

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



Seventeenth meeting of the Conference of the Parties
South Africa, 24 September – 5 October 2016

Species specific matters

Sharks and rays (Elasmobranchii spp.)

REPORT OF THE ANIMALS COMMITTEE

1. This document has been prepared by the Animals Committee.*

Background

2. The operational part of Resolution Conf. 12.6 (Rev. CoP16) on *Conservation and management of sharks (Class Chondrichthyes)* provides the context for work on sharks and rays undertaken under the auspices of CITES since the 16th meeting of the Conference of the Parties (CoP16, Bangkok, 2013):

INSTRUCTS the CITES Secretariat to inform FAO (Food and Agriculture Organisation of the United Nations) of the concerns of the CITES Parties regarding the significant lack of progress in implementing the IPOA-Sharks (International Plan of Action on the Conservation and management of Sharks), and to urge FAO to take steps to encourage actively relevant States to develop NPOA-Sharks (National Plan of Action for the Conservation and Management of Sharks);

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;

ENCOURAGES Parties to obtain information on implementation of NPOA-Sharks or regional plans, and to report directly on progress to the CITES Secretariat and at future meetings of the Animals Committee;

URGES FAO's COFI (Committee on Fisheries) and Regional Fisheries Management Organizations (RFMOs) to strengthen their efforts to undertake the research, training, data collection, data analysis and shark management plan development outlined by FAO as necessary to implement the IPOA-Sharks;

ENCOURAGES Parties to assist in building financial and technical capacity in developing countries for shark and ray activities under CITES, and for the implementation of the IPOA-Sharks;

URGES Parties that are shark fishing States but that have not yet implemented an NPOA-Sharks, to develop their own NPOAs at the earliest opportunity and take steps to improve research and data collection on both fisheries and trade as a first step towards their Shark Plans, particularly the necessity to improve the collection of catch and trade data at the lowest taxonomic level possible (ideally by species);

* 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.

FURTHER URGES Parties to discuss CITES activities within the appropriate RFMOs of which they are members;

ENCOURAGES Parties to improve data collection, data reporting, management and conservation measures for shark species, implementing, enhancing and enforcing these actions through domestic, bilateral, RFMOs or other international measures;

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;

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 and between shark fin products that are dried, wet, processed and unprocessed fins. Wherever possible, these data should be species-specific;

INSTRUCTS the Secretariat to monitor discussions within the World Customs Organization regarding the development of a Customs data model, and the inclusion therein of a data field to report trade in sharks at species level, and to issue Notifications to the Parties concerning any significant developments;

ENCOURAGES Parties, in close cooperation with FAO and RFMOs, to undertake or facilitate continued research to improve understanding of the nature of illegal, unreported and unregulated (IUU) fishing concerning sharks, identify the linkages between international trade in shark fins and meat, and IUU fishing;

ENCOURAGES Parties, intergovernmental and non-governmental bodies to undertake studies of trade in shark meat, including prices in major fish markets in order to better identify the shark products that are driving IUU fishing; and

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

Cooperation between CITES and FAO

3. In July 2010, the FAO and CITES Secretariats jointly convened a “*Workshop to review the application and effectiveness of international regulatory measures for the conservation and sustainable use of Elasmobranchs*” in Genazzano, Italy (see document AC26 Inf. 6). This workshop was attended by experts from different geographical areas and sectors, including those involved in scientific assessment, fisheries management, fishing industry; fish trade, monitoring and control; and government administration. The workshop reviewed various types of fishery and trade regulatory measures, and discussed their strengths and weaknesses with regard to implementation and stock recovery as well as their impact on fisheries, livelihood, food security, markets, trade, and government administration.
4. At AC25 (Geneva, July 2011) the Animals Committee helped FAO to develop a questionnaire requesting information from the 26 States and entities on the status of their NPOA Sharks, their shark-related management measures and research, and trade-related reporting. These major shark fishery States and entities each took 1% or more of the global reported shark catches from 2000 to 2009, and together accounted for 84% of global catches during that period.
5. The FAO Secretariat presented a “*Summary of the review of the implementation of the International Plan of Action for the conservation and management of sharks*” at the 30th session of COFI (Rome, July 2012). This review covered the shark-related measures and activities of the 26 major shark fishing States and entities, plus the various RFMOs in the period 2000 to 2010 (see <http://www.fao.org/cofi/32937-0729f1e4ae0389b3ebae1318a9868bb42.pdf>) and was based on the responses to the questionnaire mentioned above, and other sources of information when no information was supplied. The review showed that 17 (65%) of the major shark fishing States and entities had adopted an NPOA, 5 had plans in preparation, and 4 had not yet implemented the IPOA-Sharks. COFI called for further analysis, including gathering information from market States, and an improved record of data collection. COFI also recognized that further actions by States and Regional Fisheries Management Organisations (RFMOs) are needed to be taken for shark conservation and management.

