

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



Seventeenth meeting of the Conference of the Parties
Johannesburg (South Africa), 24 September -5 October 2016

Species-specific matters

Sharks and rays (Elasmobranchii spp.)

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat, in collaboration with the Chair of the Animals Committee and at the request of the Standing Committee.

Background

2. Resolution Conf. 12.6 (Rev. CoP16) on *Conservation and management of sharks* directs the Animals Committee:

To examine new information provided by range States on trade and other available relevant data and information, and report their analyses at meetings of the Conference of the Parties; [...]

To make species-specific recommendations at meetings of the Conference of the Parties if necessary on improving the conservation status of sharks;

and

To report progress on shark and ray activities at the meetings of the Conference of the Parties.

3. At its 16th meeting (CoP16, Bangkok, 2013), the Conference of the Parties further adopted Decisions 16.128 and 16.129 as follows:

Directed to the Secretariat

16.128 *The Secretariat shall:*

- a) *issue a Notification to Parties requesting that they provide to the Secretariat a summary of their domestic laws and regulations that prohibit or regulate the landing of sharks or trade in shark specimens, together with copies of or links to these instruments in order for the Secretariat to make this information available on the CITES website; and*
- b) *collaborate with the FAO Secretariat in the development of a single, regularly updated, source summarizing current Regional Fisheries Management Organization measures for shark conservation and management, with information on species, fisheries, Members and Contracting Parties, and the geographical areas covered and excluded.*

Directed to Parties

16.129 *Parties are encouraged to engage with the work of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), as appropriate, particularly for shark species listed in the relevant Appendices to CITES and CMS, recognizing that CMS Parties are required to strive towards strictly protecting species listed in Appendix I to CMS, to prohibit*

the taking of these species, and to implement other measures through the Memorandum of Understanding on the Conservation of Migratory Sharks.

Implementation by the Animals Committee of relevant provisions in Resolution Conf.12.6 (Rev. CoP16)

4. The Animals Committee addressed its mandate concerning the conservation and management of sharks at its 27th and 28th meetings (AC27, Veracruz, April 2014; AC28, Tel Aviv, August 2015).
5. At AC27, the Animals Committee discussed conservation and management of sharks based on documents [AC27 Doc. 22.1](#), [AC27 Doc. 22.2](#), [AC27 Doc. 22.3](#) and [AC27 Doc. 22.4](#). It adopted 16 recommendations, contained in Annex 2 to this document.
6. In its report to the 65th meeting of the Standing Committee (SC65, Geneva, 2014), the Animals Committee requested the Standing Committee to consider several relevant matters relating to the implementation of shark listings (see recommendations 15 and 16 in Annex 2 of this document). In response, the Standing Committee established an intersessional working group to address these issues and report at the 66th meeting of the Standing Committee (SC66, Geneva, January 2016).
7. As suggested at AC27, the Secretariat issued Notification to the Parties [No. 2015/027](#) of 11 May 2015, requesting Parties to submit relevant new information on shark fishery management measures, with particular emphasis on information pertaining to the shark species and manta rays that were included in Appendix II at CoP16, and the implementation of CITES provisions for trade in these species since 14 September 2014.
8. Replies were received from Argentina, Canada, China, Colombia, the European Union, Fiji, Greece, Israel, Jamaica, Japan, Malaysia, Mexico, New Zealand, Nicaragua, Panama, Singapore, Spain and the United States of America. In addition, Australia, Brazil, Chile, Peru and the Republic of Korea gave short oral updates at AC28.
9. The Animals Committee reviewed these replies, as well as information in documents [AC28 Doc. 17.1.1](#), [AC28 Doc. 17.1.2](#) and [AC28 Doc. 17.2](#), and adopted at AC28 the recommendations contained in Annex 3 of this document. Those directed to the Standing Committee were reported to that Committee at SC66 in document [SC66 Doc. 53.1](#).
10. In its deliberations, the Animals Committee stressed among other issues that CITES-listed marine species are also caught in small scale fisheries, and that it could be difficult to take this offtake into account in the making of non-detriment findings, particularly if the products of those fisheries enter international trade. The Animals Committee further drew attention to the *Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication* (the SSF Guidelines)¹ of the Food and Agriculture Organization (FAO) as a potential source for additional guidance on this matter.
11. In support of the mandate of the intersessional working group of the Standing Committee, specifically regarding issues pertaining to the chain of custody for shark products, the Secretariat commissioned two studies on traceability. One study, undertaken by TRAFFIC, reviewed traceability schemes that were developed for the trade in several CITES-listed species included in Appendix II (see document [SC66 Inf. 12](#)). The second study reviewed the market chain and traceability systems that are in place for commercially exploited aquatic species (see document [SC66 Inf. 11](#)).
12. The Secretariat would like to express its gratitude to the European Union, which provided financial support for the studies indicated above. They were undertaken in the context of a larger EU-CITES project described below.
13. The intersessional working group of the Standing Committee presented its findings to that Committee in document [SC66 Doc. 53.2](#). The Standing Committee agreed that it should have a more formal role in addressing relevant matters concerning the conservation and management of sharks, and welcomed the draft recommendations in the Annex of document [SC66 Doc.53.1](#), prepared and submitted by the Secretariat and the Animals Committee. It requested the Secretariat, in collaboration with the Chair of the Animals Committee, to present draft decisions for consideration by the Conference of the Parties at its 17th meeting.

