



Decision 19.136: Technical workshop on Non-detriment findings for specimens of Appendix-II species taken from areas beyond national jurisdiction

Background information for the workshop

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Non-detriment Findings (NDFs) for Appendix II-listed Marine Species

NDF authorizes a level of harvest/offtake that is:

- Not detrimental to the survival of the species in the wild
- Not likely to result in population reductions leading to an Appendix I listing
- Not likely to diminish the species' role in the ecosystem throughout its range

Making Non-detriment Findings for Appendix II Marine Species

- **NDFs made by:** respective Party's Scientific Authority
- **NDFs needed for:** introduction from the Sea and Import/Export Permits
- **NDFs should account for:** population status, threats, effectiveness of management
- **NDFs should support:** appropriate harvest quotas and export quotas
- **NDFs should consider:** all sources of mortality within and beyond jurisdictional areas

Information reviewed

- Responses from Parties for Notification to the Parties No. 2023/050
- NDFs shared on the CITES NDF Database/Sharks and rays portal
- Information from RFMO/RFB website
- Survey responses from RFMO Secretariats



Challenges of making NDFs for Appendix II Marine Species From ABNJ

- Wild stock potentially exploited by multiple Parties
- Species often subject to threats occurring outside of the individual Party's jurisdiction
- Population monitoring/stock assessment often requires cooperation/coordination
- Setting/enforcing harvest/offtake quotas may require a multi-party agreement
- Monitoring total mortality requires national/international data collection
- Lack of harmonized harvest/trade data at the relevant taxonomic level



Key aspects of NDFs on CITES website for Appendix II-listed Marine Species

Local abundance and population trends informed the NDFs for harvest restricted to waters under the Party's jurisdiction (EEZ) and did not extend to ABNJ.

Some NDFs that extended to ABNJ limited to small numbers of specimens based on historically reported bycatch and/or the collection of specimens for scientific research purposes.

Some Parties considered population trends and the effectiveness of management measures outside their jurisdictional areas, but not all included IFS within the scope of the NDF.

Some Parties applied more restrictive national measures, prohibiting harvest entirely or limiting harvest to domestic consumption.

Harvest and/or trade prohibitions adopted by regional fisheries organizations to which the nation is also a party were factored into the NDFs.

Most Parties referenced the utility of using RFMO stock assessments, when available, to inform the NDF.

Approaches by Parties when making NDFs for specimens potentially taken from ABNJ

- Several Parties used the Mundy-Taylor et al. (2014) guidance as a template for analysis
- Some Parties used population/catch trend information when stock assessments not available
- Several Parties based NDFs on the management regime in place (domestic and/or multilateral) to assess if threats are being effectively mitigated; key items included permitting, catch quotas, size limits, gear restrictions, catch monitoring and fishery closures
- Where appropriate, Parties made NDFs conditioned on enhanced monitoring of target and incidental catch, especially to collect species-specific catch and effort data
- Some NDFs were conditioned on enhanced monitoring of import/export trade (e.g., develop species-specific harmonized schedule tariff codes as needed)
- NDFs were withheld under: national protection status for the species; RFMO measures prohibiting retention; noted population declines without effective management measures globally or regionally; lack of data to assess population status

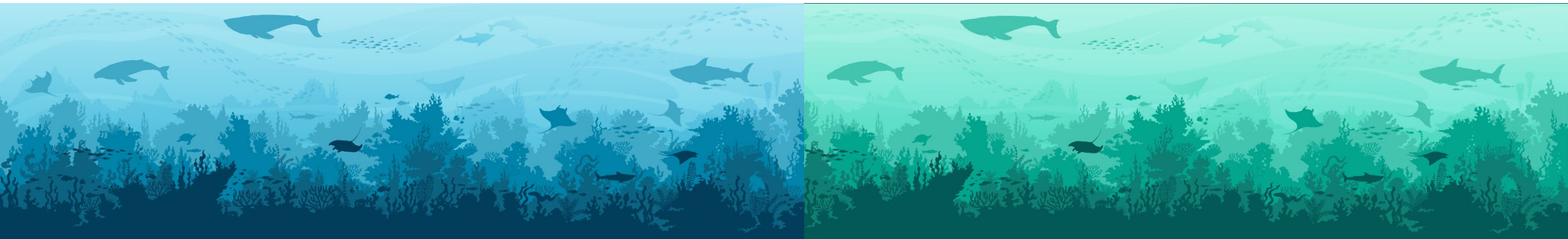


Difficulties encountered by Parties when making NDFs for specimens taken from ABNJ

