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REGIONAL COMMISSION FOR FISHERIES

Eighth Meeting of the Working Group on Fisheries Management

Cairo, Arab Republic of Egypt, 8-10 December 2014

A role for RECOFI in CITES implementation?

Executive Summary

The purpose of this paper is to provide information to the Working Group on Fisheries Management (WGF8) about entry into effect of new listing of sharks and manta rays in the Appendix II of the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES), including the requirements arising from the implementation of these new listings.

The WGF8 is invited to:

- comment and advise on data collection of sharks species listed in the CITES Appendices and need to include them in the minimum data reporting scheme;
- comment and advise on shark management measures relevant to the sharks species listed in the CITES Appendices and need to issue a recommendation to extend the IOTC regulations to RECOFI Members.
- discuss on the collaboration with the CITES Secretariat and advise about the potential role of the RECOFI in the implementation of CITES requirements.
- advise the Commission on any action or recommendation to consider for adoption.

BACKGROUND INFORMATION

At its 16th meeting (CoP16, Bangkok, March 2013), the Conference of the Parties to CITES decided to list five species of sharks and all species of manta rays in Appendix II. The species concerned are: Oceanic whitetip shark (*Carcharhinus longimanus*); Scalloped hammerhead (*Sphyrna lewini*), Smooth hammerhead (*Sphyrna zygaena*) and Great hammerhead (*Sphyrna mokarran*) shark; Porbeagle shark (*Lamna nasus*); and Manta rays (*Manta* spp.), including Giant Manta (*Manta birostris*) and Reef Manta (*Manta alfredi*). The entry into effect of these inclusions was delayed by 18 months until 14 September 2014 to enable Parties to resolve related technical and administrative issues.

Sharks (species in the subclass Elasmobranchii) began to be listed in the CITES Appendices since 2000, after the Conference of the Parties agreed to include the basking shark (*Cetorhinus maximus*) and whale shark (*Rhincodon typus*) in Appendix II. Two years later, the Great white shark (*Carcharodon carcharius*) was included in Appendix II. All species of sawfishes (Pristidae) have been listed in CITES Appendix I since 2007.

RECOFI Member Countries, all of them being Parties of CITES, that wish to (re-)export or import specimens of CITES-listed shark species must comply with the provisions of the Convention, for which the collaboration between national CITES authorities and fishery agencies is essential. The key requirements for allowing trade in CITES-listed species relate to: (a) legality (all specimens entering international trade must have been legally acquired); (b) sustainability (the proposed trade should not be detrimental to the survival of the species concerned); and (c) traceability (appropriate CITES permits and certificates must be issued before international transactions take place, and trade has to be recorded and reported).

Numerous activities have been undertaken to assist countries with the implementation of CITES requirements. This includes a major project financed by the European Union and implemented by the CITES Secretariat in close collaboration with FAO, called “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”.

In the Asian region, FAO and CITES jointly organized the “FAO/CITES Regional Consultative Workshop on Capacity Assessments for the Implementation of New CITES listing of Sharks and Manta Rays” held in Xiamen, China, from 10-14 May 2014. Among the RECOFI Member Countries, the Islamic Republic of Iran attended the meeting. In the Xiamen Declaration, Asian countries “encourage all countries to closely collaborate with Regional Fisheries Bodies and fully use existing regional wildlife enforcement networks in relation to CITES-listed marine species, to enhance sharing of information and expertise with regard to the management and sustainable utilization of shark and ray species”. Another output of the meeting was represented by a detailed regional action plan advising on the short, medium and long-term activities to address identified limitation and needs in the Asian region.

Other RECOFI Member Countries, Iraq, Kuwait, Saudi Arabia, United Arab Emirates, attended the “International Fund for Animal Welfare Workshop: Prevention of shark and other marine species trafficking training”, held in Hurghada, Egypt from 9-11 December 2013.

The CITES Secretariat attended as observer the fifth meeting of the Regional Fishery Bodies Secretariats’ Network (RSN-5) held in Rome on 7 and 14 June 2014 with the aim to strengthen the collaboration with RFMOs and RFBs. In this regard last October sent a letter to the RSN seeking for RFMOs more concrete definition of their role in the implementation of CITES listings.

The aim of this information paper is to explain the basic CITES requirements with regard to (re)export, import and “introduction from the sea” of shark species and products. Some consideration about the trade of sharks commodities in the region and a potential role of the RECOFI in the implementation of the CITES new listings of sharks and manta rays will be also presented.

