

4.114 Global policy against shark finning

AWARE that shark finning (removal and retention of the fins and the discard at sea of the carcass) causes the death of millions of sharks each year, threatens many shark populations and potentially the very survival of species considered 'Vulnerable', 'Endangered' or 'Critically Endangered', threatening not only traditional sustainable fisheries but also recreational fisheries of socio-economic importance;

RECALLING that Recommendation 3.116 *Shark Finning* adopted by the 3rd IUCN World Conservation Congress (Bangkok, 2004), urged States with fisheries that capture sharks, whether in directed fishing activities or as accidental by-catch in other fisheries, to require that sharks be landed only with their fins naturally attached to their bodies, or alternately, that the weight of the fins retained onboard vessels must never exceed 5% of the weight of the carcasses (without heads or guts), and to take measures to ensure compliance with the 5% ratio through certification, monitoring by an observer, and other appropriate measures when the landing of fins separate from carcasses is allowed;

RECOGNIZING that in practice there is debate over the correct ratio that should be used between the weight of the fins and the weight of the carcass in order to be effective in preventing finning, and in addition that this system can be impractical, particularly when limited human resources are charged with monitoring the landings from industrial vessels with capacities of several hundred tons, and that this hinders the collection of catch data for individual species;

ALSO RECOGNIZING that the most straightforward way to implement a finning ban is to require that sharks be landed with their fins naturally attached to their bodies, which can be done in a way that does not compromise storage, and which would avoid debates about the correct ratio between the weight of the fins and the weight of the carcass, save the inspectors' time when they verify compliance with the regulations, and provide optimal conditions for the collection of accurate catch data by species;

AWARE that Article 12 of Resolution 62/177 adopted by the United Nations General Assembly during its 62nd Session, "*Calls upon States to take immediate and concerted action to improve the implementation of and compliance with existing regional fisheries management organizations or arrangements and national measures that regulate shark-fisheries, in particular those measures which prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with each fin naturally attached*";

ALSO AWARE that many States have strengthened or are in the process of developing Plans of Action for Sharks and strengthening legislation to prevent shark finning, and that new fisheries management measures often require pilot studies and a phase-in period in order to be implemented effectively; and

ALARMED that recent global information on the trade and landing of shark fins indicates that finning is widely practiced, to a great extent without management or regulation, and that due to the biological characteristics of sharks, this results in unsustainable levels of mortality, requiring immediate action;

The World Conservation Congress at its 4th Session in Barcelona, Spain, 5-14 October 2008:

1. CALLS ON those States with fisheries that capture sharks, whether in directed fishery activities or as accidental by-catch of other fisheries, to require at the point of first landing that sharks be landed only if their fins are naturally attached to their bodies, though allowing for partial detachment of fins to permit efficient storage and species identification;
2. CALLS ON those States that are members of Regional Fisheries Management Organizations to take the necessary diplomatic actions to improve and implement effectively existing shark-related measures including the prohibition, within the scope of the corresponding jurisdiction, of onboard transportation of fins separate from shark

carcasses unless a certificate is issued at the point of first landing to confirm that the fins were naturally attached to the bodies, and

3. RECOMMENDS that States evaluate the effectiveness of their control and capacity systems to ensure compliance with these measures, drawing on the experience and resources of the Food and Agriculture Organization of the United Nations (FAO), the RFMOs, other States, and the Shark Specialist Group of the IUCN Species Survival Commission.

State members Australia, Japan and Spain indicated that they would abstain in the vote on this motion.

State and agency members of the United States abstained during the vote on this motion. The US Department of State provided the following statement for the record:

"The United States supports strong and effective efforts to conserve and manage shark populations, including through bans on the wasteful practice of shark finning. We support the broad goals of this motion. Domestically, the United States does require that sharks be landed with their fins naturally attached in our Atlantic and Gulf of Mexico Fisheries, and we plan to consider whether such a requirement is appropriate for our Pacific fisheries as well. Consistent with the direction provided by the 2007 United Nations General Assembly Sustainable Fisheries Resolution (62/177), we urge governments to take immediate action to improve compliance with shark finning bans, including, where necessary, to consider requiring that sharks be landed with fins naturally attached."