



HUMANE SOCIETY
INTERNATIONAL

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Humane Society International (HSI) and HSI Australia CMS Sharks MOU Partnership Activities

Humane Society International (HSI) is an international non-profit organization with representation in many countries around the world and a focus on environmental conservation and animal welfare. HSI staff – who include lawyers, scientists and other specialists - have long experience of working productively within international treaty bodies, including those concluded under the United Nations (especially CMS and CITES) and others, particularly Regional Fisheries Management Organizations and the International Whaling Commission. We note that many of these treaty bodies have common goals and we seek to build strong joint initiatives and alliances across them and with other key stakeholders in the pursuit of our shared aims.

Humane Society International Australia (HSI Australia) entered into a partnership agreement with the Convention on the Conservation on Migratory Species of Wild Animals (CMS Secretariat) in 2011. Humane Society International headquarters (HSI HQ) also entered into a partner agreement at CMS CoP11 in 2014. HSI, both HQ and Australia, have been active participants for more than a decade at CMS CoPs, CMS Scientific Council meetings, and with various of the CMS Agreements and MoUs.

HSI HQ and HSI Australia have further entered into cooperating partnership agreements with the MOU on the Conservation of Migratory Sharks, noting that the conservation and welfare of this group of marine animals is a priority for our organisation.

CMS Sharks MoU

Both HSI HQ and HSI Australia were part of the working group that helped draft CMS Sharks MoU conservation plan. Here we report on our activities to assist in its implementation.

Objective A: Improving understanding of migratory shark populations through research, monitoring and information exchange

1. Ecological research, monitoring and data collection

1.1 Identify priority research, monitoring and training needs, taking into account regional differences.

HSI Australia runs a nomination program for threatened species to receive their due protection under state and federal law in Australia. A number of threatened shark species have been given legal protection following our nominations and this is detailed under activity 10. HSI Australia will be soon be nominating several more shark and ray species for listing under the EPBC Act. An EPBC listing also confers prioritisation in research and monitoring efforts

HSI Australia has nominated grey nurse shark critical habitat aggregations sites on the east coast of Australia for listing under the *Environment Protection and Biodiversity Conservation Act* (EPBC). They have not been listed.

Since 2013, HSI HQ has been involved in regional and domestic capacity building training for CITES shark and ray listings in Latin America, West Africa, South Africa and the Philippines. Workshops aimed to identify gaps in implementation and address them in subsequent workshops in these regions.

1.6 Assess and prioritise threats to sharks from human activities (especially fisheries) and identify the species most vulnerable to them.

HSI Australia has nominated the following to be listed as a Key Threatening Process under the Australian EPBC Act.

- *Commercial fishing* – whether by targeted fishing or bycatch, commercial fishing is the foremost threat to elasmobranchs in Australia. Targeted shark fisheries occur in multiple Australian states, some providing fins in the fin trade. Sharks and rays constitute the largest proportion of bycatch in all Australian longline and gillnet fisheries. Commercial fishing has not been assessed for listing.
- *Recreational fishing* - which results in the capture of top order predators such as sharks, tuna and marlin including competition game fishing, offshore fishing, line fishing and other fishing methods. It has not been assessed for listing.
- *Shark Control Programs* – Some Australian States operate shark control programs as a measure for public safety. Though ineffective, strategies include the use of nets, baited drumlines and targeted culling to reduce shark populations and provide ocean users with a false sense of security. Shark control programs are a controversial and political topic in Australian society, and remain one of HSI Australia's highest priority campaigns. Shark Control Programs have not been assessed for listing.

1.7 Establish conservation targets and indicators to assess progress towards reaching these targets at the species population level, and develop species-specific reference points for enhanced conservation measures.

As a key stakeholder HSI Australia worked closely with the Australian Government on the development of a new Harvest Strategy Policy for all Australian Commonwealth fisheries including sharks which we expect to be released shortly.

A nomination by HSI to list the scalloped hammerhead (*Sphyrna lewini*) under the EPBC act has led to recommendations for fisheries management provided by an independent, government appointed Threatened Species Scientific Committee (TSSC). The TSSC's recommendations for the scalloped hammerhead calls for significant improvements in reporting and catch data, and fins attached policies, which will lead to better management of the species.

