

October 2017

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联合国
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Food
and
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Organisation
des
Nations
Unies
pour
l'alimentation
et
l'agriculture

Продовольственная и
сельскохозяйственная
организация
Объединенных
Наций

Organización
de las
Naciones
Unidas
para la
Agricultura
y la
Alimentación

WESTERN CENTRAL ATLANTIC FISHERY COMMISSION (WECAFC)

EIGHT SESSION OF THE SCIENTIFIC ADVISORY GROUP (SAG)

Merida, Mexico, 3-4 November 2017

Recommendations and resolutions to WECAFC 17 for SAG review

1. This document provides declarations, conclusions and recommendations from WECAFC Working Groups, to be reviewed by the 8th session of the SAG, for final review and endorsement by WECAFC 17 in 2018.
2. For the purpose of clarity and in line with best practices, the use of WECAFC Resolutions and Recommendations is defined below. Both conform with the WECAFC objective to promote the effective conservation, management and development of the living marine resources in the WECAFC area and address common problems of fisheries management and development faced by Members, and are legally non-binding.
 - a. WECAFC Recommendations promote harmonized sub-regional or regional fisheries conservation, management and development, establish regional measures, and endorse fisheries management plans for sub-regional or regional implementation.
 - b. WECAFC Resolutions encourage all stakeholders in the WECAFC area to implement or support implementation of sub-regional, regional or international voluntary or binding instruments related to fisheries, or address other issues of common interest.
3. The draft Recommendations shown in paragraph 4 were prepared by technical experts, scientists and policy and decision makers representing the WECAFC members in various (joint) Working Groups and workshops.
4. Draft Recommendations for review include:
 - **Recommendation WECAFC/17/2018/1** “on the marking and identification of fishing vessels in the WECAFC area”
 - **Recommendation WECAFC/17/2018/2** “on the establishment of a WECAFC record of fishing vessels over 12 meters authorized to operate in the WECAFC area”

- **Recommendation WECAFC/17/2018/3** “on the establishment and maintenance of lists of vessels presumed and/or confirmed to have carried out IUU fishing in the WECAFC area”
- **Recommendation WECAFC/17/2018/4** “on billfish management and conservation in the WECAFC area”
- **Recommendation WECAFC/17/2018/5** “on the sustainability of fisheries using fish aggregating devices in the WECAFC area” -*amendment to Recommendation WECAFC/15/2014/2.*
- **Recommendation WECAFC/17/2018/6** “on the fisheries management and conservation of sharks and rays in the WECAFC area”
- **Recommendation WECAFC/17/2018/7** “on the removal of fins of sharks on board by vessels fishing in the WECAFC area”
- **Recommendation WECAFC/17/2018/8** “on applying a precautionary approach to fishing of threatened species of sharks and rays in the WECAFC area”

5. Draft Resolutions for review include:

- **Not any resolutions were proposed so far.**

6. Some of the recommendations and resolutions will be passed to the partners in the Interim Coordination Mechanism for Sustainable Fisheries (ICM), being CRFM and OSPESCA, for their review and sub-regional endorsement before being presented for final review and adoption to WECAFC 17.

SUGGESTED ACTIONS FOR THE SAG

7. The SAG is invited to review the draft Recommendations and Resolutions and amend them, as appropriate, for final review and adoption by WECAFC 17 in 2018 as non-binding fisheries management Recommendations and WECAFC Resolutions.

Draft Recommendation WECAFC/17/2018/1

“ON THE MARKING AND IDENTIFICATION OF FISHING VESSELS IN THE WECAFC AREA”

The Western Central Atlantic Fishery Commission (WECAFC):

RECALLING that the objective of the Commission is to promote the effective conservation, management and development of the living marine resources within the area of competence of the Commission, in accordance with the FAO Code of Conduct for Responsible Fisheries, and to address common problems of fisheries management and development faced by members of the Commission;

NOTING with concern that Illegal, Unreported and Unregulated (IUU) fishing in the WECAFC area is estimated between 20 and 30% of total reported harvests, representing a value of 450 to 750 million USD annually, and that IUU fishing has dire implications for millions of peoples' livelihoods;

COMMITTED to implementing the International Plan of action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU);

ACKNOWLEDGING that a Flag State has the responsibility to ensure that vessels entitled to fly its flag are marked in accordance with the Standard Specification for the Marking and Identification of Fishing Vessels approved by the FAO Committee on Fisheries (COFI) at its 18th Session, Rome, Italy on 10-14 April 1989, and the guidance provided by the FAO Technical Guidelines for Responsible Fisheries: Fishing Operations.

MINDFUL of the national and regional fight against illegal, unreported and unregulated (IUU) fishing and the establishment of a regional vessel record by the WECAFC;

FURTHER MINDFUL of past and current practices applied by WECAFC Members for marking of fishing vessels, including those under the OECS harmonised fisheries regulations;

RECOGNIZING the important steps taken by the OSPESCA and CRFM memberships in terms of building capacity for combating IUU fishing, including the establishment and maintenance of fishing vessel records and registries.

FURTHER RECOGNIZING the continued efforts by the WECAFC members to increase Monitoring, Control and Surveillance (MCS) in their EEZs and beyond;

RECALLING the outcomes of the first and second meeting of the Regional Working Group on IUU Fishing (RWG-IUU), held in Barbados in April and September 2017, which were generously supported by the Government of the United States of America, the European Union, World Bank and FAO;

PENDING the delivery of additional information by the RWG-IUU and the WECAFC Scientific Advisory Group (SAG);

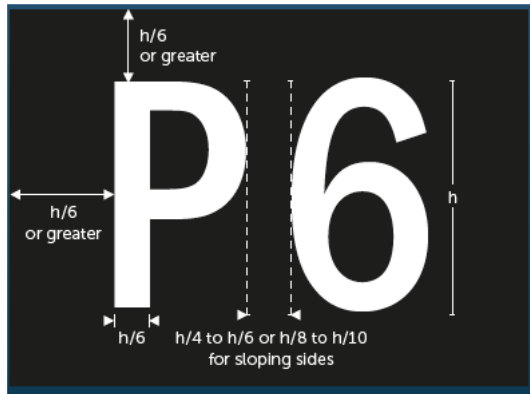
ADOPTS in conformity with Article 6 of the WECAFC Revised Statutes this RECOMMENDATION that:

