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**REPORT OF THE CONSULTATION ON WECAFC
JOINT WORKING GROUP OUTPUTS AND THE
WECAFC RE-ORIENTATION PROCESS**

CRFM Secretariat
2018

CRFM Technical & Advisory Document - Number 2018 / 10

Report of the Consultation on WECAFC Joint Working Group Outputs and the WECAFC Re-Orientation Process

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CRFM Secretariat
Belize, 2018

CRFM TECHNICAL & ADVISORY DOCUMENT – Number 2018 / 10

Report of the Consultation on WECAFC Joint Working Group Outputs and the WECAFC Re-Orientation Process

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LIST OF ACRONYMS AND ABBREVIATIONS

ABNJ	Areas Beyond National Jurisdiction
BBNJ	Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction
BINGO	Big International NGOs
CARICOM	Caribbean Community
CARISEC	Caribbean Community Secretariat
CCCFP	Caribbean Community Common Fisheries Policy
CFMC	Caribbean Fishery Management Council
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on Migratory Species
CRFM	Caribbean Regional Fisheries Mechanism
EEZ	Exclusive Economic Zone
EU	European Union
FAD	Fish Aggregating Device
FAO	Food and Agriculture Organization of the United Nations
ICCAT	International Commission for the Conservation of Atlantic Tunas
LJFL	Lower Jaw Fork Length
MOU	Memorandum of Understanding
NGO	Non-Governmental Organizations
NPOA	National Plan of Action
OECS	Organization of Eastern Caribbean States
OSPESCA	Central American Fisheries and Aquaculture Organization (Organización del Sector Pesquero y Acuícola del Istmo Centroamericano)
PA	Precautionary Approach
PMFMD	Programme Manager, Fisheries Management and Development
RFB	Regional Fisheries Body
RFMO	Regional Fisheries Management Organization
RPOA	Regional Plan of Action
SAG	Scientific Advisory Group
SCRS	Standing Committee on Research and Statistics
SPAW	Specially Protected Areas and Wildlife
SVG	St. Vincent and the Grenadines
TAC	Total Allowable Catch
TCI	Turks and Caicos Islands
TCP	Technical Cooperation Program
UNCLOS	United Nations Convention on the Law of the Sea
UNEP-CEP	United Nations Environment Programme - Caribbean Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
USA	United States of America
UWI	University of the West Indies
WECAFC	Western Central Atlantic Fisheries Commission

ITEM 1: WELCOME AND OPENING REMARKS

The **Chairperson** of the Caribbean Fisheries Forum served as Chair and welcomed all the participants.

A **List of Participants** is given at *Appendix 1*.

ITEM 2: ADOPTION OF AGENDA

The **Executive Director** reminded the Meeting that the items on the agenda had been previously discussed at Forum and it was agreed that there should be an additional review in order to have the interests and decisions of the Member States represented at the upcoming 17th session of the WECAFC. He informed the Meeting that a workshop regarding the WECAFC re-orientation process was tentatively scheduled for January/February 2019 and he reminded the meeting that this process had been a subject of discussion over the past years.

The **Executive Director** proposed a modification of the agenda to incorporate discussion on the status of implementation of the Regional Queen Conch Fisheries Management and Conservation Plan by Member States and an implementation strategy.

The **Belize representative** agreed that the queen conch discussions could be taken as a new Agenda Item 8 and the **Jamaica representative** supported this.

The meeting adopted the Agenda as discussed and agreed. The **Agenda** is given at *Appendix 2*.

ITEM 3: PROCEDURAL MATTERS

The Meeting proceeded based on the consensus that all the participants had read the accompanying documents which had been circulated for Agenda Items 4-7. The meeting agreed that discussion of the Agenda items would be taken immediately after their presentation.

ITEM 4: REGIONAL PLAN OF ACTION FOR CONSERVATION AND MANAGEMENT OF SHARKS AND RAYS IN THE WECAFC AREA

The **Research Graduate, Research and Resource Assessment** presented this item which is attached as *Appendix 3*.

The **Jamaica representative** asked if funding opportunities were included within the RPOA for the required actions.

The **Deputy Executive Director** indicated that if funding was not included, a resolution requesting assistance for Member States could be prepared. She noted that while the objectives and requirements set out in the RPOA are not different from the general objectives of Member States, there was a need to look at whether a phased approach for achieving the various objectives was necessary, for example the level of cooperation with ICCAT would have to be at the national level and would depend on membership status. She also pointed out a number of areas for which Member States could seek improvement in the RPOA including: the use of “softer language” e.g. restrict vs prohibit; exceptions for traditional fisheries; review of the RPOA on an annual or biennial basis depending on the levels of success regarding implementation

or availability of resources; recognition that the burden of conservation should be commensurate with resources available and the scale of the fisheries e.g. artisanal vs industrial.

The **Jamaica representative** agreed with the **Deputy Executive Director** and indicated that non-fisheries effects should be included in the RPOA.

