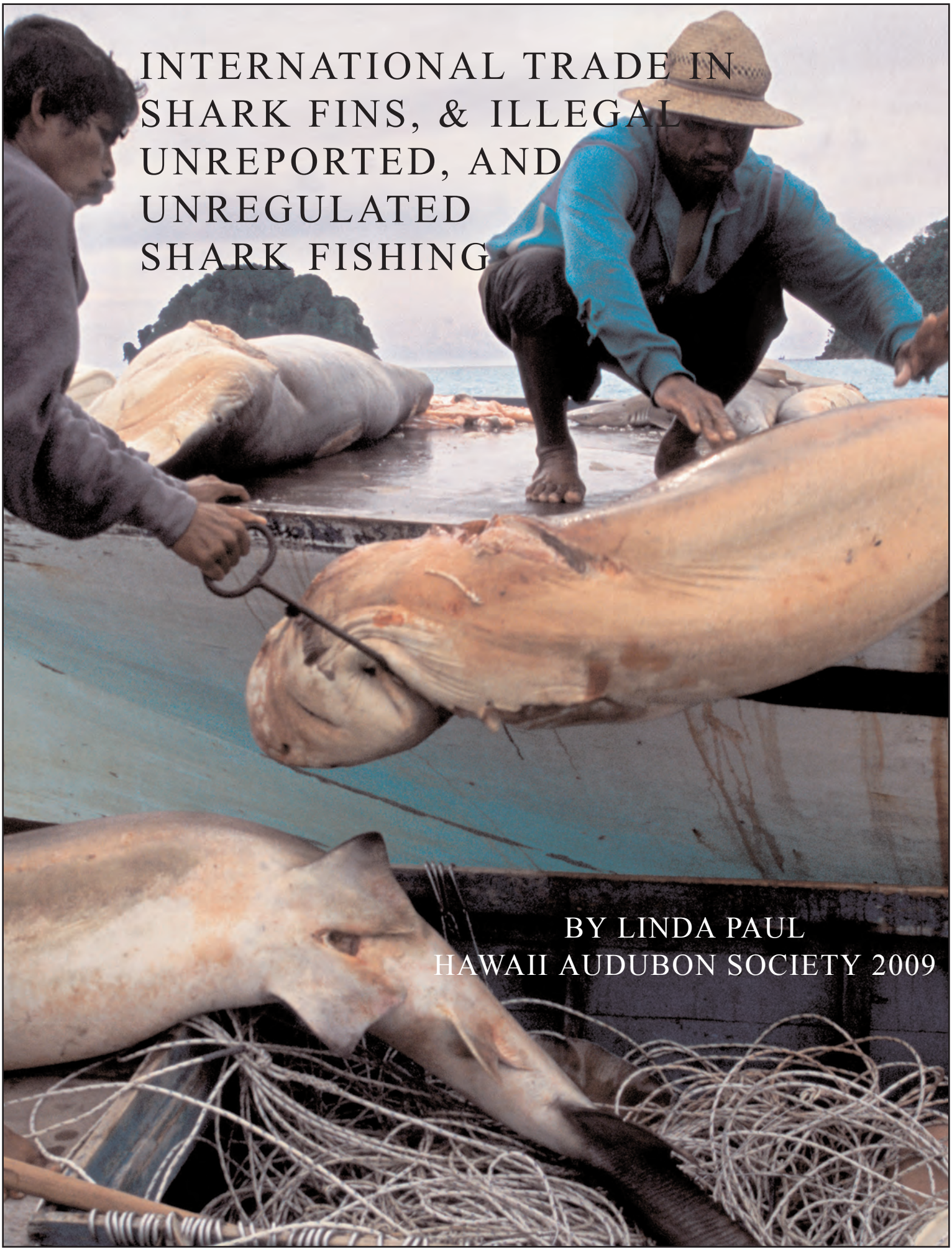

INTERNATIONAL TRADE IN SHARK FINS, & ILLEGAL UNREPORTED, AND UNREGULATED SHARK FISHING

BY LINDA PAUL
HAWAII AUDUBON SOCIETY 2009

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The Hawaii Audubon Society (HAS) was founded in 1939 to foster community values that would result in protection and restoration of native ecosystems and conservation of natural resources through education, science, and advocacy in Hawaii and the Pacific.

