

# Committee on Resources

## Subcommittee on Fisheries Conservation, Wildlife and Oceans

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### Statement

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STATEMENT OF  
FREDERICK M. O'REGAN  
PRESIDENT  
INTERNATIONAL FUND FOR ANIMAL WELFARE  
BEFORE THE  
  
SUBCOMMITTEE ON FISHERIES CONSERVATION, WILDLIFE AND OCEANS  
COMMITTEE ON RESOURCES  
U.S. HOUSE OF REPRESENTATIVE  
ON  
H.R. 3535  
THE SHARK FINNING PROHIBITION ACT  
APRIL 13, 2000  
WASHINGTON, D.C.

Chairman Saxton, Ranking Member Faleomavaega and Committee Members, my name is Fred O'Regan and I am President of the International Fund for Animal Welfare (IFAW). I am pleased to be here today to voice our very strong support for H.R. 3535, The Shark Finning Prohibition Act.

IFAW is a global, not-for-profit animal welfare and conservation organization with offices in twelve countries including the United States where we have our headquarters, several countries in Europe, Russia, China, Australia, South Africa and Kenya. As a matter of policy, we neither solicit nor accept government funding. We instead rely on the generous support of some two million people around the world who support IFAW's efforts to promote balanced animal welfare and conservation policies that advance the well being of both animals and people.

IFAW is not, yet, as well known as some other wildlife conservation organizations. The focus of our work has largely been on scientific research and policy development in international fora such as the Convention on International Trade in Endangered Species (CITES) and the International Whaling Commission (IWC). This work is critical to wildlife conservation and animal welfare, but often not front-page news. For example, IFAW scientists and policy advisors provided the foundation for the IWC's current moratorium on commercial whaling, and the creation of the internationally recognized Southern Ocean Sanctuary in the waters around Antarctica.

In Russia, where IFAW is one of the few officially registered non-governmental conservation organizations, we run an orphan bear rehabilitation program and are helping to establish a beluga whale sanctuary. In

South Africa we've donated more than four million dollars to the national park system to help purchase and expand critical elephant habitat in national parks. We've worked with both governments and local communities in many countries to conserve endangered species, support anti-poaching efforts and achieve win-win solutions that promote wildlife and habitat preservation while addressing human needs. Our latest success was organizing an international campaign with local fishermen and conservationists in Mexico to convince Mitsubishi to abandon its plans to build the world's largest salt factory in Laguna San Ignacio, a pristine area on the Baja California peninsula. In this country, we provide ongoing financial and scientific support together with the National Marine Fisheries Service, the Coast Guard and a variety of research institutions, to save the highly endangered Northern Atlantic Right Whale from extinction.

Mr. Chairman, the issue before this Subcommittee today is extremely important. Shark finning is a cruel and wasteful practice that is threatening the world's shark populations. It must be stopped; not just in U.S. waters, but around the globe. And finning is growing at an alarming rate. In the waters off Hawaii shark finning has increased more than 2000 percent in the last decade. Last year an estimated 125 countries were involved in the lucrative shark fin trade which has fueled the practice of shark finning around the world.

In an effort to responsibly address this growing threat, IFAW has been engaged in a cooperative program with the government of China and with practitioners of traditional Chinese medicine around the world -- including those in the United States -- to find ways to manage the steadily growing demand for shark fins and cartilage in traditional medicine. We have also supported efforts by the governments of the United Kingdom and South Africa to have the basking shark and the great white shark receive protection under the Convention on International Trade in Endangered Species, whose biennial conference is taking place in Nairobi as we speak. [I believe, several members of your committee and its staff are attending this important meeting). But even if all of these efforts are successful, they will not be enough to safeguard the future of the world's shark populations.

Globally, many shark populations are in serious decline. Because sharks are large, slow growing animals with relatively low reproductive rates, their very existence is threatened by finning and other human actions. The United Nations has recognized this problem by issuing the FAO International Plan of Action for Conservation and Management of Sharks. Although this Plan calls for the full utilization of sharks and the elimination of waste, it is a voluntary plan.