CITES BASIC REQUIREMENTS

Trade of specimens of species listed in Appendix II is regulated by the Article IV of the CITES Convention (<http://www.cites.org/eng/disc/text.php#IV>). According to the Convention (Figure 1):

A) The **export (Scenario 1 and 2)** of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted by the CITES Management Authority if it is accompanied by:

- a “non-detriment finding” (NDF) issued by a Scientific Authority of the State of export, certifying that such export will not be detrimental to the survival of that species;
- a “legal acquisition finding”(LAF) issued by the CITES Management Authority of the State of export, certifying that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora;
- and, in case of living specimens, the Management Authority shall certify that the specimens is prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.

B) In case of **re-export**, the CITES Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the Convention, thus it must be accompany by the original NDF and LAF certificates.

C) The **import** of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate

D) When a CITES-listed species that was taken on the high seas (in an area not under the jurisdiction of any State) is landed, this is referred to as an “**introduction from the sea**” (IFS) and is included in CITES’ definitions of “trade”. When a vessel catches an Appendix II listed species on the high seas and:

- lands the specimen(s) in a different State to the State to which the vessel is flagged, the transaction will be treated as an export. The Management Authority of the Flag State must issue an export permit, requiring an NDF and a legal acquisition finding (scenario 3).
- lands the specimen(s) in the same State to which the vessel is flagged, the Management Authority of the “State of introduction” (i.e. the State to which the vessel is flagged – the Flag State) must grant an IFS certificate, requiring an NDF to be prepared before the catch can be landed (scenario 4);

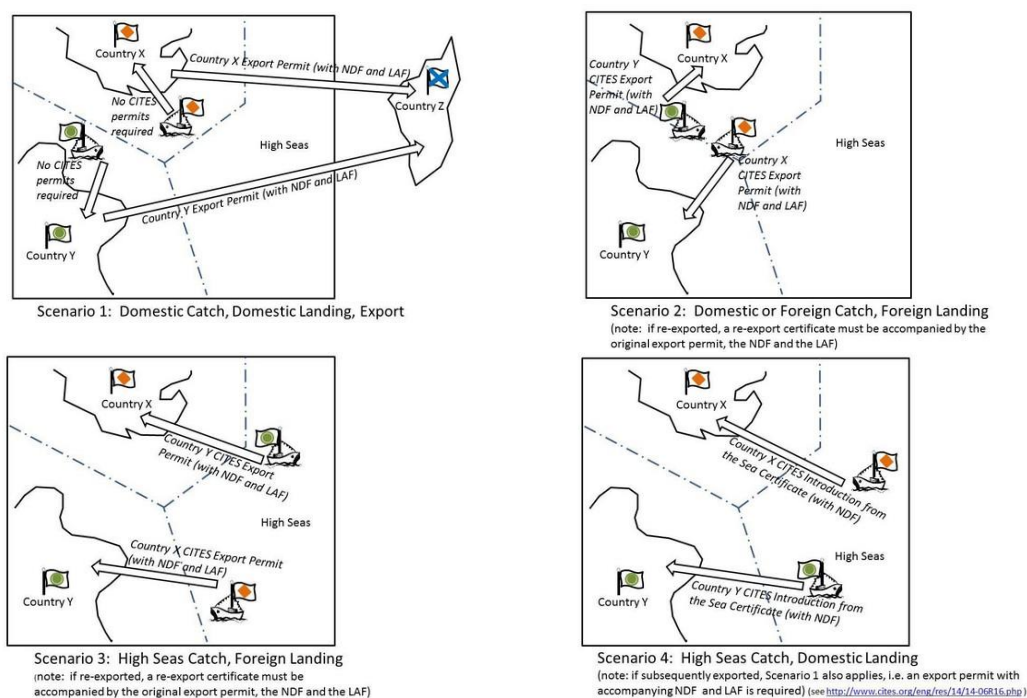
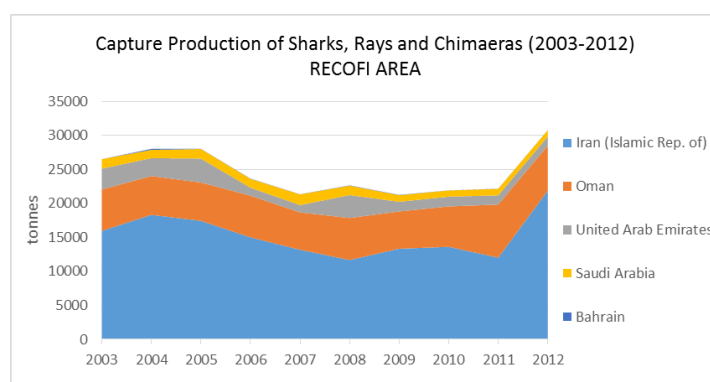


Figure 1 - Four scenarios of catch, landing and/or export and the documentation required by CITES for each (see Mundy-Taylor et al. (2014) for more information).

