

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

Thirty-first meeting of the Animals Committee
Online, 31 May, 1, 4, 21 and 22 June 2021

WRITTEN CONTRIBUTIONS AND SUMMARY OF DISCUSSIONS
OF THE IN-SESSION WORKING GROUP ON SHARKS AND RAYS

This document has been submitted by the representative of Oceania (Mr. Robertson) as Chair of the in-session working group on sharks and rays in relation to agenda item 25.*

The in-session shark working group (SWG) of the 31st meeting of the Animals Committee met in three online MS Teams sessions during AC31. The two meetings on 4th June were for initial discussions of Members and Observer Parties, IGOs and NGOs, with the timing of session 1 aimed at members of the SWG in Asia, Oceania and Europe, and session 2 was aimed at members of the SWG in Europe, Africa and the Americas (session 2). Some members attended both sessions, and both meetings were recorded so SWG members could catch up with discussions held in the other session. These prepared for the third plenary SWG session, on 10th June 2021, which developed SWG recommendations to the Animals Committee and draft Decisions for CoP19. All meetings were conducted in English, but members of the SWG kindly translated interventions given in Spanish, and also translated draft decisions and proposed changes in wording from English to Spanish.

The SWG membership is listed in in-session AC31 Com.7. The SWG mailing list includes more than 100 individuals. Participants contributed to the SWG by email, online chat, and verbal interventions.

Following the introductory sessions, brief written contributions were received by email from Argentina, Australia, Bangladesh, Chile, Colombia, Costa Rica, jointly from four EU Member States: (France, Germany, Netherland and Portugal), Honduras, Gabon, Guatemala, India, Indonesia, Japan, Malaysia, Mexico, Peru, United Kingdom, United States, FAO, IUCN, TRAFFIC & WWF, and an additional 18 NGO observers (Bloom Association Hong Kong, Blue Resources Trust, Born Free USA, Defenders Of Wildlife, Florida International University, Humane Society International, International Fund For Animal Welfare, Natural Resources Defense Council, Oceana, Sea Shepherd Legal, Wildlife Conservation Society).

The submissions are presented in Part 1 in the language received. Some of the responses not in English have been translated here, but translations are unverified. A brief summary of the discussions during the [introductory] meetings is provided in Part 2.

Part 1. Written contributions from WG members and observers

ARGENTINA

Party responses to Notification 2020/016

Argentina has a new Resolution 8/2021 that has just been published, in which the Article 7 establish that the trade of shark species other than those listed in the article (none of which are CITES species) are effectively prohibited.

* *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.*

Sharks caught incidentally, other than tope (*Galeorhinus galeus*), smoothhound (*Mustelus schmitti*), angelshark (*Squatina* spp.), spiny dogfish (*Squalus* spp.) and dogfish (*Schroederichthys bivius*), shall be returned to the sea quickly and in the least traumatic way possible, in order to maximise their survival. In the event that specimens arrive dead on deck, they must be declared, preserved, landed and their transfer must be coordinated exclusively to a research institute in order to be studied.

Although marine Chondrichthyes species included in CITES Appendices are not traded internationally in Argentina, in 2015 the Secretariat of Environment and Sustainable Development (SAyDS) through Res. SAyDS N° 321/2015 implemented the procedure for the extension of "Permits and Certificates for the export of Chondrichthyes species included in CITES Appendix II" linked to the extension of the Legal Catch Certificates. The objective was to generate regulation in anticipation of future interest in trading of these species.

Draft decisions for CoP19: 19.xxx – 19.xxx Sharks and rays (Elasmobranchii spp.)

19.xxx (1)

Decision directed to: Parties

Parties are encouraged to:

- a) provide information to the Secretariat in support of the study called for in Decision 19.xxx (4) paragraph a), in particular on any national management measures that prohibit commercial take or trade, and respond to the Notification called for in Decision 19.xxx (3);
- b) in accordance with their national legislation, provide a report 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) 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; and
- d) continue to support the implementation of the Convention for sharks, including **by providing funding for the implementation of Decisions** 19.xxx (2), 19.xxx (4) and 19.xxx (5), and consider seconding staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat.

Comment on item d) providing funding for implementation: "Mainly from countries that catch the most CITES-listed shark species or have economic resources."

19.xxx (2)

Decision directed to: Secretariat

Subject to external funding, the Secretariat shall continue to provide capacity-building assistance for implementing Appendix-II shark and ray listings to Parties upon request.

19.xxx (3)

Decision directed to: Secretariat

The Secretariat shall:

- a) issue a Notification to the Parties, inviting Parties to:
 - i) provide concise summaries of 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 of CITES-listed shark-products in trade; 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;

SUGGESTED NEW POINT E: report on the effectiveness and success in conservation and population survival (locally, regionally or globally) of their listing of species in the Appendices; and

- ii) highlight any questions, concerns or difficulties Parties are having in writing or submitting documentation on authorized trade for the CITES Trade Database;
 - b) provide information from the CITES Trade Database on commercial trade in CITES-listed sharks and rays since 2000, sorted by species and, if possible, by product
 - c) 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.xxx (7), paragraph b); and
 - d) collate this information for the consideration of the Animals Committee and the Standing Committee.
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19.xxx (4)

Decision directed to: Secretariat

The Secretariat shall, subject to external funding, and in collaboration with relevant organizations and experts:

- a) continue to investigate the apparent mismatch between trade in products of CITES-listed sharks recorded in the CITES Trade Database and what would be expected against information available on catches of listed species; and
- b) bring the results of the study in paragraph a) to the attention of the Animals Committee or Standing Committee, as appropriate.

SUGGESTED NEW POINT c) research and report on examples, where they currently exist, of the effectiveness or success in terms of conservation and population survival (locally, regionally or globally) of listing species in the Appendices.

19.xxx (5)

Decision directed to: Secretariat

The Secretariat, subject to external funding, is requested to collaborate closely with the Food and Agriculture Organization of the United Nations (FAO) to:

- a) verify that information about Parties' shark management measures are 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;
- b) compile clear imagery of wet and dried unprocessed shark fins (particularly, but not exclusively, from those CITES-listed species) along with related species level taxonomic information to facilitate refinement of iSharkFin software developed by FAO
- c) 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;

SUGGESTED NEW POINT d): Distribute with FAO the reports of "FAO Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species"; and

- d) bring the results of activities in paragraphs a) to c) to the attention of the Animals Committee or Standing Committee, as appropriate.
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19.xxx (6)

Decision directed to: Animals Committee

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

- a) continue to develop guidance to support the making of non-detriment findings (NDFs), in particular in data-poor, multi-species, small-scale/artisanal, and non-target (bycatch) situations, for CITES-listed shark species;

SUGGESTED NEW POINT b): Research and report examples, if any currently exist, on the effectiveness in terms of conservation and population survival (locally, regionally or globally) of listing the species in the Appendices; and

- e) report the outcomes of its work under this Decision to the 20th meeting of the Conference of the Parties.
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19.xxx (7)

Decision directed to: Standing Committee

The Standing Committee shall:

- a) develop guidance on the making of legal acquisition findings, and related assessments for introductions from the sea for CITES-listed shark species in the context of the implementation of Resolution Conf. 18.7 on *Legal acquisition findings*;
 - 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; and
 - c) report its findings under this Decision to the 20th meeting of the Conference of the Parties.
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19.xxx (8)

Decision directed to: Standing Committee, Animals Committee

The Animals Committee and Standing Committee shall analyse and review the results of any of the activities under Decisions 19.xxx (4) and 19.xxx (5) brought to their attention by the Secretariat 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.

AUSTRALIA

Trade data

Australia notes the increase in reported trade volume, which may be a reflection of an increased number of shark and ray species being listed more so than an increase in harvesting of these species. We also note the difficulty in interpreting the data as it relates to different products in trade (i.e. fins, meat, gill plates and bodies) and reported in different measures (kg and quantity).

The increase in reported trade and the difficulty in analysing and drawing meaningful conclusions from this data highlights a need to, going forward, consider increased cooperation in the development of more consistent approaches to data collection and reporting, including in the conversion of data on processed product into harvested kilos/tonnage. This work would likely benefit from collaboration with RFMOs as a large part of the harvest and trade in this species originates from fisheries managed internationally and to that effect, we support the comments made by participants in the session 1 of the inter-sessional working group in relation to continuing to strengthen the collaborative work between CITES and RFMOs.

Party responses to Notification 2020/016

As outlined in session 1 of the inter-sessional working group, Australia did not respond to Notification 2020/016 as our NDF is a publicly available document and we did not have new information on shark and ray conservation and management activities to report.; However we have since made available (through the kind assistance of the secretariate), Australia's NDF for 5 species of CITES-listed sharks.

Draft decisions for CoP19

Australia supports the draft decisions as proposed.

NDF workshop

Australia supports an International Workshop on NDFs, with a distinct focus on sharks and rays particularly noting the aspects of shark and ray harvesting that might be unique. Special considerations might include the likelihood that these species are not target species as much these days but rather bycatch (byproduct), that data for non-

target catch is likely to be poor and that some of these species do migrate beyond national jurisdictions and amongst them. We second the sentiment expressed by the UK, the FAO and others in hoping that such workshop would encourage greater cooperation and relationship building with RMFOs to improve the implementation of CITES for commercially exploited marine species.

CANADA

Trade data

Canada notes the increase in reported trade for commercial purposes. This is expected as more shark species commonly found in international trade become listed. However, we share concerns over the apparent low volume of CITES reported trade and on the disparities between catch and trade data. Canada supports the renewing of the decision to have CITES undertake an investigation of the discrepancies in the trade data, as called for in Decision 18.221. Canada views this as a priority.

Party responses

No comments.

Draft decisions for CoP19

Canada would like to see the draft decisions concise and focused on what the working group and the Animals Committee value as the main issues going forward and what they would like to see addressed and accomplished. Consider not renewing some of the decisions that are largely addressed or not an immediate priority.

At the shark and ray in-session working group at AC30, the working group discussed the issue of another Notification to the Parties asking parties to provide information. At that time, the working group decided to recommend issuing another notification for this CoP cycle. Perhaps the working group should consider the value of such a notification this cycle as the value of this action seems to be less than some other decisions and actions recommended such as at the work called for in 18.221 to look at catch and trade data discrepancies.

Canada supports the renewing of the decision to have CITES undertake an investigation of the discrepancies in the trade data, as called for in Decision 18.221. We value this decision as a priority.

NDF Workshop

The in-session working group on planning for a NDF workshop has also taken place this week. The priorities for improved NDF guidance for marine or aquatic species has been identified including regional implications for shared species, introduction from the sea, and NDFs for marine invertebrates (AC31 14.1/PC25 17 add). Given the many priorities for general guidance needs and guidance needs for specific taxonomic groups, we don't feel a focus on sharks and rays is necessary given the NDF guidance for sharks that is currently published. We do support the priority of general guidance for low data and low capacity situations, which will apply to many sharks and ray species.

CHILE

Respuestas de las Partes / [Responses from the Parties]:

Creemos que la cantidad de partes que enviaron sus respuestas es limitada para tomar decisiones, instamos a que la secretaría invite a las partes a entregar mayor información.

[We believe that the number of Parties that submitted their responses is too limited to make decisions, we urge that the Secretariat invite the Parties to provide more information.]

Borrador de la decisión CoP19 / Draft decision CoP19:

Chile está de acuerdo con el borrador propuesto para la COP 19.

[Chile agrees with the draft proposed for COP 19.]

Taller de Dictámenes de Extracción No Perjudicial / [NDF Workshop]:

Chile considera que la realización de un taller es una muy buena iniciativa y consideramos que para su ejecución se debiesen considerar aspectos regionales (como el idioma) y geográficos (horarios de realización) para así poder tener una adecuado entendimiento y una adecuada ejecución de los DENP.

[Chile considers that holding a workshop is a very good initiative and we believe that regional aspects (such as language) and geographical aspects (timetables) should be considered for its execution in order to have an adequate understanding and adequate execution of the NDFs.]

COLOMBIA

REVISIÓN DE DOCUMENTOS

Documento 1. TRAFFIC REPORT ON IDENTIFICATION TOOLS FOR CITES-LISTED SHARKS IN TRADE

Comentarios: El Documento muestra una herramienta para la identificación de aletas donde se hacen impresiones en 3d de aletas de tiburones incautadas para facilitar su identificación. Se Considera que este tipo de herramientas son útiles para apoyar a los entes de control en su tarea para frenar el comercio ilegal de especies amenazadas y sería muy interesante en algún momento contar con todo el material.

Documento 2. 19.xxx – 19.xxx Sharks and rays (Elasmobranchii spp.)

Comentarios: No se tendrían comentarios adicionales a las directrices que se plantean en el documento; teniendo en cuenta que en Colombia los Tiburones y Rayas Marinas son un recurso hidrobiológico, el comercio internacional de estas especies están restringidos. No obstante, a pesar de lo antes mencionado, es importante el fortalecer acciones en el país para mejora de toma de información de las especies CITES y no CITES; como también fortalecer aquellas medidas necesarias para el control, vigilancia e inspección para reducir el tráfico ilegal de estas especies.

Documento 3. AC31 Com. XX. SHARKS AND RAYS (Elasmobranchii spp.)

Comentarios: No se tienen comentarios adicionales a los mandatos establecidos por el grupo de trabajo y recomendado al Comité de Fauna; no obstante, se hacen las siguientes apreciaciones:

- ✓ A pesar que en Colombia y teniendo en cuenta el Decreto 281 de 2021, para los tiburones y rayas marinas, no se permite el comercio internacional.
- ✓ Aunque no se realicen en Colombia los DENP's, se considera importante el desarrollar trabajos de investigación que permitan tener toda la información necesaria para toma de decisiones.
- ✓ Es necesario continuar con los entrenamientos para identificación de elasmobranquios con los entes de control para reducir el tráfico ilegal de especies amenazadas y sus subproductos.
- ✓ Desde Colombia, se seguirán reportando ante la CITES las acciones que se desarrollan en marco de la conservación y control al comercio de elasmobranquios.

Documento 4. AC31 Inf. 9 (Rev. 1). SUMMARY OF PARTIES' RESPONSES TO NOTIFICATION 2020/016 ON THE REQUEST FOR NEW INFORMATION ON SHARK AND RAY CONSERVATION AND MANAGEMENT ACTIVITIES, INCLUDING LEGISLATION

Comentarios: El Documento hace una relación de las acciones realizadas por los distinto países, en cuanto al manejo y conservación de Tiburones. Teniendo en cuenta lo mencionado y mostrado en el Documento, Colombia ha sido de los países que siempre ha reportado las acciones realizadas; en este sentido, solo se manifestaría que el país seguirá haciendo estos reportes y se debe actualizar la información, para lo cual, se menciona lo siguiente:

- ✓ Mediante Resolución 380 de 2021, los Tiburones y Rayas marinas fueron excluidos del listado de recursos pesqueros de Colombia.
- ✓ Mediante Decreto 281 de 2021, se establecieron acciones para el manejo y conservación de Tiburones y Rayas marinas, donde se contempla lo siguiente:
 - Elaboración de un Plan Ambiental.
 - Restricción al comercio
 - Establecer medidas para eliminar la pesca incidental

- Fortalecer la toma de información
- Trabajar con comunidades de pescadores para incentivos a la conservación, entre otras.
- ✓ Se ha trabajado conjuntamente con instituciones gubernamentales y no gubernamentales para trabajar en pro del cumplimiento del Decreto antes mencionado.

Documento 5. AC31 Inf. 18. IMPROVING SYNERGIES BETWEEN REGIONAL FISHERY BODIES AND CITES PARTIES FOR THE SUSTAINABLE CATCH, TRADE AND MANAGEMENT OF SHARKS.

