



## Written submission to the public consultation on 'Yarari reservaat en de aanpassing van de Visserijwet Caribisch Nederland'

By IFAW (International Fund for Animal Welfare), 31 August 2021

We welcome the opportunity to contribute to the public consultation on 'Yarari reservaat en de aanpassing van de Visserijwet Caribisch Nederland'. We especially welcome the specific measures to increase shark and ray protection by prohibiting catches and disturbance as well as prohibition of trade in these species and derived products. However, we would also like to take this opportunity to emphasise the dire situation of sharks and rays worldwide, to highlight the importance of effective shark management and implementation of measures, the non-consumptive value of these species in areas where eco-tourism is possible and for overall ecosystem health, as well as the involvement of local communities in shark conservation which depend on fisheries and tourism for their livelihoods.

Several recently published studies have highlighted the dreadful situation of shark population around the world. Two major studies have shown that global shark declines are even far worse and more wide-ranging than previously thought. The 2020 paper published in *Nature*<sup>1</sup> emphasised the devastating impact of over-fishing and the severity of the situation for reef-associated sharks globally. The paper finds widespread depletion of reef sharks across much of the world's tropical oceans with no sharks found on almost 20% of the surveyed reefs, rendering them functionally extinct.

Several of the reefs surveyed were in the Caribbean, including the Dutch Antilles, Bahamas, and Trinidad and Tobago. Countries that established shark sanctuaries, like the Yarari Sanctuary, tended to have healthier reef shark populations, on average<sup>2</sup>. Given the marked global declines of reef health globally, and the documented role that sharks have played in mitigating the impacts of climate change on ecosystems<sup>3</sup>, management measures such as the full protection in the Yarari Sanctuary can not only help local shark populations thrive but could also provide benefits in ecosystem adaptation to the effects of climate change in the future.

In addition to reef shark populations, another landmark paper published in *Nature* in 2021 found 'an alarming ongoing, worldwide decline in oceanic shark populations across the world's largest ecosystem over the past half-century'<sup>4</sup>. Global pelagic shark populations have dropped by 71.1% since 1970, leaving over 75% of them threatened with extinction. Oceanic sharks are likely the most threatened group of species on the planet, plant or animal. The main driver of the population declines is international demand for meat and fins, coupled with widespread lack of management for shark species. Currently, 25% of the international trade in shark fins is managed by the Convention on International Trade in Endangered Species of Fauna and Flora (CITES). However, considering the high vulnerability of these species to overfishing and comparatively high value of

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<sup>1</sup> MacNeil et al. 2020. "[Global status and conservation potential of reef sharks.](#)" *Nature*.

<sup>2</sup> [Map Data | Global FinPrint](#)

<sup>3</sup> Robert J. Nowicki, Jordan A. Thomson, James W. Fourqurean, Aaron J. Wirsing, Michael R. Heithaus, "[Loss of predation risk from apex predators can exacerbate marine tropicalization caused by extreme climatic events.](#)" *Journal of Animal Ecology*, 10.1111/1365-2656.13424, (2021).

<sup>4</sup> Pacoureau et al. 2021. "[Half a century of global decline in oceanic sharks and rays.](#)" *Nature*.

shark fins, international demand will likely continue to drive shark species towards extinction in the near future. We applaud the steps that the Caribbean islands have taken to protect sharks at a national level, and encourage them to work with the Netherlands to continue this leadership in international fora, such as CITES, and advocate for sustainable trade management (an Appendix II listing) for any shark species found in the global fin trade.

Additionally, as noted in the consultation, the economic value of healthy elasmobranch populations is vital as a tool to gather support from all relevant stakeholders in the implementation of conservation measures. The significance of reef sharks as a non-consumptive resource contrasts with their value as a fishery in tropical areas where eco-tourism is popular according to another study<sup>5</sup>, which estimated that the maximum total revenues that could be obtained from the targeting of 100 large grey reef sharks by a fishery for the international market was approximately US\$10,800. This represents 0.00006% of the life time value of the same sharks used as a non-consumptive resource in Palau (US\$190 million). Collaborative management initiatives on a local, regional and ocean-wide scale are needed if sharks and rays are to be effectively conserved. Robust estimates of non-consumptive economic value can be a convincing case for furthering conservation efforts, including the establishment of increased protection in the Greater Caribbean region<sup>6</sup>.

The Netherlands and Caribbean islands play an important role in the protection of sharks, rays and marine mammals, and we welcome this continued pro-active management by announcing the protection measures and update to the 'Visserijwet CN'. However, we would recommend to clarify the scope of the exemptions included in the proposed changes. Article 4(2) states that certain activities can be exempt from the prohibition to intentionally disturb sharks and rays if the activities do not pose a threat or do not have a substantial influence on the conservation status of sharks and rays. Besides a reference to Ministerial regulations for further rules where appropriate in point (d) of Article 4(2), this exemption is not clarified and as such could pose a potential legal loophole. Understanding the severe population declines that sharks are facing globally, the vague nature of the exceptions granted is of concern as the potential threats or effects on population health are difficult to evaluate.

We recommend that before adopting the proposed measures, the above concerns are addressed, in partnership with shark policy experts, local communities and the eco-tourism industry, to ensure that any shark fishing that is permitted is limited to sustainable levels. We recommend developing a concrete implementation plan together with the local fishermen and tourism industry to ensure that the people affected are fully involved from the beginning and supportive of the protection of sharks and the ocean in general.

We hope to be able to partner with you further on these issues, and remain available for any follow up information needed on our statement.

Yours sincerely,  
Barbara Slee  
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<sup>5</sup> Vianna GMS, Meekan MG, Pannell D, Marsh S, Meeuwig J (2010) Wanted Dead or Alive? The relative value of reef sharks as a fishery and an ecotourism asset in Palau. Australian Institute of Marine Science and University of Western Australia, Perth.

<sup>6</sup> Ibid.