

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



Thirty-third meeting of the Animals Committee  
Geneva (Switzerland), 12 – 19 July 2024

SHARKS AND RAYS (ELASMOBRANCHII SPP.)

Membership (as decided by the Committee)

Chair: representative for Oceania (Mr. Robertson);

Members: representative for Asia (Mr. Mobaraki);

Parties: Argentina, Australia, Austria, Brazil, Canada, China, Democratic Republic of the Congo, Ecuador, European Union, France, Germany, Ghana, Hungary, India, Indonesia, Japan, Kenya, Maldives, Mexico, Mozambique, Netherlands, New Zealand, Oman, Panama, Peru, Portugal, Republic of Korea, Saudi Arabia, Senegal, South Africa, Spain, Suriname, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America.

IGOs and NGOs: Cartagena Convention, Convention on Migratory Species, Food and Agriculture Organization, International Union for Conservation of Nature, Southeast Asian Fisheries Development Center, UNEP-WCMC, Bloom Association, Blue Resources Trust, Defenders of Wildlife, European Bureau for Conservation and Development, Florida International University, Fondation Franz Weber, Global Guardian Trust, Humane Society International, International Fund for Animal Welfare, International Fur Federation, Save our Seas Foundation, Shark Conversation Fund, Sustainable Use Coalition South Africa, TRAFFIC, The Manta Trust, Wildlife Conservation Society, World Wide Fund for Nature, Zoo and Aquarium Association Australasia, Zoological Society of London.

Mandate

1. Consider the issues raised in paragraphs 10 and 11 of document AC33 Doc. 14.3 (Rev. 1) concerning shark species that were selected for Stage 2 of the Review of Significant Trade (RST) and make recommendations concerning the treatment of multiple stocks for the same species and single stocks being harvested by multiple harvesting nations for sharks;
2. Consider the following questions raised by the representative for Europe (Mr. Benyr) in plenary:
  - i) based on best available information, is it feasible to request a stock based NDF for the shark species in RST? If the answer is 'yes' for some species, which ones?
  - ii) formulate feasible and practical recommendations on making NDFs that could be included as RST recommendations; and
  - iii) formulate recommendations for Parties that are fishing in shared stocks to help them coordinate sustainable offtake levels;
3. Consider document AC33 Doc. 41 (Rev. 1), including the scientific elements in its Annexes, and any other relevant information, and

- i) review the responses to the Notification the Parties in Annex 2 and the information from the CITES Trade Database on commercial trade in CITES-listed sharks and rays since 2010 presented in Annex 3;
  - ii) review the study and its recommendations conducted under Decision 19.223, paragraph c), as shown in paragraph 15, noting that Japan proposed that paragraph 15 b) should read “invite Parties to adopt traceability systems along the supply chains of CITES-listed sharks and rays species for international trade, etc.;
  - iii) review the Secretariat’s suggestions for adding ocean basins to the Guidelines for the preparation and submission for CITES annual reports shown in paragraphs 22-28; and
  - iv) Draft recommendations and decisions to be submitted to the 78th meeting of the Standing Committee for its consideration; and
4. Consider the information presented in information document AC33. Inf. 20 and make species-specific recommendations, if necessary, on improving the conservation status of deep water sharks;
  5. Report its recommendations to the Committee.

### Recommendations

The sharks and rays in-session working group recommends the following to the RST in-session working group:

#### Mandate 1

##### *Treatment of multiple stock for the same species*

1. Take into account the recommendations in AC33 Doc. 17:
  - a) agree that NDFs should ideally be made at a stock level – e.g., a single NDF covering the stock as a discrete unit irrespective of whether catch / harvest is taking place in the exclusive economic zone (EEZ) or in areas beyond national jurisdiction (ABNJ); and
  - b) agree that distinct stocks / distinct populations, if defined, should require separate NDFs or a single NDF clearly describing findings for each distinct stock / population
3. Take into account the information in module 5 of CITES NDF Guidance on making NDFs for aquatic species.

##### *Single stock being harvested by multiple Parties*

4. CITES Authorities should work with their fisheries authorities and consider working closely with Regional Fishery Bodies (RFBs), including Regional Fisheries Management Organizations (RFMOs) and neighbouring Parties, as appropriate, especially those that have NDFs, in sharing/obtaining data to make NDFs in order to avoid duplication of effort.
5. NDFs should consider all sources of mortality within the stock, taking into account the precautionary approach.
6. Adaptive management, including time-bound NDFs (no more than 5 years), should be used so that signals of stock change (whether from offtake from other Parties or other threats) can be taken into account and responded to.

