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Oceana is an international organisation dedicated to the study and protection of the world's oceans. Since 2006, Oceana has been engaged in a major European programme to investigate shark fisheries with the objective of restoring and conserving shark populations through improved European Union (EU) fisheries policy. The data and photos Oceana gathered during its investigative activities reveal the scope of European Union fishing fleets operating worldwide and in the Western and Central Pacific (WCPO).

European fisheries have traditionally exploited many small seafloor-living coastal sharks and skates, and have recently increased their exploitation of deep-water sharks. The largest European shark fisheries, undertaken by pelagic Spanish and Portuguese fleets on the high seas of the Atlantic, Pacific and Indian Oceans, are very poorly documented. Though these fisheries historically targeted tunas and swordfish, longline catches of oceanic sharks are as high as, or higher, than the catch of targeted species, suggesting that EU surface longliners now target sharks.

Recently 96 EU fishing vessels have been authorized for access and fishing rights in the WCPO. Because of Europe's influence on global fisheries and the importance of sharks in ocean ecosystems, we would like to share information with the WCPFC members regarding the trade of shark fins in Papeete (French Polynesia) by Spanish vessels and the IUU fishing of two Spanish longline vessels.

Details about these cases can be found in a report, Oceana published today. The report, entitled Fishy Business, reveals how European Union fleets, in particular some from Spain, escape EU regulations by catching sharks in targeted but unmanaged fisheries all around the world. The report can be downloaded at http://www.oceana.org/europe/publications/reports/ .

Additionally, we would like to share further information regarding other European Union shark fisheries operating around the world. We hope this information will be of your interest and helpful in strengthening global shark conservation.

1. Forbidden trade of shark fins by two Spanish longliners in the harbour of Papeete and IUU fishing of European Union vessels

A fleet of at least 17 Spanish longliners are operating out of the harbour of Papeete. According to a French Polynesian decree[1] from April 2006, the trade, sale or purchase of any part of a shark in French Polynesia is prohibited, except that for shortfin mako sharks: "fishing for sharks and retention on board of all or part of the animal is forbidden, whatever the intended end use. However, the mako shark is exempt from this rule. Accidental catches of those species where catches and retention on board is not allowed must be immediately discarded."

In its report entitled *Fishy Business*, Oceana reveals activities carried out by a Spanish longliner in the harbour of Papeete that compromise this regulation. The pictures published in the report show the *Nuevo Josmaru*, a 43-metre long modern industrial fishing vessel that is part of the Spanish surface longliner fleet, in the harbour of Papeete. The pictures show the *Nuevo Josmaru* unloading frozen shark fins onto a small truck and that local workers later unload them from the truck into a container, most likely to be shipped to Asia. The *Nuevo Josmaru* is a rather new vessel, constructed in 2000 with European Community aid; its homeport is Vigo in Galicia, Spain.

Two other vessels using Papeete's harbour to land their catches, the *Nuevo Pleamar* and the *Mariane*, are not permitted to fish in the Western and Central Pacific Ocean. These two vessels are not included on the record of authorized fishing vessels for the WCPF convention area. However, harbour information reveals that the *Nuevo Pleamar* and the *Mariane* called into the harbour of Papeete as recently as November 2007. According to the FAO definition, these vessels are carrying out IUU fishing.

2. General description of the EU fishing vessels and their related fisheries on the WCPFC White List

The recently published WCPFC record of authorized vessels includes 96 EU fishing vessels (48 longliners, 33 purse seiners, 12 gillnetters, 2 trawlers and 1 troll vessel) and 5 transport vessels that have access and fishing rights in the WCPO.

The WCPFC grants fishing rights essentially for the catch of tuna and swordfish species. However, more than 50 of the authorized EU vessels are actually involved in shark fisheries and target pelagic or deep-water sharks.