The **Trinidad representative** endorsed the strategies put forward by the **Deputy Executive Director** and suggested that the way in which the RPOA deals with by-catch vs target species should be reviewed. She also informed the meeting that a draft national plan of action for sharks was available but has to be approved by cabinet.

The **St. Vincent and the Grenadines representative** indicated that there was an offer by FAO to provide assistance to SVG for conservation and management of sharks and rays.

The **Grenada representative** stated that there was not a directed shark fishery in the country, however they had produced ID manuals of threatened sharks as part of their NPOA, which will be shared with stakeholders through national workshops.

The **Belize representative** indicated that in 2017, Belize had put together a NPOA for sharks (2017-2022) through a technical working group, which was in line with the RPOA.

ITEM 5: CARIBBEAN BILLFISH MANAGEMENT AND CONSERVATION PLAN

The **Research Graduate, Research and Resource Assessment** presented this item which is attached as *Appendix 4*.

The **Deputy Executive Director** pointed out that there was a mismatch between management measures set out in the Plan and those in the Recommendation regarding trade of billfish i.e. sustainable management of trade vs banning trade. She indicated that this should be resolved as billfish was traded regionally. She also indicated that there was a high dependence on ICCAT measures within the Recommendation and repetition of ICCAT recommendations. She advised that the last bullet of the brief was preferable to the preceding ones related to ICCAT: *“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.”*

The **Programme Manager Fisheries Management and Development (PMFMD)** agreed with the **Deputy Executive Director** and pointed out that “hard” statements as set out in the current recommendation should be avoided since they would have negative impacts on our commercial fisheries and food security. He also advised that countries should not allow themselves to be committed “wholesale” to ICCAT regulations since all countries are not members.

The **Jamaica representative** indicated that the management plan had a negative spin on commercial fisheries and appeared to favour recreational fisheries. He pointed out that reporting to a regional harmonized database required databases at the national level.

The **Chairperson** asked for a clarification on the use of the term Caribbean vessels in the Billfish Management and Conservation Plan.

The **Research Graduate, Research and Resource Assessment (RGRRA)** indicated that the term was meant to cover Flags of Convenience.

There was discussion by the meeting about the use of this term and the **Deputy Executive Director** pointed out that concern had been raised about this at the third billfish Working Group meeting and the term should not be included.

The **PMFMD** stated that given Member States' positions regarding flagging, the derogatory term "Flags of Convenience" should not be used. He recommended that Member States should object to the use of the term.

The **Executive Director** highlighted the bias towards recreational fisheries in the billfish management plan and also disagreed with the use of derogatory terms such as "Flags of Convenience"; which was still widely used but should not be accepted. He referred to the antagonism against FAD fisheries in the management plan and noted that the way it was presented was prejudiced against our countries which were benefitting from these fisheries. He informed the meeting that FAD fisheries were considered to be beneficial and management and conservation objectives can be strengthened and supported. He also pointed out that the export/import of billfish needed to be examined since acceptance of the language regarding trade could be detrimental to our use of these resources for food security and livelihoods.

The **Grenada representative** informed the meeting that the national project components of the Caribbean Billfish Project were almost completed and the main activity that remained for Grenada was the consultation on the business case. She noted that the main problem encountered during the gear trials using circle hooks was that the hooks were of an inferior quality e.g. tunas were able to escape from circle hooks and some hooks rusted before use. She also highlighted that the national capacity to implement the billfish management plan and prepare the reports needed to be taken into consideration.

ITEM 6: RECOMMENDATION TO SUPPORT LISTING OF COMMERCIALY ATTRACTIVE SEA CUCUMBER SPECIES FROM THE CARIBBEAN IN CITES APPENDIX II

The **Research Graduate, Research and Resource Assessment** presented this item which is attached as *Appendix 5*.

The **Belize representative** informed the meeting that since 2016, the sea cucumber fishery has been closed and there are two species of commercial interest, *I. badionotus* and *H. mexicana*. He advised that the fishery remained closed this year as the Fisheries Department realized that stocks were overfished after a national survey. The Belize representative indicated that they were in support of possibly listing the sea cucumbers on CITES Appendix II. He agreed that as a region, the species fished should be identified and if there was consensus then CITES should be an option.

The **Jamaica representative** stated that surveys of the island shelf sea cucumber populations will be carried out and monitored for 3-4 years. He informed the meeting that there was also a project between UWI and the Port Royal lab to investigate aquaculture of these species. He also referred to another initiative in the Pedro Banks which was looking at harvesting technology for under-utilized species. He noted that the two commercially important species were also *I. badionotus* and *H. mexicana*. He stated that Jamaica was interested in CITES as a control mechanism given poaching by Honduras.

The **Chairperson** recommended that this information should be provided to the CRFM Secretariat as it would facilitate knowledge sharing with the other CRFM Member States.

The **PMFMD** highlighted two main issues regarding listing of sea cucumber on CITES. He indicated that more support was needed in order to understand the situation and he expressed concern about depending on CITES for fisheries management. He noted that the sea cucumber resolution required a precautionary approach and indicated that it appeared to be calling for a management plan, rather than a CITES intervention. He highlighted that the elements laid out in the sea cucumber resolution would be found in a management plan.