6. At AC27 (Veracruz, April-May 2014) the Animals Committee congratulated the CITES Secretariat for its close collaboration with the FAO on an EU-financed 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*” (see AC27 Doc. 22.2). The work with FAO has especially concentrated on matters relating to the implementation of the new Appendix II listings of 7 shark and ray species agreed at CoP 16 (oceanic white-tipped shark *Carcharhinus longimanus*, porbeagle shark *Lamna nasus*, scalloped hammerhead shark *Sphyrna lewini*, great hammerhead shark *S. mokarran*, smooth hammerhead shark *S. zygaena*, giant manta ray *Manta birostris*, reef manta ray *M. alfredi*). It included jointly organising several regional consultative meetings. The Animals Committee saw the need for FAO to continue its efforts to improve harmonised tariff codes for shark products and to continue their development of a shark identification guide. (iSharkFin).
7. At AC28 (Tel Aviv, August-September 2015) the Animals Committee acknowledged the very important support of FAO for capacity-building activities and especially the development of iSharkFin, and their overall contribution to other aspects of implementation of the recent sharks and rays listings. The Animals Committee requested that the excellent collaboration between the CITES Secretariat and FAO be continued and expanded, and especially to post relevant studies and reports on the CITES Sharks and Rays Portal on the CITES website. The committee also recommended that the CITES Secretariat, FAO and others report progress on the implementation of the CITES sharks and rays listings at the COFI meeting in 2016 and at CoP17 in 2016.
8. The Animals Committee directed the Secretariat to draw to the attention of FAO, in the context of FAO’s voluntary guidelines on “*Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication*” that CITES-listed species occur in small-scale fisheries and that Non-detriment Findings (NDFs) will need to be prepared if the products of those fisheries enter international trade.
9. Recognising that improving traceability from catch to consumer is critical, The Animals Committee urged the CITES Secretariat to work with FAO to explore extending their iSharkFin tool to the identification of dried and skinned shark fins.

Cooperation between CITES and CMS

10. At AC27 (Veracruz, April-May 2014), the Animals Committee encouraged the CITES Secretariat to continue to work closely with the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) on CITES-listed shark species and, where appropriate, on wider issues of shark conservation relevant to Res. Conf. 12 (Rev. CoP16). The strong collaboration between the two convention secretariats was noted by the Animals Committee at AC 28 (Tel Aviv, August-September 2015) and the committee requested that this collaboration be continued and expanded, noting for example that CMS Parties should not normally be able to issue legal acquisition findings under CITES for products of those species (e.g. manta rays) listed on Appendix I of CMS.

Cooperation between CITES and Regional Fisheries Bodies (RFBs)

11. At AC27 (Veracruz, April-May 2014) the Animals Committee encouraged the CITES Secretariat to work closely with RFBs on CITES-listed shark species and, where appropriate, on wider issues of shark conservation. The CITES Secretariat has subsequently engaged with many RFBs, outlining CITES processes and requirements. At AC28 (Tel Aviv, August-September 2015), the Animals Committee encouraged the CITES Secretariat to continue to expand its collaboration with RFBs having seen them pay greater awareness to shark conservation issues. It also encouraged Parties that are members of RFBs to adopt and implement conservation and management measures for CITES-listed shark species and to make these species a priority for data collection, data collation and stock assessments.