Due to the scarcity of tunas and swordfish species, European Union longline vessels have been using those species' quotas to target sharks in the world's oceans, and as a result pelagic shark fisheries have boomed in recent decades. Shark fins are among the most expensive seafood products in the world and are exported to Asia for the preparation of shark fin soup. The European Union is the second largest elasmobranch fishing state in the world, with targeted shark fisheries operated by more than 200 modern surface longliners, and is also one of the largest shark fin traders in the world. European Union fleets reported 13% of global elasmobranch landings to the Food and Agriculture Organization of the United Nations (FAO) in 2005. Today, Spain is the centre of the shark fin trade in Europe and is one of the biggest exporters worldwide of shark fins to Asian markets.

Furthermore, the stocks of some European deep-sea shark species have massively declined due to the fishing activities of powerful fishing fleets, and scientists of the International Council for the Exploration of the Seas (ICES) have recommended a zero Total Allowable Catch (TAC) for these species.[2] Deep-sea shark fisheries, and particularly deep-sea gillnet fisheries, were not managed before 2006. These vulnerable species were caught in great amounts so that their liver oil could be used in the cosmetics industry, producing a serious threat to their conservation.

3. The necessity of efficient National Plans of Action for Sharks

During the WCPFC third regular session, conservation and management measures were implemented for sharks in the Western and Central Pacific Ocean. One of the decisions was that Commission Members, Cooperating non-Members, and participating Territories shall implement the

[1] Arrete n° 396 CM du 28 avril 2006 portant inscription des requins sur la liste des espèces protégées de la catégorie B et modifiant le code de l'environnement de la Polynésie française.

[2] ICES Advisory Committee on Fisheries Management ICES CM 2006/ACFM:31 Ref. LRCReport of the Working Group on Elasmobranch Fishes (WGEF)

FAO International Plan of Action for the Conservation and Management of Sharks. National Plans of Action or other relevant policies for sharks shall include measures to minimize waste and discards from shark catches and encourage the live release of incidental shark catches. This conservation and management measure is binding as of 1 January 2008.

Since 1999, scientific warnings of shark depletion have only intensified. The World Conservation Union (IUCN) now considers 20% of the world's cartilaginous fishes assessed to be *Threatened* with extinction. The situation is even worse in Europe, where a full third of these species are classified as Threatened and no Shark Plan of Action exists. Targeted species, such as the spiny dogfish (*Squalus acanthias)*, the porbeagle shark (*Lamna nasus*), and several deep-water sharks have been overfished to the point where they are now considered *Critically Endangered* in this region.

A recent scientific paper presented to the Scientific Committee (WCPFC-SC3_EB SWG/IP-19) stated that only three of the shark species reported to be caught in the WCPO are categorized by the IUCN as *Vulnerable*. However, Oceana highlights the fact that in February 2007, expert findings of the Shark Specialist group of the IUCN revealed that this number is much higher. Even the widest ranging sharks are threatened by overfishing and more species are being added to the 2008 IUCN Red List. (See table below).

IUCN Red list of Threatened Chondrichthyians, Shark Specialist Group, Feb. 2007[3]