1. Members of WECAFC ensure that the following requirements for the marking and identification of fishing vessels in the WECAFC area are met from 1 February 2019 onwards.
2. Each Member of WECAFC ensure that its flagged motorized Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels that are 100 GT or above, or equal to or greater than 12 meters Length Overall (LOA) and authorised to operate outside waters under national jurisdiction and other eligible vessels, obtain an IMO number and use it as mark for identification. The IMO number should be marked either on the stern or stern quarter, with the name and port of registry, or on the side of the hull or superstructure.
3. Each Member of WECAFC ensure that its flagged vessels involved in fishing and fishing related activities:
 - (a) are marked for their identification with their International Telecommunication Union Radio Call Signs (IRCS), or in case an IRCS has not been assigned;
 - (b) are marked with the characters allocated by the International Telecommunication Union (ITU) to the member of the Commission concerned and the vessel's national registration or authorization number, separated by a hyphen.
4. Whichever system is used from 3 (a) or (b) above, that identifier shall, hereinafter be called the WECAFC Identification Number (WIN).
5. The members of WECAFC ensure that:
 - (a) apart from the vessel's name or identification mark and the port of registry as may be required by international practice or national legislation, the WIN as specified, and IMO number if applicable, be the only other vessel identification mark consisting of letters and numbers to be painted on the hull or superstructure;
 - (b) the requirement for the marking of fishing vessels, Refrigerated Transport Vessels and Supply Vessels with the WIN is a condition for authorization to fish in the WECAFC Area beyond areas of national jurisdiction;
 - (c) the following are offences under national legislation:
 - (i) non-compliance with these specifications;
 - (ii) non-marking or wrongful marking of vessel;
 - (iii) deliberate removal or obstruction of the WIN;
 - (iv) the use of the WIN allocated to another operator or to another vessel; and
 - (d) offences listed in paragraph 5.(c) above may be grounds for refusing authorization to fish, transport fish or supply to fishing vessels.
6. Each WECAFC member ensures that the vessels flagged display the WIN prominently at all times:
 - (a) on the vessel's hull or superstructure, port and starboard. Operators may place fixtures that are inclined at an angle to the vessel's side or superstructure provided that the angle of inclination would not prevent sighting of the sign from another vessel or from the air;
 - (b) on a deck. Should an awning or other temporary cover be placed so as to obscure the mark on a deck, the awning or cover shall also be marked. These marks should be placed athwartships with the top of the numbers or letters towards the bow.

7. Each WECAFC member ensures that that the vessel has the WIN placed:
- as high as possible above the waterline on both sides of the vessel and that such parts of the hull as the flare of the bow and the stern are avoided;
 - in a manner that does not allow the marks to be obscured by the fishing gear whether it is stowed or in use;
 - so that they are clear of flow from scuppers or overboard discharges including areas which might be prone to damage or discolouration from the catch of certain types of species; and,
 - so that they do not extend below the waterline.
8. Small-scale undecked vessels are required to display the WIN on a horizontal board which can be seen clearly from the air.
9. Any craft, skiff or boat carried onboard another fishing vessel, fish transport or supply vessel are required to carry the same WIN as the vessel they are carried on.
10. The WECAFC members ensure that their flagged vessels comply with the following in placing the WIN on the vessel:
- that block lettering and numbering is used throughout;
 - that the width of the letters and numbers is in proportion to the height;
 - the height (h) of the letters and numbers is in proportion to the size of the vessel shall be in accordance with the following:

Length overall (LOA):	Height of letters/numbers should be not less than:
25m and over	1.0 m
$20 \geq 25m$	0.8 m
$15 \geq 20m$	0.6 m
$12 \geq 15m$	0.4 m
$5 \geq 12m$	0.3 m
$< 5m$	0.1 m

- for the WIN to be placed on deck: the height is not less than 0.3 m for all classes of vessels of 5 m and over;
- the length of the hyphen is half the height of the letters and numbers;
- the width of the stroke for all letters, numbers and the hyphen is $h/6$;
- the space between letters and/or numbers does not exceed $h/4$ nor be less than $h/6$;
- the space between adjacent letters having sloping sides does not exceed $h/8$ nor be less than $h/10$; for example A V.
- the WIN is white on a black background, or black on a white background, as provided for below;



- (j) the background shall extend to provide a border around the WIN of not less than $h/6$;
 - (k) good quality marine paint is used throughout;
 - (l) the WIN remains clearly visible where retro-reflective or heat generating substances are used; and,
 - (m) the WIN and the background are maintained in good condition at all times.
11. The members of WECAFC enter the WIN, and the IMO number where applicable, into the WECAFC Record of Authorized Fishing Vessels and inform promptly, within 45 days after the change the Secretariat of WECAFC if vessels are taken off the national records.
 12. The WECAFC Secretariat share the provided WIN and IMO information with the Secretariats of relevant RFBs and RFMOs in order to support the MCS work of the partner agencies and share relevant information with the FAO Secretariat for use in the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record).

Draft Recommendation WECAFC/17/2018/2

“ON THE ESTABLISHMENT OF A WECAFC RECORD OF FISHING VESSELS OVER 12 METERS AUTHORIZED TO OPERATE IN THE WECAFC AREA”

The Western Central Atlantic Fishery Commission (WECAFC):

RECALLING that the objective of the Commission is to promote the effective conservation, management and development of the living marine resources within the area of competence of the Commission, in accordance with the FAO Code of Conduct for Responsible Fisheries, and to address common problems of fisheries management and development faced by members of the Commission;

RECALLING that the FAO Council adopted in 2001 an International Plan of Action to prevent, to deter and to eliminate illegal, unreported and unregulated fishing (IPOA-IUU), that this plan stipulates that regional fisheries management organizations should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing and in particular to develop and maintain records of vessels authorized to operate in their area of competence and records of vessels engaged in or supporting IUU fishing;

FURTHER RECALLING that COFI on its Thirty-Second Session reiterated again its support for the Global Record commending the progress made and recognizing that it could play an important role in combatting IUU fishing and in supporting other related international instruments, the release of the First Working Version of the Global Record Information System and website in April 2017 and the outcomes from the third meeting of the Global Record Working Group in June 2017;

MINDFUL of Resolution WECAFC/15/2014/6 “on region-wide support to the implementation of the CRFM “Castries, St Lucia, (2010) Declaration on Illegal, Unreported and Unregulated Fishing” and the efforts of the CRFM members to develop a comprehensive database of vessels in good standing and vessels involved in IUU related activities, subject to confidentiality requirements in accordance with national laws and in conformity with Article VI.1 of the FAO Compliance Agreement;

RECALLING Resolution WECAFC/15/2014/9 “on the implementation of the Port State Measures Agreement and the FAO Voluntary Guidelines for Flag State Performance in the Region”, and particularly the application of the Voluntary Guidelines in areas beyond national jurisdiction;

CONSIDERING the agreed Programmes of Work of WECAFC 14 - 16 (2012-2017), which include active participation in the Global Record;

RECOGNIZING that a significant portion of the fishing vessels in the region are small-scale vessels with a length overall of less than 12 meters, and that there will be the need to consider incorporation of these smaller vessels into a regional record in the future;

MINDFULL of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of food security and poverty eradication, which outline the responsibilities of both States and small-scale fishers to collaborate in fisheries management, as well as in the registration of fishing activities, reporting on catches, and in the monitoring, control and surveillance (MCS) and enforcement activities to deter, prevent and eliminate all forms of illegal and/or destructive fishing practices having a negative effect on marine ecosystems;

RECOGNIZING the efforts by the Members of the WECAFC, CRFM and OSPECA to collaboratively combat IUU fishing through the Regional Working Group on IUU Fishing (RWG-IUU), which was established by WECAFC 15 in 2014 with the aim to improve coordination and cooperation among national and regional organizations/institutions responsible for fisheries-related Monitoring, Control and Surveillance (MCS) in support of their common efforts to prevent, deter and eliminate IUU fishing;

ADOPTS in conformity with Article 6 of the WECAFC Revised Statutes this **RECOMMENDATION** that:

1. The WECAFC establish and maintain a WECAFC record of vessels larger than 12 meters in length overall (LOA) authorized to fish, or transship, or engage in fishing related activities, in the WECAFC Area. For the purpose of this Recommendation, the term “vessels” includes all vessels involved in catching fish, as well as auxiliary, carrier, supply and support vessels larger than 12 meters in LOA and any other vessels that are eligible to have an IMO number. Those vessels larger than 12 meters LOA not entered into the record are deemed not to be authorized to fish for, retain on board, transship or land species covered by the WECAFC.
2. Each WECAFC Member submit electronically to the WECAFC Secretariat possibly by 1 February 2019, the list of its vessels that are authorized to operate in the WECAFC Area.

