

Save our Sharks in South Africa

Dear members of the NPOA-Sharks Review Panel,

Prof. Dr. Sven Kerwath (chair- DEFF); Dr Charlene da Silva (convenor- DEFF); Mr Saasa Pheeha, Chief Director (acting- DEFF); Ms Sarika Singh (DEFF); Ms Zintle Langa (DEFF); Dr Kerry Sink (SANBI) ; Dr Alison Kock (SANPARKS) ; Dr Andres Domingo (National Department of Aquatic Resources, Uruguay); and Dr Rishi Sharma (FAO)

Re: Reviewing of the conservation and management of shark species in South Africa

We represent a public group 'Save Our Sharks' comprised of concerned citizens, private companies, non-profit organizations, White Shark Cage Diving operators, commercial and recreational anglers, conservation organisations, and tens of thousands of other concerned South African citizens across all race groups. We write to you, members of the NPOA-Sharks review panel, as appointed by the Department of Environmental Affairs, Forestry and Fisheries (DEFF) on 21 May 2020.

We are pleased that Minister Creecy has appointed you, a panel of scientific experts to review the NPOA for Sharks, specifically with regards to the management and conservation of our shark species. We look forward to a constructive, thorough, and accountable review that will have, hopefully a common desired outcome - the sustainable and long-term rational economic use of shark resources, whilst establishing protocols for shark species to recover.

Unfortunately the original objectives of NPOA-Sharks of *"harvesting strategies consistent with the principles of biological sustainability, attained through scientifically based management and consistent with a precautionary approach"* have not been effective and the fishery remains poorly managed. This assertion is based on stock assessments performed by some of the DEFF scientists on the panel, as published in 2019, as well as the observations by the many organisations and the public with who we are in regular contact.

Immediately following the Ministers announcement of the review panel, we were inundated with requests to forward a multitude of issues to the panel. We hereby do so under cover of this letter and the urgency and discontent with the present state of the fishery is clearly apparent. We make no apologies for the comments contained

therein, we acknowledge that much of the research references are known to the panel members, but we believe that it is important that all views are expressed. (Information document appended to this document)

Our concerns regarding the unsustainable pillage of our shark species by DSL fishery are shared by ~25,000 signatories of the “Save Our Sharks in South Africa” petition to the Minister.

We append a copy of the letter herewith.

We are expressing our serious concerns about the management of commercial shark fishing, especially the Demersal Shark Longline (DSL) fishery and the significant impact it has on the marine environment.

We would like you to pay extra attention to the DSL fishery, as despite being such a small fishery (six boats: mainly two active), it has a dramatic impact on several commercial target species (smoothhound sharks for instance: see below for evidence) and other CITES protected species (smooth hammerheads for instance: see below for evidences). Ultimately, a decision to re-allocate this sector to a better enforced and legislated fishery could have a great positive impact on the conservation of sharks, without the socio-economic impact of job losses.

World-wide interest has been increasing throughout the last 2 years with local and international media coverage. To date various articles and programs have been screened and published by CNN, CBS, Australian Broadcasting, Forbes, The Daily Maverick, Yale 360, Media 24, Carte Blanche, ENCA, SABC, Cape Times, Sunday Times, Eastern Province Herald, Undercurrent, Nose Week, Cape Talk, Fishing News and various other radio and television networks and online websites. The issue has also been taken up by NGOs like WildAid, WWF, WESSA, Conservation Action Trust, Shark Research Institute, Two Oceans Aquarium, Algoa Bay Conservation, Australian Marine Conservation Society, Sea Shepherd, Green Peace and many other smaller organizations. We are able to provide links to this media exposure should it be required.

The past years of public and media exposure of the shark fishery have impacted adversely on the reputation of DEFF as a regulatory, enforcement and conservation entity. For instance, DEFF scientists have reported several times that their scientifically based recommendations have been over-ruled by higher management. This is a serious concern that has, during the last 10 years, continually surfaced with great concern to us all.

Nevertheless, the world is now listening to you. Now this panel has a once-in-a-lifetime opportunity to really inform and guide the Minister's decisions by actioning changes for the benefit of South Africa's natural heritage and the long-term sustainability of South Africa's fisheries.

We have summarized the terms of reference of this review panel briefly below:

- Review NPOA-Sharks to determine areas of non-compliance or non-performance;
- To evaluate and to put effective measures in place to:
 - Ensure catches from direct and non-direct fishing sectors are sustainable;
 - Ensure that the monitoring of shark catches, including species-specific identification, and landing data are improved;
 - Ensuring that unutilised incidental catches are minimized;
 - Ensure that waste and discards from shark catches are minimized, including the retention of finned sharks to make full use of (all) dead sharks;
- Perform an assessment of direct threats to shark populations;
- Identifying (and implement) ways to protect shark habitats;
- Implement harvesting strategies that are biologically sustainable and rational for long-term economic use. Particular attention is given to vulnerable or threatened (and endangered) shark stocks.
- In terms of IPOA develop effective consultations with ALL stakeholders;

We have added the following item to the terms of reference:

- Evaluate the department's mandatory compliance status with existing legislation and international agreements to provide protection for and sustainable use of our natural shark resources.

We appeal to each of you, the panel members, to be guided by your expertise in your field to uphold your constitutional mandate to protect species for now and future generations and to manage South Africa's shark populations sustainably.

The responsibility of turning the above sad shark story into a future success story lies squarely on your shoulders.

Thus far our focus has been on the present (ineffective) impact of NPOA-Sharks, as conveyed by the documentation herewith. We would also like to inform you that we are mindful of the dynamics of the evaluation process and hope that constructive dialogue will ensue as your work progresses. We will also take every opportunity to

bring any matters to your attention that may contribute to a more effective management of the shark fishery.

We wish you wisdom, integrity and, above all, courage to make the right decisions concerning the future of South Africa's sharks and marine resources.

In conclusion, evident from the info appended, we require the immediate implementation of the following:

- species-specific TAC (lower than identified in the stock assessments);
- species-specific slot limits;
- independent observers on board;
- buffer areas for MPA's, protected species aggregation- and shark-nursery areas;
- liaison and transparent communication with all stakeholder groups involved with shark natural resources;
- ministerial approval to effectively implement the recommendations of the panel and the allocation of adequate funding;
- self-assessments and independent compliance audits on fisheries with respect to monitoring and enforcement of permit conditions; and the
- evaluation of the DEFF mandatory compliance status with existing legislation and international agreements.

We strongly believe that the most effective and direct way to accomplish the above will be for this review panel to request the Minister to halt the DSL fishery with immediate effect.

16 June 2020

Enclosures:

1. Collection of information, referenced papers, opinions from scientists, organisations and members of the public.
2. Memorandum of petition to Minister Ms Barbara Creecy