

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



Eighteenth meeting of the Conference of the Parties  
Colombo (Sri Lanka), 23 May – 3 June 2019

Species specific matters

Sharks and rays (Elasmobranchii spp.)

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat in consultation with the Chair of the Standing Committee.
  2. In Resolution Conf. 12.6 (Rev. CoP17) on *Conservation and management of sharks*, the Conference of the Parties:
    2. *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;*
    9. *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;*
- and
14. *DIRECTS the Animals Committee to report progress on shark and ray activities at the meetings of the Conference of the Parties.*

Resolution 12.6 (Rev. CoP17) furthermore:

3. *ENCOURAGES Parties to obtain information on implementation of National Plans of Action for the Conservation and Management of Shark Stocks (NPOA-Sharks) or regional plans, and to report directly on progress to the CITES Secretariat and at future meetings of the Animals Committee;*
3. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties also adopted Decisions 17.209 to 17.216 on *Sharks and rays (Elasmobranchii spp.)*, as follows:

***Directed to Parties***

17.209 *Parties are encouraged to:*

- a) *undertake broad national consultations with all stakeholders concerning the implementation of CITES provisions for trade in species of Elasmobranchii included in the CITES Appendices, including industries involved in the harvest, export or import of the listed species; and involve in relevant meetings, events and processes CITES officials and fisheries officials, and representatives of relevant Regional Fisheries Management Organisations/Bodies (RFMO/RFBs) wherever possible and where limited capacity on fisheries management exists in the CITES authorities;*
- b) *share experiences and examples of making non-detriment findings for trade in CITES-listed sharks and rays including, where appropriate, how artisanal fishing is taken into*

consideration, and communicate them to the Secretariat for publication on the CITES Sharks and Rays Portal (<https://cites.org/prog/shark>) in order to improve capacity and knowledge of national and regional harvest levels and management measures;

- c) *strengthen the efforts of exporting Parties in developing non-detriment findings for sharks and rays by sharing good practise and providing financial and other assistance, and consider in this regard Germany's offer to support training workshops on the application of the Shark NDF Guidance developed by the German Scientific Authority and available on the CITES Sharks and Rays Portal (<https://cites.org/prog/shark>);*
- d) *continue improving the collection of fisheries and trade data at the species level, especially with respect to CITES-listed species;*
- e) *share experiences with, and knowledge of, forensic means to efficiently, reliably and cost-effectively identify shark products in trade; and*
- f) *provide funding for a dedicated marine officer position in the CITES Secretariat, and consider seconding, or externally funding, additional staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat.*

**Directed to the Secretariat**

17.210 *The Secretariat shall:*

- a) *make guidance materials available for the identification of CITES-listed sharks and rays, including fins and other products and derivatives, on the CITES Sharks and Rays Portal, and the sharing of genetic testing protocols and other forensic approaches; and*
- b) *remind Parties that CITES-listed Elasmobranchii occur in small scale fisheries and that NDFs will need to be made if the products of these fisheries enter international trade, and draw their attention in this regard to the Food and Agriculture Organization of the United Nations (FAO)'s Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines), which offer principles and guidance for small-scale fisheries governance and development.*

17.211 *The Secretariat shall:*

- a) *issue a notification, requesting Parties to provide new information on their shark and ray conservation and management activities, including legislation, and make the responses available to the Animals Committee for its consideration; and*
- b) *provide a summary of information in the CITES trade database on trade in CITES-listed sharks and rays since 2000 for consideration by the Animals Committee.*

17.212 *Recognizing the continued requests from Parties for assistance in implementing Appendix-II shark and ray listings, and the need for further capacity building activities in this regard, the Secretariat shall seek additional funding to address the capacity needs raised at regional implementation meetings (Casablanca, Dakar and Xiamen)<sup>1</sup> and identified in the course of the 2013-2016 EU-CITES project.*

**Directed to the Secretariat and to the Food and Agriculture Organization of the United Nations (FAO)**

17.213 *The CITES and the Food and Agriculture Organization of the United Nations (FAO) Secretariats are invited to continue and expand their collaboration concerning the conservation of and trade in sharks and rays, in particular by:*

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<sup>1</sup> See Annex 1 of document AC28 Com. 9.

- a) *exploring options for using the existing iSharkFin tool for the identification of dried and skinned shark fins;*
- b) *working with the World Customs Organization to expand customs codes for shark and ray species and product categories;*
- c) *making relevant studies and information relating to the conservation and management of CITES-listed shark species available on the CITES sharks and rays portal;*
- d) *maintaining and improving the database of measures on conservation and management of sharks, with the aim to provide a user-friendly overview of stricter domestic measures adopted by CITES Parties for CITES-listed shark and ray species, the species that are covered in this way, the dates of these measures, and links to the measures, including:*
  - i) *Legal protection for CITES-listed shark and ray species;*
  - ii) *Zero quotas for CITES-listed shark and ray species;*
  - iii) *Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) that have agreed to protect CMS Appendix I species; and*
  - iv) *Members of RFMOs with measures that prohibit retention, landing, or trade of CITES-listed species; and*
- e) *continuing to support the development and application of guidance and capacity building tools for making NDFs, in particular for situations where data availability is low, the fishery is mostly artisanal, sharks are caught as bycatch, or where catches concern sharks that are part of shared stocks, and, upon request, supporting Parties with targeted advice to ensure compliance with Article IV for trade in CITES Appendix-II listed sharks and rays.*

***Directed to Parties that are members of Regional Fisheries Organizations or Bodies***

17.214 *Parties that are also members of Regional Fisheries Management Organizations or Bodies (RFMOs/RFBs) are urged to:*

- a) *work through the respective mechanisms of these RFMOs/RFBs to develop and improve methods to avoid bycatch of sharks and rays, where retention, landing, and sale of these species is prohibited under RFMO requirements, and reduce their mortality, including by exploring gear selectivity and improved techniques for live release;*
- b) *encourage the RFMOs/RFBs to consider making CITES-listed species a priority for data collection, data collation and stock assessments among non-target species, and provide these data to their members; and*
- c) *cooperate regionally on research, stock assessments, data sharing and analysis to help Parties making legal acquisition findings and NDFs for shared stocks, and on training initiatives for CITES Authorities, fisheries staff and customs officers, in cooperation with the CITES and FAO Secretariats.*

***Directed to Parties that are also Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and/or the Memorandum of Understanding on the Conservation of Migratory Sharks (CMS Sharks MoU)***

17.215 *Parties that are also Parties to CMS and/or the Memorandum of Understanding on the Conservation of Migratory Sharks (CMS Sharks MoU) are urged to work through the mechanisms of CMS and the Sharks MoU to develop and improve methods for conservation of sharks and rays.*

## **Directed to the Standing Committee**

17.216 *On the basis of information provided by the Secretariat and the Animals Committee, the Standing Committee shall consider issues concerning the conservation and management of sharks and rays, and provide guidance as appropriate, pertaining to:*

- a) *legislative matters that might arise in exporting, transit or consumer countries, and those relating to legality of acquisition and introduction from the sea;*
- b) *identification and traceability, taking into consideration requirements that have been developed for the trade in specimens of other Appendix-II species, and their applicability to specimens of CITES-listed sharks and rays in trade;*
- c) *conservation and management measures for sharks and rays taken by Regional Fisheries Management Organisations; and*
- d) *coherence of CITES provisions concerning sharks and rays with conservation and management measures of other relevant multilateral environmental agreements;*

*The Standing Committee shall report on the implementation of this decision, with recommendations as appropriate, at the 18th meeting of the Conference of the Parties.*

## Background

4. At CoP17, the Parties agreed to include thirteen new species of Elasmobranchii in Appendix II, with entry into force delayed by 6 months or 12 months to allow time for Parties to resolve related technical and administrative issues. Consequently, the listing of *Mobula* spp. (nine species) entered into force on 4 April 2017. The listings of all species of *Alopias* spp. (three species) and *Carcharhinus falciformis* entered into force on 4 October 2017.

