

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



Sixty-sixth meeting of the Standing Committee
Geneva (Switzerland), 11-15 January 2016

Interpretation and implementation of the Convention

Species trade and conservation

Sharks and rays

REPORT OF THE SECRETARIAT AND THE ANIMALS COMMITTEE

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

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

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

and

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

In the same Resolution, Parties are encouraged:

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

4. The Animals Committee addressed its mandate at its 27th and 28th meetings (AC27, Veracruz, April 2014; AC28, Tel Aviv, August 2015).

Reporting by the Animals Committee to SC65

5. The recommendations that the Animals Committee formulated at AC27 were conveyed to the Standing Committee at its 65th meeting (see document [SC65 Doc. 46](#)). They included the following requests from the Animals Committee to the Standing Committee (in paragraph 4, subparagraphs o) and p) of the document):
 - o) The Animals Committee requests the Standing Committee, at its 65th meeting, to consider relevant matters relating to the implementation of shark listings, including the following:

* *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.*

- i. New legislative issues that might arise in exporting, transit and consumer countries;
 - ii. Issues pertaining to chain of custody, including where in the trade chain it is considered essential to be able to identify the products in trade;
 - iii. Issues pertaining to legality of acquisition and introduction from the sea;
 - iv. Existing catch documentation and product certification schemes that could assist in the implementation of Appendix II shark listings; and
 - v. The role of Regional Fisheries Management Organisations.
- p) Both the Standing Committee and the Animals Committee should review the requirements that have been developed for the trade in processed product types of Appendix II species such as crocodile skins, caviar etc. and consider their applicability to shark products containing Appendix II species.
6. At SC65, the Standing Committee established an intersessional working group to address the issues indicated above, chaired by Colombia, and with the following members: Australia, China, Côte d'Ivoire, Germany, Japan, Mexico, New Zealand, Portugal, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, European Union, Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS Secretariat), United Nations Environment Programme – World Conservation Monitoring Centre (UNEP-WCMC), Defenders of Wildlife, Humane Society International, International Fund for Animal Welfare (IFAW), International Union for Conservation of Nature (IUCN), Pew Charitable Trusts, Species Survival Network, TRAFFIC, Wildlife Conservation Society and World Wildlife Fund (WWF).

Reporting by the Animals Committee to SC66

7. At AC28, the Animals Committee discussed the conservation and management of sharks, and the implementation of Resolution Conf. 12.6 (Rev. Cop16) on the basis of documents [AC28 Doc. 17.1.1](#), [Doc. 17.1.2](#) and [Doc. 17.2](#). It adopted recommendations concerning: non-detriment findings and conservation issues; collaboration with other relevant UN Bodies; regional Cooperation; new information for consideration by the 29th meeting of the Animals Committee (AC29); identification and traceability issues; by-catch of species listed in the CITES Appendices; small-scale and artisanal fisheries; and species-specific issues (see the Annex to this document).
8. Particular attention is drawn to the following recommendations emanating from AC28 that are addressed to the Standing Committee:

Collaboration with relevant UN Bodies

- *Recognising that several species of sharks and rays are listed in the Appendices of CITES and CMS, the Animals Committee asks the Standing Committee to remind Parties that CMS Parties should normally not be able to issue legal acquisition findings under CITES for the products of those species (e.g. Manta rays) listed in Appendix I of CMS. The Standing Committee should remind Parties that some RFMOs have conservation and management measures for sharks taken in their fisheries, including prohibitions on the retention or landing of certain CITES-listed shark and ray species. The Animals Committee requests the Secretariat to provide on the CITES Sharks and Rays Portal clear and regularly updated information on these additional measures for CITES-listed species.*

Identification and traceability issues

- *The Animals Committee recommends that the Standing Committee recognises the broad issues of identification and traceability and prioritizes those issues, during the deliberations of the Standing Committee's Intersessional Working Group on the Conservation and Management of Sharks and in its report to SC66.*

Species-specific issues

- *The Animals Committee recommends that the Standing Committee recognises problems of species identification, look-alike issues, and traceability raised by Parties at the Animals Committee, including for:*
 - i) *the Manta rays and closely related Mobula rays, and reminds Parties that these species may not normally be exported by CMS Parties because they are all listed in Appendix I of CMS; and*
 - ii) *the hammerhead sharks, and urges Parties to endeavor to identify hammerhead sharks to species level in fisheries and landings data.*