- Information needed on population status, including life history parameters and distribution throughout its range
- Differences noted in management/reporting provisions between CITES and RFMOs, particularly sharks/rays
- Catch/abundance information on fish stocks shared among adjacent countries needed for confident NDFs
- Regional organizations may have relevant data, but burdensome for them to make NDFs in every case of IFS
- NDFs are dependent on the sustainability of offtake/mortality from all sources, including IUU fishing and bycatch
- Difficult to obtain species level information on catch and trade volumes for bycatch species that are not commercially exploited at high levels.

Enhanced Management/Monitoring Needs Identified in Several Conditional NDFs

- Permits and mandatory data collection (species level) are essential underpinnings to monitor fisheries
- Permitting fish dealers is necessary to enhance data collection and trade monitoring, especially quotas
- Public consultation activities involving fishers and dealers on CITES provisions and species identification guides are important aspects of enhanced monitoring and compliance



Potential Role of Regional Fishery Management Organizations (RFMOs) & Regional Fisheries Bodies (RFBs)



Source: <https://www.fao.org/fishery/en/rfb>

Potential Role of RFMOs/RFBs

- Data/information for CITES Scientific Authorities making non-detriment findings:
- Stock assessments for targeted species or bycatch species
- Data on level of target catch/offtake within the RFMO area of competence
- Data on level of bycatch/incidental catch and associated mortality
- Conservation and management measures that address total mortality and/or trade
- Monitoring of population status and trends for ecologically related species

Select RFMO Information and Supporting Measures

Actions Applicable to One or More CITES Listed Species	<u>IATTC</u>	<u>ICCAT</u>	<u>IOTC</u>	<u>NAFO</u>	<u>SPRFMO</u>	<u>SEAFO</u>	<u>CCSBT*</u>	<u>WCPFC</u>
Measure – no retention	X	X	X					X
Measure – catch/mortality limit		X						
Measure – no sale/trade		X	X	X				
Species-specific Data Collection	X	X	X	X	X	X	X	X
Regional Observer Scheme	X	X	X	X				X
Bycatch Mitigation (Gear)	X	X	X		X		X	X
Safe Handling/Release	X	X	X					X
Life History/Distribution Data	X	X						
Stock/Risk Assessment	X	X	X		X			X
Aggregate Data Publicly Available	X	X	X	X	X			X
Vessel Data - Possible Arrangement		X	X		X	X		X

*CCSBT members follow the Ecologically Related Species (includes sharks/rays) measures of other relevant tuna RFMOs when fishing for Southern Bluefin Tuna in the area of competence of the other commissions.



Potential Information from RFMOs/RFBs

- Catch/effort data by species and temporal/spatial strata
- Stock assessments for targeted species or bycatch species
- Data on level of target catch/offtake within the RFMO area of competence
- Data on level of bycatch/incidental catch and associated mortality
- Conservation and management measures that address total mortality and/or trade
- Monitoring of population status and trends for ecologically related species
- Provisions for sharing of otherwise non-public (confidential) data in some cases

Suggestions for Improving NDFs for ABNJ Harvest

- NDFs should be made for the relevant population or stock being harvested based on its distribution (global/regional/local).
- A regional approach by all harvesters could be developed to ensure consistency in applying the CITES requirements across the species range.
- Parties should consult stock assessments and other relevant scientific reports developed by the RFMO in making their non-detriment finding.
- CITES Parties that are also members of RFMOs seek to harmonize rules for catch reporting and management.
- Parties adopt domestic regulatory frameworks and fisheries management measures to apply them as appropriate to ABNJ fisheries.
- Parties harvesting CITES Appendix II-listed species from ABNJ should share information on how they ensure traceability for specimens from ABNJ when they enter into trade.

