

Northwest Atlantic



Fisheries Organization

Serial No. N4185

NAFO/GC Doc. 99/6

21ST ANNUAL MEETING – SEPTEMBER 1999

The FAO International Plans of Action on the Management of
Fishing Capacity, Shark Fisheries and Incidental Catch of
Seabirds in Longline Fisheries and NAFO

The FAO Committee on Fisheries, meeting in February 1999, endorsed International Plans of Action (IPOAs) on the Management of Fishing Capacity, the Conservation and Management of Sharks and Reducing Incidental Catch of Seabirds in Longline Fisheries. These Plans of Action are expected to be adopted by the FAO Conference in November 1999 and are described below.

Each of the three IPOAs expressly call for States to cooperate internationally, including through regional fisheries organizations like NAFO, to achieve their objectives. Although the attainment of these objectives is substantially in the hands of States, and it is too early to define precisely what NAFO's role may be in these activities, it is clear that NAFO can make important contributions.

In light of these developments at the global level, the United States proposes that:

Overall

1. NAFO Contracting Parties who will be reporting on their implementation of the three IPOAs to FAO also submit that information to NAFO;

Capacity

2. NAFO Contracting Parties are requested to report on their progress in evaluating fishing capacity as it may impact fisheries in the NAFO Regulatory Area for the 22nd Annual Meeting in 2000;

Sharks

3. the Fisheries Commission request the Scientific Council to summarize all available information from the Convention Area on catches of elasmobranchs by species, by NAFO Division; and
4. the Fisheries Commission request the Scientific Council to review available information on elasmobranch relative biomass, by species, from research vessel surveys and to quantify the extent of exploitation and initiate work to develop precautionary reference points.

Background

1. International Plan of Action for the Management of Fishing Capacity (IPOA-CAPACITY)

- a) In the context of the Code of Conduct for Responsible Fisheries and its overall objective of sustainable fisheries, the issues of excess fishing capacity in world fisheries is an increasing concern. Excessive fishing capacity is a problem that, among others, contributes substantially to overfishing, the degradation of marine fisheries resources, the decline of food production potential, and significant economic waste.

The Code of Conduct provides that States should take measures to prevent or eliminate excess fishing capacity and should ensure that levels of fishing effort are commensurate with sustainable use of fishery resources.

- b) The IPOA-CAPACITY is voluntary. It has been elaborated within the framework of the Code of Conduct for Responsible Fisheries as envisaged by Article 2(d). The provisions of Article 3 of the Code apply to the interpretation and application of this IPOA and its relationship with other international instruments.

This document is in furtherance of the commitment of all States to implement the Code of Conduct. States and regional fisheries organizations should apply this document consistently with international law and within the framework of the respective competencies of the organizations concerned.

- c) The immediate objective of the IPOA-CAPACITY is for States and regional fisheries organizations, to achieve world-wide by 2003, but not later than 2005, an efficient, equitable and transparent management of fishing capacity. The management of fishing capacity on the basis of national and regional plans should be achieved through the following three phases: assessment and diagnosis (preliminary analysis to be completed by the end of 2000), adoption of management measures (preliminary steps to be adopted by the end of 2002) and periodic adjustment of such assessment and diagnosed measures, as appropriate. States and regional fisheries organizations should complete these steps and progressively implement by 2005 the complementary measures specified in the IPOA-CAPACITY. *Inter alia*, States and regional fisheries organizations confronted with an overcapacity problem, where capacity is undermining achievement of long-term sustainability outcomes, should endeavour initially to limit at present level and progressively reduce the fishing capacity applied to affected fisheries. Where long-term sustainability outcomes are being achieved, States and regional fisheries organizations nevertheless need to exercise caution to avoid growth in capacity undermining long-term sustainability objectives.

This objective may be achieved through a series of actions related to four major strategies:

- i. the conduct of national, regional and global assessments of capacity and improvement of the capability for monitoring fishing capacity;
- ii. the preparation and implementation of national plans to effectively manage fishing capacity and of immediate actions for coastal fisheries requiring urgent measures;
- iii. the strengthening of regional fisheries organizations and related mechanisms for improved management of fishing capacity at regional and global levels;

- iv. immediate actions for major transboundary, straddling, highly migratory and high seas fisheries requiring urgent measures.

These strategies may be implemented through complementary mechanisms to promote implementation of the IPOA-CAPACITY: awareness building and education, technical co-operation at the international level, and co-ordination.

The management of fishing capacity should be based on the Code of Conduct for Responsible Fisheries and take into consideration in the following major principles and approaches: participation, phased implementation, holistic approach, conservation priorities, new technologies, mobility, transparency.