Comentarios: No se tendrían comentarios frente el documento presentado, el cual es muy interesante y donde se muestra los resultados obtenidos de ese trabajo colaborativo entre los países y las organizaciones pesqueras regionales para dar cumplimiento a los distintos compromisos de la Convención. Hay que resaltar que Colombia es de los países que aporta más a la conservación en estas organizaciones regionales y que continuará con este trabajo participativo.

COSTA RICA

Costa Rica desea informar sobre el desarrollo de las siguientes actividades relacionadas a la gestión, manejo y conservación de tiburones y rayas, para ampliar el informe en atención a la Notificación a las Partes No. 2020-016:

1. Designación del Instituto Costarricense de Pesca y Acuicultura (INCOPECA) como Autoridad Administrativa para las especies de interés pesquero y acuícola bajo el DECRETO EJECUTIVO N° 42842-MINAE-MAG, publicado en el periódico Oficial La Gaceta, No. 34 del 18 de febrero del 2021. Dentro de estas, se incluyen especies presentes en apéndices I, II y III de la Convención sobre el Comercio Internacional de Especies Amenazadas de Fauna y Flora Silvestres (CITES).
2. Creación del Consejo Científico Técnico para especies de interés pesquero y Acuícola-CITES el cual fungirá como Autoridad Científica para especies de interés pesquero y acuícola (DECRETO EJECUTIVO N° 42842-MINAE-MAG).
3. El país ha venido realizando Dictámenes de Extracción No Perjudicial (DENP) para las especies incluidas en el apéndice II de la CITES, principalmente de *Carcharhinus falciformis*, *Alopias spp.* y *Sphyrna spp.* Dentro de las principales medidas de manejo se han propuesto: establecimiento partidas arancelarias para la exportación de los diferentes productos y subproductos por especie, cuotas de exportación para el correspondiente periodo de vigencia del DENP, prohibición de exportación según resultado Negativo del DENP (*Sphyrna spp.*), monitoreo biológico en desembarque, entre otros.
4. Aprobación del Plan de Acción Nacional para la Conservación y Ordenación de los Tiburones en Costa Rica, PANT 2020, según Acuerdo de Junta Directiva del Instituto Costarricense de Pesca y Acuicultura (AJDIP/143-2020)

El Plan de Acción Nacional para la Conservación y Ordenación de los Tiburones (PANT-CR) es el conjunto de directrices y programas permanentes de investigación, regulación, educación y vigilancia, para ordenar y optimizar las modalidades de aprovechamiento y conservación de los tiburones y sus pesquerías por la flota de Costa Rica.

El PANT-CR está sustentado en cuatro programas sustantivos: el Programa de Investigación y Monitoreo, integrado por tres subprogramas (Subprograma de investigación biológico-pesquero, Subprograma de observadores abordó, Subprograma de monitoreo de capturas y esfuerzo); el Programa de Trazabilidad; el Programa de Divulgación, Educación y Capacitación; y el Programa de Estudios Socioeconómicos. Cada programa constará de reglas de operación que establecerán los mecanismos para su funcionamiento y evaluación.

La gestión y coordinación del PANT-CR (2020) está a cargo de un Grupo Técnico Permanente (GTP), llamado Comisión de Seguimiento y Evaluación del Plan de Acción Nacional para la Conservación y Ordenación de Tiburones en Costa Rica (COPANT-CR).

5. Representantes del Sector Pesquero Nacional de Palangre formalizaron el 3 de junio del presente año un compromiso voluntario para la conservación de tiburones martillo (*Sphyrna spp.*). Este se basa en la liberación de los especímenes vivos capturados de forma incidental en sus faenas de pesca.
6. Se está participando en un Plan de Mejora Pesquera (FIP) de atún, dorado y pez espada, donde existe un plan de acción con actividades relacionadas a los tiburones, como capacitaciones de manipulación y liberación de tiburones, y mejora de colecta de datos.
7. Organizaciones Regionales de Pesca

Costa Rica es miembro cooperante de la Comisión Interamericana del Atún Tropical (CIAT), ratificó la Convención de Antigua y participa como Parte Colaboradora no Contratante en la Comisión Internacional para la Conservación de Atún Atlántico (CICCA).

Adicionalmente, Costa Rica, como miembro de OSPESCA, participa del Plan de Acción Regional para la Ordenación y Conservación de los Tiburones en Centroamérica (PAR-TIBURON), el cual es vinculante.

8. Otra legislación:

- **Prohibición precautoria de aprovechamiento de Tiburón punta blanca oceánico (*Carcharhinus longimanus*)** (Decreto N° 38027- MAG): Durante la vigencia de la resolución adoptada por la Comisión Interamericana del Atún Tropical C-11-10, y hasta tanto no existan estudios que demuestren que la mortalidad por pesca no arriesgue la sostenibilidad de este tiburón, no se permite la retención a bordo, descarga, almacenamiento, transbordo, venta u ofrecimiento de venta como producto de las pesquerías abarcadas por la Convención de Antigua, de Tiburón punta blanca oceánico (*Carcharhinus longimanus*).
- **Prohibición precautoria de aprovechamiento de rayas** (Decreto N° 38027- MAG). Como medida precautoria y hasta tanto no existan estudios que demuestren que la mortalidad por pesca no arriesgue la sostenibilidad de estos elasmobranquios, no se permite la captura, poseer, almacenar, transportar, comercializar, industrializar, retención abordo, ni desembarcar las siguientes rayas: Manta raya (*Manta sp*), la raya diablo (*Mobula sp*), y la raya látigo (*Dasyatis longa*). En el caso de la captura incidental de las citadas especies, estas deben ser liberadas causándoles el menor daño posible y devuelto al medio acuático.
- Obligatoriedad para todas las embarcaciones pesqueras comerciales nacionales o extranjeras que lleguen a Puerto Nacional con tiburón de presentar a INCOPECA la solicitud de inspección de desembarque de dicho producto. Acuerdo de Junta Directiva del INCOPECA AJDIP/431 del 31 de agosto de 2005.
- Solo se permitirá la pesca del tiburón cuando las especies se desembarquen en los sitios de descargue con las respectivas aletas adheridas al vástago (Ley de Pesca y Acuicultura N°7384). El Decreto Ejecutivo N° 37354-MINAET-MAG-SP-MOPT-H del 10 de octubre de 2012 prohíbe el aleteo de tiburón de cualquier especie.
- Prohibición de la importación de las aletas salvo que una certificación demuestre que las mismas fueron embarcadas adheridas en forma natural al tiburón (Decreto Ejecutivo N° 37354-MINAET-MAG-SP-MOPT-H del 10 de octubre de 2012).
- Establecimiento de tallas legales de primera captura (TLPC) respondiendo a las tallas de primera madurez sexual (TPMS) para especies de interés pesquero según Acuerdo de Junta Directiva del Instituto Costarricense de Pesca y Acuicultura (AJDIP/026-2018), incluyéndose algunas especies del apéndice II de CITES.
- Establecimiento de tallas de primera madurez para la captura y comercialización de elasmobranquios (tiburones y rayas) en Costa Rica (Decreto N° 38027- MAG), incluyéndose algunas especies del apéndice II de CITES.

Además, Costa Rica desea agregar las siguientes necesidades para la mejor gestión de Tiburones y Rayas, las cuales sometemos a consideración en el Grupo de Trabajo:

1. El Plan de Acción Nacional para la Conservación y Ordenación de los Tiburones en Costa Rica, en un recurso de suma importancia para lograr mejores acciones de manejo y conservación para tiburones, no obstante, es conocido el desafío que enfrentamos al no contar con los recursos financieros para la implementación de las acciones, por lo que es necesario impulsar desde la CITES gestiones de apoyo financiero que permita dicha implementación.
2. Una de las limitaciones es la falta de integración y digitalización de los datos de exportación de productos y subproductos de especies en los Apéndices de CITES, lo que dificulta la generación de informes de forma expedita, así como la trazabilidad de la información, de todos los actores de la cadena de verificación en tiempo real de los permisos CITES, casilla 14, por lo que es necesario implementar mejoras tecnológicas para la digitalización de la información disponible, así mismo poder emitir y dar seguimiento a los certificados CITES de forma electrónica.
3. Fortalecer capacidades nacionales y regionales a través talleres, plataformas virtuales de acceso a través de teléfonos móviles relacionadas con la identificación de especies, productos y subproductos de tiburones y rayas en sus diferentes presentaciones (por ejemplo, fresco, seco y otros), con el objetivo de evitar posible mezcla de especies en el comercio internacional. Costa Rica podría facilitar material de referencia para elaboración de estas guías.
4. Es necesario que a través de CITES se generen talleres, mesas de diálogo u otros que fomenten el intercambio de experiencia, desafíos, nuevas tecnologías, recolección y análisis de los datos para la elaboración de DENP de las especies de tiburones y rayas.

5. Impulsar campañas regionales de comunicación sobre CITES, su funcionamiento, implementación, haciendo sinergias con CBD, CMS para lograr un mayor impacto en el manejo, uso sostenible y conservación de los servicios eco sistémicos asociados a los tiburones y rayas.

UNCHECKED TRANSLATION

Costa Rica wishes to report on the development of the following activities related to the management, management and conservation of sharks and rays, in order to expand the report in response to Notification to the Parties No. 2020-016:

1. Designation of the Costa Rican Institute of Fisheries and Aquaculture (INCOPESCA) as administrative authority for species of fishing and aquaculture interest under EXECUTIVE DECREE No. 42842-MINAE-MAG, published in the official newspaper La Gaceta, No. 34 of February 18, 2021. These include species present in Appendices I, II and III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
2. Creation of the Scientific Technical Council for species of fishing and aquaculture interest-CITES which will serve as the Scientific Authority for species of fishing and aquaculture interest (EXECUTIVE DECREE No. 42842-MINAE-MAG).
3. The country has been conducting NDF opinions for CITES Appendix II species, mainly *Carcharhinus falciformis*, *Alopias spp.* and *Sphyrna spp.* Among the main management measures have been proposed: establishment of tariff headings for the export of the different products and by-products by species, export quotas for the corresponding period of validity of the NDF, export prohibition according to negative result of the NDF (*Sphyrna spp.*), biological monitoring in landing, among others.
4. Approval of the National Action Plan for the Conservation and Management of Sharks in Costa Rica, PANT 2020, according to the Agreement of the Board of Directors of the Costa Rican Institute of Fisheries and Aquaculture (AJDIP/143-2020)

The National Action Plan for the Conservation and Management of Sharks (PANT-CR) is the set of guidelines and permanent programs of research, regulation, education and monitoring, to organize and optimize the modalities of exploitation and conservation of sharks and their fisheries by the Costa Rican fleet.

The PANT-CR is supported by four substantive programmes: the Research and Monitoring Programme, composed of three sub-programmes (biological-fisheries research sub-programme, on-board observers sub-programme, catch and effort monitoring sub-programme); the Traceability Program; the Outreach, Education and Training Programme; and the Socio-Economic Studies Programme. Each program will consist of operating rules that will establish the mechanisms for its operation and evaluation.

The management and coordination of the PANT-CR (2020) is in charge of a Permanent Technical Group (GTP), called the Monitoring and Evaluation Commission of the National Action Plan for the Conservation and Management of Sharks in Costa Rica (COPANT-CR).

5. Representatives of the National Longline Fisheries Sector formalized on June 3 of this year a voluntary commitment for the conservation of hammerhead sharks (*Sphyrna spp.*). This is based on the release of live specimens caught incidentally in their fishing operations.
6. It is participating in a Fisheries Improvement Plan (FIP) for tuna, dorado and swordfish, where there is an action plan with activities related to sharks, such as trainings in handling and releasing sharks, and improved data collection.
7. Regional Fisheries Organisations

Costa Rica is a cooperating member of the Inter-American Tropical Tuna Commission (IATTC), ratified the Antigua Convention and participates as a non-Contracting Collaborating Party in the International Commission for the Conservation of Atlantic Tunas (CICCA).

In addition, Costa Rica, as a member of OSPESCA, participates in the Regional Action Plan for the Management and Conservation of Sharks in Central America (PAR-TIBURON), which is binding.
8. Other legislation:
 - **Precautionary prohibition of the use of oceanic whitetip shark (*Carcharhinus longimanus*)** (Decree No. 38027-MAG): During the validity of the resolution adopted by the Inter-American Tropical Tuna Commission C-11-10, and until there are studies that demonstrate that fishing mortality does not risk the sustainability of this shark, retention on board, unloading, storage, transshipment, sale or offer of sale as a product of the fisheries covered by the Antigua Convention, of oceanic whitetip shark (*Carcharhinus longimanus*) is not allowed.

- **Precautionary prohibition of the use of rays** (Decree No. 38027-MAG). As a precautionary measure and until there are studies that show that fishing mortality does not risk the sustainability of these elasmobranchs, it is not allowed to catch, possess, store, transport, market, industrialize, retain on board, or land the following rays: Manta raya (*Manta sp*), the devil stingray (*Mobula sp*), and the whip stingray (*Dasyatis longa*). In the case of bycatch of the aforementioned species, these must be released causing them the least possible damage and returned to the aquatic environment.
- Mandatory for all national or foreign commercial fishing vessels arriving at Puerto Nacional with sharks to submit to INCOPECA the request for inspection of landing of said product. Board of Directors of INCOPECA AJDIP/431 of August 31, 2005.
- Shark fishing will only be allowed when the species are landed at the landing sites with the respective fins attached to the carcass (Fisheries and Aquaculture Law No. 7384). Executive Decree No. 37354-MINAET-MAG-SP-MOPT-H of October 10, 2012 prohibits the finning of sharks of any species.
- Prohibition of the import of the fins unless a certification shows that they were shipped naturally attached to the shark (Executive Decree No. 37354-MINAET-MAG-SP-MOPT-H of October 10, 2012).
- Establishment of legal first catch sizes (TLPC) responding to first sexual maturity sizes (TPMS) for species of fishing interest according to the Board of Directors Agreement of the Costa Rican Institute of Fisheries and Aquaculture (AJDIP/026-2018), including some species of Appendix II of CITES.
- Establishment of first maturity sizes for the capture and marketing of elasmobranchs (sharks and rays) in Costa Rica (Decree No. 38027-MAG), including some species of Appendix II of CITES.

In addition, Costa Rica wishes to add the following requirements for the better management of Sharks and Rays, which we submit for consideration in the Working Group:

6. The National Action Plan for the Conservation and Management of Sharks in Costa Rica, in a resource of utmost importance to achieve better management and conservation actions for sharks, however, it is known the challenge we face by not having the financial resources for the implementation of the actions, so it is necessary to promote from CITES financial support efforts that allow such implementation.
7. One of the limitations is the lack of integration and digitization of export data of products and by-products of species in the CITES Appendices, which hinders the generation of reports expeditiously, as well as the traceability of information, of all actors in the chain of verification in real time of CITES permits, box 14, so it is necessary to implement technological improvements for the digitization of the available information, as well as to be able to issue and track CITES certificates electronically.
8. Strengthen national and regional capacities through workshops, virtual platforms of access through mobile phones related to the identification of species, products and by-products of sharks and rays in their different presentations (for example, fresh, dry and others), with the aim of avoiding possible mixing of species in international trade. Costa Rica could provide reference material for the preparation of these guides.
9. It is necessary that through CITES workshops, dialogue tables or others are generated that promote the exchange of experience, challenges, new technologies, collection and analysis of data for the elaboration of DENP of shark and ray species.
10. Promote regional communication campaigns on CITES, its operation, implementation, making synergies with CBD, CMS to achieve a greater impact on the management, sustainable use and conservation of eco-systemic services associated with sharks and rays.