Common Name	**Scientific Name**	**IUCN Red List classification**	**Sharks caught in LL + PS fisheries in WCPFC area, 2005 in tons[4]**
Pelagic thresher shark	*Alopias pelagicus*	Vulnerable	
Bigeye thresher shark	*Alopias superciliosus*	Vulnerable	1612
Common thresher shark	*Alopias vulpinus*	Vulnerable	
Silvertip	*Carcharhinus albimarginatus*	-	232
Grey reef shark	*Carcharhinus amblyrhyncoides*	Near Threatened	415
Copper shark	*Carcharhinus brachyurus*	Near Threatened	
Silky shark	*Carcharhinus falciformis*	Least Concern	6913
Galapagos shark	*Carcharhinus galapagensis*	Near Threatened	
Black tip shark	*Carcharhinus limbatus*	Low Risk/Near Threatened	97
Oceanic white tip shark	*Carcharhinus longimanus*	Vulnerable	3032
Black tip reef shark	*Carcharhinus melanopterus*	Low Risk/Near Threatened	292
Dusky shark	*Carcharhinus obscurus*	Low Risk/Near Threatened	
Sandbar shark	*Carcharhinus plumbeus*	Low Risk/Near Threatened	
Sand tiger shark / Grey nurse shark	*Carcharias taurus*	Vulnerable	
Great white shark	*Carcharodon carcharias*	Vulnerable	
Gulper shark	*Centrophorus granulosus*	Vulnerable	
Leafscale gulper shark	*Centrophorus squamosus*	Vulnerable	
Portuguese dogfish	*Centroscymnus coelolepis*	Near Threatened	
Basking shark	*Cetorhinus maximus*	Vulnerable	
Frilled shark	*Chlamydoselachus anguineus*	Near Threatened	
Pelagic stingray	*Dasyatis violacea*	Least Concern	3386
Tiger shark	*Galeocerdo cuvier*	Low Risk/Near Threatened	73
Tope shark/ School shark	*Galeorhinus galeus*	Vulnerable	500
Sharpnose sevengill shark	*Heptranchias perlo*	Near Threatened	
Bullhead	*Heterodontiformes*	Least concern/Data Deficient	24

[3] IUCN Press release, 22.02.2007 More oceanic sharks added to the IUCN Red List, http://www.iucn.org/en/news/archive/2007/02/22_pr_sharks.htm

[4] Calculations based on : Moloney, Brett: Commonly captured sharks and rays for consideration of the ecosystem and bycatch SWG at S.C3C; SC3-EB SWG/IP-19

Bluntnose sixgill shark	*Hexanchus griseus*	Low Risk/Near Threatened	
Shortfin mako.	*Isurus oxyrinchus*	Vulnerable	5.384
Longfin mako	*Isurus paucus*	Vulnerable	
Porbeagle	*Lamna nasus*	Vulnerable	3386
Giant manta	*Manta birostris*	Near Threatened	
Devil fish	*Mobula mobular*	Endangered	
Manta Rays	*Mobulidae*	Near Threatened/Endangered	79
Blue shark	*Prionace glauca*	Near Threatened	40.958
Crocodile sharks	*Pseudocarcharias kamoharai*	Low Risk/Near Threatened	378
Whale shark	*Rhincodon typus*	Vulnerable	790
Greenland shark	*Somniosus microcephalus*	Near Threatened	
Scalloped hammerhead	*Sphyrna lewini*	Endangered	300
Great hammerhead	*Sphyrna mokarran*	Deficient Data	
Small eye hammerhead	*Sphyrna tudes*	Vulnerable	
Smooth hammerhead shark	*Sphyrna zygaena*	Low Risk/Near Threatened	
Spiny dogfish	*Squalus acanthias*	Vulnerable	

Oceana recommends that the WCPFC prohibit access for all EU vessels targeting sharks until a Community Plan of Action for Sharks is implemented with the required measures to protect endangered species, manage commercialized species, reduce unwanted shark bycatch, eliminate shark discards and close any loopholes permitting the illegal practice of "finning" to occur.

4. Targeted shark fisheries of Spanish and Portuguese surface longliners

On the list of European Union vessels that have been granted access to the WCPFC area, 36 Spanish and 3 Portuguese surface longliners are included. The longline fishery is renowned to target sharks and swordfish in the Atlantic, Indian and Pacific Oceans.