In addition, in 2003 HSI nominated the school shark (*Galeorhinus galeus*) under the EPBC, resulting in the listing of the species as Conservation Dependent. Despite allowing the continuation of commercial fishing, the conservation dependent listing required the implementation of a stock rebuilding strategy. This plan aims to rebuild school shark stocks to their limit reference point of 20 per cent of unfished biomass within a biologically reasonable timeframe of three generation times (66 years) using data collection, area closures, as well as gear and size restrictions.

2. Information Exchange

2.4 Regularly exchange scientific and technical information and expertise among non-governmental organisations and civil society in order to develop and implement best practice approaches to the conservation of sharks and their habitats.

Rebecca Regnery from HSI HQ Co-Chairs the Species Survival Network Working Group on Sharks in which Lawrence Chlebeck from HSI Australia participates. This body coordinates policy and advocacy work on sharks at CITES.

HSI Australia maintains working relationships with the World Wildlife Fund (WWF) and the Australian Marine Conservation Society (AMCS) for the purpose of cooperation and coordination in shark conservation campaigns.

HSI HQ and HSI Australia communicate regularly on shark conservation in the media and directly with civil society through social media and email communications.

Objective B: Ensuring that directed and non-directed fisheries for sharks are sustainable – In pursuing activities described under this objective Signatories should endeavour to cooperate through RFMOs, the FAO, RSCAPs and biodiversity-related MEAs as appropriate.

3. Fisheries related research and data collection

3.1 Promote stock assessments and related research.

HSI promotes stock assessments and related research through the nomination of threatened elasmobranchs under the EPBC. A successful listing of a species under the EPBC requires stock status updates, as well as the drafting and implementation of stock rebuilding strategies. HSI also urges member countries of RFMOs to support stock assessments for targeted shark species, for example silky sharks at IATTC.

3.2 Develop programmes to establish baseline data and facilitate reporting at a species specific level on:

- shark catch rates
- fishing gear used in shark fisheries
- the amount of incidental and directed taking
- the amount of waste and discards
- size and sex of individuals caught; and
- fisheries methods that are sustainable and responsible and protect habitat.

As a stakeholder, HSI Australia is fully engaged in fisheries accreditation processes in Australia. All Commonwealth and export fisheries must be assessed against guidelines for ecological sustainability before receiving approval for export and conditions are placed on approvals to ensure the guidelines are being met. HSI submits to the consultation processes around these decisions. We have submitted that the Queensland managed East Coast Inshore Fin Fish Fishery (ECIFFF), operating in the Great Barrier Reef World Heritage Area, should not be accredited on account of its poor management of sharks. The fishery does not require a fins-attached policy for all of the shark quota, has a high level of unmonitored discarding, particularly of hammerhead sharks, which does not count towards quotas and uses unsustainable damaging gear such as industrial scale gill nets. The Environment Minister's decision on this accreditation is due Sept 2018.

4. Ecologically sustainable management of shark populations, including monitoring, control and surveillance

4.1 Develop and adopt best practice guidance for the conservation and management of shark populations based on the best available scientific knowledge and following a precautionary and ecosystem approach.

4.2 Develop programmes to monitor directed shark fisheries and shark bycatch, including programmes such as vessel monitoring systems, inspections and on-board observer or monitoring programmes.

4.4 Ensure that mortality rates arising from fishing activities do not exceed levels resulting in significant decline of populations following the precautionary approach in pro-actively setting conservation and management measures at all times.

4.5 Encourage relevant bodies to set targets for fish quotas, fishing effort and other restrictions to help achieve sustainable use in line with the best available scientific advice and using the precautionary approach to ensure that all shark catch is within sustainable limits.

HSI Australia is advocating strongly for both 4.1, 4.2, 4.4 and 4.5 to be implemented in the Queensland managed East Coast Inshore Fin Fishing Fishery referred to above. We are also requesting an update to the Non Detriment Finding for hammerhead sharks issued by the Australian CITES Scientific Authority.

