

798) for a complete ban on removing shark fins on-board vessels (all sharks landed must have their fins naturally attached).



# Strengthening the EU ban on shark finning: the last push

### The Issue

Shark "finning" -- the practice of slicing off a shark's fins and discarding the body at sea -- is associated with unacceptable waste and unsustainable mortality of sharks. Finning is driven by the discrepancy between generally low value shark meat and high value shark fins, which can sell for hundreds of Euros per kilogram for use in a traditional Chinese soup. The EU, primarily due to Spain, is one of the world's largest suppliers of shark fins to East Asia. A growing number of countries around the world, particularly in the Americas, are heeding scientists' advice to ban all removal of shark fins at sea, as this is the most reliable method for enforcing a finning ban. Most EU Member States also take this approach, but the EU finning ban still allows for complicated exceptions which may lead to undetected, unpunished shark finning. Moreover, the EU shark finning ban is the only safeguard currently in place for make and blue sharks, which dominate EU shark fisheries and the global

# **Loopholes in the Current EU Finning Ban**

Finning was banned by the EU in 2003 with Regulation (EC) 1185/2003, but loopholes undermine its effectiveness and set a poor standard for other countries and international policies. Indeed, the EU finning ban is among the most lenient in the world. Specifically, while the Regulation generally prohibits shark fin removal on-board fishing vessels, Article 4 allows for derogations through "special fishing permits" granted by Member States. Fishermen onboard permitted vessels can remove shark fins whilst retaining the carcass. A fin to carcass weight ratio limit is used to judge whether fins and bodies landed are in the appropriate proportion. The EU fin to carcass ratio is set at 5% of the shark's whole weight. This ratio limit is impossible to accurately measure as the shark is no longer whole during such inspection, but instead dressed (i.e. after its fins are removed and stored separately, and its head and guts usually discarded at sea). In addition, this ratio is about twice as high as weight ratios used in Canada and several other countries (5% of a shark's dressed weight). Furthermore, fishermen with "special fishing permits" are allowed to land fins and carcasses at different times, in different ports. These special permits were meant to be exceptions, but they have become the rule; Spain and Portugal issue them to most of their pelagic shark fishing vessels.

# **Closing the Loopholes**

Improvements in the EU Finning Regulation were urged by the European Parliament in 2006, debated during the European Commission's consultation on the Community Shark Action Plan in 2007 and 2008, and promised with the Commission's final Shark Action

Plan in 2009. In April 2009, the EU Council of Fisheries Ministers endorsed the Shark Action Plan and encouraged the Commission to pay special attention to and prioritise shark finning issues. In December 2010, the European Parliament adopted a resolution calling for prohibiting the removal of shark fins on-board vessels. In late 2010, the Commission solicited comments on a public consultation document containing a range of methods for implementing the finning ban, and received overwhelming support for a complete prohibition on removing shark fins on-board fishing vessels.

By proposing to delete Article 4 of the current regulation, the Commission has now concluded that the EU Finning Regulation should be amended so that all sharks must be landed with their fins still attached.

# A Sound Proposal for the Best Practice

Prohibiting at-sea removal of shark fins, and thereby requiring that sharks be landed with their fins naturally attached, as proposed by the Commission, is widely regarded as the most reliable means for implementing a finning ban, as it is immediately clear that sharks arriving at port with intact fins were not finned. Monitoring shark landings for compliance is much simpler and cost effective than under a system that requires weighing shark parts and employing conversion factors to calculate fin to carcass ratios. The "fins naturally attached" strategy also allows for improved, species-specific, landings data, which are essential for population assessment and fisheries management. To facilitate efficient storage, fins can be partially cut and laid along shark bodies. The fins-attached method has the support of the vast majority of conservationists and scientists. In 2008, the IUCN World Conservation Congress adopted a global policy on finning which calls on States to require that sharks be landed with their fins naturally attached. This strategy is being used successfully in most U.S. and Central American fisheries taking sharks, and is gaining acceptance from stakeholders around the world. In the EU, the UK and Germany stopped issuing special fishing permits in recent years. The vast majority of EU Member States do not allow shark fins to be removed on-board their vessels.

### Recommendation

The Shark Alliance urges the Council of Fisheries Ministers and Members of European Parliament to actively support the European Commission's proposal to strengthen the EU shark finning regulation by prohibiting, without exception, all removal of shark fins on-board vessels, consistent with the 2009 Council Conclusions on the EU Shark Action Plan and the 2010 Parliament Resolution on shark finning.

# **Timeline**

The European Union (EU) bans shark finning (Regulation (EC) 1185/2003).

### September 2006

European Parliament calls for a stronger EU shark finning ban (INI/2006/2054).

World Conservation Congress adopts global finning policy that calls on States to ban at-sea re-moval of shark fins.

European Commission releases EU Shark Action Plan, which sets the stage for improving EU shark policies and includes a pledge to strengthen the finning ban (COM (2009) 40 final).

**EU Fisheries Council endorses the** EU Shark Action Plan, highlights urgent need for stronger finning ban, and encourages that this issue be treated as a priority (Council Conclusions of 23 April 2009).

# September 2010

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Four MEPs, from the ALDE, EPP
Greens/EFA and S&D groups,
launch Written Declaration 71/2010
calling on the European Commission to propose an end to at-sea
removal of shark fins. Following
support from a majority of MEPs
for a 'fins naturally attached' policy,
the Written Declaration is adopted
as a Resolution of Parliament in
December 2010.

# February 2011

European Commission concludes public consultation on options for amending the EU Finning Regulation. The results of the consultation show that the "fins-remainattached" approach is regarded as the preferred option.

European Commission proposes an end to the removal of shark fins onboard vessels, without exception (COM (2011) 798 final).

**European Parliament and EU** Fisheries Council consider Commission's proposal and finalise changes to Finning Regulation.

