



NOTIFICATION TO THE PARTIES

No. 2023/098

Geneva, 11 August 2023

CONCERNING:

COLOMBIA

Regulations in force in Colombia for species of sharks, marine rays and chimaeras

1. This Notification is published at the request of Colombia.

Background of this request

At the 32nd meeting of the Animals Committee, held in June 2023 in Geneva, Switzerland, Colombia committed to inform the CITES Secretariat of the stricter measures in force in the country regarding species of sharks, marine rays and chimaeras, namely **the prohibition in all its national territory of all trade in products and derivatives of sharks, rays and chimaeras, including export, re-export and import.**

This was done considering that, under the Review of Significant Trade in specimens of Appendix-II species (AC32 Doc. 14.2), discussed at that meeting of the Animals Committee, there was a recommendation to include the *Carcharhinus longimanus*/Colombia combination. On this issue, the Colombian delegation clarified the following:

"(...) since the year 2021 there has been no legal trade of these species or their derivatives from Colombia. In this regard, including the *Carcharhinus longimanus*/Colombia combination would be counterproductive for the Review of Significant Trade process itself on the following grounds: the process, as established in Resolution Conf. 12.8, should be based on the review of legal trade in the species – which, as we already clarified, does not exist in Colombia – and on the trends of such trade. This latter criterion is not met in Colombia either, because the percentage reflected corresponds to a single isolated and unverified piece of information that contradicts the information on the strict regulatory measures that Colombia has imposed for these species. We therefore request that the *Carcharhinus longimanus*/Colombia combination be deleted from the recommendations of the Review of Significant Trade".

Considering the above, the Ministry of the Environment and Sustainable Development, as the Management Authority for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), hereby presents a summary of the regulations in force in Colombia and requests the CITES Secretariat to notify all Parties about this.

Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

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[cites.org](https://www.cites.org)

Regulations in force in Colombia:

Article 7 of Act 13 of 1990 considers as 'hydrobiological resources' all organisms of the animal and plant kingdom having their entire life cycle in the aquatic environment. It also defines 'fishery resources' as the part of hydrobiological resources that could be harvested or is harvested for the purposes of consumption, processing, study or obtaining any other benefit without affecting their ability to renew themselves. Moreover, it establishes that INDERENA, **currently the Ministry of the Environment and Sustainable Development**, and INPA, currently the National Authority for Aquaculture and Fisheries (hereafter 'AUNAP'), shall jointly define the species and volumes that can be harvested. Once defined, the administration and full management of these fishery resources will fall under the exclusive authority of INPA, currently AUNAP.

The Executive Committee for Fisheries was created in 1991 to articulate the work between both authorities and define the species that can be harvested, their volumes and minimum size.

In an extraordinary session of this body (i.e., the Executive Committee for Fisheries) held in March 2021, it was approved that, from that date, sharks, marine rays and chimaeras would be considered as hydrobiological resources and, consequently, that AUNAP would make internal regulatory adjustments to change the consideration of sharks, marine rays and chimaeras from fishery resources to hydrobiological resources. This decision was reflected in Resolution 0380 of 5 March 2021, issued by AUNAP.

With the declaration of species of sharks and marine rays as hydrobiological resources, these species can no longer be harvested for commercial or recreational purposes and therefore require the adoption of environmental management and conservation measures that can guarantee their ability to renew themselves. In this regard, the Ministry of the Environment and Sustainable Development, through Decree 281 of 18 March 2021, mandated the creation of the Environmental Plan for the Protection and Conservation of Sharks, Marine Rays and Chimaeras (*Plan Ambiental para la Protección y Conservación de Tiburones, Rayas marinas y Quimeras*) with the goal of ensuring the conservation and sustainable management of species of sharks, marine rays and chimaeras to reduce the vulnerability and the threats resulting from the development of anthropic activities.

The Environmental Plan, adopted through Resolution 0854 of 5 August 2022, establishes the following measures:

- i. Prohibit throughout the national territory all trade in products and derivatives of sharks, marine rays and chimaeras, including export, re-export and import.
- ii. Also prohibit the transport and possession of any products and derivatives as cargo, personal effects or hand luggage in land, maritime, river and air transport.
- iii. In the jurisdiction of coastal municipalities of the Pacific and Caribbean coast, bycatch of sharks and marine rays that cannot be returned alive to the sea and originate especially from subsistence fisheries can be used to contribute to the food security of coastal communities.
- iv. Under no circumstances can any species of chondrichthyans or their derivatives be transported or traded outside the jurisdiction of these territories.