The main species taken by the Spanish and Portuguese surface longline fleet in the Atlantic are blue shark (*Prionace glauca*), swordfish (*Xiphias gladius*), mako sharks (*Isurus* spp.), thresher sharks (*Alopias* spp.) and hammerhead sharks (*Sphyrna* spp.). Due to uncontrolled fisheries and bycatches, thresher and mako sharks are considered globally *Vulnerable* by IUCN Red List criteria, and the scalloped hammerhead shark is considered *Endangered*. Furthermore, annual mako shark catches were estimated at 5,301 metric tons in 2005 in the WCPO (WCPFC-SC3-ST SWG/IP-2). The blue shark, the world's most abundant and heavily fished pelagic shark, is considered *Near Threatened*. Scientists have noted declines of 50-70 per cent of this species in the North Atlantic.

As in the Atlantic and the Indian Oceans, the Spanish longline fleet operating in the Pacific since 1990 has targeted swordfish and sharks. In 2005, Spanish longliners operating in the WCPFC area reported a total catch of 1,226.4 metric tons of swordfish and 1,603.7 metric tons of sharks and, in the last four years, shark catches have been much more significant than swordfish catches.

* Please find more information regarding targeted shark fisheries of European Union surface longliners in Oceana's report "Hunted for fins" http://www.oceana.org/europe/publications/reports/hunted-for-fins/

5. The deep-sea gillnet fishery: targeted deep-sea shark catches

On the list of the 96 European Union fishing vessels that have been granted access to the WCPFC area, there are 11 UK and 4 Portuguese flagged vessels employing deep-sea gillnets, although most of the boats belong to Spanish companies and operated out of Galician ports. Among other species, these vessels targeted deep-sea sharks in a deep-sea gillnet fishery in the North East Atlantic Ocean (NEAT).

The unregulated use of gillnets in deep water is potentially damaging to deep-sea stocks due to excessive soak times and consequent high discard levels, and due to the long-term impact of lost or abandoned gear common in this type of fishery.

Before temporary management measures came into force in 2006, the vessels involved in the NEAT deep-sea gillnet fishery, deployed more than 6,000 kilometres of fixed gillnets ('rasco' or anglerfish nets) every day to catch hake, anglerfish, king crab and deep-sea sharks. The catches of deep-sea sharks by these fleets, particularly Portuguese dogfish (*Centroscymnus coelolepis)* and leafscale gulper sharks (*Centrophorus squamosus)*, have contributed to the depletion of these stocks which are currently on the verge of collapse. These vessels' catches were neither controlled nor fully reported.

The poor selectivity of these nets, together with the amount of time they are left in the water (the huge amount of nets makes it difficult for fishermen to bring them all in at one time, and the time that some of the nets consequently remain in the water can exceed several weeks), means that many of the specimens caught are rotten or in a damaged state when brought in. This has meant, for example, that up to 71% of the monkfish (*Lophius* spp.) catch had to be discarded.

Another problem of these deep-sea gillnet vessels is the frequent discard or loss of their fishing nets. An investigation by fisheries scientists, published in the "Deepnet-report"[5] of 2005 found: "The amount of fishing gear used in the fisheries, the lengths of the fleets, and the fact that the nets are unattended much of the time, make it very likely that a large quantity of nets are lost, while there is also evidence of illegal dumping of sheet netting. The vessels are not capable of carrying their nets back to port and only the headline and footropes are brought ashore while the net sheets are discarded, either bagged on board, burnt or dumped at sea. The total amount of loss and discarding of nets is not known, although anecdotal evidence suggests up to 30kms of gear are routinely discarded per vessel per trip."

Due to the wasteful and destructive fishing practices of these vessels, the EU temporarily closed the NEAT deep-water gillnet fishery in December 2005. The temporary closure, which took effect on 1 February 2006, encompassed waters deeper than 200 metres to the north and west of Great Britain and Ireland. In January 2007, the deep-sea gillnet fishery was partly reopened with temporary measures restricting depth limit, maximum length and maximum soak time. The deep-sea shark fishery, which generally operated below 1,000 metres depth, was effectively closed due to the established maximum depth limit of 600 metres.