¹ See <http://www.fao.org/3/a-i4356e.pdf>

Implementation of Decision 16.128

14. The information referred to in Decision 16.128, paragraph a), was incorporated and expanded upon in Notification to the Parties [No. 2015/027](#) (see paragraph 7). The replies submitted by Parties were made available on the CITES website (see <https://cites.org/com/ac/28/index.php>).
15. In response to Decision 16.128, paragraph b), FAO developed a database of measures on the conservation and management of sharks (see <http://www.fao.org/ipoa-sharks/database-of-measures/en>). The database provides access to a collection of regulatory instruments including national and regional binding and non-binding conservation and management measures, National and Regional Plans of Action for sharks, and national legislation relevant to sharks. The database applies the term "shark" in the broad sense of the FAO *International Plan of Action for the Conservation and Management of Sharks*, covering all species of sharks, skates, rays, and chimaeras (Class Chondrichthyes). The information held within the database is checked and updated every six months. FAO would appreciate receiving any advice or feedback on information that is out-dated, incomplete, incorrect or still needs to be added.
16. The Secretariat would like to express its gratitude to the European Union, which provided financial support for this activity, which is part of the larger EU-CITES project described below.

Activities and issues relating to the implementation of the shark- and ray listings agreed at CoP16

17. At CoP16, the European Union announced a contribution of EUR 1.2 million for the project "Strengthening capacity in developing countries for sustainable wildlife management and enhanced implementation of CITES wildlife trade regulations, with particular focus on commercially exploited aquatic species". The project covers the period 2013-2016.
18. Within the framework of this project, many activities were undertaken or are taking place at the global, regional and national levels, which all directly support the implementation of the shark and manta ray listings agreed at CoP16. Examples include the following:
 - a) convening of two regional consultative workshops in Africa and Asia in collaboration with FAO (Casablanca, Morocco, from 11 to 13 February 2014 and Xiamen, China, from 13 to 15 of May 2014) to identify capacity needs for the implementation of the CoP16 CITES listings of sharks and manta rays. Some of the results are shown in Annex 4 to this document
 - b) providing support to regional meetings aimed at enhancing national and regional capacities for the implementation of the shark and manta ray listings agreed at CoP16 in Central America (San Salvador, 2013), the Bay of Bengal (Chennai, 2014), Latin America and the Caribbean (Recife, 2013; Santa Marta, 2014) and Oceania (Wollongong, 2013);
 - c) completing an assessment study for selected countries in Africa, Asia and Latin America to identify capacity needs to implement the CITES listings of sharks and manta rays decided at CoP16;
 - d) organizing, in collaboration with FAO, national and regional workshops to help Parties develop or implement their national plans of action for sharks (NPOA-Sharks) [(Antigua and Barbuda (2014); Bay of Bengal (2014); Trinidad and Tobago (2015); Sri Lanka (planned for 2016)];
 - e) enhancing collaboration and undertaking joint projects with Regional Fisheries Management Organisations (RFMOs) and Regional Fisheries Bodies (RFBs) [International Commission for the Conservation of Atlantic Tunas (ICCAT), Indian Ocean Tuna Commission (IOTC), Southeast Asian Fisheries Development Center (SEAFDEC)], and academic institutions (James Cook University) to improve data collection and availability, provide training on and application of existing guidelines on the making of non-detriment findings (NDFs), and explore the potential for regional NDFs in their respective regions;
 - f) developing training, educational and identification material, including a webinar, and maintaining corresponding websites and software;
 - g) supporting FAO in providing legal assistance to Parties for the implementation of the CITES listings;
 - h) conducting the two studies on traceability of shark products referred to in paragraph 11, and participating in the FAO Expert Consultation on catch documentation schemes (Rome, 2015); and the

FAO Regional Workshop on "National and regional good practices in seafood traceability in Asia" (Kochi, 2016).

- i) commissioning a study on the feasibility of the use of fin size as a complementary regulatory measure for shark fins in trade;
 - j) developing a database on measures for the conservation and management of sharks (see paragraph 15);
 - k) developing a series of CITES/FAO standard presentations on issues pertaining to CITES, FAO and sharks, which served as basis for presentations delivered at multiple events, including the following: Latin America and the Caribbean regional workshop on sharks listed in Appendix II of CITES - Preparing for implementation (Brazil, 2013); CITES Oceania regional workshop on implementation of CoP16 shark and ray Appendix-II listings (Australia, 2013); Bay of Bengal capacity building workshop on CITES Appendix-II listings of sharks and manta ray species (India, 2014); Eighth meeting of the Working group on fisheries management, FAO Regional Commission of Fisheries (Egypt, 2014); FAO Expert consultation on catch documentation schemes (Rome, July 2015); and three regional FAO capacity development workshops on the implementation of the Agreement on port state measures (Colombo, June 2015; Praia, July 2015; Tirana, February 2016);
 - l) supporting Parties by providing targeted advice on making non-detriment findings, upon request; and
 - m) producing visibility and informational materials on the project, including a brochure "[A brief introduction to CITES listings of sharks species](#)" (2013), a booklet "[Implementing CITES listings of sharks and manta rays 2013-2016](#)" (2015), a set of project information leaflets for the current meeting of the CoP, and creating a designated CITES sharks web-portal.
19. The Secretary General participated in several key events of important partner organisations to highlight CITES provisions related to commercially exploited aquatic species and advance their implementation, including the 31st session of the FAO Committee on Fisheries (COFI),² the 14th session of the FAO COFI Sub-committee on Fish Trade,³ the Conference of the Parties of CMS⁴ and addressed the regional Bay of Bengal Capacity Building Workshop via video message.⁵
20. All the information on the Secretariat's activities, as well as extensive information submitted by various stakeholders, is available on the CITES sharks portal: <https://cites.org/eng/prog/shark/>. The portal was redesigned in 2015 to deliver effectively information and tools to Parties, in particular by making them available by geographic locations (through a map function).
21. The activities undertaken by the Secretariat since CoP16 regarding sharks, rays and other CITES-listed aquatic species benefitted greatly from the presence of a dedicated Junior Professional Officer (JPO) at the Secretariat, generously funded by the Government of Germany. The Marine Species Officer took up his functions in 2015. Finances for this position are currently only available until Spring 2017, and this unique position would need to be suspended unless the Secretariat can secure further funding.
22. On the basis of the studies on traceability referred to in paragraphs 11 and 18 i) above, a traceability pilot project was developed and implemented in Costa Rica with funding from the Government of Germany. The project was conducted from December 2015 to February 2016, and focused on the development and testing of recommendations for a traceability system tailored to national needs and realities. These were identified through online consultations, on-site visits and a multi-stakeholder workshop held in Puntarenas, Costa Rica. The preliminary results were presented at the Second Meeting of Signatories to the Memorandum of Understanding on Sharks under the Convention on the Conservation of Migratory Species (CMS) (MOS-2, San Jose, February 2016). The final results of the project will be made available as an information document at this meeting.

