War on sharks: How rogue fishing fleets plunder the ocean's top predator

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It was billed as the biggest poaching bust in history, a monumental win for conservationists.

An Ecuadorean Navy patrol vessel, guided by advanced radar and a small plane, bore down on a ship the length of a football field making a beeline across the Galapagos Marine Reserve—probably the most fiercely protected waters in the world. Filling the freighter's freezers: 150 tons of dead sharks, most of them endangered and illegal to sell.

Only small pieces off those 6,000 carcasses were actually of much value. The fins.

Shark fins are a delicacy in China, the feature ingredient in an expensive soup served at banquets and fancy restaurants. At peak, dried fins have sold for more per pound than heroin. That price, coupled with high demand from a booming Chinese economy, has created a brutally efficient industry capable of strip-mining sharks from the sea.

With fishing lines over 75 miles long, commercial shark fishermen catch hundreds of sharks in a single try. Tens of millions of sharks are fished from the world's oceans every year, and some scientists have estimated that number to be over 100 million.

"The amount of sharks that we are pulling in all over the world, it seems insane that there should be any left at all," said shark conservationist Ben Harris, director of Sea Shepherd Conservation Society's Panama

Chapter.

Shark poaching happens everywhere, from Florida to French Polynesia, but it's the Pacific Ocean off Central America that has become ground zero in the battle to protect sharks. Even here—by many measures the richest shark waters on the planet—biologists fear relentless overfishing could spiral populations of the most sought-after species into irreversible collapse and take the entire marine food chain down with them.

The big question has become which will disappear first—sharks or the shark fin trade.

"It's a very close race right now," said Harris, who has spent decades in small speedboats chasing shark poachers out of Central American marine reserves.

This two-year investigation first published by "Reveal," a radio show and podcast supported by the Center for Investigative Reporting, found that despite stricter protections enacted by many coastal countries, international trade in shark products remains strong in the Eastern Pacific. Reporting in port towns across five countries from Ecuador to El Salvador showed in some cases new laws intended to curb the slaughter of sharks appear to have had the opposite effect.

"It really is a war," said Jessie Treverton, former captain of the M/V John Paul DeJoria, a former U.S. Navy Patrol vessel turned Sea Shepherd eco-battleship. The vessel, painted with huge shark teeth, patrolled the region's marine reserves in early 2017, its volunteer crew tussling with poachers and sometimes cutting longlines in an effort to protect dwindling shark populations. "We're up against governments. We're up against cartels that are making huge amounts of money exploiting the marine ecosystems."

The Ecuadorean navy's bust last August of the freighter Fu Yuan Yu Leng 999 in the Galapagos was celebrated in conservation circles. By astonishing size alone, it seemed like a major turning point in the global campaign to protect the most important apex predator in the ocean.

Reality proved far murkier—much like the shark-fishing industry as a whole—with the raid on the Fu Yuan Yu Leng only underlining the daunting challenge of policing the rogue shark fleets of the high seas.

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It turned out that the freighter crew members, still sitting in an Ecuadorean jail, weren't technically poachers, or even shark fishermen. They were simply transporters, charged with picking up an illegal haul from fishing boats far out in the Pacific, and depositing it in some port with soft laws on shark exports. The crew's testimony suggested they were unwitting smugglers, typically disposable cogs in an industry that often trades on human trafficking for its labor, and that obscures ultimate responsibility for environmental destruction behind layers of shell companies.

For the business interests that profit the most from the fin trade, the big Galapagos shark bust was a single lost battle in a war they continue to win. The cargo on the Fu Yuan Yu Leng represented a negligible portion of the global shark catch that the United Nations Food and Agriculture Organization reported to be worth almost $1 billion annually.

"We haven't done anything at all to confront the fishing," said Costa Rican shark conservationist Randall Arauz, who has spent years pushing for more regulations to protect shrinking shark populations.

At least half a dozen shark species are considered critically endangered across the world's oceans, and many more in specific regions. Globally, a

quarter of shark and ray species are considered threatened. Though exact numbers vary between conservation agencies and governmental bodies, scientists agree that if nothing changes, some species may go extinct in our lifetimes.

