Illegal, unreported and unregulated shark fishing in the Republic of the Congo

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Summary

This study examines the governance framework for regulating fishing generally in the Republic of the Congo. Specifically, it analyses the drivers and enablers of illegal, unreported and unregulated (IUU) shark fishing and the networks engaged in the criminal economy. The illicit activities linked to shark fishing and fin trading negatively impact ocean biodiversity, the local and national economies. New ways of thinking are needed for effective responses to IUU shark fishing in the country.

Key findings

- The illegal, unreported and unregulated fishing of sharks is driven by local and international demand for shark products. It is further enabled by a lack of state capacity to oversee and enforce legislation and control.
- Actors in the criminal supply chain of shark products include artisanal fisherfolk, foreign industrial trawlers, middlemen traders from African countries and Asia, and local women.
- The exploitation of shark species negatively impacts environmental biodiversity and has disrupted the ecosystem in the Republic of the Congo’s ocean.
- Overfishing of sharks is resulting in juvenile catches, especially of species of conservation concern.
Introduction

Illegal, unreported and unregulated (IUU) fishing is a global threat that robs legitimate fishers and governments of revenue. It undermines scientific assessments of fisheries, threatens the stability of coastal communities that rely on fish for food and jobs, and destroys marine ecosystems. The crime accounts for up to $23.5 billion worth of seafood annually, totalling as many as 26 million tonnes – or one in five wild-caught fish taken from the seas. Ending IUU fishing has therefore become a key focus for the international maritime community.1

Africa loses a million tonnes of fish through illegal fishing every year, accounting for a 10th of annual global losses. The economic cost to Africa is between US$10 billion and US$13 billion a year. Illegal fishing has grown along Africa’s coastlines, depleting multiple aquatic species, including endangered sharks listed in the Convention on the Conservation of Migratory Species of Wild Animals, and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).2

Sharks are essential for a healthy ocean, and many African countries depend on a healthy ocean for food security. Yet sharks are endangered in African waters due to IUU fishing and weak governance in the fisheries sector. Stakeholders in some African countries have called for the development and implementation of a national plan of action for the sustainable management of sharks in Africa’s oceans.3

In 2001 the Republic of the Congo banned shark fishing in its exclusive economic zone (EEZ) of the Atlantic Ocean. Despite this, these waters are becoming a hotspot for illegal shark fishing, putting pressure on vulnerable shark populations, constraining reproduction, and triggering a rapid drop in numbers.4 This study seeks to identify and analyse the complex connections between IUU shark fishing and the concomitant destruction of the ocean economy in the Republic of the Congo.

Research objectives

• Examine the scope and dimensions of organised crime in IUU shark fishing in the Republic of the Congo.
• Identify and examine the drivers and enablers of IUU fishing of sharks in the country.
• Examine the actors and modus operandi of IUU fishing of sharks in the country.
• Identify the regional and international links associated with the country’s IUU shark fishing.
• Examine the multidimensional harm caused by IUU fishing of sharks in the country.
• Recommend pathways towards strengthening responses.

Research methodology

The research methodology is based on key qualitative interviews and secondary data sources. Data was collected from a range of independent sources. This enabled the author to compare and triangulate oral testimonies with the available literature and research findings.

The literature review provides conceptual explanations and context for the analyses within the prevailing policy and academic discourses. Thus, the information sources comprise scholarly publications such as books and journal articles, as well as non-scholarly works. The latter include audio-visual materials,
electronic publications, global and regional protocols on fishing, and legal materials (legislation, strategies, action plans, etc.). They also include state security records/reports, press releases, speeches and official statements or declarations, Food and Agriculture Organization (FAO) reports on the country, and other relevant policy documents.

The field survey employs a qualitative method for gathering and analysing data. This is based on a semi-structured field questionnaire. The data-gathering method includes key informant interviews. The questionnaire was administered through face-to-face interviews and focused group discussions, with a carefully selected sample population in Brazzaville and the coastal city of Pointe-Noire, where shark fishing has been most prevalent.

Participants from relevant government institutions, business interests and international pressure groups (on resource governance) were identified and interviewed for the key informant interviews. These include senior officials of the directorate of maritime fishing, the customs surveillance department, senior officials of the Prefect office in Pointe-Noire, the vessel observation centre, and Regional Center for Maritime Security in Central Africa (CRESMAC). Others are the Navy of the Republic of Congo, Association La Bouée Couronne, Wildlife Conservation Society, artisanal fisherfolk, and industrial trawlers. Due to the sensitivity of the study, most respondents consented to be quoted and referenced anonymously.

**Definition of key terms**

**Organised crime**

Organised crime is a criminal enterprise that works to profit from illicit activities that are often in great public demand. Its continuing existence is maintained through corruption of public officials and the use of intimidation, threats, or force to protect its operations.\(^5\)

**Artisanal fishing**

Artisanal fisheries refer to traditional fishing enterprises operated by fishing households rather than commercial companies. These fisheries typically require a relatively small amount of capital and energy, and involve the use of small fishing vessels, if any. The fishing trips are usually short and occur close to the shore, primarily for local consumption. However, the specific definition of artisanal fisheries may vary from country to country. For instance, in poor developing countries, they may involve activities like gleaning or fishing from a one-man canoe, while in developed countries, they may involve larger vessels such as trawlers, seiners, or longliners measuring over 20 metres. Artisanal fisheries can serve as subsistence or commercial fisheries, catering to local consumption or export markets. They are often referred to as small-scale fisheries.\(^6\)

**Industrial fishing**

This is commonly employed and generally interpreted as referring to offshore fishing conducted on large vessels. Industrial fishing is defined as the use of large vessels, typically exceeding 15 m in length, for fishing operations primarily conducted in offshore regions.\(^7\) The practice of industrial fishing involves using large vessels that undertake lengthier expeditions to more remote areas of the sea, resulting in the capture of larger quantities of fish. Equipped with substantial ships, powerful engines, voluminous nets, and engaged in extended voyages, this form of fishing significantly impacts the marine environment due to its massive catches.\(^8\)
Illegal, unreported and unregulated (IUU) fishing

According to the FAO, IUU fishing is a general term that captures a wide category of fishing activity. The activity pertains to all types and dimensions of fisheries, and manifests both on the high seas and in areas within national jurisdiction. IUU fishing concerns all aspects and stages of the capture and use of fish, and it is commonly a derivative of organised crime. While these three dimensions of fishing crime are interconnected, for the purpose of clearer understanding, they are specifically classified as follows:

1. Illegal fishing is conducted by national or foreign vessels in waters under a state’s jurisdiction, without the permission of that state, or in contravention of its laws and regulations.
2. Unreported fishing includes activities that have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations.
3. Unregulated fishing occurs where relevant regional fisheries management organisations are present. But the fishing vessels are without nationality, or fly the flag of a state not party to that organisation, or a fishing entity, in a way that’s inconsistent with or contravenes the organisation’s conservation and management measures.

While IUU fishing affects a variety of sealife, it has a particularly significant impact on shark populations worldwide. Sharks are vulnerable to IUU fishing due to their life history characteristics, slow growth rates, late maturation, and low reproductive rates. IUU fishing for sharks exacerbates these vulnerabilities and threatens their survival.

