

# Shark fins in Europe: Implications for reforming the EU finning ban



Summary by Sarah Fowler and Sonja Fordham

## Summary report

This report summarises an expert study on EU shark fin catching, processing and trade practices, and their global significance. It was undertaken to contribute to the current debate on strengthening the EU Finning Regulation.

## Introduction

Sharks are captured worldwide in targeted fisheries for their meat, fins, liver and oil, and are an important by-product of many “mixed” fisheries. Sharks are also increasingly the target of pelagic fisheries (using mainly longline gear), which often capture as many or more sharks than they do bony fish. Shark fisheries are continuing largely unchecked in most of the world’s oceans, as relatively few limits on shark catch have been adopted by the European Union (EU), other fishing States, and Regional Fisheries Management Organisations (RFMOs). Shark fisheries data collection is also sorely lacking worldwide.

Shark fins are the critical ingredient for shark fin soup, a highly priced, traditional, celebratory, Chinese dish. Demand for shark fins has risen sharply since the 1980s; shark fins are now among the world’s most valuable fisheries products. Prices for processed fins in Hong Kong range from 90 to 300 Euros per kilogram (kg); in contrast, shark meat retails in European markets for 1 to 7 Euro per kg. The EU is one of the world’s largest suppliers of shark fins to East Asia, as several of its Member States rank among the world’s top 20 countries for shark catch.

The life history characteristics of most sharks (slow growth, late maturity, small number of young) make them particularly vulnerable to overfishing and slow to recover once depleted. Many shark populations have declined steeply in recent decades. Pelagic, coastal and migratory species are at greatest threat, because of the intensity of fishing effort within their habitats. More than 25% of all species of pelagic sharks, 35% of epipelagic species, and over half of large, oceanic-pelagic sharks are classified as threatened in the International Union for Conservation of Nature

(IUCN) Red List of Threatened Species. The removal of top predators threatens the stability of marine ecosystems, and overfishing (including through finning) is now recognised as the greatest single cause of increased extinction risk to sharks.

## Addressing the problem

Finning is widely viewed as an undesirable fisheries practice because of the associated waste of protein, threat to

## What is shark finning and why does it take place?

Finning is the practice of cutting off a shark’s fins and discarding the rest of the carcass back into the sea.

There is a strong economic incentive to ‘fin’ sharks because of the marked discrepancy in value between shark fins and shark meat. Fins are highly valuable and easy to air-dry or freeze for storage on-board vessels, where they take up very little space. In contrast, shark meat is of lower value, may be difficult to store and maintain in good condition, and takes up space that could otherwise be used for more valuable species.

Although some fisheries target sharks solely for their fins, finning is also likely to take place when vessels spend long periods at sea, take large numbers of sharks incidentally as ‘bycatch’, and cannot easily access markets for meat at landing sites.

food security, risk of overfishing (as effort is not limited by hold space), under-reporting of shark mortality, and consequent threats to the sustainability of fisheries and ecosystems. Many people are also concerned over the cruelty associated with finning live sharks.

Shark finning has been discussed at many national, regional and international fisheries and environmental meetings over the past two decades. This practice is now prohibited by more than 20 shark fishing countries and most Regional Fisheries Management Organisations (RFMOs), using a variety of enforcement strategies.

Various methods for enforcing shark finning bans have been tested since the early 1990s. Historically, the most common way to enforce a finning ban has been to limit the ratio of fin to carcass weight. This method has been adopted by the EU and the majority of States with finning regulations, and by RFMOs. The most reliable way to enforce a shark finning prohibition is to require that sharks be landed with their fins naturally attached to their bodies. This method is being mandated for more and more fisheries, particularly in Central and North America, creating momentum for global change. This is reflected in recent statements by the United Nations General Assembly, the Fish Stocks Agreement Review Conference in 2010 and in RFMO expert discussions. Alternative methods – such as counting fins and carcasses, or matching fins with carcasses using bags or tags – have been rejected or rescinded in many regions and are currently used in only a few fisheries taking small numbers of sharks.

## European shark fisheries

Spain, France, the UK and Portugal rank among the top 20 countries for shark catch. The combined landings of these four Member States alone put the EU second in the world, behind only Indonesia, in terms of volume of shark catches.



# European shark fisheries

UK and French shark catches are primarily of small, demersal, coastal species, targeted for meat and landed whole. UK and German vessels catch deep-water sharks in the Northeast Atlantic. There is pelagic shark bycatch in French purse seine tuna fisheries.

