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Fish Aggregating Devices:

In November 2011, experts from 40 countries attended the International Symposium, “Tuna Fisheries and FADs.” The outcome of the symposium included several important conclusions regarding FAD use. These conclusions are as follows:

- The unconstrained proliferation of FADs has resulted in negative impacts on target and non-target species.
- Bycatch levels for FAD fisheries are high, and include catches of oceanic sharks, marine turtles, billfish and some pelagic bony fish.
- Increased FAD use has led to large increases in fishing mortality of juvenile yellowfin and bigeye tuna, which contributes to “growth overfishing”— the catching of too many fish before they reach a size at which maximum growth and productivity would be obtained from the stock.

The outcome of the symposium also yielded a number of recommendations to tackle these challenges and improve FAD management. A summary of these recommendations can be found in a factsheet compiled by Pew.¹⁰

ICCAT implemented measures in 2011 to collect data on FAD use and required FAD management plans by flag States using this gear. However, a lack of observers on vessels using this gear and fishing in ICCAT waters severely limits the verification of FAD data. The Inter-American Tropical Tuna Commission (IATTC) has 100% observer coverage for its vessels using this gear and they are required to report when FADs are deployed and retrieved, but it has failed to manage FAD use. The Western Central Pacific Fisheries Commission (WCPFC) calls for voluntary submission of FAD management plans and there is currently a proposal on the table to address FADs at the Indian Ocean Tuna Commission (IOTC). However, at the time of writing, a decision on this proposal has not yet been made.

Despite limited success in developing FAD management plans; there have been some effective efforts to control FAD proliferation. For example, the WCPFC instituted a 3 month FAD ban in 2011. This closure achieved its goal to reduce juvenile tuna catch. Additionally, an examination of its implementation yielded relatively strong compliance. The Pew Environment Group has compiled a number of recommendations for management methods to document or reduce the negative impacts of FADs, these recommendations can be found in the report, *Fish Aggregating Devices (FADs) and Tuna: Impacts and Management Options*.¹¹

¹⁰ Recommendations from the 2nd Symposium on Fish Aggregating Devices 2011(Pew Fact Sheet)
http://www.pewenvironment.org/uploadedFiles/PEG/Publications/Fact_Sheet/PEW-FactSheet_FAD_CRA1.pdf

¹¹ Fish Aggregating Devices (FADs) and Tuna: Impacts and Management Options <http://www.pewenvironment.org/news-room/reports/fish-aggregating-devices-fads-and-tuna-impacts-and-management-options-85899361033>



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use of driftnets targeting large pelagic species, such as swordfish and bluefin tuna (BFT), in the Mediterranean. Since then:

- The on-going use of illegal driftnets for the capture of Mediterranean swordfish and BFT by the Italian fishing fleet has been well-documented and well-reported.⁶
- Between 2005 and early 2011, more than 330 Italian driftnet vessels were identified as being involved in illegal activities with driftnets.
- In July 2011, the Italian coast guard uncovered a sizable and well-established BFT trafficking ring that has committed violations worth €3.6 million in an investigation that began in 2010.⁷

In 2009, ICCAT's Compliance Committee sent 'letters of identification' to the European Union (EU) regarding violations of Recommendation 03-04. On-going investigations by the EU in 2011 revealed continued use of driftnets in several Italian ports. On 29 September 2011, the EU announced a second infringement procedure against Italy for its failure to enforce the EU's driftnets ban. No meaningful action has been taken by ICCAT to complement these efforts. More information on this subject can be found in the report, *Illegal, Unreported and Unregulated fishing in the European Union. The Case of Italian Driftnets*⁸

Reduction of bycatch, use of selective fishing gear and management of fish aggregating devices (FADs)

82-84

Wire Leaders:

A ban on wire leaders would reduce shark mortality in fisheries where a large proportion of sharks caught as bycatch are killed either for retention or when discarded. A number of countries, including Australia, Ecuador, Federal States of Micronesia, New Caledonia, Papua New Guinea, South Africa, Tonga and the Republic of the Marshall Islands, have already prohibited the use of wire leaders in their longline fisheries and other countries are currently considering enacting this policy. In addition to reducing shark bycatch, there are several other advantages to banning wire leaders including: immediate implementation, easy enforceability, minimal cost and increased catch of some target species.⁹

⁶Caddell, R. 2010. "Caught in the Net: Driftnet Fishing Restrictions and the European Court of Justice." Journal of Environmental Law 22:2. Oxford University Press.