The **PMFMD** also stated that work currently being undertaken by the countries should be included in the preamble of the Recommendation. This would show that actions are currently being undertaken by countries e.g. Belize and Jamaica.

The **PMFMD** suggested that a FAO TCP with CRFM and OSPESCA could be developed to conduct sea cucumber research.

The **Deputy Executive Director** pointed out that Member States could also request CRFM to prepare a management plan rather than take the issue to CITES.

The **Dominica representative** supported the interventions of both the **Deputy Executive Director** and the **PMFMD** and indicated that Dominica did not agree with listing sea cucumber on CITES Appendix II until further information was available.

The **Grenada representative** noted that there was not enough scientific information on sea cucumber stocks, biology, ecology and distribution to permit a fishery even using the Precautionary Approach (PA) and she noted that recommendations 2 to 11 in the brief were only applicable to States where there was a sea cucumber fishery. She noted that given the limited information available, listing of sea cucumber under CITES Appendix II should not be recommended until the fishery potential can be evaluated.

The **Jamaican representative** informed the meeting that they currently had bilateral arrangements with the USA and through engagements with the markets they had been able to stop illegal harvest of sea cucumbers. He also indicated that they were engaging with Embassies and Ministries of Foreign Affairs to address this issue and this approach had been successful so far.

The **Deputy Executive Director** stated that while she appreciated the intervention of the **Jamaica representative** it would be best to have a consistent approach as going prematurely to CITES could also affect other species. She indicated that there was currently not sufficient information for sea cucumber.

The **Executive Director** also noted the work on sea-cucumbers in Bahamas, Jamaica and Belize and measures that have been taken. He pointed out that while he supported the pre-cautionary approach, decisions regarding listing of species on CITES Appendices needed to reflect countries' positions.

The **Chairperson** indicated that one voice was needed and knowledge sharing and awareness building should exist to facilitate development of unanimous positions.

The meeting agreed that research, scientific information and knowledge sharing were necessary to determine if any species of sea cucumber should be listed on CITES Appendix II.

ITEM 7: IDENTIFICATION OF SPECIES/RESOURCES THAT WOULD BE BEST SUITED FOR MANAGEMENT AT THE SUB-REGIONAL LEVEL

The **Research Graduate, Research and Resource Assessment** presented this item which is attached as *Appendix 6*.

The **PMFMD** reminded the meeting that the Ministerial Council had already rejected the establishment of an RFMO for resources under national jurisdiction and Member States should be mindful of this when considering species to be covered under an RFMO.

The **Trinidad** representative supported the **PMFMD**. However, she indicated that she did not follow the argument that an RFMO should not cover species under national jurisdictions and referred to the management of tunas by ICCAT as an example.

The **Deputy Executive Director** advised the meeting that RFMOs had specific definitions and species and once agreed upon, the umbrella framework of WECAFC with CRFM/OSPESCA as RFBs would not be relevant or feasible as an alternative to WECAFC becoming an RFMO. This was especially given the financial situations of Member States. She advised that as the competent agency for the CCCFP, the CRFM Secretariat should avoid becoming an arm to an RFMO and should be better positioned to support Member States. With regard to using the argument that an RFMO should not manage resources under national jurisdictions, she pointed out that resources with similar life-histories could be covered under sub-regional panels, which is done in other RFMOs around the world and therefore this argument would not be justified. She advised the meeting that these issues required detailed discussions.

The **Jamaica representative** commented on the brief and requested that the justification for rejection of an RFMO by the Ministerial Council should be included in the background. He informed the meeting that there was a need for a clear position by FAO on the situation regarding the WECAFC re-orientation process. He advised the meeting that the major issue of an RFMO would be that Member States would be giving up sovereignty over national arrangements to an RFMO which could include countries such as Japan and the EU which may not share the same interests. He stated that the CRFM Secretariat would be better placed for management of resources under CRFM Member States' jurisdictions.

The **Executive Director** noted that extensive discussions had been held at various levels and there have been diverging positions in different fora. He reminded the meeting that the Ministerial Council had already decided on the matter and provided guidance. He noted that there were still more issues to be sorted, however the adopted position was clear that there was no objection to the development of an RFMO for resources in the ABNJ which is in alignment with obligations under UNCLOS. He pointed out that there are differences between straddling, highly migratory, and shared resources and that there are various legal regulations which accompany them and inform the development of appropriate RFMOs. He referred to the scope and process set out by the Ministerial Council in developing a uniformed position which should include legal departments and Ministries of Foreign Affairs. With regard to the questions prepared about the reorientation process by the CFRM Secretariat and submitted in 2016, FAO indicated that a consultant had prepared working documents and it was expected that these would be shared before the WECAFC reorientation process workshop tentatively scheduled for January/February 2019.