² https://cites.org/eng/CITES_intervention_31_Session_FAO_Committee_Fisheries

³ https://cites.org/eng/news/sg/2014/20140226_cofi-ft.php

⁴ https://cites.org/eng/cms_cop11

⁵ <https://cites.org/eng/node/15854>

23. The inclusion in Appendix II of *Carcharhinus longimanus*, *Lamna nasus*, *Sphyrna lewini*, *S. mokarran*, *S. zygaena*, and *Manta* spp. was delayed by 18 months to allow time for Parties to resolve related technical and administrative issues. These listings entered into force on 14 September 2014 (see [Notification 2014/042](#)). The deadline for the submission of annual CITES trade data reports is “31 October following the year for which the report was due” [see Resolution Conf. 11.17 (Rev. CoP16)]. At present, the CITES trade database only holds data for a very limited time period (14 September 2014 - 31 December 2014) from a few Parties, which is too limited to discern any initial trends or analysis.
24. Several examples of NDFs and guidelines for the making of NDFs are available on the CITES shark portal, including the [Shark NDF Guidance](#) developed by the German Scientific Authority, which is proposed to be further developed and promoted (see draft decision 17.AA). Since the new shark and manta ray listing entered into effect in September 2014, the Secretariat has nevertheless frequently been approached by Parties seeking further guidance for the making of NDFs, in particular for situations where data availability is (very) low; the fishery is mostly artisanal; sharks are caught as bycatch; or where catches concern sharks that are part of shared stocks. Further activities to improve the capacity of Parties to make robust NDFs have been identified as a priority throughout the initiatives and collaborations described above and in document CoP17 Doc 56.2 (Report of the Animals Committee).
25. The Secretariat has been notified by Parties that the collection and transport of biological samples for research and data collection in the context of the fisheries management of several CITES-listed species of Elasmobranchii has been significantly delayed, or had to be completely suspended. This is particular the case for samples of which the movement falls under the provisions for “Introduction from the Sea”, as contained in Resolution Conf. 14.6 (Rev. CoP16). The Secretariat is of the opinion that it is not entirely clear how the simplified procedures for biological samples, as outlined in Resolution Conf. 12.3 (Rev. CoP16), apply to these cases, and believes that additional guidance by the Parties would be beneficial.

Recommendations

26. Based on the findings and recommendations described above, and pursuant to the request from the Standing Committee at SC66, the CITES Secretariat, in consultation with the Chair of the Animals Committee, prepared the draft decisions contained in Annex 1 to this document for consideration by the Conference of the Parties.
27. Noting that capacity building on the making of NDFs remains an important issue for Parties (see paragraph 23), the Secretariat proposes an additional paragraph e) in draft decision 17.EE e) in Annex 1.
28. The Secretariat recommends that the issue of introduction from the sea of biological samples in the context of fisheries management, as outlined in paragraph 24, urgently be addressed at the present meeting of the CoP or by the Standing Committee as part of the implementation of draft decision 17.GG a) contained in Annex 1.
29. The Secretariat stresses that most activities that the Secretariat and FAO undertook to support Parties in implementing the CITES shark listings were conducted in the context of a dedicated 3-year project, generously supported by the European Union. Future research and capacity building, as requested in the draft decisions contained in Annex 1, are subject to continued external funding of at least similar levels. The Secretariat is mindful that its delivery on activities concerning sharks, manta rays and other aquatic species between CoP16 and CoP17 would not have been possible without the presence of a full-time, externally funded Marine Species Officer at the Secretariat. The successful implementation of most of the draft decisions concerning these species is therefore also subject to maintaining this position until at least CoP18. The Secretariat further invites Parties to second, or externally fund, additional staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat . The Secretariat proposes an additional paragraph g) in draft decision 17.AA in Annex 1. A tentative budget and sources of funding for the implementation of the draft decisions in Annex 1 of this document can be found in Annex 5.

DRAFT DECISIONS

proposed by the Secretariat in consultation with the Chair of the Animals Committee

Directed to Parties

17.AA Parties are encouraged to:

- a) undertake broad national consultations with all stakeholders concerning the implementation of CITES provisions for trade in species of Elasmobranchii included in the CITES Appendices, including industries involved in the harvest, export or import of the listed species; and involve in relevant meetings, events and processes CITES officials and fisheries officials, and representatives of relevant Regional Fisheries Management Organisations/Bodies (RFMO/RFBs) wherever possible and where limited capacity on fisheries management exists in the CITES authorities;
- b) share experiences and examples of making non-detriment findings for trade in CITES-listed sharks and rays including, where appropriate, how artisanal fishing is taken into consideration, and communicate them to the Secretariat for publication on the CITES Sharks and Rays Portal (<https://cites.org/prog/shark>) in order to improve capacity and knowledge of national and regional harvest levels and management measures;
- c) strengthen the efforts of exporting Parties in developing non-detriment findings for sharks and rays by sharing good practise and providing financial and other assistance, and consider in this regard Germany's offer to support training workshops on the application of the [Shark NDF Guidance](#) developed by the German Scientific Authority and available on the CITES Sharks and Rays Portal (<https://cites.org/prog/shark>);
- d) continue improving the collection of fisheries and trade data at the species level, especially with respect to CITES-listed species;
- e) share experiences with, and knowledge of, forensic means to efficiently, reliably and cost-effectively identify shark products in trade; and
- f) provide funding for a dedicated marine officer position in the CITES Secretariat, and consider seconding, or externally funding, additional staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat.

