

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

SHARKS AND RAYS (ELASMOBRANCHII SPP.)

Membership (as decided by the Committee)

- Members: representative for Asia (Mr. Mobaraki), representative for Central and South America and the Caribbean (Mr. Ramadori), representative for Oceania (Mr. Robertson) (Chair);
- Parties: Argentina, Australia, Bangladesh, Canada, Chile, China, Costa Rica, France, Gabon, Guatemala, Germany, India, Indonesia, Japan, Kenya, Malaysia, Mexico, Netherlands, Peru, Portugal, Republic of Korea, Senegal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America; and
- Observers: Convention on Migratory Species, Food and Agriculture Organization, International Union for Conservation of Nature, Bloom Association, Blue Resources Trust, Born Free USA, Conservation Analytics, Defenders of Wildlife, European Association of Zoos and Aquaria, Florida International University, Global Guardian Trust, Humane Society International, International Fund for Animal Welfare, Japan NUS Co. Ltd., Natural Resources Defense Council, OCEANA Inc., Save Our Seas Foundation, Sea Shepherd Legal, TRAFFIC, Wildlife Conservation Society, World Wide Fund for Nature, Zoological Society of London.

Mandate

The in-session working group shall:

- a) taking into consideration the following:
 - i) the CITES trade data analysis in document AC31 Doc. 25 and its addendum;
 - ii) the responses from Parties to Notification No. 2020/016 and its summary presented in information document AC31 Inf. 9 to questions A (new information on shark and ray conservation and management activities), B (the making of non-detriment findings), and D (the identification of CITES-listed shark-products in trade);
 - iii) the non-detriment findings (NDF) provided by Parties to the Notification; and
 - iv) new information on sharks and rays presented in document AC31 Doc. 25 and its addendum as well as any other relevant information;
- b) identify Decisions on sharks and rays (Decisions 18.218 to 18.225) that may merit revisions or renewal to extend the work beyond CoP19; and
- c) draft recommendations to integrate the development 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).

Recommendations

The working group recommends that the Animals Committee agree to the following:

- a) Invite the Standing Committee to review the results of the Secretariat's study on the apparent mismatch between trade in shark products, especially regarding Introduction from the Sea, if available, in fulfilment of Decision 18.221, paragraph a), at the 74th meeting of the Standing Committee.
- b) Invite the NDF workshop organizers to consider including a focus on sharks within the marine or aquatic species work stream to support the making of NDFs, in particular for data-poor, multi-species, shared and migratory stocks, small-scale artisanal, introduction from the sea and non-target (bycatch), recognising that sharks and rays are good examples of the challenges faced by Parties when preparing NDFs in these situations.
- c) Invite the Standing Committee to consider the inclusion of a new three letter code form (FFN) for registering trade in wet (fresh, chilled, frozen) fins of sharks in the *Guidelines for the preparation and submission of CITES annual illegal trade reports*.
- d) Collation of available national conversion factors used when estimating live catch weight by species, fishery, and product form for more accurate reporting of shark and ray trade data by Parties.
- e) Invite the Secretariat to encourage the regional fisheries management organization (RFMO) representatives to attend future meetings of the Animals Committee, in light of the recommendation from the meeting of the joint tuna RFMO (tRFMO) by-catch working group on sharks in December 2019 to 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.
- f) Note that the 34th Session of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations (FAO), held in February 2021, adopted the recommendation that FAO will continue cooperating with CITES and the International Union for Conservation of Nature (IUCN), including in 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.
- g) Encourage the Secretariat to continue close collaboration with FAO and undertake joint activities according to the Memorandum of Understanding between CITES and FAO signed in 2006.
- h) Note the benefits of close collaboration with FAO, and other relevant organizations and experts including TRAFFIC and the IUCN Species Survival Commission Shark Specialist Group (SSG) to assist the Secretariat in the study called for in Decision 18.221 paragraph a), and if necessary, Decision 19.DD, to understand trade in CITES-listed sharks and rays.
- i) Note that a compilation of the shark AC31 in-session working group contributions is available as ~~an Annex to this report and as an~~ information document AC31 Inf. 24.