## Implementation of relevant provisions in Resolution Conf.12.6 (Rev. CoP17) by the Animals Committee

5. The Animals Committee addressed its mandate concerning the conservation and management of sharks at its 29th and 30th meetings (AC29, Geneva, July 2017; AC30, Geneva, July 2018) and a report of its work is contained in document [CoP18 Doc. 68.1](#). The recommendations adopted at AC29 and AC30 are contained in Annex 4 and Annex 5 to this document for ease of reference.
6. Among the recommendations adopted at AC30, the Animals Committee agreed with the Secretariat's recommendation in document [AC30 Doc. 20](#) that parts of Resolution Conf. 12.6 (Rev. CoP17) on *Conservation and management of sharks* require updating, and suggested that the amendments should in particular include provisions designed to guide Parties in their implementation of the Convention for CITES-listed shark species, especially the making of non-detriment findings (NDFs) and the sharing of information on NDFs; improving reporting on trade in shark products; and ways to ensure better traceability of shark products in trade.
7. The Animals Committee further invited the Secretariat to take into account both the recommendations adopted at AC29 and AC30 when developing proposals for amendments to Resolution Conf. 12.6 (Rev. CoP17) and any draft decisions for consideration at CoP18.
8. In addition, the Animals Committee, at AC30, noted concerns that the actual trade in CITES-listed shark specimens recorded in the CITES Trade Database appears to be lower than what would be expected against the knowledge available on catches of listed species and outlined several possible reasons [see [AC30 Com.8 \(Rev. by Sec.\)](#)]

## Implementation of Decision 17.216 by the Standing Committee

9. Based on the report of the Secretariat in document [SC69 Doc. 50](#), the Standing Committee established at its 69th meeting (SC69, Geneva, November 2017) an intersessional working group to facilitate the implementation of Decision 17.216 with a mandate to:
  - a) *consider the information in paragraphs 20 to 33 of document SC69 Doc. 50.*
  - b) *review the following:*

- i) *how to take account of measures and regulations agreed under Regional Fisheries Management Organizations and Bodies, or other multilateral environmental agreements, in particular the Convention on Migratory Species (CMS), in the implementation of CITES;*
  - ii) *the role of Regional Fisheries Management Organizations and Bodies in supporting the making of non-detriment findings;*
  - iii) *identification and traceability issues, taking into consideration requirements that have been developed for the trade in specimens of other Appendix-II species, and their applicability to specimens of CITES-listed sharks and rays in trade; and*
  - iv) *legislative issues that might be hindering the implementation of the Convention for sharks and rays.*
- c) *report on its deliberation and make recommendations to the 70th meeting of the Standing Committee for its report to the 18th meeting of the Conference of the Parties.*
10. The issue of transboundary transfer of biological samples from CITES-listed species in a fisheries context, that had also been highlighted by the Secretariat in document [SC69 Doc.50](#), was not included in the mandate of the intersessional working group on sharks, but in the mandate of the intersessional working group on simplified procedures established at the same meeting. The Standing Committee's report on simplified procedures is contained in document [CoP18 Doc.56](#).
  11. The intersessional working group on sharks reported to the Standing Committee at its 70th meeting (SC70, Sochi, October 2018) in document [SC70 Doc. 48.1](#), highlighting specific implementation challenges discussed by the working group, providing initial considerations on the elements of its mandate and presenting a set of recommendations. The Secretariat notes that other discussions at SC70 also touched upon issues directly related to the implementation of CITES shark listings, in particular on the guidance for making legal acquisition findings (see document [CoP18 Doc. 39](#)) and on introduction from the sea (see document [CoP18 Doc. 52](#)).
  12. In its report to SC70 (document [SC70 Doc. 48.2](#)), the Secretariat provided an update on its capacity building activities related to sharks under the European Union (EU) funded "CoP17 Decisions project", as well as the Animals Committee's work on sharks at AC30. Based on these two documents, the Standing Committee noted the complexity of the implementation of CITES trade controls for shark trade, but also the notable successes in the implementation of shark and ray listings, as had been identified by the working group.
  13. In response to the instructions directed to it in Decision 17.216, the Standing Committee at SC70 further adopted a set of recommendations (see SC70 SR) which are contained in Annex 6 to this document for ease of reference. The Standing Committee invited the Secretariat, in consultation with the Chair of the Standing Committee, to develop these recommendations into draft decisions or into proposed revisions to Resolution Conf. 12.6 (Rev. CoP17), as appropriate, for consideration by the Conference of the Parties at its 18th meeting.
  14. At SC70, the Standing Committee further encouraged Parties to evaluate and declare stockpiles of shark fins caught prior to the inclusion of the species in Appendix II and requested the Secretariat to develop new or disseminate existing guidance on the control and monitoring of such stockpiles (see SC70 SR). A draft decision to that effect has been included in Annex 1 to this document.
  15. The Standing Committee also noted at SC70 the need for further discussion on labelling requirements for processed products of sharks and rays to ensure effective implementation of the Convention for such products and suggested this be considered in other pertinent discussions. This is mirrored in the Secretariat's report on *Traceability* in document CoP18 Doc. 42, which refers to work on traceability of shark specimens in its recommendations.

Implementation of Decisions 17.210, 17.212 and 17.213; support for implementation of Decisions 17.209, 17.214 and 17.215

16. The Secretariat has compiled its assessment of the status of implementation of **Decisions 17.209 to 17.216** in Annex 7 to this document. The Secretariat notes that several of the Decisions do not have any reporting requirements and therefore, the Secretariat was only able to indicate which of these Decisions were supported through capacity-building activities, not assess the status of their implementation.