Directed to the Secretariat

17.BB The Secretariat shall:

- a) make guidance materials available for the identification of CITES-listed sharks and rays, including fins and other products and derivatives, on the CITES Sharks and Rays Portal, and the sharing of genetic testing protocols and other forensic approaches; and
- b) remind Parties that CITES-listed Elasmobranchii occur in small scale fisheries and that NDFs will need to be made if the products of these fisheries enter international trade, and draw their attention in this regard to FAO's *Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication* (the SSF Guidelines), which offer principles and guidance for small-scale fisheries governance and development.

17.CC The Secretariat shall:

- a) issue a notification, requesting Parties to provide new information on their shark and ray conservation and management activities, including legislation, and make the responses available to the Animals Committee for its consideration; and
- b) provide a summary of information in the CITES trade database on trade in CITES-listed sharks and rays since 2000 for consideration by the Animals Committee.

- 17.DD Recognizing the continued requests from Parties for assistance in implementing Appendix-II shark and ray listings, and the need for further capacity building activities in this regard, the Secretariat shall seek additional funding to address the capacity needs raised at regional implementation meetings (Casablanca, Dakar and Xiamen)⁶ and identified in the course of the 2013-2016 EU-CITES project.

Directed to the Secretariat and FAO

- 17.EE The CITES and FAO Secretariats are invited to continue and expand their collaboration concerning the conservation of and trade in sharks and rays, in particular by:
- a) exploring options for using the existing iSharkFin tool for the identification of dried and skinned shark fins;
 - b) working with the World Customs Organization to expand customs codes for shark and ray species and product categories;
 - c) making relevant studies and information relating to the conservation and management of CITES-listed shark species available on the CITES sharks and rays portal;
 - d) maintaining and improving the database of measures on conservation and management of sharks, with the aim to provide a user-friendly overview of stricter domestic measures adopted by CITES Parties for CITES-listed shark and ray species, the species that are covered in this way, the dates of these measures, and links to the measures, including:
 - i) Legal protection for CITES-listed shark and ray species;
 - ii) Zero quotas for CITES-listed shark and ray species;
 - iii) Parties to CMS that have agreed to protect CMS Appendix I species;
 - iv) Members of RFMOs with measures that prohibit retention, landing, or trade of CITES-listed species; and
 - e) continuing to support the development and application of guidance and capacity building tools for making NDFs, in particular for situations where data availability is low, the fishery is mostly artisanal, sharks are caught as bycatch, or where catches concern sharks that are part of shared stocks, and, upon request, supporting Parties with targeted advice to ensure compliance with Article IV for trade in CITES Appendix-II listed sharks and rays.

Directed to Parties that are members of Regional Fisheries Organizations or Bodies

- 17.FF Parties that are also members of Regional Fisheries Organizations or Bodies (RFMOs/RFBs) are urged to:
- a) work through the respective mechanisms of these RFMOs/RFBs to develop and improve methods to avoid bycatch of sharks and rays (particularly where retention, landing, and sale of these species is prohibited under CMS or RFMO requirements) and reduce their mortality, including by exploring gear selectivity and improved techniques for live release;
 - b) encourage the RFMOs/RFBs to make CITES-listed species a priority for data collection, data collation and stock assessments, and provide these data to their members; and
 - c) cooperate regionally on research, stock assessments, data sharing and analysis to help Parties making legal acquisition findings and NDFs for shared stocks, and on training initiatives for CITES Authorities, fisheries staff and customs officers, in cooperation with the CITES and FAO Secretariats.

⁶ See Annex 4 of this document. The overview reproduced therein was originally contained in Annex 1 of document AC28 Com. 9.

Directed to the Standing Committee

17.GG On the basis of information provided by the Secretariat and the Animals Committee, the Standing Committee shall consider issues concerning the conservation and management of sharks and rays, and provide guidance as appropriate, pertaining to:

- a) legislative matters that might arise in exporting, transit or consumer countries, and those relating to legality of acquisition and introduction from the sea;
- b) identification and traceability, taking into consideration requirements that have been developed for the trade in specimens of other Appendix-II species, and their applicability to specimens of CITES-listed sharks and rays in trade;
- c) catch documentation and product certification schemes that could assist in the implementation of Appendix II shark and ray listings;
- d) conservation and management measures for sharks and rays taken by Regional Fisheries Management Organisations to support the implementation of CITES and
- e) coherence of CITES provisions concerning sharks and rays with conservation and management measures of other relevant multilateral environmental agreements.

The Standing Committee shall report on the implementation of this decision, with recommendations as appropriate, at the 18th meeting of the Conference of the Parties.

