

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



Twenty-eighth meeting of the Animals Committee
Tel Aviv (Israel), 30 August-3 September 2015

Interpretation and implementation of the Convention

Species trade and conservation

Conservation and management of sharks

Implementation of Resolution Conf. 12.6 (Rev. CoP16)

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.
2. In Resolution Conf. 12.6 (Rev CoP16) on *Conservation and management of sharks*, the Conference of the Parties directs the Animals Committee:

To examine new information provided by range States on trade and other available relevant data and information, and report their analyses at meetings of the Conference of the Parties;

To make species-specific recommendations at meetings of the Conference of the Parties if necessary on improving the conservation status of sharks;

and

To report progress on shark and ray activities at the meetings of the Conference of the Parties.

In the same Resolution, Parties are encouraged:

To obtain information on implementation of National Plans of Action for the Conservation and Management of Shark Stocks (NPOA-Sharks) or regional plans, and to report directly on progress to the CITES Secretariat and at future meetings of the Animals Committee;

Background

3. At its 16th meeting (CoP16, Bangkok, 2013), the Conference of the Parties agreed to include several shark species and all manta rays (*Carcharhinus longimanus*, *Lamna nasus*, *Sphyrna lewini*, *S. mokarran*, *S. zygaena*, and *Manta* spp.) in Appendix II, with entry into force delayed by 18 months to allow time for Parties to resolve related technical and administrative issues.
4. At its 27th meeting (AC27, Veracruz April 2014), the Animals Committee addressed the implementation of Resolution Conf. 12.6 (Rev. CoP16), with an emphasis on the species that had been included in the CITES Appendices at CoP16 (see documents [AC27 Doc. 22.1](#), [22.2](#), [22.3](#) and [22.4](#)). Consequently, the Animals Committee established a working group on conservation and management of sharks with the following mandate [see document [AC27 Sum. 2 \(Rev. 2\)](#)]:

In support of the implementation of Resolution Conf. 12.6 (Rev. CoP16), the working group shall review the information provided by range States on trade in sharks and provide recommendations and guidance on issues related to the implementation of the shark species listings agreed at the 16th meeting of the Conference of the Parties (CoP16, Bangkok, 2013), and in particular on making Non-detriment Findings (NDFs) for these species. In carrying out this work, the working group shall take into account information provided in documents AC27 Doc. 22.1, 22.2, 22.3 and 22.4 and other relevant information, as appropriate;

and

Identify challenges, such as scientific and technical gaps and provide advice to approaches to making NDFs and implementing the CITES listings for sharks effectively.

5. On the basis of the suggestions from the working group, the Animals Committee formulated the following recommendations at AC27 (see document [AC27 WG7 Doc. 1](#)):

Directed to the CITES Secretariat, the Secretariat of the Convention on Migratory Species (CMS) and the Food and Agriculture Organization of the United Nations (FAO)

The Animals Committee encourages the Secretariat to continue to work closely with FAO, the Secretariat of the Convention on Migratory Species, and Regional Fisheries Management Bodies, both with respect to CITES-listed shark species and, where appropriate, wider issues of shark conservation relevant to Resolution Conf. 12.6 (Rev. CoP16).

The Animals Committee encourages FAO to continue its efforts to improve harmonised tariff codes for shark products and their work on shark identification (iSharkFin).

The Secretariat should ensure that all available guidance material relating to the identification of shark species listed in the Appendices (e.g. iSharkFin) are made available promptly through the shark portal on www.cites.org, including identification of fins and other shark products, and genetic testing protocols.

The Secretariat should, in accordance with Resolution Conf. 12.6 (Rev. CoP16), issue a notification similar to Notification 2013/056 inviting Parties to submit new information on shark fishery management measures, with particular emphasis on information pertaining to the implementation of the listings of sharks and rays agreed at CITES CoP16, especially:

- a) available scientific data, such as stock assessment results;*
- b) methodologies providing guidance for the making of non-detriment findings;*
- c) challenges faced by Parties in implementing these listings;*
- d) progress made to address such challenges;*
- e) progress towards the adoption and implementation of National Plans of Action for Sharks, or other new information on trade in sharks and related matters; and*
- f) new legislation concerning the conservation and management of sharks and rays.*

Such a notification should be issued in sufficient time to allow the information to be considered at the 28th meeting of the Animals Committee. The Committee, should review the information received in response to the notification – and any other relevant information available at that time - so that it can identify possible gaps and priorities and, where appropriate, make specific recommendations.

Directed to the Parties

The Animals Committee encourages Parties to continue to work to improve collection of data at the species level, especially in respect of CITES-listed species.

