

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



Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

Summary record of the 11th session of Committee I

11 March 2013: 14h00-17h35

Chair: C. Caceres (Canada)
Secretariat: J. Scanlon
D. Morgan
Rapporteurs: L. Garrett
S. Glaser
A. Mathur
C. Rutherford

Interpretation and implementation of the Convention

Amendments of the Appendices

77. Proposals to amend Appendices I and II

Ghana, India and Mozambique felt that current scientific data were not adequate to support proposal CoP16 Prop. 43 to list *Sphyrna leweni*, (scalloped hammerhead shark) *S. mokarran* (great hammerhead shark) and *S. zygaena* (smooth hammerhead shark) in Appendix II.

Argentina, Canada, Maldives, Niger, Seychelles, Somalia, the United States of America and the Wildlife Conservation Society all supported the proposal, with Canada noting that an Appendix-II listing would support regional and national management measures and Argentina noting that regional fisheries management organizations (RFMOs) only regulated their members and not all CITES Parties. The Food and Agriculture Organization of the United Nations (FAO) described the outcomes of the Expert Panel discussions on the proposed listing, indicating that the panel had agreed that *Sphyrna leweni* met the criteria for inclusion in Appendix II, and that the other two species fulfilled the look-alike criteria.

Morocco felt that existing regional measures were being successful. Namibia opposed the proposal, highlighting its stricter domestic measures and noting the difficulty in distinguishing between hammerhead shark species. Japan felt an Appendix-II listing could become a *de facto* trade ban because of implementation difficulties. It believed management of the species should be mediated through RFMOs. IWMC World Conservation Trust questioned whether an Appendix-II listing would lead to better management.

China asked for its concern regarding the Appendix-II listing of *Carcharhinus longimanus* (oceanic whitetip shark) to be noted, expressing doubts about its enforceability because of difficulties in identifying shark fins to species level.

Realizing that there was no consensus, the Chair called for a vote on proposal CoP16 Prop. 43. China requested a secret ballot, which received support from 10 Parties, as required in the Rules of Procedure. Ninety-one Parties voted in favour of the proposal, 39 against, and eight abstained. Proposal CoP16 Prop. 43 was therefore accepted. Chile, the Comoros, the Congo, Costa Rica, El Salvador, Guatemala, Honduras, Mali, Niger, Panama, Paraguay, Sierra Leone, Senegal and the United States explained that they had voted in favour of the proposal.

Ireland, on behalf of the Member States of the European Union and Croatia, introduced proposal CoP16 Prop. 44 to list *Lamna nasus* (porbeagle shark) in Appendix II with an annotation. As co-proponents, Brazil, the Comoros and Egypt clarified that the listing would not prohibit fishing of and trade in this species.

Iceland, noting that the stricter measures taken by the European Union and North American countries were already having a beneficial effect, felt that nations and RFMOs were the best instruments to regulate trade in this species and, with Chile, drew attention to the lack of scientific data on the southern hemisphere population. China and Japan suggested that the latter population could be more abundant than previously thought and expressed concern regarding difficulties in identification to species level. Mozambique also raised concerns with regard to look-alike species. Together with Gambia, Guinea, Morocco, the Republic of Korea, Thailand and Creative Conservation Solutions, it did not support the proposal.

New Zealand referred to new information which stated that the average density of the southern hemisphere populations was substantially lower than that of the depleted Canadian population. It informed the Parties that both it and Uruguay had responded to sustainability concerns by implementing stricter domestic measures. Together with Argentina, Burkino Faso, Canada, Colombia, the Congo, the Democratic Republic of the Congo, El Salvador, Honduras, Liberia, Mali, Peru, Senegal, the United States and WWF, it supported the proposal.

FAO noted that, while the majority of the Expert Panel believed that the biological criteria for inclusion in Appendix II were met, new information indicated that the southern hemisphere population might be larger than previously assumed. It also noted potential difficulties in the identification of parts and derivatives of the species and in the making of non-detriment findings, owing to lack of identification materials and species-specific information in the southern hemisphere.

Realizing that there was no consensus, the Chair called for a vote on proposal CoP16 Prop. 44. Guinea requested a secret ballot, which received support from 10 Parties, as required in the Rules of Procedure. Ninety-three Parties voted in favour of the proposal, 39 against, and eight abstained. Proposal CoP16 Prop. 44 was therefore accepted.