Scientific Authorities of FRANCE, GERMANY, PORTUGAL and THE NETHERLANDS (EU MS)

General comments

- While sharks are among the species most affected and threatened by trade, their protection is hampered by difficulties to regulate trade in international waters.
- Considering the multitude of organisations working on regulating and analysing trade in sharks, CITES could best focus on its core competences: NDFs and identifying species-county combinations of concern. As a first step, more motivation might be necessary to make NDFs. The current Decisions focus on analysing voluntarily contributed NDFs.

Trade data

- The first part of the analysis is counting transactions which does not allow inferences about the number of specimens in trade. That the species with the highest number of transactions (*Sphyrna*) is not the

species with the greatest volume of trade recorded in kilogrammes (*Carcharhinus falciformis*) underlines the difficulty to interpret these data. Decision 18.221a is aiming to shed light on this topic but has not been implemented.

- Trade in fins accounts for 83% of the trade volume in kg and is strongly increasing (is the rest of most sharks discarded i.e. finning is practiced or consumed domestically?) Trade in *Isurus* is only partially included yet.
- Overview of commercial trade per species 2001-2018; large increase since listing started; especially silky shark and fins; notable increase in trade in live specimens (mainly in species of the genera *Sphyrna* and *Mobula*)
- It is unclear if trade from all countries and in all derivatives is/are covered by the available NDFs.
- To ensure fair competition, it is recommended that the Secretariat, in cooperation with the WG, compiles a list of species-country combinations with high trade for which no NDF is available yet. And/or analyse how the trade from all countries and in all derivatives as reported in AC31 Doc. 25 (based on Decision 18.220) is/are covered by the available NDFs, or what process is used to allow trade if an NDF is not carried out.
- Many countries have Shark Action Plans and management measures for elasmobranchs, often in a fisheries context. How can these (regional or national Plans of Action) help in ensuring sustainable international trade for elasmobranchs.

Party responses

- In 2015 Germany commissioned the compilation of an NDF guidance for sharks (Mundy-Taylor et al 2015) which since then has become widely applied for creating Shark NDFs. Since its publication several workshops have been conducted with funding from Germany to convene regional training for shark NDFs which in result produced many of the published NDFs including most existing regional cooperative Shark NDFs. The latest such Workshop was conducted in Peru in 2019.
- Since then Germany supported the further development of the NDF guidance into an interactive eNDF for Sharks. Currently Blue Resources trust (BRT) is developing the NDF further into a user-friendly online eNDF tool in cooperation and with the German federal Agency for Nature Conservation and funding of Germany (see also the respective statement by BRT).

Draft decisions for CoP19

- In the envisaged joint report of the Secretariat, AC, and SC to CoP19, conclusions from the information gathered according to Decisions 18.219, 18.221 and 18.222 shall lead to specific recommendations how trade in sharks can be made more sustainable within a short time. Identifying priority gaps according to Decision 18.132 is important but will only work for countries which want to make an NDF.
- Costs for implementing Decisions 18.219, 18.221 and 18.222 are only partly covered (180.000/1.600.000€) and the EU is the only sponsor.

NDF workshop

- Develop draft guidance to support the making of NDFs in data-poor, multi-species, small-scale/artisanal, and non-target (bycatch) situation.
- Suggest elasmobranch case-studies e.g. *Sphyrna* and *Mobular* species; maybe also shortfin mako as a number of countries have recently developed NDFs for this species.
- Explore the role of RFBs and RFMOs in helping to develop regional, stock-based NDFs. AC31 Inf 18 has information on how these organisations work and the possible synergies.

AC31 Inf 18 and related comments

- In response to AC31 Agenda Item 25 on Sharks and Rays, Germany was pleased to provide a study commissioned by Germany with the title: IMPROVING SYNERGIES BETWEEN REGIONAL FISHERY BODIES AND CITES PARTIES FOR THE SUSTAINABLE CATCH, TRADE AND MANAGEMENT OF SHARKS as Information Document No. 18. The study summarises the existing information on conservation, trade, and management status of sharks and, and outlines the activities of Regional Fisheries Bodies (RFBs – advisory and management) for the conservation and management of pelagic shark and ray species. The report is addressed to both environment and fisheries authorities, informing about the species' conservation status as well as existing conservation measures for all CITES listed

shark and ray species. It is the first product of an ongoing project by Germany to improve communication around the fishery management of sharks and rays and design to support the initiatives relating to sharks and rays (Elasmobranchii spp.) of CITES and fisheries organisations. In light of this we welcome any comments on the publication to be incorporated in the ongoing initiative, requesting that these are sent directly to the SA Germany CITES-science-fauna@bfm.de.

- Explore how CITES and CMS can strengthen each other's goals. Many of the species on the CITES Appendices are also on the CMS Appendices and also on the MoU Sharks. As also noted in AC31 Inf 18, "the species listings in the CMS Appendices should be supported by a Concerted Actions list, including a specification of the conservation and institutional outcomes expected from each action and timeframes for achievement, but these still need to be developed for many shark species."
- This is an extensive document with information on the conservation status, threats, fisheries and trade and current management of sharks and rays listed on the CITES Appendices. We would like to support the conclusion, and ensuing clarification, that one of the biggest potential synergies lies in improved data collection for, and management of, CITES-listed sharks taken in fisheries under the RFBs' remit.

GABON

Monsieur le Président et chers membres du groupe de travail sur les requins et les raies: Le Gabon souhaite apporter les recommandations suivantes pour examen par le groupe de travail

** In English below **

- 1) Comme nous l'avons indiqué lors des discussions du groupe de travail, seul un nombre très limité de pays a répondu à la notification sur les requins et les raies relatives à l'application des décisions 18.220 et 18.218 (soumission d'informations sur la conservation et l'exploitation des requins et sur les ACNP). L'application de ces décisions est très importante pour la conservation et la gestion durable des requins et des raies et la bonne mise en œuvre des inscriptions de ces espèces à la CITES. Nous devons encourager plus de Parties à participer pour que les informations fournies soient représentatives. Si les informations fournies ne sont pas représentatives par rapport aux régions couvertes par les requins et les raies ou alors les régions qui les exploitent le plus, le Gabon s'inquiète quant à l'adéquation entre la réalité et les conclusions sur la conservation et la gestion durable des requins et des raies qui vont découler de l'application des décisions 18.218 et 18.220. Nous recommandons vivement au groupe de travail de proroger ces deux décisions dans leur intégralité pour solliciter la soumission d'informations supplémentaires par les Parties.
- 2) Comme la collaboration entre les pays source et les autres pays ciblés par le trafic illicite des requins et des raies est capitale pour la mise en œuvre des inscriptions des requins et des raies à la CITES, nous recommandons d'insister sur la nécessité d'une collaboration internationale étroite pour identifier et enquêter sur le commerce illégal et assurer la légalité tout au long de la chaîne d'approvisionnement.

Nous recommandons donc l'inclusion d'un nouveau paragraphe e) à la décision 18.218 se lisant comme suit :

18.218 révisée – ajout d'un nouveau paragraphe e) se lisant comme suit :

Encourage les Parties à:

e) collaborer activement à la lutte contre le trafic illicite des produits d'espèces de requins et de raies, en développant des mécanismes permettant une coordination entre les pays source, les pays de transit, les pays de destination et les pays consommateurs.

- 3) Les routes utilisées par les trafiquants sont de plus en plus complexe, il est nécessaire d'impliquer tous les États – États source, États de transit, États de destination – dans la mise en œuvre de la décision 18.220. La décision 18.220 devrait être amendée pour encourager la soumission de rapports permettant de surveiller les convois en transit pour s'assurer que ceux-ci soient en conformité avec la CITES.

Nous proposons donc d'amender la décision 18.220 au paragraphe C, de la manière suivante :

Le Secrétariat :
a) publie une notification aux Parties les invitant à :

- i) *fournir de brefs résumés des nouvelles informations relatives à leurs activités de conservation et de gestion des requins et des raies, notamment sur :*
- A. *l'émission d'avis de commerce non préjudiciable ;*
 - B. *l'émission d'avis d'acquisition légale ;*
 - C. *l'identification et le suivi de produits de requins inscrits à la CITES présents dans le commerce, que ce soit dans les pays source, dans les pays de transit, dans les pays de destination ou dans les pays consommateurs ; et*
 - D. *évaluation des stocks de parties et produits de requins commerciaux et/ou pré-Convention pour les espèces d'élastomobranches inscrites à l'Annexe II de la CITES et le contrôle de l'entrée de ces stocks dans le commerce ; et;*

Je vous remercie pour la prise en compte de nos recommandations. Carla Mousset Moubolou, au nom de l'Organe de gestion CITES du Gabon

UNCHECKED TRANSLATION

Mr. Chairman and members of the Sharks and Rays Working Group: Gabon would like to submit the following recommendations for discussion by the working group.

Party responses

- 1) As we indicated during the working group discussions, only a very limited number of countries have responded to the notification on sharks and rays regarding the implementation of Decisions 18.220 and 18.218 (submission of information on conservation and exploitation of sharks and on NDFs). The implementation of these decisions is very important for the conservation and sustainable management of sharks and rays and the proper implementation of the CITES listings of these species. We need to encourage more Parties to participate so that the information provided is representative. If the information provided is not representative of the regions covered by sharks and rays or the regions that exploit them the most, Gabon is concerned about the adequacy of the conclusions on the conservation and sustainable management of sharks and rays that will result from the implementation of Decisions 18.218 and 18.220. We urge the working group to extend these two decisions in their entirety to solicit the submission of additional information by the Parties.

Draft decisions for CoP19

- 2) Because collaboration between source countries and other countries targeted by illegal trade in sharks and rays is critical to the implementation of CITES shark listings, we recommend emphasizing the need for close international collaboration to identify and investigate illegal trade and ensure legality throughout the supply chain.

We therefore recommend the inclusion of a new paragraph (e) to decision 18.218 to read as follows:

18.218 revised - added a new paragraph e) to read as follows:

Encourages the Parties to:

e) actively collaborate to combat illegal trafficking in shark and ray products by developing mechanisms for coordination between source, transit, destination and consumer countries.

- 3) As the routes used by traffickers are becoming increasingly complex, it is necessary to involve all States - source States, transit States, destination States - in the implementation of Decision 18.220. We therefore recommend that Decision 18.220 be amended to encourage the submission of reports to monitor transit shipments to ensure that they are in compliance with CITES.

This could be achieved through the submission of the following amendment to decision 18.220:

The Secretariat shall:

a) issue a Notification to the Parties, inviting Parties to:

i) provide concise summaries of 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, including in source, transit, and destination or consumer states; 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

I thank you for taking into account our recommendations. Carla Mousset Moumbolou, on behalf of the CITES Management Authority of Gabon.

GUATEMALA

En respuesta al Mandato del Grupo de Trabajo de Tiburones y Rayas de la AC 31, se presenta la información siguiente:

Notificación a las Partes 2020/016.

Guatemala no respondió en su momento con lo solicitado, por lo que en este informe se incluye la información que se considera pertinente.

1. Administración y Gestión.

La gestión y conservación de los Tiburones y Rayas, se encuentra compartida entre la Autoridad Pesquera nacional, Dirección de Normatividad de la Pesca y Acuicultura – DIPESCA - unidad perteneciente al Viceministerio de Sanidad Agropecuaria y Regulaciones, del Ministerio de Agricultura, Ganadería y Alimentación y El Consejo Nacional de Áreas Protegidas, Autoridad Administrativa CITES, unidad perteneciente a la Secretaría de la Presidencia. La DIPESCA es el ente encargado de la regulación de la pesca y el CONAP es quién emite los Permisos CITES, con base en la documentación emitida por DIPESCA.

En el caso de la conservación de estas especies, ambas instituciones se coordinan para el establecimiento de vedas, la elaboración de los DENP y el establecimiento de otras actividades relacionadas. Actualmente se está trabajando en el establecimiento de un sistema de Áreas Protegidas Marinas en las costas del Océano Pacífico, lugar donde la pesca de tiburones es más frecuente y la elaboración de los DENP para otras especies de tiburón.

La pesca comercial es relativamente significativa por lo que se recopilan los datos correspondientes; para la pesca artesanal e incidental no existen datos estadísticos.

2. Análisis de los Datos Comerciales.

De acuerdo a los datos observados en la AC31 Doc.25 y su Adenda se establece que el comercio de productos de tiburón ha aumentado, siendo las especies prioritarias las del género *Sphyrna*, seguidas de *Carcharhinus falciformis* y *Alopias spp.* De hecho, en el país las especies del género *Sphyrna* son escasos y básicamente se pescan únicamente de forma incidental. Pero la pesca comercial sí se ha dirigido principalmente hacia las especies ya establecidas: *Carcharhinus falciformis*, *Alopias pelagicus* pero también se captura *Prionacea galuca*. No se tiene conocimiento cuales son las principales especies capturadas en la pesca artesanal. Creo que es necesario indicar que la flota pesquera comercial del país, es pequeña en comparación a otros países.

Sin embargo, se considera lógico que al prohibirse la pesca o captura de determinadas especies, esta se dirija a las especies más abundantes que existen en las áreas de pesca más frecuentadas, pues de debe cubrir la demanda, la cual ha aumentado, lo mismo que el poder adquisitivo de ciertos sectores, pero también ha aumentado las necesidades de las comunidades que viven de estos recursos, lo cual está asociado directamente al aumento de la población. El problema es como desestimular el consumo de estos o aquellos productos, cuyo consumo se promociona hasta en las redes sociales.

Otro tema que no se refleja en el análisis de la pesca, es el de las tallas, y creo que es un tema importante. Las tallas han variado mucho con respecto al paso del tiempo. Inicialmente las tallas grandes eran las principales, pero al terminarse estas, la pesca se ha dirigido a las tallas menores, lo que no permite que las poblaciones se recuperen. Un problema que se ha localizado en el país es la pesca de neonatos, o tallas muy pequeñas, las cuales deberían ser prohibidas. Pienso que esto debería reflejarse de alguna forma en los DENP.

En cuanto a la comercialización de productos, los básicos son aletas y piel, muy raramente cuerpos completos, que van principalmente congelados. En Guatemala, la carne, los huesos y las vísceras son procesadas para utilizarse en el comercio interno. Pero se tiene poco conocimiento sobre la comercialización del aceite de tiburón (omega 3) y los subproductos de los cartílagos, que son utilizados para elaboración de cápsulas.

Los datos de comercio nacional reportados para los dos últimos años se presentan en el cuadro a continuación.

Fecha	No P. CITES	<i>Carcharhinus falsiformis</i>			<i>Alopias pelagicus</i>	
		Aleta Kg.	Piel Kg.	Entero	Aleta Kg.	Piel Kg.
17/01/2019	047/2019	2,555.00	2,415.00	0.00	680.00	395.00
04/02/2019	Sin Numero	0.00	0.00	23.03	0.00	0.00
01/03/2019	Sin Numero	1,092.74	1,020.91	0.00	270.43	207.35
06/05/2019	280/2019	963.35	1,675.10	0.00	180.00	0.00
TOTAL		4611.09	5111.01	23.03	1130.43	602.35

Fecha	No P. CITES	<i>Carcharhinus falsiformis</i>			<i>Alopias pelagicus</i>	
		Aleta Kgs.	Piel Kgs.	Entero	Aleta Kgs.	Piel Kgs.
abr-20	Sin Número	2178.00	2913.00	0.00	0.00	0.00
30/11/2020	Sin Número	1022.00	1167.00	0.00	0.00	0.00
		3200.00	4080.00	0.00	0.00	0.00

Los datos han sido obtenidos de las estadísticas comerciales que son tabulados por los inspectores de embarque del CONAP. Perdón por los datos faltantes, todos los embarques llevan los permisos correspondientes, pero en este caso, aún hace falta terminar de procesar la información.