Activities of the Secretariat

9. In support of the mandate of the intersessional working group that the Standing Committee established at SC65, and specifically issues pertaining to the chain of custody for shark products, the Secretariat commissioned two studies on traceability systems under the European Union (EU)-CITES project "Strengthening capacity in developing countries for sustainable wildlife management and enhanced implementation of CITES wildlife trade regulations, with particular focus on commercially-exploited aquatic species". One study, undertaken by TRAFFIC, reviews CITES traceability schemes that have been developed for the trade in processed product types of Appendix-II species (see Information document to this meeting on this issue), while the other, undertaken by Dr. Heiner Lehr, reviews the market chain and traceability systems that are in place for other commercially exploited aquatic species (see Information document to this meeting on this issue). Both studies were made available to the Standing Committee's intersessional working group on 5 November for its further deliberations.
10. The EU-CITES project on commercially exploited aquatic species indicated above runs from 2013 to 2106. It has generated many activities at the global, regional and national level in support of the implementation of the shark and manta ray listings agreed at CoP16.
11. An overview of some of these activities, many of which are conducted in close collaboration with the Food and Agriculture Organization of the United Nations (FAO) and Regional Fisheries Management Organizations and Bodies, is presented in document [AC28 Doc. 17.1.1](#). Examples include: assessments of capacity-building needs in key shark-fishing nations; national legislative support; helping with the development or implementation of National Plans of Actions on Sharks; research on the traceability of shark products in trade; developing tools for species identification; and assistance with data collection and the making of non-detriment findings (NDFs).
12. Information on these and other shark-related actions is available through the shark portal website (<http://cites.org/prog/shark>). This dedicated and regularly updated website also serves as a repository for shark identification materials, reference and training resources, NDFs and guidance for making NDFs, and relevant publications, and features an events calendar.
13. Within the framework of the EU-CITES project, the Secretariat, in collaboration with FAO, finalized a set of standard presentations on topics pertaining to the CITES shark and manta ray listings, including on introduction from the sea. These are available through the shark portal website.
14. The Secretariat observes further that it has frequently been approached by Parties, asking for guidance on issues relating to introduction from the sea, including chartering (see document SC66 Doc. 33). It also received requests to facilitate or simplify the process for obtaining CITES documents for international movements of biological samples of CITES-listed sharks and other marine species when these samples are collected for research purposes in high seas fisheries.

Recommendations

15. The Standing Committee is invited to take note of this document and the information contained therein.
16. The Standing Committee is further invited to continue its considerations of the recommendations outlined in paragraph 5 above, and to consider the recommendations of the Animals Committee in paragraph 8.

Recommendations of the Animals Committee concerning
Conservation and management of sharks

Twenty-eighth meeting of the Animals Committee
Tel Aviv (Israel), 31 August-3 September 2015
[see document [AC28 Com. 9 \(Rev. by Sec.\)](#)]

Non-detriment findings and conservation issues

The Animals Committee **encourages** Parties, in the spirit of improving capacity, sharing information, and improving knowledge of regional harvest levels, to make their NDFs available to the Secretariat for posting on the CITES Sharks and Rays Portal.

The Animals Committee **encourages** Parties to take up Germany's offer to present NDF guidance at training workshops and to share feedback on the use of the guidance.

The Animals Committee **encourages** Parties to take note of the different approaches to making NDFs and the examples provided in the Sharks and Rays Portal.

The Animals Committee **notes** the availability of the rapid management-risk assessment (M-risk) method (AC27 Inf. 6) that could support the development of NDFs and be used to identify stocks and species of concern, and further **notes** that examples of the application of this methodology are available [e.g. in document AC28 Inf. 27 (Rev.)].

Collaboration with other relevant UN Bodies

The Animals Committee **congratulates** the Secretariat, FAO and CMS on their ongoing collaboration to date in relation to the implementation of the shark and ray Appendix II listings agreed at CoP16 and **requests** that this collaboration be continued and expanded.

Recognising that several species of sharks and rays are listed in the Appendices of CITES and CMS, the Animals Committee **asks** the Standing Committee to remind Parties that CMS Parties should normally not be able to issue legal acquisition findings under CITES for the products of those species (e.g. Manta rays) listed in Appendix I of CMS. The Standing Committee **should remind** Parties that some RFMOs have conservation and management measures for sharks taken in their fisheries, including prohibitions on the retention or landing of certain CITES-listed shark and ray species. The Animals Committee **requests** the Secretariat to provide on the CITES Sharks and Rays Portal clear and regularly updated information on these additional measures for CITES-listed species.