The **Executive Director** advised the meeting that it would be useful to get feedback from other RFMOs in similar situations e.g. the Western Pacific since a lot could be learned from their experience. He pointed out that the RFMO could have two functions; regulatory power to make legally binding decisions or an advisory function. He stated that these two options were not mutually exclusive and could be explored. He advised the meeting that an RFMO would have significant implications with how fisheries

management would be handled going forward and it was therefore important that there was full engagement of the CRFM Member States in the process.

The **Chairperson** enquired about the consequences if a decision regarding CRFM's position on the reorientation process was not made by the next meeting of the Commission.

The **PMFMD** advised the meeting that Member States should ensure that their positions/concerns are addressed, especially given the direction by the Ministerial Council; and, should therefore not be influenced into quickly making a decision.

The **Executive Director** indicated that the upcoming re-orientation workshop will be the first formal meeting and that the process was envisaged to take between 18-24 months. Therefore, an immediate decision by CRFM Member States was not required especially given the EU's push towards an RFMO and the need to carefully consider the options.

The **PMFMD** strongly supported the recommendation in the brief that "the Member States should also express concern during the upcoming 17th Commission meeting about the fact that detailed responses regarding the questions submitted to FAO have yet to be received." He informed the meeting that consideration should be given to how any responsibility delegated to WECAFC regarding management of fisheries resources beyond national jurisdiction would be in conflict/overlap with the development of the international legally binding instrument under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ).

The **PMFMD** reminded the meeting that there was a need for a united position and that national diversions do not negate a regional position. He stated that the CRFM Member States should not be influenced towards a particular direction (e.g. species/RFMO) since it was the right and responsibility of Member States to act in their best interests. He reminded the meeting that there was currently a position and direction given by the Ministerial Council. He also suggested that CARISEC and OECS should be included in the future discussions on the reorientation and any other discussions of similar ilk, especially if they will lead to regional positions. This would allow for some kind of representation even if the countries cannot be there in person.

The **Deputy Executive Director** expressed concern about the process through which the Ministerial Council had made the decisions regarding the establishment of an RFMO and the fact that many issues still needed to be clarified.

The **Jamaica representative** stated that although there were issues which required clarification, in general most of the information had been made available to the Council.

The **Executive Director** advised the meeting that when responses to the submitted questions were received from FAO a more detailed review process would be undertaken. The **Executive Director** advised that the WECAFC re-orientation was a complicated process and there had not been enough transparency from FAO. He noted that the justification given for the re-orientation process was flawed as it had been based on a request for support from CRFM and OSPESCA. He reminded the meeting that during the 16th session of the Commission in Guadeloupe, there had also been an attempt to exclude regional bodies from these discussions. He advised that for both the species assessments and cost/benefit analyses there had been numerous discrepancies in the information and conclusions (e.g. stocks in WECAFC are the most depleted globally). Therefore, there was a need to examine these issues. He stated that he agreed with the Ministerial Council's decisions which were consistent and have remained the same over the years.

The **Jamaica representative** requested an outline of the next steps for moving forward.

The **Executive Director** noted that more consultations were necessary regarding the WECAFC reorientation process and indicated that once the agenda and invitations were received from FAO the countries would be informed about the series of consultations for CRFM Member States.

ITEM 8: STATUS OF IMPLEMENTATION OF THE REGIONAL QUEEN CONCH MANAGEMENT AND CONSERVATION PLAN

The **Executive Director** referred to the management plan developed by WECAFC which was endorsed by CRFM with some caveats and also by OSPESCA. He indicated that the status of progress made with implementation will come up during the 17th session of WECAFC and there will be a joint working group meeting during 31 October – 01 November 2018. This joint working group meeting will look at the actions already taken by countries and those that need to be taken regarding implementation of the plan.

The **Executive Director** informed the meeting that a CRFM online consultation would be held to prepare for the joint working group meeting. He noted the importance of queen conch for TCI and some OECS countries and realized the need for working together and addressing challenges and strengthening queen conch management.

The **Executive Director** requested feedback on the status of implementation of the queen conch management plan from the countries present during the meeting.

The **Jamaica representative** informed the meeting that a Management Plan had been implemented at the national level and adapted to national needs. This management plan was recently revised 2-3 years ago.

The **Belize representative** informed the meeting that a management plan had been implemented since 2016, and it featured an adaptive management framework which guided management responses according to various scenarios. He advised the meeting that an exercise was recently conducted with OSPESCA to investigate the decrease in conch production in Belize and it had been confirmed that the conch fishery in Nicaragua was in a similar situation. He informed the meeting that a management strategy had been developed and the preliminary results have shown a decline. He indicated that the conch production had decreased over the last 6 years. He also informed the meeting that the annual TAC was set based on the national surveys which were done every three years and over time the TAC has been decreasing.

The **Chairperson** asked if the information had been shared with the Secretariat.

The **Belize representative** requested that the Secretariat provide a format for provision of the information.

The **Executive Director** noted that regarding the provision of information to the Secretariat, the national reports were appropriate, however technical reports and information could also be shared.

The **Deputy Executive Director** noted that the CRFM countries would need to prepare a structured report for the upcoming joint working group meeting and this could be shared with the Secretariat. Alternatively, the Secretariat could review the regional management plan and send a circular to countries requesting information in a structured format.