Dictámenes de Extracción No Perjudicial – DENP –

En el país se ha elaborado un solo DENP, específicamente para *Carcharhinus falsiformis* –Tiburón Sedoso–, pero este no ha sido enviado oficialmente a la Secretaría de la CITES.

Es importante comentar que a las Autoridades CITES se le dificulta la elaboración de los DENP, por diversas razones, entre estas: información incompleta, principalmente de la pesca artesanal e incidental, la falta de personal de campo en la Autoridad de Pesca y la inexperiencia del personal de la Autoridad Administrativa en la elaboración de los DENP, dificultad para trabajar con las comunidades de pescadores artesanales, la falta de aceptación de las regulaciones de la CITES en el sector pesquero.

Por lo tanto, se considera que la elaboración de los DENP iniciales, deberían tener el acompañamiento de un experto y la redacción de un manual que contenga los principales pasos y procedimientos para su mejor comprensión (se debe recordar que en la mayoría de países en desarrollo existe una gran rotación de personal

en las instituciones gubernamentales, por lo que cada vez que hay cambio de gobierno, se retira el personal capacitado y llega personal nuevo sin los conocimientos necesarios.)

DENP Taller

En cuanto al Taller que se encuentra en planificación, pienso que se debería realizar de forma sectorizada por regiones, para su mejor comprensión, especialmente por el idioma y la problemática local específica.

Decisiones sobre Tiburones y Rayas.

Creemos que existe el acuerdo de que muchas de las Decisiones sobre Tiburones y Rayas no han podido implementarse por un buen período de tiempo, principalmente debido a la Pandemia, por lo que es importante que se prorrogue su prórroga; sin embargo, este es un tema que debe ser discutido detenidamente. En este caso pienso que sería conveniente el establecer un Grupo de Trabajo entre sesiones, lo que daría tiempo de analizarlas y discutir las antes de la próxima Reunión del Comité Permanente o de la próxima CoP 19.

UNCHECKED TRANSLATION GUATEMALA.

In response to the Terms of Reference of the Working Group on Sharks and Rays of AC 31, the following information is submitted:

Party responses to Notification 2020/016

Guatemala did not meet the request at the time, so this report includes the information that is considered relevant.

1. Administration and Management.

The management and conservation of Sharks and Rays is shared between the National Fisheries Authority, Directorate of Fisheries and Aquaculture Regulations– DIPESCA - a unit belonging to the Vice-Ministry of Agricultural Health and Regulations of the Ministry of Agriculture, Livestock and Food and the National Council of Protected Areas, CITES Administrative Authority, a unit belonging to the Secretariat of the Presidency. DIPESCA is the entity in charge of fisheries regulation and CONAP is the one that issues CITES permits, based on the documentation issued by DIPESCA.

In the case of the conservation of these species, both institutions coordinate for the establishment of closures, the development of the NDFs and the establishment of other related activities. Work is currently under way on the establishment of a system of Marine Protected Areas on the shores of the Pacific Ocean, where shark fishing is more frequent and the development of NDFs for other shark species.

Commercial fishing is relatively significant and the relevant data are collected; for small-scale and incidental fishing, there are no statistical data.

2. Analysis of Commercial Data.

According to the data observed in the AC31 Doc.25 and its Addendum it is established that the trade in shark products has increased, being the priority species those of the genus *Sphyrna*, followed by *Carcharhinus falciformis* and *Alopias spp.* In fact, in the country the species of the genus *Sphyrna* are scarce and are basically fished only incidentally. But commercial fishing has been directed mainly towards the already established species: *Carcharhinus falciformis*, *Alopias pelagicus* but *Prionace glauca* [= blue shark] is also caught. It is not known which are the main species caught in artisanal fishing. I think it is necessary to point out that the country's commercial fishing fleet is small compared to other countries.

However, it is considered logical that by prohibiting the fishing or capture of certain species, it should be directed at the most abundant species that exist in the most frequented fishing areas, since it must cover the demand, which has increased, as well as the purchasing power of certain sectors, but has also increased the needs of the communities that live off these resources, which is directly associated with the increase in population. The problem is how to discourage the consumption of these or those products, whose consumption is promoted even on social networks.

Another issue that is not reflected in the analysis of fisheries is that of sizes, and I believe that this is an important issue. The sizes have varied greatly with respect to the passage of time. Initially the large sizes were the main ones, but when these were finished, fishing has been directed to the smaller sizes, which does not allow the stocks to recover. One problem that has been localized in the country is the fishing of neonates, or very small sizes, which should be prohibited. I think this should be reflected in some way in the NDFs.

As for the marketing of products, the basics are fins and skin, very rarely complete bodies, which are mainly frozen. In Guatemala, meat, bones and viscera are processed for use in domestic trade. But there is little knowledge about the commercialization of shark oil (omega 3) and cartilage by-products, which are used to make capsules.

The national trade data reported for the last two years are presented in the table below.

date	No P. CITES	<i>Carcharhinus falciformis</i>			<i>Alopias pelagicus</i>	
		Fin Kg.	Skin Kg.	whole	Fin Kg.	Skin Kg.
17/01/2019	047/2019	2,555.00	2,415.00	0.00	680.00	395.00
04/02/2019	No Number	0.00	0.00	23.03	0.00	0.00
01/03/2019	No Number	1,092.74	1,020.91	0.00	270.43	207.35
06/05/2019	280/2019	963.35	1,675.10	0.00	180.00	0.00
TOTAL		4611.09	5111.01	23.03	1130.43	602.35
date	No P. CITES	<i>Carcharhinus falciformis</i>			<i>Alopias pelagicus</i>	
		Fin Kgs.	Skin Kgs.	whole	Fin Kgs.	Skin Kgs.
Apr-20	No Number	2178.00	2913.00	0.00	0.00	0.00
30/11/2020	No Number	1022.00	1167.00	0.00	0.00	0.00
		3200.00	4080.00	0.00	0.00	0.00

The data have been obtained from the commercial statistics that are tabulated by the CONAP boarding inspectors. Sorry for the missing data, all shipments carry the correct permits, but in this case, it is still necessary to finish processing the information.

3. NDFs - Non-Detrimental Findings – DENP

One NDF has been developed in the country, specifically for *Carcharhinus falciformis* –Tiburón Sedoso–, but this has not been officially sent to the CITES Secretariat.

It is important to note that CITES authorities find it difficult to prepare the NDFs for various reasons, including: incomplete information, mainly on artisanal and incidental fishing, the lack of field staff in the Fisheries Authority and the inexperience of the administrative authority staff in the preparation of the NDFs, difficulty in working with artisanal fishing communities, the lack of acceptance of CITES regulations in the fisheries sector.

Therefore, it is considered that the preparation of the initial NDFs should be done by an expert and the drafting of a manual containing the main steps and procedures for their better understanding (it should be remembered that in most developing countries there is a large turnover of personnel in government institutions, so that every time there is a change of government, trained personnel are withdrawn and new personnel arrive without the necessary knowledge).

NDF workshop

As for the Workshop that is in planning, I think it should be carried out in a sectorized way by regions, for its better understanding, especially by the language and the specific local problem.

Decisions on Sharks and Rays.

We believe that there is agreement that many of the Shark and Rays Decisions have not been able to be implemented for a good period of time, mainly due to the Pandemic, so it is important that their extension be prioritised; however, this is an issue that needs to be discussed carefully. In this case I think it would be appropriate to set up an intersessional working group, which would give time to analyse and discuss them before the next Meeting of the Standing Committee or the next CoP 19.

HONDURAS

Party Responses to Notification 2020/016

Since 2011 there has been an indefinite ban on shark and ray fishing, by Decree 107/11. Subsistence fishing only exists in some coastal communities.

INDIA

Trade Data

Differences between catch and trade data may be caused due to the involvement of different national agencies responsible for recording landings, recording and promoting trade, and issuing CITES permits. Unreported and illegal fishing, and illegal trade, may be other possible reasons for differences between likely shark offtakes and recorded legal trade. Lack of awareness among stakeholders especially about CITES-listed species and their identification may be another reason for the differences.

In order to address this, the Animals Committee may wish to consider recommendations to Parties: a) encouraging more co-ordination between national agencies responsible for monitoring landings, promoting and recording trade, and issuing CITES permits; b) encouraging the development of plans to regulate IUU fishing; c) encouraging further awareness and capacity building measures for all stakeholders along the trade chain; and d) urging further enforcement measures against illegal trade.

Party Responses to Notification 2020/016

India did not respond to Notification No. 2020/016. However, we take this opportunity present the following information to the Animals Committee:

- NDFs were prepared on oceanic white tip *Carcharhinus longimanus*, hammerhead sharks (*Sphyrna lewini*, *Sphyrna mokarran* and *Sphyrna zygaena*) and manta rays (*Manta birostris* and *Manta alfredi*) in 2017 (<http://eprints.cmfri.org.in/11872/1/Non%20Detriment%20Findings.pdf> or [Non Detriment Findings India.pdf \(cites.org\)](#)). These NDFs are currently under review and will be updated soon.
- An NDF was prepared for the silky shark and thresher sharks in 2018 (http://eprints.cmfri.org.in/13947/1/Marine%20Fisheries%20Policy%20Series_NDF%20Silky%20Shark.pdf and http://eprints.cmfri.org.in/13948/1/Marine%20Fisheries%20Policy%20Series_NDF%20Thresher%20Shark.pdf). These NDFs will be re-evaluated to gauge progress against the recommendations and updated with newly acquired data, before agreeing to a new NDF for 2023-2025.
- NDFs are currently being prepared for devil rays (*Mobula* spp.), mako sharks (*Isurus* spp.) and Rhinidae (*Rhynchobatus* spp.)
- Identification of shark products in trade is being done by a Scientific Authority (ICAR-CMFRI), upon request from Wild life Crime Control Bureau. Molecular analysis is carried out whenever the fresh specimen/parts or image of the whole specimens are unavailable.
- Capacity-building workshops have been conducted for fishers, traders and enforcement agencies in most of the maritime states and further trainings are envisaged in the coming years.
- A field guide for batoids (sawfishes, rays and guitarfishes) including CITES-listed species has been developed - [Field identification of batoids – a guide to Indian species - CMFRI Repository](#)
- A field guide for sharks is being prepared and likely to be completed in 2021.

- A Scientific Authority (Zoological Survey of India) is conducting research to examine trawl and long lines bycatch in the Andaman and Nicobar Islands and some parts of the mainland coast to support bycatch mitigation for Guitarfishes and Wedgefishes in Indian fisheries.
- A study was initiated in 2017, in collaboration with the WWF-India to study the economics of shark fishing and trade and socio-economic status of shark fishers in India. The report has been completed and will be published this year.
- A study on shark & ray non-fin commodities was initiated in 2019 in collaboration with FAO (Rome) to trace the trade chain of non-fin commodities across the country into domestic and international markets. This report is being finalized.

Draft Decisions

India largely agrees with the draft decisions to be proposed for adoption by CoP19.

Topics for NDF workshops

The topics that could be covered during the workshop on non-detriment findings include: a) Identification of shark products; b) Capacity-building of monitoring, inspecting and certifying agencies; c) Mechanisms for monitoring and reporting illegal fishing and trade; and d) The importance of stakeholder consultations while formulating NDFs.

INDONESIA

Party responses to Notification 2020/016

Indonesia would like to update our response to Notification to the Parties No. 2020/016 by adding information as follows:

- Indonesia (Indonesian Institute of Sciences – SA) has already completed the development of NDF for Wedge fishes (Family Rhinidae) and will sent the document to the Secretariat for documentation.
- Indonesia (Ministry of Marine Affairs and Fisheries has issued guidelines for monitoring the landing of the protected and/or the CITES listed sharks and rays.
- Indonesia (Ministry of Marine Affairs and Fisheries), in cooperation with CEFAS-UK and WCS Indonesia, is currently developing a guideline to identify non-fin products of CITES-Appendix sharks, in particular for trunk (headless and finless shark specimens). Such guideline on shark trunk will be the first in the world. The draft guidance is currently finalized and implemented in pilot projects.

Draft decision for CoP 19

Indonesia supports the draft decision and would like to provide comments as follows:

- We consider that one of the biggest challenges for the sharks and rays trade management is product identification. Although manuals/guidelines for shark fins identification are available, we still lack identification guide for wedgefish fins until species level. Furthermore, identification guide for derivative shark products is hardly available. Derivative products in the form of meat, oil, and food products are commonly traded. In that regard, there is an urgent need to have a practical and low-cost identification method instead of DNA testing which is expensive and not feasible for areas far from laboratory facilities.
- Considering aforementioned facts, Indonesia would like to suggest the WG to recommend the Secretariat and the Animal Committee to assess the most effective method to identify non fin sharks and rays product and derivatives which are very essential to support parties in implementing the trade requirements.

NDF workshop

Indonesia supports workshop on NDF and believes that such workshop is essential for some reasons as follows:

- As we already have at least 17 NDF documents in the websites, it is important to assess similarities and differences among those documents. We could have more discussion and analysis to see types of data use, sources, limitation and how these affect the NDF results.

- Such workshop can also be used to identify any capacity needs to develop NDF based on the experiences and lessons from parties that have already developed the documents, particularly for condition with data-poor fisheries, multispecies, small-scale/artisanal and non-target (by-catch).
-

JAPAN

In accordance with the instruction by AC Sharks and rays in-session working group, Japan would like to response to the following four separate subject headings:

Trade data

FAO has published an important document "CITES and the sea - Trade in commercially exploited CITES-listed marine species", which reviews the CITES trade data of sharks and rays, points out main issues in the reporting of CITES trade data and make recommendations to improve the CITES trade data and reporting process. Japan believes that the document is useful to resolve the 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 (See "CITES and the sea (FAO) www.fao.org/3/cb2971en/CB2971EN.pdf").

Japan would like to draw AC's attention specifically to the following sub-sections in the mentioned document, regarding "provision of relevant trade data" and "capacity building in relation to Introduction from the Sea (IFS)".

- ***Main issues in the reporting of CITES trade data for sharks and rays (Part 5. Case studies, 5.1 SHARKS AND RAYS – ELASMOBRANCHII SPECIES, Page 23-26)***
- ***7.2 RECOMMENDATIONS FOR IMPROVEMENT OF CITES TRADE DATA (Part 7. Discussion and recommendations, page 72-76)***

Party responses to Notification 2020/016

Regarding NDF, Fisheries Agency of Japan has established its individual NDF guidelines for aquatic species based on the CITES resolution on NDF in 2015, which is published on the CITES website. In accordance with these guidelines, Japan has issued only permits for export of Shortfin mako (*Isurus oxyrinchus*) among the shark and ray species listed in CITES Appendix II. Japan can clearly find that their resources are abundant providing evidence for a positive NDF on Shortfin mako. The confidence in these assessments is strengthened because Shortfin mako is a relatively data-rich species that is subject to regular and robust stock assessments. The most recent assessments of the Atlantic Ocean and North Pacific stocks was in 2017 and 2018.

Japan believes that CITES Parties, at its CoP and subsidiary meetings, including its Animals Committee should make sure that CITES Appendices listing matters are considered on the basis of a sound scientific and technical evidence. The Sixth FAO Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species (FAO Expert Advisory Panel), which was held to provide scientific advices to CITES-CoP18, brought together fisheries experts that concluded that the available data provided evidence that Shortfin mako shark does not meet the CITES Appendix II listing criteria (See the **Attachment 1**).

