

Annex 11

**THE REGIONAL PROPOSAL ON THE IMPLEMENTATION OF  
INTERNATIONAL PLAN OF ACTION FOR THE CONSERVATION AND  
MANAGEMENT OF SHARKS**

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**1. BACKGROUND**

The International Plan of Action for the Conservation and Management of Sharks (IPOA-SHARKS) was adopted at FAO Committee on Fisheries (COFI) at its Twenty-third session in 1999 and requested by its context that “states should strive to have a *Shark plan* by the COFI session of 2001”. However, only a few countries completed their *Shark plan* by the proposed date. FAO has therefore urged further efforts by the member countries so as to meet the requirements agreed in IPOA-SHARK (Annex 1).

Based on the international concerns on the deterioration of the global environment, international interventions on sustainable fisheries have been greatly promoted by not only fisheries sector but also various stakeholders. Unless fisheries sectors which normally led by the government fisheries related agencies are taking appropriate actions toward achieving sustainable fisheries, it has been clear that non-fisheries sector will start various initiatives including conservation and management of fisheries resources issues. The current initiatives developed by the Convention on International Trade in Endanger Species of Wild Fauna and Flora (CITES) have posed general questions on the linkages between harvest of endanger species and sustainable use of the aquatic resources. Although these two issues should be evaluated at various geographical levels using standardized criteria and appropriate scientific data and information, the international forum do not reach such consensus and outstanding controversial issues are not yet solved.

It is analyzed that the largest problem is the wide and different application of the precautionary approach on the aquatic species. The group that have been tried to hastily promote some fisheries species as endanger species under CITES using narrow concept of precautionary approach and promote regulation of certain fisheries using trade measures. On the other hand, fisheries related agencies including the most of these in ASEAN region, have tried to apply wider concept of precautionary approach and more seriously consider these under sustainable exploitation of fisheries resources. However, due to difficulty to collect sufficient amount of scientific data and information to evaluate the status and trend of fisheries that are exploiting these species, effective conservation and management measures have not yet been taken in the most of the cases. If such situation continues, fisheries sector which can be considered as a minor group in the international forum may eventually be defeated for most of the cases under the increasing thrusts of global environmental concerns. It is therefore important that fisheries related agencies should aware about the issues which can be greatly affected by the interventions by non-fisheries sector, and take pro-active action before negative consequences on sustainable fisheries are prevailed.

With respect to shark species, there has been increasing concerns on the declining shark resources due mainly to the growing demands by the lucrative shark fins market and their

weak biological fecundity to replenish their resources. Since the fisheries sector in the region has greatly enjoyed benefits from shark products, it is proposed that each ASEAN Member Countries should urgently analyze the issues and formulate appropriate “Shark Plan” as proposed in IPOA-SHARK in earlier opportunities.

## **2. REVIEW OF IPOA-SHARK**

IPOA-SHARK is comprehensively formulated both the conservation and management of all shark species both in national and international waters. The issues relevant to the exploitation of sharks in national water are specifically proposed to formulate shark-plan as national plan of actions.

### **2.1 Shark Fisheries in International Waters**

In ASEAN region, fisheries development has been conducted mainly in their national waters, which are attributed to the following factors.

- a) Due to ecological and topographical condition of fishing ground in the most of ASEAN region, their fisheries developments since 1960's have been promoted by trawl type of fisheries in their national water.
- b) There are only few strips of high sea areas in South China Sea. There are no specific fisheries in these areas.
- c) The international tuna fisheries (mainly purse seine) have been developed mainly by the fisheries sector in the Philippines at this moment.
- d) There is no consensus to create a Sub-Regional Fisheries Management Body due mainly to the lack of large-scale regional fisheries.

The by-catch of shark in international waters therefore can be considered as comparatively low level. The management of shark by-catch in these fisheries should be regulated by the appropriate mechanisms set by management frameworks under appropriate regional fisheries organizations in collaboration with the countries concerned.

### **2.2 Shark Fisheries in National Waters**

Considering above specific fisheries in ASEAN region, the issue can be focused on the proposed formulation of National Plan of Action (Shark-Plan).

#### ***a) Millennium Conference***

The regional fisheries common policy was formulated through the adoption of “Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN region” (Annex 2 and 3) at the ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium, ‘Fish for the People’ held in Bangkok in November 2001. Among various commitments made in the regional fisheries common policy, A-1 of the Plan of Action above states “Establish and implement comprehensive policies and innovative fisheries management, such as the decentralization of selected fisheries management functions to local level, the progressive introduction of right-based fisheries management through licensing and community fishing right, the improvement of vessel registration system and the development of supporting legal and institutional frameworks.”