The **Executive Director** advised the meeting that regarding the regional management plan it was expected that the countries would implement the measures appropriate to their circumstances and nature

of their fisheries since there was variation in scale and values. He reminded the meeting that it was important that countries were taking steps to manage the queen conch fisheries.

ITEM 9: DISCUSSION

The **Executive Director** highlighted the importance of fisheries resources for food security. He also pointed out the implications of these recommendations and management plans on the CRFM two-year work plan along with the reporting obligations of Member States.

The **Executive Director** agreed that the specific wording should be examined in the resolutions and recommendations e.g. restrict vs prohibit. He noted that although countries were generally in agreement for moving forward in managing these resources, specific attention needed to be given to the wording.

The **Executive Director** expressed concern on how recommendations were made noting the sea cucumber example. He stated that it was important that the available data and information should be used. He also noted that a regional overview of the fisheries including challenges and occurrence of over-fishing was necessary for the region.

The **Executive Director** advised the meeting that the decisions being made by WECAFC were being monitored by USA and EU and, once implemented, action could be taken for non-compliance. He stated that currently the burden of management and conservation was on Member States and regional organizations while commensurate support in terms of resources and capacities were not being made available. He supported the **Deputy Executive Director's** intervention about the need to identify the funding sources necessary for implementation of management measures and actions. He also expressed concern that these recommendations may not support our best interests.

The **PMFMD** highlighted the importance of Member States providing the Secretariat with information about the management of all these resources, as it would provide the basis for regional CRFM positions on any recommendations coming out in the international community and facilitate development of unanimous positions. He recommended that the Research Graduate Research and Resource Assessment be charged with developing a format for intersessional reporting by countries that can be used for all species.

ITEM 10: ANY OTHER BUSINESS

The **Executive Director** advised the meeting of the BBNJ negotiations that will occur during September in New York. He informed the meeting that a preparatory meeting was recently held in Belize and that Belize representatives will be part of the delegation, however he was unsure of participation by other Member States. He noted that these negotiations will have profound implications for fisheries and biodiversity in the region and he therefore recommended that countries contact their negotiators since fisheries was an important sector. He expressed concern that the negotiations were still being guided by the BINGOs (Big International NGOs) which have provided the funding and created a network with the negotiators. He noted that currently there were not many experts advising the regional negotiators and recognized that the NGOs may not have agendas which are in line with those of the countries. He advised that it would be useful to have another consultation before the BBNJ in order to have a dialogue about the process and provide input to the negotiators in New York. He agreed that the Secretariat would provide the dates for the BBNJ consultations.

The **PMFMD** supported the **Executive Director** and expressed his concern about BINGOs' influence on our negotiators. He stated that it was imperative for our fisheries persons to reach out to the negotiators rather than wait to be contacted.

The **Dominica representative** supported the intervention of the **PMFMD**.

ITEM 11: CLOSING REMARKS AND ADJOURNMENT

The **Chairperson** expressed his disappointment that full membership was not present at the consultation as participation in addressing these issues was important. He reminded the meeting of the importance of reviewing the possible impacts of these recommendations for countries and recognized the effort of the Secretariat in preparing informative documents. He also thanked the meeting participants.

The meeting was adjourned at 11:45 pm Belize time.

Appendix 1: List of Participants

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Appendix 2: Adopted Agenda

CARIBBEAN REGIONAL FISHERIES MECHANISM SECRETARIAT

Electronic Meeting

Monday, 20 August 2018

(8:30AM – 10:30 AM Belize Time)
2018

Document date: 20 August

ADOPTED AGENDA-Consultation on WECAFC Outputs

1. Welcome and Opening Remarks (8:30-8:35)
2. Adoption (8:35)
3. Procedural Matters (8:35-8:40)
4. Regional Plan of Action for Conservation and Management of Sharks and Rays in the WECFAC Area – Brief for CRFM Member States (8:40-8:50)
5. Caribbean Billfish Management and Conservation Plan – Brief for CRFM Member States (8:50-9:00)
6. Recommendation to support listing of commercially attractive Sea Cucumber species from the Caribbean in CITES Appendix II – Brief for CRFM Member States (9:00-9:10)
7. Identification of species/resources that would be best suited for management at the sub-regional level – Brief for CRFM Member States (9:10-9:20)
8. Status of implementation of the Regional Queen Conch Management and Conservation Plan (9:20 -10:20)
9. Discussion (10:20-10:25)
10. Any Other Business (10:25-10:30)
11. Closing Remarks and Adjournment (10:30 – 10:35)

Appendix 3: Regional Plan of Action for Conservation and Management of Sharks and Rays In The WECAFAC Area – Management Brief for CRFM Member States

Objective

The purpose of this brief is to facilitate the development of positions regarding the draft RPOA by CRFM Member States.

