



Data Sharks – Science Magazine Publishes “Dubious” Paper on Population Declines

Science magazine has published a paper by a team of University of North Carolina (UNC) and Dalhousie University biologists claiming that industrial fisheries is responsible for huge declines in shark populations that are, in turn, having a damaging cascading impact on other marine species. The message from the study, paid for by the Pew Institute for Ocean Science, is that commercial shark fishing must be halted.

Entitled “Cascading Effects of the Loss of Apex Predatory Sharks from a Coastal Ocean” (30 March 2007), the paper received widespread press coverage around the world, with one commentator writing in the UK’s Guardian newspaper that, “if these animals lived on land there would be a global outcry”. The column appeared under the headline: “Sharks deserve the conservation status we give to the giant panda: Marine predators are on the verge of extinction, but the fishing industry still rips the environment to shreds with impunity.”

The researchers, led by the late Ransom Myers, examined data on the main prey populations of great sharks in the northwest Atlantic Ocean south of Cape Cod and north of Cape Canaveral over a period of thirty-five years (1970-2005). They associated increases in these, and parti-



cularly that of the hyperabundant cownose ray, with a fall in great shark numbers. In turn, they made a further association of a decline in the numbers of scallops, clams and oysters that are consumed by rays.

According to the authors, there has been an 87% decline in the number of sandbar sharks, 93% for blacktips, 97% for tigers, 98% for scalloped hammerheads and 99% for bulls, dusky and smooth hammerheads. Since these sharks are highly migratory, the authors suggest that this trend may be indicative of coastwide changes. They conclude that “eliminating great sharks carries risks of broader ecosystem degradation.”

However, shark experts say the report is seriously flawed in a number of areas. They say the data is extremely limited and that the authors fail to demonstrate cause and effect.

Scallops only form a very small percentage of the diet of the cownose ray. Steve Murawski, chief science advisor for the Florida Fisheries

Continued on page 4

In This Issue

Data Sharks – Science Magazine Publishes “Dubious” Paper on Population Declines	Page 1
Strategic Power Grabs at CITES COP 14 Are Neither Ethical for Conservation nor Necessary Editorial by Eugene Lapointe	Page 2
United States Proposed Research Whaling to Japan	Page 5
Campaign Coalition Fails to Show American Concern About Whaling	Page 6
In Brief	Page 7

Strategic Power Grabs at CITES COP 14 Are Neither Ethical for Conservation nor Necessary



Editorial by Eugene Lapointe

When the Convention on International Trade in Endangered Species of Fauna and Flora (CITES) was established, the aim was a unique global effort to ensure that commercial trade in animals and plants was conducted only in species abundant enough to withstand such use. Land animals and plants were classified as either endangered, not to be traded commercially among members, or as species of concern, which could withstand well monitored and limited, regulated trade, or as abundant species, which could withstand trade but would be watched over the long term in case stocks should become diminished for any reason. The entire concept of conservation on this scale is one of science based, expertly monitored, state regulated trade of renewable land resources. All CITES decisions on the appropriateness of such trade are meant to be based on the concept of sustainable use, not on a concept of total protectionism, which is a philosophy that advocates no use of certain resources.

The CITES plan for regulation of trade has been an effective conservation measure until recent years. States belonging to CITES originally followed the model for decision making prescribed in the Convention, and votes assigning species to various categories within CITES were based on the best available scientific advice, taking into account the ability and willingness of member states to adequately comply with the duties of monitoring stock abundance and trade. Then, because of the growing global influence of protectionist NGOs, whose cultural preference is non-use and non-trade of certain high profile species, a political element began to be expressed more and more often at the Conferences of the Parties. The goal of this new element was to demonstrate power over others, and to use that power to prevent, not regulate, trade.