Similar to the situation for Shortfin mako, many other sharks and rays which do not meet the criteria for inclusion in CITES Appendix II have also been listed in the Appendix II. For this reason, Japan made reservations to listings of some shark species in Appendix II, primarily due to the fact that Japan wishes to concentrate extraordinary investment in trade controls on species that do not meet the criteria for inclusion in Appendix II.

FAO, RFMOs and coastal states have implemented various conservation and management measures for sharks and rays, many in before implementation of CITES controls. The actions take into account the scientific and technical advice from fisheries and trade experts on shark and ray species. Therefore, Japan believes that investing in improving the conservation and management measures of sharks and rays within fisheries is more effective for the sustainability of their marine resources rather than CITES provisions.

Draft decisions for CoP19

Japan has recognized that in accordance with the MOU between CITES and FAO (See the **Attachment 2**), the FAO Expert Advisory Panel has provided a lot of scientific and technical advice on proposals to amended CITES Appendices concerning commercially-exploited aquatic species such as sharks and rays since 2004.

The 34th Session of the FAO Committee on Fisheries (COFI34) held in February, 2021 adopted the recommendation to call for FAO to continue cooperating with CITES and IUCN, including the provision of scientific and technical advice on proposals and issues relating to the listing and implementation of such listing of commercially exploited aquatic species.

【● Report of the 34th Session of the FAO Committee on Fisheries (COFI), para 11-l)】

11. *The Committee:*

l) called for FAO to continue cooperating with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the International Union for Conservation of Nature (IUCN), including the provision of scientific and technical advice on proposals and issues relating to the listing and implementation of such listing of commercially exploited aquatic species.

As mentioned above, best available scientific evidence is essential for decision-making at CITES and its subsidiary fora, and in this regard, Japan wishes CITES to strengthen cooperation with FAO as an indispensable foundation for the delivery of CITES' functions. Therefore, Japan believes that we, Animal Committee should take note of the FAO's Committee on Fisheries decision and refer to this FAO's recommendation in the draft Decision 19. xxx (7) (See the Attachment 3).

NDF workshop

Japan has two comments on the agenda item No. 10 on the introductory meeting of the in-session working group on sharks and rays.

First, Japan would like to clarify whether AC considers preparing an agenda for NDFs for shark and ray species at the 2nd international expert workshop on NDFs or holding an independent NDF workshop focusing on shark and ray species.

Second, Japan believes that AC should advice the Secretariat to draft clear terms of references for the 2nd international expert workshop on NDFs and a workshop/agenda regarding shark and ray species. to the document AC31 Doc.14.1/PC25 Doc.17 Addendum and its Annex contains ten workstreams under three thematic groups on gaps and weakness: overarching NDF formulation, complementary approaches and situations for making NDFs, and NDFs for specific taxa/life forms, which seems too much substance, In particular, definitions of the ten workstreams and those criteria where appropriate should be clarified before discussing case studies of NDF for individual species, including on shark and ray species.

MALAYSIA

Draft Decision for CoP19

Malaysia supports the draft decision, with the main concerns on the challenges of product identification. The guidelines for the newly listed species and the derivatives of sharks and rays products are still lacking.

More fundings are needed to support Parties in organising onsite training.

Malaysia also recommends the need for forensic approach in the identification process, and for it to be further enhanced and promoted.

NDF Workshop

Malaysia welcomes the NDF Workshop initiative, with the aim to enhance the knowledge of Parties in conducting such study.

It is also essential to learn from the experiences of other Parties that have already developed their NDF.

However, based on Malaysia's experiences, long term and reliable landing data, biological information and trade data up to species level should be firstly obtained.

MEXICO

Proposed the following Recommendations from the SWG to the AC:

- i) Endorse the draft Decisions to be submitted by the Animals Committee to the Conference of the Parties at its 19th meeting.
- ii) Consider to include in the 2nd International Workshop on NDF a sharks working table to support the making of non-detriment findings (NDFs), in particular in data-poor, multi-species, small-scale/artisanal, introduction from the sea, and non-target (bycatch) situations
- iii) Request the SC74 to consider to include a new tree code term (FFN) for registering trade in wet fins of sharks in the Guidelines for the preparation and submission of CITES annual reports and guidelines for the preparation and submission of CITES annual illegal trade reports.

Proposed the following changes to the Draft Decisions:

[DELETED TEXT WHEN ACTIONS IMPLEMENTED OR BEING COVERED IN ANOTHER FORUM/DECISION]

19.xxx (1)

Decision directed to: Parties

Parties are encouraged to:

- e) provide information to the Secretariat in support of the study called for in Decision 19.xxx (4) paragraph a), ~~in particular on any national management measures that prohibit commercial take or trade~~, and respond to the Notification called for in Decision 19.xxx (3);
- ~~f) in accordance with their national legislation, provide a report 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 [UNDER REVIEW BY DEC 17.170 ON STOCKS & STOCKPILES IN INTERSESSIONAL SC WG]~~
- g) 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; and
- ~~h) continue to support the implementation of the Convention for sharks, including by providing funding for the implementation of Decisions 19.xxx (2), 19.xxx (4) and 19.xxx (5), and consider seconding staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat.~~

19.xxx (2)

Decision directed to: Secretariat

Subject to external funding, the Secretariat shall continue to provide capacity-building assistance for implementing Appendix-II shark and ray listings to Parties upon request.

19.xxx (3)

Decision directed to: Secretariat

The Secretariat shall:

- a) issue a Notification to the Parties, inviting Parties to:
 - iii) share conversion factors used to make NDF from landed sharks to specimens in trade (e. g. fins, skins) and make it available in the CITES website,
 - ii) only if new information is available: provide concise reports including a one-page executive summary on:
~~ies of 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 of CITES-listed shark-products in trade; ~~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 [COVERED BY DECISION 17.170 ON STOCKS AND STOCKPILES]~~

iv) highlight any questions, concerns or difficulties Parties are having in writing or submitting documentation on authorized trade for the CITES Trade Database; and

~~b) provide information from the CITES Trade Database on commercial trade in CITES listed sharks and rays since 2000, sorted by species and, if possible, by product~~

~~e) 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.xxx (7), paragraph b); and [COVERED BY DEC 17.170 ON STOCKS & STOCKPILES]~~

~~d) collate this information for the consideration of the Animals Committee and the Standing Committee.~~

19.xxx (4)

Decision directed to: Secretariat

The Secretariat shall, subject to external funding, and in collaboration with relevant organizations and experts:

a) continue to investigate the apparent mismatch between trade in products of CITES-listed sharks recorded in the CITES Trade Database and what would be expected against information available on catches of listed species; and

b) bring the results of the study in paragraph a) to the attention of the Animals Committee or Standing Committee, as appropriate.

19.xxx (5)

~~**Decision directed to:** Secretariat~~

~~The Secretariat, subject to external funding, is requested to collaborate closely with the Food and Agriculture Organization of the United Nations (FAO) to:~~

~~d) verify that information about Parties' shark management measures are 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;~~

~~e) compile clear imagery of wet and dried unprocessed shark fins (particularly, but not exclusively, from those CITES listed species) along with related species level taxonomic information to facilitate refinement of iSharkFin software developed by FAO~~

~~f) 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~~

~~g) bring the results of activities in paragraphs a) to e) to the attention of the Animals Committee or Standing Committee, as appropriate.~~

19.xxx (6)

~~**Decision directed to:** Animals Committee~~

~~The Animals Committee, in collaboration with relevant organisations and experts, shall:~~

~~b) continue to develop guidance to support the making of non-detriment findings (NDFs), in particular in data-poor, multi-species, small-scale/artisanal, and non-target (bycatch) situations, for CITES listed shark species; and~~

~~e) report the outcomes of its work under this Decision to the 20th meeting of the Conference of the Parties.~~

~~19.xxx (7)~~

~~Decision directed to: Standing Committee~~

~~The Standing Committee shall:~~

- ~~h) develop guidance on the making of legal acquisition findings, and related assessments for introductions from the sea for CITES listed shark species in the context of the implementation of Resolution Conf. 18.7 on *Legal acquisition findings*;~~
- ~~i) 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; and~~
- ~~j) report its findings under this Decision to the 20th meeting of the Conference of the Parties.~~

~~[ABOVE DELETED BECAUSE THERE IS ALREADY A STANDING COMMITTEE WG.]~~

19.xxx (58) [N.B. = 2nd Decision labelled as 7 in original document]

Decision directed to: Standing Committee, Animals Committee

The Animals Committee and Standing Committee shall analyse and review the results of any of the activities under Decisions 19.xxx (4) and 19.xxx (5) brought to their attention by the Secretariat 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.

PERU

Propuesta de decisiones - 19.xxx – 19.xxx Sharks and rays (Elasmobranchii spp.) :

Estamos de acuerdo que las propuestas de decisiones amplíen su periodo de vigencia.

Datos comerciales - base de datos:

En la base de datos de la CITES no solo debería figurar la importación y exportación, sino también la reexportación, el cual podría permitir realizar algunos análisis sobre el comercio de tiburones y rayas a nivel nacional y regional.

Dictamen de Extracción No Perjudicial

En el Perú se evidencia un incremento de las transacciones comerciales de los especímenes (aletas y carne) de tiburones procedente del Ecuador, lo que nos hace reflexionar sobre la necesidad de una mayor cooperación entre las partes para establecer en el Dictamen de Extracción No Perjudicial un volumen máximo de exportación de aletas y/o de carne en cumplimiento a la Resolución Conf, 14.7.

En ese sentido, es importante que en el próximo taller de DENP se incluya una sesión específica para los tiburones y rayas con estudios de caso, que permita establecer criterios estándar en función de la mejor información disponible para su elaboración y además, presentar casos de DENP cuando ha ocurrido una introducción procedente del mar.

Documento AC31 inf.9 Summary of parties' responses to notification 2020/016 on the request for new information on shark and ray conservation and management activities, including legislation

De la revisión del documento, observamos algunos errores en la matriz de respuestas de los países correspondiente al Perú, por lo que agradeceremos hacer las siguientes correcciones:

Página 1:

Parrafo 2:

Incluir al Perú en la lista de partes que han respondido a la notificación N°2020/016.

Pagina 11:

Dice:

- NDF for "diamondback shark" *Isurus oxyrinchus* – 2019
- Advisory Report on Introduction from the Sea of "diamondback shark" *Isurus oxyrinchus* - 2019. o "diamondback shark" *Isurus oxyrinchus*- 2020.

Debe decir:

- NDF for "short fin mako shark"*Isurus oxyrinchus* – 2019
- Advisory report on Introduction from the Sea for meat of "short fin mako" *Isurus oxyrinchus* - 2020

Pagina 13

Dice:

General Directorate of Fisheries for Direct and Indirect Human Consumption (Dirección General de Pesca para Consumo Direct and Indirect Human Consumption of PRODUCE, issues Export and Import Permits, CITES and CITES Re-export Certificates in accordance with national and international regulations.

Debe decir:

General Directorate of Fisheries for Direct and Indirect Human Consumption (Dirección General de Pesca para Consumo Directo e Indirecto) of PRODUCE, issues Export and Import Permits, CITES and CITES Re-export Certificates in accordance with national and international regulations.

Pagina 15

Dice:

Annual Workshop of the CITES Plants and Fauna Committees- from November 19 to 21, 2019, aimed to generate a space for the exchange of information between CITES Scientific Experts and the CITES and MINAM as the CITES Scientific Authority, and strengthen the capacities of the CITES Flora and Fauna Committees as support bodies to the CITES Scientific Authority of Peru.

Debe decir:

Annual workshop of CITES - Peru Fauna and Plant Committees - from November 19 to 21, 2019, with the aim to exchange information between CITES scientific experts and the Ministry of Environment as Peru CITES Scientific Authority.

Pagina 16:

Dice:

Training on "National Fisheries Legislation and the Convention on International Trade in Endangered Species of Wild Fauna and Flora".

Debe decir:

Training on "National Fisheries Legislation and the CITES", carried out on April 30, 2019, directed to the Peruvian National Police. with the aim to provide general information on the Convention and the national regulations. Shark identification and conservation were discussed.

Dice:

International Trade in Endangered Species of Wild Fauna and Flora", carried out on April 30, 2019, was aimed to provide general information on the Convention and the national regulations related to the professionals of the professionals of the National Police of Peru, and shark identification and conservation was discussed.

Debe decir:

Regional Workshop for the development of NDFs for sharks, carried out from March 27-29, 2019 in Lima with the aim to strengthening capacities of specialists in the region in the preparation of NDFs of shark species that are listed in the CITES Appendices, using the "Guide on CITES Non-Detrimental Findings for Shark Species".

UNITED KINGDOM

Trade data

The UK notes the increase in reported trade in the volume of fins, meat and gill plates for commercial purposes, and notes trade is also reported in bodies (kg and quantity). This is expected as more shark species commonly found in international trade become listed. We share concerns that a small number of species (mainly larger pelagic sharks with intrinsically vulnerable life history traits) accounts for most of this trade. A number of these are CITES-listed and/or endangered, in some cases critically so.

CITES trade data so far are limited but nevertheless seem to indicate disparities between catch and trade. This highlights the need for meaningful communication, collaboration, and cooperation - as mentioned by FAO in session one of the Shark WG - to understand the apparent mismatch in fisheries data and CITES trade data, and build relationships going forward.

Party responses

The UK did not respond to Notification 2020/016, however if this is a live call, the UK could still provide this information to the Secretariat to be included in a future CoP doc. We note that only a small number of Parties have so far provided responses, despite ambition to get a perspective of shark management measures in place globally due to the likelihood of issues and solutions varying regionally (and at smaller spatial scales).

It is worth noting, before submission of a more formal response to the Notification (if possible), that the UK Wildlife Trade Regulations establish stricter import conditions than those imposed by CITES. Import permits are required for species listed in Annex B (Appendix II) and hence we make our own NDFs on these permit applications. We have already done this for *Isurus oxyrinchus* (shortfin mako, to be published on the shark portal soon).

Draft decisions for CoP19

The UK supports the draft decisions as proposed.

NDF workshop

The UK welcomes an International Workshop on NDFs, with a distinct focus on sharks and rays but also acknowledging lessons that can be learned from non-shark species to inform shark NDFs (e.g. data-poor species). We hope the workshop will encourage greater cooperation and relationship building with RMFOs to better implement CITES for targeted and bycatch CITES-listed species.

The UK conducted an NDF for *Isurus oxyrinchus* (shortfin mako) for all ocean basins which we hope to formally publish soon, and we will provide the Secretariat with a copy to publish on the Shark Portal as soon as possible.

Concluding remarks

The aim of this work must be for an improvement in the conservation status of CITES-listed sharks, especially those few larger species found in the international fin trade (hammerheads, mako, threshers, silky). There are numerous reports/papers highlighting shark declines, especially for large pelagic species, and CITES needs to become more effective – with increased communication and collaboration with fisheries bodies – in tackling this.

UNITED STATES

Party responses to Notification 2020/016

Noting the breadth of issues covered in CITES Decisions 18.218 - 18.225, the United States believes the topics identified in the Parties' responses to CITES Notification 2020/016 related to the international trade in sharks and rays are covered in these Decisions. Other issues related to fisheries data collection, reporting, and management fall outside the scope of CITES and would be more appropriately addressed by national authorities and regional fisheries management organizations.

Trade data

The United States supports having CITES undertake an investigation of discrepancies in the trade data, as called for in Decision 18.221. We would be particularly interested in any issues identified and opportunities to improve the trade data and gain a better understanding of the status and trends of international trade in CITES-listed sharks and rays.

FAO

Trade data

FAO considers the trade data as an 'acid-test' reflection of CITES actions. As such making the data streams as close to real time as possible and having the information it contains well communicated is a high priority.