⁷The Pew Environment Group. 2011. Mediterranean Driftnets: A History of (In)Action. www.pewenvironmentgroup.com/tuna

⁸"Illegal, Unreported and Unregulated fishing in the European Union. The Case of Italian Driftnets". November 2011. Marevivo, Lav, Legambiente.

http://assets.ocean2012.eu/publication_documents/documents/23/original/Illegal_Unreported_and_Unregulated_Fishing_in_the_European_Union-the_case_of_Italian_illegal_driftnets.pdf

⁹Banning wire leaders: a practical solution for reducing shark bycatch in pelagic longlines (Pew Fact Sheet) http://www.pewenvironment.org/uploadedFiles/PEG/Publications/Fact_Sheet/ip-wire-leaders-fact-sheet.pdf



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catch data provided to the FAO.³ This analysis suggests that shark fisheries are likely to be well managed in only a few of the Top 20 and moreover, where National Plans of Action for sharks (NPOAs) are in place, there is no evidence to indicate that the NPOAs are responsible for the effective management of shark fisheries.

Pew would also like to highlight a gap in existing information. To date there are very few comprehensive species-specific shark assessments. This hampers efforts to adequately evaluate the implementation of the IPOA-Sharks. In landing statistics, sharks are often lumped into a single category making it impossible to know how many sharks of each species, including those which have been categorized as near threatened, threatened or endangered, are caught in a given year.

There have been a handful of measures adopted by regional fisheries management organizations (RFMOs) including the International Commission for the Conservation of Atlantic Tunas (ICCAT) to prohibit retention of certain species of sharks. However, there are no international catch limits for sharks, a substantial gap which contributes to unsustainable fishing of shark populations.

Additionally, despite efforts at some RFMOs and at the Convention on International Trade in Endangered Species (CITES) to protect vulnerable or threatened sharks, many species including endangered scalloped hammerheads continue to be fished unsustainably and traded in the global market.⁴

Management of fishing capacity including through implementation of the International Plan of Action for the Management of Fishing Capacity and addressing harmful fisheries subsidies

Paras 72-77

In the publication, *A bottom-up re-estimation of global fisheries subsidies*, Rashid Sumaila of the University of British Columbia and his co-authors found global subsidies totaled roughly \$27 billion, 60 percent of which went toward unsustainable capacity-enhancing subsidies. Instead of continuing to invest billions of dollars into activities that aggravate overfishing, the authors suggest directing those funds toward fishery conservation and improved management.⁵

Large-scale pelagic drift-net fishing

Para 78-81

In 2003, ICCAT members agreed to Recommendation 03-04 which prohibited the

³ The Future of Sharks: A Review of Action and Inaction http://www.pewtrusts.org/our_work_report_detail.aspx?id=327611

⁴ Dulvy, N. et al. *You can swim, but you can't hide: the global status and conservation of oceanic pelagic sharks and rays* <http://www.pewenvironment.org/uploadedFiles/PEG/Publications/Report/You%20can%20swim%20but%20you%20can't%20hide.pdf>

⁵ Sumaila et al. *A bottom-up re-estimation of global fisheries subsidies* <https://www.documentcloud.org/documents/286510-bottomupreestimationofglobalfisheriessubsidies.html>



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We thank Mr. Tarassenko and DOALOS for the invitation to submit information relevant to the implementation of the United Nations General Assembly (UNGA) resolution 66/68 adopted 6 December, 2011 on “Sustainable Fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the UN 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, and related instruments.” We hope you find the following information a helpful resource for the preparation of the Secretary General’s report for the 67th session of the UNGA in 2012.

In response to the letter dated 29 December, 2011 to Dr. Susan Lieberman from Mr. Serguei Tarassenko, Director of the United Nations Division of Ocean Affairs and the Law of the Sea (DOALOS), the Pew Environment Group has compiled the following information.

Importance of science based, precautionary management for species occupying low trophic levels

Para 8

The Lenfest Forage Fish Task Force conducted the most comprehensive worldwide analysis of the science and management of forage fish populations to date. The Task Force found that precautionary management reduced the likelihood of forage fish collapses. For example, the report found that harvesting at a constant rate based on Maximum Sustainable Yield led to the largest and most variable reductions in forage fish and predator biomass. Fishing with a conservative “cutoff” and gradual increase in harvest rate with forage fish biomass had much lower impacts on the ecosystem and a lower probability of stock collapse. More information on the findings of the Task Force can be found in the report, *Little Fish, Big Impact: Managing a crucial link in ocean food webs*.¹

Para 20

The Lenfest Forage Fish Task Force concluded that in most ecosystems at least twice as many of forage fish species should be left in the ocean as conventional practice.²

Implementation of the International Plan of Action for the Conservation and Management of sharks

Paras 14-17

The Pew Environment Group has prepared a report to assess the nature and extent of management measures in place for sharks by the Top 20 “shark catchers” identified from shark

¹ *Little Fish, Big Impact: Managing a crucial link in ocean food webs*
<http://www.oceanconservation-science.org/foragefish/files/Little%20Fish.%20Big%20Impact.pdf>

² *Little Fish, Big Impact: Managing a crucial link in ocean food webs*
<http://www.oceanconservation-science.org/foragefish/files/Little%20Fish.%20Big%20Impact.pdf>



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Worthy of note: most FADs are tracked with satellite buoys and some important information on FADs is currently being collected by members of industry, but is not being shared with the global community. This information could be a helpful resource for fisheries managers.