2. International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks)

- a) For centuries artisanal fishermen have conducted fishing for sharks sustainably in coastal waters, and some still do. However, during recent decades modern technology in combination with access to distant markets have caused an increase in effort and yield of shark catches, as well as an expansion of the areas fished.

There is concern over the increase of shark catches and the consequences which this has for the populations of some shark species in several areas of the world's oceans. This is because sharks often have a close stock-recruitment relationship, long recovery times in response to over-fishing (low biological productivity because of late sexual maturity; few off-spring, albeit with low natural mortality) and complex spatial structures (size/sex segregation and seasonal migration).

- b) The IPOA-SHARKS is voluntary. It has been elaborated within the framework of the Code of Conduct for Responsible Fisheries as envisaged by Article 2(d). The provisions of Article 3 of the Code of Conduct apply to the interpretation and application of this document and its relationship with other international instruments. All concerned States are encouraged to implement it.

For the purposes of this document, the term "shark" is taken to include all species of sharks, skates, rays and chimaeras (Class *Chondrichthyes*), and the term "shark catch" is taken to include directed, bycatch, commercial, recreational and other forms of taking sharks.

- c) The IPOA-SHARKS applies to States in the waters of which sharks are caught by their own or foreign vessels and to States the vessels of which catch sharks on the high seas.

States should adopt a national plan of action for conservation and management of shark stocks (*Shark-plan*) if their vessels conduct directed fisheries for sharks or if their vessels regularly catch sharks in non-directed fisheries. When developing a *Shark-plan*, experience of subregional and regional fisheries management organizations should be taken into account, as appropriate.

States, within the framework of their respective competencies and consistent with international law, should strive to cooperate through regional and subregional fisheries organizations or arrangements, and other forms of cooperation, with a view to ensuring the sustainability of shark stocks, including, where appropriate, the development of subregional or regional shark plans.

The *Shark-plan* should contain a description of the prevailing state of:

- Shark stocks, populations;
- Associated fisheries; and,
- Management framework and its enforcement.

3. International Plan of Action for reducing incidental catch of Seabirds in longline fisheries (IPOA-Seabirds)

- a) Seabirds are being incidentally caught in various commercial longline fisheries in the world, and concerns are arising about the impacts of this incidental catch. Incidental catch of seabirds may also have an adverse impact on fishing productivity and profitability. Governments, non-governmental organizations, and commercial fishery associations are petitioning for measures to reduce the mortality of seabirds in longline fisheries in which seabirds are incidentally taken.

Key longline fisheries in which incidental catch of seabirds are known to occur are: tuna, swordfish and billfish in some particular parts of oceans; Patagonian toothfish in the Southern Ocean, and halibut, black cod, Pacific cod, Greenland halibut, cod, haddock, tusk and ling in the northern oceans (Pacific and Atlantic). The species of seabirds most frequently taken are albatrosses and petrels in the Southern Ocean, northern fulmars in the North Atlantic and albatrosses, gulls and fulmars in the North Pacific fisheries.

- b) IPOA-SEABIRDS is voluntary. It has been elaborated within the framework of the Code of Conduct for Responsible Fisheries as envisaged by Article 2(d). The provisions of Article 3 of the Code of Conduct apply to the interpretation and application of this document and its relationship with other international instruments. All concerned States are encouraged to implement it.

The IPOA-SEABIRDS applies to States in the waters of which longline fisheries are being conducted by their own or foreign vessels and to States that conduct longline fisheries on the high seas and in the exclusive economic zones (EEZ) of other States.

- c) In implementing the IPOA-SEABIRDS States should carry out a set of activities. This should be done as appropriate in conjunction with relevant international organizations. The exact configuration of this set of activities will be based on assessment of the incidental catch of seabirds in longline fisheries.

States with longline fisheries should conduct an assessment of these fisheries to determine if a problem exists with respect to incidental catch of seabirds. If a problem exists, States should adopt a National Plan of Action (NPOA-SEABIRDS) for reducing the incidental catch of seabirds in longline fisheries.

States which determine that an NPOA-SEABIRDS is not necessary should review that decision on a regular basis, particularly taking into account changes in their fisheries, such as the expansion of existing fisheries and/or the development of new longline fisheries. If, based on a subsequent assessment, States determine that a problem exists, they should follow the procedures outlined in the above paragraph, and implement an NPOA-SEABIRDS within two years.

States should start the implementation of the NPOA-SEABIRDS no later than the COFI Session in 2001.

In implementing their NPOA-SEABIRDS States should regularly, at least every four years, assess their implementation for the purpose of identifying cost-effective strategies for increasing the effectiveness of the NPOA-SEABIRDS.