



Mr. Virginijus Sinkevičius
Commissioner for Environment,
Oceans and Fisheries
European Commission
B – 1049 Brussels

Amsterdam, 8 December 2021

To send by email to: Virginijus.SINKEVICIUS@ec.europa.eu; cab-sinkevicius-contact@ec.europa.eu

Subject: Protection of tope shark (*Galeorhinus galeus*)

Dear Commissioner Sinkevičius,

we ask for the prohibition of catches of tope shark (*Galeorhinus galeus*) in the Northeast Atlantic as this is the only logical outcome for the management of this threatened species in European waters after over a decade of ineffective management¹.

The biology of tope sharks makes them highly vulnerable to overexploitation as females are estimated to start giving birth at 10 to 15 years old and only have pups once every three years. This shark is present in all European waters, both inshore and in the open ocean. It is a fast swimming species that hunts for fish like mackerel and herring. Tope can travel long distances, individuals were tracked from the West of Scotland to the Azores and back, and from Ireland into the Northern North Sea. The worldwide decline of this species, mainly caused by unsustainable fishing, has led the International Union for Conservation of Nature (IUCN) to change its global status from Vulnerable to Critically Endangered on the Red List of threatened species¹.

Lack of management

Scientists and NGOs have indicated the vulnerability of this species for many yearsⁱⁱ and stressed the need for sustainable management. However, to date no measures to effectively restrict landings have been implemented by the EU. The International Council for the Exploration of the Sea has advised on the need for sustainable management for catches of tope shark since 2012²³ⁱⁱⁱ, and given specific landings advice since 2016, but recorded landings have consistently exceeded the scientific advice.

¹ Since 2012 catches of tope shark have been prohibited in longline fisheries in Union waters of ICES division 2a and subarea 4 and in Union and international waters of ICES subareas 1, 5, 6, 7, 8, 12 and 14 through the EU TAC & Quota regulation. However, it is unclear why this measure was ever proposed as it has had no significant effect on reducing mortality or curbing downward population trends.

In 2009 the EU acknowledged that more needed to be done to protect elasmobranchs when it adopted the Community Plan of Action on Sharks (CPOA-sharks). This Action Plan had the objective to ensure sustainable management of all EU shark and ray species, but failed in this effort as pointed out by STECF in their 2019 review of the CPOA^{iv}.

Brexit considerations

In February 2020 tope was listed on Appendix II of the Convention of Migratory Species (CMS) to emphasize that the species would significantly benefit from international cooperation to prevent further decline⁴. Both the EU and the UK are signatories of CMS and there is extensive evidence of tope migrating between EU and UK waters. Of note is as well that the Trade and Cooperation Agreement (TCA) calls for management of all non-quota species caught in commercial fisheries. This should also apply to the (by)catches of vulnerable elasmobranchs such as tope.

In this context a catch prohibition (including bycatches, transshipment and landings) with a prompt release requirement for all tope caught would be fitting. This would be in line with the international conservation status of the species and is a readily enforceable measure that adheres to the level playing field between EU and non-EU fishers.

The recent listing of tope on Appendix II of the Convention on Migratory Species, together with the fisheries management framework to be agreed post-Brexit, present a unique opportunity to protect this endangered shark in Europe.

Yours Sincerely,



Irene Kingma, Co-chair of the policy committee of the European Elasmobranch Association
kingma@elasmobranch.nl

On behalf of

Organisation	Country
Dutch Elasmobranch Society	Netherlands
The Shark Trust	UK
iSea	Greece
Submon	Spain
Shark Foundation	Switzerland
Shark Lab Malta	Malta
A.P.E.C.S.	France
Sciena	Portugal

Organisation	Country
Our Fish	EU
Danish Nature Foundation	Denmark
Fisheries Secretariat	Sweden
Client Earth	Europe
North Sea Foundation	Netherlands
Marine Conservation Society	UK
European Anglers Alliance	EU

ⁱ Walker, T.I., Rigby, C.L., Pacoureaux, N., Ellis, J., Kulka, D.W., Chiamonte, G.E. & Herman, K. 2020. Galeorhinus galeus. The IUCN Red List of Threatened Species 2020: e.T39352A2907336. <https://dx.doi.org/10.2305/IUCN.UK.2020-2.RLTS.T39352A2907336.en..>

ⁱⁱ European shark fisheries: a preliminary investigation into fisheries, conversion factors, trade products, markets and management measures; European Elasmobranch Association; 2007

ⁱⁱⁱ ICES Working Group on Elasmobranch Fishes Advice 2020 (pg 289-302)

<https://www.ices.dk/sites/pub/Publication%20Reports/Forms/DispForm.aspx?ID=37017>

^{iv} Scientific, Technical and Economic Committee for Fisheries (STECF) – Review of the implementation of the shark finning regulation and assessment of the impact of the 2009 CPOA- Sharks (STECF-19-17) <https://publications.jrc.ec.europa.eu/repository/handle/JRC119051>