

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



Seventieth meeting of the Standing Committee
Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018

Species specific matters

Sharks and rays (Elasmobranchii spp.)

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.
2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted Decisions on *Sharks and rays (Elasmobranchii spp.)*, as follows:

Directed to Parties

17.209 *Parties are encouraged to:*

- a) *undertake broad national consultations with all stakeholders concerning the implementation of CITES provisions for trade in species of Elasmobranchii included in the CITES Appendices, including industries involved in the harvest, export or import of the listed species; and involve in relevant meetings, events and processes CITES officials and fisheries officials, and representatives of relevant Regional Fisheries Management Organisations/Bodies (RFMO/RFBs) wherever possible and where limited capacity on fisheries management exists in the CITES authorities;*
- b) *share experiences and examples of making non-detriment findings for trade in CITES-listed sharks and rays including, where appropriate, how artisanal fishing is taken into consideration, and communicate them to the Secretariat for publication on the CITES Sharks and Rays Portal (<https://cites.org/prog/shark>) in order to improve capacity and knowledge of national and regional harvest levels and management measures;*
- c) *strengthen the efforts of exporting Parties in developing non-detriment findings for sharks and rays by sharing good practise and providing financial and other assistance, and consider in this regard Germany's offer to support training workshops on the application of the Shark NDF Guidance developed by the German Scientific Authority and available on the CITES Sharks and Rays Portal (<https://cites.org/prog/shark>);*
- d) *continue improving the collection of fisheries and trade data at the species level, especially with respect to CITES-listed species;*
- e) *share experiences with, and knowledge of, forensic means to efficiently, reliably and cost-effectively identify shark products in trade; and*
- f) *provide funding for a dedicated marine officer position in the CITES Secretariat, and consider seconding, or externally funding, additional staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat.*

Directed to the Secretariat

17.210 The Secretariat shall:

- a) *make guidance materials available for the identification of CITES-listed sharks and rays, including fins and other products and derivatives, on the CITES Sharks and Rays Portal, and the sharing of genetic testing protocols and other forensic approaches; and*
- b) *remind Parties that CITES-listed Elasmobranchii occur in small scale fisheries and that NDFs will need to be made if the products of these fisheries enter international trade, and draw their attention in this regard to the Food and Agriculture Organization of the United Nations (FAO)'s Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines), which offer principles and guidance for small-scale fisheries governance and development.*

17.211 The Secretariat shall:

- a) *issue a notification, requesting Parties to provide new information on their shark and ray conservation and management activities, including legislation, and make the responses available to the Animals Committee for its consideration; and*
- b) *provide a summary of information in the CITES trade database on trade in CITES-listed sharks and rays since 2000 for consideration by the Animals Committee.*

17.212 *Recognizing the continued requests from Parties for assistance in implementing Appendix-II shark and ray listings, and the need for further capacity building activities in this regard, the Secretariat shall seek additional funding to address the capacity needs raised at regional implementation meetings (Casablanca, Dakar and Xiamen)¹ and identified in the course of the 2013-2016 EU-CITES project.*

Directed to the Secretariat and to the Food and Agriculture Organization of the United Nations (FAO)

17.213 *The CITES and the Food and Agriculture Organization of the United Nations (FAO) Secretariats are invited to continue and expand their collaboration concerning the conservation of and trade in sharks and rays, in particular by:*

- a) *exploring options for using the existing iSharkFin tool for the identification of dried and skinned shark fins;*
- b) *working with the World Customs Organization to expand customs codes for shark and ray species and product categories;*
- c) *making relevant studies and information relating to the conservation and management of CITES-listed shark species available on the CITES sharks and rays portal;*
- d) *maintaining and improving the database of measures on conservation and management of sharks, with the aim to provide a user-friendly overview of stricter domestic measures adopted by CITES Parties 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:*
 - i) *Legal protection for CITES-listed shark and ray species;*
 - ii) *Zero quotas for CITES-listed shark and ray species;*
 - iii) *Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) that have agreed to protect CMS Appendix I species; and*

¹ See Annex 1 of document AC28 Com. 9.

- iv) *Members of RFMOs with measures that prohibit retention, landing, or trade of CITES-listed species; and*
- e) *continuing to support the development and application of guidance and capacity building tools for making NDFs, in particular for situations where data availability is low, the fishery is mostly artisanal, sharks are caught as bycatch, or where catches concern sharks that are part of shared stocks, and, upon request, supporting Parties with targeted advice to ensure compliance with Article IV for trade in CITES Appendix-II listed sharks and rays.*

Directed to Parties that are members of Regional Fisheries Organizations or Bodies

17.214 *Parties that are also members of Regional Fisheries Management Organizations or Bodies (RFMOs/RFBs) are urged to:*

- a) *work through the respective mechanisms of these RFMOs/RFBs to develop and improve methods to avoid bycatch of sharks and rays, where retention, landing, and sale of these species is prohibited under RFMO requirements, and reduce their mortality, including by exploring gear selectivity and improved techniques for live release;*
- b) *encourage the RFMOs/RFBs to consider making CITES-listed species a priority for data collection, data collation and stock assessments among non-target species, and provide these data to their members; and*
- c) *cooperate regionally on research, stock assessments, data sharing and analysis to help Parties making legal acquisition findings and NDFs for shared stocks, and on training initiatives for CITES Authorities, fisheries staff and customs officers, in cooperation with the CITES and FAO Secretariats.*

Directed to Parties that are also Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and/or the Memorandum of Understanding on the Conservation of Migratory Sharks (CMS Sharks MoU)