The Members of this Subcommittee know all too well that urgent action is needed. Your leadership and that of Congressman Cunningham led to House passage of H.Con.Res. 189 last November. I won't repeat all the reasons why this Subcommittee must now pass binding legislation, but instead will focus on the questions you asked in your letter of invitation, namely: What are IFAW's views on H.R.3535 and do we have any recommendations for changes.

IFAW believes that there are three distinct issues that must be addressed in The Shark Finning Prohibition Act. First, the bill must prohibit shark finning by all U.S. fishermen, on all vessels and in all fisheries under the jurisdiction of the United States. We believe this is the intent of H.R. 3535, but would encourage you to ensure that U.S. fishermen and vessels are covered when fishing on the high seas or in foreign waters, notwithstanding any other agreement or law that might preclude enforcement of a finning prohibition.

Ending wasteful finning by U.S. fishermen alone will of course not end this practice. We understand that U.S. fishermen account for only two percent of the shark finning in the Central and Western Pacific Ocean. However, the U.S. does serve as an important conduit in the shark fin trade. In the Pacific, foreign fleets transship or land approximately 180 metric tons of shark fins annually through U.S. ports and vessels.

With these facts in mind Mr. Chairman, Our second point is that the legislation you are developing should be expanded to stop the trafficking of fins through U.S. ports by prohibiting the transshipment of fins taken by shark finning. We believe that the Magnuson-Stevens Act (Act) should be amended to ensure U.S. ports and vessels are not used to subvert your efforts to end shark finning and would suggest that Sec. 301(1)(J) might serve as a model for a new provision.

As you will recall, Section 301 (1)(J) of the Act makes it unlawful for any person to ship, transport, offer for sale, sell, or purchase in interstate or foreign commerce any live lobster that does not conform to certain conservation measures outlined in the statute and in certain conservation and management plans. A similar provision could be written to prohibit these same activities for shark fins obtained through the wasteful practice of shark finning. Mr. Chairman, IFAW would be pleased to work with you and your staff in further developing this provision to stop the transshipment of shark fins through the United States

Our third and final point is that ending shark finning around the world will necessarily involve international efforts and require U.S. leadership. The bill before you should be amended to include the views of Congress on how this should be accomplished. IFAW believes that the successful efforts of the United States in ending large-scale driftnet fishing can serve as a useful model. As you recall, the first step for the U.S. in achieving an international moratorium was to prohibit the practice in our own waters. This action significantly increased the strength and credibility of our negotiators. In 1987, the Congress passed the Driftnet Impact Monitoring, Assessment and Control Act that in addition to preventing U.S. fishermen from engaging in large-scale driftnet fishing, directed the Department of State to undertake certain deliberate actions to achieve an international ban. These efforts involved diplomatic initiatives at the United Nations, regional fishery management bodies and world capitals. IFAW believes achieving an international ban on shark finning will involve a similar effort and similar mandates should be included in your bill. [Attached](#) to my testimony is suggested legislative language concerning international negotiations and reporting. We know that an international ban won't happen right away but we also know that much can be accomplished if your committee and the Congress act immediately to begin this process.

Finally, while prohibiting shark finning internationally is a very critical step in protecting the world's shark populations, it is not the only step that must be taken. Regional and national management bodies must adopt shark conservation measures to prevent overfishing and adopt a precautionary approach for species about which we have little or no information. Low productivity species of sharks should receive special attention, critical habitats must be protected and important biological and fishery management data must be assessed to improve our understanding of sharks.

Thank you Mr. Chairman for inviting me here today to share our views with you. I believe IFAW is particularly well positioned to help in the efforts to achieve an international ban on shark finning and we are eager to do so. Through our country offices around the world IFAW has worked successfully with many governments in conserving and protecting wildlife and fisheries. We have worked closely with other non-governmental organizations to achieve significant conservation gains. We are grateful for your leadership on this issue and stand ready to assist you in this very important campaign.

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