Fisheries governance

Fisheries governance is the sum of the social, political, legal, and economic arrangements used to manage fisheries. It has local, national, and international dimensions and includes both legally binding rules and customary arrangements. Fisheries governance encompasses stakeholder involvement in decision-making processes, as well as licensing requirements for particular artisanal fisherfolk and industrial trawlers, vessels, the interactions among states, civil society and local communities, and the private sector. In regional, national and local contexts, fisheries governance establishes how decisions are made, and by whom, among these various actors. The next section focuses on fishery governance in the Republic of the Congo.

Fisheries governance for the Republic of the Congo’s EEZ

The Republic of the Congo is located in Central Africa and covers 342,000 km². Its population of 5.7 million people is largely young, with 47% under 18 years. More than half the population lives in its two main cities – Brazzaville (the country’s capital) and Pointe-Noire, a coastal city. The country has a coastline of 169 km, a continental shelf with an area of 11,300 km² and an EEZ with an area of 62,968 km².

The country’s Port Autonome de Pointe-Noire is considered one of Central Africa’s gateways to the ocean, and is a key hub for intercontinental trade, particularly between neighbouring Democratic Republic of the Congo, Angola, and Gabon. It is also the main landing point for fishery products caught in Congolese fishing waters. This marine domain offers oceanographic conditions that historically fostered the development of traditional fishing and, more recently, the expansion of industrial fishing. Over the years, both artisanal and industrial fishing have grown steadily and constitute a serious threat to the fish species along the country’s coast. To this end, the country has made efforts through policy and legislation, signing international protocols, and establishing institutions to combat threats to various fish species.
Legal and regulatory frameworks for fishing

Maritime fishing is currently governed by Law No. 2-2000 of 1 February 2000 on the organisation of maritime fishing in the Republic of the Congo. Access to fishery resources is therefore subject to obtaining a catch quota for industrial fishing issued by the department of maritime fishing, and a fishing permit for artisanal fishing issued by the fisheries administration.

This law establishes two fishing zones: from zero to six nautical miles, reserved for artisanal maritime fishing; and from six to 200 nautical miles for industrial fishing. The legal framework is supported by a series of decrees and official documents. While Law No. 2-2000 of 1 February 2000 remains the reference point and foundational legal framework for fishery governance in the country, other legislation has been enacted for the purpose of fishery reform in the past two decades.
Chart 2: A summary of selected legal documents regulating maritime fishing in the Republic of the Congo

<table>
<thead>
<tr>
<th>Legislation</th>
<th>Year</th>
<th>Objective/purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law No. 2-2000 of 1 February 2000</td>
<td>2000</td>
<td>This law organises maritime fishing and defines the conditions for the exploitation, conservation and management of biological resources found in the maritime waters under Congolese jurisdiction – i.e. the EEZ.</td>
</tr>
<tr>
<td>Decree No. 2011-317 of 26 April 2011</td>
<td>2011</td>
<td>This determines the conditions for the exercise of professional artisanal maritime fishing practised aboard small-scale motorised or non-motorised craft for economic purposes.</td>
</tr>
<tr>
<td>Decree No. 2011-318 of 26 April 2011</td>
<td>2011</td>
<td>This decree fixes the methods of establishing marine cultures that cover any installation made, at sea or on land, supplied by sea water, and which has as its purpose the cultivation, breeding and exploitation of marine animals and aquatic plants.</td>
</tr>
<tr>
<td>Decree No. 2011-319 of 26 April 2011</td>
<td>2011</td>
<td>This stipulates that the purpose of any technical visit on fishing vessels is to check and control the equipment, gear, fishing mechanisms, structures for receiving, storing, processing and preserving fish in accordance with the standards in force.</td>
</tr>
<tr>
<td>Decree No. 2011-320 of 26 April 2011</td>
<td>2011</td>
<td>This decree defines the conditions for purchasing or chartering fishing vessels in the waters under Congolese jurisdiction.</td>
</tr>
<tr>
<td>Decree No. 2012-174 of 12 March 2012</td>
<td>2012</td>
<td>In the context of this decree, an observer on board a vessel is any sworn agent of the ministry in charge of fisheries duly mandated by the competent fishing authority to observe the fishing activities in light of the obligations entered into by the shipowner, or holder of the fishing licence. This relates particularly to the gear used, the fishing areas, the quantity and nature of the species caught, the quantity of bycatch and the method of conservation of the products on board. They must report to the fisheries and aquaculture authority on all the vessel’s fishing activities during the trip.</td>
</tr>
<tr>
<td>Decree No. 2017-342 of 14 August 2017</td>
<td>2017</td>
<td>Establishes the powers and organisation of the Directorate-General for Fisheries and Aquaculture as the administrative and technical body that assists the minister in exercising his powers in fishing and aquaculture matters. It is responsible for designing government policy on fishing and aquaculture and issuing fishing licences, among others.</td>
</tr>
</tbody>
</table>

Institutional framework for fisheries governance

The Directorate-General for Fisheries and Aquaculture is the administrative and technical body that assists the minister in matters of fishing and aquaculture. It is made up of six central departments: the fisheries development department, directorate of maritime fisheries, directorate of inland fisheries, directorate for quality control of fishing and aquaculture products, aquaculture directorate, and directorate of administrative and financial affairs. At the decentralised, departmental and local level, the administrative management of fishing and aquaculture is ensured by the department of fishing and aquaculture directorates.
Lastly, at the level of multilateral governance of fishery, the Republic of the Congo is a party to CITES and the Convention on the Conservation of Migratory Species of Wild Animals (CMS), a member of the FAO Committee on Fisheries and signatory to the CMS Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks MOU). The country has publicly committed to implementing the African Union (AU)-led African Strategy on Combating Illegal Exploitation and Illegal Trade in Wild Fauna and Flora in Africa. It is also a party to the intergovernmental Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora in Africa.

In 2001, the Republic of the Congo banned shark fishing in the country’s EEZ. Despite the legal, institutional and multilateral frameworks, IUU fishing has grown along the country’s coastlines, depleting multiple aquatic species, including endangered sharks listed in the CMS and CITES.

On this trajectory, the Republic of the Congo fares badly on the 2022 IUU Fishing Index, which provides a measure of the degree to which states are exposed to vulnerability and effectively combat IUU fishing. Individual country scores, aggregated across indicator types for coastal responsibilities, range from 3.75 for the Republic of the Congo (the worst performing country) to 1.38 for Latvia (the best performing country). This rating possibly highlights the generally heightened level of risk of IUU fishing in the country (see Chart 3 for details).

Furthermore, the country’s maritime waters are becoming a hotspot for IUU shark fishing, thereby putting pressure on vulnerable shark populations, constraining reproduction and triggering a rapid drop in numbers.