17. In March 2017, the CITES Secretariat, also with the support of the European Union through the 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*” (2013-2016 EU-CITES project) organised a workshop with participants from FAO and selected Regional Fisheries Management Organisations and Bodies (RFMOs and RFBs) in Geneva to allow for an exchange views on successes, lessons learned and future opportunities for cooperation on the implementation of CITES for marine species. The meeting also allowed to discuss joint activities for implementing the measures agreed at CoP17 concerning sharks and rays. The outputs of the workshop informed the planning of future capacity-building activities pursuant to **Decision 17.212**.
18. The CITES Secretariat contracted FAO to produce an update of FAO’s 2014 study “Assessment of the capacity of selected countries in Africa, Asia and Latin America to implement the new CITES listings of Sharks and Manta Rays”. Both assessment and update were funded in the framework of the 2013-2016 EU-CITES project. The update contained a detailed needs assessment up to 2016 and is titled “[A country and regional prioritization for supporting implementation of CITES provisions for sharks](#)”, and further contributed to the implementation of **Decision 17.212**.
19. In 2017, the EU announced that it would continue its support for the capacity building for Parties in the implementation of the marine species listings through the marine component of the 2017-2020 project “*Implementation of CITES CoP17 Resolutions and Decisions*” (2017-2020 EU-CITES project), contributing to the implementation of **Decision 17.212**. The Secretariat takes the opportunity to express its sincere gratitude for the European Union’s continued support on marine species issues.
20. Under the 2017-2020 EU-CITES project, the Secretariat signed an agreement with FAO for activities to support Parties in the implementation of CITES listings for marine species. The activities will, among others, support the implementation of **Decisions 17.210 b), and 17.213, a), d) and e)**.
21. With regard to **Decision 17.213 a)**, the further development of the iSharkFin software, FAO organised an expert workshop on 17-19 December 2018 in Vigo, Spain, the report of which will be available on the CITES sharks webpage (<https://cites.org/prog/shark>).
22. Following consultations between the CITES Secretariat and FAO, it was decided not to include **Decision 17.213 b)** on working with the World Customs Organization (WCO) on expanding the Harmonized System (HS) classification for shark products in the new agreement, as it would be unfeasible to get additional HS codes within the envisioned timeframe. It should be noted that one of the challenges is the limited number of available free HS codes and working with WCO to expand customs codes for shark and ray species and product categories is already a priority for FAO’s regular work with WCO. Some progress has been achieved in 2012 and 2017, with the great part of product forms for sharks, rays and skates now included in the HS classification.
23. Under the 2017-2020 EU-CITES project, the Secretariat concluded an agreement with the South East Asian Fisheries Development Center (SEAFDEC) to support four Parties (Cambodia, Myanmar, the Philippines and Viet Nam) in setting up data collection systems for shark and ray catches at the species level [**Decision 17.209 d)**] , and support three Parties (Indonesia, Malaysia and Thailand) in the development of non-detriment findings [**Decision 17.209 c)**].
24. The activities mentioned in paragraph 23 build on previous joint work between CITES with SEAFDEC under the 2013-2016 EU-CITES project. The FAO- led assessment<sup>2</sup> of the impacts of CITES on South East Asian shark fisheries found that despite the relatively short time between the listings entering into force and the assessment, CITES had already had a small, but measurable, impact in improving several aspects of these fisheries, in particular governance.
25. With regard to **Decision 17.209 f)**, calling for the creation of a dedicated marine officer position in the CITES Secretariat, the 2017-2020 EU-CITES project allowed the Secretariat to establish a Programme Officer position to work on marine species issues. Co-funding generously provided by Germany and Switzerland has enabled the Secretariat to extend this position until December 2019. The Secretariat has proposed the creation of a core budget programme officer post for the budget and work programme for 2020 to 2022 contained in document [CoP18 Doc. 7.4](#). The Secretariat is also pleased to report that the Ministry of Food,

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<sup>2</sup> <https://doi.org/10.1111/faf.12281>

Agriculture and Livestock of Turkey had generously seconded a Fisheries Support Officer to the CITES Secretariat for a period of 12 months (January-December 2017).

26. To support Parties in their implementation of **Decision 17.215**, the Secretariat provided comments on the listing proposal of *Rhincodon typus* (whale shark) at CMS CoP12 (see document [UNEP/CMS/COP12/Doc.25.1/Add.2](#)) and together with FAO prepared a joint information document for the third meeting of Signatories of the CMS Sharks MoU (MOS3) highlighting synergies between the MoU's work programme and identifying priorities for the implementation of CITES shark listings (see document [CMS/Sharks/MOS3/Inf.22](#)).
27. Some activities under the 2017-2020 EU-CITES project were still ongoing at the time of writing of this document. The Secretariat intends to make several additional outputs available in early 2019 and will provide an oral update at the current meeting of the Conference of the Parties.
28. The CITES Secretariat continues to maintain a dedicated page on sharks on its website (<https://cites.org/prog/shark>) where the information and outputs referred to above are already or will be made available.
29. With regard to **Decision 17.212**, which requests the Secretariat to seek additional funding to address identified capacity needs, the Secretariat notes that it managed to secure USD 730,000, while it had indicated in document [CoP17 Doc. 56.1](#) that the implementation of the decision required an estimated USD 2,000,000. It therefore considers the Decision only partially implemented.
30. Regarding activities by other stakeholders, the Secretariat notes that based on a suggestion by the Chair of the Animals Committee, it extended invitations to all stakeholders to submit any relevant information to the Secretariat for inclusion in its report to AC30 (see paragraph 6), with responses received from Florida International University, Pew Charitable Trusts and Wildlife Conservation Society Indonesia (see document [AC30 Doc. 20 Annex 1](#)).

#### Proposed decisions and amendments to Resolution Conf. 12.6 (Rev. CoP17)

31. Noting the Animals Committee's invitation to consider both the recommendations of AC29 and AC30 when proposing any draft decisions and/or proposals for amendments to Resolution Conf. 12.6 (Rev. CoP7) (see document CoP18 Doc. 68.1), and the invitation of the Standing Committee to do the same with its recommendations in consultation with the Chair of the Standing Committee, this document aims to capture the main elements of the recommendations from all three meetings (AC29, AC30 and SC70) in proposed draft decisions (see Annex 1) and proposed draft amendments to the Resolution (see Annex 2).
32. With regard to Resolution Conf 12.6 (Rev. CoP17) on *Conservation and management of sharks*, the Secretariat notes that, when it was adopted at the 12th meeting of the Conference of the Parties (CoP12, Santiago, 2002), no species of Elasmobranchii were included in Appendix I or II<sup>3</sup>. This is reflected in the text of the Resolution itself, which focuses on other international instruments, e.g. the FAO International Plan of

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<sup>3</sup> History of listings in effect of Elasmobranchii in CITES Appendices and corresponding number of species included in the Appendices from 2000-2017. The numbers in brackets indicate the number of species (Arabic numbers) listed by Appendices (Roman numbers) in each year.

- 2000 (III:1): *Cetorhinus maximus* -> Appendix III (United Kingdom of Great Britain and Northern Ireland)
- 2001 (III :2): *Carcharodon carcharias* (Appendix III, Australia)
- 2003 (II :2, III :1): *Cetorhinus maximus*, *Rhincodon typus* -> Appendix II
- 2005 (II :3): *Carcharodon carcharias* -> Appendix II
- 2007 (I :5, II :4): *Pristidae spp.* -> Appendix I, except *Pristis microdon* -> Appendix II
- 2012 (I :5, II :4, III :2): *Lamna nasus* -> Appendix III (Belgium, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Poland, Portugal, Slovenia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland); *Sphyrna lewini* -> Appendix III (Costa Rica)
- 2013 (I :6, II :3, III :2): *Pristis microdon* -> Appendix I
- 2014 (I :6, II :9): *Sphyrna lewini*, *S. mokarran*, *S. zygaena* -> Appendix II ; *Carcharhinus longimanus* -> Appendix II, *Manta spp.* -> Appendix II
- 2017 (I :6, II :22) *Mobula spp.* -> Appendix II (4 April 2017), *Alopias spp.*, *Carcharhinus falciformis* -> Appendix II (4 October 2017)

Action on Sharks (IPOA) but provides no guidance on the implementation of CITES provisions for sharks and does not envision a role for the Standing Committee with regards to CITES-listed sharks.

