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----- Forwarded by INFO-CITES/UNEP/GVA/UNO on 14.01.2011 09:50 -----From: "Wendy Jackson"
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To: <info@cites.org>
Cc: "Hugh Robertson" <hrobertson@doc.govt.nz>, "Clinton Duffy" <cduffy@doc.govt.nz>
Date: 13.01.2011 23:19
Subject: NZ - Response to Notification 2010/027

Dear Secretariat staff,

Please find below the response from NZ to Notification 2010/027. Of particular relevance for us and addressed in this message are items: (a) Sharks; and (f) Non-detriment findings.

Sharks

New Zealand has minimal trade in the three CITES-listed shark species. Trade information for each of the species is as follows:

Cetorhinus maximus: There have been no recorded imports of specimens of *Cetorhinus maximus* since listing on CITES. Between 2004 and 2006, NZ exported 68 fins, all to Singapore. In 2008, NZ exported one consignment of scientific samples to the UK.

Carcharodon carcharias: Since 2001, NZ has exported two consignments of scientific samples (to the UK), and three consignments of other specimens (bones/teeth, two personal and one travelling exhibition). There has been legal import of one consignment of two teeth from ZA, and four seizures of various specimens (jaws, soup, teeth).

Rhincodon typus: No reported imports or exports of this species.

New Zealand continues to progress implementation of its National Plan of Action for the Conservation and Management of Sharks (<http://www.fish.govt.nz/NR/rdonlyres/F0530841-CD61-4C3E-9E50-153A281A4180/0/NPOAsharks.pdf>), which was agreed in October 2008. Pursuant to commitments articulated in the NZ-NPOA, protection of various shark species was extended in 2010 through amendments to various pieces of domestic legislation:

-In July 2010, *Rhincodon typus* became absolutely protected under New Zealand's Wildlife Act. In December 2010, *Cetorhinus maximus* became absolutely protected under New Zealand's Wildlife Act. *Carcharodon carcharias* has been absolutely protected under this Act since 2007.

-In December 2010, protection to basking sharks from New Zealand flagged vessels in the high seas was effected under Fisheries (Basking Shark - High Seas Protection) Regulations 2010. Reporting requirements under the Fisheries (Reporting) Regulations 2001 were amended under Fisheries (Reporting) Amendment Regulations (No 2) 2010.

A recent report was published on the New Zealand Ministry of Fisheries' website regarding bycatch of basking shark in NZ fisheries [M.P. Francis and M.H. Smith. 2010. *Basking shark (Cetorhinus maximus) bycatch in New Zealand fisheries, 1994-95 to 2007-08*. Wellington, NZ: Ministry of Fisheries.], available at <http://fs.fish.govt.nz/Page.aspx?pk=113&dk=22268>.

Non-detriment findings

New Zealand's comments on non-detriment findings and the outputs of the International Expert Workshop on Non-detriment Findings were provided to the Secretariat as a response to the questionnaire sent out by the Secretariat in June 2009 (Notification 2009/023).

Please let me know if you have any questions about this information or if you would like more detail.

With kind regards,
Wendy Jackson

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QUESTIONNAIRE

Please mark or circle the options as required

Party Name	New Zealand
Name and contact details of respondent	Wendy Jackson

1. What are the principal taxa that your country exports:		
a) Trees		
b) Perennials		
c) Succulents and cycads		
d) Geophytes and epiphytes	artificially-prop orchids	
e) Mammals		
f) Birds	captive-bred parrots	
g) Reptiles and amphibians		
h) Fish		
i) Aquatic invertebrates		
j) Other		
2. Do you currently use the IUCN guidelines when making non-detriment findings http://data.iucn.org/themes/ssc/our_work/wildlife_trade/cite_scop13/CITES/CITES-guidance-prelims.pdf	<input checked="" type="radio"/> YES	<input type="radio"/> NO
If so, please indicate to what extent and under what circumstances. If not, why? The guidelines are exhaustive + challenging. If using them in cases where exports are clearly non-detrimental, it would be difficult	↳ But only at a broad level.	
3. Apart from the IUCN guidelines, do you use other information or guidance in making non-detriment findings?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Please specify - expert guidance from Scientific Committee	- We take a conservative precautionary approach.	
4. Do you find that the outcomes of the NDF Workshop (see citations and hyperlinks above) are a useful addition to the available guidance for making non-detriment findings?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Please comment The case studies provide experience in this area that might otherwise be difficult to obtain or have access to.	Emphatically!	