This list shall include at least the following information:

- a. Name of vessel,
 - b. Previous names (if any)
 - c. Register number and previous registration numbers (if any)
 - d. Flag and previous flags (if any)
 - e. Previous details of deletion from other registries (if any)
 - f. IMO number/Unique Vessel Identifier (UVI) (if any)
 - g. Port of Registration
 - h. International radio call sign (IRCS) and previous IRCS (if any)
 - i. Type of vessels, length overall and gross registered tonnage (GRT) or, where possible, gross tonnage (GT)
 - j. Gear(s) used
 - k. Photographs of the vessel taken at the time of registration or at the conclusion of any more recent structural alterations, showing a side profile view of the vessel.
 - l. Name, address and nationality of the natural or legal person in whose name the vessel is registered;
 - m. Name, street address, mailing address and nationality of the natural or legal persons responsible for managing the operations of the vessel;
 - n. Name, street address, mailing address and nationality of natural or legal persons with beneficial ownership of the vessel;
 - o. Names and addresses of previous owners and operators (if any);
 - p. Time period authorized for fishing and/or transshipping; and
 - q. Authorization number(s) and species, areas and gears authorized to fish or transship (as applicable).
3. Each WECAFC member promptly notifies, after the establishment of the initial WECAFC vessel record, the WECAFC Secretariat of any addition to, any deletion from and/or any modification to the record when the change occurs, or at least within 45 days of the change.

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4. The WECAFC Secretariat maintains the WECAFC vessel record, and makes it available for inspectors and MCS agencies of WECAFC Members on a restricted web application, in a manner consistent with confidentiality and open data requirements noted by Members.
 5. Each WECAFC member, as a Flag State of any vessel on the WECAFC vessel record:
 - a. Authorizes its vessels to operate in the WECAFC Area only if they are able to fulfill in respect of these vessels the requirements and responsibilities under the WECAFC Statutes and its fisheries conservation and management recommendations;
 - b. Takes necessary measures to ensure that its vessels comply with, and do not undermine all the relevant WECAFC conservation and management recommendations;
 - c. Takes necessary measures to ensure that its vessels keep on board valid certificates of vessel registration and valid authorizations to fish and/or transship;
 - d. Ensures that its vessels have no history of IUU fishing activities or that, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, their vessels are not engaged in, or associated with, IUU fishing;
 - e. Takes steps to ensure that its vessels do not conduct unauthorized fishing within areas under the national jurisdiction of other WECAFC Members;
 - f. Takes action in respect of its vessels on the record and identified as participating in IUU fishing or fishing related activities in support of such fishing in the WECAFC Area, and as appropriate implement timely and effective sanctions;
 - g. Ensures, to the extent possible under domestic law, that the owners and operators of their vessels are not engaged in, or associated with, fishing activities conducted by vessels not entered into the WECAFC record in the WECAFC Area;
 - h. Takes necessary measures to ensure, to the extent possible under domestic law, that the owners of the vessels are citizens or legal entities of the WECAFC Member (as Flag State) so that any control or punitive actions can be effectively taken against them;
 - i. Operates information and control regimes consistent with WECAFC Recommendations and international standards; and
 - j. Keeps consistency between the WECAFC record and ICCAT record of vessels and other records used by OSPESCA and CRFM.
 6. The WECAFC Members review their own internal actions and measures taken pursuant to paragraph 5, including punitive and sanction actions and in a manner consistent with domestic law as regards to disclosure and open data, report the results of the review to the Commission at its 18th Session and bi-annually thereafter. In consideration of the results of such review, the WECAFC request, if appropriate, the flag Member State of vessels on the WECAFC record to take further action to enhance compliance by those vessels to WECAFC conservation and management recommendations.
 7. The WECAFC Members take measures, under their applicable legislation, to prohibit the fishing for, the retaining on board, the transshipment and landing of species in the WECAFC Area by the vessels larger than 12 meters in length overall which are not entered into the WECAFC record.
 8. Each WECAFC Member notifies the WECAFC Secretariat of any factual information or evidence showing that there are reasonable grounds for suspecting vessels not on the WECAFC record to be engaged in fishing for and/or transshipment in the WECAFC Area.
 - a) If a vessel mentioned in paragraph 8 is flying the flag of a WECAFC Member, the WECAFC Secretariat request that the Member take measures necessary to prevent the vessel from fishing in the WECAFC Area.

- b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-WECAFC Member, the WECAFC Secretariat shall compile such information for future consideration by the WECAFC and notify the Flag State (if known).
9. The WECAFC and the Members concerned communicate with each other, and make the best effort with FAO, CRFM, OSPESCA, ICCAT and other relevant regional fishery (management) bodies to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature in a timely manner so as to avoid adverse effects upon fisheries resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU vessels from Area 31 and the Northern part of Area 41 (WECAFC Mandate Area) to other seas or oceans.
10. The WECAFC Secretariat and Members collaborate with the FAO Global Record Information System by exchanging the relevant information on the WECAFC Record with the Global Record, ensuring consistency, transparency and harmonization, through the use of the international standardized reference lists and data types defined on the Global Record program.

Draft Recommendation WECAFC/17/2018/3**“ON THE ESTABLISHMENT AND MAINTENANCE OF LISTS OF VESSELS PRESUMED AND/OR CONFIRMED TO HAVE CARRIED OUT IUU FISHING IN THE WECAFC AREA”**

The Western Central Atlantic Fishery Commission (WECAFC):

RECALLING that the objective of the Commission is to promote the effective conservation, management and development of the living marine resources within the area of competence of the Commission, in accordance with the FAO Code of Conduct for Responsible Fisheries, and to address common problems of fisheries management and development faced by members of the Commission;

RECALLING that the FAO Council adopted in 2001 an International Plan of Action to prevent, to deter and to eliminate illegal, unreported and unregulated fishing (IPOA-IUU), which stipulates that the identification of the vessels carrying out illegal, unreported and unregulated (IUU) fishing activities should follow agreed procedures and be made in a fair, transparent and non-discriminatory manner;

MINDFULL of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of food security and poverty eradication, which outline the responsibilities of both States and small-scale fishers to collaborate in fisheries management, as well as in the registration of fishing activities, reporting on catches, and in the monitoring, control and surveillance (MCS) and enforcement activities to deter, prevent and eliminate all forms of illegal and/or destructive fishing practices having a negative effect on marine ecosystems;

CONCERNED by the fact that IUU fishing activities in the WECAFC area continue, and that these activities diminish the effectiveness of the conservation and management measures of WECAFC and partner agencies, such as CRFM and OSPESCA;

FURTHER CONCERNED that there is evidence of a high number of vessel owners engaged in IUU fishing activities who have re-flagged their vessels to avoid compliance with conservation and management measures of WECAFC members and RFMOs in the Atlantic;

DETERMINED to address the challenge of IUU fishing activities by way of counter-measures to be applied in respect of vessels without prejudice to further measures adopted in respect of flag states under the relevant international and regional instruments;

CONSCIOUS of the need to address, as a matter of priority, the issue of fishing vessels conducting IUU fishing activities, including in the areas beyond national jurisdiction of the WECAFC area;

