

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



Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

Interpretation and implementation of the Convention

Species trade and conservation issues

Sharks

ADDITIONAL CONSERVATION MEASURES

1. This document has been submitted by Australia.
2. Illegal, Unregulated and Unreported (IUU) shark fishing threatens not only many shark species, but also marine ecosystems, the survival of threatened species, and to a degree may impact on the viability of legal, sustainably managed shark fisheries. Much of the IUU fishing involves shark finning to supply the lucrative trade in shark fins.
3. As a multilateral treaty aimed at protecting, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) has the potential to become a valuable tool among broader efforts to curb IUU shark fishing. CITES can, and should, complement more traditional fisheries management and taken together, CITES and fisheries management could move shark fisheries towards being a sustainable industry.
4. The report of the Animals Committee for the present meeting (document CoP14 Doc. 59.1) contains a number of suggestions for consideration. Australia considers that while these suggestions are a useful addition to global efforts to protect and conserve sharks, there are additional steps that could be taken by CITES. As a result, Australia proposes a number of additional measures to be considered under the agenda item addressing sharks.

Recommendation

5. Australia recommends that Parties adopt the draft decisions on sharks in the Annex.

COMMENTS FROM THE SECRETARIAT

- A. The measures directed to Parties that are proposed in the Annex to this document overlap considerably those formulated by the Animals Committee in document CoP14 Doc. 59.1 and those contained in Resolution Conf. 12.6 (Conservation and management of sharks). This is the case for the suggestions concerning the development of National Plans of Action for the Conservation and Management of Shark Stocks (NPOA-Sharks), the time-bound implementation of the International Plan of Action on the Conservation and Management of Sharks (IPOA-Sharks), the improvement of species-specific monitoring and reporting, and support by the Food and Agriculture Organization of the United Nations (FAO) to countries in their management of shark fisheries. Adopting the draft decisions in their current form would therefore probably create significant confusion and duplication of efforts. Newly proposed actions, such as encouraging States to report to the Committee on Fisheries (COFI) of FAO on their development and implementation of NPOA-Sharks, and directing

Parties to request through their delegations at the 28th Session of COFI that the fields included in COFI catch data reports be amended, would better be dealt with by FAO itself.

- B. It is unclear in the draft decisions directed to the Animals Committee and the Secretariat why a technical workshop would be required for the production of a discussion document based on information prepared by the Secretariat. The Secretariat also questions the need to create another reporting form in view of the difficulties that States experience in complying with existing shark reporting obligations. More importantly, these draft decisions duplicate similar proposals in document CoP14 Doc. 59.1 which are part of a comprehensive series of interconnected measures that more clearly build on the existing work and mandate of the Animals Committee, and the Memorandum of Understanding between the CITES Secretariat and FAO.
- C. The Secretariat proposes that the draft decisions in the Annex to this document be taken into consideration when discussing document CoP14. Doc. 59.1. In its comments on the latter, the Secretariat suggests that a working group be established to review the draft decisions contained in document CoP14. Doc. 59.1. It would seem important that Australia participate in such a working group if it were to be created.

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

Directed to Parties

14.XX Parties should:

- a) note that the top 20 shark fishing countries in 2003¹ using the Food and Agriculture Organization of the United Nations (FAO) Committee of Fisheries (COFI) data and in descending order of effort are Indonesia; Taiwan, Province of China; India; Spain; the United States of America; Pakistan; Argentina; Mexico; Malaysia; Japan; Thailand; France; Sri Lanka; the United Kingdom of Great Britain and Northern Ireland; New Zealand; Portugal; the Islamic Republic of Iran; Nigeria; Brazil; and the Republic of Korea and note that only four of these countries (China, Japan, the United Kingdom and the United States) have developed National Plans of Action – Sharks (NPOA-Sharks);
- b) strongly encourage the remaining 16 of the top 20 shark fishing countries to develop and implement NPOA-Sharks and report on progress at the 28th Session of COFI;
- c) strongly encourage all other shark fishing countries to develop and fully implement NPOA-Sharks, noting that this step towards implementing the International Plan Of Action for Sharks (IPOA-Sharks) would contribute significantly to data collection and management intervention;
- d) request, through their delegations to regional fishing management organizations, that these organizations develop and implement regional plans of action, as called for in the IPOA-Sharks, by mid-2009 and that such plans include, *inter alia*, the adoption of conservation measures, where such measures do not already exist², which require that, if fins are permitted to be removed from the shark's trunk, a ratio of fin weight to carcass be applied with generic ratios not exceeding 5 % (based on the wet weight of the primary fin set of the dressed weight) or 2 % whole weight be landed, to assist in species identification;
- e) greatly improve their data collection and reporting to FAO, and relevant fisheries management bodies, of catches and landings of and trade in sharks, at the species level where possible, and the establishment of systems to provide verification of catch information;
- f) request through their delegations at the 28th Session of COFI, that COFI catch data reporting fields be amended to require the reporting of shark catches and discards by species, so that a more accurate picture of shark mortality through fishing can be achieved; and
- g) call on FAO, through their delegations to COFI, to facilitate greater support for countries whose capacity to manage their shark fisheries is limited.

Directed to the Animals Committee

14.XX The Animals Committee shall:

- a) review, with the assistance of COFI and other experts as may be needed, the outcomes of the technical workshop convened by the Secretariat concerning trade in shark products; and

¹ As identified in *World Shark Catch, Production & Trade 1990 – 2003 (TRAFFIC Oceania 2006)*.

² IOTC, ICCAT, IATTC and WCPFC have already adopted such shark finning measures.

- b) prepare, for consideration at the 15th meeting of the Conference of the Parties, a discussion paper which:
 - i) includes an analysis of the scale of shark mortality from legal, including artisanal and industrial fleets, and illegal, unreported and unregulated (IUU) fishing activities and their relative contributions to such mortality;
 - ii) identifies where significant reductions in catch of shark species have occurred and undertakes a further analysis of the available information to identify the cause of this reduction;
 - iii) identifies suitable trade measures that would enhance the sustainable management of shark species, by reducing or maintaining the trade in shark products below the level that would be detrimental to the survival of shark species in the wild; and
 - iv) includes a proposed data collection form for Parties to report seizures of IUU caught sharks and shark products to both the CITES Secretariat and COFI as a way to gain a more comprehensive understanding of the extent of IUU fishing for sharks, and encourages its use by all CITES Parties and COFI members.

Directed to the Secretariat

14.XX The Secretariat shall:

- a) convene, in cooperation with the Secretariat of COFI, a technical workshop to assist the Animals Committee to produce the discussion paper for the 15th meeting of the Conference of the Parties; and
- b) contract the preparation of a document(s) for discussion at the technical workshop which will include information necessary for the production of the Animals Committee's discussion paper for the 15th meeting of the Conference of the Parties.