At this time it appears that COP 14 may be at another turning point for this historic body. Because CITES actions require a 2/3 majority vote of the Plenary in order to be binding upon the Parties, there has always been a potential for transnational NGOs to exert political pressure from within each member state, to turn this body from a trade monitoring organization to a trade prevention organization, thus changing the intent of the Convention. The move mirrors exactly the changes seen in the International Whaling Commission in the past 25 years, since the 1982 vote to “temporarily” ban commercial trade in any of the large whale species, pending future review. At the time of that vote, the Chairman of the IWC Scientific Committee resigned his post, stating that the vote had nothing to do with science.

In addition to this kind of scenario, which has been seen played out at CITES in the case of trade in African elephant ivory, there is now an issue of historically unique concern that will be raised at CITES COP 14. Anti-use NGOs are using their resources, such as their websites, and their network of supporters in each EU member nation, to convince a growing number of EU and other nations to include marine fish species within the CITES jurisdictional framework. This is being done first with certain shark and shark-related species, as NGOs follow the “charismatic species” model that has worked so well to advance their non-use preference for land animals.

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Marine fish species have never been a part of CITES consideration because marine fish are already the focus of a major arm of the United Nations Food and Agriculture Organization, or FAO. COFI is the Committee on Fisheries of the FAO. This organization is global in scope, and instead of the type of organization seen in CITES and the IWC, which can stifle users' commercial actions through either a 2/3 or a 3/4 majority vote of the Plenary, the FAO recommends that all use of marine fish be subject to the best scientific advice, tempered sometimes with the wisdom of traditional knowledge, and always with the best interest of the users in mind. This confidence in the appropriateness of science based decisions is – theoretically at least – a universal concept for CITES, the ICRW, and the FAO.

The entire document that describes the goals and functions of the FAO's Committee On Fisheries is notable for two things. One is the repeated use of "should" in the recommendations for responsible fisheries, and the other is the repeated insistence that it is the responsibility of the states themselves to adequately control fishing effort in their own coastal waters and on the adjacent high seas in order that all marine fish stocks and their habitats are conserved in a sustainable manner for the long term. State compliance with the recommendations of the COFI is voluntary, and is based on a model that expects all nations to cooperate in a global effort to best conserve fish stocks through the best management procedures that science can devise, to monitor the effects of fishing subsidies, of fishing capacity, and of changes in the environment, so that stocks shall not diminish to unsustainable levels through fishing effort.

Because the FAO has a non-binding model for taking action, but nevertheless includes strong incentives for states to assert their sovereignty through best management procedures in each fishery, there is less opportunity for a take-over by anti-use non-governmental forces than is the case in the other two conventions. The FAO is a model of respect for each nation's sovereignty, while simultaneously insisting that states must exert rational control over their own fishers, as well as over their own Exclusive Economic Zones, so that the oceans will be safe from depredation. Vessels are to be monitored through use of high technology devices and ports are to be monitored in order to ensure that over-fishing is not encouraged by sale of over-quota products. The entire system works on an assumption that the nations of the world are responsible and will take all necessary actions to conserve the marine fishery resource. The ultimate goals of the FAO include preventing hunger through sustainable use, cooperative practices that are based in sound science.

According to our sources, the current behind the scenes efforts of anti-use NGOs leading up to CITES COP 14 are being facilitated by officials in the Netherlands and Germany. The goal of the NGOs is to include marine fisheries in the CITES system for classifying species. In this manner, a 2/3 majority vote can suffice to stop all international trade in certain stocks or species, whether they "need" this measure to recover stock strength or not. In other words, decisions on marine fish could – and oftentimes would – then be made on the basis of political power and abolitionist preference, rather than on the basis of the best scientific advice.