CONSIDERING the results of the 2nd meeting of the Regional Working Group on IUU Fishing (RWG-IUU), which was held in Barbados on 19-21 September 2017;

NOTING that the situation must be addressed in the light of all relevant international instruments;

ADOPTS in conformity with Article 6 of the WECAFC Revised Statutes this **RECOMMENDATION**:

Application

1. For the purpose of this recommendation, the fishing vessels flying the flag of a non-WECAFC Member or WECAFC Member are presumed to have carried out IUU fishing activities in the WECAFC area of application, *inter alia*, when a WECAFC Member presents evidence that such vessels have engaged in one or more of the following:

a) undertake any of the following activities in contravention of WECAFC conservation and management measures:

i) harvest fish in the WECAFC area of application, while not being registered on the WECAFC Vessel Record as authorized to fish in the WECAFC Area;

ii) fail to report the catches or make false or misleading reports;

iii) take or land undersized fish;

iv) fish during close fishing periods or in closed areas;

v) use prohibited fishing gear; or

vi) engage in fishing activities contrary to any other WECAFC conservation and management measure.

b) transship or participate in joint operations such as re-supply or refuelling with vessels included in the WECAFC IUU vessel list (B-list);

c) obstruct control and surveillance activities by concealing markings or identification marks, or by not facilitating inspection;

d) harvest fish in maritime waters under the national jurisdiction of a coastal state in the WECAFC area of application, without the permission of that state or in contravention of its laws and regulations; and

e) being without nationality, harvest fish in the WECAFC area of application.

Information on presumed IUU fishing activities

2. WECAFC Members transmit (whenever needed) to the WECAFC Secretariat, information on vessels flying the flag of non-WECAFC Members and WECAFC Members, presumed to be carrying out IUU fishing activities as defined in paragraph 1 above in the WECAFC area of application, accompanied by evidence reported by Member(s) supporting the presumption of IUU fishing activity.

3. The reporting form for presumed IUU fishing activities is provided in Annex I to this Recommendation.

Provisional and confirmed IUU vessel lists (A & B lists)

4. On the basis of the information received pursuant to paragraph 2, the WECAFC Secretariat places such as vessel immediately on a provisional IUU vessel list (A-List), which includes information required in Annex II, and promptly inform its flag state accordingly.

5. Each year, on the basis of the A-List prepared by the WECAFC Secretariat as well as any other relevant information received from WECAFC Members and non-WECAFC Members the Regional Working Group on IUU Fishing (RWG-IUU) considers the A-List and as appropriate

recommend to the Commission that the vessels be removed or transferred to the confirmed IUU vessel list (B-List).

Removal from the IUU vessel lists

6. At the same time the RWG-IUU undertakes a review of the list of confirmed IUU vessels (B-List) and as appropriate recommends to the Commission that vessels are added or removed. The RWG-IUU only recommend that the Commission remove a vessel from either the 'A' or 'B' list if the flag State of the vessel concerned satisfies the Commission that:

- a) it has taken effective action in response to the IUU fishing activities in question, including prosecution and imposition of sanctions of adequate severity, or
- b) it has taken measures to ensure the granting of the right to the vessel to fly its flag will not result in IUU fishing activities, or
- c) the vessel has changed ownership and that the new owner can establish the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it and that the new owner has not participated in IUU fishing, or
- d) the vessel did not take part in IUU fishing activities, or
- e) the vessel only had on board unregulated resources caught in the WECAFC Area at the time it was engaged in the fishing activities which led to its being placed on the IUU list, or
- f) the vessel has sunk, been scrapped, or permanently reassigned for purposes other than for fishing activities.

Amendments, modifications and communication on the IUU Vessel Lists

7. The WECAFC Secretariat transmit the B-List and any amendments thereto as well as any relevant information regarding the list, to the Secretariats of the International Commission for the Conservation of Atlantic Tunas (ICCAT), the North East Atlantic Fisheries Commission (NEAFC), the Northwest Atlantic Fisheries Organization (NAFO), The Caribbean Regional Fisheries Mechanism (CRFM) and the Organization for Fisheries and Aquaculture of Central America (OSPESCA).

8. After having been notified by the Secretariats of the RFBs and RFMOs in paragraph 7 above of vessels that have been confirmed as having been engaged in IUU fisheries, the Secretariat of WECAFC places without delay place the vessels on the WECAFC IUU B-List. Vessels placed on the B-List in accordance with this paragraph may only be removed if the RFMO/RFB which originally identified the vessels as having engaged in IUU fishing activity has notified the WECAFC Secretariat of their removal from the list.

9. The WECAFC Secretariat places the 'A' and 'B' lists on the WECAFC website without delay, and in any case not later than 15 days. The 'A' List will be made available only on a restricted web application to inspectors and MCS agencies of WECAFC Members, while the 'B' list will be publicly available. The Secretariat also provides the B-List of confirmed IUU vessels to the Combined IUU Vessel List (<http://iuu-vessels.org/iuu>).

10. The WECAFC Secretariat notifies without delay, and in any case within 15 days, the relevant flag State and WECAFC Members of the change of status of any of its IUU-listed vessels.

ANNEX I

WECAFC Reporting form for Illegal Activity

Recalling WECAFC Recommendation WECAFC/17/2018/TBD “on the establishment and maintenance of lists of vessels presumed and/or confirmed to have carried out IUU fishing in the WECAFC area”, attached are details of illegal activity recorded in [area in which the activity took place]

A. Details of Vessel

(Please detail the incidents(s) in the format below)

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	
b	Current Flag (previous flag/s, if any)	
c	Date first included on WECAFC IUU Vessel Lists A or B (if applicable)	
d	IMO Number, if available	
e	Photographs	
f	Call Sign (previous call sign, if any)	
g	Owner / Beneficial Owner/s (previous owner/s, if any). Please indicate names and/or company name and gender of owner if it is a natural person.	
h	Operator (previous operator/s, if any)	
i	Master/Fishing Master (previous masters, if any)	
j	Date of alleged IUU fishing activities	
k	Position of alleged IUU fishing activities	
l	Summary of alleged IUU activities (see section B for more detail)	
m	Summary of any Actions known to have been taken in respect of the alleged IUU fishing activities	

n	Outcome of Actions taken	
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B. Details of WECAFC Recommendation Elements Contravened

(Indicate with a "X" the individual elements of WECAFC Recommendation WECAFC/17/2018/TBD contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

Item	Definition	Indicate
a	Harvest fish in the WECAFC area of application, while not being registered on the WECAFC Vessel Record as authorized to fish in the WECAFC Area in contravention of WECAFC conservation and management measures	<input type="checkbox"/>
b	Fail to report the catches or make false or misleading reports in contravention of WECAFC conservation and management measures;	<input type="checkbox"/>
c	Take or land undersized fish in contravention of WECAFC conservation and management measures;	<input type="checkbox"/>
d	Fish during closed fishing periods or in closed areas in contravention of WECAFC conservation and management measures;	<input type="checkbox"/>
e	Use prohibited fishing gear in contravention of WECAFC conservation and management measures	<input type="checkbox"/>
f	Engage in fishing activities contrary to any other WECAFC conservation and management measure in contravention of WECAFC conservation and management measures	<input type="checkbox"/>
g	Transship or participate in joint operations such as re-supply or refueling with vessels included in the WECAFC IUU vessel list (B-list)	<input type="checkbox"/>
h	obstruct control and surveillance activities by concealing markings or identification marks, or by not facilitating inspection;	<input type="checkbox"/>
i	Harvest fish in maritime waters under the national jurisdiction of a coastal state in the WECAFC area of application, without the permission of that state or in contravention of its laws and regulations	<input type="checkbox"/>
j	Being without nationality, harvest fish in the WECAFC area of application	<input type="checkbox"/>