17.215 *Parties that are also Parties to CMS and/or the Memorandum of Understanding on the Conservation of Migratory Sharks (CMS Sharks MoU) are urged to work through the mechanisms of CMS and the Sharks MoU to develop and improve methods for conservation of sharks and rays.*

Directed to the Standing Committee

17.216 *On the basis of information provided by the Secretariat and the Animals Committee, the Standing Committee shall consider issues concerning the conservation and management of sharks and rays, and provide guidance as appropriate, pertaining to:*

- a) *legislative matters that might arise in exporting, transit or consumer countries, and those relating to legality of acquisition and introduction from the sea;*
- b) *identification and traceability, taking into consideration requirements that have been developed for the trade in specimens of other Appendix-II species, and their applicability to specimens of CITES-listed sharks and rays in trade;*
- c) *conservation and management measures for sharks and rays taken by Regional Fisheries Management Organisations; and*
- d) *coherence of CITES provisions concerning sharks and rays with conservation and management measures of other relevant multilateral environmental agreements;*

The Standing Committee shall report on the implementation of this decision, with recommendations as appropriate, at the 18th meeting of the Conference of the Parties.

3. Based on the report of the Secretariat in document [SC69 Doc. 50](#), the Standing Committee established at its 69th meeting (SC69; Geneva, November 2017) an intersessional working group to facilitate the

implementation of Decision 17.216. The report of that intersessional working group is contained in document SC70 Doc. 48.1.

4. The purpose of this document is to inform about additional shark and ray-related initiatives that have taken place between SC69 and August 2018, and is provided as requested in, and to facilitate implementation of, Decision 17.216 by the Standing Committee.

Implementation by the Animals Committee of relevant provisions in Resolution Conf.12.6 (Rev. CoP17)

5. The Conference of the Parties, in Resolution Conf. 12.6 (Rev. CoP17) on *Conservation and management of sharks*, paragraphs 2, 9 and 14:

2. *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; [...]*

9. *DIRECTS the Animals Committee to make species-specific recommendations at meetings of the Conference of the Parties if necessary on improving the conservation status of sharks; [...]*

and

14. *DIRECTS the Animals Committee to report progress on shark and ray activities at the meetings of the Conference of the Parties.*

6. In implementing this mandate, the Animals Committee, at its 30th meeting (AC30, Geneva, July 2018), reviewed new available information, including submissions by 13 Parties and three non-governmental stakeholders, contained in [Annex 1 of document AC30 Doc. 20](#), and summarized in [document AC30 Inf. 21](#).

7. The Animals Committee adopted the recommendations shown in document [AC30 Com. 8 \(Rev. by Sec.\)](#) which it will present to CoP18 in accordance with the Resolution.

8. The Secretariat draws the Standing Committee's attention to recommendation 16 in document [AC30 Com. 8 \(Rev. by Sec.\)](#), which is addressed to the Standing Committee as follows:

The Animals Committee requests the Standing Committee to consider look-alike issues for implementation issues of CITES-listed hammerhead species and make recommendations, as appropriate, to CoP18.

9. The Animals Committee also concluded that Resolution Conf.12.6 (Rev. CoP17) is in need of updating, and invited the Secretariat to develop amendments as needed for consideration at the 18th meeting of the Conference of the Parties (CoP18), as follows:

The Animals Committee recommends that CITES Resolution Conf. 12.6 (Rev CoP 17) on the Conservation and Management of sharks be updated and reviewed, and invites the Secretariat to propose amendments to this Resolution for consideration of CoP18, also taking into account any discussions or recommendations in the Standing Committee. The Animals Committee recommends that the amendments should in particular include provisions designed to guide Parties in their implementation of the Convention for CITES-listed shark species especially on:

- i. The making of NDFs and the sharing of information on NDFs;*

- ii. Improving reporting on trade in shark products; and*

- iii. Ways to ensure better traceability of shark products in trade.*

Capacity building assistance and continued collaboration with the Food and Agriculture Organization (FAO) (Decisions 17.212 and 17.213)

10. Regarding Decision 17.212, the Secretariat is pleased to report that it has concluded a small-scale funding agreement with the South East Asian Fisheries Development Center (SEAFDEC) under the umbrella project entitled "Implementation of CITES CoP17 Resolutions and Decisions", generously supported by the European Union. The activities conducted by SEAFDEC in the framework of this agreement will support four

Parties (provisionally: Cambodia, Myanmar, the Philippines and Viet Nam) in setting up data collection systems for shark and ray catches at the species level, and support three Parties (provisionally: Indonesia, Malaysia and Thailand) in the development of non-detriment findings.

11. The activities mentioned in paragraph 10 above build on a previous joint activity of CITES with SEAFDEC under the 2013-2016 EU-CITES project, after which an FAO-led assessment² of the impacts of CITES on South East Asian shark fisheries found that CITES had a small, but measurable, impact in improving several aspects of these fisheries, in particular governance. The new activities are scoped to address, among other things, remaining challenges identified in the assessment.
12. The Secretariat is pleased to report that it has also concluded a UN-UN Agreement with FAO under the same umbrella project. The activities to be conducted by FAO pursuant to this agreement will, among others, support the implementation of Decisions 17.210, paragraph b), and 17.213, paragraphs a), d) and e).

Recommendations

13. The Standing Committee is invited to consider the information contained in this document in conjunction with the report of its intersessional working group in document SC70 Doc. 48.1 in implementing its mandate pursuant to Decision 17.216.
14. The Standing Committee is further invited to highlight any additional areas or subject matters in Resolution Conf. 12.6 (Rev. CoP17) that it considers to be in need of updating, so that the Secretariat can take these into account in any proposal to revise that Resolution which it will submit to CoP18.

² <https://doi.org/10.1111/faf.12281>