

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

Summary record of the eighth session of Committee I

8 June 2007: 14h00-15h55

Chairman: Greg Leach (Australia)

Secretariat: T. De Meulenaer  
D. Morgan  
M. Schmidt

Rapporteurs: P. De Angelis  
C. McLardy  
J. Hepp

**Interpretation and implementation of the Convention**

**Amendment of the Appendices**

68. Proposals to amend Appendices I and II

The Chairman reopened debate on proposal CoP14 Prop. 15 regarding the inclusion in Appendix II of *Lamna nasus*. China stated they felt the proposal was not in line with the Memorandum of Understanding (MoU) between the Food and Agriculture Organization of the United Nations (FAO) and CITES, and noted potential problems with enforcement due to a lack of identification methods. China and Guinea concurred with findings of the FAO *ad hoc* Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II and did not support the proposal. China, Japan and Singapore, supported by statements from Species Management Specialists and Sharkfin and Marine Products Association Limited, reported that the most vulnerable stock was traded internally within the European Community and would not benefit from the regulatory controls provided by an Appendix-II listing. These Parties, as well as Indonesia, suggested enhancing efforts of national or regional fishery management organizations (RFMOs) to manage *Lamna nasus*.

FAO stated that after reviewing document CoP14 Inf. 48, they continued to support their *ad hoc* Expert Advisory Panel recommendations, and suggested urgent management was needed for depleted stocks. They encouraged Parties to establish National Plans of Action for the Conservation and Management of Sharks (NPOA-Sharks).

Greenpeace International, also on behalf of Humane Society International, Ocean Conservancy, Shark Alliance and the Species Survival Network, remarked that an Appendix-II listing was an effective method of halting population declines that were the result of overexploitation, and offered support for this proposal as well as for proposals CoP14 Prop. 16 and Prop. 17. WWF and TRAFFIC shared this view, and noted that they agreed with the findings in document CoP14 Inf. 48. Sharkfin and

Marine Products Association Limited suggested implementation problems could exist for Parties because of identification difficulties and a lack of guidelines to issue non-detriment findings.

Germany, on behalf of the European Community and its Member States, offered additional clarifications regarding the proposal, emphasized that the criteria in Resolution Conf. 9.24 (Rev. CoP13) Annex 2 a had been met and stressed that an inclusion in Appendix II would not result in a moratorium on trade. They noted that an 18-month delay would rather provide a period in which implementation issues could be addressed. They offered support for workshops to address such issues and noted that a relatively quick and inexpensive DNA test had been developed for *Lamna nasus*. They also elaborated on the European Commission's efforts to increase management of stocks in the Northeast Atlantic, noted the development of NPOA-Sharks, and remarked that under the proposed listing, international trade data would be generated for use by Parties, FAO and other organizations. Germany proposed that the matter be put to a vote. Iceland requested a secret ballot, but this was not accepted as it was supported by seven Parties only, while the Rules of Procedure require a minimum of 10.

The result of a vote on the proposal was 54 in favour, 39 against and 12 abstentions (vote 1) and thus the proposal was rejected. Luxemburg requested that their vote in favour be recorded as they believed that the voting equipment was faulty. Israel requested for a role call vote because of the technical difficulties, but the Chairman stated such a request should have been made prior to the vote.

Germany, on behalf of the European Community and its Member States, introduced proposal CoP14 Prop. 16 regarding the listing in Appendix II of *Squalus acanthias*. They stressed that in addition to fishery management, an Appendix-II listing would be a complementary mechanism for monitoring trade in specimens of this species and for ensuring that trade in this species only takes place in specimens taken from sustainably managed populations. Germany clarified that an identification guide for *Squalus acanthias* to identify meat and other parts by DNA analysis was available, that a guide to identify fins would soon be, and that the suggested 18-month delay in implementation was intended to allow Parties sufficient time to resolve issues, such as the designation of additional Management and Scientific Authorities.

The United States of America, as a range State, supported the proposal and expressed concern over the depletion of shark populations globally. They believed that national efforts or RFMOs should be the primary mechanism for management of sharks, but recognized the role of CITES where these failed. Mexico and Kenya supported the proposal, as did the Ocean Conservancy also on behalf of the Shark Alliance and Greenpeace International, noting the inherent vulnerability of the species.