Many protections have been implemented by countries in the Americas with Pacific coastline to try to slow the decline. All of them banned "shark finning—the practice of chopping fins off a live shark and throwing the body back to bleed out and drown. Globally, 182 countries and the European Union signed onto agreements that prevent the export of certain endangered species. And more and more countries are declaring "no-take" marine reserves, including Ecuador, Panama, Colombia and Costa Rica.

Yet an analysis of U.N. trade data suggests exports of shark products from Central America have nearly doubled since 2012. That suggests that despite regulations, there is more shark fishing in the American Pacific, not less.

"They always find the loopholes," Arauz said. National and international laws are full of inconsistencies, allowing shark fishing operations to slip through the cracks.

While "finning" is illegal, for example, the fins themselves are still legal in most of the world, so long as the entire shark body is brought to land with fins attached. The fins, a total of eight on most species, can then be removed at port and so long as they are not from an internationally regulated endangered species, they can be exported.

"Banning shark finning is a step in the right direction, but it's not going to give us what we need, which is a decrease in shark mortality," said Arauz.

Of all countries in the Eastern Pacific, only Ecuador banned shark fishing outright, allowing only "by-catch," sharks accidentally caught on a longline targeting other species. But Ecuador never put a cap on how much by-catch can be kept, so fishermen land as many sharks as they want and in practice, little has changed.

International trade in shark products has become the quintessential gray market, one where lack of regulation and enforcement make legal and illegal products blend into an impossible-to-separate quagmire.

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This investigation, supported by the Pulitzer Center on Crisis Reporting and Columbia Journalism School, also found that some protective measures, such as stricter port inspections, wound up pushing the behemoths of shark fishing—industrial fleets with global reach—farther out to sea. They come into port infrequently, and usually to remote corners of the globe with little scrutiny of what was caught (possibly protected endangered species) and where (possibly poached from a marine reserve).

The end result: Operations with the worst reputations have become harder to track and monitor, let alone potentially prosecute for poaching violations.

"The real problem now is turning into the high seas, because these boats operate in the high seas pretty freely," said Arauz. Today, the vast majority of shark fishing happens in international waters, where endangered status doesn't protect a shark from being fished. And even where there are laws, there's usually no one to enforce them.

On the high seas, a ship is subject to the laws of the nation whose flag it flies. Often, fishing companies will choose to flag their vessel in a

country far from the waters where they fish, ensuring little to no oversight of their operation. That flag turns a vessel into sovereign territory in international waters, so authorities from any other nation that board the vessel are effectively invading another country—not something most coast guards or marine patrols are keen to do.

That leaves most shark protection laws to be applied at the port of call, with the host nation working in conjunction with the flag state.

The Fu Yuan Yu Leng was registered in China. Court records show the captain said the official course was to Peru, a nation with notoriously weak enforcement on its ports. But, practically speaking, it could have been bound to any number of unregulated ports, anywhere from Africa to Asia. It would have gotten away with the illegal load, too, if it had not crossed into the waters of a marine reserve closely monitored on radar by park rangers.

"Instead of having to land now in these Central American countries, they (transpacific fishing vessels) can easily just turn around and take their products back to Asia," Arauz said. "Nobody knows, ever, what they caught."

One Artful Dodger of the shark industry is a Central American fleet owned by the Wang Group, a network of shell companies operated by three Taiwanese brothers in Costa Rica. Despite its eco-friendly reputation, Costa Rica has long been considered the capital of the regional shark trade, and exports up to half a million shark fins each year, according to government data. Foreign fleets, like the Wang's, have been responsible for a disproportionate amount of fishing.

When Arauz and other environmentalists pressed the government to tighten the screws—inspiring new laws that effectively banned the Wang Group's international vessels that landed up to 60,000 sharks a year—the

fleet simply stopped bringing its catch in Costa Rica.

"They'd have to follow the law, and they said, 'Screw this,' " said Arauz. "Now, they go to El Salvador and Guatemala. Over there they can land pretty freely."

The Wang Group now ships its sharks out of a port in El Salvador where enforcement is weaker. Almost 7 percent of regional shark trade shifted to El Salvador at the same time.

"In El Salvador, the number one problem is violence, and the number two and three," said Salvadoran conservationist Luis "Fox" Aguilar. He said local activists just don't know about the international fleets, so he doubts anyone regulates them.