Background

The joint WECAFAC/CITES/OSPESCA/CRFM/CFMC Working Group on Shark Conservation and Management was established by the 15th session of WECAFAC (2014) on specific request of the members. The adopted Commission's program of work included an activity on "Improved management and conservation of sharks." The Commission requested the Working Group to support the development of at least 2 national plans and a regional plan of action for the management and conservation of sharks. These plans are to be in alignment with the FAO International Plan of Action for the Conservation and Management of Sharks (1998).

The draft RPOA was prepared by regional experts for discussion at the 1st meeting of the Working Group held during the period 17-19, October 2017. After this meeting, the RPOA was circulated to members of the Working Group and underwent three rounds of review with the last being in June 2018. The draft RPOA will be presented for formal adoption at the 17th session of WECAFAC which is tentatively scheduled for January 2019.

Specific objectives of the RPOA are to:

- a) Identify the fishery assets, their condition, pressures and current management responses;
- b) Propose regional shark fisheries management and conservation [policy, tools and actions] that could be adopted by member nations in order to ensure productive and sustainable shark and ray fisheries, based on the principles of the Code of Conduct for Responsible Fisheries, including the Ecosystem Approach to Fisheries, and the Precautionary Approach to Fisheries Management;
- c) Stimulate the establishment of region-wide common approaches to management: e.g. harmonized governance measures, fisheries monitoring; methodologies for data collection and its management, surveillance and enforcement;
- d) Foster regional capacity building, cooperation and knowledge sharing;
- e) Promote increased public and stakeholder awareness about shark and ray management and conservation in the region.

There are also a number of global/regional treaties and agreements that aim to regulate fisheries for sharks and/or protect and conserve depleted species, including: the Convention on International Trade of Endangered Species (CITES); Convention on Migratory Species (CMS); CMS Memorandum of Understanding on the Conservation on Migratory Sharks (MOU Sharks); International Commission for the Conservation of Atlantic Tunas (ICCAT) and the Protocol Concerning Specially Protected Areas and Wildlife (the SPAW Protocol).

Key Requirements

Many of the actions identified in the RPOA-sharks for the WECAFAC area necessitate that national governments and regional organizations (CRFM, OSPESCA, UNEP-CEP, SPAW, CFMC, UNESCO, and WECAFAC) increase their investment (human and financial) in shark management and conservation. It is expected that these increased investments will translate into the rebuilding of shark and ray populations and their associated fisheries in the region. The actions as set out in the RPOA require that countries undertake the following activities:

- Comply with the management measures set out by international/regional organizations, conventions and protocols;
- Implement an ecosystem-based approach to fisheries management;
- Cooperate with regional organizations to develop and implement policies at the national levels;
- Restrict/prohibit either catching, keeping on board, landing, and commercialization of species already known to be under considerable threat of extinction and protected by international conventions (e.g. daggernose shark, whale shark, smalltooth sawfish, largetooth sawfish, Caribbean Electric Ray, Giant Manta Ray, Oceanic whitetip shark, hammerhead sharks, silky sharks, bigeye thresher shark).
- Increase research, data collection, monitoring, control, surveillance and enforcement at the national levels;
- Training and capacity building of personnel.

Implications

Given that some species are transboundary, highly migratory and targeted in multispecies/multi-gear fisheries it is recommended that CRFM Member States review the RPOA to ensure that all their needs regarding management and conservation are addressed before final adoption by the 17th session of WECAFC. The Member States should also note that successful implementation of the RPOA will have implications for national operational budgets; national fisheries management legislation; fisher livelihoods; recreational fisheries; and food security.

Appendix 4: Caribbean Billfish Management and Conservation Plan – Brief for CRFM Member States

Objective

The purpose of this brief is to facilitate the development by CRFM Member States of positions regarding the draft Caribbean Billfish Management and Conservation Plan and the Recommendation WECAFC/17/2018/4 “on billfish management and conservation in the WECAFC area”.

Background

The Third Regional Workshop on Caribbean Billfish Management and Conservation of the WECAFC/OSPESCA/CRFM/CFMC Working Group on Recreational Fisheries was held from 4 to 6 April 2017. Thirty-five representatives from thirteen Caribbean countries and territories, along with various organizations and projects attended to address the issues of declining trends in billfish stocks, and ongoing management challenges. The Working Group discussed the third draft of the Caribbean Billfish Management and Conservation Plan and prepared a draft management recommendation which recognizes the concerns over billfish stock status, the current fisheries pressure on these stocks and proposing regional concerted action. This Recommendation was endorsed by the 8th Meeting of the Scientific Advisory Group and will be presented to the Commission. The Recommendation will also be reassessed after the next assessments of blue marlin, white marlin, spearfishes and sailfish stocks conducted by the ICCAT SCRS.