The Pacific Fisheries Coalition, a project of the HAS, is a unique collaboration between conservationists and fishermen. Both groups have been working together since 1998 to promote the conservation and responsible use of living marine resources in Hawaii and the Pacific.

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The Problem

The unsustainable international trade in sharks, fins, parts, and derivatives, and the illegal, unreported, and unregulated (IUU) fishing of sharks for the fin trade poses a global threat to wild populations of sharks and rays and to their associated ecosystems. The Convention on the International Trade in Endangered Species (CITES) action is urgently needed to counteract this threat. Individual States, the regional fishery management organizations (RFMOs), and the Food and Agriculture Organization of the United Nations (FAO) do not have the mandate or the capacity to deal with the international trade in shark fins.

On 2 March 2009, at the Rome meeting of the FAO Committee on Fisheries (COFI) a group of non-government organizations (NGO's)[1] brought attention to the dismal record of shark conservation efforts:

> "Ten years since adoption of the Shark International Plan of Action (IPOA), most fishing nations have not completed national plans of action or imposed basic fishing limits for these particularly slow growing animals. Regional Plans of Action have not been developed, shark fisheries data remain inadequate, and most finning bans are too lenient." [2]

During its March 2009 meeting, the American Association for the Advancement of Science (AAAS) announced that nine additional species of sharks are being added to the International Union for Conservation of Nature (IUCN) Red List of endangered sharks and rays.[3] This will result in a total of 18 shark species listed as endangered and ten listed as critically endangered on the IUCN Red List of Sharks & Rays. The list now includes the smooth hammerhead, *Sphyrna zygaena*, and the scalloped hammerhead, *Sphyrna lewini*, both of which are Requiem sharks. The pelagic Requiem sharks, as a group, are considered most at risk from the trade in fins and meat. Other Requiem shark species include the silky shark, *Carcharhinus falciformis,* dusky shark, *Carcharhinus obscurus*, thresher shark, *Alopias sp.*, shortfin mako, *Isurus oxyrinchus*, silky shark, *Carcharhinus falciformis*, oceanic whitetip, *Carcharhinus longimanus*,

Requiem sharks are all members of the family Carcharhinidae: this includes migratory, live-bearing sharks living in warm seas.

porbeagle shark

blue shark, *Prionace glauca*, sandbar shark, *Carcharhinus plumbeus*, bull shark, *Carcharhinus leucas*, and tiger shark, *Galeocerdo cuvier*. The Requiem sharks are caught in very large numbers as by-catch by longline fisheries. Some Requiem species are much more vulnerable to longliners than others. As a result of overfishing, there have been no recorded hammerhead sightings in the Mediterranean since 1995. [4] Moreover, the rays on the 2008 Red List include 20 batoids listed as endangered and 12 listed as critically endangered.

Responsible Assessment Criteria

Because an IUCN assessment is based on "decline" criteria, which factors in total numbers but not the status of populations, Grahame Webb of Charles Darwin University has suggested adding a "critically declined" category , which would act as an alert. [5] In addition, because total numbers are not necessarily indicative of whether a population is in trouble, other data may be more indicative of the status and threats to a species . More indicative data might include: (1) numbers of reproductively active individuals in an ecosystem; (2) stock trends or local population numbers; (3) percentage loss of original habitat of the species; (4) current condition of the habitat; (5) evidence of threats to and declining quality of the habitat; and, perhaps most importantly , (6) status of the spawning habitat.

Where there exists a deficiency of data, a stock assessment is needed. If a stock assessment is not possible, then a risk assessment should be done. Risk assessments should be followed by an application of precautionary measures, such as an Appendix II listing. In the engineering world, a precautionary safety factor "rule of three" is applied, i.e. buildings are constructed three times stronger than they need to be. Applied to the taking of sharks, this would mean that harvest should be limited to one third of a gross estimation of Maximum Sustainable Yield (MSY).