33. With 29 shark species currently listed on Appendix I and II, the focus of work under CITES has significantly shifted, in particular since CoP16, when the Animals Committee started to pay more attention to reviewing implementation of the shark listings at its regular meetings. In reviewing the Animals Committee's recommendations from AC27, AC28, AC29 and AC30, it becomes evident that some topics are recurrent and likely to be priorities for the implementation of the shark listings in the long-term, including in the topics identified by the Animals Committee at AC30. This holds true when reviewing the recommendations from SC70, which have considerable overlap with the recommendations originating from the Animals Committee. Taking full account of the Standing Committee's and Animals Committee's recommendations (contained in Annex 3, 4 and 5 to the present document for ease of reference), the Secretariat suggests that identified long-term priorities would be best reflected in amendments to Resolution Conf. 12.6 (Rev. CoP17), as proposed in Annex 2 to this document. To facilitate the consideration of the text by the Conference of the Parties, the Secretariat has also prepared a clean version of the proposed revised Resolution Conf. 12.6 (Rev. CoP17), which is contained in Annex 3 to this document.
34. On the other hand, recommendations that address specific challenges or knowledge gaps, or requests for specific studies or tools that can be implemented within a CoP cycle, are included in the draft decisions proposed in Annex 1 to this document.
35. To make the number of proposed amendments to the Resolution and draft decisions manageable for the Conference of the Parties, the Secretariat has attempted to synthesize and simplify the recommendations originating from AC29, AC30 and SC70 as much as possible.
36. One issue of potentially significant concern is that, as pointed out by the Animals Committee, data on trade in CITES-listed sharks and rays since 2000 shows that the actual trade in CITES-listed shark products recorded in the CITES Trade Database appears to be lower than what may have been expected from available knowledge on catches of the species concerned. Although this could be due to delayed reporting by some Parties or stockpiling of CITES-listed shark products pending the making of an NDF, the matter warrants further investigation.
37. The Animals and Standing Committees have identified a range of specific knowledge gaps<sup>4</sup> where sharing of information between Parties on their implementation of the Convention for sharks should be encouraged. These would also require particular attention under any capacity-building activities designed to support Parties pursuant to Decision 18.BB, if it is adopted and external funding becomes available.
38. The Secretariat suggests to only partially include some of the recommendations of the Animals Committee and the Standing Committee for the following reasons:
  - a) AC30 recommendation 8 encourages Parties to use weight and product form rather than number of items in their annual legal and illegal trade reports. The Secretariat takes note of this recommendation and will incorporate it in future revisions of the "[Guidelines for the preparation and submission of CITES annual reports](#)" on the CITES website.
  - b) AC30 recommendation 14 requests Parties to alert the CITES Secretariat to issues regarding illegal trade. As stated on the CITES website in the enforcement section, the CITES Secretariat is not a law enforcement authority and does not conduct investigations. The mandate and responsibility to investigate alleged criminal activity within any country lies with the relevant national law enforcement authorities of that country. Members of the public and non-governmental organizations who may wish to report information regarding illegal trade in specimens of CITES-listed species should contact the relevant national law enforcement agencies in the country (or countries) where the illegal trade is taking place. General guidance that applies to all species can be found in [Notification No. 2004/078](#) of 9 December 2004.
  - c) SC70 recommendation c) makes several requests to the Animals Committee that are already included in the general Terms of Reference of the Animals Committee (i.e. providing advice on NDFs and capacity-building material) and the role set out for it in Resolution Conf. 12.6 (Rev.CoP17) (i.e. review

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<sup>4</sup> See paragraph 9 of the recommendations adopted by AC29 in Annex 4, paragraph 7 of the recommendations adopted by AC30 in Annex 5 and paragraph b) of the recommendations adopted by SC70 in Annex 6.



the implementation of aspects of the shark listings). The Secretariat therefore has not proposed a stand-alone decision based on this recommendation.

- d) SC70 recommendations a) 3 and b) 7 b. regarding legal acquisition findings are addressed in a generic manner in document CoP18 Doc. 39 and the draft decisions proposed by the Secretariat in that document. The Secretariat suggests that legal acquisition findings for sharks and rays should, therefore, be considered in the context of the new Resolution on legal acquisition findings (if adopted).

39. The resource implications of the adoption of the proposed decisions and amendments to the Resolution are shown in Annex 8.

#### Recommendations

40. The Conference of the Parties is invited to:

- a) adopt the draft decisions in Annex 1; and
- b) adopt the proposed amendments to Resolution Conf. 12.6 (Rev. CoP17) on *Conservation and management of sharks* in Annex 2.

These draft decisions would replace Decisions 17.209 to 17.216, which could then be deleted.

PROPOSED DRAFT DECISIONS ON SHARKS AND RAYS (ELASMOBRANCHII SPP.)

**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 c), in particular on any national management measures that prohibit commercial take or trade; and
- b) 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:
  - 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; and
- c) collate this information for the consideration of the Animals Committee.

18.DD The Secretariat shall, subject to external funding, and in collaboration with relevant organizations and experts:

- 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;
- b) develop guidance on the making of legal acquisition findings, and equivalent assessments for introduction from the sea for CITES-listed shark species in the context of the implementation of Resolution Conf. 18.XX on *Legal acquisition findings*;<sup>5</sup>

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<sup>5</sup> If the proposed Resolution Conf. 18.XX on Legal Acquisition findings contained in Annex 1 of document CoP18 Doc.39 is adopted.

- c) 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;
- d) develop new or disseminate existing guidance on the control and monitoring of stockpiles of shark fins, in particular for specimens caught prior to the inclusion of the species in Appendix II; and
- e) bring the results of activities a) to d) 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 and the Standing Committee**

18.FF 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.

DRAFT AMENDMENTS TO RESOLUTION CONF. 12.6 (REV. COP17)  
(Proposed new text is underline; proposed deletions of text are shown in ~~strike through~~; explanations in highlighted in *[italics]*)

## Conf. 12.6 (Rev. CoP17)\*

## Conservation and management of sharks<sup>6</sup>

RECOGNIZING that 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;

NOTING ~~RECALLING~~ that IUCN's *Red List of Threatened Species (2009.2)* lists 181 a number of shark species ~~taxa~~ are included in Appendices I and II; *[replacement of old preambular paragraph 5 (PP5) with a focus on shark species listed under CITES]*

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; *[new paragraph based on SC70 Sum. 10 (Rev.1)]*

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 legal, sustainable and reported; *[new paragraph to replace old PP13, with a focus on shark species listed under CITES]*

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; *[new paragraph to replace old PP13, with a focus on shark species listed under CITES]*

WELCOMING the availability of several guidelines and examples for the making of non-detriment findings (NDFs) for trade in CITES-listed sharks; *[new paragraph welcoming sharing of information in line with AC30 recommendation 7 and paragraph 29 of document CoP18 Doc.68.1]*

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 ~~the contents of: Report of the technical workshop on the status, limitations and opportunities for improving the monitoring of shark fisheries and trade. Rome, 3-6 November 2008. FAO Fisheries and Aquaculture Report No. 897 (an advanced copy of which was circulated as document AC24 Inf. 6) and FAO (2009) Responsible fish trade. FAO Technical Guidelines for Responsible Fisheries. No. 11. Rome, FAO;~~ *[suggested deletion because information is outdated]*

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

<sup>6</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).