Legally, that responsibility—making sure a vessel adheres to maritime law—should also fall on Belize, the flag country used by Wang vessels that ironically advertises its ship registry as "the friendly flag of quality." Belize employs deputy registrars to be its eyes and ears at ports around the world.

In Costa Rica, that became a case of the fox guarding the henhouse. There, the local registrar owned her own commercial shark fishing operation. In 2017, she was convicted of felony shark finning and was serving six months house arrest. She had previously been charged with human trafficking, though those charges were dropped on a technicality.

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The tougher rules in countries like Costa Rica for example, haven't curbed rampant overfishing across the region, but they have crippled local fishermen, the ones who are most motivated to play by the rules and the easiest to monitor. People whose income depends on sharks tend

to want shark populations to remain healthy.

"There is a small group of local shark fishermen that wants to do things right. I consider myself part of them," said lifelong Costa Rican shark fisherman Sergio Soto Pena. "Everyone has their passion and my passion is fishing. I live and die by it."

Like most fishermen, his forearms have several large scars from where shark hooks the size of a small finger accidentally pierced his skin as he baited longlines on rough seas over the years.

Though disliked by activists like Arauz, Soto Pena's three-vessel shark operation is tiny compared to international fleets. Many Costa Rican fishermen say they would support some regulation, like catch limits. But Costa Rica has forgone quotas, in favor of banning certain species from export entirely.

Local fleets are forced to throw back a big chunk of the catch because some sharks are illegal to export and therefore worthless. The throwbacks include hammerheads and other protected sharks—even if the shark is already dead.

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Soto Pena argues bans on certain species have caused many mom-and-pop shark-fishing operations to close, but says the extreme policies don't actually save sharks.

"We have to throw back all of that, and the other (international) boats kill everything and keep it all," he said, bothered by the waste.

Soto Pena says it's the transpacific long-liners that cause the most damage, both environmentally as well as socially. Some of the largest international shark-fishing vessels use crews of vulnerable migrants with no local connections. The vessels stay at sea for years at a time, invisible to radar, restocking and fueling from mother ships and transferring their catch—both legal and illegal—to steamers like the one captured in the Galapagos. And the men on board are just as disposable as the crew serving time for environmental crimes in Ecuador.

"I don't really think about it (the environmental impact)," said Thong Cao, a Vietnamese migrant fisherman who says he just does what he is told. He and the dozens of others on his fleet were deemed "probably trafficked" by a U.N. migration agency. Cao said that when he signed up for the job with a labor agency in Vietnam, he didn't know he was coming to Central America to fish sharks or that he'd be at sea for more than a year at a time, transferring the carcasses to other vessels to bring to port in El Salvador.

The local boats and international rogues even sometimes literally battle at sea. Crews of the larger transpacific vessels have cut Soto Pena's longlines in international waters, he said, rammed his boat, and generally try to drive natives from the best fishing grounds.

"We have regulations in Costa Rica, but who regulates those people?" he asked. The answer is almost always no one. As shark exports decline in Costa Rica, regional exports continue to rise.

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More than four decades after the movie "Jaws" painted sharks as man- and boat-eating monsters, scientists and conservation groups have worked hard to change public perception. By that measure, the international shark conservation campaign has been a profound public

relations success. Some conservation groups have even noted a decline in Asian demand for fins, as awareness campaigns have changed the dietary choices of many millennials. The price of fins has leveled off to around $100 a pound, way down from its peak. And shark fin soup has also been banned at official state banquets in China.

The Discovery Channel's wildly popular Shark Week, which wrapped up just a couple of weeks ago, reflects strong interest in shark ecology. Show after show still plays off the scary power of the ocean-going predators, but most also stress the critical role of sharks in the marine ecosystem.

There also has been a major cultural shift in states like Florida, where the waters on both sides of the peninsula teem with sharks. State wildlife managers have put 26 species, including ones once sought as sport-fishing prizes like the great hammerhead and tiger sharks, off-limits to anglers.

They've also increased enforcement. There has been a steady stream of small poaching busts in Florida. Last year, fishermen were arrested after 11 disembodied shark fins were found on board their boat. And after a viral video showed anglers on the Southwest coast dragging a shark at high speed behind a boat, sparking outrage on social media, Florida wildlife regulators traced and charged three anglers last year. Now, they're also crafting regulations to protect sharks from being dragged up on state beaches for photos.

