

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



Nineteenth meeting of the Conference of the Parties
Panama City (Panama), 14 – 25 November 2022

Committee I

Sharks and rays (Elasmobranchii spp.)

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

This document has been prepared by the working group on sharks and rays on the basis of document CoP19 Doc. 65 after discussion in the second session of Committee I (see summary record CoP19 Com. I Rec. 2).

Draft decisions on *Sharks and rays*

(New text is underlined, deleted text is ~~struck through~~)

Directed to Parties

19.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 that prohibit commercial take or trade and respond to the Notification called for in Decision 19.CC;
- b) in accordance with their national legislation, provide a brief report (with an executive summary not exceeding 200 words, if the report exceeds four pages) to the Secretariat about the assessment of stockpiles of shark parts and derivatives for CITES-listed species stored and obtained before the entry into force of the inclusion in CITES in order to control and monitor their trade, if applicable;
- c) respond to the Notification called for in Decision 19.CC and share available national conversion factors used when estimating live catch weight by species, fishery, and product form for more accurate reporting of shark and ray trade data by Parties and indicate whether and how these are used in the development of their non-detriment findings;
- d) in accordance with Resolution Conf. 9.7 (Rev. CoP15) on Transit and transshipment, inspect, to the extent possible under their national legislation, shipments of shark parts and derivatives in transit or being transhipped, to verify presence of CITES-listed species and verify the presence of a valid CITES permit or certificate as required under the Convention or to obtain satisfactory proof of its existence;
- e) ~~continue to support the implementation of the Convention for sharks, including by providing funding for the implementation of Decision 19.BB, and 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; ~~and~~
- f) in accordance with Resolution Conf. 11.3 (Rev. CoP18) on Compliance and enforcement, actively collaborate to combat illegal trafficking in sharks and ray products by developing mechanisms for coordination between source, transit, and destination countries; and

- g) consider if they are likely to be key beneficiaries from the guidance document(s) reviewed under provided by Decision 19.EE, paragraphs a) and b); if so, ~~these same~~ Parties are strongly encouraged to participate in any Standing Committee working groups established to address Decision 19.EE.

Directed to the Secretariat

19.BB 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 RFMO/As to identify opportunities for capacity building with the same organizations, possibly in the form of attending meetings (where the RFMO/A 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. The aim of this exercise would be to share information to improve the knowledge of CITES in the workings of each relevant RFMO/A;
- c) conduct a further study to look into the apparent mismatch between the trade in products of CITES-listed sharks recorded in the CITES Trade Database and what would be expected against the information available on catches of listed species, building on the study entitled *Missing sharks: A country review of catch, trade and management recommendations for CITES-listed shark species* and share both studies with proposed solutions to resolve this issue to the Animals Committee and Standing Committee, in a timely manner;
- d) collaborate closely with the Food and Agriculture Organization of the United Nations (FAO) to:
- i) verify that information about Parties' shark management measures is correctly reflected in the shark measures database developed by FAO (<http://www.fao.org/ipoa-sharks/database-of-measures/en/>) and if not, support FAO in correcting the information;
- ii) compile clear imagery of wet and dried unprocessed shark fins (particularly, but not exclusively, those from CITES-listed species) along with related species level taxonomic information to facilitate refinement of iSharkFin software developed by FAO;
- iii) conduct a study analysing the trade in non-fin shark products of CITES-listed species, including the level of species mixing in trade products and recommendations on how to address any implementation challenges arising from the mixing that may be identified; and
- e) ~~bring the results of the study in paragraph c) and any proposed solutions to resolve this issue in the future and the results of activities in this present Decision paragraphs d) i) to iii) to the attention of the Animals Committee or Standing Committee, as appropriate.~~

19.CC 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 non-detriment findings;
- B. the making of legal acquisition findings;
- C. the identification and monitoring of CITES-listed shark-products in trade, in source, transit, and consumer Parties; ~~and~~
- D. recording stockpiles of commercial and/or pre-Convention shark parts and derivatives for CITES Appendix-II elasmobranch species and controlling the entry of these stocks into trade; and

