

## Fish stock conservation: removal of fins of sharks on board vessels

2011/0364(COD) - 15/04/2016 - Follow-up document

The Commission presents a report on the operation of Council Regulation (EC) No 1185/2003 on the removal of fins of sharks on board vessels, as amended by Regulation (EU) No 605/2013, and on the international developments in this field.

To recall, Council Regulation (EC) 1185/2003 established a general prohibition of the practice of shark finning, which consists of the removal of a shark's fins and the discarding of the remaining carcass at sea. Under the Regulation, Member States could issue special fishing permits for the processing of sharks on board. To prevent finning, the Regulation established a fin-to-carcass ratio for processed sharks.

[Regulation \(EU\) 605/2013](#) states that where vessels flying the flag of a Member State catch, retain on-board, tranship or land sharks, the flag Member State shall send to the Commission, annually a comprehensive report on its implementation of the Regulation.

The Member State particularly provided information on:

- the number of times sharks were landed,
- the number, date and place of the inspections,
- the number and nature of cases of non-compliance as well as the penalty applied, and
- the total landings by species (weight/number) and by port.

Member States' reporting: the Commission notes that Member States' submission of annual reports has been incomplete in that only 14 out of 23 coastal Member States submitted full reports on their implementation of the Regulation in both 2013 and 2014, while three coastal Member States - Croatia, Romania and Italy - did not submit any report, in spite of numerous reminders by the Commission.

However, all Member States that in the past had issued special fishing permits for on-board processing of sharks submitted at least one report on their implementation of the Regulation. Member States reported the data also to different extents and in different formats.

Seven Member States report landings of more than 50 tonnes in 2013, with two Member States standing out (Spain, with over 60,000 tonnes, and France, with over 15,000 tonnes). Half of the Member States that previously had issued special fishing permits to allow on-board processing of sharks did not report any catches of sharks by their fleets.

Spain and Portugal have the highest ratios of volumes per landing. In the specific case of blue shark - a species for whose fins there is a market - the Spanish and Portuguese fleets have the largest shares in volumes.

The number of infringements identified during the inspections carried out by the Member States that provided the required data to the Commission, appear to be a very limited. Over 4,400 inspections were reported for 2013, during which four cases of infringements were found.

Concerns raised: the Commission is aware of the concerns raised in one of the Member States' reports, which are similar to those raised by some Member States and stakeholders during the previous public consultation, that the implementation of the Regulation complicates the handling of the carcasses and imposes additional costs on the vessels concerned. The Commission will continue monitoring the situation and its economic consequences. Such difficulties may be addressed to a certain extent by existing instruments, including those of the [European Maritime and Fisheries Fund](#) (EMFF) to help find practical solutions to the alleged difficulties.

International developments: the Commission also believes that it is important to pursue the active promotion of fins-naturally-attached policies at the international level in line with the request of the Council to increase international support that contributes to a more level playing field, even if the EU proposals are not adopted.

The EU is also a key promoter of the UN General Assembly Resolution on Sustainable Fisheries, which calls upon states to take immediate and concerted action to improve the implementation of and compliance with existing RFMO or arrangement measures that regulate shark fisheries and incidental catch of sharks.