



**Association
of
Pacific
Island
Legislatures**

American Samoa
Commonwealth of the Northern Mariana Islands
FSM, State of Chuuk
FSM, State of Kosrae
FSM, State of Pohnpei
FSM, State of Yap
Island of Guam
Republic of Kiribati
Republic of the Marshall Islands
Republic of Nauru
Republic of Palau
State of Hawaii

A PROPOSAL FOR A RESOLUTION

APIL Resolution No. 32-GA-08

“Calling on Pacific Island nations to support the creation of a Pacific Islands Regional Shark Sanctuary and opposing the United States’ National Oceanic and Atmospheric Administration proposal to undermine the progress in shark conservation made by Pacific Island jurisdictions.”

1 **WHEREAS**, Pacific people afford special respect to sharks, using them in our stories,
2 myths, songs, and art; and

3 **WHEREAS**, healthy shark populations maintain the balance in the ecosystems that
4 support many other species, build resiliency against climate change by keeping habitats like coral
5 reefs healthy, and ultimately affect the fish populations that we depend on for food; and

6 **WHEREAS**, the latest and best science estimates that 100 million sharks are killed each
7 year; and

8 **WHEREAS**, shark populations cannot sustain current rates of overfishing and unlike
9 other fish species are slow growing and produce few young, and thus more than 140 unique
10 species are threatened by overfishing; and

11 **WHEREAS**, each entity within this Association and the Pacific shares the same ocean
12 water resources and ecosystems that are affected by the overfishing of sharks; and

13 **WHEREAS**, member legislative assemblies of the APIL should consider the use of
14 sharks for perpetuating cultural practices to be allowable; and

15 **WHEREAS**, the people of the Pacific have led the world in taking decisive action to
16 create shark protections and enforcing them; and

17 **WHEREAS**, the Association of Pacific Island Legislatures, during their 30th General
18 Assembly in the Republic of Palau adopted Resolution No. 30-GA-03 on June 17, 2011,
19 requesting all legislative assemblies of the APIL to adopt legislation prohibiting the possession,
20 selling, offering for sale, trading or distribution of shark fins, rays and ray parts which

1 underscores APIL’s recognition of the importance of sharks and their relationship to the health of
2 the Pacific Ocean; and

3 **WHEREAS**, the presidents and governors at the 15th Micronesia Chief Executive
4 Summit agreed to create a Micronesia Regional Shark Sanctuary encompassing the waters of the
5 Republic of the Marshall Islands, Federated States of Micronesia, Republic of Palau,
6 Commonwealth of the Northern Mariana Islands, and Guam; and

7 **WHEREAS**, led by Palau in 2009, Marshall Islands, American Samoa, Kosrae, Pohnpei,
8 Yap, Tokelau, French Polynesia, Cook Islands, New Caledonia, Maldives, Honduras, and the
9 Bahamas have created shark sanctuaries by fully protecting all shark species; and

10 **WHEREAS**, led by Hawaii in 2010, Northern Mariana Islands, Guam, Washington,
11 Oregon, California, Illinois, Maryland and Delaware have banned the sale, trade, and possession
12 of shark fins; and

13 **WHEREAS**, a proposal by the United States’ National Oceanic and Atmospheric
14 Administration to overturn shark fin trade bans in the states and territories undermines the
15 progress in shark conservation Pacific Island jurisdictions have made over the past few years and
16 goes against the overwhelming public support for strong shark protections ; and

17 **WHEREAS**, the statutes enacted within the U.S. states and territories are an exercise of
18 traditional state police powers over the sale of products that establish by law the legitimate state
19 interests of ensuring a sustainable ocean and planet by addressing conservation of natural
20 resources and protection of public health; and

21 **WHEREAS**, the U.S. state and territory laws on shark protections do not directly conflict
22 with federal law that primarily regulates shark finning and the taking of sharks within U.S.
23 waters, rather these laws prohibit the sale, trade, or possession of shark fins state and territorial
24 jurisdictions, now therefore,

25 **BE IT RESOLVED** by the Association of Pacific Island Legislatures, 32nd General
26 Assembly, Hawaii, June 25-27, 2013, that APIL hereby declares that it is in agreement with the
27 perceptive enactments of protective legislation for sharks across the globe and requests that all
28 Pacific Island nations end the unsustainable commercial fishing of sharks by enacting a Pacific
29 Islands Regional Shark Sanctuary; and

30 **BE IT FURTHER RESOLVED** that governments implementing shark protections,
31 including, but not limited to, Palau, Marshall Islands, American Samoa, Kosrae, Pohnpei, Yap,


1 Tokelau, French Polynesia, Cook Islands, New Caledonia, Hawaii, Northern Mariana Islands,
2 and Guam, and concerned non-governmental organizations and island communities, collaborate
3 on best practices for policy development, enforcement, research, outreach, and education; and

4 **BE IT FURTHER RESOLVED** that APIL recognizes conservation values of U.S. state
5 and territories statutes that strengthen the U.S. leadership in global shark conservation; and

6 **BE IT FURTHER RESOLVED** that APIL hereby declares its opposition to the United
7 States' National Oceanic and Atmospheric Administration proposal to undermine the progress in
8 shark conservation made by Pacific Island jurisdictions; and

9 **BE IT FURTHER RESOLVED** that the APIL President shall certify, and the APIL
10 Secretary shall attest to the adoption of this Resolution and that copies of the same shall be
11 transmitted to the Pacific Islands Forum Secretariat, United States President Barack Obama,
12 Federated States of Micronesia President Manny Mori, United States' National Oceanic and
13 Atmospheric Administration, and the Chief Executives and Legislative Presiding Officers of
14 each member jurisdiction of the Association of the Pacific Island Legislatures.

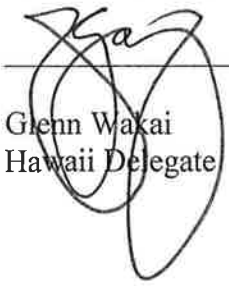
Introduced by:



Edgar Lickaneth
Pohnpei Delegate

6/27/13

Date



Glenn Wakai
Hawaii Delegate

6/27/13

Date