E. capacity building needs to assist developing countries and small island developing states with reporting requirements; and

- ii) share with the Secretariat their NDFs and conversion factors used when estimating catch live weight through converting recorded shark landings and trade, where available, to post in the sharks and rays web portal;
- iii) in accordance with Resolution Conf. 11.17 (Rev. CoP18) on *National reports*, highlight any questions, concerns or difficulties Parties are having in writing or submitting documentation on authorized trade data (e.g. which units are used in reporting trade) for the CITES Trade Database;
- 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;
- c) invite non-Party, intergovernmental organizations and non-governmental organization observers to support Parties by providing concise information related to the above;
- d) disseminate new or existing guidance identified by the Standing Committee on the control and monitoring of stockpiles of shark parts and derivatives pursuant to Decision 19.EE, paragraph b); ~~and~~
- e) capacity building needs of developing countries including the possibility of training workshops; and
- f) collate this information for the consideration of the Animals Committee and the Standing Committee.

Directed to the Animals Committee

19.DD The Animals Committee, in collaboration with relevant organisations and experts, shall:

- a) continue to develop guidance and review outcomes from the proposed international expert workshop on NDFs to support the making of non-detriment findings (NDFs) for CITES-listed shark species, in particular in data-poor, multi-species, small-scale/artisanal, and non-target (by-catch) situations, and for shared and migratory stocks, and introduction from the sea; and
- b) review the information submitted by the Secretariat under paragraph e) of Decision 19.BB and paragraph f) of Decision 19.CC and;
- c) report the outcomes of its work under ~~this the present~~ Decision to the Standing Committee for incorporation into the joint report to 20th meeting of the Conference of the Parties.

Directed to the Standing Committee

19.EE The Standing Committee shall:

- a) ~~develop guidance~~ review the revised Rapid Guide on the making of legal acquisition findings, and related assessments for as it relates to trade in CITES-listed sharks species caught in areas beyond national jurisdiction on the high seas (including introductions from the sea), and determine if more specific guidance is needed for listed-shark species, including engagement with RFMOs and any capacity building which might support their role in the making of LAFs for CITES-listed shark species in the context of the implementation of Resolution Conf. 18.7 on *Legal acquisition findings* and its annexes 1 and 2. This guidance should include detailed descriptions and related graphics on specific scenarios regarding trade in CITES-listed shark species;
- b) develop new guidance or identify existing guidance on the control and monitoring of stockpiles of shark parts and derivatives, in particular for specimens caught prior to the inclusion of the species in Appendix II;
- e) ~~prepare information to support engagement with and capacity building of RFMO/As and include this information within the guidance called for by paragraph a) above;~~

- ~~cd) review the FAO's on-going guidance on Catch Document Schemes, Port State Measures and any other measures to reduce IUU fishing; pending publication (FAO. 2022. Understanding and implementing catch documentation schemes – A guide for national authorities. FAO Technical Guidelines for Responsible Fisheries No. 14. Rome.); guidance the CITES Parties have agreed on traceability, relevant documents on the Secretariat's website on traceability (https://cites.org/eng/prog/Cross-cutting_issues/traceability) and include relevant information within the guidance called for by paragraph a) above; and~~
- ~~de) in consultation with the Animals Committee, discuss challenges related to transport of biological samples for research and data collection purposes in the context of fisheries management including the context of the provisions on Introduction from the sea in Resolution Conf 14.6 (Rev. CoP16) and make recommendations to CoP20; and~~
- ef) report its findings under the present Decision to the 20th meeting of the Conference of the Parties;

Directed to the Standing Committee and the Animals Committee

~~19.FF The Animals Committee and Standing Committee shall analyse and review the results of any of the activities under Decisions 19.AA to 19.FF and, with the support of the Secretariat, prepare a joint report for the 20th meeting of the Conference of the Parties on the implementation of these Decisions.~~

Directed to the Standing Committee

19.FF The Standing Committee shall:

- a) review the comments and recommendations provided by the Parties, Animals Committee, the Secretariat under Decisions 19.AA to 19.DD; 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.