

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA

Twenty-first meeting of the Animals Committee
Geneva (Switzerland), 20-25 May 2005

CONSERVATION AND MANAGEMENT OF SHARKS

Members of the working group

Chairman: Mr Hay, (AC-Oceania);

Regional Representative for Central and South America and the Caribbean; Alternate Representative for Asia.

Observers from Parties: China, Germany, Greece, Mexico, Spain, United States of America

Observers from inter-governmental and non-governmental organizations: IUCN Shark Specialist Group, The Ocean Conservancy, Swan International, Species Management Specialists, WWF International, TRAFFIC International.

FAO attended the meeting as an observer only.

CITES Secretariat and Earth Negotiations Bulletin.

Australia and South Africa were unable to attend the meeting, but had offered their support and requested membership of the intersessional Working Group.

The Working Group accepted these offers.

Terms of Reference

The Working Group was asked to review the following recommendations from document AC 21.18, concerning the need for the Animals Committee to implement the Decisions in Resolution Conf. 12.6 (which continue beyond CoP13) and Decision 13.43 (see below). These recommendations were to:

- **Consider** the tasks assigned to it under Decision 13.43 and the support that might be required to implement Decision 13.42;
- **Develop and adopt** a work programme during the course of the present meeting and intersessionally to prepare a comprehensive report for CoP14;
- **Establish** a process for consultation with FAO regarding convening a workshop on the conservation and management of sharks;
- **Establish** a process to complete the work on WCO Customs codes for sharks;
- **Convene** a working group to work intersessionally in order to oversee and complete the work; and
- **Invite** the working group to report progress at AC22.

Working Group discussions

The Chair reminded the WG that the primary mandate of the AC arises from Decision 13.43, directed to the Animals Committee:

The Animals Committee, taking account of the work of the Food and Agriculture Organization of the United Nations (FAO) on the conservation and management of sharks and on CITES implementation issues relating to listed marine species, shall:

- a) *review implementation issues related to sharks listed in the CITES Appendices with a view inter alia to sharing experiences that may have arisen and solutions that may have been found;*
- b) *identify specific cases where trade is having an adverse impact on sharks, in particular those key shark species threatened in this way;*
- c) *prepare a report on trade-related measures adopted and implemented by Parties that are aimed at improving the conservation status of sharks; and*
- d) *report on the above at the 14th meeting of the Conference of Parties.*

Intersessional Shark Working Group

It was agreed that the work of the Animals Committee would have to be continued intersessionally and that the purpose of these discussions was to set the agenda for the intersessional Shark Working Group.

The work of the Food and Agriculture Organization (FAO)

The observer from FAO informed the Working Group that, as a result of requests from Members following CITES CoP13, FAO will be holding a Technical Consultation on the implementation of the International Plan of Action for the Conservation and Management of Sharks (IPOA–Sharks). This will probably take place in early December 2005, and probably in Rome (notification of this meeting will likely be announced no later than August/September 2005).

An FAO Technical Consultation is a wide-ranging meeting that is open to all Member governments, observer governments, UN bodies, IGOs and NGOs. It will probably focus mainly on implementation of the IPOA–Sharks, the progress being made by States and the difficulties that are being encountered. Its emphasis is likely to be on fisheries management, monitoring and the acquisition of data on shark landings. FAO would primarily consider shark fisheries mortality from all causes; it might not consider issues of international trade management directly unless specifically requested to do so by its Members, so this is something that CITES could contribute.

The report of the Technical Consultation would be drafted (in English) before the end of the meeting, and would be published in the FAO official languages a few months later, in good time for the next meeting of the Animals Committee in August 2006.

Possible input from CITES to the Technical Consultation was discussed. The Working Group requested the CITES Secretariat to make Document 13.35 on the Conservation and Management of Sharks available to the FAO Secretariat and to invite them to make use of any sections that FAO felt would inform the Consultation.

