

STANDING COMMITTEE REPORT NO. 18-125

RE: C.R. NO. 18-68/R&D

SUBJECT: MARINE SANCTUARY FOR SHARKS, RAYS,
DOLPHINS AND WHALES

JANUARY 31, 2014

The Honorable Dohsis Halbert
Speaker, Eighteenth Congress
Federated States of Micronesia
Third Regular Session, 2014

Dear Mr. Speaker:

Your Committee on Resources and Development, to which was referred
C.R. No. 18-68, entitled:

"A RESOLUTION TO DECLARE THE ENTIRETY OF THE FEDERATED STATES OF
MICRONESIA'S 200 MILE EXCLUSIVE ECONOMIC ZONE A MARINE SANCTUARY
FOR SHARKS, RAYS, DOLPHINS AND WHALES AND RESPECTFULLY REQUEST
THE PRESIDENT OF THE FEDERATED STATES OF MICRONESIA TO TAKE THE
NECESSARY ACTION TO CREATE A MARINE SANCTUARY AND THE STATE
GOVERNMENTS TO DECLARE THEIR 12 MILE ZONE AS A SANCTUARY FOR
THESE SPECIES." ,

begs leave to report as follows:

The intent and purpose of the resolution are expressed in its title.

Your Committee held a public hearing on Congressional Resolution No.
18-68 on Wednesday, January 29, 2014 at 8:30 a.m. in the congress
hearing room. In attendance were Secretary Lorin Robert, Secretary
Kensley Ikosia, Assistant Attorney General Aaron Warren, Willy Kostika
and Douglas Kusto from Micronesia Conservation Trust, Jennifer Sawada
from the PEW foundation, and Ricky Carl from TNC.
Chairman Panuelo welcome the witnesses and briefly explained the
purpose of the hearing. He indicated that the same resolution was
introduced during the Seventeenth Congress of the Federated States of
Micronesia, but the then Committee on Resources and Development did

STANDING COMMITTEE REPORT NO. 18-125

RE: C.R. NO. 18-68/R&D

SUBJECT: MARINE SANCTUARY FOR SHARKS, RAYS,
DOLPHINS AND WHALES

JANUARY 31, 2014

not take action on it. Chairman Panuelo gave an opportunity for the witnesses to comment on the said resolution.

Secretary Lorin Robert stated that the discussion on creating a marine sanctuary for sharks, rays, dolphins and whales is an international and regional issue. As Pacific Islanders, we are duty bound to protect these species.

Mr. Willy Kostika commented that it has been observed that 30 percent of sharks in the world are declining. This observation is based on scientific information. He further indicated that on the campaign of shark, some of the members of the Association of Pacific Island Legislators (APIL) have passed shark legislations because of the alarming rate in the decline of shark. Mr. Kostika indicated that there were 11,000 signatures from students across the five jurisdictions in the FSM for the protection of sharks. Mr. Kostika stated that his office have no information on the declining of whales and dolphins.

Your Committee inquired what is the practice now that causes the most declining of sharks. Miss Jennifer from PEW Foundation explained that about 100 million sharks are kill every year because of shark fins. These sharks were caught by Long Line fishing vessels as by catch. She further commented that sharks caught as by catch could be prevented by letting them go, but there is no education and enforcement on the matter. Simply put, if sharks are separated from the tuna species and let go, the declining of sharks can be prevented.

Mr. Eugene Pangelinan, Deputy Executive Director of NORMA, indicated that in the area of the WCPFC, sharks are caught incidentally as by catch, especially by the Long Line fishing vessels. Some countries already ban landing of sharks in their ports. In the FSM, NORMA depended on fishing vessels to report their by catch, which is a monitoring measure NORMA use to measure shark mortality. Since NORMA is redrafting the Tuna Management Plan, NORMA is asking the Department of Justice to review whether there is any inconsistency with the shark legislations in each state to the proposed Tuna Management Plan.

STANDING COMMITTEE REPORT NO. 18-125

RE: C.R. NO. 18-68/R&D

SUBJECT: MARINE SANCTUARY FOR SHARKS, RAYS,
DOLPHINS AND WHALES

JANUARY 31, 2014

Your Committee inquired on some of the unintended consequences if this nation is not moving forward with the resolution. Eugene stated that when the states passed their sharks legislation, the Long Line vessels are very concerned, just on the implications of the legislations.

Your Committee understands that FSM has the biggest fisheries and should have been the first to enact legislation on sharks. But this is not the case. The Republic of Palau and the Republic of the Marshall Islands have already enacted shark legislations. Your Committee understands that at the Micronesian Chief Executive Summit, a resolution calling all members to enact shark legislation, which was signed by the principals of the MCES.

Your Committee understand that other species other than shark are being used for navigation, and that is why they are included in this resolution.

Mr. Kostika commented that the reason why MCT, TNC as well as other Conservation groups show full support on the resolution is because they want to protect these species from declining before it becomes extreme. This is the type of things conservation groups are coming forth and campaign in favour about this kind of issue.

Your Committee wishes to offer the following amendments to C.R. No. 18-68 as follows:

1. Page 2, line 4, delete "~~[Second Special Session, 2013]~~", and insert "Third Regular Session, 2014" in lieu thereof.

Recommendations of your committee

Your Committee on Resources and Development is in accord with the intent and purpose of C.R. No. 18-68 and recommends its adoption in the form attached hereto as C.R. No. 18-68, C.D.1.

STANDING COMMITTEE REPORT NO. 18-125

RE: C.R. NO. 18-68/R&D

SUBJECT: MARINE SANCTUARY FOR SHARKS, RAYS,
DOLPHINS AND WHALES

JANUARY 31, 2014

Respectfully submitted,

/s/ David W Panuelo
David W. Panuelo, chairman

/s/ Victor Gouland
Victor Gouland, vice chairman

/s/ Tiwiter Aritos
Tiwiter Aritos, member

/s/ Florencio S. Harper
Florencio S. Harper, member

Berney Martin, member

/s/ Joseph J. Urusemal
Joseph J. Urusemal, member

Paliknoa K. Welly, member