



**CONVENTION ON
MIGRATORY
SPECIES**

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MEETING TO IDENTIFY AND ELABORATE AN OPTION FOR
INTERNATIONAL COOPERATION ON MIGRATORY SHARKS
UNDER THE CONVENTION ON MIGRATORY SPECIES
Mahe, Seychelles, 11-13 December 2007

**REPORT OF ACTIVITIES RELATED TO SHARKS UNDERTAKEN BY THE
CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD
FAUNA AND FLORA (CITES)**

(Submitted by the CITES Secretariat)

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1. This document has been submitted by the CITES Secretariat.

Evolution of CITES policy on shark species and parallel developments at the Food and Agriculture Organization of the United Nations (FAO).

2. In 1994, the Parties to CITES noted that levels of exploitation of certain shark species in some cases were unsustainable and may have been detrimental to the long-term survival of the species, and that international trade in parts and derivatives of sharks was increasing and was not adequately monitored and controlled. They also observed that at that time sharks were not specifically managed or conserved by any multilateral or regional agreement for the management of marine fisheries. Consequently, at their ninth meeting, the Conference of the Parties to CITES (CoP), the Parties adopted a Resolution on the biological and trade status of sharks. This Resolution requested *inter alia* firstly that FAO and other international fisheries management organizations establish programmes to collect and assemble the necessary biological and trade data on shark species; and secondly that all nations using and trading specimens of shark species cooperate with FAO and other international fisheries management organizations.
3. At the CoP in 1997, a series of Decisions were adopted by the Parties in order to assist the effective implementation of the earlier Resolution through the improvement of the methods and systems used to identify, record and report landings of sharks from directed fisheries and sharks taken as bycatch in non-directed fisheries. Parties with a shark fishery were to initiate efforts to collect a range of species-specific data, and to reduce the mortality of sharks caught through incidental catch in other fishing activities. Parties were encouraged to initiate management of shark fisheries at the national level, to establish international and regional bodies to coordinate management of shark fisheries and to ensure that international trade would not be detrimental to the long-term survival of shark populations. FAO and the CITES Secretariat were also requested to undertake specific activities to improve the conservation and effective management of sharks.
4. During the course of 1998 FAO organized two intergovernmental meetings to discuss a draft plan of international action for the conservation and management of sharks (IPOA-Sharks). The IPOA-Sharks was subsequently adopted by the FAO Committee on Fisheries in February 1999 and endorsed by the FAO Council in June 1999. Although voluntary, all States whose vessels conduct directed fisheries or regularly take sharks in non-directed fisheries are encouraged to implement it by developing National Plans of Action (NPOAs). The latter should, *inter alia*, aim to improve collection of species-specific data on catch and landings data collection, monitoring and management of shark fisheries. The IPOA-Sharks also recognizes the importance of international collaboration on data collection and management of transboundary, straddling, highly migratory and high seas shark stocks.
5. At the subsequent meeting of CoP to CITES in 2000 the original CITES Resolution was repealed, but the Chairman of the CITES Animals Committee was instructed to maintain liaison with the Secretary of the FAO Committee on Fisheries in order to monitor the implementation of the IPOA-Sharks and report at the CoP in 2002 on progress made with this.
6. However at the 2002 CoP, CITES Parties expressed concern that insufficient progress had been made in achieving shark management through the implementation of the IPOA-Sharks, that the development and implementation of NPOAs had not been sufficient and that the continued significant trade in sharks and their products was not sustainable. Consequently they adopted a new Resolution urging an improvement in this situation and reporting by the CITES Animals Committee at the next CoP. They also directed the Animals Committee to identify key species and examine these for consideration and possible listing under CITES, and if necessary to make species-specific recommendations on improving the conservation status of sharks and the regulation of international trade in these species.
7. The CITES Animals Committee prepared a comprehensive report for the CoP in 2004 (available at <http://www.cites.org/eng/cop/13/doc/E13-35.pdf>). The Committee noted that although twice as many Parties had reported progress towards implementation of the IPOA-Sharks than was the case two years previously, with particularly good progress by some African range States, there was not much evidence of improved shark fisheries management. The CoP called on Parties to request FAO to consider convening a workshop or consultation on the conservation and management of sharks which could

review progress with the implementation of the IPOA-Sharks; assess the effectiveness and efficiency of current conservation and management measures for sharks and identify any improvements needed. The CITES Animals Committee was instructed to carry on its work and to:

- a) review implementation issues related to sharks listed in the CITES Appendices with a view *inter alia* to sharing experiences that may have arisen and solutions that may have been found;
 - b) identify specific cases where trade is having an adverse impact on sharks, in particular those key shark species threatened in this way; and
 - c) prepare a report on trade-related measures adopted and implemented by Parties that are aimed at improving the conservation status of sharks.
8. FAO duly held an expert consultation on the implementation of the IPOA-Sharks in December 2005. The report of it is published in FAO Fisheries Report No. 795 which can be found at <ftp://ftp.fao.org/docrep/fao/009/a0523e/a0523e00.pdf>. The experts considered that the IPOA-Sharks had not achieved the level of success envisaged at the time of its inception and that whilst it appeared well accepted at national political and policy levels, concrete operational activities have been meagre and unsatisfactory. The constraints on implementation were reviewed and suggestions were made to improve its effectiveness. Nevertheless, the view of the experts was that the IPOA-Sharks was a beneficial endeavour and that efforts to improve its effectiveness should be strengthened.
9. At its most recent meeting in 2007, the CITES CoP agreed a further extensive programme of work to be undertaken before early 2010 on the subject of sharks. Details of this and all other current CITES CoP instructions on the subject can be found in Annex 1 to the present document.

Sharks species listed in the CITES Appendices

10. In 2000, while these policies were evolving, shark species began to be listed in the CITES Appendices. This process has continued and 13 species are now listed in the Appendices as shown in Annex 2 to the present document.

Cooperation between CITES and CMS

11. On 18 September 2002, the Secretariats of CITES and CMS established a Memorandum of Understanding in order to liaise on key issues in order to promote the compatibility of their respective policy decisions and to complement each other in promoting their shared goals of supporting biodiversity conservation and sustainable use. The CITES CoP has singled out *Rhincodon typus* of south and Southeast Asia, as well as *Carcharodon carcharias*, as two subjects where in particular the CITES Secretariat should seek to complement, reinforce and, as far as possible, benefit from the regional collaboration already being undertaken or envisaged in the framework of CMS.
12. The CITES Secretariat stands ready to build on this cooperation as it relates to sharks and looks forward to the results of the present meeting as it fleshes out CMS policy objectives and measures for these important species.

CITES PROGRAMME OF WORK ON SHARKS SEPTEMBER 2007-MARCH 2010.

THE CONFERENCE OF THE PARTIES TO THE CONVENTION:

AGREES that a lack of progress in the development of the FAO IPOA-Sharks is not a legitimate justification for a lack of further substantive action on shark trade issues within the CITES forum;

INSTRUCTS the CITES Secretariat to raise with FAO concerns regarding the significant lack of progress in implementing the IPOA-Sharks, and to urge FAO to take steps to actively encourage relevant States to develop NPOA-Sharks;

DIRECTS the Animals Committee to examine information provided by range States in shark assessment reports and other available relevant documents, with a view to identifying key species and examining these for consideration and possible listing under CITES;

ENCOURAGES Parties to obtain information on implementation of IPOA-Sharks from their fisheries departments, and report directly on progress to the CITES Secretariat and at future meetings of the Animals Committee;

URGES FAO COFI and Regional Fisheries Management Organizations to take steps to undertake the research, training, data collection, data analysis and shark management plan development outlined by FAO as necessary to implement the IPOA-Sharks;

ENCOURAGES Parties to contribute financially and technically to the implementation of the IPOA-Sharks;

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 the regulation of international trade in these species;

RECOMMENDS that Parties continue to identify endangered shark species that require consideration for inclusion in the Appendices, if their management and conservation status does not improve; and

REQUESTS Management Authorities to collaborate with their national Customs authorities to expand their current classification system to allow for the collection of detailed data on shark trade including, where possible, separate categories for processed and unprocessed products, for meat, cartilage, skin and fins, and to distinguish imports, exports and re-exports. Wherever possible these data should be species-specific.

DECISIONS

Sharks and stingrays

1. Implementation and effectiveness

Directed to Parties

When considering or developing proposals to include shark species in the CITES Appendices, Parties are encouraged to consider factors affecting implementation and effectiveness, including those identified in Resolution Conf. 9.24 (Rev. CoP14) Annex 6; in particular:

- a) non-detriment findings for commercially-traded marine species, including situations involving target and bycatch fisheries, and for shared stocks, migratory species and introductions from the sea;
- b) monitoring and enforcement practicalities, given that sharks are generally traded in parts (meat, fins, cartilage, etc.); and
- c) the likely effectiveness of listing, particularly when bycatch fisheries or non-fishery anthropogenic issues are involved.