FAO worked with WCMC and expert partners to produce 'CITES and the sea' an assessment of commercial trade in CITES-listed marine species that summarizes ten years (2007–2016) of trade in a subset of commercially exploited marine taxa listed in CITES Appendix II — including sharks and rays (<http://www.fao.org/documents/card/en/c/cb2971en>).

In this examination both CITES trade data reporting processes (including information on the practical elements of reporting by CITES Parties) and CITES trade records are analysed. The analysis shows how, for Appendix II CITES-listed marine species, the overall number of direct export transactions reported by CITES Parties is increasing (sevenfold during 1990–2016). Trade experts comment on the strengths and challenges of collating and reporting on trade in CITES-listed marine species, and make suggestions methods for improving the reporting process and highlight the need for regular amalgamated reporting of this data (prior to CoPs, as part of a standardized triennial "CITES State of Global Wildlife Trade Report").

FAO would be happy to see this suggestion proposed as a Decision by the WG.

Party responses to Notification 2020.016

No comments

Draft decisions for CoP19

Support moving ahead with issues relevant through the AC and SC by drafting a Decision which asks for a joint intersessional shark working group covering issues relevant to the AC and SC to progress work planned in the intersessional period between CoP18 and CoP19.

2nd International NDF workshop.

Support focus on NDFs for marine or aquatic species as a separate focus, including regional implications for shared species, and introduction from the sea, which are already identified as priority work areas for the workshop in Document AC31 Doc. 14.1/PC25 Doc. 17 Addendum.

FAO appended the following 18 management Recommendations from the December 2019 meeting of the joint tuna RFMO by-catch working group (which focused on elasmobranchs – sharks and rays). See submission from TRAFFIC and WWF (below) for additional context:

1. Re-invigorate the Kobe Joint T-RFMO By-catch Working Group and promote attendance at this Working Group from all regions;

2. Promote outreach/Capacity-building efforts to expand data collection and, sampling, as well as to increase participation in analytical/simulation work, and other activities;
 3. Define a prioritized/hierarchical set of quantifiable management objectives as they pertain to by-catch species;
 4. Consider adopting science-based management measures, including setting and respecting reference points for by-catch species;
 5. Apply a concerted effort to determine the magnitude of shark (and other) by-catch in all fisheries;
 6. Develop incentives, to reduce shark by-catch mortality;
 7. Coordinate efforts to reduce uncertainty in relation to elasmobranch species identification
 8. Develop, and share approaches across t-RFMOs to evaluate the implementation and effectiveness of by-catch CMMs
 9. Ensure that the adoption of new management measures does not result in a decline in data quality and availability;
 10. Taking into consideration the safety of the crew, adopt handling and safe release guidelines for elasmobranch building on the experience acquired at each RFMO or fishing sector level, for each of the fisheries as applicable, and promote their implementation and assess their effectiveness;
 11. Promote a shift from single species approach towards a multi-species approach in the conservation and sustainable management of by-catch species;
 12. Adopt the precautionary approach for all by-catch species;
 13. Increase observer coverage and develop minimum standards for using human observers and other alternatives (including electronic monitoring or any other applicable techniques), that will provide sufficient data for robust estimates of total by-catch;
 - 14. Improve communication and cooperation between CITES and tRFMOs to provide guidance and advice for the CITES listed species caught within the jurisdiction of each tRFMO;**
 15. Consider science-based time area closures to reduce interactions with by-catch, considering the potential trade-off between species;
 16. Prioritize and mobilize adequate resources to assess and develop management measures including mitigation techniques for all fishing gears, including hooking mortality, at-haulback mortality, handling mortality, data collection and post-release survival rate for species incidentally caught in commercial and recreational fisheries based on current and future research;
 17. Consider socio-economic effects in management advice;
 18. Ensure implementation and compliance with mitigation measures.
-

IUCN SSC SHARK SPECIALIST GROUP

Trade data

The CITES trade data analysis in document AC31 Doc. 25 and its addendum summarise CITES Appendix II shark and ray trade transactions in the CITES trade database from 2000–2020. These amount to a total of 345 commercial trade transactions which given the catch and landings volumes of CITES Appendix II shark and ray species, and observed trade of some of these species, seems to be fewer trade transactions than would be expected. This has previously been noted ([CoP18 Doc. 68.2](#)) and led to CoP18 requesting the CITES Secretariat to investigate the apparent mismatch ([Decision 18.221](#)).

There has been limited progress towards the implementation of Decision 18.221. TRAFFIC in cooperation with the German Government has produced a review of Regional Fishery Bodies and CITES Synergy ([Inf Doc. 18](#)) and is currently conducting a review on reported catches and trade of listed shark species in comparison with existing CITES trade data (see TRAFFIC intervention to Shark WG). FAO, WCMC and partners have examined marine fish trade data ([CITES and the Sea](#)) reiterating the mismatch and suggesting some potential solutions. The Secretariat notes in AC 31 Doc. 25, Paragraph 16 that some funding has been secured and work on Decision 18.221 can begin shortly, though additional funds are required.

IUCN SSC Shark Specialist Group urges the work for Decision 18.221 to move forward. Recent updates to many CITES listed shark and ray assessments on the [IUCN Red List of Threatened Species](#) indicate a worsening risk of extinction. For e.g. Oceanic Whitetip Sharks (*Carcharhinus longimanus*), Scalloped and Great Hammerhead Sharks (*Sphyrna lewini* and *S. mokarran*, respectively) are now listed in the highest threat category of Critically Endangered. This emphasises the urgency for improving our understanding of the CITES species trade, catch data and any mismatches. This understanding will also lead to more informed NDFs.

As mentioned by the Shark Working Group Chair, Hugh Robertson, an investigation of trade hubs would be worthwhile to better inform the actual species and volumes of CITES listed sharks and rays being traded and why there is a mismatch with CITES trade database. This may also highlight cases of trade occurring in the absence of required CITES documentation. The IUCN SSC Shark Specialist Group (SSG) is well placed to contribute to such an investigation with more than 200 members from 80 countries, some of whom have direct access to trade hubs.

Given this, it would be worthwhile for the AC31 Sharks Working Group to consider a recommendation that the CITES Secretariat request the IUCN Species Survival Commission Shark Specialist Group (SSG) for assistance in investigating trade hubs in relation to Decision 18.221 and that the SSG inform AC32 on the outcomes of such a trade hub investigation.

This request from the CITES Secretariat to the SSG may need to take the form of a Decision that also includes a direction to the AC and SC to consider the findings.

Party responses to Notification 2020.016

No comments

Draft decisions for CoP19

The SSG supports the proposed Shark Working Group intervention by TRAFFIC and WWF to draft a Decision which asks for a joint intersessional shark working group covering issues relevant to the AC and SC. There has been little progress against the work planned in the intersessional period between CoP18 and CoP19 and this could be improved through creating such a working group.

2nd International NDF workshop

SSG supports the draft recommendations to integrate the refinement of NDF guidance, in particular in data-poor, multi-species, small-scale/artisanal, migratory/shared regional stocks, and non-target (bycatch) situations for CITES-listed shark species, with the NDF workshop envisaged under Decisions 18.132 paragraph c) ii).

SSG also supports the proposal for a dedicated Shark and Ray stream at the NDF Workshop. Parties are still requesting advice on shark and ray NDFS as they can be complex due to the needs to consider the range of situations outlined above.

Given this, it would be worthwhile that the AC31 Sharks Working Group considering a recommendation: We recognize that NDFS for marine species including shared stocks and Introduction from the Sea are identified as a priority for the proposed NDF workshop (AC31 Doc. 14.1/PC25 Doc. 17 Addendum). We propose that the NDF workshop envisaged under Decisions 18.132 paragraph c) ii) integrate a dedicated Shark and Ray stream in particular in data-poor, multi-species, small-scale/artisanal, migratory/shared regional stocks, non-target (bycatch), and Introduction from the Sea situations for CITES-listed shark species. Case studies of the various types of shark and ray NDFS that address these issues could provide guidance not only for Shark and ray NDFS but also for other CITES listed marine species.

TRAFFIC and WWF

Trade data

TRAFFIC has been working since CoP18 on two reviews which go some way to contribute to Decision 18.221. Firstly, we have been involved in producing for the German Government a review of Regional Fishery Bodies and CITES Synergy which has been submitted as Inf Doc. 18 by Germany. This review highlights where there could be improved responsibilities for the gathering of catch and trade data of CITES listed shark species and will help inform a planned intergovernmental discussion to improve synergy.

The second review to be completed in time for SC74 looks at reported catches and trade of listed shark species, compares that with existing CITES trade data and in addition looks at the context of catches on the high seas and obligations of CITES Parties regarding Introduction from the sea and implementation issues. When complete this will be shared with the CITES Parties.

We believe it would be beneficial if AC31 recommended that SC74 consider the implications of CITES Parties not meeting their obligations against Introduction from the sea requirements, including only issuing Certificates/Permits where a positive NDF has been produced. Particular attention should be drawn to Parties with registries of international vessels using their Flag in areas beyond National Jurisdiction.

TRAFFIC and WWF would add an observation from our field work and governmental assistance work that the catch and trade activities globally during the Pandemic in 2020 and 2021 give even greater urgency to dealing with concerns of the “mismatch” referred to in Decision 18.221 and the implications this has in constructing comprehensive NDFs and meeting CITES implementation obligations. This in part is due to:

- Social distancing requirements resulting in less catches, landings and trade being observed due to social distancing requirements;
- Communities being effected by a loss of tourism income and with marine resources forming such an important possibility of generating income there has been an increase in fishing activity which will have resulted in increased catches of CITES listed species; and
- Greater societal pressure on resource management agencies to increase access to marine resources, including for CITES listed species, resulting in National internal governmental pressure in some circumstances for CITES implementing agencies to consider the perceived negative effect meeting CITES obligations has on the generation of income by local communities.

TRAFFIC has made good progress in developing a traceability system for sharks and rays, *SharkTrace*, noting the support traceability systems would provide to gathering better catch and trade data and supporting compliance with CITES implementation and consistent with the guidance CITES Parties adopted in regard to traceability at CoP18. The project *SharkTrace* has initially worked with industry in Australia and developed phone applications for the capture of supply chain critical event information including species catch information, locations caught, gear types used etc. Further testing of the traceability system will be conducted in 2021 and information will be shared as further trials are conducted.

It may be worth the AC Shark WG noting the meeting in December 2019 of the joint tuna RFMO by-catch working group (in relation to sharks) which made recommendations for improved data collection, management etc. as these would be supportive of better data collection in relation to the making of NDFs. Included was a specific recommendation regarding tuna RFMO and CITES cooperation (Attached Annex to this submission see recommendation 14).

Chair’s report:

https://www.iccat.int/Documents/meetings/docs/2019/reports/2019_JWGBY-CATCH_ENG.pdf

https://www.iccat.int/Documents/meetings/docs/2019/reports/2019_JWGBY-CATCH_FRA.pdf

https://www.iccat.int/Documents/meetings/docs/2019/reports/2019_JWGBY-CATCH_SPA.pdf

We would encourage the AC WG to consider recommending SC74 and the SC Intersessional WG on sharks also consider the recommendations from the joint tuna RFMO meeting and ensure a Decision of the Parties is considered at CoP19. It could direct the CITES and Parties to engage through the joint tuna RFMO process and individual Party membership of RFMOs to progress those recommendations as they relate to CITES listed species.

We also hope the AC WG consider the confusion around the use of the term “bycatch” and how that relates to responsibilities by CITES Parties and also how in fisheries management, in some circumstances, the incorrect perception exists that if a shark or ray species is considered a bycatch it is not afforded the same attention and management intervention that primarily targeted species are. A large proportion of the catch of sharks and rays is retained whether or not it is a primary target or secondary catch. As such, as would also be considered in conducting NDFs, the focus should be around mortality and managing for that mortality, particularly for CITES listed species and not be used as an excuse not to manage as we have seen reported for bycatch. It would be helpful also if the Secretariat reiterated its legal advice to the WG that bycaught specimens of CITES-listed species entering international trade are subject to the same provisions under the Convention as specimens that are obtained by targeting.

Party responses to Notification 2020.016 Secretariat

No comments

Draft decisions for CoP19

We feel there would be merit in moving ahead with issues relevant through the AC and SC by drafting a Decision which asks for a joint intersessional shark working group covering issues relevant to the AC and SC. There has been little progress against the work planned in the intersessional period between CoP18 and CoP19 and we feel this could be improved through creating such a working group.

2nd International NDF workshop

TRAFFIC and WWF have already commented during the initial meetings of the WG. There is a working group on this item also meeting this week. NDFs for marine or aquatic species, including regional implications for shared species, and introduction from the sea, are already identified as priority work areas for the workshop in Document AC31 Doc. 14.1/PC25 Doc. 17 Addendum.

Management Recommendations from the December 2019 meeting of the joint tuna RFMO by-catch working group.

1. Re-invigorate the Kobe Joint T-RFMO By-catch Working Group and promote attendance at this Working Group from all regions;
 2. Promote outreach/Capacity-building efforts to expand data collection and, sampling, as well as to increase participation in analytical/simulation work, and other activities;
 3. Define a prioritized/hierarchical set of quantifiable management objectives as they pertain to by-catch species;
 4. Consider adopting science-based management measures, including setting and respecting reference points for by-catch species;
 5. Apply a concerted effort to determine the magnitude of shark (and other) by-catch in all fisheries;
 6. Develop incentives, to reduce shark by-catch mortality;
 7. Coordinate efforts to reduce uncertainty in relation to elasmobranch species identification
 8. Develop, and share approaches across t-RFMOs to evaluate the implementation and effectiveness of by-catch CMMs
 9. Ensure that the adoption of new management measures does not result in a decline in data quality and availability;
 10. Taking into consideration the safety of the crew, adopt handling and safe release guidelines for elasmobranch building on the experience acquired at each RFMO or fishing sector level, for each of the fisheries as applicable, and promote their implementation and assess their effectiveness;
 11. Promote a shift from single species approach towards a multi-species approach in the conservation and sustainable management of by-catch species;
 12. Adopt the precautionary approach for all by-catch species;
 13. Increase observer coverage and develop minimum standards for using human observers and other alternatives (including electronic monitoring or any other applicable techniques), that will provide sufficient data for robust estimates of total by-catch;
 14. Improve communication and cooperation between CITES and tRFMOs to provide guidance and advice for the CITES listed species caught within the jurisdiction of each tRFMO;
 15. Consider science-based time area closures to reduce interactions with by-catch, considering the potential trade-off between species;
 16. Prioritize and mobilize adequate resources to assess and develop management measures including mitigation techniques for all fishing gears, including hooking mortality, at-haulback mortality, handling mortality, data collection and post-release survival rate for species incidentally caught in commercial and recreational fisheries based on current and future research;
 17. Consider socio-economic effects in management advice;
 18. Ensure implementation and compliance with mitigation measures.
-

Joint Comments from NGO observers:

**BLOOM ASSOCIATION HONG KONG – BLUE RESOURCES TRUST – BORN FREE
USA – DEFENDERS OF WILDLIFE – FLORIDA INTERNATIONAL UNIVERSITY – HUMANE SOCIETY**

**INTERNATIONAL – INTERNATIONAL FUND FOR ANIMAL WELFARE – NATURAL RESOURCES
DEFENSE COUNCIL – OCEANA – SEA SHEPHERD LEGAL – WILDLIFE CONSERVATION SOCIETY**