The Animals Committee **recommends** that the Secretariat continues to expand its collaboration with FAO and RFBs, and post relevant studies and reports related to the conservation and management of CITES-listed shark species on the Sharks and Rays Portal.

The Animals Committee **recommends** that the CITES Secretariat, FAO, and interested Parties and international organizations collaborate to report progress on implementation of the CITES shark and ray listings to the 32nd Session of the FAO's Committee on Fisheries in 2016, and to the CITES CoP 17, also in 2016.

The Animals Committee **directs** the Secretariat to **draw to the attention** of Parties and FAO, in the context of the finalisation of FAO's Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines), that CITES listed species occur in small scale fisheries and that NDFs will need to be prepared if the products of those fisheries enter international trade.

Regional Cooperation

The Animals Committee **recommends** that the Secretariat seek funding to address some of the important issues raised at regional implementation meetings (Casablanca, Dakar and Xiamen) that are found in Annex 1 to this report.

The Animals Committee **urges** Parties that are also Members of Regional Fisheries Bodies to work through the respective mechanisms of these RFBs, particularly where sharks are taken pursuant to Regional Fisheries Management Organization (RFMO) fisheries, and to adopt and implement conservation and management measures for CITES-listed shark species, if they have not yet done so.

The Animals Committee **urges** all Parties that are also Members of Regional Fisheries Bodies to encourage the RFBs to make CITES-listed species a priority for data collection, data collation and stock assessments, and to provide these data to their Members.

The Animals Committee **urges** Parties to cooperate regionally with research, stock assessments, data sharing, and analysis, to help Parties to develop legal acquisition findings and NDFs for shared stocks.

The Animals Committee **urges** Parties to continue to cooperate regionally on training initiatives for CITES Authorities, fisheries staff and Customs officers, in cooperation with the CITES and FAO Secretariats.

New information for consideration by AC 29

The Animals Committee **directs** the CITES Secretariat issue a notification similar to 2015/027, **requesting** Parties to provide new information prior to AC 29 on their national legislation and shark and ray activities.

The Animals Committee **directs** the Secretariat to post a list of CITES Parties that have adopted stricter domestic measures for CITES-listed shark and ray species, the species that are covered in this way, the dates of these measures, and links to the measures, including:

Legal protection for CITES-listed shark and ray species;

Zero quotas for CITES-listed shark and ray species;

Parties to CMS that have agreed to protect CMS Appendix I species;

Members of RFMOs with measures that prohibit retention, landing, or trade of CITES-listed species.

The Animals Committee **requests** the Secretariat to provide a summary of the information from the CITES trade database on levels of trade since September 2014 in its report to AC 29.

Identification and traceability issues

Recognising that improving traceability from catch to consumer is critical, the Animals Committee **urges** the CITES Secretariat to work with FAO to explore extending the existing iSharkFin tool to the identification of dried and skinned shark fins; and with the World Customs Organization to expand Customs Codes for species and product categories.

The Animals Committee **urges** Parties to share knowledge of the techniques for DNA testing of shark species to allow rapid and cost-effective identification of shark products.

The Animals Committee **recommends** the Standing Committee recognises the broad issues of identification and traceability and prioritizes those issues, during the deliberations of the Standing Committee's Intersessional Working Group on the Conservation and Management of Sharks and in its report to SC66.

Bycatch of species listed in the CITES Appendices

The Animals Committee **urges** Parties and Regional Fisheries Bodies to develop and improve methods to avoid bycatch of sharks and rays (particularly where retention, landing, and sale of these species is normally prohibited under CMS or RFMO requirements) and reduce their mortality, including by exploring gear selectivity and improved techniques for live release.

Small-scale and artisanal fisheries

Recognising that CITES-listed species (particularly hammerhead sharks) form an important component of small-scale fisheries catches, the Animals Committee **encourages** Parties to exchange information on how the impact of artisanal fishing on total mortality is taken into consideration in the development of NDFs.

Species-specific issues

The Animals Committee **recommends** that the Standing Committee recognises problems of species identification, look-alike issues, and traceability raised by Parties at the Animals Committee, including for:

the Manta rays and closely related *Mobula* rays, and **reminds** Parties that these species may not normally be exported by CMS Parties because they are all listed in Appendix I of CMS; and

the hammerhead sharks, and **urges** Parties to endeavor to identify hammerhead sharks to species level in fisheries and landings data.