### Chart 3: Global ranking of countries on vulnerability to IUU fishing

<table>
<thead>
<tr>
<th>Ten worst-performing countries for coastal state responsibility IUU fishing scores by indicator type</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vulnerability (2021)</strong></td>
<td><strong>2019</strong></td>
</tr>
<tr>
<td><strong>Country</strong></td>
<td><strong>Rank</strong></td>
</tr>
<tr>
<td>Japan</td>
<td>1</td>
</tr>
<tr>
<td>China</td>
<td>2</td>
</tr>
<tr>
<td>France</td>
<td>3</td>
</tr>
<tr>
<td>Canada</td>
<td>4</td>
</tr>
<tr>
<td>Korea (Rep. South)</td>
<td>5</td>
</tr>
<tr>
<td>Mauritius</td>
<td>6</td>
</tr>
<tr>
<td>USA</td>
<td>7</td>
</tr>
<tr>
<td>Russia</td>
<td>8</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>9</td>
</tr>
<tr>
<td>Vanuatu</td>
<td>10</td>
</tr>
<tr>
<td><strong>Prevalence (2021)</strong></td>
<td><strong>2019</strong></td>
</tr>
<tr>
<td><strong>Country</strong></td>
<td><strong>Rank</strong></td>
</tr>
<tr>
<td>Seychelles</td>
<td>1</td>
</tr>
<tr>
<td>Ecuador</td>
<td>2</td>
</tr>
<tr>
<td>Guinea-Bissau</td>
<td>3</td>
</tr>
<tr>
<td>Mozambique</td>
<td>4</td>
</tr>
<tr>
<td>Somalia</td>
<td>5</td>
</tr>
<tr>
<td>Tanzania</td>
<td>6</td>
</tr>
<tr>
<td>Thailand</td>
<td>7</td>
</tr>
<tr>
<td>Vietnam</td>
<td>8</td>
</tr>
<tr>
<td>Cote d’Ivoire</td>
<td>9</td>
</tr>
<tr>
<td>Ghana (+5 others)</td>
<td>10</td>
</tr>
<tr>
<td><strong>Response (2021)</strong></td>
<td><strong>2019</strong></td>
</tr>
<tr>
<td><strong>Country</strong></td>
<td><strong>Rank</strong></td>
</tr>
<tr>
<td>Argentina</td>
<td>1</td>
</tr>
<tr>
<td>Congo, R.</td>
<td>2</td>
</tr>
<tr>
<td>Benin</td>
<td>3</td>
</tr>
<tr>
<td>Jamaica</td>
<td>4</td>
</tr>
<tr>
<td>Saint Kitts &amp; Nevis</td>
<td>5</td>
</tr>
<tr>
<td>Equatorial Guinea</td>
<td>6</td>
</tr>
<tr>
<td>Eritrea</td>
<td>7</td>
</tr>
<tr>
<td>Greece</td>
<td>8</td>
</tr>
<tr>
<td>Guyana</td>
<td>9</td>
</tr>
<tr>
<td>Iraq (+7 others)</td>
<td>10</td>
</tr>
</tbody>
</table>

This challenge is deeply connected to organised crime, which has attracted various actors in the criminal value chain.\textsuperscript{26} The next section seeks to elucidate on the significance of sharks in the ocean environment.

**The significance of sharks to ocean biodiversity**

Scientific evidence abounds on the indispensable role sharks play in the marine ecosystems. Sharks have a major role in maintaining the ocean ecosystem and also serving as an indicator of the ocean’s health.\textsuperscript{26} The rich biodiversity flourishing beneath the sea is intricately linked to these few species considered as apex predators and mesopredators, and hinges on sharks’ population health. Many species are considered keystone species, as they exert profound influence on their habitats to the extent that their absence would dramatically alter the entire ecosystem. The various species of sharks (see Chart 4) greatly influence food webs, essentially maintaining the balance of marine life by controlling prey populations. Sharks regulate species abundance, distribution, and diversity, which mutually affects the health of marine ecosystems.\textsuperscript{27}

**Chart 4: Shark species\textsuperscript{28}**

![Chart of various shark species](image)


Sharks play a significant role in the ecosystem by supporting the species below them in the food web and serving as a barometer for ocean health. They help eliminate the sick and weak, and maintain the balance with rivals, contributing to species diversity. As predators, they often alter their prey’s spatial habitat, which modifies the feeding strategy and diets of other species.
Through spatial control and abundance, sharks indirectly sustain seagrass and coral reef habitats. A recent global survey of coral reefs reveals that overfishing is driving resident shark species towards extinction, causing diversity deficits in reef elasmobranch (shark and ray) assemblages. The loss of sharks can cause declines in coral reef habitats, seagrass beds, and commercial fishing. By taking sharks out of the coral reef ecosystem, the bigger predatory fish, such as groupers, spread in abundance and feed on herbivores. With fewer herbivores, macroalgae expands and coral can no longer compete, thereby shifting the ecosystem to one dominated by algae, and affecting the survival of the reef system.

Thus, biodiversity ensures a stronger and more resilient ecosystem that can adjust to changes efficiently. On this note, sharks help recycle carbon as they scavenge and eat dead animals on the ocean floor. With fewer sharks, such carbon would rise to the surface. It’s estimated that sharks remove up to half the manufactured carbon in the atmosphere.

Despite sharks’ usefulness to ocean biodiversity and the larger environment, they have been generally subjected to significant fishing pressure globally. The intense fishing of sharks has emerged as the leading threat to these important animals. Sharks are caught through targeted fishing operations, where artisanal fishermen and industrial trawlers catch them for their meat, fins, liver oil, skin (for leather), cartilage (for medicine), teeth and jaws (for curios). Dimensions of IUU shark fishing in the Republic of the Congo

IUU fishing of sharks includes encroaching on conservation areas, targeting protected species, fishing outside allotted nautical miles, transshipment, unreported fishing, finning, and using unauthorised fishing equipment. These are discussed below.

Encroachment, transshipment and unreported fishing

As a form of spatial management, coastal countries often restrict or limit fishing and other human activities to a particular location in the ocean in order to protect fish or other freshwater life. The Republic of the Congo recently created its first marine protected areas (MPAs). The three new MPAs cover 12% of the country’s EEZ. The area includes globally important nesting grounds for leatherback turtles, and is home to over 40 species of sharks and rays, including the world’s largest fish – the whale shark.

Although fishing in the MPAs is prohibited, officials at the vessel observation centre say fisherfolk from Angola recently encroached on Conkouati (one of the MPAs) without authorisation. They were arrested and fined. This dimension of IUU fishing in protected areas bodes ill for most fish species (including sharks) and could accelerate a serious decline in their population.

Closely linked to encroachment into the conservation area is the illicit activity of industrial trawlers and artisanal fisherfolk who fish outside their respective allotted nautical miles. In the face of dwindling catches of sharks and other fish species, industrial vessels move into inshore waters reserved for artisanal fishing. Artisanal fishers do the same in areas off limits to them – spaces mostly allocated to industrial trawlers. This has created conflict between artisanal fisherfolk and industrial trawlers. The problem continues due to a lack of maritime capability for surveillance to enforce compliance to fishing guidelines and rules on the sea.

Transshipment leading to unreported fishing is a major form of IUU fishing of sharks and other species of fish in the Republic of the Congo. Transshipment is also described as fish laundering, which implies mixing illegally caught fish with legal catches. It occurs when licensed vessels fish beyond their quotas or authorised areas and then transfer the illegal portion of their catch to other vessels at sea.
The contravening fishing vessels or boats stay on the sea for months and even years, removing fish from the waters, while operating far from the surveillance of the law enforcement and maritime security agents. Domestic and foreign industrial boats that are legally authorised to fish also take advantage of weak surveillance to engage in harmful practices, such as using non-compliant fishing gear and ignoring regulated zones. Fishing vessels from China, Spain and South Korea allegedly target West and Central Africa’s coasts to trawl for all types of fish, including sharks.

Using unauthorised fishing equipment

The use of unauthorised fishing equipment is another major form of IUU shark fishing in the Republic of the Congo. In addition to being involved in illegal activities, people who participate in unlicensed fishing destroy habitats, decimate fish populations, and threaten a nation’s maritime economy. They use chemicals to stun the fish and make them easier to catch, and explosives to kill the fish so they float to the surface and can be collected with a net. A senior official at the customs surveillance office confirmed such incidents were occurring in the Republic of the Congo.