* Please find more information regarding deep-sea gillnet fisheries of European Union vessels in the Oceana reports "The use of 'rasco' gillnets in the anglerfish, king crab and deep-sea sharks fisheries in the Northeast Atlantic (http://www.oceana.org/europe/publications/reports/use-of-rasco-gillnets-in-the-north-east-atlantic/) and in the Oceana report "Northeast Atlantic Deep-sea Gillnet Fishery Management" (http://www.oceana.org/europe/publications/reports/northeast-atlantic-deep-sea-gillnet-fishery-management/).

6. Shark bycatch on European Union purse seiners

A total of 33 European Union purse seiners (20 French and 13 Spanish vessels) are included on the list of authorized vessels of the WCPFC. Shark bycatch in purse seine fisheries is usually high and the main species observed taken in this fishery are the hammerhead shark (*Sphyrna* spp.), silky shark (*Carcharhinus falciformis)* and oceanic white tip shark (*Carcharhinus longimanus)*.

Several studies carried out on board French and Spanish purse seiners in the Atlantic Ocean have shown significant shark bycatch rates varying from 0.2% to 1.5% of total catches.[6] Moreover, a recent assessment of shark bycatch in the tuna purse seine fishery of the Eastern Tropical Pacific Ocean (WCPFC-SC3-EB SWG/IP-3) shows that during purse-seine sets associated with floating objects on tunas in the eastern Pacific Ocean, high amounts of shark bycatch occur. Silky sharks are particularly associated with purse seine sets in the eastern Pacific Ocean.

[5] Hareide, N., Garnes, G., Rihan D., Mulligan M., Tyndall P., Clarke M., Connolly P, Misund R., McMullen P. Furevik D., Humborstad O., Høydal K., Blasdale, T. A preliminary Investigation on Shelf Edge and Deepwater Fixed Net Fisheries to the West and North of Great Britain, Ireland, around Rockall and Hatton Bank.

[6] A. Delgado de Molina, R. Sarralde, P. Pallarés, J.C. Santana, R. Delgado de Molina y J. Ariz. Estimación de capturas de las especies accesorias y de los descartes en la pesquería de cerco de túnidos tropicales en el océano atlántico oriental, entre 2001 y 2004. and Hareide, N.R., J. Carlson, M. Clarke, S. Clarke, J. Ellis, S. Fordham, S. Fowler, M. Pinho, C. Raymakers, F. Serena, B. Seret, and S. Polti.* 2007. European Shark Fisheries: a preliminary investigation into fisheries, conversion factors, trade products, markets and management measures. European Elasmobranch Association.

In a scientific paper about commonly captured sharks and rays for consideration in the ecosystem and bycatch working group of WCPFC, presented in 2007, it is stated that shark bycatches represent 0.2% of purse seine catches in the WCPFC area; this actually represents more than 3,000 metric tons of sharks. In this paper, 16 different shark species were noted by observers as a bycatch in purse seine fisheries. Nearly all of those species are considered *Threatened* now according tothe IUCN red list criteria.

While shark bycatch rates in the European Union purse seine fishery may appear low, they represent a significant amount for those threatened species.

7. Landing sharks with fins attached: an efficient and proven measure to avoid "finning"

In October 2006, an expert workshop[7] focused on the European Union shark finning prohibition unanimously recommended the "fins attached" approach as the best means of preventing the illegal practice of finning (removing a sharks' fins and discarding the body at sea). Requiring fins to be landed still attached to shark carcasses is a successful and efficient policy to prevent finning, and one that is already practiced by industrial shark fishing fleets in Costa Rica. El Salvador's finning regulation requires that fins remain attached to the carcass by at least 25% of their base.