Parties are encouraged to continue developing manuals and guides for the identification of sharks and shark products in international trade and to make these available to other Parties and the Food and Agriculture Organization of the United Nations (FAO) through the CITES Secretariat before the 15th meeting of the Conference of Parties to CITES.

Directed to the Secretariat

The Secretariat shall distribute a Notification to the Parties on implementation of listings for shark species. It shall focus specifically on obtaining from Parties' Scientific and Fishery Authorities case studies on the development of non-detriment findings for shark species, and shall collate and summarize these for provision to the international expert workshop on non-detriment findings to be held in Mexico.

2. Commodity codes

Directed to Parties

Parties are encouraged to:

- a) use their commodity codes, where they exist, for traded fish products in order to differentiate between fresh/chilled, frozen and dried, processed and unprocessed, shark meat, oil, skin, cartilage and fin products, imports, exports and re-exports, for both CITES-listed and non-listed species; and
- b) report progress at the 23rd and 24th meetings of the Animals Committee on implementation of Resolution Conf. 12.6, under RECOMMENDS.

Parties are encouraged to use the existing species-specific FAO catch data recording fields for the reporting of shark catches and discards, and to work within FAO to amend these, if required, so as to achieve a more accurate picture of shark mortality through fishing.

Directed to the Secretariat

The Secretariat shall distribute a Notification to the Parties requesting them to provide details of their commodity codes for fish products (e.g. fresh/chilled, frozen and dried, processed and unprocessed, meat, oil, skin, cartilage and fins), imports, exports and re-exports, for both CITES-listed and non-listed species, collate the responses and report at the 23rd meeting of the Animals Committee.

3. Species-specific reviews and recommendations

Directed to the Animals Committee

The Animals Committee shall continue activities specified under Resolution Conf. 12.6, including refinement of the list of shark species of concern, in collaboration with FAO, taking account of those referenced in Annex 3 to document CoP14 Doc. 59.1, and shall report on these activities at the 15th meeting of the Conference of the Parties.

Directed to Parties

Parties landing and exporting products from shark species of concern identified by the Animals Committee are encouraged to:

- a) improve liaison between their CITES and fisheries authorities;
- b) ensure that levels of international trade are not detrimental to the status of these species; and
- c) report at the 24th and 25th meetings of the Animals Committee on the fisheries, environmental and international trade management measures adopted, levels of landings and exports, and the status of these stocks and fisheries.

4. South American freshwater stingrays

Directed to the Secretariat

The Secretariat shall liaise with, as a minimum, the key range States¹ of the family Potamotrygonidae (South American freshwater stingrays), relevant Regional Fishery Bodies, FAO and the ornamental fish industry to

¹ Brazil, the Bolivarian Republic of Venezuela, Colombia, Ecuador, Paraguay, Peru and Uruguay (other range States and territories are Argentina, Bolivia, French Guyana, Guyana and Suriname).

facilitate the organization of and seek external funding for a regional workshop that will report at the 23rd or 24th meeting of the Animals Committee. This workshop will:

- a) review the distribution and status of the wild populations of this taxon, the role of captive breeding and international trade records;
- b) advise on the development of methods for ensuring the sustainable utilisation of and international trade in these species;
- c) in consultation with all relevant range States, jointly examine crossborder trade that may be facilitating illegal trade; and
- d) develop a cooperative strategy for monitoring and regulating international trade within South America and to other States, taking into consideration the contribution of captive breeding to *in situ* conservation.

Directed to the Animals Committee

The Animals Committee shall consider the outputs of the South American freshwater stingray workshop and, in consultation with workshop participants, shall make any necessary species-specific recommendations to range States and to the Conference of the Parties at its 15th meeting on improving the conservation status and regulation of international trade in these taxa.

5. Capacity-building

Directed to Parties

When making non-detriment findings for CITES-listed shark species, Scientific Authorities are encouraged to seek advice from relevant scientific, research and management bodies.

Parties are encouraged, through their delegations to the FAO Committee on Fisheries, to call on FAO to facilitate greater support for countries whose capacity to assess and manage their shark fisheries is limited, and to provide the resources necessary for FAO to undertake this work.