In June 2008, the Lenfest Ocean Program released an experts' report on the status of pelagic sharks in the Atlantic and recommended a ban on the catch of

shark fin soup

bigeye thresher, longfin mako, oceanic whitetip, porbeagle, common thresher, silky, smooth hammerhead, and crocodile sharks and urged a strict limit on the catch of blue and shortfin mako sharks.[6] The experts' report used an integrated risk assessment approach to estimate the risk of overexploitation by pelagic longline fisheries for twelve pelagic shark and ray species. The twelve are commonly found in the shark fin trade.

Illegal Fishing for Sharks and Fins

It is estimated that 73 to 100 million sharks are killed each year for their fins only and the number is growing annually by 6%. The bodies of these sharks, without their fins, are thrown back into the sea where the sharks bleed to death. Finning also hinders the collection of species-specific data, making it very difficult to estimate population sizes, monitor catches, landings, and trade in sharks and shark derivatives. According to a study released in April 2008 by the Australian Government and TRAFFIC, Hong Kong fin imports indicate that hammerhead, shortfin mako, blue, sandbar, bull, silky and thresher sharks are the most sought after in the huge black market for fins. Additionally, Australia has confiscated fins of many other species of sharks and rays from IUU fishermen in Australian waters.[7]

In its statement at the FAO COFI meeting, the IUCN Shark Specialist Group (SSG) stated that,

> "shark finning (the removal and retention of shark fins and the discard at sea of the rest of the carcass) threatens many shark stocks, the stability of marine ecosystems, sustainable traditional fisheries, food security and socio-economically important recreational fisheries." ...
>
> "Trade and landings indicate that finning activity is widespread, largely unmanaged and unmonitored."

On 2 March 2009, the U.S. House of Representatives passed H.R. 81, a bill that would require commercial fishermen to off-load sharks with the fins naturally

attached. Enforcement agencies have found the 5% fin weight/body weight ratio difficult to enforce. Comparisons of national shark landings data and fin trade data indicate that many more sharks are being finned than are reported being caught world-wide. The fins-attached requirement would also apply to transport vessels. The U.S. Senate must approve the bill before it can go before the U.S. President to be signed into law. H.R. 81 follows regulatory action taken in the Atlantic in 2008 by the U.S. National Marine Fisheries Service, which now requires that all sharks to be of f-loaded with all of their fins naturally attached. Several other major fishing nations have also banned the retention of shark fins without the corresponding bodies.

Sharkfins drying on longline fishing vessel

African Waters

On 14 March 2009, a Taiwanese-flagged fishing trawler, *Chien Jiu 102*, was seized at Cape Town harbor, South Africa with 1.6 tons of dried shark fins on board. The captain had declared only a 100 kg of fins. However, only four tons of shark trunks, not 30.4 tons, were found on board. The fins were confiscated and the captain and 26 crew members face criminal char ges. The fishing vessel was operating in the South Africa Exclusive Economic Zone (EEZ) in violation of the terms of its permit. The vessel had also contravened Indian Ocean Tuna Commission (IOTC) and the International Commission for the Conservation of Atlantic Tuna (ICCAT) international fishing conservation measures, which prescribes that shark fins on board fishing vessels must not exceed 5% of the weight of shark trunks on board the same vessel, up to the point of of f-loading.

In July 2008 the Namibian-flagged fishing vessel, *Antillas Reefer,* owned by Omunkete Fishing, was seized for illegally fishing in Mozambican waters. Inspectors found 43 tonnes of sharks, four tonnes of shark fin, 1.8 tonnes of shark tail, 11.3 tonnes of shark liver and 20 tonnes of shark oil. The total value of the catch was put at around US$4.2 million. The vessel was using longline gear and targeting pelagic sharks. The Mozambican Fisheries Ministry fined the ship's owner US$3.8 million and confiscated the ship and everything on board.[8]

shark tourism

Indian Ocean

Also in March 2009, the Maldives announced that, to protect their tourist industry, they had expanded their moratorium on reef-shark fishing to encompass all Maldivian waters out to 12 nautical miles. About 30% of their tourists visit the Maldives for its underwater marine life, and the chief attractions are sharks and manta rays. Their Ministry of Fisheries and Agriculture set a one-year target to ban the export of both oceanic and reef shark products. The complete ban will solve the enforcement problem of identification of the species of the fins being traded.

