

**EUROPEAN COMMISSION**

DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

INTERNATIONAL AFFAIRS AND MARKETS

**INTERNATIONAL AFFAIRS, LAW OF THE SEA AND REGIONAL FISHERIES ORGANISATIONS**

## **European Union's Annual Report to the Ecologically Related Species Working Group (ERSWG) – 27<sup>th</sup>-30<sup>th</sup> March 2012 -Tokyo, Japan**

### **1. Introduction**

The European Union (EU) is a Co-operating Non-Member of CCSBT and the EU fleet does not target Southern Bluefin Tuna (SBT). The EU catches are extremely limited and result from unavoidable minor by-catches of Southern Bluefin Tuna during longline fisheries for swordfish and shark in the same fishing areas where SBT can be found.

The EU fleet's interactions with ecologically related species do not relate to SBT fisheries but take place in ICCAT, IOTC and WCPFC areas when fishing in their respective Convention Areas for species under their respective Conventions.

### **2. Review of SBT Fisheries**

In line with CCSBT provisions, EU law prohibits any targeted fishing activity of SBT and establishes an annual quota of 10 tons, which is only to be used for the counting of by-catch<sup>1</sup>.

The total catch of SBT in 2010 amounted to 10,8 tonnes taken by Spanish vessels, broken down as follows:

- IOTC: 9,93 tonnes
- ICCAT 0,4 tonnes
- WCPFC: 0,47 tonnes

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<sup>1</sup> Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements; OJ L 25, 27.01.2012, Annex IG.

This constitutes whole weights. The 2010 catches are slightly above the allocated quota. However, the overage is constituted by a limited number of additional specimen and represents 0.0019% of the total catch of Spanish fleet in the area. It resulted from activities of two vessels during longline fisheries for swordfish and shark.

### **3. Fisheries Monitoring for Each Fleet**

The Spanish vessels benefit from partial coverage of scientific observers on board.

### **4. Seabird**

Since the EU fleet does not target Southern Bluefin Tuna, there are no interactions with ecologically related species related to SBT fisheries.

### **5. Other Non-target Fish**

Idem.

### **6. Marine Mammal and Marine Reptile**

Idem.

### **7. Mitigation Measures to Minimise Seabird and Other Species Bycatch**

The EU fleet complies with all current binding and recommendatory measures aimed at the protection of ecologically related species, including seabirds, sea turtles and sharks, which have been adopted by the IOTC, WCPFC and ICCAT, when fishing in their respective Convention areas for species under the purview of these Conventions.

### **8. Public Relations and Education Activities**

*N/A*

### **9. Information on other ERS (non-bycatch) such as prey and predator species**

- Shark Finning

On 21 November 2011 the European Commission adopted a proposal for the amendment of Council Regulation (EC) 1185/2003<sup>2</sup> on the removal of fins on board vessels. The new proposal would oblige operators to land all sharks with their fins attached. This proposal

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<sup>2</sup> Council Regulation (EC) No 1185/2003 of 26 June 2003 on the removal of fins of sharks on board vessels

was submitted to the Union's co-legislators the European Parliament and the Council of the European Union.

## 10. Others

- Information obtained concerning ERS related fishing activities of non-party fleets.

*N/A*

## 11. Implementation of the IPOA-Seabirds and IPOA-Sharks

- Seabirds

The European Commission plans to adopt an EU Plan of Action (EU-PoA) by the end of March 2012 to provide a stable and effective framework that will provide a platform to minimise the incidental catches of seabirds by EU vessels operating in EU and non-EU waters to levels that will have no detrimental impact on the long-term sustainability of seabird populations. This is in line with the objectives of the reformed Common Fisheries Policy (CFP) to move towards a management framework that has a wider ecosystem focus covering all components of the ecosystem including seabirds.

The EU-PoA is within the framework of the International Plan of Action (IPOA) for Reducing the Incidental Catches of Seabirds in Longline Fisheries adopted in 1999 by the FAO and follows FAO Best Practice Technical Guidelines drawn up in 2008. It builds on the input provided by stakeholders during a public consultation completed in 2010 and supported by a full impact assessment.

- Sharks

The conservation of sharks and rays is addressed within the framework of the EU Plan of Action (EUPOA) adopted by the European Commission in February 2009<sup>3</sup>. This Plan identifies the measures deemed necessary both at EU level (TACs, technical measures, effort and capacity limits) and under international management regimes (measures taken in the framework of RFMOs, CITES, CMS and the Barcelona Convention). A wide range of measures for shark management were already in place in the EU before the adoption of the EUPOA and implementation of the EUPOA is progressing well.

Following the adoption of the EUPOA the EU has actively participated to the negotiations of an instrument on the conservation of migratory sharks under the aegis of the Convention on the Conservation of Migratory Species (CMS), which led to the adoption in February 2010 of a Memorandum of Understanding on the conservation of migratory sharks. The EU signed the Sharks MoU in November 2011. It has also presented a proposal at CITES CoP 15 to list spiny dogfish and porbeagle in Appendix II of CITES.

In the EUPOA the EU emphasizes the need to support the work of the RFMOs and strengthen the RFMOs that are in place. These orientations are confirmed by the

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<sup>3</sup> COM(2009)40final. 05.02.2009.

European Commission Communication on the External Dimension of the Common Fisheries Policy<sup>4</sup>. Currently there is an increasing number of binding management recommendations adopted by RFMOs to which the Union is a party. The EU presented several proposals in different RFMOs annual meetings to protect a number of shark species. Most of these proposals have been adopted, such as on thresher sharks, hammerhead sharks, oceanic whitetip sharks and silky sharks.

Besides, the European Commission has signed a contract with an external contractor for the provision of scientific advice for the purpose of the implementation of research tasks deriving from the EUPOA. This project, which has a budget of 250.000 €, has started mid January this year and will be finished by April 2013. The focus is to collate and examine historical fisheries data especially on catch composition, catches and effort data and identify gaps in the current knowledge of the biology and ecology of sharks that should be filled in order to support advice provided to RFMOs on sustainable management of elasmobranchs fisheries. Particular focus will be made on the two main shark species fished by the EU fleet: blue shark and shortfin mako.

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The EU strongly supports the improvement of the assessment of existing incidental catches of ecologically related species in fisheries and intends to examine what measures are required to further limit the mortality of ecologically related species, as well as to achieve a more accurate reporting.

February 2012

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<sup>4</sup> COM(2011)424 final. 13.07.211.