NOTING that, through the adoption of Resolution Conf. 9.17 and Decisions 10.48, 10.73, 10.74, 10.93, 10.126, 11.94 11.151, 12.47 12.49, 13.42, 13.43 and 14.101 14.117, Parties to CITES have previously recognized the conservation threat that international trade poses to sharks; *[suggested deletion because information is outdated]*

WELCOMING the report adopted at the 18th meeting of the Animals Committee that noted that CITES should continue to contribute to international efforts to address shark conservation and trade concerns; *[suggested deletion because information is outdated]*

NOTING that States were encouraged by FAO to have prepared NPOAs for sharks by the COFI 24th session held in 2004; *[suggested deletion because information is outdated]*

NOTING that there is a significant lack of has been slow progress with the development and implementation of NPOAs; *[updated to reflect a recent increase in NPOAs being published]*

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

CONCERNED that the continued significant trade in sharks and their products is not sustainable; *[replaced by PP7 and PP8]*

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; *[new paragraph based on AC29 recommendation 12<sup>7</sup>]*

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. INSTRUCTS the CITES Secretariat to inform 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 of the concerns of the CITES Parties regarding the significant lack of progress in implementing the IPOA-Sharks, and to urge FAO to take steps to encourage actively relevant States to develop NPOA-Sharks; *[changes reflecting ongoing cooperation, based on AC29 recommendation 10 and SC70 recommendation a) 1]*
- ~~2. 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;~~ *[moved to operational paragraph 13 and updated]*
3. 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; *[suggested deletion as singular focus on NPOAs seems no longer timely and NPOAs are and will continue to be discussed among other elements when reviewing implementation of CITES-shark listings; see under operational paragraph 13]*
4. URGES FAO's COFI 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; *[incorporated into operational paragraph 6]*
25. 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, and for the implementation of the IPOA-Sharks; *[updated based on partial implementation of Decision 17.212, AC30 recommendation 4, SC70 recommendation a) 4]*
38. ENCOURAGES Parties to improve data collection, data and reporting (where possible by species and gear type), adopt management and conservation measures for shark species, implementing, enhancing and

<sup>7</sup> The Agreement on Port State Measures (PSMA) is a binding international agreement to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing. It works by requiring foreign vessels to comply with conditions for use of ports within a port State, among them compliance with applicable international law, including CITES.

enforcing and enhance implementation and enforcement of these actions through domestic, bilateral, RFMOs or other international measures; [former operational paragraph 8, updated]

- ~~46.~~ URGES Parties that are shark fishing States, but that have not yet done so implemented an NPOA Sharks, to develop their own NDFs, as well as an NPOAs, at the earliest opportunity and 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 their Sharks Plans and making NDFs, with a view to establishing long-term data collection on the status of shark and ray stocks, particularly the necessity to improve the collection of catch and trade data at the lowest taxonomic level possible (ideally by species); [updated based on the fact that shark species are now listed under CITES, AC29 recommendation 14 and SC70 recommendation b) 6]
5. INVITES Parties that engage in directed or non-directed shark fishing activities of shared stocks to collect and share, on a regional basis, data on effort, catches, landings and trade (to species level and by gear type where possible), to assist in the making of NDFs of such shared stocks; [new paragraph based on AC30 recommendation 6 and SC70 recommendation e)]
- ~~67.~~ FURTHER URGES ENCOURAGES Parties to discuss CITES activities within the appropriate RFMOs of which they are members 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, improve coordination with activities under CITES and explore regional approaches to NDFs, where appropriate; [updated based on ongoing need for implementation of Decision 17.209 a), AC30 recommendation 5, and SC70 recommendation b) 2 and d) and incorporates elements of old paragraph 4]
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; [new operational paragraph based on AC30 recommendation 9]
- ~~8.~~ 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; [moved to operational paragraph 3 and updated]
- ~~9.~~ 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; [moved to operational paragraph 14]
- ~~840.~~ 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; [updated based on AC30 recommendation 8]
- ~~944.~~ 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;
- ~~102.~~ 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;
- ~~113.~~ 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 shark meat, including prices in major fish markets in order to better identify the all shark products that are driving IUU fishing; [updated based on AC29 recommendation 3, AC30 recommendation 12 and SC70 recommendation b) 7 c.]

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; *[new paragraph based on AC29 recommendation 9, AC30 recommendation 7, SC70 recommendation a) 2 and b) 7]*
13. ~~DIRECTS the Animals Committee to periodically examine new information provided by range States on the implementation of the shark listings trade and other available relevant data and information, and report their analyses at meetings of the Conference of the Parties;~~ *[moved from paragraph 2, updated based on instructions to the Secretariat in Decision 17.211 and equivalent instructions from AC29 recommendations 6-8 and AC30 recommendation 3]*
14. ~~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;~~ *[moved from operational paragraph 9]*
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 *[new paragraph reflecting the role of the Standing Committee with shark species listed in CITES Appendices, as seen in Decision 17.216]*
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;~~ *[updated based on new role of Standing Committee in operational paragraph 15]*
15. ~~ENCOURAGES range States of species in the family Potamotrygonidae to:~~
- ~~a) note the findings and conclusions of the freshwater stingray workshop (document AC24-Doc. 14.2), and increase their efforts to improve data collection on the scale and impact of the threats facing stingray species and populations from collection for ornamental trade, commercial fisheries for food and habitat damage;~~
  - ~~b) consider implementing or reinforcing national regulations regarding the management and reporting of capture of and international trade in freshwater stingrays for all purposes, including commercial fishing for food and ornamental trade, and standardizing these measures across the region, for example through existing South American intergovernmental bodies; and~~
  - ~~c) consider the listing of endemic and threatened species of freshwater stingrays (Potamotrygonidae) in CITES Appendix III as needing the cooperation of other Parties in the control of trade.~~ *[suggested deletion because information is outdated, and guidance has been superseded by Decisions 17.246 to 17.249 on Freshwater stingrays (Potamotrygonidae spp.)]*

DRAFT AMENDMENTS TO RESOLUTION CONF. 12.6 (REV. COP17)  
(Clean version with proposed amendments)

## **Conf. 12.6** **(Rev. CoP18)\***

## **Conservation and management of sharks<sup>8</sup>**

RECOGNIZING that 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 legal, sustainable and 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>8</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, data on effort, catches, landings and trade (to species level and by gear type where possible), to assist 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, improve coordination with activities under CITES and explore regional approaches to NDFs, where appropriate;
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 at meetings of the Conference of the Parties if necessary on improving the conservation status of sharks;

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.