RECOMMENDATIONS ON THE CONSERVATION AND MANAGEMENT OF SHARKS AT THE TWENTY-SEVENTH MEETING OF THE ANIMALS COMMITTEE

[see document [AC27 WG7 Doc.1](#), as revised by [AC27 Sum. 3 \(Rev. 1\)](#)]

1. The Animals Committee records its thanks to the EU for its generous donation of 1.2 million Euros towards implementation of the new shark and ray Appendix II listings agreed at CoP16.
2. The Animals Committee congratulates the Secretariat on its collaboration to date with the Food and Agriculture Organisation of the United Nations (FAO) on matters relating to the implementation of the new shark and ray Appendix II listings agreed at CoP16.
3. The Animals Committee encourages the Secretariat to continue to work closely with FAO, the Secretariat of the Convention on Migratory Species, and Regional Fisheries Management Bodies, both with respect to CITES-listed shark species and, where appropriate, wider issues of shark conservation relevant to Res. Conf. 12.6 (Rev. CoP16).
4. The Animals Committee encourages Parties to continue to work to improve collection of data at the species level, especially in respect of CITES-listed species.
5. The Animals Committee encourages FAO to continue its efforts to improve harmonised tariff codes for shark products and their work on shark identification (iSharkFin).
6. The Animals Committee recognises the need for further workshops and other capacity building activities to assist in implementation of the Appendix II shark listings. Parties are encouraged to use the CITES website shark portal to inform others of future workshops in their region.
7. Parties that make non-detriment findings for Appendix II-listed shark and ray species are encouraged to share these on a voluntary basis, either via the CITES website shark portal or bilaterally, as they consider appropriate.
8. With regard to Germany's draft guidelines, as summarised in AC27 22.3 and set out in AC27 Inf.1, on the making of non-detriment findings, Parties and individual experts are invited to submit the following to the German Scientific Authority by 15 May 2014:
 - a) Suggestions for stocks for testing of the guidelines at the workshop proposed for August 2014, in Germany;
 - b) Suggestions of experts to attend the workshop; and
 - c) Any other comments on the draft guidelines or suggestions that they consider appropriate.
9. With regard to the management risk assessment outlined in AC27 Doc. 22.4, Parties are invited to:
 - a) bring this document to the attention of their fisheries and related authorities;
 - b) together with the material provided in AC26 Inf. 9 (Intrinsic vulnerability of harvested sharks), to consider this method in the process of making non-detriment findings; and
 - c) to provide feedback to the United Kingdom Government.
10. Noting the identification materials available to date, the value of for further such materials in relation to shark fins and other shark products, including genetic techniques, is acknowledged, as is the merit for Parties to identify and, where necessary, establish laboratories to assist in the identification of DNA samples.
11. The Secretariat should ensure that all available guidance material relating to the identification of shark species listed in the Appendices (e.g. iSharkFin) are made available promptly through the shark portal on www.cites.org, including identification of fins and other shark products, and genetic testing protocols.
12. Parties are encouraged to undertake broad consultation concerning the implementation of the shark listings, for example, with industries involved in the harvest, export or import of the listed species.

13. Parties are encouraged to involve both fisheries and CITES officials, and those of relevant Regional Fisheries Management Bodies, wherever possible, in meetings, events and processes concerning implementation of shark listings.
14. The Secretariat should, in accordance with Res. Conf. 12.6 (Rev. CoP16), issue a notification similar to Notification 2013/056 inviting Parties to submit new information on shark fishery management measures, with particular emphasis on information pertaining to the implementation of the listings of sharks and rays agreed at CITES CoP16, especially:
 - a) available scientific data, such as stock assessment results;
 - b) methodologies providing guidance for the making of non-detriment findings;
 - c) challenges faced by Parties in implementing these listings;
 - d) progress made to address such challenges;
 - e) progress towards the adoption and implementation of National Plans of Action for Sharks, or other new information on trade in sharks and related matters; and
 - f) New legislation concerning the conservation and management of sharks and rays.

Such a notification should be issued in sufficient time to allow the information to be considered at the 28th meeting of the Animals Committee. The Committee, should review the information received in response to the notification – and any other relevant information available at that time - so that it can identify possible gaps and priorities and, where appropriate, make specific recommendations.

15. The Animals Committee requests the Standing Committee, at its 65th meeting, to consider relevant matters relating to the implementation of shark listings, including the following:
 - a) New legislative issues that might arise in exporting, transit and consumer countries;
 - b) Issues pertaining to chain of custody, including where in the trade chain it is considered essential to be able to identify the products in trade;
 - c) Issues pertaining to legality of acquisition and introduction from the sea;
 - d) Existing catch documentation and product certification schemes that could assist in the implementation of Appendix II shark listings; and
 - e) The role of Regional Fisheries Management Organisations.
16. Both the Standing Committee and the Animals Committee should review the requirements that have been developed for the trade in processed product types of Appendix II species such as crocodile skins, caviar etc. and consider their applicability to shark products containing Appendix II species.

RECOMMENDATIONS ON THE CONSERVATION AND MANAGEMENT OF SHARKS AT THE TWENTY-EIGHT MEETING OF THE ANIMALS COMMITTEE
[see document [AC28 Com. 9 \(Rev. by Sec.\)](#)]

Non-detriment findings and conservation issues

The Animals Committee **encourages** Parties, in the spirit of improving capacity, sharing information, and improving knowledge of regional harvest levels, to make their NDFs available to the Secretariat for posting on the CITES Sharks and Rays Portal.

The Animals Committee **encourages** Parties to take up Germany's offer to present NDF guidance at training workshops and to share feedback on the use of the guidance.

The Animals Committee **encourages** Parties to take note of the different approaches to making NDFs and the examples provided in the Sharks and Rays Portal.

The Animals Committee **notes** the availability of the rapid management-risk assessment (M-risk) method (AC27 Inf. 6) that could support the development of NDFs and be used to identify stocks and species of concern, and further **notes** that examples of the application of this methodology are available [e.g. in document AC28 Inf. 27 (Rev.)].

Collaboration with other relevant UN Bodies

The Animals Committee **congratulates** the Secretariat, FAO and CMS on their ongoing collaboration to date in relation to the implementation of the shark and ray Appendix II listings agreed at CoP16 and **requests** that this collaboration be continued and expanded.

