

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

Species trade and conservation

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

RESPONSE TO THE NOTIFICATION TO THE PARTIES NO. 2015/027
REQUEST FOR NEW INFORMATION ON FISHERY MANAGEMENT MEASURES FOR SHARKS
INFORMATION SUBMITTED BY THE EUROPEAN UNION

The attached information document has been submitted by the Management Authority of the European Union* as response to Notification to the Parties No. 2015/027, in relation to agenda item 17.

* *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.*

**Reply from the European Union and its Member States to CITES
Notification 2015/027 regarding the request for new information on fishery
management measures for sharks**

Further to CITES Notification 2015/027 regarding the request for new information on fishery management measures for sharks, the EU and its Member States are pleased to submit their feedback on the documents in question.

1. Legislation

The EU legislation on sharks has been updated through Council Regulation (EU) 2015/104 of 19 January 2015 fixing for 2015 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union vessels, in certain non-Union waters, amending Regulation (EU) No 43/2014 and repealing Regulation (EU) No 779/2014.

The following species have been included in the list of species for which capture is forbidden in European waters (this applies also to EU ships outside EU waters):

Manta alfredi
Mobula mobular
Mobula japonica
Mobula thurstoni
Mobula tarapacana
Mobula eregoodootenkee
Mobula kuhli
Mobula hypostoma
Mobula rochebrunei
Mobula munkiana
Anoxypristis cuspidate
Pristis clavata
Pristis pectinate
Pristis zijsron
Pristis pristis

2. Stock assessments and cooperation with Regional Fisheries Management Organizations (RFMOs)

The EU notes that a number of stock assessments are underway or were completed for various sharks species, including for CITES-listed species such as the porbeagle, the oceanic white tip and hammerhead sharks, as well as non CITES-listed species such as the blue shark, the shortfin mako, the silky shark and thresher sharks.

In particular, information for the evaluation of stocks of those species (non-exhaustive) is available through the scientific committees of ICCAT (International Commission for the Conservation of Atlantic Tunas), WCPFC (Western and Central Pacific Fisheries

Commission), IOTC (Indian Ocean Tuna Commission) and CCSBT (Commission for the Conservation of Southern Bluefin Tuna) (southern hemisphere assessment for porbeagle to be launched).

With regards to the porbeagle shark (*Lamna nasus*), there is an intention that ICES and ICCAT will carry out a joint assessment of **porbeagle** (*Lamna nasus*) in 2017. At the 2014 ICCAT SCRS meeting there was a suggestion that parties should carry out dedicated data collection in 2015 and 2016. In that regard, the Working Group Elasmobranch Fishes (WGEF) of ICES carried out an assessment for **porbeagle** in the NE Atlantic in 2015 which will be made available through the regular channels in a couple of months. In the WGEF report there is also an annual update of international surveys and research (<http://www.ices.dk/community/groups/Pages/WGEF.aspx>). ICES will organise a workshop to compile and refine catch and landings of elasmobranchs (WGSARKS) in late 2015 or early 2016. This is especially relevant for porbeagle (<http://www.ices.dk/community/groups/Pages/WKSHARKS.aspx>)

The Inter-American Tropical Tuna Commission (IATTC) has, at the initiative of the EU, adopted a breakthrough retention ban on mantas. The ban was agreed at the IATTC annual meeting in Guayaquil, Ecuador, from 29 June to 3 July 2015. The IATTC is the first RFMO to adopt a retention ban and mandatory handling guidelines for mantas and devil rays. In addition, the IATTC will set up a data collection programme for these vulnerable rays as of 2017, to monitor the status of the species.

More generally, every year, the EU proposes and supports within RFMOs to which it is a member the adoption of a "fins naturally attached" policy. Among other things, the North East Atlantic Fisheries Commission (NEAFC) adopted in 2014 a recommendation establishing the "fins naturally attached" principle as the way under which shark finning should be controlled. The EU also regularly submits proposals aiming to improve the conservation of various shark species, depending on scientific advice regarding the status of sharks stocks.