#### Mandate 2 i)

##### *Feasibility of requesting a stock based NDF*

7. Yes for all species in RST.

## Mandate 2 ii)

### *Recommendations on elements for inclusion in NDFs*

8. Develop NDFs for species where catch for export occurs, which could, *inter alia*, include the following elements taking into account the CITES NDF guidance, as well as other existing guidance, tools and resources:
  - a) consideration for each stock as a separate management unit for conservation and harvest purposes;
  - b) adaptive management, with a review period of no more than 5 years, to take into consideration signals from the stock; and
  - c) a precautionary approach, where a cautionary offtake is initially considered, and revised with further information.
9. Encourage Parties in RST to consult with fisheries agencies as responsible bodies for management of these stocks to develop an NDF.

## Mandate 2 iii)

### *Recommendations for Party harvesting from shared stock*

10. Take into account the recommendations in AC33 Doc. 17:
  - a) encourage Parties to collaborate regionally, including with CITES Parties not Party to RFMOs, to share information, including information to understand stock status and trends, stock assessments, NDFs, quotas, and capacity-building initiatives; and
  - b) invite Parties to consider using stock assessment data from RFBs, including RFMOs, in addition to national information and other relevant sources of information, as appropriate, in informing the making of NDFs for specimens taken from ABNJ.

The working group recommends the Animals Committee to:

## Mandate 1

11. invite the Secretariat to consider the feasibility of a RST process for sharks and rays that selects high priority species in international trade in accordance with Resolution Conf. 12.8 (Rev. CoP18) on *Review of Significant Trade in specimens of Appendix-II species*, then determines which stocks are affected, and includes range and fishing States with significant trade in the relevant stocks of concern.
12. invite the Secretariat to continue building relationships with RFBs, including RFMOs.
13. invite the Secretariat to explore options to make the shark eNDF tool available on the sharks and rays portal to facilitate wider use.
14. invite Parties, especially those with shared stocks, and observer organizations to provide support to Parties selected for “action is needed” under RST.
15. invite Parties to consider establishing a rebuilding plan for depleted stocks to recover them to achieve sustainability measures of Sustainable Development Goal (SDG) 14.4, SDG indicator 14.4.1.

## Mandate 3

16. invite CITES Authorities to work with fisheries authorities to ensure that reporting of CITES-listed species to CITES and RFBs is at the species level and uses consistent units, as appropriate.
17. invite the Secretariat to liaise with FAO and RFBs to bring to their attention the study under Decision 19.233 paragraph c) and the need to harmonize data reporting to the extent possible, as appropriate.
18. strongly encourage Parties to report all shark and ray trade in weight and not in number of specimens as indicated in the Guidelines for the preparation and submission of CITES annual reports.

19. invite Parties to adopt traceability systems along the supply chains of CITES-listed species for international trade, noting the definition of traceability<sup>1</sup>, which has been agreed by the Parties to CITES and further guidance.
20. subject to external funding, invite the Secretariat to follow-up on mismatches (differences in transactions reported by exporter/importer countries under the same permit; weights; species; etc.) in the CITES Trade Database and correct the mismatch, where possible.
21. subject to external funding, invite the Secretariat to follow-up with countries that appear to not be reporting exports of sharks and rays (i.e., trade only reported by importing countries) to determine the reason for underreporting and provide necessary support to encourage reporting.
22. invite the Secretariat to examine the trade in source code "C" specimens of shark and rays that are unlikely to be captive-bred based on the biology of the specimens.
23. invite the Secretariat to propose clear guidance on the reporting of specimens taken from ABNJ in the *Guidelines for the preparation and submission for CITES annual reports* to the Standing Committee.
24. remind Parties of the obligation to submit annual reports to the CITES Secretariat, which includes introduction from the sea and export of sharks and rays and to report at the species level.
25. to note that Decision 19.223 paragraph c) has been implemented.
26. invite the Secretariat to propose option 1 (ocean basins) and option 3 (FAO Major Fishing Areas) to the Standing Committee for consideration, including the question as to whether such reporting should apply to the EEZ in addition to ABNJ, taking into account potential implementation challenges.
27. consider the draft decisions contained in the Annex to the document for submission to the Standing Committee for onward submission to the Conference of Parties.