C. Associated Documents

(List here the associated documents that are appended e.g. boarding reports, court proceedings, photographs)

D. Recommended Actions

Recommended Actions	Indicate	
a	Notification to WECAFC Secretariat only. No further action is recommended.	<input type="checkbox"/>
b	Notification of illegal activity to WECAFC Secretariat. Recommend notification of activity to flag State.	<input type="checkbox"/>
c	Recommended for inclusion on WECAFC IUU list (A-List)	<input type="checkbox"/>

ANNEX II
Information to be included in all WECAFC IUU vessels lists

The Provisional (A-List) and Final IUU Vessels List (B-List) contains the following details:

1. Current name of the vessel and previous name/s, if any;
2. Current flag of the vessel and previous flag/s, if any;
3. Owner of the vessel and previous owner/s, including beneficial owners, if any;
4. Operator of the vessel and previous operator/s, if any;
5. Current call sign of the vessel and previous call sign/s, if any;
6. IMO number, if available;
7. Photographs of the vessel, where available;
8. Date the vessel was first included on the WECAFC IUU Vessels Lists,
9. Summary of the activities which justify inclusion of the vessel on the Lists, together with references to all relevant supporting documents

Draft Recommendation WECAFC/17/2018/4**“ON BILLFISH MANAGEMENT AND CONSERVATION IN THE WECAFC AREA”**

The Western Central Atlantic Fishery Commission (WECAFC):

RECALLING that the objective of the Commission is to promote the effective conservation, management and development of the living marine resources within the area of competence of the Commission, in accordance with the FAO Code of Conduct for Responsible Fisheries, and to address common problems of fisheries management and development faced by members of the Commission;

NOTING with concern the declining trends in billfish stocks in large parts of the WECAFC area and the ongoing challenges to manage billfish fisheries and conserve the stocks, while recognizing the ecosystem value of the billfish stocks, the socio-economic importance of the commercial and recreational fisheries of billfish for the WECAFC members, and the contribution to employment, tourism, food security and coastal livelihoods;

RECOGNIZING that improving billfish management and conservation in the Western Central Atlantic will have to be consistent with International Commission for the Conservation of Atlantic Tunas (ICCAT) recommendations and with the FAO International Guidelines on securing Sustainable Small-Scale Fisheries (SSF Guidelines); requires partnerships between all relevant stakeholders, small-scale fisheries, recreational fisheries, industrial fisheries, distant water fleets, tourism sector, Regional Fisheries Bodies, researchers, managers, Civil society Organizations and Non-Governmental Organizations; and that an Ecosystem Approach to Fisheries (EAF) should be applied.

NOTING that ICCAT has implemented total allowable catch (TAC) limits for blue marlin and white marlin/spearfish, (Recommendation 15-05), and has also developed a “Recommendation on management measures for the conservation of Atlantic sailfish” (Recommendation 16-11), which has the aim to keep the annual Western Atlantic sailfish landings below 1030 tonnes;

RECOGNIZING the important technical work of the joint WECAFC/OSPESCA/CRFM/CFMC Working Group on Recreational Fisheries, which was established by WECAFC 14 in 2012 and met in Colombia (November 2012), USA (March 2013), Panama (November 2015), Barbados (April 2017) and The Bahamas (June 2017), and the support received from the Caribbean Billfish Project- Component of the GEF-funded, World Bank implemented, project P128437: Ocean Partnership for Sustainable Fisheries and Biodiversity Conservation Models for Innovation and Reform (ABNJ) Project.

FURTHER RECOGNIZING the continued efforts by the members of the Consortium on Billfish Management and Conservation (CBMC), which secretariat is hosted by the International Game Fish Association (IGFA), and aims to foster better management and conservation of the billfish resources in the Western Central Atlantic;

RECALLING that most WECAFC members have endorsed the Caribbean and North Brazil Shelf Large Marine Ecosystems (CLME+) Strategic Action Programme (SAP), including SAP Sub-strategy 5B, which aims at enhancing the governance arrangements for implementing an ecosystem approach for large pelagics fisheries;

PENDING the delivery of additional information by the Working Group, CRFM and the WECAFC Scientific Advisory Group (SAG);

ADOPTS in conformity with Article 6 of the WECAFC Revised Statutes the RECOMMENDATION that:

1. Members of WECAFC implement the “Caribbean Billfish Management and Conservation Plan”, as appropriate, and report from 2020 onwards, to the CRFM, OSPESCA, WECAFC and ICCAT, on progress with the implementation of the plan.
2. The Working Group on Recreational Fisheries continues to collect, generate and share data and information on billfish resources and their fisheries on an annual basis. The Working Group will include in its workplan review of ICCAT stock assessments and management and conservation measures for the billfish species, as required, to meet the management objectives.
3. Members of WECAFC prepare (where applicable) national level billfish management and conservation plans by the end of 2020, addressing ecological, social, economic and governance issues, and put in place appropriate legislation in support of long-term sustainable stocks.
4. In alignment with ICCAT Recommendation 15-05, members of WECAFC determine and adopt minimum size limits for retention of recreational billfish catch, under domestic regulations, that meet or exceed the following: 251 cm Lower Jaw Fork Length (LJFL) for blue marlin and 168 cm LJFL for white marlin/spearfish, or comparable limits by weight.
5. Members of WECAFC work to minimize the post-release mortality of marlins/spearfish and sailfish in their fisheries.
6. Members of WECAFC prohibit the sale, or offering for sale, of any part or whole carcass of blue marlin or white marlin, spearfishes or sailfish caught in recreational fisheries.
7. Members of WECAFC that are non-contracting parties¹ to ICCAT provide their estimates of landings and of live and dead discards of blue marlin, white marlin, spearfishes and sailfish, and all other available data including observer data, annually to WECAFC, as appropriate, such that the data can be provided to ICCAT as part of their data collection, to support the stock assessment process.
8. Members of WECAFC provide information about their data collection programs to WECAFC, and the WECAFC Scientific Advisory Group, in collaboration with the

¹ Non-contracting parties excludes non-contracting cooperating parties.

ICCAT Scientific Committee on Research and Statistics (SCRS), review and evaluate this information as a basis for developing recommendations and initiatives to improve or expand these programs, in particular for small scale and artisanal fisheries of developing countries, including through capacity building.

9. In alignment with ICCAT Recommendations 15-05 and 16-11, members of WECAFC take or maintain appropriate measures to limit blue marlin, white marlin, spearfishes and sailfish mortality. Such measures could include, for example: releasing live billfish, encouraging or requiring the use of circle hooks or other effective gear modifications, implementing a minimum size of retention, and/or limiting days at sea. To further contribute to this, members of WECAFC keep any billfish landed by their fleets for local consumption only, avoiding the export of billfish products, and endeavor to restrict imports of marlin, spearfish and sailfish products.
10. Members of WECAFC report on request to WECAFC on steps taken to implement the provisions of this Recommendation through domestic law or regulations, including monitoring, control and surveillance measures.
11. This Recommendation shall be reassessed after the next assessments of blue marlin, white marlin, spearfishes and sailfish stocks conducted by the ICCAT SCRS.