The working group recommends that the following set of draft decisions be considered at SC74 (text proposed to be deleted from the CoP18 Decisions are in ~~strike through~~ and proposed new text is underlined):

Decision directed to Parties

19.AA Parties are encouraged to:

- a) provide brief information (with an executive summary not exceeding 200 words, if the report exceeds four pages) to the Secretariat, ~~in support of the study called for in Decision 18.221 paragraph a), including~~ in particular on any national management measures that prohibit commercial take or trade, and ~~in response~~ respond to the Notification called for in Decision 19.CC;
- b) in accordance with their national legislation, provide a brief report (with an executive summary not exceeding 200 words, if the report exceeds four pages) to the Secretariat about the assessment of stockpiles of shark parts and derivatives for CITES-listed species stored and obtained before the entry into force of the inclusion in CITES in order to control and monitor their trade, if applicable;
- c) respond to the Notification called for in Decision 19.CC and, share available national conversion factors used when estimating live catch weight by species, fishery, and product form for more

accurate reporting of shark and ray trade data by Parties and indicate whether and how these are used in the development of their non-detriment findings;

- ~~ed)~~ 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~~
- ~~de)~~ continue to support the implementation of the Convention for sharks, including by providing funding for the implementation of Decisions 19.BB, 19.DD and 19.EE, and consider seconding staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat; and
- f) actively collaborate to combat illegal trafficking in sharks and ray products by developing mechanisms for coordination between source, transit, and destination countries.

Decision directed to Secretariat

19.BB 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.

Decision directed to Secretariat

19.CC The Secretariat shall:

- a) issue a Notification to the Parties, inviting Parties to:
 - i) provide concise (with 200 word executive summary, if the report exceeds four pages) ~~summaries~~ new information on their shark and ray conservation and management activities, in particular:
 - A. the making of non-detriment findings;
 - B. the making of legal acquisition findings;
 - C. the identification and monitoring of CITES-listed shark-products in trade, in source, transit, and consumer Parties; and
 - D. recording stockpiles of commercial and/or pre-Convention shark parts and derivatives for CITES Appendix-II elasmobranch species and controlling the entry of these stocks into trade; and
 - ii) share with the Secretariat their NDFs and conversion factors used when estimating catch live weight through converting recorded shark landings and trade, where available, to post in the sharks and rays web portal;
 - iii) highlight any questions, concerns or difficulties Parties are having in writing or submitting documentation on authorized trade data (e.g. which units are used in reporting trade) for the CITES Trade Database;
- b) provide information from the CITES Trade Database on commercial trade in CITES-listed sharks and rays since 2010~~2000~~, sorted by species and, if possible, by product;
- c) invite non-Party, intergovernmental organizations and non-governmental organization observers to support Parties by providing concise information related to the above;
- ~~ed)~~ disseminate new or existing guidance identified by the Standing Committee, or newly developed, guidance on the control and monitoring of stockpiles of shark parts and derivatives pursuant to Decision 19.GG, paragraph b) ~~by the Standing Committee~~; and
- ~~de)~~ collate this information for the consideration of the Animals Committee and the Standing Committee.

Decision directed to Secretariat

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

- a) conduct a study to investigate 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; and
- b) bring the results of the study in paragraph a) and any proposed solutions to resolve this issue in the future to the attention of the Animals Committee or Standing Committee, as appropriate.

Decision directed to Secretariat

19.EE 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 is 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 from 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; and
- cd) bring the results of activities in paragraphs a) to be) to the attention of the Animals Committee or Standing Committee, as appropriate.

Decision directed to Animals Committee

19.FF 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) for CITES-listed shark species, in particular in data-poor, multi-species, small-scale/artisanal, and non-target (by-catch) situations, and for shared and migratory stocks, and introduction from the sea for CITES-listed shark species; and
- b) report the outcomes of its work under this Decision ~~18.223, paragraph a)~~ to the 20th^{19th} meeting of the Conference of the Parties.

Decision directed to Standing Committee

19.GG The Standing Committee shall consider:

- a) developing 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) developing new guidance or identifying 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 ~~18.224, paragraphs a) and b)~~ to the 20th^{19th} meeting of the Conference of the Parties.

Decision directed to Standing Committee, Animals Committee

19.HH The Animals Committee and Standing Committee shall analyse and review the results of any of the activities under Decisions 19.AA and 19.GG ~~brought to their attention by the Secretariat and with the~~

support of the Secretariat, prepare a joint report for the 20th~~19th~~ meeting of the Conference of the Parties on the implementation of these Decisions.