Algeria, Canada, China, Guinea, Japan and Norway allied themselves with the view of the FAO *ad hoc* Experts Advisory Panel and believed that globally, there was insufficient evidence to demonstrate that the species met the decline criteria outlined in Resolution Conf. 9.24 (Rev. CoP13). They questioned whether an Appendix-II listing would have any impact on the Northeast Atlantic population, noting that CITES permits would not be required for the majority of trade which occurred within the European Community. They did not support the proposal, and with Southeast Asian Fisheries Development Centre, encouraged range States to develop and implement regional fishery measures to ensure sustainable use. Argentina, as a range State, explained the characteristics of fishing of this species in the south-west Atlantic and, taking note of the general agreement of the countries in the region of Central and South America and the Caribbean, were opposed to the proposal.

New Zealand echoed the views of Canada, and observed that *Squalus acanthias* was the most abundant of all shark species. They were worried that the listing of a species with potentially one billion individuals could set a precedent for listing additional commercially exploited aquatic species on the Appendices.

China and Norway expressed concern that the proposal was not in accordance with the MoU between CITES and the FAO, and that dismissal of FAO advice to reject the proposal could be counterproductive to collaborative efforts. China noted DNA analysis tools were impracticable for identifying parts and derivatives in trade.

FAO stated that after reviewing document CoP14 Inf. 48, they continued to support their *ad hoc* Expert Advisory Panel recommendations, and suggested that urgent management was required for depleted stocks.

Germany, on behalf of the European Community and its Member States, accepted that there had been a lack of appropriate management measures within the Community in the past, but reiterated that an Appendix-II listing and other management measures were not contradictory.

As a result of a vote the proposal was rejected with 57 in favour, 36 against, and 10 abstentions (vote 2). Luxemburg requested that their vote in favour be recorded as they believed that their voting equipment was faulty.

The Chairman noted that document CoP14 Doc. 59.3 concerned two species whose proposed listing in the Appendices had been rejected and asked whether Germany wished to continue with this item on the agenda. Germany, speaking on behalf of the European Community and its Member States, responded that they were considering bringing the rejected proposals back to the plenary and so would defer a decision on document CoP14 Doc. 59.3.

The Chairman proposed to defer discussion of proposal CoP14 Prop. 17 so that it could be discussed in one same session. The United States agreed to this proposal.

The Committee then reviewed summary records from earlier sessions. Summary Record CoP14 Com. I Rep. 4 was adopted without amendment. Colombia drew attention to an error in Summary Record CoP14 Com. I Rep. 5 regarding paragraphs five and seven and explained that they had spoken on behalf of 30, not 13 countries during their intervention. The Summary Record, with the amendment by Colombia, was adopted.

Following some announcements from the Secretariat, the session closed at 15h55.

Result of the votes

Vote 1: Inclusion of *Lamna nasus* in Appendix II (agenda item 68, Proposal 15 from Germany, on behalf of the European Community and its Member States) / Vote 2: Inclusion of *Squalus acanthias* in Appendix II (agenda item 68, Proposal 16 from Germany, on behalf of the European Community and its Member States) / Key: 0 = did not vote, 1 = yes, 2 = no, 3 = abstain

Parties	Vote 1	Vote 2
Afghanistan AF	0	0
Albania AL	0	0
Algeria DZ	1	1
Antigua and Barbuda AG	2	2
Argentina AR	2	2
Australia AU	1	1
Austria AT	1	1
Azerbaijan AZ	0	0
Bahamas BS	2	2
Bangladesh BD	0	0
Barbados BB	0	0
Belarus BY	0	0
Belgium BE	1	1
Belize BZ	0	0
Benin BJ	0	0
Bhutan BT	3	3
Bolivia BO	1	0
Botswana BW	2	0
Brazil BR	1	1
Brunei Darussalam BN	0	0
Bulgaria BG	1	1
Burkina Faso BF	0	0
Burundi BI	0	0
Cambodia KH	2	2
Cameroon CM	3	2
Canada CA	2	2
Cape Verde CV	1	0
Central African Republic CF	0	0
Chad TD	0	0
Chile CL	1	1
China CN	2	2
Colombia CO	2	1
Comoros KM	0	0
Congo CG	0	0
Costa Rica CR	0	0
Côte d'Ivoire CI	1	0
Croatia HR	1	1
Cuba CU	2	2
Cyprus CY	0	0
Czech Republic CZ	1	1
Democratic Republic of the Congo CD	0	2
Denmark DK	1	1
Djibouti DJ	0	0