RECOMMENDATIONS ADOPTED BY THE 29<sup>TH</sup> MEETING OF THE ANIMALS COMMITTEE  
(AC29, GENEVA, JULY 2017)

1. The Animals Committee urges Parties and other organizations to collaborate in developing techniques and opportunities for rapid and cost-effective DNA testing of shark and ray products, including in the field, and to share that knowledge.
2. The Animals Committee recommends that the CITES Secretariat requests Parties and other organizations to share protocols for the collection and curation of tissue material and product samples derived from CITES-listed species, for the development and testing of genetic identification procedures and other forensic approaches (e.g. isotope analyses).
3. The Animals Committee urges Parties and other organizations to develop robust, low-cost tools and systems, where not already existing, to ensure that CITES species are identified accurately at the first point of capture/landing. This will facilitate the implementation of traceability systems for international trade. The Animals Committee asks the Secretariat to bring this matter to the attention to the Standing Committee for its consideration of the issues identified in Decision 17.216.
4. The Animals Committee urges Parties and all relevant stakeholders to provide 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 FAO to facilitate refinement of iSharkFin software using machine learning.
5. The Animals Committee urges Parties and all relevant stakeholders to develop and share tools for the identification of other shark and ray commodities and derivatives in trade.
6. The Animals Committee directs the Secretariat to issue a notification to Parties, requesting that they provide concise summaries of any new information on their shark and ray conservation and management activities, and that the Secretariat collate these for the consideration of AC30.
7. The Animals Committee directs the Secretariat to at the same time request CITES Parties to highlight any questions, concerns or difficulties they are having in writing or submitting export or import trade documentation for the CITES (UNEP WCMC) trade database, with a view to AC30 developing recommendations for how such data (e.g. units reported) and coherence between exports and imports may be improved.
8. The Animals Committee directs the Secretariat to 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, for consideration by AC30.
9. The Animals Committee recommends that Parties and regions share their experiences of developing Non-Detriment Findings for sharks and rays, share these NDFs *via* the CITES Sharks and Rays Portal, identify gaps in capacity, and develop advice/recommendations on formulating NDFs for sharks and rays, taking into consideration:
  - strategies for the establishment and maintenance of data collection systems and data analysis and presentation;
  - dealing with data-poor, multi-species, small-scale/artisanal, and non-target (bycatch) situations;
  - addressing lookalike issues and NDFs for trade in non-fin commodities;
  - cooperating with regional fisheries bodies;
  - Introductions from the Sea issues;
  - processes for adopting, evaluating and revising precautionary interim NDFs with conditions;
  - opportunities for providing training for trainers;and report back to AC30.

10. Urges the Secretariat to continue its valuable collaborations with FAO, Regional Fisheries Bodies, CMS and other relevant actors regarding marine issues including but not restricted to those identified in paragraph 9.
11. The Animals Committee reminds Parties that FAO has developed a shark measures database and they are encouraged to consult it regularly to ensure that their measures are well reflected.
12. The Animals Committee urges Parties to recognise the value that the FAO Port State Measures Agreement (PSMA) offers in compliance of CITES provisions for listed shark and rays species.
13. The Animals Committee recognises that utilisation and trade of shark and ray meat and other products (skin, cartilage, oil) is poorly understood, and recommends the development of case studies by FAO and others into international trade and markets for these products.
14. The Animals Committee urges Parties and other stakeholders to support the establishment and maintenance of fundamental long-term data collection programmes on the status of shark and ray stocks.
15. The Animals Committee requests the Secretariat to bring to the attention of the Standing Committee the need for guidance to Parties when issuing permits for products that are composed of multiple species, which can include listed and non-listed species.

RECOMMENDATIONS ADOPTED BY THE 30<sup>TH</sup> MEETING OF THE ANIMALS COMMITTEE  
(AC30, GENEVA, JULY 2018)

Directed to the Secretariat:

1. The Animals Committee recommends that CITES Res Conf 12.6 (Rev Conf 17) on the Conservation and Management of sharks be updated and reviewed, and invites the Secretariat to propose amendments to this Resolution for consideration of COP18, also taking into account any discussions or recommendations in the Standing Committee. The AC recommends that the amendments should in particular include provisions designed to guide Parties in their implementation of the Convention for CITES-listed shark species especially on:
  - i. The making of NDFs and the sharing of information on NDFs;
  - ii. Improving reporting on trade in shark products; and
  - iii. Ways to ensure better traceability of shark products in trade.
2. The Animals Committee recommends that the Secretariat take note of recommendations from both AC29 and AC30 when preparing draft Decisions and revisions of Res. Conf. 12.6 (Rev Conf 17) for the consideration of the 18<sup>th</sup> Meeting of the Conference of Parties.
3. The Animals Committee invites the Secretariat for AC31:
  - i. issue a notification to Parties, requesting that they provide concise summaries of new information on their shark and ray conservation and management activities;
  - ii. to highlight any questions, concerns or difficulties they are having in writing or submitting export or import trade documentation for the CITES (UNEP-WCMC) trade database, with a view to the Animals Committee developing recommendations;
  - iii. to 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,

And the Secretariat collate these for consideration of the 31st meeting of the Animals Committee.

Non-Detriment Findings (NDFs):

4. The Animals Committee urges Parties to help increase the capacity of other Parties, particularly in assessing the status of CITES-listed species and other relevant information that will assist in the development of NDFs.
5. The Animals Committee urges Parties, regional fisheries bodies, and organizations to support the development of long-term fisheries (including bycatch and release) and trade species-specific data collection programs for CITES-listed shark and ray species to assist CITES Parties in the development of NDFs.
6. The Animals Committee encourages Parties to continue to cooperate regionally, including through Regional Fisheries Bodies, on research, stock assessments, data sharing and analysis to help Parties making legal acquisition findings and NDFs for shared stocks
7. The Animals Committee recommends that Parties and regions continue sharing their experiences of developing non-detriment findings (NDFs) for sharks and rays, share these NDFs *via* the CITES Sharks and Rays Portal, for the benefit of other CITES Parties, identify gaps in capacity, and develop advice and recommendations on formulating NDFs for sharks and rays, taking into consideration:
  - i. strategies for the establishment and maintenance of data collection systems and data analysis and presentation;
  - ii. dealing with data-poor, multi-species, small-scale/artisanal, and non-target (bycatch) situations;
  - iii. addressing look-alike issues and NDFs for trade in non-fin commodities;

- iv. cooperating with regional fisheries bodies;
- v. Introductions from the Sea issues;
- vi. processes for adopting, evaluating and revising precautionary interim NDFs with conditions;
- vii. opportunities for providing training for trainers;

Trade:

- 8. The Animals Committee encourages Parties to report to the Secretariat their trade records of listed elasmobranch products by weight and product form (e.g. dried fin or frozen fin, live specimens) rather than number of items, and requests the Secretariat to liaise with WCMC regarding amending the description of trade terms in the database to differentiate between these fin products;
- 9. Request the Parties to alert the CITES Secretariat to institutional arrangements that disallow commercial exports from their country of CITES Appendix II elasmobranch products (e.g. fins, meat, live specimens) and reminds Parties that they have the option of announcing zero quotas or negative NDFs if they wish to inform other Parties that they have decided not to allow exports, and can ask the Secretariat to publish this information on the Sharks and Rays Portal, and if possible through the FAO Database of Measures;
- 10. Requests the Parties to alert the Secretariat to changes in trade of non-fin products, such as meat, from CITES-listed species, in recognition of the fluctuating levels of trade reports for different products;
- 11. Supports and encourages FAO to continue its analysis of the non-fin shark and ray trade to assist CITES Parties in gaining a better understanding of the trade and trends in shark and ray products, including to inform the development of NDFs.

Identification:

- 12. Urges Parties and organizations to continue:
  - i. the provision of training in the identification of shark fin and other products to improve their detection in trade; and
  - ii. collaboration, advancement, and dissemination of the development of rapid and cost-effective genetic tools to assist Parties with the identification of shark and ray products in trade.
- 13. Urges Parties and relevant stakeholders to provide imagery of fresh shark fins to FAO to assist in further development of the iSharkFin software tool.

