

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



Eighteenth meeting of the Conference of the Parties  
Geneva (Switzerland), 17–28 August 2019

**Committee I**

Sharks and rays (*Elasmobranchii spp.*)

PART 1: DRAFT DECISIONS ON SHARKS AND RAYS (*ELASMOBRANCHII SPP.*)<sup>1</sup>

*This document has been prepared by the working group on sharks and rays on the basis of document CoP18 Doc. 68.2 Annex 3 after discussion in the third session of Committee I (see document CoP18 Com. I Rec. 3).*

**Directed to Parties**

18.AA Parties are encouraged to:

- a) provide information to the Secretariat in support of the study called for in Decision 18.DD paragraph a), in particular on any national management measures that prohibit commercial take or trade, and in response to the Notification called for in Decision 18.CC;
- b) in accordance with their national legislation, provide a report to the Secretariat about the assessment of stockpiles of shark parts and derivatives for CITES-listed species stored and obtained before the entry into force of the inclusion in CITES in order to control and monitor their trade, if applicable;
- c) inspect, to the extent possible under their national legislation, shipments of shark parts and derivatives in transit or being transhipped, to verify presence of CITES-listed species and verify the presence of a valid CITES permit or certificate as required under the Convention or to obtain satisfactory proof of its existence; and
- d) continue to support the implementation of the Convention for sharks, including by providing funding for the implementation of Decisions 18.BB, 18.DD and 18.EE, and considering seconding staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat.

**Directed to the Secretariat**

18.BB Subject to external funding, the Secretariat shall continue to provide capacity-building assistance for implementing Appendix-II shark and ray listings to Parties upon request.

18.CC The Secretariat shall:

- a) issue a Notification to the Parties, inviting Parties to:

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<sup>1</sup> For the purposes of these Decisions, the term “shark” is taken to include all species of sharks, skates, rays and chimaeras, in alignment with the Food and Agriculture Organization (FAO) International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks).

- i) provide concise summaries of new information on their shark and ray conservation and management activities, in particular:
    - A. the making of non-detriment findings;
    - B. the making of legal acquisition findings;
    - C. the identification of CITES-listed shark-products in trade; and
    - D. recording stockpiles of commercial and/or pre-Convention shark fins for CITES Appendix-II elasmobranch species and controlling the entry of these stocks into trade; and
  - ii) highlight any questions, concerns or difficulties Parties are having in writing or submitting documentation on authorized trade for the CITES Trade Database;
  - b) provide information from the CITES Trade Database on commercial trade in CITES-listed sharks and rays since 2000, sorted by species and, if possible, by product;
  - c) disseminate existing guidance identified, or newly developed, guidance on the control and monitoring of stockpiles of shark parts and derivatives pursuant to paragraph 18.GG b) by the Standing Committee; and
  - d) collate this information for the consideration of the Animals Committee and the Standing Committee.
- 18.DD The Secretariat shall, subject to external funding, and in collaboration with relevant organizations and experts:
- a) conduct a study to investigate the apparent mismatch between the trade in products of CITES-listed sharks recorded in the CITES Trade Database and what would be expected against the information available on catches of listed species;
  - b) bring the results of the study in a) to the attention of the Animals Committee or Standing Committee, as appropriate.
- 18.EE. The Secretariat, subject to external funding, is requested to collaborate closely with the Food and Agriculture Organization of the United Nations (FAO) to:
- a) verify that information about Parties' shark management measures are correctly reflected in the shark measures database developed by FAO (<http://www.fao.org/ipoa-sharks/database-of-measures/en/>) and, if not, support FAO in correcting the information;
  - b) compile clear imagery of wet and dried unprocessed shark fins (particularly, but not exclusively, those from CITES-listed species) along with related species level taxonomic information to facilitate refinement of iSharkFin software developed by FAO;
  - c) conduct a study analysing the trade in non-fin shark products of CITES-listed species, including the level of species mixing in trade products and recommendations on how to address any implementation challenges arising from the mixing that may be identified; and
  - d) bring the results of activities a) to c) to the attention of the Animals Committee or Standing Committee, as appropriate.

***Directed to the Animals Committee***

- 18.FF The Animals Committee, in collaboration with relevant organisations and experts, shall:
- a) continue to develop guidance to support the making of NDFs, in particular in data-poor, multi-species, small-scale/artisanal, and non-target (bycatch) situations, for CITES-listed shark species; and
  - b) report the outcomes of its work under 18.FF a) to the 19<sup>th</sup> meeting of the Conference of the Parties

***Directed to the Animals Committee and the Standing Committee***

- 18.GG The Animals Committee and Standing Committee shall analyse and review the results of any of the activities under Decisions 18.DD and EE brought to their attention by the Secretariat, and with the support of the Secretariat prepare a joint report for the 19th meeting of the Conference of the Parties on the implementation of these Decisions.

