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LADB Staff

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Costa Rica's Environmental Reputation Founders On Farcical Fisheries Law

by LADB Staff

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Costa Rica has created a new loophole for shark finning, the ostensibly illegal practice of cutting the valuable dorsal fins from certain species of the animals and discarding the rest of the carcass. The fins are used in Asian cookery and for a host of medicinal purposes in the Far East.

According to Programa Restauracion de Tortugas Marinas (PRETOMA), a Costa Rican marine-conservation nongovernmental organization (NGO), the new fishery law passed April 25, 2005, requires shark fins to be landed attached to their respective bodies. But the Instituto Costarricense de Pesca y Acuicultura (INCOPECA) has interpreted that law to allow fins to be tied onto a shark body, making it impossible to determine whether the fin belongs to that body and allowing fishing vessels to circumvent the law by tying extra fins to each body.

PRETOMA enumerates other ways in which INCOPECA's interpretation encourages shark finning:

The fins of large sharks can be tied to small bodies.

At-sea inspections are rendered impossible; inspectors cannot verify that finning has not occurred.

Dockside inspections are hampered. Inspectors must count every fin to be sure extra fins are not tied on. Vessels land nearly 7,000 sharks in one landing, so counting all the fins can take days.

Species identification is impossible without DNA testing, a prohibitively expensive process. Species identification is necessary for evaluating the status and health of shark populations and creating policies for shark management. Said Randall Arauz, president of PRETOMA, "Just when Costa Rica was celebrating the passage of our new fishery law, INCOPECA creates a loophole that nullifies the law and perpetuates shark finning. Sadly, INCOPECA's long history of creating loopholes has earned Costa Rica the reputation as a world renowned shark-finning country." Arauz has written to INCOPECA technical director Marvin Mora asking that Mora "immediately close this loophole," but Mora has contended that he had the approval of the government's attorney for the interpretation. Arauz seeks an order from the institute that sharks be unloaded "with their respective fins attached to bodies naturally." Legislators nullify their work Legislators who drafted and passed the new law appear to have abetted its subversion. More than 20 deputies, including members of the commission that drew up the law, have signed a letter to President Abel Pacheco and Ligia Castro, president of INCOPECA, asking that "INCOPECA authorize vessels to unload sharks that come with their fins, even if they are attached in an artificial manner." One legislator who signed the letter, Federico Malavassi of the Partido Movimiento Liberacion (PLM), told The Tico Times, "It has never been proven that shark finning takes place in Costa Rica, and many fishermen have been bothered because of it." Malavassi said he signed to protect the fishers of Puntarenas, where the shark-finning practice that has been repeatedly demonstrated takes place. Not all the law's drafters signed the letter. Quirico Jimenez said he did not sign because the letter

seemed stupid. "With this we fall into the same game as before," he said. "This interpretation is arbitrary. It is a loophole to allow them to continue; shark finning means profits for Puntarenas." Costa Rica has gained an international reputation for depleting shark populations for profit. The International Society for Conservation and Protection of Sharks, Sharkproject E.V., has nominated Pacheco for the 2006 annual Shark Foe of the Year award. Mora disputed the award, saying that environmentalists should name the president Sharks' Number One Friend, because other Central American countries don't have regulations for unloading fins, attached or not.

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