In fact, only a fins attached policy would prevent "highgrading"- the practice of mixing bodies and fins from different species on board- and improve information on species and catches. Until a fins attached policy is adopted, it is imperative that the current 5% fin-to-carcass ratio is not increased. Indeed, it should be immediately clarified that the current ratio serves as a maximum and applies to the dressed weight of sharks (beheaded and gutted), not the whole weight. The current ratio applied in the European Union is 5% of the whole weight, which according to the IUCN permits a proportion of sharks caught to be finned and discarded.[8]

In addition, the transhipment of shark fins should be forbidden, and shark bodies and fins should be landed together in the same port. Finally, a recent study reviewing the current fin to carcass ratio (WCPFC-SC3-EB SWG/WP-4) also concludes that in the absence of a clear and scientifically-robust fin to carcass weight ratio, an alternative approach to reducing wastage and shark finning is to prohibit the removal of fins from the carcass prior to landing.

* Please find more information regarding the necessity to land sharks' fins attached in the European Elasmobranch Association report. http://www.eulasmo.org/test2/documents/pdf/EEA_ratio_workshop_report.pdf

8. Oceana's recommendations for shark conservation in the Western and Central Pacific Ocean

The WCPFC should ensure that the following management measures are taken into immediate consideration in the WCPO and recommend that they are included in members' National and Community Plans of Action. The following measures should be established:

- Establish a zero catch for elasmobranch species considered *Critically Endangered* or *Endangered* by the IUCN Red list;
- Establish permanent technical measures for the deep-sea gillnet fisheries (maximum length, mesh size and fishing depth), require that nets be collected after 24 hours of deployment and prohibit vessels from leaving fishing gear unattended;
- Implement preventative control measures to reduce the loss of fishing gear in the deep-sea gillnet fishery, including strengthening gear marking requirements, enforcing gear marking regulations and zoning of fishing activities, compulsory reporting of lost gear and retrieval programs;

[7] Hareide, N.R., J. Carlson, M. Clarke, S. Clarke, J. Ellis, S. Fordham, S. Fowler, M. Pinho, C. Raymakers, F. Serena, B. Seret, and S. Polti.* 2007. European Shark Fisheries: a preliminary investigation into fisheries, conversion factors, trade products, markets and management measures. European Elasmobranch Association.
[8] IUCN, Shark specialist group: "Shark Specialist Group Finning Statement", http://www.flmnh.ufl.edu/fish/organizations/ssg/ssgfinstatementfinal2june.pdf

- Ensure that bycatch for all elasmobranch species is reduced to as close to zero as possible and that when this bycatch limit is exceeded, the fishery is closed. If this bycatch is intentionally significant and the sharks caught are commercialized, then the commercial shark stocks must be managed with fishing limits and quotas;
- Establish a ban on shark discards. However, endangered and critically endangered species and non-commercialized shark species that have a high survival rate, caught alive and with a chance to survive, must be released back to sea;
- Ensure that sharks are landed with their fins attached to avoid illegal practices of finning;
- Ensure that conservation and management measures for sharks in the Western and Central Pacific Ocean encompass vessels smaller than 24 metres. Until now, the shark conservation and management measures implemented in the WCPO have only applied to vessels smaller than 24 metres; however, a significant amount of sharks is also caught by smaller vessels. [9]
- Improve control measures at sea and in harbour, including enforced logbook completion and comprehensive observer programmes to gather fisheries data; and
- Request scientific research and assessments for all commercial shark species in order to provide adequate management and conservation advice.

We hope this information on the targeted shark fishing activities and by-catches in the WCPFC area will be of use and can contribute to the development of further management measures leading to sustainable shark fisheries in the Central and Western Pacific Ocean.

[9] Gilman, E., Clarke, S., Brothers, N., Alfaro-Shigueto-J., Mandelman, J., Mangel, J., Petersen, S., Piovano, S., Thomson, N., Dalzell, P., Donoso, M., Goren, M., Werner, T. 2007. Shark Depredation and Unwanted Bycatch in Pelagic Longline Fisheries: Industry Practices and Attitudes, and Shark Avoidance Strategies. Western Pacific Regional Fishery Management Council, Honolulu, USA.