Trade Data

1. Understanding if there are or were major volumes of CITES-listed sharks internationally traded or introduced from the sea but not reported in the CITES trade database is key to understanding possible implementation gaps. It is also a prerequisite to ensuring that trade in CITES-listed shark species is conducted sustainably as per Article IV of the Convention.
2. Since the apparent mismatch between the trade in products of CITES-listed sharks recorded in the CITES Trade Database and what would be expected based on the information available on catches of listed species was noted by AC30, and CoP18 requested this be investigated through Decision 18.221 a); several additional pieces of information have become available, including recent research from the Hong Kong fin market and the 2021 FAO study on trade in commercially exploited CITES-listed marine species. Both studies may provide useful pointers for the implementation of Decision 18.221 a). While the newest annual trade reports appear to be closer to the volumes expected, comments from Parties indicate express concerns that trade records are still far from complete.
3. We welcome that [kg] was added as preferred unit for the reporting of trade in shark products in the revisions to the Guidelines for the Preparation and Submission of CITES Annual Reports and Guidelines for the Preparation and Submission of CITES Annual Illegal Trade Reports presented to SC73 (<https://cites.org/sites/default/files/eng/com/sc/73/E-SC73-17.pdf>). However, there is still a need for further unifying measurements of units of shark parts and products in trade to facilitate conversion and facilitate monitoring and analysis of volume of trade. Establishing an agreed and accurate set of conversion factors is also critical to enable comparison across different terms and units of measure. Conversion factors for number and weight of reported fins are available, but these can vary both within and between species and individuals, and at different stages of processing. Establishing accurate conversion factors is critical since by far the majority of sharks in trade were reported to CITES as fins and were converted to individuals using conversion factors (2021, CITES and the Sea).
4. Incorporate the “Recommendations to improve the CITES trade data and reporting process for sharks and rays¹” from the report (2021, CITES and the Sea) from Pavitt, A., Malsch, K., King, E., Chevalier, A., Kachelriess, D., Vannuccini, S. & Friedman, K. 2021. CITES and the Sea: Trade in Commercially Exploited CITES-listed Marine Species. FAO Fisheries and Aquaculture Technical Paper No. 666. Rome, FAO. <https://doi.org/10.4060/cb2971en>
5. Share concern expressed by Shark WG Chair about lack of Introduction from the Sea (IFS) for listing sharks in trade database and note that while closing this gap may take some time, we believe it is a key priority to be streamlined throughout the relevant workstreams, including, but not limited to the implementation of:
 - Decisions 18.157-158 (IFS)
 - Decision 18.171 (Simplified procedures)
 - Decisions 18.224 (Shark SC WG)

We further welcome Germany's work to improve collaboration between CITES, FAO and RMFOs.

6. Strongly encourage the CITES Secretariat to prioritize the timely and full implementation of Decision 18.221. Recommend that pursuant to paragraph 15 of in the Addendum to AC31 Doc. 25, *The Animals Committee may therefore wish to agree on a process concerning the joint reporting [of AC and SC to CoP19], for example by asking the Chair of the Animals Committee and the Chair of its shark and rays working group to contribute to this reporting on behalf of the Animals Committee*. Given that these reporting modalities would not seem to allow input from observers prior to CoP19, we invite the Animals Committee to consider requesting the Secretariat in parallel, once the study is published, organize a consultation via a Notification to the Parties, with a summary of responses to be made available to CoP19.
7. We call attention to the continued trade logged in the CITES database and reported in AC31 Doc. 25 in species assessed as by the IUCN as Endangered or Critically Endangered (such as the oceanic whitetip and scalloped hammerhead). The oceanic whitetip shark is Critically Endangered globally with prohibition of retention in every RFMO and recently determined to be likely to go extinct in the western and central Pacific Ocean.

Party Responses

1. Concern about lack of responses by Parties to Decision 18.220 ii). Strongly suggest renewal of 18.220 as per low responses from Parties and lack of representation of the species in trade and the countries of export, import and re-export.
2. We welcome progress reported by Parties in response to the Notification and commend Costa Rica, New Zealand and the USA for sharing new NDFs with the Secretariat for posting on the CITES website where they can help guide similar work by other range states. Share concern expressed by the Europe on the lack of NDFs and the desire expressed by many Parties to share all NDFs on the CITES shark and ray portal.
3. Support Peru's recommendation for Parties to cooperate and adopt an export quota in compliance with Res. Conf. 14.7 (Rev. CoP15), especially for shared stocks, to help ensure extraction is not detrimental to populations; and believe that implementing this cooperation should be one of the key issues to be discussed under the proposed workstream on marine species in the Addendum to the Secretariat's report on NDFs (AC31 Doc. 14.1/PC25 Doc. 17, paragraph 7 5).
4. Given the importance of Decision 18.221 a), we would like to ask if the Secretariat could share a preliminary timeline for delivering the study called for in that Decision and highlight any obstacles to its implementation, e.g., funding. If it is feasible that the study can be completed and considered by AC and SC as per sub-paragraph b) of the Decision prior to CoP19, we believe this working group may wish to strongly encourage this course of action over the renewal of the Decision. In this scenario, we further welcome clarification as to whether, and in what manner, there will be an opportunity for civil society to contribute to the analysis and discussion of the study in the reporting timeline set forth in paragraph 15 of the Addendum. If, on the other hand, it seems already clear that Decision 18.221 will be rolled over to the next intersessional period, we believe it may be helpful for this working group to consider whether it wishes to provide any additional guidance on the content or approach of the study.
5. Highlight Colombia's call for need for technical assistance from CITES to provide methodologies for the development of NDFs when little biological information on the species is available. Suggest including in future work the Recommendation 22.c. in the original AC31 Doc. 25 regarding draft guidance for making NDFs in data-poor, multi-species, small-scale/artisanal and non-target (bycatch situations) as such guidance would be beneficial to a significant number of Parties as they seek to manage sharks and rays in data poor fisheries.
6. Support of Colombia's and Mexico's comments on the need to improve/expand harmonized code for shark fins to better monitor trade and identify to species level.
7. We note that despite 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, there are almost no concerns or difficulties expressed by Parties regarding submission of documentation on authorized trade to the CITES Trade Database.
8. Support for Gabon's statements in the Working Group and submitted by email including the concern expressed about overall lack of responses regarding the implementation of Decs. 18.218 and 18.220. As Gabon noted, implementation of these decisions is important to effective implementation of the CITES shark and ray listings and to ensuring sustainable management and conservation of these species. We strongly support renewal of Decisions 18.218 and 18.220 in their entirety and the proposed revisions to these Decisions in order to encourage Parties to strengthen monitoring and identification of CITES-listed shark products in trade, across source, transit and destination or consumer states (Dec. 18.220), and to develop mechanisms to for international coordination and collaboration across the entire supply chain (Dec. 18.218).

Draft Decisions for CoP19

1. Renew Decisions 18.218-18.220 and 18.223. Also, renew Decisions 18.221-222 and 18.224-225 in the case that they have not been fully implemented by CoP19. We agree with the suggestion to consider either extending or renewing as appropriate.
2. We suggest that Decisions 18.218 and 18.220 be renewed in their entirety. We also recommend that Decision 18.220 be revised to invite Parties to share information about their efforts to monitor and identify illegal trade in shark products along the entire supply chain--i.e., "in range, transit, and destination states."
3. Concern that no progress seems to have been made on Decision 18.221 a) to conduct a study to investigate the mismatch between CITES trade data and expert opinion which had been noted by the AC at its last meeting.

4. While an absence of CITES-listed shark exports from CITES Parties may accurately reflect a true absence or an effective reduction in fishing or trade; it can also inaccurately represent changes if i) trade was suspended or banned because no NDF had been developed (but fishing and stockpiling continue); ii) consumption or use has shifted to domestic markets; or iii) trade is continuing without being reported (2021, CITES and the Sea).
5. We suggest that an analysis of the likely levels of trade in species assessed as by the IUCN as Endangered or Critically Endangered (such as the oceanic whitetip and scalloped hammerhead) should be a priority at the earliest opportunity and consider that the Review of Significant Trade process would provide a good existing framework to undertake this work. We encourage the AC to formulate recommendations to the CoP on action to address this issue.

NDF Workshop

1. Blue Resources Trust (BRT) anticipates releasing a preliminary testing version of their custom NDF software in July. This project, supported by The German Federal Agency for Nature Conservation, will facilitate shark and ray NDF development by Parties, including in data-poor scenarios. BRT would of course appreciate the opportunity to showcase this tool at any future NDF workshop taking place and support a dedicated shark and ray stream at such a workshop.
2. We welcome the inclusion of the making of NDFS in low data situations and NDFs for marine species as two of the workstreams for the planned NDF workshop in the Addendum to AC31 Doc. 14.1/PC25 Doc. 17 (NDFs) and note this echoes Colombia's call for need for technical assistance from CITES to provide methodologies for the development of NDFs when little biological information on the species is available.

¹ Recommendations from 2021 FAO report to improve the CITES trade data and reporting process for sharks and rays

- The CITES Standing Committee should consider adopting new CITES term codes for specific commodities (fresh, unprocessed dried, processed dried, unprocessed frozen and processed frozen — as well as different grades of dried), as well as species-specific codes. Ideally, term codes for reporting different types of fins would also be included (e.g. for dorsal, caudal and pectoral fins). This is captured in Resolution Conf. 12.6 (Rev. CoP18).
- CITES Parties should follow guidance from the CITES Animals Committee to use preferred reporting units (i.e. weight rather than number of fins) to facilitate trade monitoring.
- Standardized species-specific conversion factors should be agreed upon and implemented by CITES Parties, to improve the accuracy of estimated numbers of whole individuals in trade (Dent and Clarke, 2015).
- CITES Parties, with guidance from the CITES Secretariat, should spearhead multinational initiatives with RFMOs and CMS,³³ as well as related national authorities (i.e. customs offices). These initiatives could improve the reporting of CITES-listed shark and rays and promote compliance with catch and data collection requirements.
- The CITES Secretariat and Parties should increase interactions with RFMOs with a view to streamlining the implementation of various shark and ray conservation commitments. Such initiatives should address, as a matter of priority, ongoing international trade in globally prohibited oceanic whitetip sharks and the continued overfishing of North Atlantic shortfin mako sharks.
- The CITES Secretariat should work to develop and promote certification systems for fishers, traders, distributors and retailers as a means of adding value to sustainable CITES-listed shark and ray products. There has been cooperation between CITES and UNCTAD (United Nations Conference on Trade and Development) along on these lines with Blue BioTrade, and a project on queen conch on the horizon.³⁴
- CITES Parties could also adopt regionally or nationally agreed additions to accepted Harmonized System codes under the Harmonized Commodity Description and Coding System of the World Customs Organization (WCO) to enable more direct cross-referencing with the CITES trade data.³⁵ FAO contributed successfully to the HS code development for sharks and rays and skate in 2017,³⁶ but their bid to expand the coverage of codes for shark fins cured forms (i.e. dried, salted or in brine, etc.) was not accepted. However, the WCO recommended the implementation of specific commodity codes for shark fins and ray and skate meat in 2012,

and this decision was implemented by Canada, China, France, Japan, the Republic of Korea and the United States (Dent and Clarke, 2015).

NATURAL RESOURCES DEFENSE COUNCIL

The Natural Resources Defense Council would like to express our support for the proposal by Gabon to renew and revise Decisions 18.218 and 18.220 in order to capture as much of movement of shark products as possible, and to encourage international collaboration to identify illegal trade and ensure legality along the global supply chain. The revisions proposed by Gabon will help to strengthen coordination across source, intermediary, and destination and consumer markets. We support these proposals to extend this important work beyond CoP 19 and to strengthen Parties' efforts to combat illegal trade in shark products.

BLUE RESOURCES TRUST

Blue Resources Trust is pleased to announce that we anticipate releasing a preliminary testing version of our custom NDF software in July. This project, supported by The German Federal Agency for Nature Conservation, will facilitate shark and ray NDF development by Parties, including in data-poor scenarios.

We would of course appreciate the opportunity to showcase this tool at any future NDF workshop taking place and support a dedicated shark and ray stream at such a workshop.

The software will use the existing German NDF guidelines and semi-automated excel sheet as a framework but include additional functionality such as:

1. Controlled and secure multiple-user remote-access that would be designated and assigned by the respective Scientific Authority, which we can all agree will be useful in either a covid or post-covid world! And this multi-user access will also allow the scientific authority to see which user made any particular entry or edit during the NDF process.
2. Clickable help files with guidance information,
3. Automated access to updated reference data, such as maximum sizes of the species of shark one is making the NDF for, to aide in data-poor scenarios
4. A prioritised list of recommended management measures that could be adopted, if deemed acceptable by the Scientific Authority, based on data entered, or gaps identified, during the NDF process,
5. And most importantly, it enables complete user control in all aspects. This ensures that the scientific authority has the absolute decision on the final NDF outcome and that it would not be dictated by the software.

As mentioned, this software is extremely functional for data-poor scenarios. Regardless of what data is available, it will guide the user through the process to have a ready-to-submit NDF and provide clear recommendations to overcome current data gaps. This would enable Parties to pursue more rigorous NDFs over time.

What is quite exciting is that despite this first stage focusing on sharks and rays, the software internal framework can be extremely easily adapted by a subject matter expert for other CITES marine species and probably any other taxa.

Part 2. Summary of discussions during AC31 Shark Working Group sessions

1. Trade data

The SWG reflected on concerns regarding the apparent mismatch between current reported trade data through the issuing of CITES certificates/permits (Doc. 25 and annexes) and other sources/expert knowledge of volumes of catch and trade of listed species prior to their listing. The latter is indicative of what may be expected to currently be in trade, unless a Party has acted to constrain that trade. There was concern around the lack of progress on Decision 18.221 a) the study to investigate the mismatch between CITES trade data and expert opinion. Understanding under-reporting is key to understanding possible implementation gaps. Secretariat confirmed that funds had now been secured to undertake this study.

The SWG discussed the need for improved catch and trade data being required and used within NDFs, and noted the related recommendation from the December 2019 joint tuna RFMO bycatch working group, and Inf. Doc. 18. The benefit that would be derived from improved traceability was noted by Chile and others, including the capture of catch and trade data in a shareable digital form. Traceability considerations would support Gabon's suggested edits to Decision 18.220 a), i), c) and India's suggested recommendations of AC.

There was discussion of the benefit of striking an intersessional Shark WG of the AC to consider as part of its mandate reviewing what is already available against Decision 18.221, attempting to progress that work through cooperation of WG members, identifying what still needs considering and any information relevant to AC that can be shared for consideration of the SC74. It was noted that the SC already has an intersessional group; could this issue be added to their mandate? Prior to CoP19, available information so far compiled could be provided to the Secretariat for reflection when Parties consider at CoP19 rolling Decision 18.221 forward to CoP20. The expertise residing within the IUCN SSC Shark Specialist Group (SSG) was noted; could the CITES Secretariat request their assistance in investigating trade hubs in relation to Decision 18.221, and the SSG report back to AC32? TRAFFIC are undertaking a review of trade data.

Chair: Lack of reporting on Introductions from the Sea (IFS) by Parties is concerning (only four IFS identified in documents). This suggests there may be substantial unreported IFS of high seas catches of CITES-listed pelagic species. NL: the EU shortfin mako NDF incorporated IFS – it will be shared.

Secretariat (Juan Carlos): A study of unreported trade has identified five main issues that may be contributing to underreporting of trade, namely: lack of finances, NDF workshops, and capacity; legal and scientific aspects of trade, and cooperation (as highlighted by FAO). The Chair mentioned electronic tools – we are working on some of these tools. Asked for more dynamic webpage. Apps for identifying sharks, better tools for SAs when making NDFs. This meeting very helpful for organizing inputs, and organizing main points for discussion.