Directed to the Secretariat

The Secretariat, in consultation with the Steering Committee of the international expert workshop on non-detriment findings to be held in Mexico, shall seek to ensure that this workshop considers the development of non-detriment findings for sharks, including transboundary, migratory, straddling and high seas stocks.

The Secretariat shall liaise with FAO and regional fishery bodies to explore the organization of and seek external funding for a capacity-building workshop on the conservation and management of sharks. This workshop should:

- a) consider the outputs of the Mexican international expert workshop on non-detriment findings;
- b) use *Galeorhinus galeus* as a case study for stock assessment and management measures for internationally-traded transboundary migratory coastal shark stocks, and develop recommendations for improving the monitoring, regulation and management of international trade in this and other shark species;
- c) consider tools and approaches for the development of assessments and non-detriment findings for shark species and for the monitoring and regulation of international trade in these species;
- d) consider tools and approaches to determine whether specimens are of legal origin; and
- e) develop recommendations for consideration at the 23rd or 24th meeting of the Animals Committee.

6. International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks)

Directed to Parties

Shark fishing and trading entities, particularly the major fishing or trading entities², are strongly encouraged to identify opportunities to:

- a) improve, in cooperation with FAO and relevant fishery management bodies, the monitoring and reporting of catch, bycatch, discards, market and international trade data, at the species level where possible;
- b) establish systems to provide verification of catch information;
- c) report on their progress at the 23rd and 24th meetings of the Animals Committee; and
- d) implement the FAO IPOA-Sharks as a matter of priority, where they have not done so.

Parties that are members of a regional fishery management organization are strongly encouraged to request through FAO and regional fishing management organizations where appropriate that these organizations develop and implement regional shark plans and associated measures to assist in species identification and monitoring, as called for in the IPOA-Sharks, by mid-2009 in order to report at the 15th meeting of the Conference of Parties.

7. Illegal, unregulated and unreported (IUU) fishing

Directed to the Animals Committee

The Animals Committee, in consultation with FAO, shall examine and report on linkages between the international trade in shark fins and meat and IUU shark fishing activities, including where possible:

- a) the main species of sharks taken by IUU fishing; and
- b) the relative importance of fins compared to meat in international trade arising from IUU fishing.

List of current CITES CoP Resolutions and Decisions related to sharks and their URLs:

Resolution Conf. 12.6 on Conservation and management of sharks

<http://www.cites.org/eng/res/12/12-06.shtml>

Decisions 14.101 to 14.117 on Sharks and stingrays

http://www.cites.org/eng/dec/valid14/14_101-117.shtml

² Based on the FAO 2004 data, the top 20 shark fishing areas and entities, in descending order of catch, are: Indonesia, the European Community, India, Spain, Taiwan (province of China)*, Mexico*, Argentina, the United States of America*, Thailand, Pakistan, Japan*, Malaysia*, France, Brazil, Sri Lanka, the Islamic Republic of Iran, New Zealand, the United Kingdom of Great Britain and Northern Ireland, Nigeria and Portugal. Only those marked with * have currently implemented National Plans of Action for Sharks.

SHARK SPECIES CURRENTLY LISTED IN THE CITES APPENDICES

Species	Appendix	Effective date
<i>Cetorhinus maximus</i> ³	II	13/02/03
<i>Rhincodon typus</i>	II	13/02/03
<i>Carcharodon carcharias</i> ⁴	II	12/01/05
Pristidae spp. [<i>Anoxypristis cuspidate</i> , <i>Pristis clavata</i> , <i>P. microdon</i> ⁵ , <i>P. leichhardti</i> , <i>P. pectinata</i> , <i>P. woermanni</i> , <i>P. perotteti</i> , <i>P. zephyreus</i> , <i>P. pristis</i> and <i>P. zizsron</i>]	I	13/09/07

- Appendix I includes species threatened with extinction. International trade in specimens of these species is permitted only in exceptional circumstances.
- Appendix II includes species not necessarily threatened with extinction, but in which international trade must be controlled in order to avoid utilization incompatible with their survival.
- Appendix III includes species that are protected in at least one country, which has asked other CITES Parties for assistance in controlling the international trade.

³ Previously listed in Appendix III (whole animals, fins and parts of fins only) by the United Kingdom of Great Britain and Northern Ireland since 13/09/00

⁴ Previously listed in Appendix III by Australia since 29/10/01

⁵ *Pristis microdon* included in Appendix II for the exclusive purpose of allowing international trade in live animals to appropriate and acceptable aquaria for primarily conservation purposes.