Recognising that several species of sharks and rays are listed in the Appendices of CITES and CMS, the Animals Committee **asks** the Standing Committee to remind Parties that CMS Parties should normally not be able to issue legal acquisition findings under CITES for the products of those species (e.g. Manta rays) listed in Appendix I of CMS. The Standing Committee **should remind** Parties that some RFMOs have conservation and management measures for sharks taken in their fisheries, including prohibitions on the retention or landing of certain CITES-listed shark and ray species. The Animals Committee **requests** the Secretariat to provide on the CITES Sharks and Rays Portal clear and regularly updated information on these additional measures for CITES-listed species.

The Animals Committee **recommends** that the Secretariat continues to expand its collaboration with FAO and RFMs, and post relevant studies and reports related to the conservation and management of CITES-listed shark species on the Sharks and Rays Portal.

The Animals Committee **recommends** that the CITES Secretariat, FAO, and interested Parties and international organizations collaborate to report progress on implementation of the CITES shark and ray listings to the 32nd Session of the FAO's Committee on Fisheries in 2016, and to the CITES CoP 17, also in 2016.

The Animals Committee **directs** the Secretariat to **draw to the attention** of Parties and FAO, in the context of the finalisation of FAO's Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines), that CITES listed species occur in small scale fisheries and that NDFs will need to be prepared if the products of those fisheries enter international trade.

Regional Cooperation

The Animals Committee **recommends** that the Secretariat seek funding to address some of the important issues raised at regional implementation meetings (Casablanca, Dakar and Xiamen) that are found in Annex 1 to this report⁷.

The Animals Committee **urges** Parties that are also Members of Regional Fisheries Bodies to work through the respective mechanisms of these RFBs, particularly where sharks are taken pursuant to Regional Fisheries Management Organization (RFMO) fisheries, and to adopt and implement conservation and management measures for CITES-listed shark species, if they have not yet done so.

The Animals Committee **urges** all Parties that are also Members of Regional Fisheries Bodies to encourage the RFBs to make CITES-listed species a priority for data collection, data collation and stock assessments, and to provide these data to their Members.

The Animals Committee **urges** Parties to cooperate regionally with research, stock assessments, data sharing, and analysis, to help Parties to develop legal acquisition findings and NDFs for shared stocks.

The Animals Committee **urges** Parties to continue to cooperate regionally on training initiatives for CITES Authorities, fisheries staff and Customs officers, in cooperation with the CITES and FAO Secretariats.

New information for consideration by AC 29

The Animals Committee **directs** the CITES Secretariat issue a notification similar to 2015/027, **requesting** Parties to provide new information prior to AC 29 on their national legislation and shark and ray activities.

The Animals Committee **directs** the Secretariat to post a list of CITES Parties that have adopted stricter domestic measures for CITES-listed shark and ray species, the species that are covered in this way, the dates of these measures, and links to the measures, including:

Legal protection for CITES-listed shark and ray species;

Zero quotas for CITES-listed shark and ray species;

Parties to CMS that have agreed to protect CMS Appendix I species;

Members of RFMOs with measures that prohibit retention, landing, or trade of CITES-listed species.

The Animals Committee **requests** the Secretariat to provide a summary of the information from the CITES trade database on levels of trade since September 2014 in its report to AC 29.

Identification and traceability issues

Recognising that improving traceability from catch to consumer is critical, the Animals Committee **urges** the CITES Secretariat to work with FAO to explore extending the existing iSharkFin tool to the identification of dried and skinned shark fins; and with the World Customs Organization to expand Customs Codes for species and product categories.

The Animals Committee **urges** Parties to share knowledge of the techniques for DNA testing of shark species to allow rapid and cost-effective identification of shark products.

The Animals Committee **recommends** the Standing Committee recognises the broad issues of identification and traceability and prioritizes those issues, during the deliberations of the Standing Committee's Intersessional Working Group on the Conservation and Management of Sharks and in its report to SC66.

Bycatch of species listed in the CITES Appendices

The Animals Committee **urges** Parties and Regional Fisheries Bodies to develop and improve methods to avoid bycatch of sharks and rays (particularly where retention, landing, and sale of these species is normally

⁷ See Annex 4 of this document.

prohibited under CMS or RFMO requirements) and reduce their mortality, including by exploring gear selectivity and improved techniques for live release.

Small-scale and artisanal fisheries

Recognising that CITES-listed species (particularly hammerhead sharks) form an important component of small-scale fisheries catches, the Animals Committee **encourages** Parties to exchange information on how the impact of artisanal fishing on total mortality is taken into consideration in the development of NDFs.

Species-specific issues

The Animals Committee **recommends** that the Standing Committee recognises problems of species identification, look-alike issues, and traceability raised by Parties at the Animals Committee, including for:

the Manta rays and closely related *Mobula* rays, and **reminds** Parties that these species may not normally be exported by CMS Parties because they are all listed in Appendix I of CMS; and

the hammerhead sharks, and **urges** Parties to endeavor to identify hammerhead sharks to species level in fisheries and landings data.