18 NGO Observers (Daniel Kachelriess, SSL): Noted with concern lack of progress on Decision 18.221 a) the study to investigate the mismatch between CITES trade data and expert opinion. Understanding under-reporting is key to understanding possible implementation gaps. This WG may wish to strongly encourage this action rather than just renewing the Decision. Requested the Secretariat share a preliminary timeline for delivering this study and highlight any obstacles to its implementation, e.g. funding. Welcome clarification of the opportunity for civil society to contribute to analysis and discussion of the study.

FAO (Kim Friedman): FAO Committee on Fisheries (FAO COFI 34, 2021) has requested that FAO continue to cooperate with CITES, IUCN and related fora, to help ensure that decisions made in these fora and their implementation are based on the best scientific and technical information available, and emphasised the need for accurate data (COFI Decision 11I- see below and <http://www.fao.org/3/ne907en/ne907en.pdf>). See marine fish trade data report by FAO, WCMC and partners: <http://www.fao.org/documents/card/en/c/cb2971en>.

COFI Decision 11 I) called for FAO to continue cooperating with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the International Union for Conservation of Nature (IUCN), including the provision of scientific and technical advice on proposals and issues relating to the listing and implementation of such listing of commercially exploited aquatic species.

2. Parties' responses to Notification 2020/016

Notification was issued by the Secretariat in fulfilment of Decision 18.220 paragraph a), inviting Parties to implement Decision 18.2.18 and submit concise summaries of any new information on shark and ray conservation and management activities, including legislation, and to highlight any questions, concerns or difficulties they are having, including writing or submitting documentation on authorized trade for the CITES trade database. Chair asked whether Parties consider such Notifications worthwhile, and to check whether the

summary of Parties' responses in Inf. Doc. 9 omits any major points. Secretariat confirmed that relevant NGO observer stakeholders could also be invited to respond to Notifications.

Chair requested Parties and Observers to highlight by email up to five key points that have emerged from Party responses, Inf. Docs 15 and 18, and other issues not covered elsewhere [responses are presented in Part 1 of this Inf. Doc.]. Chair noted Gabon's comment that there were few responses from Africa and the Middle East. Information from other parts of the world on lessons learnt would be very helpful to the WG. Chair urged Parties who respond to Notifications in future to send a one-page executive summary (as suggested by Gabon and Mexico) with supporting documentation attached, to aid the Secretariat's analysis.

Australia: (Mariana Nahas). Did not submit response because NDFs are in a public document. Noted need for NDF guidance for species that are not targeted and are captured across multiple fisheries – a complex issue that could be addressed in Agenda item 14.1 (NDF Working Group is on Monday 7 June).

Canada: (Jennifer Shaw). Canada recently prohibited shortfin mako landings from Atlantic longline fisheries.

Costa Rica: (Carlos Mario Orrego). Happy to be part of this Working Group.

EU/Netherlands: (Paddy Walker). Concerned by the mismatch between CITES database records and volumes in trade, suggesting that NDFs not issued for all trade. The EU Mako NDF, which included IFS, is not yet shared on the CITES website (perhaps because SRG is not meeting); will make sure that it is shared. There may be issues regarding trade volumes reported at EU level, rather than by Member States.

Gabon: (Carla Louise): Grateful to all Parties and observers who responded to the Notification. Concerned, however, that the geographic distribution of responses is not fully representative of these species' distributions or the regions where they are most heavily exploited; this imbalance in distribution of responses could adversely affect the WG's discussions and conclusions on the conservation and management of sharks and rays, if they are not representative of reality.

Germany: (Timm Reinhardt). Apologies for lack of response to Notification. Highlighted submission of Inf. Doc. 18 on CITES/RFMO synergies (see more detail under **Information Documents** below).

Japan: (Morio Kaneko, Director of Fisheries Agency). Have developed guidelines for NDFs. Have only issued a positive NDF for shortfin mako, because this species is abundant and data-rich, with stock assessments available, compared with other data-poor shark species.

Mexico: (Emmanuel Rivera). Will send full intervention in email. Supports sharing NDFs via the CITES website. Need one location holding this information. Most of our NDFs are completed and we have asked the Secretariat to publish them. Regarding shortfin mako: have used the 2018 ESC SYG report. Regarding difficulties: MX now has an export request for fresh fins, but there is no code to separate dry and wet fins. Therefore, request Secretariat issue a Notification specifying a code for recording fresh, wet fins (could be FFN). Also request the CITES Secretariat to publish conversion factors for different shark products in the CITES webpages. Chair agreed, noting that weights and conversion factors for dry and wet fins are very different.

New Zealand: (Hugh Robertson). NZ's quota management system covers shortfin mako, with good information in our management area. This is a migratory/straddling stock and mako from NZ enter the EEZs of Tonga, New Caledonia, & Fiji. NZ's NDF for shortfin mako has therefore been shared with these Parties to inform their own NDFs.

Peru: (Frida Rodriguez). Statement in Spanish. Peru has noted the great increase in commercial trade in sharks recorded in AC31 Doc.25. We have also observed an increase in fin and meat trade volumes entering Peru from Ecuador, which are then exported to Hong Kong. This highlights the need for greater cooperation between Parties in the development of NDFs, so that export quotas can be established in compliance with Res. Conf. 14.7, and campaigns promoted to reduce demand and hence avoid overexploitation and negative ecosystem effects. The Scientific Authority of Peru would like to share the "identification guide of shark bodies in Peru" You can also find it at the following link: <https://peru.oceana.org/es/publicaciones/informes/guia-de-identificacion-de-troncos-de-tiburón-en-el-peru>

Senegal: (Mamadou Diallo). Inf. Doc 9 clearly presented Senegal's position/issues.

USA: (Laura Cimo, US NMFS). Look forward to discussing draft Decisions. In response to the Notification: US has provided copies of several NDFs, for shortfin mako and devil/manta rays. Will share these as requested by Mexico. Also provided information on research activities, assessments and regulatory/management actions, linked to source documents.

Secretariat (Juan Carlos) on implementation: The Food and Agricultural Organization of the United Nations (FAO) in collaboration with the Secretariat of the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) has published a new sourcebook to support the implementation of CITES in the fisheries context, with a focus on national fisheries legislation and related legal matters. "*Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) through national fisheries legal frameworks: a study and a guide*", was developed as part of the FAO-CITES collaboration, funded by the European Union (EU), and produced by the Development Law Service (LEGN) of FAO's Legal Office together with FAO's Fisheries and Aquaculture Department and the CITES Secretariat. It is available in English on the websites of CITES and FAO.

Blue Resources Trust (Daniel Fernando – full intervention by email): With support from Germany, we are in final stages of releasing custom-software to streamline NDF development for sharks. This builds upon the existing NDF guidelines and accommodates data-poor scenarios. The software includes several features, such as secure and controlled multiple-user remote-access that can be assigned by the Scientific Authority.

3. Draft Decisions

WG members were requested during introductory sessions to review the Decisions drafted by the Chair (circulated by email) and send written feedback, including suggesting additions or rewording/redrafting if necessary (e.g. to request Parties include a one page summary of their response to Notifications). (Responses are presented in Section 1, above.) Decisions on compliance-related issues can be sent to the Standing Committee for consideration at their next meeting.

Intervention on behalf of many NGO observers (Daniel Kachelriess, SSL): Thanked Secretariat for documents, congratulated organisations on activities supporting implementation of CITES for listed sharks and rays. Welcomed progress reported in response to Notification 2020/016. Noted with concern lack of progress on Decision 18.221 a) – the study to investigate the mismatch between CITES trade data and expert opinion. Understanding under-reporting is key to understanding possible implementation gaps. Requested the Secretariat share a preliminary timeline for delivering this study and highlight any obstacles to its implementation, e.g. funding. If it is feasible that the study can be completed and considered by AC and SC as per sub-paragraph b) of the Decision prior to CoP19, we believe this working group may wish to strongly encourage this course of action over the renewal of the decision. In this scenario, we further welcome clarification as to whether, and in what manner, there will be an opportunity for civil society to contribute to the analysis and discussion of the study in the reporting timeline set forth in paragraph 15 of the addendum. If, on the other hand, it seems already clear that Decision 18.221 will be rolled over to the next intersessional period, we believe it may be helpful for this working group to consider whether it wishes to provide any additional guidance on the content or approach of the study.

SWG discussions of available trade data (AC31 Doc. 25 Addendum) and Party, IGOs and NGO submissions raised concern over the up-listed Red List assessments for Oceanic Whitetip (OWT), Scalloped and Great Hammerhead sharks, since they were listed in Appendix II, to Critically Endangered. Widespread global (retention bans in all tRFMOs) and national management interventions strictly limit retaining catches of OWT, hence in a CITES context limiting a Management Authority's ability to confirm legal acquisition. Given their elevated threat of extinction, some participants suggested a Recommendation to the AC (as guided by Res 12.8 CoP18 c) regarding whether Parties in fact should be issuing CITES Certificates/Permits following a positive NDF for these species, and whether AC should recommend the use of zero quotas or an up-listing to Appendix I. The urgency is heightened given Parties concern that actual trade records for these species and other listed sharks and rays, may be a gross underestimate, based on pre-listing catch information.

4. Second International NDF Workshop

There was strong support for the proposed NDF Workshop, and for a dedicated shark and ray stream to be included during that meeting. The joint AC/PC session struck an NDF WG to discuss preparations for workshop, which will be held during the next intersessional. See AC31 Doc.14.1/PC25 Doc.17. Chair requested during the introductory sessions written responses to the idea of requesting a dedicated shark and rays work stream, or a general marine species theme, at a future NDF workshop, including case studies (e.g. data-poor/migratory/shared stocks/bycatch species) and suggestions for additional topics, including IFS (a complex and difficult subject which seems not to be implemented widely, but is really important for high seas pelagic species). Organisers will be looking, *inter alia*, for regional case studies. Comments from SWG participants could be sent to the NDF WG.

Chair: Regarding a dedicated shark and ray stream: now have good case studies, many more species listed, many Parties asking for more guidance. Need more data for pelagic sharks that are often taken on the high seas

and as bycatch – how should CITES permitting for bycatch be arranged, when permits are needed before the accidental catch takes place? Suggest adding IFS (which seem to be poorly implemented). Need to help other Parties that have not yet been able to implement it.

Mexico (Emmanuel Rivera): Agree there is a need for a sharks/rays stream at the workshop, e.g. to examine developing NDFs for data-poor species, migratory species, regional stocks, IFS, and species taken in multi-species fisheries. Recommendations will also be made by the NDF WG.

TRAFFIC (Glenn Sant): co-chaired (with FAO) the Fishes NDF WG at Cancun I. This examined a broad spectrum of case studies across different taxa. Noted considerable overlap with invertebrate NDF group chaired by Vin Fleming. Pointed out that, in fact, there was more available background information on which to base NDFs for marine fishes and invertebrates than there was for most terrestrial taxa (e.g. snakes). Suggested that it might be useful at the next workshop to examine some taxon-specific case studies, possibly including sharks, to examine issues such as different approaches for NDFs for high seas species, a shared stock that is fished by several Parties, and stocks whose range is fished by only one Party (e.g. coastal species). Re. commercially-fished species, could consider common issues such as data-poor NDFs, including for taxa with different biology (e.g. sessile organisms such as precious corals).

WWF (Colman O’Criodain): Chaired the plenary during Cancun 1 and had a roving role across all the WGs, so have a different perspective. The landscape has changed significantly since then. A wider range of species is listed (sharks, sea cucumbers) and yet more taxa might be added during CoP19. Some NDF issues may not be unique to sharks. The organisers may not want to follow a rigid taxonomic format, but to consider synergies and cross-cutting issues between marine, commercially-fished taxa. Bycatch is now a much larger consideration, there are defined roles for IFS, and new issues are likely to come up.

Blue Resources Trust (Daniel Fernando): Would appreciate the opportunity to showcase at the Workshop the custom NDF software in development with support from Germany (see intervention in Section 1).

Other key points

- i. Parties that had not already done so were requested to send their shark and ray NDFs to the Secretariat, to share on the Sharks and Rays pages; these could be very useful to other Parties.
- ii. Providing a central source of conversion factors by species and by trade form (e.g. live weight:dressed carcass weight; live weight:fin weight) on the CITES website would be very helpful, including conversions from fresh (wet) to dried shark fins.
- iii. A reporting code is needed for fresh fins (e.g. FFN), recognising these are heavier than dried fins.

Discussion of Information Documents

TRAFFIC: (Glenn Sant): Inf Doc 15: TRAFFIC has produced 3D-printed shark fins for use in species identification training workshops, hence improving catch and landings records, which do not need CITES permits when shipped internationally. Software is freely available from TRAFFIC.

Germany (Timm Reinhardt): Inf Doc 18 is a report commissioned by Germany: IMPROVING SYNERGIES BETWEEN REGIONAL FISHERY BODIES AND CITES PARTIES FOR THE SUSTAINABLE CATCH, TRADE AND MANAGEMENT OF SHARKS. It includes a status report summarizing existing information on the conservation, trade and management status of CITES Appendix II-listed shark and ray species, and outlines the activities of Regional Fisheries Bodies (RFBs – advisory and management) for the conservation and management of pelagic shark and ray species. The report is addressed to both environment and fisheries authorities. It is the first product of an ongoing project by Germany to improve communication and synergies around the fishery management of sharks and rays and designed to support related initiatives of CITES and fisheries organisations. Colleagues are invited to read it and respond to the Scientific Authority of Germany <CITES-science-fauna@bfn.de>, and to get in touch if they want to be on the meeting invitation lists. Germany would be grateful if Inf. Doc. 18 and their proposed follow up meetings could be mentioned in the report of this Working Group.

Chair: would like to see RFMO representatives attending future meetings of the AC Shark Working Group.

FAO (Kim Friedman): We were in touch about Germany’s initiative about 2 years ago then heard nothing more. Inviting RFMOs to the AC Shark WG is a great idea. However, trust-building between people doesn’t happen at big meetings; smaller steps are more productive. We need to allow individuals to get to know each other by attending each other’s meetings, developing personal relationships, and building trust through small meetings. FAO is there to help and looks forward to playing an active role.

Germany (TR): Sorry for two-year silence, due to various unrelated issues and problems that delayed the project. We have been planning two to three small preliminary workshops this year, aiming to build trust between sectors, but the pandemic has interfered with plans. Will be in touch with more information asap.

Other issues:

Conversion factors. Mx has shared their conversion factors several times, in our reports to the AC Working Group, but believe that they should be compiled in just one place by the CITES Secretariat. A new Notification from the Secretariat could ask Parties for this information.

Collaboration with FAO

FAO (Kim Friedman): Presented information on relevant FAO activities, including under Decision from FAO COFI 34, 2021 mentioned above (<http://www.fao.org/3/ne907en/ne907en.pdf>), which requested that FAO continue to cooperate with CITES, IUCN and related fora, to help ensure that decisions made in these fora and their implementation are based on the best scientific and technical information available. KF suggested forming a project to make CITES more effective (including focus on subjects of common interest such as missing trade data, NDFs, IFS and shared stocks), including by bringing in RFMOs and players from other sectors, to more closely reflect what is happening on the water.

Secretariat (Juan Carlos Vasquez Murillo): The Food and Agricultural Organization of the United Nations (FAO) in collaboration with the Secretariat of the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) has published a new sourcebook to support the implementation of CITES in the fisheries context, with a focus on national fisheries legislation and related legal matters. The publication, titled "Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) through national fisheries legal frameworks: a study and a guide", was developed as part of the FAO-CITES collaboration, funded by the European Union (EU), and produced by the Development Law Service (LEGN) of FAO's Legal Office together with FAO's Fisheries and Aquaculture Department and the CITES Secretariat. It is available in English on the websites of CITES and FAO.
<http://www.fao.org/3/cb1906en/cb1906en.pdf>