OTHER CONSIDERATIONS

Shark fisheries

FAO official statistics indicate Iran as the world ninth largest producer of the ISSCAAP group “Sharks, Rays and Chimaeras” in 2012, reporting an average of more than 15 000 tonnes in the last ten years. In the region, Iran is followed by Oman, reporting about 6 500 tonnes, ranking twenty-fourth in the world capture production. The catches are mostly reported aggregated at high taxonomic level, with the exception of Iran that report 80 percent of shark captures as spot-tail shark (*Carcharhinus sorrah*). None of the species listed in CITES is specifically reported in the catch statistics.



Trade of shark commodities

Import of shark commodities	Bahrain	Iran	Kuwait	Oman	Qatar	Saudi Arabia	United Arab Emirates	Total
Sharks nei, frozen	2,3	477,8	0,0	2,1	1,0	3,5	24,6	511,2
Sharks nei, fresh or chilled			0,2	11,7	0,0	0,1	79,6	91,6
Sharks, rays, skates, fresh or chilled, nei	25,2					0,8		26,0
Shark fillets nei, frozen							22,0	22,0
Sharks,rays,chimaeras, skates, nei fillets frozen							10,0	10,0
Shark fins, frozen							4,0	4,0
Shark fins, dried, salted, etc.							2,0	2,0
Total	27,5	477,8	0,2	13,8	1,0	4,4	142,1	666,8

Export of shark commodities	Kuwait	Oman	Saudi Arabia	United Arab Emirates	Total
Shark fins, dried, salted, etc.	0,1		6,8	487,8	494,7
Shark fins, dried, unsalted				1,8	1,8
Shark fins, frozen		15,8			15,8
Sharks nei, fresh or chilled		104,5	6,3	47,4	158,2
Sharks nei, frozen	2,2	8,6	1,6	9,7	22,1
Sharks, rays, chimaeras nei, frozen			4,2		4,2
Sharks, rays, skates, fresh or chilled, nei			0,0		0,0
Total	2,3	128,9	18,9	546,7	696,7

Source: Global Commodities Production and Trade (2002-2011). FAO (2014)

The United Arab Emirates is a major exporter and regional trader of shark fins, with a minimal domestic market and low shark captures. It ranks as the world’s eighth-largest exporter of shark fins by volume, exporting almost entirely dried shark fins, mainly to China, Hong Kong SAR. It does not report trade in shark fins, and exports are estimated from the statistics of major importers. The average annual exports of shark fins from the United Arab Emirates from 2003 to 2012 were about 490 tonnes, worth USD 14.2 million (Dent and Clarke, 2014). Oman is the second major exporter among the RECOFI Member Countries, the average annual exports of shark commodities from 2003 to 2012 were about 129 tonnes, worth USD 6.7million.

International management regime for the sharks listed in CITES Appendices

As IOTC Contracting Parties, Iran and Oman has to comply with IOTC Resolutions concerning data reporting and the conservation of sharks caught in association with fisheries managed by IOTC:

- IOTC Resolution 13/06 (2013): Prohibits from retaining on board, transshipping, landing, storing, selling or offering for sale any part or whole carcass of oceanic whitetip sharks. Encourages fishers to record incidental catches as well as live releases of oceanic whitetip. Implement research on oceanic whitetip sharks.
- IOTC Resolution 05/05 (2005): Encourages the live release of sharks, especially juveniles and gravid females that are caught incidentally and are not used for food and/or subsistence. Fishers shall fully utilise their entire catches of sharks. Shark catches have to be reported annually, in accordance with IOTC data reporting procedures, including available historical data. Requires a 5 percent fin- to- body weight ratio for sharks on board vessels up to the first point of landing.

Possible role of RECOFI

All exports of species listed in CITES Appendices II require permits to be issued by the flag State CITES Management Authority. Each party to CITES must designate at least one national Management Authority and one national Scientific Authority, providing the Legal acquisition and the non-detriment findings (NDFs) certificates, which must accompany the export permit. Following the guidance to the issue of NDFs provided by Mundy-Taylor et al. 2014, Regional Commission on fisheries might act as Scientific Authority and issue regional NDFs, ensuring that all sources of mortality for the shark shared stocks are considered. Considering the high level of collaboration and coordination required, and the difficulties that might arise in the determination of regional and national quotas, an immediate and achievable result in the region could be the enhancement of data collection of catches and trade at specific level for the species listed in CITES.

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