Drivers and enablers of IUU shark fishing

As a form of organised crime, IUU shark fishing in the Republic of the Congo has become concentrated along the beach of Songolo in the fishing district of Pointe-Noire, where they are sold on the spot. Songolo is known for its concentration of artisanal fishers. There are also increasing incidents of illegal shark catches by industrial trawlers in the EEZ of the country’s maritime domain.

IUU shark fishing is further driven by various interlocking factors including local consumption of processed shark meat, finning, and a rising demand for shark fins in Asia. This is compounded by limited state capacity to oversee and enforce legislation and control, and a lack of vital equipment to police the country’s vast maritime domain. This makes it difficult to counter illegal shark fishing and the violation of laws regulating maritime fishing by both artisanal and industrial trawlers. Other drivers include a lack of awareness regarding prohibited products for export among citizens and frontline law enforcement officers, an absence of political will, a lack of capital among indigenous fishers, intergovernmental rivalry, and a lack of scientific data on the ocean’s shark populations. These factors are explained below.

Local consumption and international demand

The local consumption of shark meat remains at the core of IUU shark fishing in the Republic of the Congo. Residents say sharks are considered a cheaper source of protein in Pointe-Noire where fishing is a major employment activity. There are also ingrained cultural beliefs among Congolese that shark populations are an infinite resource in the ocean and cannot be over-exploited.

There exists a historical dimension to this popular perspective in the city. A senior official at the Prefect office in Pointe-Noire notes that ‘shark fishing is a natural activity here because we eat them.’ Environmental and conservation activists in Pointe-Noire confirmed that shark consumption in the city had been increasing for over 40 years and reached a peak in 1997 when fisherfolk were landing about 1 000 sharks daily.
Closely linked to the argument about local consumption are finning and the increasing demand for shark fins in Asia. Finning is described as the practice of removing a shark’s fins and throwing the rest of the fish back into the ocean. This contributes to the global problem of overfishing, and is a major variant of IUU fishing in most countries. It’s a devastating practice that is driven by the demand for shark fin soup in mostly Asian countries.  

Shark fin soup has been considered a symbol of wealth and a delicacy in China since the Ming Dynasty. It was a popular dish for ancient China’s aristocrats. Over the years, the sociocultural delicacy eventually became a special meal for wealthy families. People in Hong Kong and other cities with Chinese populations have adopted and built a thriving business to meet the growing demand. The popularity of fin soup rose about 20 years ago when the Chinese middle class grew rapidly, and with it the demand for luxury items. The soup has become a standard dish served to impress guests at banquets, business dinners and weddings. The demand has expanded into other Asian countries and cities around the world that have larger Chinese communities. China, Malaysia, and Thailand are the world’s top shark fin-consuming countries.

The shark fin trade is a multimillion-dollar global enterprise, costing on average $450 for about 0.5 kg. One bowl of fin soup costs about $100. The consequence of this historical and contemporary development is that local fisherfolk, middlemen and foreign trawlers are decimating shark populations all over the world to meet demand and to profit.

The Hong Kong Special Administrative Region (SAR) of the People’s Republic of China is one of the largest shark fin trade hubs in the world. It serves as an importer, re-exporter, and host of consumers of fins derived from over 80 nations annually. The Republic of the Congo has emerged as a critical hotspot for this demand. It is commonly acknowledged at Pointe-Noire’s artisanal fish market that all shark fins are exported to China through the Hong Kong SAR, which recorded total imports of 131,594 kg of shark fins from the Republic of the Congo between 2005 and 2019. This trend signals an expanding market for shark fins in the country – although data for 2020–22 is hard to come by. Comparative findings on the origins of shark fins exported to Hong Kong reveal that the Republic of the Congo ranked 46th, behind South Africa, Guinea Conakry, Togo, Gabon, and Mauritius, among 84 countries exporting fins to Hong Kong about 15 years ago (see Chart 5).
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Chart 5: Origins of shark fin exports to Hong Kong

Total fin exports (dried + frozen) (Kg)

- <10 000
- 10 000–50 000
- 50 000–100 000
- 100 000–300 000
- 300 000–2 650 000

Total product weight (kg): dried and frozen fins exported to Hong Kong in 2008

- USA: 2 646 442
- Mexico: 511 197
- Costa Rica: 327 385
- Spain: 2 646 442
- New Zealand: 79 789
- Bangladesh: 16 899
- Seychelles: 2 594
- Singapore: 1 201 236
- Philippines: 73 320
- Marshall Islands: 16 870
- Germany: 2 512
- Taiwan: 990 664
- Senegal: 79 789
- New Zealand: 79 789
- Solomon Islands: 2 423
- Bangladesh: 16 899
- Singapore: 1 201 236
- Philippines: 73 320
- Marshall Islands: 16 870
- Hong Kong: 2 646 442
- Total: 9 949 556

In addition, recent data reveals that between 2003 and 2020, the European Union (EU) was a major supplier of shark-related products to prominent shark fin trade hubs, namely Hong Kong SAR, Singapore, and Taiwan Province. The combined imports into these regions amounted to a remarkable 188,369.3 tonnes of shark fin-related products, with an average annual import of 10,464.96 tonnes. Notably, EU member states contributed 53,407.49 tonnes, accounting for an average of 28.35% of the total reported imports during the period studied. The percentage of imports from EU member states fluctuated between 18.54% and 45.42%. However, starting from 2017, this percentage experienced a consistent rise, surpassing 45% by 2020.52

**Limited state capacity**

The Republic of the Congo faces a significant challenge in combatting illegal shark fishing and the thriving shark fin market due to the inadequate capacity of its state security forces. This deficiency impairs their ability to effectively supervise and enforce legislation and control measures. This is coupled with a lack of vital equipment to police the country’s vast maritime activities to counter illegal shark fishing.

Three principal agencies are responsible for maritime activity surveillance in the Republic of the Congo. These are the Navy of the Republic of Congo (the Congolese Marine), the ship and vessel observation centre situated in the port authority, and CRESMAC. The Navy, with its little equipment, provides oversight of the country’s maritime space, its 169 km of coastline, and the Congo River. The Navy has three naval bases in Pointe-Noire, Brazzaville, and Mossaka.53 It also has a directorate of maritime fishing that regularly embarks on joint patrol with ministry of maritime fishing officials.54

CRESMAC is a multinational, multifunctional body comprising civil servants. It’s drawn from military administrations of member states competent in marine environment issues, the protection of natural resources and maritime fishing areas, security of maritime routes, protection against piracy and hostage-taking at sea, among others. CRESMAC is located in Pointe-Noire and is tasked with ensuring the control of the maritime space of Economic Community of Central African States countries and the Gulf of Guinea at the strategic level.55

CRESMAC is also strategically fused (see Chart 6) into the Yaoundé Architecture – comprising the Interregional Coordination Centre, the coordination and information-sharing structure that connects CRESMAC and the West Africa Regional Maritime Security Centre.