HSI has advocated for stronger management measures for sharks and rays through RFMOs including IATTC and ICCAT and has encouraged measures to ensure sustainability of shark fisheries through the capacity building workshops for CITES shark and ray listings.

5. Bycatch

5.2 Liaise and coordinate with fishing industries, fisheries management organisations, academic institutions and environmental non-governmental organisations (NGOs) to develop and implement incidental capture mitigation mechanisms in national waters and on the high seas, prioritising work to avoid the capture of protected sharks in accordance with paragraph 13i of the MoU.

As a key stakeholder HSI has worked closely with the Australian government on the revision of Australia's Bycatch Policy for its Commonwealth managed fisheries. Through nominations of threatened species under the EPBC, HSI monitors the catch of sharks in Australian fisheries and raises concerns with relevant fisheries managers and policy makers.

6. Cooperation through RFMOs, RSCAPs and FAO

6.1 Encourage implementation of conservation and management measures adopted by RFMOs, RSCAPs, biodiversity-related MEAs and FAO.

HSI Australia attends meetings of the Commission for the Conservation of Southern Bluefin Tuna, the Inter-American Tropical Tuna Commission (IATTC) and the International Commission for the Conservation of Atlantic Tunas as an observer and advocates for stand-alone measures to address 'ecological related species' including sharks. HSI Australia routinely submits comment concerning the accreditation of fisheries as Wildlife Trade Operations (WTOs). These submissions implore the use of independent data collection and transparency in recording to best manage shark fisheries and fisheries in which elasmobranchs are caught as bycatch.

6.2 Develop and implement National Plans of Action for Sharks – NPOA-Sharks – to manage sharks within a State's jurisdictional waters and for the regulation of the activities of States' fleets fishing on the High Seas in accordance with FAO's voluntary International Plan of Action for Sharks – IPOA-Sharks – also taking into account UN General Assembly Resolutions 59/25⁹ and 61/105¹⁰.

As a key stakeholder HSI Australia has worked closely on the development of Australia's National Plan of Action for Sharks (1st and 2nd iterations) and attends an annual stakeholder consultation on its implementation.

HSI includes this in its CITES shark and ray listing implementation trainings as mentioned above.

7. Policy, Legislation and Law Enforcement

7.2 International Trade

7.2.1 Develop and implement strategies that seek to ensure that sharks and shark products entering international trade are harvested and traded in accordance with existing conservation and management measures and applicable regulations including those of CITES and RFMOs.

HSI includes this in its CITES shark and ray listing implementation trainings as mentioned above.

7.2.2 Develop and implement additional measures to ensure legal and sustainable international trade in sharks and shark products

HSI Australia has recommended an update to the Non Detriment Finding for hammerhead sharks issued by the Australian CITES Scientific Authority. HSI Australia routinely submits comment concerning the accreditation of fisheries as Wildlife Trade Operations (WTOs). These submissions implore the use of independent data collection and transparency in recording to best manage shark fisheries and fisheries in which elasmobranchs are caught as bycatch.

HSI also includes this in its CITES shark and ray listing implementation trainings as mentioned above.

7.3 Finning

7.3.1 Where not already in place, consider enacting legislation or regulations requiring sharks to be stored on board and landed with each fin naturally attached in line with applicable UN General Assembly Resolutions, including 62/177¹², and 66/68¹³ and with applicable decisions from IUCN, including motion 4.114¹⁴, and relevant RFMOs.

HSI Australia has been arguing for a mandatory fins attached policy for the capture of hammerheads in Queensland East Coast Inshore Fin Fish Fishery in order for the fishery to receive accreditation for exports.

HSI has been successful in urging other countries to adopt fins attached policies and continues to advocate for fins attached policies at RFMOs.

Objective C: Ensuring to the extent practicable the protection of critical habitats and migratory corridors and critical life stages of sharks

9. Conservation activities

9.4 Promote protection of the marine environment from land-based and maritime pollution that may adversely affect shark populations.

HSI Australia nominated Marine Debris as a Key Threatening Process which led to its listing on the *Environment Protection and Biodiversity Conservation Act* and the development of successive Threat Abatement Plans to mitigate this threat. HSI is a stakeholder in these processes.