The move to include marine fish in the CITES classification scheme is another attempt to demonstrate and assert the power of non-science-based, politically motivated forces over the business of CITES. The FAO COFI has exerted strong and beneficial influence on the decision making process of coastal states and on regional fisheries management bodies. States that participate in the COFI deliberations are working towards the best management of fish resources in each case. Some states need to exert more effort through stronger control of their fishing capacity, and especially of their port authorities, so that stock depletions can be corrected. The FAO has proven its worth in advancing scientific research on fish stocks and on recovery of certain marine resources through cooperative efforts of member states. This is no time to take away from the FAO those functions which have been exclusive to it for decades. The rational utilization of marine fisheries must remain in FAO, and must not be hi-jacked by the anti-use forces that have come to dominate both IWC and CITES. Food security for the people of the world must be ensured through a scientific, not a politically motivated, model for conservation and sustainable use. ■

Continued from page 1

Service told the Miami Herald that the study “is not based on an examination of who eats who. It’s a correlation of the decline in one stock and the increase in the other.”

Fishermen believe the rays’ population increase is due to a completely different factor – the use of turtle excluder devices (TEDs) by most shrimp boats under a federal mandate that was introduced in the early 1990s. These dramatically reduced the number of rays being taken as by-catch. They say it is impossible – and simply irresponsible – to draw conclusions about shark populations based on changes in the abundance of rays like the cownose.

Shark experts also challenge the idea that shark populations have declined so dramatically. Rusty Hudson, a Florida-based shark specialist, said: “The idea that sharks have been knocked down to 87% to 99% of virgin stocks is ludicrous. It does not resemble what fishermen see over the sides of their boats.” Fishermen report that catches are better than ever, indicating that shark populations are healthy.

Since 1972, from April through November, UNC shark expert Frank J. Schwartz has set up longlines biweekly at two fixed stations off the North Carolina coast and recorded his shark catch. Although he was not involved in the production of the new paper, his survey is used as a key reference. But critics say that Schwartz’s data is being misused. For example, Schwartz records a catch of just 39 tiger sharks in his North Carolina survey area over a period of thirty-four years – hardly enough data from which to establish a trend along the whole eastern coast of the United States.

Notably, in the introduction to his Spring 2003 book,

“Sharks, Skates and Rays of the Carolinas”, Schwartz wrote: “Shark populations will continue to wax and wane. After 35 years of fishing the same areas off Morehead City, using the same gear, from April to November, I have observed that shark populations other than the dusky shark are stable or increasing, even though management plans are or were not in effect.”

Another criticism is that the authors overlook the fact that bull sharks are particularly common in the Gulf of Mexico and south of Cape Canaveral – outside the area surveyed by Schwartz – and are less frequent visitors to more northern areas, which they visit only in summer months when water temperatures are sufficiently warm.

Eugene Lapointe, President of IWMC, said: “This paper is more about advocacy than science. It is part of a game to kill regional fisheries. Large sharks are still very evident in the western Atlantic and no conclusions can be drawn about the status of sharks from such a limited dataset and flawed analysis. To describe its conclusions as dubious is to give the paper too much credit.”

And referring to the assertion in the Guardian newspaper, he added: “If sharks lived on land, far from being an outcry, we would count them properly and wonder what all the fuss has been about.”

Animal rights activists from IUCN, IFAW, WWF, Ocean Conservancy and other groups are currently collaborating closely with western governments on new proposals that would further restrict the trade in shark meat at the CITES meeting that will be held in the Netherlands during June 2007. ■

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United States Proposed Research Whaling to Japan

Dr. William Evans, United States Commissioner to the International Whaling Commission in the late 1980s, suggested that Japan take up research whaling to circumvent the moratorium on commercial hunting, according to an article in the latest issue of the Tokyo Journal (Spring 2007).

Shigeko Misaki, who worked for the Japanese government as an interpreter at the time and subsequently became an adviser to the Institute of Cetacean Research (ICR) and Japan Whaling Association (JWA), told the publication: “It was a very implicit suggestion. I interpreted, and I can attest that it was a suggestion by Dr. Evans, who was a Commissioner at the IWC from the United States, that Article 8 provides for research whaling, and research whaling provides for the by-products to be commercially disposed of.”

Whether or not it was influenced by Dr. Evans’ suggestion, Japan began its research program in 1987. One year later, President Ronald Reagan nominated Evans to become the country’s IWC Commissioner. In 1990, Evans told the Associated Press it was Iceland that invented scientific whaling to get around the moratorium which, he said, was supposed to last for five years.