Enforcement:

- 14. Request the Parties to alert the CITES Secretariat to issues related to suspected increasing illegal trade in products of CITES Appendix II elasmobranch species, for example discrepancies between reported or observed landings and international trade.
- 15. Congratulates Parties that have undertaken assessments of stockpiles of commercial and/or pre-Convention shark fins for CITES Appendix II elasmobranch species, and encourages the Parties that have not done so to do so and to share their experiences of recording these stockpiles and controlling the entry of these stocks into trade

Lookalike issues:

- 16. The Animals Committee requests the Standing Committee to consider implementation issues of CITES-listed Hammerhead species and make recommendations to CoP18, as appropriate.

RECOMMENDATIONS ADOPTED BY THE 70<sup>TH</sup> MEETING OF THE STANDING COMMITTEE  
(SC70, SOCHI, OCTOBER 2018)

**a) The Secretariat is requested:**

1. To facilitate the coordination with RFMO/RFB's and CMS in CITES implementation, including facilitating greater RFMO support for CITES implementation through the provision of catch and landings data, and regional stock assessments.
2. To compile lesson learned and best practices in CITES sharks and rays implementation on NDF development and traceability system.
3. To provide guideline on Legal Acquisitions Finding to address the traceability issues
4. To continue to seek external resources for capacity building on sharks and rays to support Parties, including in the development of NDF
5. To compile, subject to external funding, for the review of the Animals Committee:
  - a. scientific research on CITES listed sharks and rays to support NDF development;
  - b. Analysis of non-fin shark products in trade, including the level of species mixing in traded products

**b) Parties are encouraged:**

1. To implement measures and regulations under RFMO/ RFB or other multilateral environmental agreements where they are parties of it, including the Convention on Migratory Species (CMS), as support to implement CITES measures
2. To have a better coordination between CITES and RFMO national focal points
3. To take into consideration requirements that have been developed for the trade in specimens of other Appendix-II species, and their applicability to specimens of CITES-listed sharks and rays in trade; and legislative issues that might be hindering the implementation of the Convention for sharks and rays (at point of landing, processing, trading and distribution)
4. To develop procedure of Legal Acquisitions Finding for export of specimens of CITES listed sharks and rays, as part of addressing the traceability issue
5. To identify or develop a robust and low-cost systems to support the implementation of traceability systems for international trade
6. To improve the collection of shark fisheries and trade data at the species level, especially with respect to CITES-listed species;
7. To share experiences in:
  - a. The development of NDF under limited or poor data availability
  - b. The determination of legal acquisition for shark and ray products in trade; and
  - c. Knowledge of forensic means to efficiently, reliably and cost effectively identify shark products in trade, traceability implementation

**c) The Animal Committee is requested:**

1. To collate and analyse scientific research on CITES listed sharks and rays to support NDF development.
2. To analyse non-fin shark products in trade, including the level of species mixing in traded products.

3. To provide guidance on capacity building material on sharks and rays to support parties in the development of NDF, where requested.
- d) Parties that are members of RFMOs/RFBs are invited to work through the respective mechanisms of these RFMO/RFBs for them:**
1. To update conservation and management measures of shark species such as catch limits or prohibition for heavily fished oceanic sharks considering the species listed on CITES.
  2. To provide data shark catches and landings (to species level where possible) and effort by gear type in accordance with confidential policy of each Organization/Body upon requests by Parties.
  3. To continue the assessment on fishing risk to sharks and rays at regional level.
- e) Parties that are not members of RFMOs/RFBs are invited to provide scientific data to relevant RFMOs/RFBs, such as shark catches and landing (to species level where possible) and effort by gear type**



SECRETARIAT'S ASSESSMENT OF THE STATUS OF IMPLEMENTATION OF DECISIONS 17.209 TO 17.216

Decision No.	Instruction	Comment	Status of implementation
<u>Directed to Parties</u>			
17.209	Parties are encouraged to:		
a)	undertake broad national consultations with all stakeholders concerning the implementation of CITES provisions for trade in species of Elasmobranchii included in the CITES Appendices, including industries involved in the harvest, export or import of the listed species; and involve in relevant meetings, events and processes CITES officials and fisheries officials, and representatives of relevant Regional Fisheries Management Organisations/Bodies (RFMO/RFBs) wherever possible and where limited capacity on fisheries management exists in the CITES authorities;	No reporting requirement	Ongoing implementation required
b)	share experiences and examples of making non-detriment findings for trade in CITES-listed sharks and rays including, where appropriate, how artisanal fishing is taken into consideration, and communicate them to the Secretariat for publication on the CITES Sharks and Rays Portal ( <a href="https://cites.org/prog/shark">https://cites.org/prog/shark</a> ) in order to improve capacity and knowledge of national and regional harvest levels and management measures;	7 new NDFs submitted by Parties Supported by CoP17 Decisions project.	Implemented
c)	strengthen the efforts of exporting Parties in developing non-detriment findings for sharks and rays by sharing good practise and providing financial and other assistance, and consider in this regard Germany's offer to support training workshops on the application of the Shark NDF Guidance developed by the German Scientific Authority and available on the CITES Sharks and Rays Portal ( <a href="https://cites.org/prog/shark">https://cites.org/prog/shark</a> );	Supported by CoP17 Decisions project.	Implemented
d)	continue improving the collection of fisheries and trade data at the species level, especially with respect to CITES-listed species;	Supported by CoP17 Decisions project.	In progress
e)	share experiences with, and knowledge of, forensic means to efficiently, reliably and cost-effectively identify shark products in trade; and	Supported by CoP17 Decisions project.	Implemented
f)	provide funding for a dedicated marine officer position in the CITES Secretariat, and consider seconding, or externally funding, additional staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat.	Supported by CoP17 Decisions project.	Implemented

<u>Directed to the Secretariat</u>			
17.210	The Secretariat shall:		
a)	make guidance materials available for the identification of CITES-listed sharks and rays, including fins and other products and derivatives, on the CITES Sharks and Rays Portal, and the sharing of genetic testing protocols and other forensic approaches; and	Supported by CoP17 Decisions project.	In progress
b)	remind Parties that CITES-listed Elasmobranchii occur in small scale fisheries and that NDFs will need to be made if the products of these fisheries enter international trade, and draw their attention in this regard to the Food and Agriculture Organization of the United Nations (FAO)'s Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines), which offer principles and guidance for small-scale fisheries governance and development.	Supported by CoP17 Decisions project.	In progress
17.211	The Secretariat shall:		
a)	issue a notification, requesting Parties to provide new information on their shark and ray conservation and management activities, including legislation, and make the responses available to the Animals Committee for its consideration; and		Implemented
b)	provide a summary of information in the CITES trade database on trade in CITES-listed sharks and rays since 2000 for consideration by the Animals Committee.		Implemented
17.212	Recognizing the continued requests from Parties for assistance in implementing Appendix-II shark and ray listings, and the need for further capacity building activities in this regard, the Secretariat shall seek additional funding to address the capacity needs raised at regional implementation meetings (Casablanca, Dakar and Xiamen)[1] and identified in the course of the 2013-2016 EU-CITES project.	Supported by CoP17 Decisions project	Partially implemented, ongoing implementation required
<u>Directed to the Secretariat and to the Food and Agriculture Organization of the United Nations (FAO)</u>			
17.213	The CITES and the Food and Agriculture Organization of the United Nations (FAO) Secretariats are invited to continue and expand their collaboration concerning the conservation of and trade in sharks and rays, in particular by:		
a)	exploring options for using the existing iSharkFin tool for the identification of dried and skinned shark fins;	Supported by CoP17 Decisions project.	In progress
b)	working with the World Customs Organization to expand customs codes for shark and ray species and product categories;	See paragraph 22.	Not implemented
c)	making relevant studies and information relating to the conservation and management of CITES-listed shark species available on the CITES sharks and rays portal;	Supported by CoP17 Decisions project.	In progress