Australia, Burkina Faso, Colombia, the Comoros, the Republic of the Congo, Costa Rica, the Democratic Republic of the Congo, Denmark, Ecuador, El Salvador, Guatemala, India, Mali, Mexico, Niger, Panama, Paraguay, Peru, Seychelles, Switzerland and the United States explained that they had voted in favour of the proposal. Chile explained it had voted against. Denmark explained that, as Greenland opposed the proposal, it would enter a reservation on the listing for the territory of Greenland.

Australia explained that it had voted or would vote in favour of proposals CoP16 Prop. 42, 43 and 46. Ecuador, the Democratic Republic of the Congo, El Salvador and Switzerland explained that they had voted in favour of proposals CoP16 Prop. 42 and 43. Guatemala, Mali, Panama and Peru explained they had voted in favour of proposal CoP16 Prop. 42. Mexico explained it had voted or would vote in favour of proposals CoP16 Prop. 43, Prop. 44 and Prop. 46.

Proposal CoP16 Prop. 45, to transfer *Pristis microdon* (freshwater sawfish) from Appendix II to Appendix I was introduced by Australia. It felt that, despite a zero export quota since June 2011, the Appendix-I listing would reinforce its domestic export ban and send a message to traders who might harvest the species in anticipation of a resuming of trade. Australia acknowledged the support of other range States for the proposal and noted that the proposal was supported by the Secretariat, the FAO Expert Panel and TRAFFIC.

Costa Rica, the Democratic Republic of the Congo, Ireland, on behalf of the Member States of the European Union and Croatia, India, Indonesia, Kenya, New Zealand, Samoa, Sierra Leone, the United States and Humane Society International, speaking also on behalf of the German Elasmobranch Society, Project AWARE, Shark Advocates, Shark Trust and SSN, all supported the proposal. New Zealand averred that the species met the biological criteria for inclusion in Appendix I, Sierra Leone emphasized its cultural importance nationally, and India, Indonesia and the United States reported that it was already protected under domestic legislation.

Japan felt that Australia's existing zero export quota should be sufficient to ensure that international trade was not a significant threat and recommended that a greater focus be given to controlling bycatch. Upon further clarification from Australia, Japan stated that they would not block a consensus.

Proposal CoP16 Prop. 45 was accepted by consensus.

Brazil, Colombia and Ecuador introduced proposal CoP16 Prop. 46 (Rev. 2), to include all *Manta* spp. (manta rays) in Appendix II, subject to an annotation. They explained that manta rays had very low fecundity and that their highly fragmented, small populations were distributed over a large range. Their tendency to aggregate made them very vulnerable to excessive harvest and the high value of gill plates and demand for skins and cartilage was believed to be driving unsustainable trade, with significant population decreases reported. The proposed listing would allow for adequate monitoring of trade to ensure sustainability of harvest. Brazil also announced that it would organize a regional workshop to assist implementation in Latin America and the Caribbean.

Australia, Ireland, on behalf of the Member States of the European Union and Croatia, Liberia, Mozambique, Qatar, Thailand, South Africa, the United States and Uruguay supported the proposal. Ireland, on behalf of the Member States of the European Union and Croatia, reported that, since 2012, the landing of manta rays had been prohibited by any vessels registered to Member States of the European Union. Australia, South Africa and Divers for Sharks drew attention to the significant value of manta rays for tourism.

Cambodia, China and Japan opposed the proposal, believing that criteria for inclusion in Appendix II were not met. Japan felt that the proponents should raise concerns about manta rays in other fisheries fora that were best placed to address them, and that bycatch rather than trade should be the primary issue addressed.

FAO drew attention to the outcomes of its Expert Panel discussions, emphasizing the paucity of reliable information on population sizes and trends. It drew attention to the risk factors associated with manta rays, including the current lack of management and the high value of gill plates, even though it noted that there was no evidence of an increase in trade. It believed that a listing would only be effective in combination with strengthened national regulations and coordinated regional management. The Convention on the Conservation of Migratory Species of Wild Animals (CMS) noted that *Manta birostris* was included in CMS Appendices I and II.

Realizing that there was no consensus, the Chair called for a vote on proposal CoP16 Prop. 46. Cambodia requested a secret ballot, which received support from 10 Parties, as required in the Rules of Procedure. Ninety-six Parties voted in favour, 23 against, and seven abstained. Proposal CoP16 Prop. 46 was therefore accepted.

Argentina, the Comoros, the Congo, El Salvador, Guatemala, Honduras, Mali, Niger, Panama, Paraguay, Peru and the United States explained that they had voted in favour of the proposal.

The meeting was adjourned at 17h35.