

Recommendations on elasmobranch (shark and ray) management and conservation Yarari sanctuary and the Visserijwet CN



By: Dutch Caribbean Nature Alliance and Dutch Elasmobranch Society
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We welcome the opportunity to contribute to the public consultation on the *Proposed legislation for the Yarari Sanctuary and the update for the Visserijwet Caribbean Netherlands*. We specifically welcome the strong emphasis on shark conservation that speaks from Article 3 and 4 of the protection measures for Yarari that prohibit all catches of sharks within the sanctuary.

Elasmobranchs, sharks and rays are among the most vulnerable marine species. A recent study published in Nature showed that the global population of pelagic sharks has decreased by over 70% in the past 3 decadesⁱ, this decline is almost exclusively driven by unsustainable fisheries. Only last month the Caribbean Reef Shark, one of the best known species around the Dutch Caribbean islands had its conservation status increased from vulnerable to endangered on the IUCN red listⁱⁱ, again with unmanaged fisheries as the main threat. To curb this negative trend, more effort is needed to better protect these species and to effectively manage the fisheries that impact upon them.

The proposed legislation for the Yarari Sanctuary is an important step towards better protection we do, however, have several concerns with the current proposal:

- Article 4c&d state that activities can be exempt from the prohibition if they do not form a threat to sharks and do not affect the conservation of the species, but for both the exemptions it is not specified how this lack of damage is to be proven. At this moment the conservation status for elasmobranchs within the Yarari Sanctuary is unknown so any effect will be impossible to predict.
- Article 2.3 of the proposed changes to the Visserijwet CN gives the option for the minister to exempt operators from the ban on gears listed in Article 2.1. This Article does not list which environmental constraints should apply to implementing those exemptions, thus providing a possible loophole to keep using banned gears.
- The ambitious objectives of the legislation can only succeed if there is adequate control and enforcement capability on all the islands, which at the moment is not the case.

We therefore ask you to use the momentum provided by the opening of the Yarari Sanctuary to develop a complete Shark Plan of Action (POA) for the Dutch Caribbean, in line with the Regional Plan of Action that is under development in the Western Central Atlantic Fisheries Commission. Such a POA would need to:

- Have a research agenda and program that fills the knowledge gaps on the presence and distribution of elasmobranchs in the Caribbean, to be developed in close cooperation with the organisations present on the islands.
- Ensure all fisheries legislation is aligned with existing conservation and nature protection legislation and programs
- Contain a plan for effective control and enforcement of fishing activities that have interactions with elasmobranchs in the Caribbean Netherlands.

An overarching Shark Plan of Action for the Dutch Caribbean fits into the International Shark Strategy which the ministry shared in 2020, and should lead to an accelerated and ambitious agenda for the Wider Caribbean Region. Sharks and rays of the Caribbean deserve nothing less.

Sincerely,



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ⁱ Pacoureaux, N. et al.; Half a century of global decline in oceanic sharks and rays. *Nature*; 589, 567-571 (2021)
[https://www.nature.com/articles/s41586-020-](https://www.nature.com/articles/s41586-020-03173-9)

[03173-9](https://www.nature.com/articles/s41586-020-03173-9) ⁱⁱ Carlson, J., Charvet, P., Blanco-Parra, MP, Briones Bell-Iloch, A., Cardenosa, D., Derrick, D., Espinoza, E., Morales-Saldaña, J.M., Naranjo-Elizondo, B., Pérez Jiménez, J.C., Schneider, E.V.C., Simpson, N.J., Talwar, B.S., Crysler, Z., Pacoureaux, N. & Kyne, P.M. 2021. *Carcharhinus perezii*. The IUCN Red List of Threatened Species 2021: e.T60217A3093780. <https://dx.doi.org/10.2305/IUCN.UK.2021-1.RLTS.T60217A3093780.en>.