The Working Group recommended that Parties ensured that CITES Authorities consulted with their Fisheries Agencies before the Technical Consultation in order to ensure that the views of the members of the intersessional Shark Working Group were taken into account, while reinforcing the respective roles of each organisation.

a) Notification for review of shark listing implementation issues

The Working Group agreed that a Notification would be required to implement point a) of Decision 13.43 and that the Working Group should immediately develop this in order to obtain a swift response that could be reviewed by the intersessional Shark Working Group. Following a wide-ranging discussion, the appended draft was agreed. The Secretariat was requested to circulate this to Parties as soon as possible.

TRAFFIC International noted that they had published a short review of implementation of the shark listings in China and Hong Kong in 2004. This had also looked at capacity building and the needs of some countries to undertake training and issue ID materials. They commended the efforts by China to align legislation in order to accommodate implementation of the listings and their consultation with fin traders (involving industry in the process of implementation).

The Chair noted that it would be useful to examine legislative responses to the listings in the notification.

CITES Secretariat suggested that UNEP-WCMC be asked to provide the Intersessional Shark Working Group with information on shark trade records.

The CITES Secretariat was requested to forward responses received from the Notification to the Working Group Chairman for analysis by a small sub-group of the Intersessional Shark Working Group. China, United States of America, TRAFFIC International, and IUCN volunteered for this work.

b) Identification of specific cases where trade is having an adverse impact on sharks, and those key shark species threatened in this way

This part of the Decision concerns both the trade-related threats to sharks, such as fin trade, curio trade, aquarium trade and meat trade, and the identification of the key species threatened by this trade.

The list prepared at AC 20 is a starting point, but needs further refinement. The USA has been evaluating possible ways to refine the original list of species and will provide suggestions to the Working Group. It was stressed and agreed that the species listed in document CoP13 Doc. 13.35 was never intended to be a candidate list for amendments of the Appendices, but a list of species of management concern.

The WG agreed to carry out the task of reviewing both lists intersessionally, coordinated by the IUCN Shark Specialist Group, ensuring that technical peer review is incorporated into the process and that Parties have the opportunity to contribute to this process. FAO could be approached to identify the names of peer reviewers. IUCN SSG will also circulate to its membership for peer review. The Chair requested members of the WG to circulate any documents developed by the Working Group to their national experts. The Observer from FAO suggested that, while undertaking these case studies, CITES try to quantify the impact of international trade compared with other sources of mortality. This might be done as a percentage of overall utilisation/mortality.

While some of this work could be undertaken by email, a meeting, subject to the availability of funding, would be useful for the resolution of some issues. The Working Group recommended that, since the FAO Technical Consultation would bring many shark experts into a single venue, this might be a useful opportunity for such discussion. It should not be attempted during the Technical Consultation, but during a separate meeting adjacent to it. The venue could be in Rome (if the Technical Consultation is held there) or in the UK. IUCN and WWF International will consider possible venues. Funding was not identified for this process. It was noted that not all members of the AC SWG will likely attend the Technical Consultation and the associated AC SWG, but members of this WG should aim to delegate attendance to other individuals in their States, if appropriate, and ensure that they also peer review the results.

The Intersessional Working Group noted that this review should be completed and a final draft prepared by June 2006, to enable its circulation prior to the 22nd meeting of the Animals Committee.

c) Reporting on trade-related measures adopted and implemented by Parties that are aimed at improving the conservation status of sharks

This can partly be covered by work done under a, above, but is intended to apply not only to CITES-listed species. The Working Group hoped that the FAO workshop on IPOA-implementation would provide additional information on such trade-related measures. FAO clarified that this would not necessarily form an explicit part of the FAO Technical Consultation. It was suggested that the CITES Secretariat and, particularly, FAO Members could specifically request that FAO includes this within the TOR of the Technical Consultation. It would not necessarily otherwise form part of FAO's remit. US noted that trade-related measures could be broader than simple trade-tracking. They could, for example, include monitoring of landings that supply international trade, prohibitions on possession, or bans on exports in order to support domestic management measures.