The Animals Committee recognises the need for further workshops and other capacity building activities to assist in implementation of the Appendix II shark listings. Parties are encouraged to use the CITES website shark portal to inform others of future workshops in their region.

Parties that make non-detriment findings for Appendix II-listed shark and ray species are encouraged to share these on a voluntary basis, either via the CITES website shark portal or bilaterally, as they consider appropriate.

Noting the identification materials available to date, the value of further such materials in relation to shark fins and other shark products, including genetic techniques, is acknowledged, as is the merit for Parties to identify and, where necessary, establish laboratories to assist in the identification of DNA samples.

Parties are encouraged to undertake broad consultation concerning the implementation of the shark listings, for example, with industries involved in the harvest, export or import of the listed species.

Parties are encouraged to involve both fisheries and CITES officials, and those of relevant Regional Fisheries Management Bodies, wherever possible, in meetings, events and processes concerning implementation of shark listings.

Directed to the Standing Committee

The Animals Committee requests the Standing Committee, at its 65th meeting, to consider relevant matters relating to the implementation of shark listings, including the following:

- a) New legislative issues that might arise in exporting, transit and consumer countries;*
- b) Issues pertaining to chain of custody, including where in the trade chain it is considered essential to be able to identify the products in trade;*
- c) Issues pertaining to legality of acquisition and introduction from the sea;*
- d) Existing catch documentation and product certification schemes that could assist in the implementation of Appendix II shark listings; and*
- e) The role of Regional Fisheries Management Organisations.*

Both the Standing Committee and the Animals Committee should review the requirements that have been developed for the trade in processed product types of Appendix II species such as crocodile skins, caviar etc. and consider their applicability to shark products containing Appendix II species.

6. Having heard the report of the Chair of the Animals Committee (see document [SC65 Doc. 46](#)), the Standing Committee at its 65th meeting (Geneva, July 2014) established an intersessional working group on conservation and management of sharks to consider the recommendations *Directed to the Standing Committee* indicated above. The working group is ongoing and will present its findings at the 66th meeting of the Standing Committee (Geneva, January 2016).
7. On 14 September 2014, the inclusion of *Carcharhinus longimanus*, *Lamna nasus*, *Sphyrna lewini*, *S. mokarran*, *S. zygaena*, and *Manta* spp. into Appendix II entered into force, as communicated through Notification to the Parties [No. 2014/042](#) of 12 September 2014.

Information submitted by Parties relating to the implementation of the listings agreed at CoP16

8. Pursuant to the recommendations from the Animals Committee, the Secretariat issued Notification to the Parties [No. 2015/027](#) of 11 May 2015, requesting Parties to submit relevant new information on shark fishery management measures, with particular emphasis on information pertaining to the shark species and manta rays that were included in Appendix II at CoP16, and the implementation of CITES provisions for trade in these species since 14 September 2014. The Secretariat asked such information to be submitted by 1 July 2015 so that it can be made available to the Parties at the 28th meeting of the Animals Committee (AC28).

9. In response to the Notification, the Secretariat has received contributions from Argentina, Canada, China, Greece, Israel, Jamaica, Mexico, New Zealand, Singapore and the United States of America. These are made available in the Annex to this document in the language and format as received.
10. Additionally, at the time of writing (June 2014), two guidelines for the making of non-detriment findings (NDFs) and four national NDFs have been shared with the Secretariat by Parties. With their permission, the NDF guidelines submitted by Germany and the NDF submitted by Australia have been made available through the shark portal website (<http://cites.org/prog/shark>). The Secretariat would like to commend Parties for their efforts in making NDFs, and invites Parties to continue to share their NDFs and NDF guidance with the Secretariat for publication on the website.
11. The Committee may also wish to consider the information that consultants to the CITES Secretariat and FAO compiled on the status of implementation of the new listings for selected countries, which is available through the shark portal website (<http://cites.org/prog/shark>). The Secretariat draws in particular attention to the *Executive Summary of the Assessment of the capacity of selected countries in Africa, Asia and Latin America to implement the new CITES listings of Sharks and Manta Rays* (<https://cites.org/sites/default/files/eng/prog/shark/docs/final-CITES-Executive-summary-brochure-hd.pdf>), and to the posters which were presented at the Bay of Bengal regional workshop (Chennai, August 2014) (http://cites.org/sites/default/files/eng/prog/shark/docs/Posters%20on%20National%20contributions_rev14_Oct2014.pdf)