Japan’s research has produced a wealth of detailed biological information on whale stocks that it hopes will assist the

IWC to set sustainable commercial catch quotas. The country’s research fleet has also been a regular target of anti-whaling groups.

The United States has officially opposed research whaling for many years. In 2004, at the urging of the World Wildlife Fund (WWF), it made ending research whaling a precondition to agreeing a Revised Management Scheme (RMS). Negotiations on an RMS collapsed shortly afterwards.

In the article, Mrs. Misaki describes how Japan came to abandon its formal objection to the moratorium on commercial whaling in 1987. She says that the United States agreed to allow Japan to continue its bottom trawling in Alaska “for a long, long time” if it did so. “We very naively believed them”, she says. “The following year after we had agreed on the cessation of whaling, they halved the quota and then in two years they erased the entire quota.”

The United States justified its decision on the grounds that Japan had established a whale research program.

Commenting on the disclosures, Eugene Lapointe, President of IWMC said: “With this type of background it is easy to understand why Japanese negotiators today might be circumspect about trusting American promises on whaling. It is a case of, ‘Fool me once, shame on you; fool me twice, shame on me.’” ■

Campaign Coalition Fails to Show American Concern About Whaling

Twenty U.S. environmentalist groups launched a “Whales Need US” coalition in Washington, DC on 17 April, demanding that their country demonstrates leadership in upholding the International Whaling Commission’s moratorium on commercial whaling.

Introducing the coalition, D.J. Schubert of the Animal Welfare Institute said: “Welcome to history! We are making history today! We are joining forces for the first time ever to work together to save the whales.”

Most of the groups have collaborated with each other for many years on a range of wildlife issues, including whaling. The press conference attracted no mainstream media organizations and only four reporters attended, including Sustainable eNews.

Fred Steeper, a pollster for Market Strategies, Inc., presented the results of an advocacy opinion poll commissioned by the International Fund for Animal Welfare (IFAW) which, he claimed, showed that 72% of Americans are concerned about Japan’s research whaling. However, he later admitted that the poll asked no screening questions. These are used

by pollsters to validate conclusions by determining a base level of public knowledge about the subject being researched.

A similar survey by Steeper in 2001 revealed that just 15% of Americans knew that Japan engaged in whaling yet, at the time, he concluded that 78% were concerned by it.

The new poll follows a similar format but this time screening questions are deliberately omitted and respondents are asked their views on a series of biased characterizations of the whaling issue. Opinion poll experts dismiss surveys conducted in this manner as unreliable.

Eugene Lapointe, President of IWMC, said: “People don’t tend to be concerned about things they don’t know anything about. The poll is obviously bogus.”

He added: “The complete lack of interest in this latest campaign initiative reveals that most Americans are not at all concerned about sustainable whaling. The activists have scored an own goal.” ■



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In Brief

American Student Floored by Whale Laws

A University of California student was arrested for trying to remove teeth from a dead sperm whale that washed up on a beach close to Santa Barbara. Although sperms are the world's most abundant whale species, with a population estimated by the National Oceanic and Atmospheric Administration (NOAA) to be over two million, the animal is nevertheless listed under the nation's Endangered Species Act. The Marine Mammal Protection Act (MMPA) makes it unlawful for Americans to utilize any part of a whale. Commenting on the arrest, IWMC President Eugene Lapointe, said: "It is easy to see why a student would not believe federal officials who told him he couldn't take the teeth of such a common animal, particularly considering it was dead. This is what happens when regulations are based on politics rather than common sense." The whale was buried on the beach.

Greenpeace Ship Stranded off Japan

The Greenpeace ship Esperanza was unable to dock in Tokyo as part of its protest against Japanese whaling when the All Japan Seamen's Union persuaded shipping agents not to handle its arrival. After a five-day standoff, Esperanza finally berthed at Yokohama, but was not permitted to hold public events. After restocking, the Esperanza departed for Korea.

Noteworthy

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