Declaration and action plan recommendations from three recent regional CITES shark workshops available on the CITES Sharks and Rays Portal (Annex 1 of AC28 Com. 9)

Casablanca Declaration⁸ from a workshop attended by: Democratic Republic of the Congo, The Gambia, Ghana, Guinea, Liberia, Mauritania, Morocco, Namibia, Nigeria and Senegal

Dakar Action Plan⁹ from a workshop attended by: Benin, Cape Verde, The Gambia, Guinea, Guinea Bissau, Ivory Coast, Liberia, Mauritania, Nigeria, Senegal, Sierra Leone, Togo

Xiamen declaration¹⁰ from a workshop attended by: China, Hong Kong (China), Macao (China), India, Indonesia, Iran, Japan (as an observer), Republic of Korea, Malaysia, Maldives, Pakistan, Singapore, Sri Lanka, Thailand and Yemen

Recommendations *inter alia* relevant to the Animals Committee:

| Casablanca declaration | Actions | Suggested Methodologies |
|--|--|--|
| ESTABLISH OR STRENGTHEN MANAGEMENT REGIME FOR SHARK FISHERIES (short term) | <p>Promote the conservation and management of sharks through the adoption of minimum precautionary measures to address known sources of mortality.</p> <p>Improve the monitoring and reporting of catch and trade data</p> <p>Compile available knowledge on biological, ecological and economic aspects of the listed species</p> | <p>Establish, as appropriate, closed nursery and or reproduction areas, gear regulations to minimize discards, min. sizes, restriction of access (licenses), fiscal measures, etc.</p> <p>Strengthen human resources and logistic means</p> <p>Conduct baseline studies, incorporate local knowledge and other approaches for data poor situations</p> |
| STRENGTHEN MANAGEMENT REGIME FOR SHARK FISHERIES (Mid-term) | <p>Development and implementation of National Plan of Action (NPOA) for sharks.</p> <p>Improve regional cooperation and coordination through exchange of information and harmonization of management measures.</p> <p>Promote co - management approaches to fisheries.</p> <p>Improve the monitoring and reporting of catch and trade data</p> <p>Improve knowledge on biological, ecological and economic aspects of the listed species</p> | <p>Development of annual programme for the implementation of the NPOA - Sharks</p> <p>Establishment of national and regional working groups through existing RFBs.</p> <p>Strengthen existing professional fishers organizations</p> <p>Create or strengthen mechanisms for stakeholder participation in decision-making</p> <p>Training in the identification of shark species and products in trade</p> <p>Production of field guides and other materials/ tools to facilitate the identification of specimens in catches and in trade</p> <p>Increase the level of attention to sharks in</p> |

⁸ Casablanca, Morocco, 13 February 2014 (CITES/FAO)

⁹ Dakar, 12-14 August 2014 (NOAA/SSN)

¹⁰ Xiamen, China, from 13 to 15 of May 2014 (CITES/FAO)

1. The term "shark" is taken to include all species of sharks, skates, rays and chimeras (Class Chondrichthyes)

2. At the end of each activity the following abbreviations are used to indicate the time frame for implementation:

| | | |
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| | | national research priorities (graduate programs, research grants, etc) |
| IMPROVE ENGAGEMENT OF FISHERIES SECTOR IN CITES PROCESSES | Ensure appropriate technical expertise at CITES meetings. | Consider the participation of fisheries officers as observers in Animals Committee, CITES Working Groups and CoP |

| Dakar Action Plan | | |
|--|-------------------|---|
| Issues | Challenges | Activities to address identified needs |
| Objective 1. Ensure that relevant national authorities in the region have a good understanding of CITES requirements and their implementation | | 1.2. Develop procedures and training on how to make non-detriment findings for CITES-listed shark and ray species. |
| Objective 2. Obtain proper identification of CITES-listed shark and ray species and identification tools for sharks and ray species when caught and landed, and when in trade. | | 2.1. Create/distribute shark and ray identification guides and work towards the standardized reporting of shark and ray species landed in log books and other records. 2.2. Develop methods to identify CITES-listed shark species parts and products that will be exported or imported (fin identification guides, other necessary identification guides, genetic identification techniques) 2.3. Provide training for relevant personnel on the use of identification guides and techniques. |
| Objective 4. Enhance the implementation of the requirements of CITES through tracking procedures, data-collection, data reporting and scientific research | | 4.1. Improve the collection and reporting of standardized data on CITES-listed and other shark and ray species that are caught and landed to assist CITES Parties in making the findings needed for export of CITES-listed shark species. 4.2. Develop a chain of custody or traceability system to track CITES-listed shark and ray species products from catches to export. 4.3. Develop regional harmonized species-specific customs/tariff codes for CITES-listed shark and ray species and improve the collection of trade data on CITES-listed and other shark and ray species. 4.4. Develop a harmonized regional approach for making legal acquisition findings for CITES-listed shark and ray species (legal origin and sourcing) taking into account port state measures. 4.5. Conduct stock or ecological risk |

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| | | <p>assessments of CITES-listed shark and ray species.</p> <p>4.6. Develop protocols when relevant to share data relative to shared stocks.</p> <p>4.7. Set up a regional DNA research laboratory.</p> |
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| Xiamen Declaration | | |
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| Issues | Challenges | Activities to address identified needs ST =short term (1-2 years) MT= medium term (3-5 years) LT= long term (5+ years) |
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| ACTION 1: IMPROVEMENT OF DATA COLLECTION | | |
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| <p>1. Scientific information to support assessment and management of shark and ray fisheries</p> | <ul style="list-style-type: none"> • Lack of fisheries data (catch, discards, effort) in particular in areas with high species diversity, small-scale fisheries and limited human capacity • Lack of spatio-temporal data. | <ul style="list-style-type: none"> • Conduct more training courses and workshops on biology, taxonomy, ecology and stock assessment of sharks and rays (ST) • Support the data collection through logbook and/or observer programs and others as feasible (ST) • Encourage the use of local knowledge (ST) • Record all landing data of CITES listed species at species level (ST/MT) • Carry out stock assessments at regional levels (MT) |
| | <ul style="list-style-type: none"> • Lack of biological information, stock structure, nursery grounds and habitats of sharks and rays | <ul style="list-style-type: none"> • Improve knowledge of sharks and rays through research and fisheries monitoring (ST) • Collect biological information on sharks (ST) • Develop field guides for sharks and rays, using pre-existing material (ST) • Encourage the use of local knowledge (ST) • Support data collection through fishery independent surveys (MT) • Collect information on survival rates of released fish (MT) |
| | <ul style="list-style-type: none"> • Lack of socio-economic information on fishers and traders of sharks and rays | <ul style="list-style-type: none"> • Collect basic socio-economic information on relevant shark fisheries and trade (ST) • Conduct comprehensive socio-economic assessments and analysis of shark and ray fisheries and trade (MT) |
| | <ul style="list-style-type: none"> • Lack of data and information on utilization, marketing and trade of sharks and rays | <ul style="list-style-type: none"> • Define the supply chains of the different products and derivatives of sharks and rays in trade (ST) • Conduct marketing and trade |