The Working Group agreed that this matter would be the subject of an additional question in the Notification to be sent requesting information on the implementation of shark species listings.

World Customs Organization and Customs Codes

This is a very technical area. The former intersessional Shark Working Group had produced a list of product codes, but this has not yet been agreed between the WCO and CITES. The CITES Secretariat noted that they do liase closely with the WCO and often attend enforcement meetings, and that the need to explore better ways to apply customs codes to all environmental goods has been discussed in several fora. Options possibly include the use of 8 digit codes instead of the current 6 digits. The Working Group agreed that this needed to be taken forward and the Chair agreed to liase with the representative of the United States of America in order to determine the best way to advance work on this issue.

DRAFT Notification on the management of trade in sharks

Parties and the Animals Committee were directed by Resolution Conf. 12.6 to take a number of actions to improve the biological and trade status of sharks. The Animals Committee was directed to “*examine information provided by range States in shark assessment reports and other available relevant documents, with a view to identifying key species and examining these for consideration and possible listing under CITES; and to make species-specific recommendations at the 13th meeting and subsequent meetings of the Conference of the Parties if necessary on improving the conservation status of sharks and the regulation of international trade in these species.*”

Document CoP13 Doc. 13.35 describes the Animals Committee’s activities under this Resolution. The 13th meeting of the Conference of Parties to CITES continued work in fulfillment of Resolution Conf. 12.6 by adopting Decision 13.42 directed to Parties and Decision 13.43 directed to the Animals Committee. Decision 13.43 directed the Animals Committee, *inter alia*, to:

- a) *review implementation issues related to sharks listed in the CITES Appendices with a view inter alia to sharing experiences that may have arisen and solutions that may have been found and*
- c) *prepare a report on trade-related measures adopted and implemented by Parties that are aimed at improving the conservation status of sharks.*

This notification is circulated on behalf of the Animals Committee. It requests Parties to provide information to enable the Animals Committee to fulfil some of its obligations under Decision 13.43. The Animals Committee recognises that this Notification places an additional reporting burden upon CITES Authorities, but hopes that it is structured so as to minimise the time necessary to respond to the following seven questions and is consistent with information required for Annual Reports.

1. Names and contact details of individuals and organisations in Scientific and Management Authorities responsible for trade in listed shark species

| Scientific Authority | Management Authority |
|----------------------|----------------------|
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2. Has your State imported any products from the following Appendix II listed species?

- | | | |
|---|------------------------------|-----------------------------|
| <i>Cetorhinus maximus</i> Basking shark | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| <i>Rhincodon typus</i> Whale shark | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| <i>Carcharodon carcharias</i> White shark | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

If yes, please give the following details:

- i) Type of product (e.g. fins, meat, skin, liver oil, jaws, teeth)
- ii) Quantities of each product

- iii) Exporting State of each product
- iv) State of origin of each product

3. Has your State exported any products from the following Appendix II listed species?

Cetorhinus maximus Basking shark Yes No

Rhincodon typus Whale shark Yes No

Carcharodon carcharias White shark Yes No

If yes, please give the following details:

- i) Type of product (e.g. fins, meat, skin, liver oil, jaws, teeth)
- ii) Quantities of each product
- iii) Derived from what sort of fishery (target, bycatch, other)
- iv) Re-exported products
- v) Please can you share your procedures and methodology for developing non-detriment findings for the exports derived from listed sharks caught in your waters?

4. Does your country have techniques (e.g. identification manuals, DNA techniques) for assisting in the monitoring of shark products in trade? If so, please give brief details or references.

5. Do you have other experiences with or comments on implementing the above shark listings that you can share with the Animals Committee Shark Working Group?

6. What materials/other assistance might be helpful in enabling your State to implement these listings?

7. Please describe any other trade-related measures (e.g. quotas, reporting requirements, observers, catch documentation) that your State has adopted and implemented in order to improve the conservation status of sharks (including species not listed on CITES Appendices) that may be of interest to other Parties.

Thank you very much.