue until their internal process to amend the EU Finning Regulation was concluded. In 2013, the proposal was met with strong support from many members. However consensus could not be reached. The United States intends to re-table the proposal at the 2014 annual meeting with co-sponsorship of some of members who expressed strong support.

Inter-American Tropical Tuna Commission (IATTC)

The IATTC adopted [Resolution C-05-03](#) in 2005 on the conservation of sharks to require controls on shark finning using a five percent fin-to-carcass weight ratio requirement. In 2006, the IATTC Working Group on Stock Assessment presented information showing that the five percent fin-to-carcass weight ratio is difficult and inaccurate to apply due to the variation in weights by shark species, the type of cut used to remove the fins from the carcass, and variations in fleets drying fins on boards. The US has been consistently promoting a proposal to address those deficiencies by proposing a requirement that fins be naturally attached.

In 2013 and 2014, the European Union (EU) sponsored a proposal to require fins naturally attached that was supported by the United States and others; however, the Commission could not agree to adopt revisions to Resolution C-05-03 at that time

At the 2013 IATTC Annual Meeting, the U.S. also supported a proposal by the scientific staff of the IATTC to amend the measure for oceanic whitetip shark (Resolution [C-11-10](#)) to include silky shark. Although the United States supported this recommendation it was not adopted by the Commission.

International Commission for the Conservation of Atlantic Tunas (ICCAT)

At its 2013 Annual Meeting, the U.S. supported ICCAT's adoption of a proposal that will improve biological sampling of shark species that are currently prohibited from retention in ICCAT fisheries and that are dead at haulback, including oceanic whitetip, bigeye thresher, silky and scalloped, smooth and great hammerhead sharks.

Also at the 2013 meeting, the United States co-sponsored a proposal to require that all sharks be landed with their fins naturally attached. The text of this proposal was modified slightly from the version proposed by Belize, Brazil and the United States in the years 2009-2012. In addition, the following co-sponsors were added in 2013: Egypt, EU, Guatemala, Mexico, Panama, Senegal, and UK-Overseas Territories. As in past years, no consensus could be reached, but the increasing number of co-sponsors indicates growing support among some other ICCAT parties for a fins-attached approach. The issue is expected to be reconsidered at ICCAT's 2014 Annual Meeting. Proposals relating to shortfin mako and porbeagle sharks were also circulated at the 2013 Annual Meeting but were not adopted.

In 2013, the SCRS conducted an intersessional meeting, the main product of which was the development of a Shark Research and Data Collection Program (SRDCP). The SRDCP focuses on the reduction of the major sources of uncertainty in the formulation of scientific advice, including the improvement of data collection and reporting procedures, and is included in the SCRS's strategic science plan envisaged for the period 2014-2020.

Western and Central Pacific Fisheries Commission (WCPFC)

At its 8th Regular Session of the Commission in March 2012, the Commission added whale shark to the list of key species. In 2011, based on a U.S. proposal, the WCPFC adopted a conservation and management measure (CMM) for oceanic whitetip sharks, prohibiting retention on board,

transshipment, and landing of the species. At its 9th Regular Session of the Commission in December 2012, the Commission adopted a CMM prohibiting intentional sets by purse seine vessels in the vicinity of whale sharks. In 2013, WCPFC adopted a CMM that prohibits retaining on board, transshipping, storing on a fishing vessel, or landing any silky shark caught in the Convention Area, in whole or in part, in the fisheries covered by the Convention. In addition, the measure requires the release of any silky shark as soon as possible after it is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible. The measure mimics a similar one adopted in 2012 for oceanic whitetip shark.

Stock assessments for oceanic whitetip sharks and on silky sharks were conducted in 2012 and 2013, and were reviewed by the Scientific Committee (SC) of the WCPFC. The SC8 (2012) and SC9 (2013) concluded that both oceanic whitetip and silky sharks are currently overfished and that both stocks are experiencing overfishing relative to commonly used MSY-based reference points. SC8 recommended management measures for mitigation to avoid capture of oceanic whitetip sharks. SC9 recommended measures directed at bycatch mitigation for silky sharks as well as measures directed at targeted catch, such as from shark lines.

International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC)

The Thirteenth ISC Plenary, held in Busan, Korea from July 17–22, 2013, was attended by members from Canada, Chinese Taipei, Japan, Korea, Mexico, and the United States. The Plenary reviewed the progress of the Shark Working Group, reviewed the North Pacific blue shark stock assessment and endorsed the conclusions that the stock is not overfished or experiencing overfishing, developed conservation advice based on the blue shark assessment, and endorsed the SHARKWG's work plan to conduct a shortfin mako shark stock assessment in 2014/2015 and to sponsor the Second ISC Shark Age and Growth Workshop in early 2014. The SHARKWG held three working group meetings in 2013 to work on a North Pacific blue shark stock assessment and to advance shortfin mako fishery and life history data compilation. The final blue shark assessment data preparatory meeting was held in January 2013 in La Jolla, United States. The blue shark assessment meeting was held in April 2013 in Shizuoka, Japan. The blue shark assessment report was finalized and the SHARKWG began to examine shortfin mako shark fishery and life history data at a meeting in July 2013 in Busan, Korea. Active participants to the meetings have included Canada, Chinese Taipei, Japan, Korea, Mexico, USA, IATTC and the Secretariat of the Pacific Community (SPC).

