

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

Twelfth meeting of the Conference of the Parties
Santiago (Chile), 3-15 November 2002

Interpretation and implementation of the Convention

Species trade and conservation issues

Conservation of sharks

CONSERVATION OF AND TRADE IN SHARKS

The attached document has been submitted by Ecuador.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat recognizes the concerns that gave rise to the draft resolution in the annex to the present document, as also reflected in its comments on document CoP12 Doc. 41.1, but has the following observations on the following elements of the operative part of the draft resolution presented in the annex to the present document:

URGES Regional Fisheries Management Organizations to take steps to undertake, on a regional basis, the research, training, data collection, data analysis and shark management plan development outlined by FAO as necessary to implement the IPOA-Sharks;

While the Secretariat may agree with the intent of the paragraph, it will be more appropriate for the appropriate FAO body to request such action from Regional Fisheries Management Organizations with which it is affiliated.

DIRECTS the Secretariat, in liaison with FAO, to commission the preparation of an ongoing report on the biological, fishery and trade status of the highly migratory and straddling stocks of sharks listed in the UN Fish Stocks Agreement and to focus on 10 species at a time for consideration at each meeting of the Animals Committee;

It is not clear what is meant by an ongoing report, and it is not clear which or how many stocks would be involved. The reference to the listing of stocks of sharks in the United Nations Fish Stock Agreement appears to be incorrect, but such stocks are included in Annex I to the United Nations Convention on the Law of the Sea. Furthermore, the proposal has significant budgetary and time implications for the Secretariat, and the Conference of the Parties needs to consider that a significant volume of work of this nature, on species that are not included in the Appendices of CITES will inevitably draw resources away from other obligations. It seems important, in view of current concerns, to assess the status of highly migratory and straddling stocks of sharks, but it seems to be more appropriate to request that such an assessment be conducted under the auspices of FAO in view of its specific competence in this field. The full implications of such a request are not clear and the Secretariat is not proposing a draft decision in this regard to request FAO to conduct such an assessment, as it seems to be more appropriate to discuss this option in the appropriate forum of FAO.

FURTHER DIRECTS the Animals Committee – in the event that any shark species are listed in Appendix II at the 12th meeting of the Conference of the Parties – to prioritize these species within the Review of Significant Trade;

This paragraph is in conflict with the procedure for selection of species for inclusion by the Animals Committee in its Review of Significant Trade (see document CoP12 Doc. 48.1), and the limited availability of trade data for a recently listed species presents a considerable problem in the review process.

B. Concerning the paragraph:

REQUESTS Management Authorities to collaborate with their national Customs authorities to expand their current classification system to allow for the collection of detailed data on shark trade including, where possible, separate categories for processed and unprocessed products, for meat, cartilage, skin and fins, and to distinguish imports, exports and re-exports. Wherever possible these data should be species-specific.

The Secretariat considers this to be a useful suggestion which may help to overcome the difficulties encountered with the establishment of harmonized Customs codes for trades in shark specimens at the global level through the World Customs Organization.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Conservation of and trade in sharks

RECOGNIZING that sharks are particularly vulnerable to overexploitation owing to their late maturity, longevity and low fecundity;

CONCERNED that some shark species are heavily utilized around the world for international trade in their fins, skins and meat, and that most shark stocks remain unmanaged and their utilization unmonitored;

RECOGNIZING that unregulated fishing of sharks, including bycatch, is the most important threat to shark conservation;

NOTING that levels of exploitation in some cases are unsustainable and may be detrimental to the long-term survival of certain shark species;

RECOGNIZING that there is growing international concern about the conservation threats to sharks, which has been addressed through unilateral action, as well as by multilateral agreements and organizations;

NOTING that the World Conservation Union's (IUCN) Red List of Threatened Species (2000) lists 79 shark taxa (from the 10 per cent of taxa for which Red List assessments have been made);

NOTING that the United Nations Convention on the Law of the Sea (UNCLOS) has called for international cooperation on conservation and utilization of sharks listed on Annex 1 of UNCLOS;

NOTING that two shark species are currently listed in Appendix III of CITES;

NOTING that, at the 23rd session of the Food and Agriculture Organization Committee on Fisheries (COFI), held in February 1999, the Code of Conduct for Responsible Fisheries and the International Plan of Action (IPOA) on the Conservation and Management of Sharks (IPOA-Sharks) were agreed;

CONSIDERING that the Conference of the Parties has competence to consider any species subject to international trade;

RECOGNIZING that, since the ninth meeting of the Conference of the Parties, CITES has sought to address the conservation of and trade in shark species through Resolution Conf. 9.17, repealed at the 10th meeting of the Conference of the Parties, and a number of decisions, including Dec. 11.94 directed to the Animals Committee, to maintain liaison with FAO COFI, and Dec. 11.151 directed to the Secretariat, to liaise with the World Customs Organization to promote methods of distinguishing shark parts and derivatives in trade;

CONCERNED that, despite these efforts, sharks continue to be poorly managed and overexploited for international trade;

OBSERVING that, of the 113 FAO member countries that report their shark landings to the FAO, just 29 have reported any progress with IPOA implementation, and only five of these have provided documentation of such progress in the form of Shark Assessment Reports or National Plans of Action;

WELCOMING a decision adopted at the 18th meeting of the CITES Animals Committee that CITES should continue to contribute to international efforts to address shark conservation and trade concerns, including by assisting FAO Parties in the implementation of the IPOA-sharks, particularly with respect to international trade in sharks and parts and derivatives thereof;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that a lack of progress in the development of the FAO IPOA-Sharks is not a legitimate scientific justification for a lack of further substantive action on shark trade issues within the CITES forum;

DIRECTS the Secretariat to raise with FAO concerns over the significant lack of progress in implementing the IPOA-sharks and to urge FAO to take steps to encourage the implementation of the IPOA;

URGES Parties to comply fully with the FAO IPOA-sharks by the 13th meeting of the Conference of the Parties and to report to the Secretariat on progress made;

DIRECTS the Chairman of the Animals Committee to maintain liaison with FAO COFI in monitoring the implementation of the IPOA-sharks and to report on progress at the 13th meeting of the Conference of Parties;

URGES Regional Fisheries Management Organizations to take steps to undertake, on a regional basis, the research, training, data collection, data analysis and shark management plan development outlined by FAO as necessary to implement the IPOA-Sharks;

DIRECTS the Secretariat, in liaison with FAO, to commission the preparation of an ongoing report on the biological, fishery and trade status of the highly migratory and straddling stocks of sharks listed in the UN Fish Stocks Agreement and to focus on 10 species at a time for consideration at each meeting of the Animals Committee;

DIRECTS the Animals Committee to review this report and make species-specific recommendations at the 13th meeting and subsequent meetings of the Conference of the Parties on improving the conservation status and regulation of international trade in these species;

FURTHER DIRECTS the Animals Committee – in the event that any shark species are listed in Appendix II at the 12th meeting of the Conference of the Parties – to prioritize these species within the Review of Significant Trade; and

REQUESTS Management Authorities to collaborate with their national Customs authorities to expand their current classification system to allow for the collection of detailed data on shark trade including, where possible, separate categories for processed and unprocessed products, for meat, cartilage, skin and fins, and to distinguish imports, exports and re-exports. Wherever possible these data should be species-specific.