Twelve U.S. states and three territories have banned possession of shark fins all together, accounting for some of the strictest shark laws in the world. Florida is not one of them, though the proposal has been made in the statehouse several times over the years, and groups like Oceana are supporting a federal bill: the Shark Fin Trade Elimination Act.

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But for all that progress in regional protection, Florida now ranks as the largest importer of shark fins in the country, according to Oceana. And shark fins from Central America often pass through Miami International Airport on their way to Hong Kong, according to data supplied by the private trade data aggregate ImportGenius. It wasn't always that way. For years, Los Angeles and then Houston were the transit hubs for Central American fins. But as Texas and California tightened restrictions, the exports moved to Florida.

Between 2015 and the middle of 2017, Costa Rican companies alone moved 180,000 pounds of dried shark fins through MIA on their way to Asia using two small logistics companies. Those fins were valued at almost $2.5 million dollars.

It's nearly impossible to know if any of the shark fins flown through MIA were from endangered species. But a 2017 independent analysis of shark fin clippings imported to Hong Kong suggests that a third of the fins may come from internationally protected species. Arauz and his team have documented several exports of hammerhead fins from Costa Rica, likely bound for the U.S. on their way to Asia, in breach of international treaties.

In March, Sen. Marco Rubio, along with Rep. Daniel Webster, two Republicans from Florida, and California Democratic Rep. Ted Lieu introduced the Sustainable Shark Fisheries and Trade Act. The bill would require any country wishing to export shark products to the U.S. to demonstrate that the sharks were harvested legally, sustainably and landed at a port with proper enforcement mechanisms, certified by the National Oceanic and Atmospheric Administration. Those in favor say the bill could coax the international fleets' return to properly regulated

ports.

The bill has been praised by fishermen and self-described pragmatic conservationists, who say a well-regulated, sustainable fishery is more effective than all-out bans. But many others feel the time for compromise with the fishing industry has long passed.

"It's just too many dead sharks," said Arauz. "The only thing that's going to save the sharks nowadays is to stop killing them."

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By the most important measure, shark protections continue to fall short. Many shark populations are plummeting, with more species being listed as threatened every year.

Hammerheads, known to stay close to shore, were some of the first to fall victim to overfishing and were subsequently listed as endangered. As the fisheries have moved farther out to sea, migratory, open-ocean sharks like the silky and thresher sharks have been targeted, and found their way onto lists of species threatened with extinction. The International Union for Conservation of Nature, the most-cited scientific authority, ties the threatened status of at least a dozen shark species directly to overfishing.

Trade in silky and thresher products was limited in 2016 by international convention, but populations remain in steep decline—between 60 and 90 percent in the Eastern Pacific since the 1990s. Experts say the ocean as we know it cannot exist without sharks.

"We'd have a much less efficient ecosystem," said marine biologist Jon Witman of Brown University who conducts research in the Galapagos. Essentially, he said, without sharks, the marine food chain would get

messed up.

It's called a behavioral trophic cascade. "Top predators can change the behavior of a species that it may feed on," Witman explained. "The herbivore feeds less because it's scared."

For example, he said in Australia, the presence of tiger sharks near shore keeps manatees from basking in the shallow water and overeating sea grass all day. Sea grass is an important nursery for a wide array of marine life, and its over-consumption could threaten species whose reproductive cycles depend on it.

Although the specifics of species interaction in a complex ecosystem is still a field of active study, scientists agree that healthy oceans depend on a healthy population of sharks.

"Sharks have a very important role in marine ecosystems because they maintain equilibrium, they maintain permanent balance of biodiversity," said Danny Rueda, director of ecosystems for the Galapagos Marine Reserve.

Rueda said that even with the best regulations, shark populations would take decades to recover due to their relatively slow maturation rate. However, Witman and Rueda both noted that since implementing a strict ban on shark fishing in the Galapagos Marine Reserve, populations appear to be in recovery within the protected areas.

"It's very likely that the sharks we are seeing here is something that 15 years ago you wouldn't have seen," said Rueda. "There has been an increase in control, a strengthening of the park so that there isn't illegal shark fishing."