

#### 4.113 Conserving migratory and oceanic sharks

ACKNOWLEDGING the obligations of the global community, including range states and shark-fishing states, to conserve, protect and manage migratory sharks as underpinned by, *inter alia*, the Convention on Biological Diversity (CBD), the Convention on Migratory Species (CMS), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the United Nations Convention on the Law of the Sea (UNCLOS), the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (*Fish Stocks Agreement*), the United Nations Food and Agriculture Organization (FAO) *International Plan of Action for the Conservation and Management of Sharks* (IPOA- Sharks), and the FAO Committee on Fisheries (COFI);

AWARE OF the important ecosystem role played by many shark species, and the significant and continuing mortality of sharks through target fisheries, illegal, unreported and unregulated (IUU) fishing, and in fisheries by-catch;

CONCERNED that the majority of wide-ranging oceanic pelagic sharks are taken in target and by-catch fisheries, that a large proportion of all migratory sharks are now included on the *IUCN Red List of Threatened Species*, and that FAO has identified more than 50% of the highly migratory, oceanic sharks as overexploited or depleted, but that oceanic and migratory shark fisheries remain largely unregulated;

RECALLING that UNCLOS, the IPOA-Sharks and CMS have all identified the urgent need for collaborative fisheries and conservation management by range states and fishing states of threatened and commercially exploited migratory sharks;

FURTHER RECALLING that the IPOA-Sharks urges states to develop sub-regional or regional shark plans with a view to ensuring the sustainability of shark stocks, and directs states exploiting trans-zone, straddling, highly migratory and high-seas stocks of sharks to strive to ensure effective conservation and management of these stocks;

CONCERNED that progress with the implementation of the IPOA-Sharks during the decade since its adoption is regularly described as disappointing COFI, the UN General Assembly (UNGA) and CITES, and that none of the Regional Fishery Management Organizations (RFMOs) have yet developed shark plans;

RECOGNIZING the responsibility of sates for the conservation and management of sharks in their waters and in the international waters in which their fleets operate, through national legislation, membership of FAO, and through participation in RFMOs and CMS;

FURTHER RECOGNIZING that CMS Parties are required to take action to conserve, protect and manage migratory species, and should endeavour to conclude instruments to promote the conservation and management of migratory species; and

NOTING that states have started a process for the negotiation of an international instrument for migratory sharks within the framework of the CMS and that this instrument will be open to accession by all range states of the species concerned;

#### **The World Conservation Congress at its 4th Session in Barcelona, Spain, 5-14 October 2008:**

1. ENTREATS all states that are Party to RFMOs to ensure prompt RFMO and national management of shark-fishing activities and, in particular, the adoption of science-based and/or precautionary limits on catches of trans-zone, straddling, migratory and oceanic sharks in order to prevent overexploitation and IUU fishing of sharks in the fisheries and waters within their remit;
2. URGES all shark range states, fishing states, and other entities to develop shark plans, in accordance with the FAO Technical Guidelines for the implementation of the IPOA-Sharks, to review these plans regularly and to evaluate the effectiveness of their shark plans and regulations, particularly by improving catch, discard and landings data collection, strictly regulating the catch of sharks, and protecting threatened species;

3. URGES all states and entities to improve the conservation and management status of migratory sharks in their waters and internationally, and to participate in the development and implementation of an effective migratory sharks instrument under CMS;
4. URGES all Parties to CMS to support, where appropriate, the addition of shark species to the relevant appendices of CMS; and
5. ENCOURAGES Parties to CMS and RFMOs to support policies that enhance the protection, conservation and management of sharks and ensure that their fisheries and wildlife management authorities coordinate closely on these matters.