The largest EU shark fisheries are undertaken by Spanish and Portuguese pelagic longline fleets, targeting swordfish and sharks (for meat and fins). These fisheries have expanded from the Atlantic into the Pacific and Indian Oceans; the catch is 80% blue sharks (*Prionace glauca*) and 10% shortfin mako (*Isurus oxyrinchus*). Silky sharks (*Carcharhinus falciformis*), threshers (*Alopias* spp.), porbeagles (*Lamna nasus*), hammerheads (*Sphyrna* spp.) and oceanic whitetip sharks (*Carcharhinus longimanus*) are also taken.

## The European Union (EU) shark finning ban

The EU adopted a Regulation ((EC) No. 1185/2003) to ban finning in 2003. The Regulation generally prohibits fishermen from removing shark fins on board fishing vessels, but includes a derogation through which Member States can issue vessels with Special Fishing Permits for on-board fin removal, provided that the need is justified and the use of all parts demonstrated. At present, only Spain and Portugal issue these permits; the United Kingdom (UK) and Germany recently stopped granting them to their vessels.

When such derogations apply, fins and carcasses can be landed in separate ports, and the weight of landed fins is limited to 5% of the live (or whole) weight of the shark.

## EU-specific issues with finning ban enforcement

The EU ban on finning is associated with derogations, loopholes, and lenient standards that are cause for great concern. Specifically, the EU Finning Regulation:

- ▶ sets a theoretical rather than a measurable fin:carcass weight ratio;
- ▶ sets an exceedingly high fin:carcass weight ratio limit (the highest in the world);
- ▶ permits separate landings of fins and carcasses;
- ▶ is driven by two Member States to account for "traditional" fin cuts and pursuit of different markets;
- ▶ presents monitoring and enforcement problems, not just within the EU but internationally.

Member State reporting on the implementation of the EU Finning Regulation is seriously lacking. Many reports are incomplete, late, and/or not readily accessible to the public.

Although Special Fishing Permits for on-board fin removal were to be granted as exceptions, they have become the rule in the EU's most important pelagic shark fishing fleets: those of Spain and Portugal.

Common processing techniques practiced by Spanish and Portuguese vessels of the European fleet, which result in relatively high ratios, are:

- ▶ retaining the upper caudal lobe, which is about four times as heavy as the lower lobe;
- ▶ cutting deeply when removing fins, thus leaving more meat attached to the fins; and
- ▶ retaining the small, secondary fins.

## Regional Fisheries Management Organisations finning bans

Eight RFMOs have adopted measures to prohibit shark finning, using very similar language and a fin:carcass weight ratio of 5%. RFMO rules do not specify if this ratio applies to whole or dressed weight because of the need to account for both the high EU ratio (5% of whole weight) and lower ratios (5% of dressed weight) used by other Parties. The result has been a loophole that could result in a significant amount of finning. The scientific advisory bodies of some of these RFMOs have pointed to problems associated with using a single, universal fin:carcass ratio for the management of different shark species and fisheries, and have increasingly recommended alternatives to ratios.

## Shark fins in trade

The EU, particularly Spain, is the world's largest exporter of shark fins to China, which is the world's largest importer and consumer of shark meat and fins. Data from the Food and Agricultural Organization (FAO) indicate that the EU is responsible for 56% of total global shark imports from other States and for over 30% of worldwide exports. Spain mainly exports frozen fins.

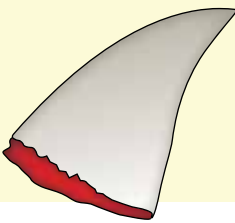
The fine, translucent, noodle-like fin rays or "needles" extracted from shark fins are the vital ingredient for shark fin soup. Certain species (including hammerheads and makos) are preferred and are therefore more valuable than others. Fin value also varies by size (larger fins contain longer fin rays and are more valuable) and fin position (the lower lobe of the tail – or caudal fin – has very dense fin needles and is particularly valuable).

## Cutting shark fins

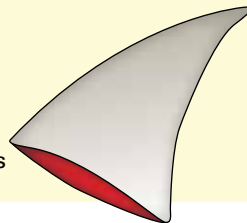
Most European fisheries export the entire caudal fin (tail) of sharks, while many fisheries in other parts of the world discard the upper lobe, because it contains only a few short fin rays and is thus of low value. Including the heavy, upper caudal lobe with other fins significantly increases the fin:carcass weight ratio.

Different fin cuts are used to prepare air-dried and frozen shark fins for export. For dried fins, buyers prefer that all meat is removed using a "half moon" cut, which minimises the amount of flesh and cartilage at fin base. In contrast, frozen fins, particularly those taken in Spanish and Portuguese fisheries, are often removed with "crude cuts" that leave substantial quantities of meat and cartilage on the fin. Some excess meat is trimmed and discarded onshore before export to Asia; the rest is removed in Asia before auction.

