

August 22, 2012

Kara McKelvey
Ministry for Primary Industries
PO Box 1020
Wellington 6140
New Zealand



HUMANE SOCIETY
INTERNATIONAL

Dear Ms. McKelvey:

On behalf of our organizations, we appreciate this opportunity to comment on a joint proposal from the New Zealand Ministry for Primary Industries and the Department of Conservation to prohibit the taking of oceanic whitetip sharks (*Carcharhinus longimanus*) in New Zealand fisheries waters and by New Zealand flagged vessels operating on the high seas, in response to New Zealand's obligations under the Western and Central Pacific Fisheries Commission (WCPFC), which earlier this year agreed a ban on retention, transshipment, and landing of the species.

As you know, scientists have documented serious declines in oceanic whitetip shark populations in several oceans, and the species is classified by the IUCN as globally Vulnerable. As such, and in line with the WCPFC action, we strongly support the proposal to prohibit the taking of this species and its products through new regulations using the Fisheries Act in conjunction with the Wildlife Act, as was done to protect great white and basking sharks in New Zealand.

With respect to the background information contained in the proposal, we note that the Inter-American Tropical Tuna Commission (IATTC) banned the retention of oceanic whitetip sharks in 2011 (not 2010) and that the European Union's proposal for similar action at the Indian Ocean Tuna Commission (IOTC) was in fact not adopted in 2012.

We recognize that New Zealand fishermen do not target oceanic whitetip sharks, and that catch records for this species from New Zealand fisheries waters are limited. Still, we appreciate the acknowledgement of moderate catches by New Zealand-flagged vessels fishing outside New Zealand waters and that overall catches are likely underestimated.

We read with concern the reports that more than 20% of oceanic whitetip shark catches were finned and assume this is related to the fact that New Zealand's finning ban applies only to live sharks. As conveyed at the WCPFC annual meeting in March, our organizations -- along with most other conservationists and scientists worldwide -- strongly support the "fins naturally attached" method as the most reliable means for finning ban implementation. Under such a policy (through which at-sea fin removal is prohibited) enforcement burden is greatly reduced, information on species and quantities of sharks landed is vastly improved, and "high-grading" is impossible. In short, we believe that New Zealand's current shark finning policy hampers effective enforcement, sets a poor example for other countries, and impedes progress toward stronger finning bans at the Regional Fishery Management Organizations (RFMOs), and we encourage reconsideration of associated regulations, as a matter of priority.

*Shark Advocates International is a project of The Ocean Foundation formed to safeguard sharks through sound conservation policy.
Humane Society International is an animal protection organization working throughout in the world to protect all animals.
Project AWARE Foundation is a growing movement of scuba divers protecting the ocean planet – one dive at a time.*

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We take this opportunity to encourage New Zealand to follow up this action for oceanic whitetip sharks by promoting the species for listing under the Convention on International Trade in Endangered Species (CITES). As you may know, the oceanic whitetip shark was proposed by the U.S. at the last Conference of the Parties to CITES in 2010. This proposal was analyzed and endorsed by the CITES Secretariat, IUCN, TRAFFIC, and the FAO expert panel. In the years since, most tuna RFMOs have prohibited retention of oceanic whitetip sharks; however, we remain concerned that compliance with and application of these bans depends on national actions and to date is inadequate. Moreover, such measures were, as mentioned above, rejected by the IOTC, leaving the species virtually unprotected throughout a large portion of its range. We believe that CITES measures and fishery management action should complement each other to enhance the chances for effective conservation, and that Appendix II holds great promise for improving data on the extent of fisheries and trade, sparking complementary fisheries management measures, and ultimately ensuring that international trade in the species' fins and other parts is held to sustainable levels.

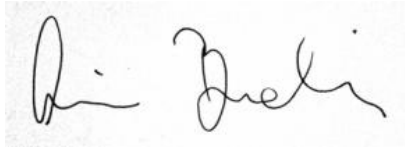
In summary, we appreciate New Zealand's prompt implementation of its WCPFC obligations for oceanic whitetip sharks. We also encourage additional measures to safeguard this exceptionally vulnerable species globally and to protect all sharks from the wasteful practice of finning.

Thank you for considering our views.

Sincerely,



Sonja Fordham
President
Shark Advocates International



Ania Budziak
Associate Director
Project AWARE



Rebecca Regnery
Deputy Director, Wildlife
Humane Society International