Lastly, the mission of the observation centre for ships, boats and fishing boats is to ensure the monitoring, control and surveillance of these types of vessels operating in waters under Congolese jurisdiction, using vessel monitoring system beacons.56
Although the aforementioned agencies have the mandates to secure the country’s maritime domain, their efforts are constantly undermined due to limited dedicated personnel and lack of sophisticated equipment to carry out national and multinational security at sea. Hence IUU fishing continues in the country’s maritime domain and in Central Africa generally, according to a senior official who spoke to ENACT in Pointe-Noire.

The problem is [a] lack of equipment such as offshore patrol vessels that can go further on the high seas. So that affects efficiency of the maritime security architecture. For instance, the exclusive economic zone of each of the states [parties to CRESMAC] is 200 nautical miles. But most of the countries even lack the capacity to sail up to 100 nautical miles. There is [also] a communication problem at the communication centres. Some of the centres lack satellite phones. 

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This presents a twofold dilemma. First, the country lacks the resources to deal effectively with IUU fishing. Second, combating IUU fishing is considered a secondary priority for the Republic of the Congo. However, the point made by maritime officials highlights the importance of modern communication equipment in combating IUU fishing generally. Vessel observation centre officials in Pointe-Noire said the centre was yet to have sensors for all the fishing vessels operating in the country's coastal water.

All maritime fishing boats get sensors that enable us [the observation centre] to locate them wherever they are at any time on the sea. It is only industrial trawlers that have those sensors. Presently, the surveillance sensors do not cover artisanal fishing boats, but the ministry [fishing and aquaculture] is doing something to be able to also include the artisanal fishing boats and track their operations on the sea with sensors.\(^5\)

The lack of comprehensive tracking mechanisms on vessels in the country's maritime domain leaves a gap that allows IUU fishing to continue.\(^6\) Modern technology in vessel monitoring to counter IUU fishing at sea is globally recognised. A good technological system should include a comprehensive protocol with all the sensors and cameras connected, and firmware to monitor, identify and predict illicit activities in the maritime domain. It should alert the observation room crew with real-time data on fishing vessels and boats in a country's EEZ with a view to preventing IUU fishing of all aquatic species, including sharks.\(^6\)

For the purposes of this paper, electronic monitoring is pivotal. It serves as a valuable tool for acquiring fishing data, thereby supporting and enhancing stock assessments while ensuring the long-term sustainability of catch limits. It is a cutting-edge technology that empowers fishing authorities to effectively track catches.\(^6\) These emerging technologies hold great promise in revolutionising data collection, enabling it to be more efficient in terms of timeliness, accuracy, and cost-effectiveness. The state's inability to adopt and deploy modern technology for maritime surveillance inadvertently enables both artisanal fisherfolk and industrial trawlers to continue violating fishing laws and regulations.

**Violation of laws and regulations**

The violation of laws regulating maritime fishing by both artisanal and industrial trawlers has become a permanent feature of IUU shark fishing in the Republic of the Congo. This dimension of organised crime has a long history and is closely intertwined with capacity challenges. For instance, the fisheries directorate has limited capacity and resources to oversee and enforce legislation and control fishing through tracking, patrols and boarding vessels.

A senior directorate official confirmed that the agency was understaffed, and lacked sufficient expertise and vital equipment, such as surveillance boats, to police the country's vast maritime domain and counter illegal shark fishing.\(^6\)

Furthermore, an assessment of the artisanal shark trade in the Republic of the Congo details an active fleet of over 110 industrial trawlers, including Congolese-flagged vessels. Added to this are 700 artisanal fishing boats along the short 169 km coastline. This exceeds the estimated capacity of the country’s EEZ, which should be just 30 industrial vessels, according to the Brazzaville-based Wildlife Conservation Society.\(^6\)

**Unauthorised fishing equipment**

Domestic and foreign trawlers that are legally authorised to fish take advantage of weak surveillance to engage in harmful practices, such as using non-compliant fishing gear and ignoring regulated zones. Furthermore, sources from industrial fishing associations and environmental and conservation activists in Pointe-Noire say artisanal fishers violating fishing laws and regulations with foreign fishing trawlers and adapting fishing equipment beyond the prescribed standards are commonplace.
The Congo is a zone over-exploited by Chinese and many Asians who do not respect the fishing zones at all. They mesh indiscriminately and devote themselves to catching prohibited species such as sharks, for example. Both at the edge of the coast and for several years offshore where they are quite out of sight and control [of maritime surveillance authorities]. Swordfish (Xiphias gladius) are currently their main catches with all the semi-pelagic, benthic fish found in these waters [including marlins, selfish, tuna, sharks and] swordfish … currently overexploited and exported entirely to China, and this is officially recognised by authorities.65

Lack of awareness and absence of political will

IUU shark fishing thrives in the Republic of the Congo because of a lack of awareness among citizens and frontline law enforcement officers regarding prohibited products for export. Most citizens and public officials interviewed in Brazzaville and Pointe-Noire alluded to the fact that shark fishing was not prohibited in the country. However, this contradicts evidence drawn from ratified treaties and protocols the country has signed or adopted over the years.

It is worth reiterating that the Congo is a party to CITES and CMS, a member of the FAO Committee on Fisheries, and signatory to the CMS Sharks MOU. The country has also publicly committed to implementing the AU-led African Strategy on Combating Illegal Exploitation and Illegal Trade in Wild Fauna and Flora in Africa.66 The Republic of the Congo is also a party to the intergovernmental Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora in Africa.67 Lastly, in 2001, the Republic of the Congo banned shark fishing in the country's EEZ of the Atlantic Ocean.68

An environmental and conservation activist in Pointe-Noire says this shows that the government and relevant state organs on maritime fishing have not sufficiently sensitised the public on these treaties to protect sharks. He says:

One of the challenges is listing some of the shark species as endangered or vulnerable, but the implementation of such laws and guidelines has been dragging [in the Republic of the Congo].69

There is a significant lack of awareness regarding the vulnerability of shark populations that can be linked to citizens’ culture and perspective about shark fishing. Culture is a set of identifiable beliefs, traditions, and preferences that vary across time, space and social groups. It’s often an important explanatory variable in many phenomena.70

Data obtained through the focused group discussions and key informant interviews in Pointe-Noire and Brazzaville reveals several reasons why culture plays a role in shark fishing. Most respondents said people had been eating sharks for many decades, while others said shark meat was a delicacy outside the reach of any known law to prohibit. Others claimed they were ignorant of what made shark fins special, as they were only interested in eating the flesh.71

While culture and ingrained beliefs serve as a major enabler of indiscriminate fishing of sharks, a significant hurdle to overcome is the lack of commitment by government to protect and conserve shark populations. This is evident in the low level of capacity development of frontline law enforcement officers such as customs officers who oversee the export and import of seafood products via the air- and waterways.

In October and November 2020, about three tonnes of shark fins were seized in the Port of Pointe-Noire, according to a customs service source. The senior customs official noted that although the feat was notable, lack of awareness among most border officials meant a lot might be allowed to pass because many officers at the exit points are not knowledgeable about animal products prohibited for export by CITES guidelines.
The main problem here is that a lot of personnel even in the customs services are not aware of CITES provision. Such officers when positioned as gatekeepers could allow some contraband to pass because they lack awareness of protocols and legislation regarding the export of shark fins. Thus, another enabler of IUU shark fishing is the absence of political will and lack of alignment with state priorities. The country has less capacity for shark conservation because its significant socioeconomic problems require more immediate attention. The government is perceived to be focused on other concerns regarding national development. It’s identified no strategic reason to pursue the conservation of sharks in a country where youth unemployment has reached 42%, and infant mortality remains high at 32 deaths per 1,000 live births. Only 30% of primary school children have attained the required proficiency levels in mathematics and 40% in French, and access to electricity stands at 66% of the population in urban areas compared to just 15% in rural areas. Observers say the country is contending with many development demands, and prioritising any agenda for shark protection is outside the remit of governance.