New information on the implementation of NPOA Sharks and the recent CITES Appendix II listings

12. Following the publication of the FAO review of the implementation of IPOA-Sharks in 2012 (see paragraphs 4 and 5 above), and the addition of 7 commercially-exploited sharks and rays to CITES Appendix II, CITES initiated its own enquiries in accordance with the relevant provisions in Resolution Conf. 12.6 (Rev. CoP16). The CITES Secretariat issued Notification to the Parties No. 2013/056 on 6 December 2013 inviting Parties to report on trade in sharks, and to provide information on the implementation of NPOA-Sharks or regional plans, and any other available relevant information on shark species.

13. Responses to Notification No. 2013/056 were received before AC27 (Veracruz, April-May 2014) from the European Union (on behalf of its 28 Member States) and 3 Parties (see AC27 Doc. 22.1), but additional information was presented at the meeting by 8 other Parties. AC27 also considered submitted documents that aimed to provide Parties with guidance and practical recommendations on making (NDFs) for CITES-listed sharks and rays (see AC27 Doc 22.2 and Doc 22.3), and the development of a rapid management-risk assessment method as applied to sharks (see AC 27 Doc. 22.4).
14. At AC 27 (Veracruz, April-May 2014) the Animals Committee acknowledged with appreciation the European Union's generous funding to assist the implementation of the CITES Appendix II listings arising from CoP 16 decisions. The committee noted that good progress was being made to implement the new sharks and rays listings, and especially noted the development of the Sharks and Rays Portal on the CITES website as a place where Parties can share information on sharks and rays. The site includes guidance material for the identification of species in the form of photographic and/or biometric guides and from DNA techniques; allows Parties to share their NDFs, and inform others of future workshops and capacity-building opportunities. The Animals Committee encouraged Parties to continue to work to improve data collection at the species level, especially for CITES-listed species – it was particularly noted that hammerhead sharks were often not distinguished to species level in catch documentation.
15. The Animals Committee felt that some issues arising from the listing of 7 commercially-exploited sharks and rays were better handled by the Standing Committee in the future. Such issues include: the legality of acquisition, the chain of custody and traceability of processed products in trade, and catch documentation and product certification schemes.
16. The CITES Secretariat issued Notification to the Parties No. 2015/027 requesting Parties to submit new information on shark fishery management measures, with particular emphasis pertaining to those species listed in Appendix II at CoP16. New information was especially sought on new data such as stock assessment results, methodologies in making NDFs, challenges faced by Parties in implementing the new listings and any new legislation regarding the conservation and management of sharks and rays.
17. Responses to Notification No. 2015/027 were received from the European Union (on behalf of its 28 Member States) and 17 other Parties but additional information was presented at the meeting by 5 other Parties. Reports were received on the outcomes (declarations and action plans) of regional workshops held in Dakar, Casablanca and Xiamen (see AC28 Com.9 Annex, and their full text on the CITES Sharks and rays portal).
18. At AC28 (Tel Aviv, August-September 2015) the Animals Committee acknowledged Germany's generous funding which enabled the CITES Secretariat to appoint a marine species officer to support the implementation of CITES-listed marine species. Japan, the EU, FAO and several NGOs have provided Parties with generous funding for capacity-building activities, the development of identification tools, and other aspects of implementation of the listings.
19. The Animals Committee considered implementation challenges raised by Parties directly, or by Parties during regional implementation workshops. The issues could be largely grouped into: identification challenges, preparation of NDFs, permitting of exports and introduction from the sea, artisanal and small-scale fisheries, and bycatch mortality.
20. The Animals Committee noted the excellent progress made with the provision of identification materials through the CITES Sharks and Rays Portal, and especially FAO's iSharkFin guide (see Paragraphs 6 to 9 above). DNA techniques are also available to assist with the identification of processed products such as skinned fins, and fish meal containing shark meat.
21. Following a successful workshop in Germany that trialed a new method of developing an NDF, using porbeagle shark as a case study, the Animals Committee encouraged Parties to take up Germany's offer to present NDF guidance at training workshops, and also to note the different approaches to making NDFs that are available on the CITES Sharks and Rays Portal, including the use of the rapid management-risk assessment method. The committee urged Parties to cooperate regionally with research, stock assessments, data sharing and analysis to help Parties to develop legal acquisition findings and NDFs of shared stocks.
22. To assist Parties to know if CITES-listed sharks and ray products were legally acquired and traded, the Animals Committee asked the CITES Secretariat to post a list of CITES Parties that have stricter domestic measures to legally protect or impose zero quotas for CITES-listed species, and CITES Parties that have