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|--|--|--|
| | | assessments (MT) |
| | <ul style="list-style-type: none"> • Lack of adequate shark fisheries management (as a basis for NDFs) | <ul style="list-style-type: none"> • Enhance training and capacity building (ST) • Provide sufficient funding (ST) |
| <p>2. Lack of collaboration on research and data sharing on migratory or straddling sharks and rays species</p> | <ul style="list-style-type: none"> • Limited research on shared shark and ray resources | <ul style="list-style-type: none"> • Compile a list of existing regional data, information and experts on sharks and rays (ST) • Develop regional data sharing mechanisms (MT) • Carry out regional joint shark research and assessments (MT/LT) |
| <p>ACTION 3: STRENGTHENING CONSERVATION AND MANAGEMENT MEASURES</p> | | |
| <p>3. Technical difficulties in applying fisheries management measures to the CITES listed species</p> | <ul style="list-style-type: none"> • Difficulties in live release of non-target species • Difficulties in controlling and reducing overfishing and fishing capacity • Difficulties in reducing the bycatch of sharks and rays • Lack of enforcement of management measures • Lack of implementation of management plans | <ul style="list-style-type: none"> • Develop guidelines and techniques for the safe release of live specimens incidentally caught (ST) • Develop appropriate species-specific gears and/or bycatch -reduction-devices (BRDs) to reduce bycatch of sharks and rays listed in CITES appendices (MT) • Develop and implement shark management plans (MT) |
| <p>4. Lack of effective regional shark management measures</p> | <ul style="list-style-type: none"> • Lack of appropriate legislation | <ul style="list-style-type: none"> • Develop effective regional management measures for CITES listed elasmobranchs (ST/MT) • Develop regional management plans for elasmobranchs (MT) |
| <p>ACTION 4: ENHANCING TRAINING AND CAPACITY BUILDING/HUMAN RESOURCE DEVELOPMENT</p> | | |
| <p>1. Lack of capacity in the species identification of shark and ray products</p> | <ul style="list-style-type: none"> • Many products and derivatives from different species cannot be readily differentiated (look-alike species or some highly processed products) • Lack of officers with taxonomic competence for the identification of fresh and processed sharks | <ul style="list-style-type: none"> • Provide user friendly guides for non-experts (ST/MT) • Train customs officials and all other actors in the supply chain in the use of shark identification tools (MT) |

TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP16) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding.

The following tentative budget and source of funding are proposed:

CITES Secretariat capacity:

| Decision | Activity | Cost implications (USD) | Source of funding |
|----------|---|-------------------------|-------------------|
| 17.AA.g) | Maintain the position of a dedicated marine officer in the CITES Secretariat until at least CoP18 | 450.000 | Not identified |

The Secretariat would like to reiterate that the considerable support that it managed to provide to its Parties and many other stakeholders concerning sharks, rays and other-CITES listed aquatic species since CoP16 would not have been possible without the full time presence of a dedicated fisheries expert at the Secretariat. This Junior Professional Officer (JPO) position is generously funded by the Government of Germany. Finances for the position are available until Spring 2017 only. Without its externally financed Marine Species Officer, the Secretariat may not be able to respond positively to the rapidly growing demands for scientific and managerial assistance from the Parties concerning trade in aquatic CITES-listed species, or effectively implement the increasing number of instructions it receives concerning these species, including the draft decisions on sharks and manta rays in Annex 1 of this document. It seems crucial to the Secretariat that this position be maintained at least until CoP18, and that securing funding to this effect should be a high priority. It wishes to thank the German government for its strong commitment and significant support that it pledged to date, and draws attention to the fact that co-funding the position together with the German government is an option that could be explored. The average annual cost of the Marine Species Officer position amounts to 150.000 USD.

Draft decisions:

| Decision | Activity | Cost implications (USD) | Source of funding |
|----------|---|------------------------------------|-------------------|
| 17.DD | Capacity building to address the capacity needs raised at regional implementation meetings (Casablanca, Dakar and Xiamen) and identified in | 2,000,000 (to be discussed with | Not identified |

the course of the 2013-2016 EU-CITES project.

FAO)

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|----------|--|--------------------------|----------------|
| 17.EE a) | Collaborate with FAO to explore the option of extending the existing iSharkFin tool to the identification of dried and skinned shark fins; | To be discussed with FAO | Not identified |
| 17.EE d) | Further improve the database of measures on conservation and management of sharks, with the aim to provide a user friendly overview of stricter domestic measures adopted by CITES Parties for CITES-listed shark and ray species, the species that are covered in this way, the dates of these measures, and links to the measures, including: i) Legal protection for CITES-listed shark and ray species; ii) Zero quotas for CITES-listed shark and ray species; iii) Parties to CMS that have agreed to protect CMS Appendix I species; iv) Members of RFMOs with measures that prohibit retention, landing, or trade of CITES-listed species. | To be discussed with FAO | Not identified |