It [shark protection] is really not a big priority for the government in Congo. The only reason they are talking about it is because sharks [have been] consumed here for generations.

Another major area of priority for the government is extractive governance of the oil sector, which accounts for about half the country’s gross domestic product and 80% of its exports. This makes the country the third largest producer of oil in Sub-Saharan Africa. The Republic of the Congo also has a wealth of mineral resources that remain largely untapped.

However, the construction of offshore oil infrastructure has increased shark fishing. Such infrastructure on the high seas has reduced access to fishing areas for artisanal fisherfolk, raising competition between industrial and artisanal fishers. Petroleum platforms occupy approximately 1,400 km² of African waters and have reduced the coastal waters open to small-scale fishers by about two-thirds, as fishing is prohibited around these platforms. This restriction from areas that would otherwise be used by artisanal fishers pushes them to go further into the ocean to fish, or to crowd in on the reduced available fishing zones.

Intergovernmental rivalry and lack of scientific data on shark populations in the country’s EEZ also affect IUU shark fishing in the country. Multiple sources in the directorate of maritime fishing, customs services and environmental conservation activists revealed that in 2021, the arrest of two Chinese nationals and their vessels resulted in a conflict between different ministries involved in the prosecution process.

Surprisingly, the ministry of forestry economy took charge, instead of the ministry of maritime fishing and aquaculture. This decision had a significant impact on the effectiveness and efficiency of the case. The ministry of forestry economy lacks the necessary technical capabilities to effectively protect and conserve both terrestrial and maritime resources.

In a previous incident in 2020, a considerable number of shark fins were seized in Pointe-Noire from industrial fishers. However, the prosecution was hindered by intergovernmental rivalry and competition among the directorate of maritime fishing, customs services, and the Prefect general secretary. They disputed the administrative jurisdiction to carry out a fair prosecution of the crime.

This rivalry may also be linked to the (sometimes individual) interests at stake in the control of the sector by the various institutions. This leads to the question of corruption by the executives of these different institutions.
ministries. Quite often, besides the lack of institutional and technical capacities, skills and equipment, corruption drives illicit practices.

Lastly, there is a lack of scientific data on the shark population stocks in Republic of the Congo waters. This is attributed to the lack of political will on the part of the central government. Without data, the development and implementation of fishing reform in national and regional policies, as well as targeted management decisions on the conservation of sharks in the country, remains difficult.

**Chart 7: Drivers and enablers of IUU shark fishing**

The next section focuses on the actors and their modus operandi regarding IUU shark fishing in the Republic of the Congo.
Actors and their modus operandi in IUU shark fishing

Participants in the criminal supply chain of sharks and associated illicit activities fall into four distinct groups: artisanal fisherfolk; foreign industrial trawlers (longliners); middlemen traders from African countries and Asia; and local women. They are involved in different ways, including through finning, transshipment of catches at sea, logistics provision to artisanal fisherfolk, and financial and material bribes for easy passage on the sea.

Generally, fishing operations in the country are dominated by artisanal fishers. The country was rated the fourth largest catcher of hammerheads globally from 2000-17. The trajectory hasn’t changed, this author observed while visiting Songolo. The artisanal fishers landed at least 15 shark and ray species listed in CITES. An FAO study on CITES shark listings identifies the Republic of the Congo as a priority country where improved legislative and management capacities would have the greatest positive influence on the sustainable use of shark products.

Artisanal fishers engage in IUU shark fishing in at least three principal ways: violating the maritime ministry fishing laws, bribing security officials, and finning. They manifest the first dimension by outrightly fishing outside their allotted six nautical miles as prescribed by Law No. 2-2000 of 1 February 2000 on the organisation of maritime fishing in the Republic of the Congo. Artisanal fishers sail increasingly further out to sea in search of sharks and other aquatics.

Sometimes artisanal fisherfolk also encroach on the fishing zones of the industrial trawlers. This is because in the areas of six to 12 nautical miles we cannot find fish sometimes. For instance, today I sailed to about 28 to 30 nautical miles to find fish.

This example can also be linked to corruption as artisanal fishers bribe maritime security officials to secure passes to navigate further on the high seas to look for species such as sharks. Artisanal fisherfolk in Pointe-Noire told the author that they often sailed further to the coasts of Angola and Gabon. This shows the cross-jurisdictional dimension of IUU fishing along the criminal value chain.

Before, we used to fish up to the coast [and shorelines] of Gabon. In such instances, all we need to give to the Gabonese who protect [the] oil facilities of international oil companies in the maritime area is fish, and they will allow us to carry on with fishing, including [of] sharks.

Lastly, artisanal fisherfolk have been found to illegally alter their fishing equipment to improve their shark catches. Environmental activists told the author that artisanal fishers’ boats by law were expected and standardised to be 10 m long. However, it’s now common to see artisanal fisherfolk deploying boats of 17 m in length and 2 m deep. They do this to be able to sail farther on the high seas and catch exotic fish like sharks. Also, the authorised size of fishing nets for artisanal fishing is 1 km, but some artisanal fisherfolks are using nets that are about 6 km.

The use of unstandardised or oversized fishing equipment raises concerns about accountability in fishing operations. Artisanal boats tend to exploit the lack of capacity for surveillance by the maritime authorities, and blend with industrial trawlers on the high seas for fishing operations in the country’s maritime domain. This has far-reaching effects and sometimes causes conflict between artisanal fisherfolk and industrial trawlers. Non-compliance with fishing guidelines is one of the central challenges of fishing management, and through repeated offences can turn into willful violation of maritime fishing laws. It may result in unsustainable fishing and reduced stocks, threatening the very livelihood source artisanal fishers depend on.

Another major actor in IUU shark fishing is the industrial trawlers. They come from various African, European and Asian countries. The country has taken some legislative steps by enacting laws and decrees.
aimed at ensuring that vessels operating in the maritime domain comply with fisheries governance. But such measures have not resulted in tangible outcomes, due to weaker surveillance capability.

An artisanal fisherman in Pointe-Noire noted that: ‘Surveillance is weak here and anyone can enter our waters and carry out illicit activities on the sea – including shark fishing.’ Therefore, IUU fishing of sharks and other fish species continue to be perpetuated by vessels flagged by the Republic of Congo. Even vessels that have been flagged out have unfettered access to the country’s EEZs to fish for sharks because of the lack of an effective monitoring system by the security and maritime authorities.

As previously mentioned, over 110 industrial trawlers, including Congolese-flagged vessels, and 700 artisanal fishing boats operate along the country’s coastline. Domestic and foreign industrial boats, which are legally authorised to fish, take advantage of weak surveillance to engage in harmful practices, such as using non-compliant fishing gear and ignoring regulated zones.

Transshipment at sea has become a key way to launder illicit catches

Middlemen play a major role in IUU shark fishing in the country. While there is no data quantifying the extent of their involvement, a qualitative assessment of their impact drawn from direct interviews confirms they remain the biggest player in the supply chain of shark products from the Republic of the Congo. They include West African fishing merchants from Mali, Ghana, Senegal, Benin, and Togo. These are all (except Mali) countries with significant history and recent experiences in artisanal fishing in their coastal areas.

