



**CONVENTION ON
MIGRATORY
SPECIES**

UNEP/CMS/Resolution 13.3

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**CHONDRICHTHYAN SPECIES
(SHARKS, RAYS, SKATES AND CHIMAERAS)**

Adopted by the Conference of the Parties at its 13th Meeting (Gandhinagar, February 2020)

Recalling previous related decisions of the Conference of the Parties including Resolution 8.6 (Rev. COP12) and Resolution 11.20 on sharks and rays,

Acknowledging the obligations of the global community to conserve, protect and manage migratory sharks as underpinned by, inter alia, the Convention on Biological Diversity (CBD), the Convention on the Conservation of Migratory Species of Wild Animals (CMS), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the United Nations Convention on the Law of the Sea, the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the United Nations Food and Agriculture Organization (FAO) International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), and the FAO Committee on Fisheries,

Recognizing that under CMS, Range States should take action to conserve, protect and manage migratory species, and endeavour to conclude Agreements to promote the conservation and management of migratory species,

Noting that several chondrichthyan species are already listed in Appendices I and II,

Noting the importance of cooperation between Range States in furthering research, awareness raising, trade monitoring and reducing bycatch of migratory chondrichthyan species, and that these activities could greatly strengthen conservation outcomes for migratory chondrichthyan species,

Aware of the critical role that chondrichthyans play in marine ecosystems and local economies, and concerned about the significant mortality of these species, especially those listed on Appendices I and II of CMS, from a range of impacts and threats, including habitat loss and destruction, overexploitation, illegal, unreported and unregulated (IUU) fishing, as well as fisheries bycatch where this represents a threat to the conservation status of these species,

Noting the 2014 assessment by IUCN on the conservation status of chondrichthyan species, estimating that one quarter of all examined species are threatened with extinction, and only one third are classified as being of low conservation concern,

Noting that IUCN has warned that rays are generally more threatened and less protected than sharks, and that all mobulids, sawfishes, and the Mediterranean population of the Common Guitarfish are included in CMS Appendices I and II,

Noting with concern that overfishing is the main driver behind significant declines in chondrichthyan species worldwide, threatening many populations, the stability of marine ecosystems, sustainable fisheries, shark- and ray-based eco-tourism and food security,

Aware that “finning”, the removal and retention of the fins of sharks (and some rays) and the discard at sea of the rest of the carcass, is associated with unsustainable mortality and unacceptable waste,

Also aware that the demand for chondrichthyan species’ products (e.g. shark and some ray fins and mobulid gill plates) can fuel unsustainable practices and overexploitation of these species,

Recalling the UN Fish Stocks Agreement that aims to ensure the long-term conservation and sustainable use of straddling and highly migratory fish stocks,

Further recalling the United Nations General Assembly Resolutions on sustainable fisheries, which have been adopted by consensus every year since 2007 to this date, calling upon States to take immediate and concerted action to improve the implementation of and compliance with existing Regional Fisheries Management Organizations (RFMOs) or measures that regulate shark fisheries and incidental catch of sharks,

Emphasizing the importance of those measures that prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with all fins naturally attached,

Aware that, despite past and present scientific research and monitoring, knowledge of the biology, ecology and population dynamics of many migratory chondrichthyan species is deficient, and that it is necessary to promote stronger co-operation among fishing nations on research, monitoring, enforcement and compliance in order to effectively implement conservation measures,

Noting that several RFMOs have adopted science-based conservation and management measures, applicable to all fishing vessels operating within the RFMO Convention areas, aiming at eradicating shark finning and ensuring protection and sustainable management of specific chondrichthyan species harvested as target and/or bycatch species,

Further noting that CITES lists a number of species that are also included in CMS Appendices, including all species of sawfish in CITES Appendix I,

Emphasizing the importance of the International Plan of Action for the Conservation and Management of Sharks, which was adopted by FAO in 1999, in providing guidance on the development of such measures, and welcoming the fact that the majority of the top fishing nations recognized by FAO has adopted National Plans of Action for Sharks (NPOA-Sharks),

Further emphasizing the prominent role of RFMOs in establishing conservation and management measures for chondrichthyan species, many of which are binding upon all fishing vessels operating within the RFMO Convention areas, based on best available data and scientific advice provided by their Scientific Committees,

Recalling the obligations in Article III (5) of the Convention, which prohibits the taking of Appendix I-listed species, Articles IV and V of the Convention, which encourage action to conserve and manage Appendix II-listed species so as to restore or maintain their favourable conservation status and of Resolution 12.22 on *Bycatch*, which requests all Parties “*as a matter of gravity, to continue and strengthen measures within fisheries under their control [...], , to minimize as far as possible the incidental mortality of migratory species listed in Appendices I and II*”,