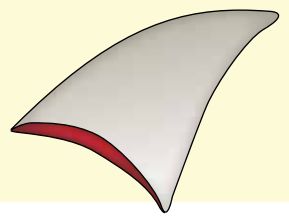
Crude cut – not recommended



Straight cut – not for dorsal and pectoral fins



Half moon cut – recommended



Crude cutting significantly increases the fin:carcass weight ratio, and may be done intentionally on an assumption that increased weight means increased prices. In reality, crude fin cuts reduce the value of fins as well as shark meat, and increase the cost of processing.

### Shark fin:carcass ratios

Shark fin:carcass ratio limits are used to enforce the EU finning ban, but actual weight ratios depend upon cutting and other processing practices, as well as species morphology.

A review of scientific information from Atlantic and Indo-Pacific Ocean fisheries finds average fin:carcass weight ratios for most species taken in EU fisheries are lower than the 5% whole weight allowed by the EU Finning Regulation. The exception is the blue shark, the predominant in EU pelagic shark landings, with an average ratio of 6.4% of whole weight and 14% of dressed weight, according to Spanish and Portuguese data. These high ratios stem from these fleets' processing techniques, and are about three times higher than the ratios obtained for blue sharks by other pelagic fleets operating in the Atlantic and Indo-Pacific. The lowest EU fin:carcass ratio identified was 1.6% fin:whole weight, for deep-water shark fisheries that only retain caudal fins with carcasses, or 3.6% when all fins are retained.

There is also significant variation in the fin:dressed carcass weights because dressed carcasses may be landed in many different forms. The carcass may simply be eviscerated (removing about 25% of the whole weight), or also beheaded. Additionally, the belly flaps and part of the trunk anterior to the gills may also be removed. Finally, the carcass may be skinned and/or filleted. Intensive processing removes much more of the carcass weight, thereby significantly increasing the fin:dressed weight ratio of the final products.

Variations in fin:carcass ratios also arise from differences in morphology between species. For example, the fin:whole weight ratio among the four large coastal and pelagic sharks landed by the US Atlantic Shark Fishery ranged from 2.55% for dusky shark (*Carcharhinus plumbeus*), to 2.16% for blue shark, 1.77% for shortfin mako, and 1.45% for silky sharks. There are even very small differences in ratios between age classes of the same species of shark.

These issues illustrate the difficulties associated with using a fin:carcass weight ratio limit to implement a shark finning prohibition.

### Amending the EU Finning Regulation

In 2006, the European Parliament called on the

European Commission to strengthen the EU Finning Regulation. The EU's Community Plan of Action (CPOA) on sharks, adopted in spring 2009, recognises some of the loopholes in the Finning Regulation and proposed actions to address these. The EU Council of Fisheries Ministers has encouraged the Commission to pay special attention to the issues of finning and to give priority to proposing amendments to the Regulation.

In early 2010, the European Commission released a "Roadmap" for the amendment process which suggests a final proposal will be sent to the Council and the European Parliament in the first quarter of 2011, following a public consultation process. The Commission is expected to seek stakeholder opinions on a range of options for amending the Finning Regulation, some of which are mutually exclusive.

### Evaluation of possible policy options

#### 1. No policy change

The *status quo* situation will not fulfil commitments to strengthen the EU Finning Regulation made by the European Commission and supported by the Council of Ministers and the European Parliament.

#### 2. Land shark fins and bodies simultaneously

The justification for allowing fins and carcasses to be landed at different ports (that it is not possible to market fins at some ports where the carcasses are landed) is weak, if not completely untenable. Fin merchants and/or fin processors are present or represented in every fishing port used by shark fishing fleets, and shark fins are routinely shipped by container from landing sites worldwide. Moreover, requiring boats to land shark fins and carcasses together in the same port at the same time would improve monitoring compliance and enforcement of the Finning Regulation.

#### 3. Apply fin:carcass ratio to dressed rather than whole (theoretical) weight

The EU fin:whole weight ratio cannot be enforced because it cannot be measured against dressed carcasses at landing sites. Compliance monitoring requires a ratio between fins and dressed carcasses to be set, if the Regulation is to continue to rely upon a ratio for its implementation.