Draft Recommendation WECAFC/17/2018/5 amendment to Recommendation WECAFC/15/2014/2 [amendments proposed are marked in yellow]

“ON THE SUSTAINABILITY OF FISHERIES USING FISH AGGREGATING DEVICES IN THE WECAFC AREA”

The Western Central Atlantic Fishery Commission (WECAFC),

RECALLING that the objective of the Commission is to promote the effective conservation, management and development of the living marine resources within the area of competence of the Commission, in accordance with the FAO Code of Conduct for Responsible Fisheries, and address common problems of fisheries management and development faced by members of the Commission;

RECALLING the conclusions and proposals of the first and second meetings of the WECAFC ad hoc working group on the development of sustainable moored fish aggregating device fishing in the Lesser Antilles (Martinique, 8-11 October 2001 and Guadeloupe, 5–10 July 2004); as well as with those of the recent ICCAT-IATTC-IOTC joint Tuna-RFMO FAD Working Group meeting (Madrid April 2017) providing new and significant technological and scientific insights regarding the use of FADs in tuna fisheries;

REAFFIRMING its commitments, made at the 14th session of WECAFC, through establishing the IFREMER/WECAFC Working Group on Development of Sustainable Moored FAD Fishing in the Lesser Antilles. In this respect the 15th session agreed to expand the Working Group into a joint Working Group on FADs in which WECAFC, JICA, IFREMER and CRFM participated;

RECOGNIZING the conclusions and recommendations of the CRFM-JICA CARIFICO/WECAFC- IFREMER MAGDELESA Workshop on FAD fishery Management, which was held in St Vincent and the Grenadines, 9-11 December 2013;

RECOGNIZING the important scientific research results pertaining behavior of target and bycatch species associated with moored FADS and capacity building carried out on FADs by the EU funded MAGDELESA project, as well as the pilot activities on FADs conducted under the CRFM-JICA project on the "Formulation of a Master Plan on sustainable use of fisheries resources for coastal community development in the Caribbean";

RECOGNIZING also the potential contribution that offshore pelagic fisheries may contribute to food and nutrition security, poverty alleviation, income, and employment for present and future generations in the Caribbean;

CONSIDERING that the International Commission for the Conservation of Atlantic Tunas (ICCAT) issued at its 23rd regular meeting, held in South Africa, November 18-25, 2013, a recommendation (13-01) amending the recommendation on a multi-annual Conservation and Management Program for Bigeye and Yellowfin tunas, which binds a number of WECAFC and CRFM members in terms of FAD fisheries by industrial fleets catching these tunas;

WHILE CONCERNED for the status of significant levels of exploitation of large pelagic resources exerted by several nations and the deficiencies in enforcement and communications recently (April 2017) expressed by Joint ICCAT-IATTC-IOTTC FAD Working Group regarding

regulatory protocols on FADs;

NOTING the ongoing effort of the CRFM through its annual scientific meetings and in collaboration with the CLME and ACP Fish II Projects, to improve conservation and management of the offshore pelagic resources;

RECOGNIZING the significant contribution of the CRFM FAD Management Plan emphasizing on objectives and works necessary to improve FAD fisheries management in the Caribbean;

RECOGNIZING the need of implementing CRFM FAD Fishery Management Plan with critical considerations on the status of exploitation of the targeted resources as dictated by ICCAT and CFRM resource assessments;

REAFFIRMING the need for further action by all interested parties to ensure the long-term sustainable use and management of the offshore pelagic fisheries resources in the region based on an ecosystem approach to fisheries that considers proper dimension of regional FAD fisheries development under conditions of fully utilized resources availability in the WECAFC region;

REAFFIRMING also its commitment to promote the use of co-management and other participatory approaches involving all affected parties in the development and implementation of relevant policies and programmes;

NOTING the concerns of the WECAFC/OSPESCA/CRFM/CFMC Working Group on Recreational Fisheries about the billfish stocks in the Caribbean and the untapped value of this resource in terms of catch-and-release fisheries; and considering the noticeable preponderance of blue marlin as the most impacted species in moored FAD fisheries in the region;

NOTING that the fishery on fish-aggregating devices (FAD) in the Lesser Antilles has grown substantially in the last ten years, apparently increasing catches of pelagic species but also catches of vulnerable and already overexploited stocks of species; and adding the need to regulate FAD numbers and FAD density to avoid adverse economic consequences;

REAFFIRMING its commitment to the application of the precautionary approach, which establishes that lack of scientific evidence should not be used as a reason for not taking management measures for the conservation of fishery resources and securing sustainable fisheries;

ACKNOWLEDGING the good efforts of various WECAFC and CRFM members to license FADs fishers, prepare legislation for FAD fishery, ensure disaggregated data collection and analysis in terms of FAD fishery, encourage best-practice design and training in FAD construction and use, promote safety-at-sea when fishing with FADs, reduce conflicts over the use of FAD, notify maritime authorities of FADs locations, establish co-management regimes for FAD fishery and promoting the proper maintenance of FADs;

NOTING that the exchange of information between researchers, fisheries managers and fishers on FADs fishery has improved in recent years and needs to be strengthened;

RECOGNIZING that the ongoing development of FAD fisheries in the WECAFC area provides new opportunities for income generation, livelihoods and contributes to food security, as well as may reduce the pressure on coastal and reef fish stocks;

FURTHER RECOGNIZING the need to improve data and information to reduce uncertainties to stock assessment methodologies currently used and to monitor the long term impacts of these fisheries on the stocks especially recognizing that FAD catch rates (CPUE) are indicators of biomass aggregation by FADs, which may not reflect relative abundance of the wild stocks;

CONSIDERING the need to conduct more research related to the potential impact of moored FADs on the migration patterns, size/age/sex structures and compositions of stocks, change in yields per recruit and other biological effects due to the conspicuous presence of juvenile tuna species in FADs, as well as on the currently used concept of CPUE for stock assessment and management purposes, co-management options, social and economic aspects, environmental and climate change, fishing techniques and technologies;

NOTING the issues on access to resources via FADs fisheries, and property rights claims and disagreements on FAD aggregated resources;

CONSIDERING ICCAT significant concern on the lack response from FAD fishing countries to report adequate catch and effort data pertaining FADs;

NOTING the economic impact of natural phenomena, such as strong hurricanes, on the destruction of FADs and the lack of reporting of FAD numbers, locations, lifespan and replacement;

CONSIDERING the ICCAT FAD working group reports and EU funded project reports indicating that FADs generate distinctly different catch rates depending on FAD design and operations; and IFREMER conclusions that species diversity associated with FADs varies according with regions within the WECAFC area as well as seasonality of the catch rates of target and bycatch species;

PENDING the delivery of additional information by the Working Group, CRFM annual scientific meeting and the Scientific Advisory Group (SAG);

ADOPTS in conformity with the provision of Article 6 (h) of the Revised Statutes of the WECAFC the RECOMMENDATION that:

1. Members of WECAFC prepare (if relevant) national level FAD fisheries development and FAD management plans that consider status of exploitation of targeted and bycatch species as determined by ICCAT and CFRM stock assessment results, and put in place appropriate legislation in support of a sustainable FAD fishery adhering to the FAO Code of Conduct if insufficient technical and scientific data are available for proper management of FADs at this time.
2. Members of WECAFC adhere to standardize as far as possible FAD designs and harvesting protocols that could generate compatible FAD fishery statistics using standard terminology (as determined by the Working Group on FADs) for the different varieties of FAD fisheries in the WECAFC area and report in an agreed format on their total catch (i.e. landings and discards) and effort data in FAO Area 31 to the Working Group on FADs in support of ongoing research, decision making and management processes at national and regional level.
3. Members of WECAFC, in line with similar recommendations from ICCAT, IATTC and other RFBs, aim to:
 - a) Prohibit the transshipment at sea of FAD caught fish in the WECAFC area.