3.3 Multilateral Efforts

The U.S. Government continues to work within other multilateral fora to facilitate shark research, data collection, monitoring, and management initiatives, as appropriate. Table 4.3.1 lists these multilateral fora. Of the list in Table 4.3.1, the recent activities for five organizations are discussed below as a supplement to last year's *Report to Congress*.

Table 3.3.1 Other multilateral fora.

Other Multilateral Fora
<ul style="list-style-type: none">• Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)• World Customs Organization (WCO)• Food and Agriculture Organization of the United Nations (FAO)• United Nations General Assembly (UNGA)• Convention on the Conservation of Migratory Species of Wild Animals (CMS)• International Union for Conservation of Nature (IUCN)• World Summit on Sustainable Development• International Council for the Exploration of the Sea (ICES)• Asia Pacific Economic Cooperation Forum and the Convention on Migratory Species (APEC)

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

CITES has taken a number of actions to address the international trade of sharks and rays and help ensure that it is sustainable. Most recently, at the Sixteenth Meeting of the Conference of the Parties (CoP16) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which was held in Bangkok, Thailand in March 2013, several commercially harvested [shark and ray species were listed in Appendix II](#) of CITES. The newly listed shark species include: oceanic whitetip shark, three species of hammerhead sharks (scalloped, great, and smooth), porbeagle shark, and manta rays. The effective date for these listings is September 14, 2014. Shark species already listed in Appendix II of CITES include the basking shark, whale shark, and great white shark.

Prior to CoP16, all sawfishes (Pristidae) were listed in Appendix I of CITES, with the exception of *Pristis microdon*. At CoP16, CITES Parties adopted a proposal submitted by Australia to transfer this species from Appendix II to Appendix I. The proposal was put forward to provide the same protection to freshwater sawfish provided to other species of the Pristidae family and help facilitate enforcement due to look-alike issues.

World Customs Organization

Related to actions taken in CITES and RFMOs to increase protection for commercially-exploited shark species, the World Customs Organization's (WCO) Harmonized System Review Subcommittee considered a Food and Agriculture Organization (FAO) proposal supported by the

United States that would assist countries in tracking international trade in shark fins of several commercially-important species, including porbeagle shark, oceanic whitetip shark, hammerhead sharks, and blue shark. The FAO proposal would establish global harmonized system tariff codes to permit the monitoring of trade in shark fins for these commercially significant shark species. However, the proposal for species-specific codes did not receive sufficient support among WCO members to advance during the current 2017 review cycle. Although the proposed species-specific codes were not adopted, aspects of the FAO proposal that were successful at the WCO will help improve the monitoring of shark products in trade by establishing separate codes for fresh, frozen, prepared, and preserved forms of shark fins, among other changes. The next opportunity for WCO consideration of this proposal may take place during the upcoming 2022 review cycle.

Food and Agriculture Organization of the United Nations (FAO)

The FAO maintains its International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), which is understood to include all species of sharks, skates, rays, and chimaeras (Class Chondrichthyes). The IPOA-Sharks calls on all FAO members to adopt a corresponding National Plan of Action if their vessels conduct directed fisheries for sharks or if their vessels regularly catch sharks in non-directed fisheries. Twelve FAO members have developed national plans of action, including the United States, and a regional plan of action for the Mediterranean Sea has been developed.

United Nations (UN)

The United States continues to work within the United Nations system (UN) process to develop specific calls to States and RFMOs to strengthen conservation and management measures for sharks. The United States has worked with other countries to propose and successfully adopt language and recommendations specific to sharks in the annual UNGA sustainable fisheries resolutions, including some aimed at reducing bycatch and improving data collection. Since 2005, provisions have been adopted every year that call on States and RFMOs to significantly improve the conservation and management of sharks, including a call for sharks to be landed with their fins naturally attached.

Convention on the Conservation of Migratory Species of Wild Animals (CMS)

In February 2010, the United States, along with 10 other States signed a global Memorandum of Understanding (MOU) for Migratory Sharks under the auspices of the Convention on Migratory Species. There are currently 36 Signatories - 35 national governments, including the United States, and the European Union. The MOU aims to coordinate international action on the threats faced by sharks and works to improve their species conservation status. The MOU came into effect March 1, 2010 and it initially covers great white, basking, whale, porbeagle, shortfin mako, longfin mako, and the Northern Hemisphere population of spiny dogfish, but more species can be added later.
or future analysis.