On 25 February 2009 the Bangladesh Daily Star reported that approximately 250 trawlers were poaching sharks in coastal areas and in the Bay of Bengal. Shark fishing is banned under the Bangladesh Forest Act. Many of the netted sharks are apparently being smuggled to Myanmar and Bangkok by sea. Traders are allegedly encouraging the illegal trade.

Australian Waters

thrown from boat

On 7 January 2009, Australian authorities seized an Indonesian vessel fishing in the Australian Fishing Zone off the Western Australian coast. The vessel reportedly had 30 kg of shark fins, two tonnes of tuna, and 20 kg of shark fillet on board. In December 2008, four tonnes of shark fins, de-finned carcasses, and boxes of bait fish were seized by Australian authorities from a Papua New Guinea-registered vessel that had been fishing illegally off Ashmore Reef in the Torres Strait. Its crew included a Taiwanese master, and fishermen from Indonesia and Taiwan. In March of 2008, near Eighty Mile Beach, south of Broome in Northwestern Australia, numerous sharks were discovered with their fins removed. In July 2006, a foreign fishing boat was caught poaching for sharks near the Queensland coast with 200 kg of dried shark fins on board. In April 2006 , 16 Indonesian shark poachers were caught in the Gulf of Carpenteria near Cape Keerweer , south of Aurukun.[9] 2006 to 2007, Australian authorities intercepted approximately 350 illegal vessels, mostly Indonesian, with a total of 1.6 tonnes of shark fins on board. [10]

Pacific Waters

In January 2008, Federated States of Micronesia (FSM) National Police apprehended the Chinese-flagged fishing vessel, *Fu Yuan Yu 096,* fishing 100 nautical miles within the FSM's EEZ. [11] Based on the number of fins found, there should have been 9,000 bodies. The longliner had 1,776 finned shark bodies, including some that were very recently caught. The vessel was an IUU vessel not licensed to fish in the FSM and , although it had a current Solomon Islands license to catch sharks in their EEZ, the Solomon Islands is a member of Forum Fisheries Agency and most of its members have made shark fishing illegal. Both the Solomons and China are members of the Central & Western Pacific Fisheries Commission, which adopted a 5% fin to carcass ratio resolution in December 2006. On 15 August 2007, the Taiwanese-flagged tuna boat, *Sheng Yi Hsing No. 16*, was arrested in Palau by the Rai Balang II fisheries enforcement operation. Shark fishing is illegal in Palau. On board were 94 shark bodies, 10 shark heads, and 650 fins. The vessels's captain was ordered to pay US$185,000 in fines and fees.

Shark caught by longliner

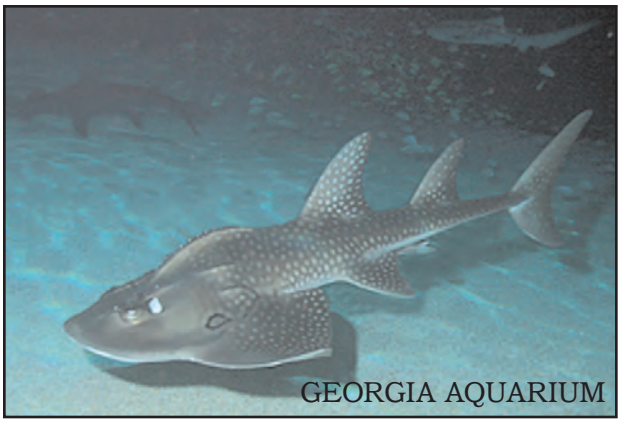
South American Waters

In June 2007, a sting operation run by the Ecuadorian Environmental Police and the Sea Shepherd Conservation Society seized 19,018 shark fins. The fins, which were believed to have originated in the Galapagos Islands, were being smuggled over the border on buses from Ecuador to Peru. Ecuadorian law prohibits the export of shark fins even if they are considered by-catch.