10. Legislation

10.1 Contribute to developing legislation to protect species and their critical habitats and ensure implementation of regulations and policies on a national, regional and global scale.

HSI Australia has nominated the following species for protection as threatened under the Australian Environment Protection and Biodiversity Conservation Act:

- Great White Shark, *Carcharodon carcharias* (1997) – EPBC listed as vulnerable and migratory
- Grey Nurse Shark, *Carcharias taurus* (2000) – EPBC listed as critically endangered (East Coast Population)
- School Shark, *Galeorhinus galeus* (2003) – EPBC listed as conservation dependent
- Scalloped Hammerhead, *Sphyrna lewini* (2010) – EPBC listed as conservation dependent
- Shortfin Mako Shark, *Isurus oxyrinus* (2009) – EPBC not listed as threatened but is listed as migratory
- Longfin Mako Shark, *Isurus paucus* (2009) – EPBC not listed as threatened but is listed as migratory
- Great Hammerhead Shark, *Sphyrna mokarran* (2009) – unlisted
- Dusky Shark, *Carcharhinus obscurus* (2009) – unlisted
- Bull Shark, *Carcharhinus leucas* (2010) – unlisted
- Sandbar Shark, *Carcharhinus plumbeus* (2010) – unlisted
- Spotted Wobbegong, *Orectolobus maculatus* (2016) – unlisted

HSI Australia has employed a shark scientist to research and prepare nominations for all of Australia's eligible threatened shark species over the next 3 years.

HSI Australia advocates for a National Recovery Plan for Sharks.

HSI Australia has nominated grey nurse shark critical habitat aggregations sites on the east coast of Australia for listing under the *Environment Protection and Biodiversity Conservation Act* and for maintenance or new sanctuaries to protect these sites from key threats such as line fishing.

HSI also includes this in its CITES shark and ray listing implementation trainings as mentioned above.

Objective D: Increasing public awareness of threats to sharks and their habitats, and enhance public participation in conservation activities.

12. Awareness raising

12.1 Increase knowledge of the ecosystem services provided by sharks and knowledge about sharks in their marine environment

HSI Australia campaigns for shark conservation in Australia on a number of fronts including an end to shark culling, protection of threatened species from targeted fishing, better management of fisheries in which sharks are targeted and a reduction in the bycatch of sharks throughout all Australian fisheries. The core of our arguments pushing for these measures is the importance of sharks in maintaining the delicate balance of marine ecosystems. We disseminate this message through traditional media, social media and direct communications with supporters.

12.2 Raise public awareness of threats to sharks and their habitats

Our campaigns target major threats to sharks and shark critical habitat. Education and raising public awareness is the foundation of our campaigns because our power to elicit legislative change and its compliance and enforcement comes from public support.

13. Stakeholder participation

13.1 Encourage the participation of the following stakeholders in the implementation of this Conservation Plan: government institutions, non-government organisations, indigenous and local communities, commercial and recreational fishing communities, the private sector, scientists, academia, and the general public.

As previously stated, HSI Australia shark conservation campaigns are built on public support. We cooperate and coordinate campaigns with other non-governmental organisations. We work closely with scientists and academics to build arguments, which we then use to lobby for legislative change with the commercial and recreational fishing communities and government institutions.

Objective E: Enhancing national, regional, and international cooperation

15. Cooperation with existing instruments and organisations related to shark conservation

15.1 Cooperate, as appropriate, with: the fisheries industry, FAO, RFMOs, RSCAPS, UN entities such as UNCLOS, UNEP and biodiversity-related MEAs (e.g. CBD, CITES and Ramsar), the World Trade Organisation, Interpol and the World Customs Organisation, and IGOs and NGOs engaged with shark conservation, and other international organisations that deal with fisheries.

HSI Australia operates shark conservation campaigns that target the management of shark fisheries and culling programs in Australia. We liaise closely with the Australian Fisheries Management Authority and Department of the Environment and Energy in order to enact positive changes at the federal level. At the state-level, we work with each state's Departments of Primary Industries, Agriculture and Fisheries and Environment.