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- b) Collect and analyze biological, ecological, social and economic data and information to inform decision making processes on FAD Fisheries.
4. WECAFC, CRFM, and as appropriate OSPESCA, support the regional harmonization of national FAD designs, technologies and fishing protocols that will secure compatible fishery regulations contained in national fishery management plans and related legislation, in accordance with the best available information (including scientific evidence and local and traditional knowledge) and consistent with international best practices, and present the progress made to the respective regular sessions of these RFBs.
 5. WECAFC, CRFM, and as appropriate OPESCA, support FAD pilot monitoring efforts for development of independent indices of abundance for targeted species using acoustic signals from buoys.
 6. Concomitant with recommendation 5, the FAD monitoring efforts should also include detailed statistics on the fish retained and as well as discarded from gears utilized for capture in FADs selected for monitoring to allow validation of acoustic signal data.
 7. WECAFC, CRFM, and as appropriate OSPECA, support a regional FAD research plan with clearly defined objectives pertaining understanding the impacts of FAD fishing in the different regions (within the WECAFC area) and time periods, and building that regional knowledge into the management decision-making.
 8. Members of the WECAFC establish a program to test biodegradable materials and improving FAD designs to reduce the entanglement of marine turtles and sharks to minimize the impact on ecosystems.
 9. Members communicate to the Working Group on FADs the measures taken to adhere to the above paragraphs.
 10. The Working Group on FADs support the Members, in the establishment of stakeholder- and public outreach and communication campaigns, including addressing the need to transfer research findings on FAD fisheries and communicate best-practices to the fishers and facilitate inputs from stakeholders.

Draft Recommendation - WECAFC/17/2018/6**“ON THE FISHERIES MANAGEMENT AND CONSERVATION OF SHARKS AND RAYS IN THE WECAFC AREA”**

The Western Central Atlantic Fishery Commission (WECAFC):

RECALLING that the objective of the Commission is to promote the effective conservation, management and development of the living marine resources within the area of competence of the Commission, in accordance with the FAO Code of Conduct for Responsible Fisheries, and to address common problems of fisheries management and development faced by members of the Commission;

RECALLING that the FAO Committee on Fisheries in 1999 adopted an International Plan of Action for the Conservation and the Management of Sharks, which calls on States, within the framework of their respective competencies and consistent with international law, to cooperate through regional fisheries organizations with a view to ensuring the sustainability of shark stocks as well as to adopt and implement National Plans of Action for the conservation and management of sharks;

MINDFUL of the fact that fish belonging to the taxon Elasmobranchii, which includes sharks, skates, rays and similar species are generally very vulnerable to overexploitation due to their life-cycle characteristics, and that scientific knowledge indicates that some stocks of sharks and rays in the Atlantic Ocean are under threat.

RECOGNIZING the sharks and rays management and conservation measures taken already by other regional fisheries bodies with a mandate in the Atlantic Ocean, such as the International Commission For The Conservation of Atlantic Tunas (ICCAT), North East Atlantic Fisheries Commission (NEAFC) and the Northwest Atlantic Fisheries Organization (NAFO), and the major efforts made by a range of WECAFC members towards sharks and rays conservation;

FURTHER RECOGNIZING the shark and ray related trade decisions by the Convention on International Trade in Endangered Species of Flora and Fauna (CITES), and listing of various species in the CITES Appendices, as well as in those of the Protocol Concerning Specially Protected Areas and Wildlife (SPAW Protocol), and the Convention on Conservation of Migratory Species (CMS);

NOTING the importance of harmonizing conservation and management measures with other international and regional conventions for the sustainable management and conservation of these shark and ray species;

CONSIDERING the agreed Programmes of Work of WECAFC 15 - 16 (2014-2017), which included activities such as the development of Shark-NPOAs by members as well as the participatory assessment of sharks and rays stocks and the development of a Regional Plan of Action for the conservation and management of sharks and rays (RPOA-Sharks);

RECALLING the outcomes of the 1st meeting of the WECAFC/CITES/OSPESCA/CRFM/CFMC Working Group on Shark Conservation and Management, which was held in Barbados on 17-19 October 2017;

PENDING the delivery of additional information by the Working Group, CRFM Annual Scientific Meeting and the WECAFC Scientific Advisory Group (SAG);

ADOPTS in conformity with Article 6 of the WECAFC Revised Statutes this **RECOMMENDATION** that:

1. Members of WECAFC implement the endorsed “Regional Plan of Action for the Conservation and Management of Sharks and Rays in the WECAFC Area” as appropriate, and report from 2019 onwards, through the WECAFC Secretariat, on progress with the implementation of the plan to the WECAFC sessions.
2. Members of WECAFC prepare their NPOAs-Sharks in line with the IPOA-Sharks, in support of more effective conservation and management of sharks and rays in general. and ensuring implementation of measures agreed by WECAFC.
3. Members of WECAFC that are non-contracting parties to ICCAT provide their estimates of landings and of live and dead discards of sharks mentioned under paragraph 3, and all other available data including observer data, annually to WECAFC, as appropriate, such that the data can be provided to ICCAT as part of their data collection, to support the stock assessment process.
4. Members of WECAFC, where possible, undertake research to identify ways to make fishing gears more selective with the aim to reducing by-catches of sharks.
5. Members of WECAFC, where possible, conduct research on key biological/ ecological parameters, life history and behavioural traits, migration patterns, as well as on the identification of potential mating, pupping and nursery grounds of the most common sharks species in the WECAFC area.
6. The Working Group on WECAFC/CITES/OSPESCA/CRFM/CFMC Working Group on Shark Conservation and Management continues to collect, generate and share data and information on shark and rays resources and their fisheries for the bi-annual meeting. The Working Group will include in its workplan the review of the stock status of the main commercially targeted sharks and rays stocks, as well as progress made with the implementation of the RPOA-sharks, and report on these matters to the Scientific Advisory Group (SAG).