Parties	Vote 1	Vote 2
Dominica DM	0	0
Dominican Republic DO	0	0
Ecuador EC	2	2
Egypt EG	1	1
El Salvador SV	0	0
Equatorial Guinea GQ	0	0
Eritrea ER	2	2
Estonia EE	1	1
Ethiopia ET	3	3
Fiji FJ	1	1
Finland FI	1	1
France FR	1	1
Gabon GA	0	0
Gambia GM	0	0
Georgia GE	0	1
Germany DE	1	1
Ghana GH	0	0
Greece GR	1	1
Grenada GD	0	0
Guatemala GT	1	1
Guinea GN	2	2
Guinea-Bissau GW	0	0
Guyana GY	2	2
Honduras HN	2	1
Hungary HU	1	1
Iceland IS	2	2
India IN	1	1
Indonesia ID	2	2
Iran (Islamic Republic of) IR	0	0
Ireland IE	1	1
Israel IL	1	1
Italy IT	1	1
Jamaica JM	3	3
Japan JP	2	2
Jordan JO	0	0
Kazakhstan KZ	0	0
Kenya KE	1	1
Kuwait KW	1	1
Lao People's Democratic Republic LA	3	3
Latvia LV	1	1
Lesotho LS	0	0
Liberia LR	2	0
Libyan Arab Jamahiriya LY	0	0
Liechtenstein LI	0	0
Lithuania LT	1	1
Luxembourg LU	0	0
Madagascar MG	1	1
Malawi MW	0	0
Malaysia MY	2	2
Mali ML	0	0
Malta MT	1	1
Mauritania MR	0	0

<b>Parties</b>	<b>Vote 1</b>	<b>Vote 2</b>
Mauritius MU	3	3
Mexico MX	1	1
Monaco MC	0	0
Mongolia MN	1	1
Montenegro ME	0	0
Morocco MA	2	2
Mozambique MZ	2	1
Myanmar MM	0	0
Namibia NA	3	3
Nepal NP	1	1
Netherlands NL	1	1
New Zealand NZ	2	2
Nicaragua NI	2	1
Niger NE	1	0
Nigeria NG	0	0
Norway NO	2	2
Pakistan PK	3	3
Palau PW	2	2
Panama PA	0	0
Papua New Guinea PG	0	0
Paraguay PY	0	0
Peru PE	0	0
Philippines PH	1	1
Poland PL	0	0
Portugal PT	1	1
Qatar QA	2	2
Republic of Korea KR	0	0
Republic of Moldova MD	1	1
Romania RO	1	1
Russian Federation RU	1	1
Rwanda RW	1	1
Saint Kitts and Nevis KN	2	2
Saint Lucia LC	2	2
Saint Vincent and the Grenadines VC	2	2
Samoa WS	0	0
San Marino SM	0	0
Sao Tome and Principe ST	0	0
Saudi Arabia SA	0	0
Senegal SN	0	0
Serbia RS	1	1
Seychelles SC	0	0
Sierra Leone SL	0	0
Singapore SG	2	2
Slovakia SK	1	1
Slovenia SI	1	1
Solomon Islands SB	0	0
Somalia SO	0	0
South Africa ZA	2	2
Spain ES	1	1
Sri Lanka LK	0	0
Sudan SD	0	0
Suriname SR	2	2

Parties	Vote 1	Vote 2
Swaziland SZ	1	1
Sweden SE	1	1
Switzerland CH	3	1
Syrian Arab Republic SY	1	1
Thailand TH	2	2
The former Yugoslav Republic of Macedonia MK	0	0
Togo TG	3	3
Trinidad and Tobago TT	3	1
Tunisia TN	2	2
Turkey TR	1	1
Uganda UG	0	1
Ukraine UA	0	0
United Arab Emirates AE	0	2
United Kingdom of Great Britain and Northern Ireland GB	1	1
United Republic of Tanzania TZ	1	2
United States of America US	1	1
Uruguay UY	2	2
Uzbekistan UZ	0	0
Vanuatu VU	2	3
Venezuela (Bolivarian Republic of) VE	0	0
Viet Nam VN	2	2
Yemen YE	3	3
Zambia ZM	2	2
Zimbabwe ZW	2	2