Information on NPOA-Sharks or regional plans

12. The Secretariat did not receive information regarding National Plans of Action for the Conservation and Management of Shark Stocks (NPOA-Sharks) or regional plans.
13. According to the FAO document repository, four Parties have published or revised their National Plans of Action on Sharks since 2013 (Malaysia, New Zealand, South Africa and Sri Lanka) (<http://www.fao.org/fishery/ipoa-sharks/npoa/en>). The repository lists 16 Parties and one region which currently have Plans of Action for Sharks in place.
14. In paragraph b) of Decision 16.128, the Conference of the Parties direct the Secretariat to:
 - b) *collaborate with the FAO Secretariat in the development of a single, regularly updated, source summarizing current Regional Fisheries Management Organization measures for shark conservation and management, with information on species, fisheries, Members and Contracting Parties, and the geographical areas covered and excluded.*
15. Accordingly, FAO, in collaboration with the CITES Secretariat, has now developed a database on measures for the conservation and management of sharks, including regional measures, which is currently being finalized. The Secretariat will provide an oral update at the 28th meeting of the Animals Committee.

Other activities related to the implementation of the listings agreed at CoP16, in particular NDFs

16. At CoP16, the European Union and its Member States announced a contribution of EUR 1.2 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". The project covers the period 2013-2016.
17. Within the framework of this project, many activities have taken place - or are taking place - at the global, regional and national level, that directly relate to the implementation of the shark and manta ray listings agreed at CoP16. Examples include the following:
 - a) convening regional consultative workshops in Africa and Asia in collaboration with FAO;
 - b) organising, in collaboration with FAO, national and regional workshops to help Parties develop or implement their NPOA-Sharks (Caribbean, Bay of Bengal);
 - c) providing support to other workshops aimed at enhancing capacities for the implementation of the shark and manta ray listings agreed at CoP16 in Central America, the Bay of Bengal, Latin America and the Caribbean, and Oceania;

- d) in collaboration with Regional Fisheries Management Organisations (RFMOs) or Regional Fisheries Bodies (RFBs) [International Commission for the Conservation of Atlantic Tunas (ICCAT), Indian Ocean Tuna Commission (IOTC), Southeast Asian Fisheries Development Center (SEAFDEC)] or academic institutions (James Cook University) enhancing the capacity and/or data availability for the making of NDFs;
- e) develop and, where applicable, maintain training, educational and identification material (e.g. ICCAT, FAO: iSharkFin);
- f) support FAO in providing legal assistance to Parties for the implementation of the CITES listings;
- g) commissioning two studies on traceability of shark products, and participation in the FAO Expert Consultation on catch documentation schemes;
- h) commissioning of a study on the feasibility of the use of fin size as a complementary regulatory measure for sharks in trade;
- i) development of a database of measures for the conservation and management of sharks, including regional measures, mentioned above under paragraph 15.

and

- j) production of visibility and informational materials (including the website and documents mentioned under paragraph 11).
18. Information on these and on other shark-related activities are available through the shark portal website (<http://cites.org/prog/shark>). This dedicated and regularly updated website also serves as a repository for shark identification materials, reference and training materials, NDFs and NDF guidance, event agendas, and relevant publications.
19. The Secretariat observes that it has frequently been approached by Parties regarding guidance for the making of NDFs, in particular for situations where little or no biological or trade data is available, and/or where sharks are caught as by-catch. In this regard, The Committee might consider the issue of by-catch of sharks and the making of NDFs, and encourage the development of guidelines or best management practices for the making of NDFs for sharks and rays species in situations where little or no biological information is available, and trade or fisheries data is poor.

Other relevant information

20. The 11th Conference of the Parties of the Convention on the Conservation of Migratory Species of Wild Flora and Fauna (CMS) (Quito, November 2014), decided to list several new shark species in Appendices I and II of the Convention. The consequence of these and previous decisions is that CMS Parties have agreed to prohibit the taking of 18 species of sharks, skates and rays. For these and an additional 11 species, CMS Parties that are range States are encouraged to conclude agreements between themselves for the conservation and management of these species. A number of the species concerned are not listed in the CITES Appendices, namely: Shortfin mako shark (*Isurus oxyrinchus*) and Longfin mako shark (*Isurus paucus*), Bigeye thresher shark (*Alopias superciliosus*), Common thresher shark (*Alopias vulpinus*) and Pelagic thresher shark (*Alopias pelagicus*), Silky shark (*Carcharhinus falciformis*) and Mobulid rays (*Mobula* spp.).

Recommendations

21. The Animals Committee is invited to consider the present document, and examine the information provided by range States on trade and other relevant data in its Annex.
22. The Animals Committee is furthermore invited to consider its reporting on progress on shark and ray activities to the 17th meeting of the Conference of the Parties (CoP17, Johannesburg, 2016), which should also contain an analysis of information provided by range States on trade and other available relevant data and information, and if necessary, species-specific recommendations for improving the conservation status of sharks.