a commitment through membership of RFBs to follow regional measures that prohibit retention, landing or trade of CITES-listed species. Likewise, the Secretariat was urged to post a list of Parties to CMS that have agreed to protect CMS Appendix I species.

23. Recognising that CITES-listed species (particularly hammerhead sharks) form an important component of small-scale and artisanal fisheries catches, the Animals Committee encouraged Parties to exchange information on how the impact of such fishing on total mortality of the species is taken into consideration in the development of NDFs.
24. Animals Committee also urged Parties and RFBs to develop and improve methods to avoid bycatch of sharks and rays, and to improve techniques for their live release.

Species-specific recommendations

25. The Animals Committee decided that its priority was to assist with the implementation of the CITES Appendix II listings of commercially-exploited sharks and rays following CoP16 rather than make any species-specific recommendations at the 17th Conference of the Parties. At AC 28 (Tel Aviv, August-September 2015) it was considered still too early to be able to assess the effects on the conservation and trade of the 7 commercially-exploited shark and ray species listed less than a year earlier. The committee requested that Secretariat provide AC29 in 2017 with a summary of the information from the CITES trade database on levels of trade of these 7 species since September 2014.
26. The Animals Committee recommended that the Standing Committee recognise problems of species identification, look-alike issues, and traceability raised by Parties at the AC28 (Tel Aviv, August-September 2015) meeting, including for Manta rays and closely-related *Mobula* rays, and for hammerhead shark species.

Summary

27. The Animals Committee congratulates the CITES Secretariat for the very hard work put in since CoP16 to assist with the implementation of the new CITES Appendix II listings of 7 species of commercially-exploited sharks and rays. Their cooperation with FAO, liaison with RFBs, handling and disbursement of the European Union's generous grant, organisation and attendance at regional workshops, and development of the sharks and rays portal on the CITES website has helped the CITES community to steer a course through uncharted waters. One of the benefits of the CoP16 listings is a new level of regional cooperation within CITES, and between CITES authorities, Customs authorities, and fisheries agencies and scientists.
28. Huge progress has been made on many fronts in implementing these listings, but challenges still lie ahead in assessing the sustainability of harvest and traceability of shark and ray products along the supply chain from ocean to consumer.

COMMENTS BY THE SECRETARIAT

- A. The Secretariat shares the views expressed by the Animals Committee in its report on sharks and rays (Elasmobranchii spp.), and draws the Parties' attention to document CoP17 Doc. 56.1, which contains draft decisions, based on the recommendations made by the Animals Committee at its 27th and 28th meetings. The Secretariat acknowledges the excellent collaboration with the Animals Committee, FAO and other stakeholders in the implementation of the shark and ray Appendix-II listings decided at CoP16.
- B. The Secretariat would like to express its gratitude to the Parties whose generous support has made the activities described above possible, and, in addition to the governments of Germany, Japan, the member states of the European Union and others mentioned in paragraph 18 above, would also like to specifically thank the governments of China and Morocco for the hosting of the FAO-CITES regional consultative workshops in Xiamen(13-15 May 2014) and Casablanca (11-13 February 2014) respectively.