Key Requirements

The following management measures are set out in the Caribbean Billfish Management and Conservation Plan:

- Promote the use of circle hooks among all hook and line fisheries that capture billfish in the region, while billfish releases are encouraged, or instituted to not exceed quotas, wherever feasible;
- Sustainably manage the exports and inter-island trade of billfish products;
- Require that all Caribbean fishing vessels harvesting shared large pelagic fish stocks regularly report billfish harvests to a harmonized regional database and use Vessel Monitoring Systems or similar alternatives;
- Encourage, support and formally introduce innovative fishery management arrangements, gears, technologies and fishing methods that reduce billfish mortalities to within sustainable levels in the Caribbean;
- Protect identified spawning and other sites of importance to billfish species life-histories within the Caribbean against unsustainable harvests;

A number of actions are also set out in the recommendation on billfish management and conservation in the WECAFC area. These include:

- 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.
- 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.

- In alignment with ICCAT Recommendation 15-05, 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.
- Minimize the post-release mortality of marlins/spearfish and sailfish in their fisheries.
- 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.
- Non-contracting parties 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.
- 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.

Implications

Given the socio-economic importance of the commercial and recreational fisheries of billfish for the CRFM Member States, and the contribution to employment, tourism, food security and coastal livelihoods it is recommended that Member States review the Caribbean Billfish Management and Conservation Plan and the recommendation to ensure that all their needs regarding are addressed before final adoption by the 17th session of WECAFC. The Member States should also note that successful implementation of the Caribbean Billfish Management and Conservation Plan will have implications for national operational budgets; reporting obligations to ICCAT; trade; national fisheries management legislation; fisher livelihoods; recreational fisheries; and food security.

Appendix 5: Recommendation to support listing of commercially attractive Sea Cucumber species from the Caribbean in CITES Appendix II – Brief for CRFM Member States

Objective

The purpose of this brief is to facilitate the development by CRFM Member States of positions regarding the Recommendation to support listing of commercially attractive Sea Cucumber species from the Caribbean in CITES Appendix II.

Background

The 8th session of the Scientific Advisory Group (SAG) was held during 3-4 November 2017 in Merida, Mexico. The SAG recommended that the Commission “Takes action to support listing of commercially attractive Sea Cucumber species from the Caribbean in CITES Appendix II, to restrict trade in these highly vulnerable and often overexploited species, that urgently need control measures to protect the reproductive capacity of the stocks.” This recommendation will go forward to the 17th session of the Commission which is tentatively scheduled for January, 2019. The previous session of the Commission held in 2016 adopted the Resolution WECAFC/16/2016/6 “on sea cucumber fisheries management and aquaculture.”

Key Requirements

The actions set out in the Resolution WECAFC/16/2016/6 “on sea cucumber fisheries management and aquaculture” are presented below.

1. WECAFC members apply the precautionary approach to sea cucumber fisheries and that no sea cucumber fisheries should be allowed anywhere in the region without having appropriate management plans or science-based regulations in place for the harvesting, processing and trade in the species.
2. WECAFC members collaborate on and coordinate the following activities:
 1. Biological research on the life cycle characteristics and the reproductive biology of the commercially interesting species, including size at sexual maturity, longevity, recruitment and growth rate;
 2. Development of aquaculture technologies of native species applying a precautionary approach;
 3. Study the socio-economic aspects of the fishing communities and the stakeholders in the value chain;
 4. Monitoring of the fisheries of sea cucumber and combating of illegal fishing and trade;
 5. Research on the development of new products, including pharmaceutical uses, and the utilization of by-products;
 6. Marketing research and monitoring of international sea cucumber trade dynamics;
 7. Strengthening the monitoring and controls by international, regional, national and local authorities;
 8. Preparation and implementation of management plans applying the Ecosystem Approach to Fisheries;
 9. Data collection on captures, prices, processing and foreign trade;
 10. Capacity building on all the above mentioned topics;
 11. Identification of funding from governments, regional and international organizations, for the implementation of effective actions on the points of this resolution.

3. WECAFC Members should actively endeavor to identify and implement appropriate value-adding initiatives of Sea cucumber before export to increase earnings for fishers and the fishing communities.

Implications

To date, the majority of CRFM Member States have not undertaken any of the activities set out in the resolution. It is therefore recommended that before the 17th Commission adopts the recommendation of the SAG to list the sea cucumber on CITES Appendix II, the research activities of the Resolution WECAFC/16/2016/6 should be undertaken. CRFM Member States should therefore seek support in implementing these activities, to determine if any of the species in their national jurisdictions should be listed on CITES Appendix II. Member States should also seek support from the Commission to identify sources of funding for the implementation of the actions set out in the resolution.

Appendix 6: Identification of species/resources that would be best suited for management at the sub-regional level – Brief for CRFM Member States

Objective

The purpose of this brief is to facilitate the development of CRFM Member States positions regarding species/resources identified for management under an RFMO being proposed by WECAFC.

Background

The 14th session of the WECAFC Commission, Panama, 2012, requested the commencement of work towards a Strategic Reorientation of WECAFC. This request was subsequently reconfirmed by the 15th Session of WECAFC in Trinidad and Tobago, 2014 and the 16th Session of WECAFC in Guadeloupe, 2016. In preparation for the 16th Session of WECAFC an assessment of the recent achievements and collaboration of CRFM, OSPESCA and WECAFC including options for a regional institutional collaborative structure within an RFMO framework was conducted.