3. Non-Detriment Findings

In 2013, the German Scientific Authority commissioned a project to develop guidance for the development of non-detriment findings (NDFs) for shark species listed in Appendix II of CITES, including a review of existing management measures and the development of guidelines and practical recommendations. Following presentation to the 27th meeting of the Animals Committee (Veracruz, April 2014), various NDF case studies were carried out by experts with regard to the Scalloped hammerhead (*Sphyrna lewini*), the Oceanic whitetip shark (*Carcharhinus longimanus*), the Porbeagle shark (*Lamna nasus*), the Great hammerhead shark (*Sphyrna mokarran*), the Smooth hammerhead shark (*Sphyrna zygaena*) and the Oceanic Manta Ray (*Manta birostris*) and discussed during an expert workshop held in Bonn, Germany in August 2014. Based on the conclusions and recommendations from the workshop, the revised guidelines were submitted to the CITES Secretariat and made available to Parties on the CITES homepage section for sharks and mantas (<http://www.cites.org/eng/prog/shark/index.php>), in English and Spanish. The NDF Guidance was also presented at an international CITES shark workshop on experiences and strategies for the implementation of the listing of shark species in Appendix II (Colombia, November 2014). The document will also be presented and discussed at the next meeting of the Animals Committee (Tel Aviv, 30 August – 3 September 2015) (see AC28 Doc. 17.2, <https://cites.org/sites/default/files/eng/com/ac/28/E-AC28-17-02.pdf>).

Additional information from EU Member States

CROATIA

In Croatia, 4 CITES listed species of sharks are strictly protected (*Sphyrna zygaena*, *Cetorhinus maximus*, *Carcharodon carcharias*, *Lamna nasus*), together with 19 other species of sharks and rays, so fishing, catching or any kind of disturbance of these species is not allowed. Other native species of sharks and rays which are not strictly protected or species which occasionally appear in Croatian territorial waters are not target species in fishery and appear only as an occasional by-catch, so there are no fishery management measures for them. So far, Croatia did not have import or export of CITES listed shark species.

GREECE

According to the Regulations 2008/199 and 2008/665 and under the National Program of Collecting Fisheries Data, Greece is obliged to collect scientific data about taxon Elasmobranchii. Nonetheless, during 2014 no species of CITES Appendix II, including those of which have been included at 16th meeting (CoP16), was fished.

In Greece there is no National Action Plan for Sharks adopted (parag. 4e) as shark fishing is mainly interlocutory and although some species are targeted by fishing vessels, none of them is included in CITES Appendix II.

Although there is no national legislation concerning the conservation and management of sharks and rays Greece complies with EU Regulation 2003/1185, as amended by EU Reg. 2013/605, concerning removal of shark fins on board and also as a party of the International Commission for the Conservation of Atlantic Tunas (ICCAT) complies with recommendations for the Mediterranean species (parag. 4f).

Finally and in accordance with the above Greece does not have information available for paragraphs 4b, 4c, 4d.

SLOVENIA

Most species of native sharks and rays are not common in Slovenian territorial waters. Sharks are not target species in fishery and appear only as an occasional by-catch. Of shark species occurring in our territorial waters, two species are strictly protected, the Great white shark (*Carcharodon carcharias*) and the Basking shark (*Cetorhinus maximus*). Fishing or any kind of disturbance or trade therein is not allowed.

On the basis of the Marine Fisheries Act (OJ of RS; No. 115/06), marine fisheries in Slovenia has to be carried out in a sustainable manner, allowing the natural self-renewal of species to maintain the long-term favorable status of all fish stocks, including sharks and rays. Commercial fisheries takes place in accordance with Government's Fisheries Programme and is carried out in accordance with Community legislation. The Programme includes assessment of the situation in the fisheries sector, the setting of fishing activities that ensure the sustainable use of fish, objectives and policies for the protection and sustainable use of fish, tasks and measures for achieving the objectives, an evaluation of the expected effects and required public financial resources to achieve objectives and other content important for fish management.

SWEDEN

Sweden submits the following replies to the points raised in paragraph 4 of Notification No. 2015/027:

- a) Sweden takes all the data from IUCN.
- b) Sweden has not yet received any applications for import/export permits but are ready to use the material from the shark workshop in Berlin 2014.
- c) Sweden has only very little volume in shark products from fresh shark. Larger amounts of processed shark products are imported. It is problematic that the processed shark products most often do not specify the species.
- d) No progress made to address such challenges.
- e) Sweden has since several years back a national legislation prohibiting fishing sharks.
- f) Sweden has signed the Memorandum of Understanding on the Conservation of Migratory Sharks, at the CMS meeting 2014 (<http://sharksmou.org/sharks-mou-fact-sheet>). Sweden is following the Common Fishery Policy of the EU.

FINLAND

No specific activities going on in Finland in relation to Notification 2015/027 (Request for new information on fishery management measures for sharks).

Finland is not a range country for any of the CITES listed sharks, so there are no fishery management measures in place. Finland has not had any landings from the sea for sharks, nor have we had any import or export applications.

NETHERLANDS

The Netherlands has no relevant information on the catches of CITES listed sharks. Information on the catches of non CITES listed sharks had been reported to the European Commission and ICCAT.