Recalling Resolution 12.12 on “*Bycatch*” which requests Parties “*to improve reporting of bycatch information and data in their CMS National Reports, or via their reports to CMS daughter agreements, [...]*”, and

Recalling the establishment of the CMS Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks MOU) in 2010, which aims to achieve and maintain a favourable conservation status for migratory sharks based on the best available scientific information, taking into account the socio-economic and other values of these species, and the first Meeting of the Signatories in 2012 where the Conservation Plan for Migratory Sharks was adopted;

*The Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Requests* all Parties to strengthen measures to protect migratory chondrichthyan species against threatening processes, including habitat loss and destruction, Illegal, Unreported and Unregulated (IUU) fishing, as well as fisheries bycatch where this represents a threat to the conservation status of these species;
2. *Urges* Parties to ensure that the populations and/or stocks of all fished and traded chondrichthyan species are maintained within safe biological limits, noting that a lack of scientific data does not preclude conservation or fisheries management action towards this objective;
3. *Further urges* Parties to take steps to eliminate finning, where they have not already done so, including implementing measures such as prohibiting the removal of fins at sea and discarding the carcass at sea, requiring chondrichthyan species (excluding species within the order Rajiformes) to be landed with all fins naturally attached, fully or partially, or other measures in line with applicable UN General Assembly Resolutions;
4. *Further urges* Parties, where they have not already done so, to develop and implement National Plans of Action for Sharks (NPOA-SHARKS) in accordance with the FAO International Plan of Action for Sharks - IPOA-SHARKS;
5. *Further urges* Parties to comply with existing conservation and management measures in particular those of RFMOs, where applicable, including compliance with data collection and submission requirements/obligations to allow for reliable stock assessments by the Scientific Committees of these bodies;
6. *Further urges* Parties to develop and implement guidelines and procedures for implementing the provisions of CITES regulating the trade of chondrichthyan species products deriving from species listed under the Appendices of that Convention;
7. *Encourages* Parties to identify the need for training and capacity development in research, species-specific data collection and monitoring, and to facilitate initiatives to enhance institutional capacities and competencies in chondrichthyan species identification, management and conservation techniques;
8. *Requests* Parties to improve the biological and ecological knowledge of migratory chondrichthyan species populations and identify ways to make fishing gear more selective to support effective conservation measures through research, monitoring and information exchange and promote population assessments and research including within the framework of RFMOs and their scientific bodies, where applicable;
9. *Encourages* Parties to prioritize programmes to monitor and document fisheries, where chondrichthyan species are targeted or caught as bycatch, which may include vessel monitoring systems, inspections, and on-board observer or electronic monitoring programmes;

10. *Further encourages* Parties, where appropriate, to promote the establishment of science-based conservation targets for migratory chondrichthyan species, and indicators to assess progress towards reaching these targets, including within the RFMOs where applicable;
11. *Requests* Parties to identify and conserve critical habitats and life stages, and migration routes, with a view to contributing to the development and implementation of effective conservation and sustainable management measures, based on the best available scientific knowledge and the precautionary approach;
12. *Encourages* Parties, RFMOs and other relevant bodies to minimize the impact of fishing in migration corridors and other habitats deemed critical to the recovery and sustainability of chondrichthyan species populations, including those that straddle jurisdictional boundaries;
13. *Invites* Parties, Range States, non-Range States, inter-governmental and non-governmental organizations, and other relevant bodies and entities to sign the Sharks MOU as a Signatory or Cooperating Partner and engage in conservation and research measures in order to prevent the unsustainable use of chondrichthyan species;
14. *Instructs* the Secretariat to continue to liaise with the FAO, RFMOs, CITES, civil society and other relevant stakeholders and to explore future avenues of cooperation in order to promote coordinated actions that will lead to enhanced protection, conservation and management of chondrichthyan species;
15. *Encourages* Parties to bring to the attention of the FAO, RFMOs and other relevant bodies the objectives of CMS and the CMS Sharks MOU with regard to the conservation of chondrichthyan species with the aim to ensure cooperation, complementarities and improve efficiency of global instruments and bodies sharing similar objectives in relation to the conservation and management of chondrichthyan species;
16. *Urges* Parties to enact and enforce national legislation to prohibit the take of chondrichthyan species listed in Appendix I; and
17. *Repeals*:
 - a) Resolution 8.16 (Rev.COP12) *Migratory Sharks*;
 - b) Resolution 11.20 *Conservation of Sharks and Rays*.