#### Mandate 4

28. note that the Animals Committee has identified gulper sharks (Centrophoridae spp.) as species of concern since 2004 and that there has been continuing decline in population of these species.
29. invite the Secretariat to issue a Notification to the Parties inviting Parties and organizations to submit information on the catches, use and trade of gulper sharks and their products, and conservation measures for the species that could potentially assist a Party:
  - a) in developing actions they can take for the conservation and management of gulper sharks;
  - b) in developing actions that could be brought to the attention of relevant RFBs; and
  - c) in assessing the need for preparing a proposal to include the gulper sharks in the Appendices.
30. invite the Secretariat to issue a second Notification to the Parties to distribute to Parties the submissions it receives on gulper sharks.

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<sup>1</sup> The working definition of CITES traceability is: traceability is the ability to access information on specimens and events in a CITES species supply chain. This information should be carried, on a case-by-case basis, from as close to the point of harvest as practicable and needed to the point at which the information facilitates the verification of legal acquisition and non-detriment findings and helps prevent laundering of illegal products

Draft decisions**Directed to Parties**

**20.AA** Parties are encouraged to:

- a) in accordance with Resolution Conf. 12.6 (Rev. CoP18) on *Conservation and management of sharks*, provide brief information (with an executive summary not exceeding 200 words, if the report exceeds four pages) to the Secretariat, in particular on any national management measures, including new or updated national plans of action for sharks, that prohibit commercial take or trade and respond to the Notification called for in Decision 20.BB;
- b) respond to the Notification called for in Decision 20.BB including sharing any non-detriment findings (NDFs) and conversion factors used when estimating catch live weight through converting recorded shark landings and trade, where available, and any other scientific information on sharks and rays;
- c) seek external funding for a dedicated marine species officer and consider seconding staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat;

**Directed to the Secretariat**

**20.BB** The Secretariat shall:

- a) issue a Notification to the Parties, inviting Parties to:
  - i) in accordance with Resolution Conf 12.6 (Rev. CoP18) on *Conservation and management of sharks*, provide concise (with 200 word executive summary, if the report exceeds four pages) new information on their shark and ray conservation and management activities, in particular:
    - A. the making of NDFs;
    - B. the identification of CITES-listed shark-products in trade;
    - C. the monitoring of export data of CITES-listed shark, parts and derivatives, and any suitable remedial measures applied to limit the export of specimens in order to maintain each species throughout its range at a level consistent with its role in the ecosystem;
    - D. capacity-building needs; and
  - ii) share with the Secretariat their non-detriment findings (NDFs) and conversion factors used when estimating catch live weight through converting recorded shark landings and trade, where available, and any other scientific information on sharks and rays, to post in the sharks and rays web portal;
- b) provide information from the CITES Trade Database on commercial trade in CITES-listed sharks and rays since 2010, sorted by species and, if possible, by product at the shipment level;
- c) invite non-Party, intergovernmental organizations and non-governmental organization observers to support Parties by providing concise information related to the above;
- d) collate this information for the consideration of the Animals Committee.

**Directed to the Secretariat**

**20.CC** Subject to external funding, the Secretariat shall

- a) continue to provide capacity-building assistance for implementing Appendix-II shark and ray listings to Parties, especially developing countries and small island developing states, upon request;

- b) liaise with relevant Regional Fishery Bodies (RFB) including Regional Fisheries Management Organizations and Arrangements (RFMO/As) to identify opportunities for capacity-building with the same organizations, possibly in the form of attending meetings (where the RFB permits such attendance) or by directly liaising with the Secretariat of the organization to provide this information to its membership and/or the provision of training;
- c) collaborate closely with the Food and Agriculture Organization of the United Nations (FAO) to verify that information about Parties' shark management measures is correctly reflected in the shark measures database developed by FAO (<https://www.fao.org/ipoa-sharks/database-of-measures/en/>) and if not, support FAO in correcting the information;
- d) seek to collaborate with Parties and organizations to establish a repository to hold imagery under a Creative Commons license of wet and dried unprocessed shark, parts and derivatives (particularly, but not exclusively, those from CITES-listed species) along with related species level taxonomic information to facilitate refinement of automated species identification development through a range of novel technologies; and
- e) bring the results of activities in this present Decision to the attention of the Animals Committee or Standing Committee, as appropriate.

***Directed to the Standing Committee***

**20.DD** The Standing Committee shall:

- a) review the comments and recommendations provided by the Parties, the Animals Committee and the Secretariat under Decision 20.CC; and
- b) prepare a report with any necessary recommendations for improving the implementation of the Convention for sharks and rays for consideration by the 20th meeting of the Conference of the Parties.