Draft Recommendation - WECAFC/17/2018/7**“ON THE REMOVAL OF FINS OF SHARKS ON BOARD BY VESSELS FISHING IN THE WECAFC AREA”**

The Western Central Atlantic Fishery Commission (WECAFC):

RECALLING that the objective of the Commission is to promote the effective conservation, management and development of the living marine resources within the area of competence of the Commission, in accordance with the FAO Code of Conduct for Responsible Fisheries, and to address common problems of fisheries management and development faced by members of the Commission;

RECALLING the objective of the “Regional Plan of Action for the Conservation and Management of Sharks and Rays in the WECAFC Area”, which is to ensure the conservation and management of relevant sharks and rays and their long-term sustainable use in the WECAFC area;

NOTING that shark finning is an exceptionally wasteful practice and undermines the goal of full utilization set forth in the FAO International Plan of Action (IPOA) for the Conservation and Management of Sharks;

RECOGNIZING that very few WECAFC members have shark fisheries management plans and NPOAs in place that would facilitate stock assessments, research and knowledge increase and that the undertaking of these assessments is seriously hampered by the constraints to shark identification and leads to underreporting due to the practice of shark finning [meaning the removal of fins at sea and discarding of carcasses of sharks];

NOTING that shark finning has been prohibited by most Regional Fisheries Bodies and that on-board shark fin removal has been banned by the North East Atlantic Fisheries Commission (NEAFC) and the Northwest Atlantic Fisheries Organization (NAFO), OSPESCA, as well as several WECAFC members individually, and that it is important to harmonize shark conservation measures and employ best practices to achieve an impact for these often pelagic, highly migratory species;

STRESSING that prohibiting the removal of shark fins on-board vessels and requiring that all sharks are landed with fins still naturally attached has long been widely recognized by MCS experts, as the most reliable and cost-effective method for enforcing finning bans;

PENDING the delivery of additional information by the WECAFC/CITES/OSPESCA/CRFM/CFMC Working Group on Shark Conservation and Management and the WECAFC Scientific Advisory Group (SAG);

ADOPTS in conformity with Article 6 of the WECAFC Revised Statutes a **RECOMMENDATION** that:

1. WECAFC members prohibit the removal of shark fins at sea and require that all sharks be landed with their fins naturally attached through the point of first landing of the sharks.
2. WECAFC members prohibit the retention on board, transshipment, landing and selling of shark fins harvested in contravention of this measure.

3. Without prejudice to paragraph 1 of this Recommendation, in order to facilitate on-board storage, shark fins may be partially cut from the body and folded against the carcass, but shall not be removed from the carcass before the first landing.

4. In fisheries that are not directed at sharks, WECAFC members encourage to the extent possible the release of live sharks that are caught incidentally and are not used for food and/or subsistence, using proper handling techniques, while ensuring safety of the crew.

Draft Recommendation - WECAFC/17/2018/8**“ON APPLYING A PRECAUTIONARY APPROACH TO FISHING OF THREATENED SPECIES OF SHARKS AND RAYS IN THE WECAFC AREA”**

The Western Central Atlantic Fishery Commission (WECAFC):

RECALLING that the objective of the Commission is to promote the effective conservation, management and development of the living marine resources within the area of competence of the Commission, in accordance with the FAO Code of Conduct for Responsible Fisheries, and to address common problems of fisheries management and development faced by members of the Commission;

RECOGNIZING that fisheries management according to the precautionary approach exercises prudent foresight to avoid unacceptable or undesirable situations, taking into account that changes in fisheries systems are only slowly reversible, difficult to control, not well understood, and subject to change in the environment and human values²;

FURTHER RECOGNIZING that operational interpretations of precautionary fisheries management will depend on the context. Different interpretation may be appropriate depending on the scale of the fishing operations (artisanal or small-scale fisheries vs. highly capitalized and technologically advanced fisheries) and on the state of the exploited system (early stages of exploitation versus systems in a state of obvious overexploitation);

MINDFUL of the shark conservation measures adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT), the North East Atlantic Fisheries Commission (NEAFC) the Northwest Atlantic Fisheries Organization (NAFO) and many other Regional Fisheries Bodies, as well as many WECAFC members individually, and that it is important to harmonize shark conservation measures in order to achieve an impact for these often pelagic, migratory species;

FURTHER MINDFUL of the insertion of a range of shark and ray species in the appendices of the Protocol Concerning Specially Protected Areas and Wildlife (SPA), the Convention on International Trade in Endangered Species (CITES), and the Convention on Conservation of Migratory Species (CMS), which respectively promote the protection and recovery of these species, regulate the international trade in these species, and aim to conserve migratory species;

NOTING that the International Union for the Conservation of Nature (IUCN) through its Shark Specialist Group has determined that roughly one-quarter of the world's shark and ray species are threatened with extinction (i.e. those listed as Critically Endangered, Endangered and Vulnerable on the IUCN Red List), owing primarily to overfishing;

PENDING the delivery of additional information by the WECAFC/CITES/OSPESCA/CRFM/CFMC Working Group on Shark Conservation and Management and the WECAFC Scientific Advisory Group (SAG);

² Text from the “Precautionary approach to capture fisheries and species introductions”, FAO Technical Guidelines for Responsible Fisheries. No. 2. Rome, FAO. 1996. 54p.

ADOPTS in conformity with Article 6 of the WECAFC Revised Statutes this **RECOMMENDATION** that:

1. WECAFC members prohibit vessels flying their flag from directed fishing of the following list of shark and ray species:

Common name	Scientific name	Supporting reason
Daggernose Shark	<i>Isogomphodon oxyrinchus</i>	Critically Endangered globally
Whale Shark	<i>Rhincodon typus</i>	Endangered globally and protected in several WECAFC member states; valuable for ecotourism; listed on CMS Appendix II, and SPAW Protocol Annex III
Smalltooth sawfish	<i>Pristis pectinata</i>	Critically Endangered globally and protected in several WECAFC member states; listed on CMS Appendix I, and SPAW Protocol Annex II
Largetooth sawfish	<i>Pristis pristis</i>	Critically Endangered globally and protected in several WECAFC member states; listed on CMS Appendix I
Caribbean Electric Ray	<i>Narcine bancroftii</i>	Critically Endangered globally
Giant Manta Ray	<i>Mobula birostris</i>	Vulnerable globally and protected in several WECAFC member states; valuable for ecotourism; listed on CMS Appendix I, and SPAW Protocol Annex III.

2. WECAFC members ensure that incidental catches of the species listed in paragraph 1 are promptly released unharmed and alive, to the extent possible.
3. Specimens of shark and ray species as listed in paragraph 1 cannot be retained on board, transshipped, landed, transferred, stored, sold, displayed or offered for sale.
4. WECAFC members restrict vessels flying their flag from directed fishing of the following list of shark and ray species:

Common name	Scientific name	Supporting reason
Oceanic whitetip shark	<i>Carcharhinus longimanus</i>	Critically Endangered in Western North Atlantic; prohibited under ICCAT; listed on SPAW Protocol Annex III.
Hammerhead sharks	Family <i>Sphyrnidae</i> (except <i>Sphyrna tiburo</i>)	<i>Sphyrna lewini</i> and <i>S. mokarran</i> are Endangered globally; <i>S. zygaena</i> is Vulnerable globally; Family except for bonnethead (<i>S. tiburo</i>) prohibited under ICCAT; <i>Sphyrna lewini</i> , <i>S. mokarran</i> and <i>S. zygaena</i> are listed on the SPAW Protocol; <i>S. lewini</i> and <i>S. mokarran</i> are listed on CMS Appendix II
Silky Shark	<i>Carcharhinus falciformis</i>	Prohibited under ICCAT; listed on CMS Appendix II
Bigeye thresher shark	<i>Alopias superciliosus</i>	Globally Vulnerable; prohibited under ICCAT; listed on CMS Appendix II;

5. WECAFC members are encouraged to integrate the conservation measures under the paragraphs above within their national level legislation, and enforce these measures within waters under their national jurisdiction;
6. WECAFC members collect and submit to WECAFC and the Secretariat of the SPAW Protocol, as necessary, all available data and information on the species listed in paragraphs 1 and 4, in support of further assessment of the resource status of these species.