



His Excellency the President of the Republic of Peru  
Pedro Pablo Kuczynski  
c/o Maria Lila Iwasaki Cauti, Secretary General  
Palacio de Gobierno  
Jirón de la Unión s/n  
Distrito de Lima  
15001 Peru

*By hard copy and electronic mail to: [miwasaki@presidencia.gob.pe](mailto:miwasaki@presidencia.gob.pe)  
Copy to Ministry of Production, Secretary General: [czanini@itp.gob.pe](mailto:czanini@itp.gob.pe)*

Wädenswil/Switzerland, December 21<sup>st</sup>, 2016

## **Petition for the protection of dolphins and sharks in Peru**

Your Excellency,

By way of background, we are a Swiss marine conservation Non-Governmental Organisation entrusted with Special Consultative Status with the Economic and Social Council of the United Nations.

First of all, please accept our congratulations on your election as President of the Republic of Peru this year. We wish you continued success and foresight in performing the great responsibilities and duties this position entails.

On behalf of our supporters worldwide, we particularly hope that under your auspices as President, Peru rededicates itself to the protection of dolphins, sharks and its other marine resources.

We would specifically like to express our great concern about the illegal killing of small cetaceans. An undercover research investigation conducted in collaboration with our Peruvian partner organisation Mundo Azul and US-based Blue Voice has revealed that every year up to 15,000 dolphins are illegally killed by fishermen in Peruvian waters, who then mainly use their flesh as shark bait. A considerable amount of the dolphin meat is also sold illegally on Peruvian markets for human consumption. In over 27 years of OceanCare's engagement in protecting marine wildlife, we have never observed an illegal dolphin hunt of such magnitude.

Not only does this result in dolphins dying illegally and with significant suffering, the alarmingly high number of killings also endangers the survival of the species itself. As for the shark hunt, it has been proven that over 90% of the short fin mako and blue sharks caught consist of juvenile animals which have not yet reproduced. This practice therefore poses a severe threat to the survival of the shark populations along Peru's coast.

OceanCare is aware of, and strongly supports, the ban on cetacean hunting introduced in Peru through Law N° 26585 in 1996 and enacted by the *Decreto Supremo N° 002-96-PE*; as well as the position generally therefore taken by your country in favour of protecting marine mammals.

However, there is evidence that this law is being largely ignored due to absent controls and enforcement. **We hereby strongly urge you to take measures of control and ensure appropriate enforcement of the existing laws.**

OceanCare commends the Ministry of Production on recently passing a regulation that prohibits the possession and use of fishing equipment known as an „animal harpoon“ (through *Decreto Supremo N° 021-2016-PRODUCE, “Supreme Decree establishing Management Measures for Shark Fisheries”, Article 2*). Since the use of such deadly device is the only way dolphins can be caught, such prohibition constitutes an important measure towards halting the slaughter of thousands of dolphins each year and ending their immeasurable suffering. However, we **call for this ministerial resolution to be enacted into actual law, which would thereby make the possession of a harpoon an ecological crime with respective stiff sanctions being imposed**. Also, since the tip of the harpoon can easily be hidden aboard the more than 500 small-scale longline shark fishing boats along a coastline of more than 2,500km, we call for **strict implementation, controls and punishment against violations**.

OceanCare also welcomes the *Decreto Supremo N° 002-2014 PRODUCE “National Plan for Action Conversation and Management of Sharks”* and the Ministry of Productions’ recent ban on the landing of loose shark fins through *Decreto Supremo N° 021-2016-PRODUCE*, mandating that the sharks must be landed as a whole, with the presence of its head and all of its fins still attached to the body in an attempt to prevent shark finning, illegal transshipment at sea or illegal trade with loose fins, thus promoting the full use of the resource. However, we fear that this ban does not adequately address the actual problem. Investigations have shown that sharks are not only being caught for their fins, they are historically caught for their meat for local consumption. Hence, the bodies are not being discarded at sea but landed and the fins, as valuable by-product, cut-off ashore. The real problem appears to be that tens of thousands of sharks are killed in Peru every year and most of these animals are juveniles, which is in violation of legislation already in place. **Again, we implore upon you to commit resources to implement and control existing and new regulations**. Also, we politely urge you to **pass an overdue temporary ban on shark fishing in order for the alarmingly overfished stocks to recover**.

OceanCare and 33 partner organisations have already presented some of these findings and further demands to your predecessor Ollanta Humala in 2013. We have also approached Peruvian government representatives worldwide and relevant regional fisheries agreements relevant for Peruvian waters in 2015. We are also working towards dolphin and shark conservation within all relevant international fora.

**We now take this opportunity to present you with 5,000 signatures requesting your vigorous pursuit of implementing, controlling and enforcing existing regulations as well as imposing stricter sanctions for offenders, thereby protecting the small cetaceans and sharks on a national scale.**

Moreover, we are aware that illegal fishing activities and trade in shark fins from foreign fleets remain an issue. We therefore urge your government to join over 30 countries and the European Union in ratifying the **FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing**.



The passing of the above Supreme Decrees are hopeful signs that the Peruvian state commits itself again more strongly to the conservation of its marine biodiversity. However, the unsustainable practices committed within the shark fishery are still causing negative reputational impact on the international perception of Peru as a country being unable to enforce its own laws on the protection of dolphins and sharks.

We understand to a certain degree that Peruvian fishermen try to assure their livelihood by choosing cheap bait and exploiting shark resources readily available off their coast. Nevertheless, demanding economic circumstances alone do not justify breaking laws, nor putting entire wildlife populations at risk. The fishermen's unique knowledge of the marine species should rather be utilised, continued and celebrated in a new, non-lethal relationship with dolphins and sharks, *i.e.*, through eco-tourism.

Enclosed you will find our petition together with a DVD containing a short nine minute documentary, which is the result of our undercover research, exposing the events aboard Peruvian shark-fishing boats. We kindly request that you view the DVD and take note of its explicit content.

For any questions or further enquiries, we remain gladly at your disposal.

Many thanks in advance for considering our concerns seriously and our urgent call for immediate action.

Respectfully yours,

OceanCare

Sigrid Lüber  
President, Director International Relations

Fabienne McLellan  
M.E.S., Marine Wildlife Conservation

Enclosures