**b) The Code of Conduct for Responsible Fisheries**

IPOA emphasizes that it has to be elaborated within the framework of the Code of Conduct for Responsible Fisheries. The above Resolution 1 states “Formulate regional guidelines to implement the Code of Conduct for Responsible Fisheries, taking into account the specific social, economic, cultural, ecological and institutional contexts and diversity of ASEAN fisheries”. ASEAN/SEAFDEC FCG program on “the Regionalization of the Code of Conduct for Responsible Fisheries” have completed the publication of the regional guidelines on Article 8 - Fishing Operations in 1999, Article 9 - Aquaculture Development in 2001 respectively and under the process of the regional guidelines on Article 7 - Fisheries Management. In the last one in its Article 7.1.1 support “ States and all engaged in fisheries management should, through an appropriate policy, legal and institutional framework, adopt measures for long term conservation and sustainable use of fisheries resources.”

Considering above regional initiatives together with follow up activities will further promote appropriate fisheries management framework in national level. In this connection, it is proposed that elaboration of National Plan of Action on Shark (Shark-Plan) should be under the framework of comprehensive fisheries management and not elaborated separately. Nevertheless, specific requirement on the shark fisheries will be further reviewed. It is therefore proposed that the proposed objective of IPOA especially for Shark-Plan will be modified as follows.

“The objective of Shark-Plan in ASEAN region is to take appropriate actions for the conservation and management of sharks and their long term sustainable use under the comprehensive national fisheries management policies, plan and program.”

**3. SHARK PLAN**

In the most of ASEAN Member Countries have not established and implemented effective fisheries management plan. ASEAN Member Countries will therefore continuously exert their utmost efforts along line with the policy considerations including the regional fisheries common policies adopted at the Millennium Conference and agreed regional guidelines of the Code of Conduct for Responsible Fisheries in order to achieve sustainable fisheries. In addition, it is suggested that the ASEAN Member Countries will take the following actions to understand the status and trend of shark fisheries in order to effectively improve fisheries management on sharks. One of the main constraints not only specific to shark fisheries but very relevant to all fisheries are lack of sufficient data and information. Therefore, a Shark Plan also focuses to effectively collect the data and information to establish appropriate basis on the management.

**3.1 Cooperation with Industry**

The fisheries related agencies in the most of ASEAN Member Countries have not effectively developed the cooperation mechanisms with fisheries industry, especially with commercial fisheries. In this connection, it is suggested that the cooperation mechanisms with large-scale industries especially on the collection of fisheries data and information will be developed. FCG program on “Information Collection for Sustainable Pelagic Fisheries in the South China Sea” using sampling ports can be considered as one of the models to collect required information on shark from the fisheries industries.

### **3.2 Review of Shark Fisheries**

It is suggested that ASEAN Member Countries should investigate the current shark fisheries in the following items to start with:

- a) Whether shark fisheries (as target species) exist or not?
- b) Main fishing gears?
- c) Are there any specific landing sites on shark catch?

### **3.3 Ecological Information on Shark**

The following ecological information can be collected by the ASEAN Member Countries to specify the shark targeted:

- a) Identification of habitat (fishing ground) of main shark species
- b) Major species to be caught in the respective national water.

### **3.4 Use of Shark Catch**

The information on how the harvested shark are used (fin only, body for food or other purposes, leather, liver, etc.) should be collected. The marketing and processing methods at local or factory level should also be understood. The survey on shark fin can be conducted as supplementary method, if it is found that the marketing surveys from the production sites are rather difficult.

### **3.5 Improvement of the Fisheries Statistics**

Based on the above 3, especially identification of major species, data collection by major species, the classification of the statistics using major species by national and regional levels can be considered. FCG program on “Fisheries Statistics” will consider the possible improvement through regional consultation process.

### **3.6 Appropriate Research Work on above**

### **3.7 Incorporation of above actions and other required management measures into the regional guidelines of the Code of Conduct for Responsible Fisheries**

Actions may include the reporting system on the catch of some species that are currently argued as endanger species (e.g. whale and basking sharks) using appropriate awareness building exercises.

## **4. CONCLUSION**

The meeting participants are invited to consider appropriate actions to understand the shark fisheries in the region. Special consideration will be given to the fact that international pressures will be increasingly intense and affect sustainable fisheries, if fisheries sector delay the actions to appropriately understand the issue, in this case, shark, and set the basis for future effective management actions.