Furthermore, Chinese and Asian foreign nationals dominate the supply chain of shark products from the Republic of the Congo. Their modus operandi is similar and their common denominator in IUU shark fishing is prospecting for fins. Within the criminal value chain of IUU fishing, the Senegalese and Chinese middlemen are the dominant actors. More importantly, they both engage closely, and are in cahoots, with artisanal fishers to achieve their criminal objectives. They often take advantage of artisanal fishers’ lack of capital to operate efficient businesses by providing them with all the required resources needed for shark fishing in deeper seas.

For instance, fishing equipment is too expensive for most Congolese artisanal fishermen. Those who spoke to the author in Pointe-Noire at various times and in different locations confirmed that a fully equipped boat and net for shark fishing cost 30 000 000 CFA. So Senegalese middlemen often buy the boat engines for the fisherfolks. Sometimes middlemen from Senegal, Benin and Ghana give logistics support to boat owners and help the fishermen get to sea, and when they return, the foreign middlemen collect the sharks caught.

The fishing boat owners when they come out with the sharks, the Sengalese will make [a] calculation on the value of the shark fins to determine … the balance. The Senegalese buyers are only interested in the shark fins.

Migrant fisherfolk from Ghana, Benin and Togo have gained notoriety for shark fishing in the Republic of the Congo. While Congolese fishers find it difficult to buy fully equipped fishing boats, those from these three countries have the financial means to acquire expensive equipment. Artisanal fisherfolk say some of these migrant fishers have five or six fishing boats. There is also the case of an outlier in Pointe-Noire who controls over 40 fishing boats. More boats mean more manpower and more and quicker shark catches.
The strategies of Chinese middlemen are similar to those of their West African counterparts in sourcing sharks and exporting their fins. But their trade often involves corruption in the fishery sector. The shark product trade includes a chain of many intermediaries, and forms a significant part of the global multibillion-dollar IUU fishing industry.

Sharks are caught from the ocean and transferred through transshipment or taken to shore by artisanal fishers who negotiate the sales. The former is done through industrial trawlers while the latter is undertaken by artisanal fisherfolk. Artisanal fishers have licences and have obtained fishing quotas for sharks, whereas most Chinese middlemen don’t have licences, and rely on the artisanal fishers to source fins. The Chinese are often connected to various artisanal fisherfolk and unregulated actors who pre-finance fishing operations, supplying fisherfolk with tools and other necessities in return for a share of production and/or the first right to buy landed sharks and seafood products.

These buyers offer large down-payments in exchange for sole purchasing rights to catches, and often incentivise fishers to fish heavily to pay back these debts. However, the pressure from middlemen buyers for shark products can put fisherfolk at high risk of injury or death as they sail beyond the legal six nautical miles allotted to them. The illicit and incentivised activities linked to shark fishing and fin trading impact negatively on ocean biodiversity, the local and national economies, and violate human rights.

Various catches of shark species


Environmental harm

The exploitation of shark species and trading of their fins has negatively affected the region’s biodiversity, and has precipitated the disruption of marine ecosystems in Congolese waters. In Pointe-Noire, artisanal fishermen reportedly catch between 400 and 1 000 sharks a day in peak season.
Overfishing of shark populations in the region has caused significant changes to the environment, with many fishers reporting decreases in adult shark catches and increased catches of juvenile sharks. The implication of killing juvenile sharks is that the natural replenishment in the ocean through their maturation and spawning processes is disturbed.

A recent longitudinal study undertaken through a systematic quantitative assessment of sharks landed through artisanal fishing in the Republic of the Congo revealed the extent and consequences of shark overfishing. During 507 sampling days (mean 14 surveys per month), the study recorded 73,268 sharks. These comprised 42 species, of which 81% were considered at an elevated risk of extinction. Catches were dominated by juvenile sharks, especially for species of conservation concern. This trajectory of IUU shark fishing continues unabated, according to environmental and conservation activists, and bodes ill for stock dynamics.

Shark fishing is on the rise, and it is getting worse. There is a decline of shark catches. Nowadays, fishing is taking longer than it used to... sharp evidence to show that shark populations in the ocean are facing depletion. In the past, in a short time of fishing on the sea, fisherfolk [returned] with a lot of sharks. Nowadays, they can return with little or no catches at all.

Women sorting juvenile sharks caught by artisanal fishermen at Songolo

During field trips to the beach of Songolo in May 2023, the author noted that artisanal fishermen were landing juvenile sharks. The continuous fishing of juvenile sharks in the country raises concerns about the sustainability of the species. This becomes more pertinent when situated in the shark’s reproduction cycle. Generally, the rate at which fish reproduce varies, and this biological phenomenon affects the rate at which the various
species can be fished sustainably. Sharks reproduce more slowly compared to other fish species, making them more vulnerable to fishing pressure.

Sharks have always been high on the food chain. The implication of their positioning is that they are not designed to handle high levels of predation by other marine species or by humans. If the threat continues and there is no time for recovery, shark populations are likely to continue to decline. In places like the Republic of the Congo where shark fishing is a constant pressure, the species is at risk of extinction.

Illegal fishing threatens many of the 42 shark species found along the country’s coast, including the mako, thresher and scalloped hammerhead, which are on global listing of ‘critically endangered’ species. These practices also threaten biodiversity and livelihoods. Trawlers destroy ocean ecosystems, damaging the seafloor as they rake up aquatic organisms and devastating vital seagrass and coral reef habitats. This reduces communities’ catches and jeopardises local livelihoods. Artisanal fishers’ catches are increasingly made up of juvenile sharks – a worrying indication that shark fishing is becoming unsustainable and could imperil the fishing trade in a few years.

We are bothered about the depletion of sharks because it is our means of survival, and we want to have sharks continually for fishing in our ocean. Before we used to go like today and come back with 60 sharks or more. Now we need to go for five days and sometimes return without sharks. This is attributed to the continuous involvement of Chinese trawlers hunting for sharks and competing with artisanal fisherfolk. What is worrisome now is the continuous fishing of blue sharks. You won’t find a lot of blue sharks in our ocean.

Illegal fishing threatens many of the 42 shark species found along the country’s coast, including the mako, thresher and scalloped hammerhead, which are on global listing of ‘critically endangered’ species. These practices also threaten biodiversity and livelihoods. Trawlers destroy ocean ecosystems, damaging the seafloor as they rake up aquatic organisms and devastating vital seagrass and coral reef habitats. This reduces communities’ catches and jeopardises local livelihoods. Artisanal fishers’ catches are increasingly made up of juvenile sharks – a worrying indication that shark fishing is becoming unsustainable and could imperil the fishing trade in a few years.

Loss of livelihood, food insecurity, conflict and convergence with other sea crimes

In the Republic of the Congo, artisanal fisherfolk complain that they no longer have viable stocks to fish. More importantly, a potential consequence of IUU fishing of general species and sharks in particular is food insecurity, which affects fishing communities who have no alternative livelihoods and limited additional food sources. Particularly pernicious is the combined economic and environmental cycle of overfishing. As stocks decline, catch becomes more valuable; and as catch becomes more valuable, IUU fishing intensifies.