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## **Conservation and management of sharks<sup>1</sup>**

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

RECOGNIZING that there is a significant international trade in sharks and their products;

RECOGNIZING that unregulated and unreported trade is contributing to unsustainable fishing of a number of shark species;

RECOGNIZING the duty of all States to cooperate, either directly or through appropriate sub-regional or regional organizations in the conservation and management of fisheries resources;

RECALLING that a number of shark species are included in Appendices I and II;

NOTING the complexity of the implementation of CITES trade controls for shark trade, but also the notable successes in the implementation of the shark and ray listings;

RECALLING that in accordance with the relevant provisions of the Convention, international trade in CITES-listed sharks and their parts and derivatives shall only take place if it is legally acquired, non-detrimental to the survival of the species in the wild and properly reported;

CONCERNED that outstanding implementation challenges need to be addressed to ensure that international trade in CITES-listed sharks and their parts and derivatives is conducted and managed in accordance with the provisions of the Convention;

WELCOMING the availability of several guidelines and examples for the making of non-detriment findings (NDFs) for trade in CITES-listed sharks;

RECOGNIZING that the International Plan of Action on the Conservation and Management of Sharks (IPOA-sharks) was prepared by the Food and Agriculture Organization of the United Nations (FAO) in 1999 and that all States whose vessels conduct directed fisheries or regularly take sharks in non-directed fisheries are encouraged by FAO's Committee on Fisheries (COFI) to adopt a National Plan of Action for the Conservation and Management of Shark Stocks (NPOA-Sharks);

NOTING that there has been slow progress with the development and implementation of NPOAs;

CONCERNED that insufficient progress has been made in achieving shark management through the implementation of IPOA-Sharks except in States where comprehensive shark assessment reports and NPOA-Sharks have been developed; and

WELCOMING the entry into force of the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing in 2016 and recognizing the value it offers to improve compliance with CITES provisions for listed shark and ray species;

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\* Amended at the 15th, 16th and 17th meetings of the Conference of the Parties.

<sup>1</sup> For the purposes of this Resolution, the term "shark" is taken to include all species of sharks, skates, rays and chimaeras, in alignment with the Food and Agriculture Organization (FAO) International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks).

## THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. INSTRUCTS the Secretariat to maintain close collaboration with FAO, Regional Fisheries Management Organizations (RFMOs) and Regional Fisheries Management Bodies (RFBs), the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and other relevant international organizations to improve coordination and synergies in the implementation of CITES provisions for CITES-listed shark species;
2. ENCOURAGES the Secretariat and Parties to continue to assist in building financial and technical capacity in developing countries for shark and ray activities under CITES;
3. ENCOURAGES Parties to improve data collection and reporting (where possible by species and gear type), adopt management and conservation measures for shark species, and enhance implementation and enforcement of these actions through domestic, bilateral, RFMOs or other international measures;
4. URGES Parties that are shark fishing States, that have not yet done so, to develop NDFs, as well as an NPOA, at the earliest opportunity or, when insufficient information is available, take steps to improve research and data collection at the species level on both fisheries and trade as a first step towards developing an NPOA Sharks and making NDFs, with a view to establishing long-term data collection on the status of shark and ray stocks;
5. INVITES Parties that engage in directed or non-directed shark fishing activities of shared stocks to collect and share, on a regional basis such as through RFMOs/RFBs or other regional collaborations, where they exist, data on effort, catches, live releases, discards, landings and trade (to species level and by gear type where possible), and make this information available to assist Scientific Authorities in the making of NDFs of such shared stocks;
6. ENCOURAGES Parties that are members of or Parties to other relevant international instruments, such as RFMOs, RFBs or CMS, to improve coordination between the respective national focal points, where appropriate, and work through the respective mechanisms of these instruments to strengthen research, training and data collection and improve coordination with activities under CITES;
7. FURTHER ENCOURAGES Parties to share information about stricter domestic measures pertaining to shark fisheries and trade, in particular zero export quotas or trade bans;
8. REQUESTS Management Authorities to collaborate with their national customs authorities to expand their current classification system to allow for the collection and reporting 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;
9. 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;
10. ENCOURAGES Parties, in close cooperation with FAO, RFBs 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;
11. FURTHER ENCOURAGES Parties, intergovernmental and non-governmental bodies to develop robust, low-cost tools and systems, where not already existing, to ensure that shark species, in particular CITES-listed species, are identified accurately at the first point of capture/landing, and undertake studies of trade in all shark products;
12. INVITES Parties to share through the Secretariat their experiences in implementing CITES provisions for listed shark species, in particular NDFs, legal acquisition findings and traceability systems;
13. DIRECTS the Animals Committee to periodically examine new information provided by range States on the implementation of the shark listings and other available relevant data and information;

14. DIRECTS the Animals Committee to make species-specific recommendations if necessary on improving the conservation status of sharks and implementation of shark and ray listings;
15. DIRECTS the Standing Committee to provide guidance on regulatory matters in connection to the implementation of the shark listings, including but not limited to the determination of legal acquisition, traceability and enforcement issues, as appropriate; and
16. DIRECTS the Animals Committee and Standing Committee to report progress on shark and ray activities at the meetings of the Conference of the Parties, as appropriate.