

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



Twenty-seventh meeting of the Animals Committee  
Veracruz (Mexico), 28 April – 3 May 2014

Interpretation and Implementation of the Convention

Species Trade and Conservation

Conservation and management of sharks [Resolution Conf. 12.6 (Rec. CoP16)]

NON-DETRIMENT FINDINGS FOR CITES-LISTED SHARKS AND MANTA RAYS

1. This document has been submitted by Germany and prepared by the European Commission.<sup>1</sup>
2. A number of proposals to include five shark and all manta ray species in Appendix II of CITES were adopted at the 16th meeting of the Conference of the Parties to the Convention (CoP16, Bangkok) in March 2013. The entry into effect of the inclusion of these species in Appendix II was delayed by 18 months to enable Parties to resolve related technical and administrative issues. The following listings will therefore come into force on 14 September 2014:
  - *Carcharhinus longimanus* - Oceanic whitetip shark
  - *Lamna nasus* - Porbeagle shark
  - *Manta* spp. - Manta rays
  - *Sphyrna lewini*, *S. mokarran* and *S. zygaena* - Scalloped hammerhead shark, Great hammerhead shark and Smooth hammerhead shark
3. Cooperation between Parties and stakeholders will greatly help to ensure a proper implementation of the decisions adopted at CoP16, especially in the case of stocks present in waters under the jurisdiction of various countries or on the high seas. This is particularly important in relation to the realisation of non-detriment findings (NDFs), which is a necessary step for the issuing of export permits and introduction from the sea certificates in accordance with the Convention. CITES Resolution Conf. 16.7 on *Non-detriment findings* (NDF) provides non-binding guiding principles which will help Scientific Authorities to make NDFs. It is also desirable that Scientific Authorities have access to scientific information on sharks and manta rays, both in terms of methodology and of data regarding stock assessments and management measures. The European Union and its Member States have recently supported and undertaken different initiatives designed to compile available information and develop new tools to assist Scientific Authorities in making NDFs for the sharks and rays listed at CoP16, which are presented in this document.

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<sup>1</sup> The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

#### Information available to make non-detriment findings and on-going initiatives

4. At CoP16, the European Union and its Member States announced a contribution of EUR 1.2 million (USD 1,7 million) to carry out the project “*Strengthening capacity in developing countries for sustainable wildlife management and enhanced implementation of CITES wildlife trade regulations, with particular focus on commercially-exploited aquatic species*”, which will cover the period 2013-2016. Among a number of priority targets, this project aims to support CITES Scientific Authorities in selected developing countries in making NDFs for sharks and manta rays included in Appendix II at CoP16, based upon stock assessments that define sustainable harvest levels, and using information and tools developed under the project. The project also aims to strengthen cooperation of CITES authorities with the Fisheries Department of the Food and Agriculture Organization of the United Nations (FAO) and with Regional Fisheries Management Organizations (RFMOs) to ensure complementarity of requirements and support collaboration. Through this programme, the CITES Secretariat has created dedicated webpages on its website that provide a number of capacity-building tools and references, including a CITES-FAO PowerPoint presentation on non-detriment findings, training materials on non-detriment findings in the CITES Virtual College, and examples of NDFs for marine species (<http://www.cites.org/eng/prog/shark/sustainability.php>). The CITES Secretariat, in consultation with FAO, has organized regional consultative meetings on capacity assessments for the implementation of the new CITES listings of sharks and manta rays in early 2014, and will organise additional ones in the coming months.
5. To assist CITES Parties and the Secretariat to obtain a more comprehensive picture of needs and challenges, the European Commission commissioned a study to TRAFFIC, “*Into the deep: Implementing CITES measures for commercially-valuable sharks and manta rays*” (<http://www.traffic.org/home/2013/7/30/new-study-gets-its-teeth-into-shark-trade-regulations.html>). The study aimed to gather information on sharks and manta rays listed in CITES at CoP16, including: information on the levels of catch and population status of the species; reporting of their trade; and assessment and monitoring to determine the impacts of trade on populations. In particular, the report provides an overview of available resources and capacity building initiatives in terms of NDFs. It also identifies needs in relation to data to perform stock assessments for shark species, guidance on NDFs for sharks, as well as issues regarding shared stocks and introduction from the sea, management deficiencies and species caught as bycatch. It provides FAO catch data by shark species for the period 2002-2011; examples of initiatives to collect data on shark catches and fishing effort to inform scientific assessments; examples of scientific data available for NDF development; and available guidance, information and tools to assist the development of NDFs for shark species.
6. The European Commission published in 2013 on its website the study “*Provision of scientific advice for the purpose of the implementation of the EUPOA sharks*” ([http://ec.europa.eu/fisheries/documentation/studies/sharks/scientific-advice-sharks\\_en.pdf](http://ec.europa.eu/fisheries/documentation/studies/sharks/scientific-advice-sharks_en.pdf)). This project focused on obtaining scientific advice for the purpose of implementing the European Union Plan of Action for Sharks as regards the facilitation of monitoring fisheries and shark stock assessment on a species-specific level in the high seas. The study is focused on major elasmobranch species caught by both artisanal and industrial large pelagic fisheries on the high seas of the Atlantic, Indian and Pacific areas, which are currently monitored and potentially managed by respective tuna Regional Fisheries Management Organizations (RFMOs). Specifically, the study first aims to collate and estimate historical fisheries data, especially on species composition of catches, fishing effort and size frequencies, in order to identify gaps in the current availability of fishery statistics as well as in current knowledge of the biology and ecology of sharks that should be filled in order to support the scientific advice provided to RFMOs on sustainable management of elasmobranch fisheries. Secondly, the study aims to review and prioritise the gaps identified to develop a research programme to fill those gaps in support of the formulation of scientific advice for the management of sharks. The data and knowledge gaps identified through Phase I will allow future research to be focused and prioritised. Following Phase I it will be clear as to what data is available for providing management advice for shark species, and where gaps in the data render this task difficult. In a second phase, recommendations for data collection improvements as well as research needs and activities will be described. The study has been communicated to the Executive Secretariats of all tuna RFMOs. The detailed data provided by the above-mentioned report may be of assistance to Parties wishing to export CITES-listed shark products, and therefore having to make NDFs.
7. In 2013, a project has been carried out by the German Scientific Authority to CITES (Fauna) on guidelines for the non-detriment-finding process for shark species, “*CITES Non-detriment findings guidance for shark species - A framework to assist Scientific Authorities in making non-detriment findings (NDFs) for species listed in CITES Appendix II*”. The project report is currently in the stage of finalization. A summary will be formally submitted by Germany to the Animals Committee meeting. The report itself will be presented as

an information document. In a second step, in order to identify possible gaps or problems, the guidance will undergo a practice-oriented review in August 2014 and be amended according to the results of this review.

8. The United Kingdom has funded TRAFFIC to produce a report on assessing management risk for selected shark species (including oceanic whitetip, porbeagle, smooth and scalloped hammerhead sharks). This work is detailed in AC27 Doc. 22.4 and its related information document.

#### Recommendation

9. The Animals Committee is invited to:
  - a) note the information and related documents referred to above and recognise the contribution they make to the future implementation by Parties, RFMOs and others of the CITES listings of sharks and manta rays, and to the European Union Plan of Action for Sharks;
  - b) review the information contained in the documents referred to under paragraphs 5 and 6 above and advise on their use for the realisation of NDFs for trade in CITES-listed sharks and manta rays; and
  - c) request the Secretariat to make the information referred to under paragraph 6 above available to the Parties through the CITES website.