#### 4. Change the fin:carcass ratio

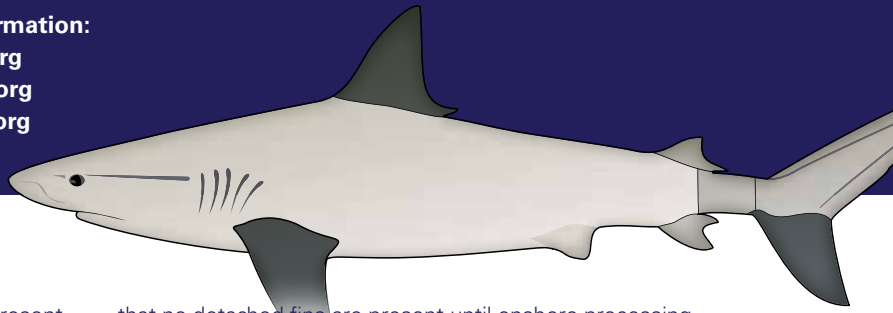
The EU's 5% fin:whole weight ratio, based on Spanish and Portuguese cutting techniques, is roughly twice as lenient as ratios used elsewhere; it can lead to undetected finning if alternative cutting practices are employed.

Reducing the EU fin:carcass ratio to 5% of dressed weight would

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create consistency with other fishing entities and could represent the fastest route to tighter finning bans in the RFMOs and therefore globally. It would not be beneficial, however, if EU fleets are allowed to continue to use the 5% theoretical ratio and to set their own ratios for fin:dressed carcass weight. Under a lower ratio, Spanish and Portuguese fishermen, in particular, would need to alter their fin cutting practices, but such adjustments would be in line with market demands and so could well increase profits.

Raising the ratio would widen current loopholes and increase the opportunities for undetected finning. Setting different ratios for different species and/or fleets, would be particularly difficult to implement, requiring a great deal of research, cost and time.

### 5. Match severed fins to carcasses using bags, tags or by counting parts landed

These approaches are used in a few Australian fisheries that land only small numbers of sharks. They have been tested in one large-volume shark fishery, in Costa Rica, and found to be unsuccessful. Widespread use in large shark fisheries would place a huge burden upon industry and enforcement personnel (potentially requiring labelling, bagging, and attaching fins from millions of sharks per year), while lost or discarded bags and/or tags would pose a hazard to marine life.

### 6. Prohibit the removal of shark fins on board vessels

When fins remain attached to the carcasses until after they have been landed, finning and high-grading (mixing bodies and fins from different sizes or species of shark) are impossible. The enforcement burden is significantly reduced compared with other options; compliance monitoring is restricted to ensuring

that no detached fins are present until onshore processing has commenced. There is no need for different rules, ratios or conversion factors to be debated and applied in different fisheries or for different species, because no weight measurements or matching of fins with carcasses are necessary.

Because sharks are more readily identifiable when their fins are still attached, the opportunity to collect data on species, size distribution and numbers of sharks landed is vastly improved, providing valuable data for stock assessments and management advice. Fin cutting and other processing onshore can be undertaken precisely as requested by buyers, thus maximising the value of final products.

The numerous practical advantages of a fins-naturally-attached strategy (which is equivalent to the EU Regulation without any derogation) have led to an increasing number of shark fishing countries adopting this option instead of other means of implementing finning prohibitions. It is also recommended by the 2010 Fish Stocks Agreement Review Conference and the IUCN World Conservation Congress.

### References

All sources of information presented in this summary are provided in 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.

### Acknowledgements

Thanks go to everyone who contributed to this report. For a full listing please see the main report.

## Recommendations

The following recommendations are intended to inform the development of the final proposal for revising the EU Shark Finning Regulation by the European Commission as well as the response from the European Council of Ministers and the European Parliament.

### Primary Recommendation

Remove the Articles (4 & 5) that allow for derogation from the EU Finning Regulation, thus prohibiting *without exception* the removal of shark fins on board vessels. This will minimise incidents of shark finning and enforcement burden, while maximizing the ability to collect valuable, species-specific data.

### Secondary Recommendations

This advice addresses the remaining, substantially less reliable options that have been discussed in the recent past:

- ▶ Reject the status quo, as improvements to the exceptionally weak EU Finning Regulation are urgently warranted and have

been repeatedly promised.

- ▶ Reject all options involving bagging or marking severed shark fins as unreliable, virtually unenforceable, labour-intensive, and potentially harmful to marine wildlife.
- ▶ Retain a maximum fin to carcass weight ratio only as an interim measure on the path to ending at-sea shark fin removal and as a back-up means for onshore post-processing enforcement – until a ban on at-sea fin removal is in place:
  - Mandate the simultaneous landing of shark fins and carcasses;
  - Base the ratio on a defined dressed weight (rather than a theoretical whole weight);
  - Reduce, without exception, the existing fin to carcass ratio to one, uniformly applied, more precautionary, clearly defined standard of 5% of dressed weight.
- ▶ Regardless of the option(s) chosen, encourage greater investment in fisheries observer programs and enforcement of this and other important regulations.