Fishers are therefore constantly venturing into the deeper parts of the ocean for catch, where they must compete with more efficient industrial fleets. As local fishers sail further into deeper waters, they risk confrontations with industrial trawlers, who are also engaging in IUU fishing of various fish species, including sharks. Conversely, a senior CRESMAC official noted that as illegal fishing saw industrial trawlers encroaching into the fishing zones of artisanal fisherfolk, local fishers were becoming increasingly vulnerable to recruitment into piracy.

Conclusion

This study provides evidence of IUU shark fishing in the Republic of the Congo. It examines the governance framework for regulating fishing generally in the country. It also highlights the importance of sharks to the ocean environment. Furthermore, it discusses the drivers and enablers of IUU fishing of sharks and the networks of actors engaged in the criminal economy.
Participants in the criminal supply chain of sharks and associated illicit activities fall into four distinct groups: artisanal fisherfolks; foreign industrial trawlers; and middlemen traders from African countries and Asia.

The illegal activities linked to shark fishing and the trading of fins negatively impact the ocean’s biodiversity, local and national economies, and human and environmental rights.

Illegal activities and trading of shark fins negatively impact the ocean’s biodiversity

The exploitation of shark species and the trading of their fins exert intense pressure on local marine biodiversity, and have caused lasting impacts on the Atlantic Ocean’s ecosystems. The most ubiquitous effect is evident in the overfishing of sharks, which is resulting in juvenile catches, especially of species of conservation concern. This trajectory of IUU shark fishing continues unabated.

Addressing IUU shark fishing and the associated environmental challenges in the country requires an integrated approach with complementary actions by state authorities, multilateral agencies, civil society and the general public. New ways of thinking are needed around what effective responses to IUU shark fishing should look like in the Republic of the Congo.

Recommendations

Government of the Republic of the Congo

- Prioritise shark conservation as a development agenda through public awareness, the implementation of state action plans on endangered species, and adequate funding of maritime security operations.
- Acquire modern equipment such as offshore patrol vessels that can travel further on the sea to trail and check the activities of the industrial trawlers decimating shark and other aquatic species in the country’s EEZ.
- Improve maritime surveillance coordination (at sea and ports) with CRESMAC by working with state parties to modernise communication centres with sufficient surveillance gadgets for proactive, efficient responses to incidents on the high seas.
- Look for novel technologies to fill monitoring gaps (i.e., molecular monitoring).
- Provide funding to the ministry of maritime fishing and aquaculture to carry out evaluation research on the status of shark species in the country’s EEZ. This becomes pivotal as detailed scientific data on species composition, population trends, and threats can help drive changes in national and regional policies. They can also facilitate targeted management decisions on shark conservation.  

Multilateral institutions

- Multilateral agencies such as FAO and CITES can strengthen their partnerships with the Congolese government by supporting the country in implementing a national plan of action to deal effectively with all forms of IUU fishing. Such an intervention is important as the Republic of the Congo is the worst performing country worldwide on the latest IUU Fishing Index.
Security and law enforcement agencies

- Improve infrastructure and deploy adequate surveillance equipment to strengthen maritime awareness in the country’s EEZs.
- Customs services should deploy fully integrated scanners at the ports to check and detect contraband such as shark fins.
- Strengthen border security through enhanced multi-agency collaboration.
- Incorporate the conservation status of shark species, general wildlife and plant products, and the CITES requirements for export, into officers’ training curricula.

Civil society and the media

- Help governments prevent, combat and eradicate IUU shark fishing through advocacy campaigns in communities and the mass media.
- Monitor states’ commitment to the implementation of national action plans aimed at stemming the tide of IUU fishing of sharks in the country.
- Intensify awareness about the conservation status of the shark species in the country’s ocean and CITES requirements.
- Promote and facilitate information sharing and cooperation between governments and citizens in all matters relating to IUU fishing in the country.

Artisanal fisherfolk

- Support the maritime fishing authorities by filling the surveillance and enforcement gaps. Fishers could become the government’s eyes on the sea by serving as whistleblowers, alerting the authorities to illicit activities of industrial trawlers, and educating each other on the impact of the IUU fishing of sharks.
- Teach locals that shark populations are in danger, and foster intergenerational learning. Fishers could begin to educate each other on the impact of illegal fishing. Which could lead to biodiversity loss or declining means of livelihood.
Illegal, unreported and unregulated shark fishing in the Republic of the Congo

Notes


10. Ibid.


17. Culled from official document handed over to ENACT staff during an assessment visit to the country in 2022.


19. Culled from an official document given to ENACT staff during an assessment visit to the country in 2022.


29. CA Sampfendorfer et al., Widespread diversity deficits of coral reef sharks and rays, Science, 380(6650), 1155–1160, 2020.


35 Focused group discussion with the officials of the observation centre for ships and boats on 22 May 2023.

36 Interview with senior customs surveillance official in Brazzaville on 16 May 2023.

37 Global Implications of Illegal, Unreported, and Unregulated (IUU) Fishing. This memorandum was prepared by the National Intelligence Council and was coordinated with the US Intelligence Community, https://rip.fas.org/hic/ffishing.pdf, 19 September 2016 NIC WP 2016-02.


41 Interview with senior customs surveillance official in Brazzaville on 16 May 2023.


43 Interview with a senior official at the directorate of maritime fishing in Brazzaville on 15 May 2023.

44 Interview with a senior official at the Prefect office in Pointe-Noire on 17 May 2023.

45 Interview with Association La Bouée Couronne (ABC) on 17 May 2023 in Pointe-Noire.


48 KB Eustache et al., Spatial and temporal analysis of juvenile blacktip reef shark (Carcharhinus melanopterus) demographies identifies critical habitats, Journal of Fish Biology, 101(1)/fb.15569, 2023.


54 Interview with a senior official of the navy command on 22 May 2023 in Pointe-Noire.


58 Interview with a senior CREMAC official at Pointe-Noire on 22 May 2023.

59 Focused group discussion with the officials of the observation centre for ships and boats on 22 May 2023.

60 Interview with a senior naval officer at Pointe-Noire on 22 May 2023.


Illegal, unreported and unregulated shark fishing in the Republic of the Congo

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Interview with a senior official at the Prefect office in Pointe-Noire on 17 May 2023; Focused group discussion with staff of Renatura on 22 May 2023 in Pointe-Noire.

Interview with a senior customs authority official at Pointe-Noire on 22 May 2023.

Interview with a member of the artisanal fishers’ association in Pointe-Noire on 15 May 2023.

Interview with a senior official of CRESMAC at Pointe-Noire on 20 May 2023.

Interview with a member of ABC on 17 May 2023 in Pointe-Noire.

Interview with a senior official at the directorate of maritime fishing in Brazzaville on 15 May 2023.

Interview with a member of the artisanal fishers’ association in Pointe-Noire on 15 May 2023.

Interview with a member of the artisanal fishers’ association in Pointe-Noire on 20 May 2023.

Interview with a member of ABC on 17 May 2023 in Pointe-Noire.

Interview with a senior official at the department of maritime fishing at Pointe-Noire on 19 May 2023.


Each vessel normally flies the flag of the owner’s country. That means it is registered in the national register of that particular country. Flagging in is the process of adding a vessel to the national registry and flagging out is the process of removing a vessel from a national registry. Generally flagging out refers to the practice of switching the vessel’s registration to another country to fly it under a ‘flag of convenience.’ However, some vessels that have been deleted from national registries end up operating under no flag at all, www.greenfacts.org/glossary/def/flagging-out.htm.


About the author

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About ENACT

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