



Comments on the
New Zealand Draft National Plan of Action for Sharks
for consideration by the
Fisheries Management Division of the Ministry for Primary Industries
December 8, 2013

Shark Advocates International, Project AWARE, and Shark Trust appreciate the opportunity to comment on New Zealand's Draft Revision of the 2008 National Plan of Action for Sharks (NPOA-Sharks), pursuant to the United Nations Food and Agriculture Organization International Plan of Action for the Conservation and Management of "Sharks" (defined to include closely related skates, rays, and chimaeras). Our organizations maintain a special focus on shark and ray conservation due in large part to the low reproductive capacity that leaves most of these species exceptionally vulnerable to overexploitation.

We congratulate the government for extraordinary application of concrete catch limits for cartilaginous fishes which cover the vast majority of commercially valuable shark, skate, ray, and chimaera species taken in New Zealand fisheries; we encourage adding carpet and seal sharks to the quota management system, as proposed. We also applaud the existing fuller protections for nine additional, particularly vulnerable shark and ray species.

We appreciate New Zealand's interest in meeting international obligations to maintain the biodiversity and the long-term viability of all New Zealand "shark" populations, and to use the NPOA-Sharks 2013 to help ensure that use of these species is sustainable.

In general, we strongly support the New Zealand government's intention to:

- safeguard biodiversity and long term population viability through:
 - risk assessment-guided controls on fishing,
 - absolute protection of particularly vulnerable species, and
 - preservation of critical habitats;
- promote the careful release and survival of live sharks;
- encourage full use of dead sharks;
- eliminate shark finning in New Zealand fisheries;
- improve communication with and among stakeholders;
- advance understanding and mitigation of non-fishing threats to sharks;
- promote international shark conservation through the:
 - relevant Regional Fishery Management Organizations (RFMOs),
 - Convention on International Trade in Endangered Species (CITES)
 - Convention on Migratory Species (CMS), including consideration of becoming a signatory to the CMS Memorandum of Understanding for Sharks;
- enhance data collection and monitoring programs that facilitate shark research;
- develop species-specific recovery plans.

Our specific comments relate to elements under proposed Goal 2 that aim to eliminate **shark finning**.

*Shark Advocates International, a project of The Ocean Foundation, aims to safeguard sharks through sound conservation policy.
The Shark Trust is a UK charity working to advance the worldwide conservation of sharks through science, education, influence and action.
Project AWARE Foundation is a growing movement of scuba divers protecting the ocean planet – one dive at a time.*

Shark finning ban, associated enforcement methods, and timeline

We are pleased that the New Zealand government has at last announced its intention to expand the current ban on finning (slicing off a shark's fins and discarding the body at sea) to cover all sharks (not only live ones). As Shark Advocates International and Project AWARE expressed in an August 2012 letter to the New Zealand government, we believe that the current shark finning policy hampers effective enforcement, sets a poor example for other countries, and impedes progress toward stronger finning bans at RFMOs. One option under consideration now - a "shark trunk-to-fins ratio" - is a complicated and inadequate tool for preventing finning. Differences in fin cutting techniques as well as variability among shark species' fin sizes and values create troublesome opportunities for undetected finning.

To ensure that the goal of eliminating shark finning in New Zealand fisheries is achieved, we strongly **urge adoption of a complete prohibition on the removal of shark fins on board vessels, and elimination of any options for relying on fin-to-carcass ratios for finning ban enforcement.** Our organizations are strong proponents of requirements that sharks be landed with fins still naturally attached, as this method is widely recognized as best practice.

A 2010 expert report from the IUCN Shark Specialist Group and the European Elasmobranch Association¹ compared the fins-attached method for enforcing finning bans to the use of fin-to-carcass ratios, and found that under the former:

- Enforcement burden is greatly reduced;
- Information on species and quantities of sharks landed is vastly improved
- "High-grading" (mixing bodies and fins from different animals) is impossible;
- Value of the finished product can be increased.

The partial cut technique (that allows fins to be folded against the body) can address industry concerns about safety and efficient storage. The fins-attached method is being applied in many high volume fisheries as well as small-scale operations, and for frozen as well as fresh sharks.

Because of its many practical advantages, the fins-attached method has been mandated in the United States, the European Union, Taiwan, India, Sri Lanka, parts of Australia, most of Central America, much of South America, and elsewhere; and is gaining acceptance in international arenas, as reflected in:

- Multiple United Nations General Assembly Sustainable Fisheries Resolutions
- The 2008 IUCN *Global Policy against Shark Finning*, and
- The 2010 Fish Stocks Agreement Review Conference on the Law of the Sea.

Last, we are deeply concerned over the lengthy (two year) proposed implementation phase for finning reforms. Whereas implementation of trunk-to-fins ratios is often complex and therefore time-consuming, the fins-attached requirement is straight-forward and thus well-suited for immediate implementation.

In summary, we urge the New Zealand government to ban any removal of shark fins on vessels for all fisheries, and to ensure full implementation of this fins-naturally-attached policy by mid 2014.

We reiterate our appreciation for the government's consideration of our perspective.

¹ Fowler, S. and Séret, B. 2010. *Shark fins in Europe: Implications for reforming the EU finning ban.* European Elasmobranch Association and IUCN Shark Specialist Group.