The assessment concluded that the establishment of an RFMO would be essential and necessary for management of Queen conch, spiny lobster, shrimp, sharks, and dolphinfish. The assessment showed that the overall economic loss for these five resources due to inadequate and incoherent management measures is around USD 240 million per year or even more, which adds up to economic losses of USD 2.4 to 3 billion in the coming decade. The assessment also concluded that apart from shared regional stocks, the straddling fish stocks and deep-sea fish stocks in the Area Beyond National Jurisdiction (ABNJ) of Areas 31 and the northern part of 41 require coverage by an RFMO. However, the CRFM Ministerial Council has rejected the establishment of an RFMO that would have regulatory powers over marine resources and areas that are under national jurisdiction.

In response to the WECAFC reorientation process, the CRFM Secretariat prepared a list of questions regarding functions of the RFMO in consultation with Member States, and this was submitted to the FAO in 2015. The questions related to species and stocks are provided below.

- What are the high seas resources that would be under the RFMO's competence and what are their state of development and management?
- If the RFMO is subject to the rights and duties enshrined in UNCLOS what arrangements will be put in place to ensure these are respected?
- How would ICCAT and the new RFMO delineate their responsibilities to avoid overlap?
- How will the species to be regulated by the RFMO be determined?
- If the maritime areas and / or species under state sovereignty are to be included in the mandate of the RFMO, what processes are proposed to ensure adequate consultation and informed consent by States?
- What level of State representative would normally be required to commit the State given the nature of the decision?
- Recalling that decline in catches does not necessarily mean the stocks are overfished, what is the status of these resources?
- Are they over-fished?
- How are they being managed?
- Would these stocks be within the mandate of the RFMO?
- Exactly which species and marine ecosystems would be subjected to the regulatory powers of the RFMO?

- How will the RFMO ensure that adequate scientific data and information is available over the range of the stocks to be managed?
- To what extent will the RFMO continue to provide development assistance to the CARICOM States? Or will its primary focus be conservation and management?
- How and to what extent will the RFMO support capacity building needs of these States?

The reorientation of WECAF has been extensively discussed at the 14th and 15th Meetings of the Caribbean Fisheries Forum, and at the 10th and 11th Ministerial Council Meetings. The 11th Ministerial Council meeting rejected the establishment of an RFMO that would have regulatory powers over marine resources and areas that are under national jurisdiction but noted that the Council did not have a problem with a body to manage resources in the area beyond national jurisdiction. The CRFM was also recently designated as the Competent Agency for the Caribbean Community Common Fisheries Policy (CCCFP) to have the authority and perform the functions outlined in the CCCFP in 2017. Specifically, Article 12-Conservation and Management of Fisheries Resources of the CCCFP states that “the Participating Parties shall cooperate with regional fisheries management organizations and, as appropriate, other international organizations in the management of shared, straddling and highly migratory fish stocks.” At the 30th Executive Committee Meeting of the Caribbean Fisheries Forum, March 2018, it was agreed that the CRFM Secretariat would prepare negotiating briefs, which include specific areas of concerns such as species, resources, jurisdictions, etc., with assistance from the CARICOM Secretariat, that Ministers can use to inform development of their cabinet papers, for presentation to their Heads of State.

Implications

Based on the outputs of various Caribbean Fisheries Forum meetings and the decisions of the Ministerial Council, there is general agreement by CRFM Member States that:

- An RFMO should primarily address the ABNJ and its resources;
- Decisions on whether to establish such an RFMO should be taken at the political level by Member States, possibly at the level of the Heads of Governments;
- An RFMO should have an umbrella function and should not replace effective existing institutions (CRFM and OSPESCA) at sub-regional level;
- CRFM and OSPESCA should continue as currently the case and even be supported to become RFMOs for their respective sub-regions within the framework of the wider RFMO;
- Regionally shared stocks that occur in Member States’ EEZs should be managed at the appropriate sub-regional level;
- FAO should provide detailed responses to the specific questions submitted by the CRFM;
- These FAO responses should be reviewed by experts from fisheries experts, Foreign Ministries and legal departments of Member States.

Given the designation of the CRFM as the Competent Agency for the Community Common Fisheries Policy (CCCFP) and the above outputs/decisions it is recommended that queen conch, spiny lobster, shrimp, sharks and dolphinfish are best suited for management at the sub-regional level rather than an RFMO since they occur in areas under national jurisdiction. CRFM Member States should take note of the estimated economic losses from inadequate management and give priority to sustainably managing these resources due to their high value and importance to national economies and food security. The Member States should also express concern during the upcoming 17th Commission meeting about the fact that detailed responses regarding the questions submitted to FAO have yet to be received.

The CRFM is an inter-governmental organization whose mission is to “Promote and facilitate the responsible utilization of the region’s fisheries and other aquatic resources for the economic and social benefits of the current and future population of the region”. The CRFM consists of three bodies – the Ministerial Council, the Caribbean Fisheries Forum and the CRFM Secretariat.

CRFM members are Anguilla, Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago and the Turks and Caicos Islands.

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