<p>5. The summary report (http://www.cites.org/eng/com/AC/24/E24-09-01.pdf) of the workshop identified a number of common aspects in making non-detriment findings. Do you agree that the summary report has identified these concepts adequately? (Please respond Yes/No for each of the below items a-h and please indicate if there are other significant matters not covered by the list below)</p>	<p>YES</p>	<p>NO ↓</p>
<p>a) Geographical scope of the non-detriment finding <i>AI ✓</i></p>	<p>YES</p>	<p>NO</p>
<p>b) Level of confidence in the non-detriment finding</p>	<p>YES</p>	<p>NO</p>
<p>c) Risk analysis <i>Birds ✓ Depts ✓ AI ✓</i></p>	<p>YES</p>	<p>NO</p>
<p>d) Regulation of the harvest <i>AI ✓</i></p>	<p>YES</p>	<p>NO</p>
<p>e) Monitoring and adaptive management <i>peps ✓</i></p>	<p>YES</p>	<p>NO</p>
<p>f) Identification of the specimen</p>	<p>YES</p>	<p>NO</p>
<p>g) Origin of the specimen <i>Birds - ✓</i></p>	<p>YES</p>	<p>NO</p>
<p>h) Capacity building and information sharing</p>	<p>YES</p>	<p>NO</p>
<p>Please offer additional comments as necessary</p> <p><i>- identification is sporadic/inconsistent</i></p>		
<p>6. Taking into account that the problems with making non-detriment findings may vary from taxon to taxon, which of the following challenges do you find overall to be the most problematic in making non-detriment findings?</p>	<p>("1" means "least problematic" and "4" means "most problematic")</p>	
<p>Determining that there is sufficient information available to support the non-detriment findings</p>	<p><i>4 - population information</i></p>	
<p>Assessing the level of risk associated with the non-detriment finding</p>	<p><i>1</i></p>	
<p>Assessing whether or not the level of regulation of harvest practices is sufficient or, if not, what additional regulation is required</p>	<p><i>1</i></p>	
<p>Evaluation of the effects of harvest and subsequent adaptation of the non-detriment finding</p>	<p><i>1</i></p>	
<p>Please elaborate</p>	<p><i>- responses refer to species that we currently export.</i></p>	

<p>7. Which of the following components of the non-detriment finding workshop outcomes did you find most useful</p>	<p>("1" counts as "most important" and "3" as "least important")</p>
<p>Summary report (http://www.cites.org/eng/com/AC/24/E24-09.pdf)</p>	<p>1 - for policy</p>
<p>Taxonomic Working Group reports (http://www.cites.org/eng/com/PC/18/E-PC18-14-02.pdf and http://www.cites.org/eng/com/AC/24/E24-09-01.pdf); and</p>	<p>1 - for actual NDFs</p>
<p>Case studies (see: (http://www.conabio.gob.mx/institucion/cooperacion internacional/TallerNDF/taller_ndf.html))</p>	<p>1-2</p>
<p>Please offer comments</p>	
<p>8. What additional guidance beyond the non-detriment finding workshop outcomes (refs) and other previously existing material, such as the IUCN guidelines, could be provided that you would consider useful for making non-detriment findings?</p>	<p>-more on risk analysis and deciding how much effort should go into a particular NDF</p>
<p>9. Do you have additional information to that provided in the workshop reports (such as case studies, national or regional guidelines, experience) that would assist other scientific authorities in making non-detriment findings?</p>	<p>-</p>