dried sharkfins in bags

Arabian Gulf Waters

In the United Arab Emirates (UAE), where shark finning is illegal, traders are increasingly exploiting shark populations in the Arabian Gulf because of inadequate enforcement, according to the Emirates Diving Association.[12] Vulnerable populations of spot-tail, blacktip, and the bowmouth guitarfish are at risk.



bowmouth guitarfish

World Heritage Site Waters

Illegal shark finning even takes place in World Heritage Sites such as the Isla del Coco National Park in Costa Rica and the Galapagos Marine Reserve in Ecuador, where up to 10,000 fins were seized in a single shipment and endangered sea lions and dolphins were apparently used as bait.[13]

Sustainability and Ecosystem Health

The Scientific Steering Group (SSG) noted that, "All unregulated shark fisheries for which catch or landings data exist have been unsustainable." [14] Examples of shark fisheries that have crashed after a brief period of high landings include spiny dogfish, porbeagle and basking sharks in Europe, soupfin and common thresher sharks off California, and several species of skate. Moreover, small, traditional, artisanal shark fisheries, such as those in coastal communities in SouthWest Madagascar, which may have been sustainable for decades, are now disappearing because of the global demand for shark fins and the poaching of sharks in their coastal waters.

sharkfinnng in progress

In general, shark fisheries are short-lived and unsustainable because sharks are apex predators characterized by late maturity, slow growth, and low fecundity. Apex predators, such as large sharks, also play an important role in maintaining healthy marine ecosystems. In 2007, the journal *Science* reported that a 97 to 99% decline in several large shark species along the east coast of the

United States has caused a population explosion in smaller rays, skates and sharks. These smaller predators are now wiping out commercially valuable shellfish populations.[15]

The Solution

Although the number of nations adopting National Plans of Action (NPOA) for sharks is increasing slowly and the European Union (EU) and Pacific Islands Forum Fisheries Agency (FFA) have, or shortly will have, Regional Plans of Action for Sharks; most shark stocks remain unmanaged. Very little catch data is recorded at the species level, in part, because finning makes species identification incredibly difficult, and IUU fishing makes accurate stock assessment impossible. Numerous shark stocks around the globe are overfished. There is an extraordinary amount of IUU fishing and trade in sharks, fins and parts.

As a result, entire populations of sharks and rays are disappearing. Although it is important that CITES support the management efforts of States, Regional Fisheries Management Organizations (RFMOS), and FAO, it is clearly time for CITES to take a much larger role in the protection of shark and ray species by taking the lead in regulating the trade. If not, future conferences of the parties to CITES will be asked to list species after species of sharks and rays on not just Appendix II, but also on Appendix I. The parties to CITES must adopt a resolution calling on all parties to: (1) ban shark finning and directed shark fisheries; (2) require that sharks be landed and transhipped whole with their fins naturally attached and identified to the species level; and (3) prohibit the international trade in live sharks, shark meat, fins, parts and derivatives, including fully processed, table-ready fins.

porbeagle finned

Pre-reproductive scalloped hammerhead sharks landed and finned.

End Notes

[1] The Pew Environment Group, the Humane Society International, the World Society for the Protection of Animals, Greenpeace International and the Shark Alliance.

[2] FAO Committee on Fisheries. March 2009 Meeting, NGO statement.

[3] Florida Today. 15 March 2009.

[4] Moore. Telegraph. 12 June 2008.

[5] Nowak. ABCNews. 12 March 2009.

[6] Simpfendorfer, et al. Atlantic Sharks at Risk. Lenfest Ocean Program. 2008.

[7] Lack and Sant. Illegal, unreported and unregulated shark catch: A review of current knowledge and action. Traffic. 2008. Table 2.

[8] Hartman. The Namibian. July 2008.

[9] Sexton. The Cairns Post. 10 December 2008.

[10] Doyle. Reuters. 3 November 2008.

[11] Jaynes. East-West Center Report. 2008.

[12] Shafez@thenational.ae

[13] Knights. CNN. 10 December 2008.

[14] Id at 2.

[15] Arcand & Paul, Global Shark Fin Trade, Destroying Biodiversity and Ecosystems. Hawaii Audubon Society. 2007.

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