d)	maintaining and improving the database of measures on conservation and management of sharks, with the aim to provide a user-friendly overview of stricter domestic measures adopted by CITES Parties for CITES-listed shark and ray species, the species that are covered in this way, the dates of these measures, and links to the measures, including: i) Legal protection for CITES-listed shark and ray species; ii) Zero quotas for CITES-listed shark and ray species; iii) Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) that have agreed to protect CMS Appendix I species; and iv) Members of RFMOs with measures that prohibit retention, landing, or trade of CITES-listed species; and	Supported by CoP17 Decisions project.	In progress
e)	continuing to support the development and application of guidance and capacity building tools for making NDFs, in particular for situations where data availability is low, the fishery is mostly artisanal, sharks are caught as bycatch, or where catches concern sharks that are part of shared stocks, and, upon request, supporting Parties with targeted advice to ensure compliance with Article IV for trade in CITES Appendix-II listed sharks and rays.	Supported by CoP17 Decisions project.	In progress
<u>Directed to Parties that are members of Regional Fisheries Organizations or Bodies</u>			
17.214	Parties that are also members of Regional Fisheries Management Organizations or Bodies (RFMOs/RFBs) are urged to:		
a)	work through the respective mechanisms of these RFMOs/RFBs to develop and improve methods to avoid bycatch of sharks and rays, where retention, landing, and sale of these species is prohibited under RFMO requirements, and reduce their mortality, including by exploring gear selectivity and improved techniques for live release;	No reporting requirement	Ongoing implementation required
b)	encourage the RFMOs/RFBs to consider making CITES-listed species a priority for data collection, data collation and stock assessments among non-target species, and provide these data to their members; and	No reporting requirement	Ongoing implementation required
c)	cooperate regionally on research, stock assessments, data sharing and analysis to help Parties making legal acquisition findings and NDFs for shared stocks, and on training initiatives for CITES Authorities, fisheries staff and customs officers, in cooperation with the CITES and FAO Secretariats.	No reporting requirement	Ongoing implementation required
<u>Directed to Parties that are also Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and/or the Memorandum of Understanding on the Conservation of Migratory Sharks (CMS Sharks MoU)</u>			
17.215	Parties that are also Parties to CMS and/or the Memorandum of Understanding on the Conservation of Migratory Sharks (CMS Sharks MoU) are urged to work through the mechanisms of CMS and the Sharks MoU to develop and improve methods for conservation of sharks and rays.	No reporting requirement	Ongoing implementation required

<u>Directed to the Standing Committee</u>			
17.216	On the basis of information provided by the Secretariat and the Animals Committee, the Standing Committee shall consider issues concerning the conservation and management of sharks and rays, and provide guidance as appropriate, pertaining to:		
a)	legislative matters that might arise in exporting, transit or consumer countries, and those relating to legality of acquisition and introduction from the sea;		Implemented
b)	identification and traceability, taking into consideration requirements that have been developed for the trade in specimens of other Appendix-II species, and their applicability to specimens of CITES-listed sharks and rays in trade;		Implemented
c)	conservation and management measures for sharks and rays taken by Regional Fisheries Management Organisations; and		Implemented
d)	coherence of CITES provisions concerning sharks and rays with conservation and management measures of other relevant multilateral environmental agreements;		Implemented
The Standing Committee shall report on the implementation of this decision, with recommendations as appropriate, at the 18th meeting of the Conference of the Parties.			Implemented

TENTATIVE BUDGET AND SOURCE OF FUNDING  
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP16) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The Secretariat proposes the following tentative budget and source of funding.

The table below has been prepared by the Secretariat and proposes a tentative budget for the implementation of the draft decisions requiring external funding. The draft decisions proposed will have workload implications for the Secretariat, the Animals Committee and the Standing Committee. As stated in paragraph 25, the Secretariat has proposed the creation of a core budget Programme Officer post for the budget and work programme for 2020 to 2022 contained in document [CoP18 Doc. 7.4](#). The Secretariat's estimate for the tentative budget below was made under the assumption of this position being created. In case that this position is not adopted in the budget and work programme for 2020 to 2022, additional external funding for a dedicated Programme Officer position (approximate cost estimation of 144,218 USD per annum) would be required for the implementation of these draft decisions.

Decision	Activity	Cost implications (USD)
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.	<p><b>Addressing scientific challenges, incl. supporting data collection and making NDFs</b> USD 75,000-100,000 per Party (in-country technical support and 2 small workshops)</p> <p><b>Addressing traceability challenges, incl. understanding chain of custody</b> USD 30,000 per Party (1 small study and 1 small meeting)</p> <p><b>Addressing legal and regulatory challenges</b> USD 30,000 per Party (1 small study and 1 small meeting)</p> <p><b>Overall cost (assuming 10 Parties requesting support): 1,350,000 to 1,600,000 USD</b></p>
18.DD	<p>The Secretariat shall, subject to external funding, and in collaboration with relevant organisations and experts:</p> <p>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;</p> <p>b) develop guidance on the making of legal acquisition findings, and equivalent assessments for introduction from the sea, for CITES-listed shark species</p> <p>c) conduct a study to investigate the apparent mismatch between the trade in products of CITES-listed sharks recorded in the CITES trade data base and what would be expected against the information available on catches of listed species;</p> <p>d) Develop new or disseminate existing guidance on the control and monitoring of stockpiles of shark fins, in particular for specimens caught prior to the inclusion of the species in Appendix II; and</p>	<p>USD 50,000–100,000 (large technical study)</p> <p>USD 20,000–40,000 (small technical study that can draw on work proposed in <a href="#">document CoP18 Doc. 39</a>)</p> <p>USD 100,000 (1 large technical study and 1 medium meeting)</p> <p>USD 20,000–40,000 (small technical study)</p>

	e) bring the results of activities a) to d) to the attention of the Animals Committee or Standing Committee as appropriate.	
18.EE.	<p>The Secretariat, subject to external funding, is requested to collaborate closely with the FAO Secretariat to:</p> <p>a) Verify that information about Parties' shark management measures are correctly reflected in the shark measures database developed by FAO (<a href="http://www.fao.org/ipoa-sharks/database-of-measures/en/">http://www.fao.org/ipoa-sharks/database-of-measures/en/</a>) and if not, support FAO in correcting the information;</p> <p>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; and</p> <p>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;</p> <p>d) bring the results of activities a) to c) to the attention of the Animals Committee or Standing Committee' as appropriate;</p>	<p>USD 20,000 (small technical study)</p> <p>No additional costs expected.</p> <p>USD 50,000–100,000 (large technical study)</p>
		<b>Overall cost estimate: USD 1,610,000–2,000,000 for 10 Parties requesting support under Decision 18.BB</b>