Decision 19.136: Technical Workshop on *Non-detriment findings for specimens of Appendix-II species taken from areas beyond national jurisdiction*

25 – 26 April 2024 (CICG, Geneva, Switzerland)

LEVEL OF TRADE IN CITES-LISTED SPECIES TAKEN FROM AREAS BEYOND NATIONAL JURISDICTION

1. This document has been prepared by the Secretariat and addresses Decision 19.136 paragraph c) i) and presents the level (current and anticipated) of trade in CITES-listed species taken from areas beyond national jurisdiction (ABNJ).

2. In the CITES Trade Database, trade in specimens from ABNJ is recorded in two ways based on whether the trade is a one-state transaction (with an Introduction from the sea certificate) or a two-state transaction (with import/export permits).

    a) The exporter is specified as "HS – Introduction from the Sea", reflecting a one-state transaction (paragraph 2 a) of Resolution Conf.14.6 (Rev. CoP16) on *Introduction from the sea*.

    b) The source code "X – Specimens taken in the marine environment not under the jurisdiction of any State" is used. This would be a way to distinguish introductions from the sea that fall under paragraph 2 b) of Resolution Conf.14.6 (Rev. CoP16) from "normal" import-export transactions.

3. Many Parties use source code "X" in conjunction with exporter "HS" to report one-state transaction, other Parties use source code "W" with exporter "HS", which are also assumed to be one-state transactions from ABNJ. There are also specimens taken from ABNJ (exporter "HS") pre-Convention and therefore traded with source code "O".

4. As of 5 April 2024, there were 2343 shipment records of Appendix-II species with source code "X" and/or exporter "HS" between 2010 and 2022, however, a number of species unlikely to be caught in ABNJ were included such as *Varanus* spp., *Alligator* spp., *Python* spp., *Accipiter* spp. among others. Excluding these records, there are 2037 shipment records for one-state transactions and 10 and 67 shipment records for two-state transactions reported by exporters and importers, respectively.

One-state transactions

5. One-state transactions were reported by 12 Parties and the majority were for commercial purposes (purpose code "T"; 1155 shipments) followed by scientific purposes (purpose code "S"; 882 shipments). The commercial trade consisted of 1,036 shipment record of source code "X", 82 shipment records of source code "O" and 37 shipment records of source code "W". The commercial one-state transactions started being recorded in large numbers in 2020 after the listing of *Isurus oxyrinchus* and *I. paucus* came into effect on 4 October 2019 (Figure 1).

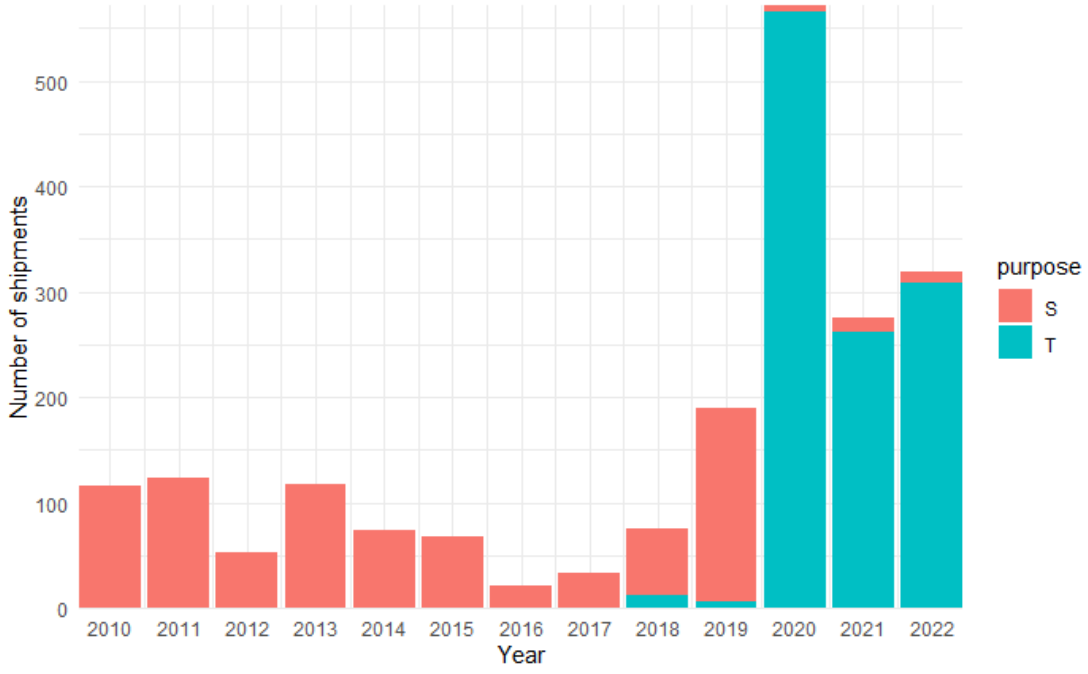

Figure 1. The number of shipments of one-state transactions of Appendix-II species in the CITES Trade Database colored by the purpose code.

6. The commercial one-state transactions were reported by four Parties: Belize (1 shipment), Spain (937 shipments), Republic of Korea (12 shipments) and Portugal (205 shipments). All these shipment records were of Elasmobranchii species with 1096 shipment records for *I. oxyrinchus*, followed by 45 shipments of *I. paucus.* When only trade reported in kg for source of "W" and "X" were examined (985 shipments), 7,169,492 kg of *I. oxyrinchus* was recorded followed by 14,301 kg of *Sphyrna lewini* and 12,978 kg of *I. paucus*. There were an additional 27 shipments reported as "number of specimens" of "bodies" and 61 shipments of "bodies" without a unit, which totalled 46,236 bodies of *I. oxyrinchus* and 104 bodies of I. *paucus*.

7. For scientific one-state transactions, nine Parties had reported trade with Japan reporting the majority of shipments (809 shipments), followed by the United States of America (37 shipments). The most commonly introduced specimens were corals with Leiopathes spp. (97 shipments), Bathypathes spp., Scleractinia spp, *Antipathes densa* and Cladopathes spp. making up the top five most commonly reported shipment.

Two-state transactions

8. The majority of two-state transactions were also of commercial trade (66 shipments) followed by scientific purposes (10 shipmens) and were reported by both importers and exporters. For commercial trade, Spain reported the highest number of exports (56 shipments) and Singapore reported the highest number of imports (54 shipments) with *I. oxyrinchus* being the most commonly reported species and also the highest reported in weight at 188,364 kg. The records of two-state transactions in commercial trade started increasing in 2021 (Figure 2).

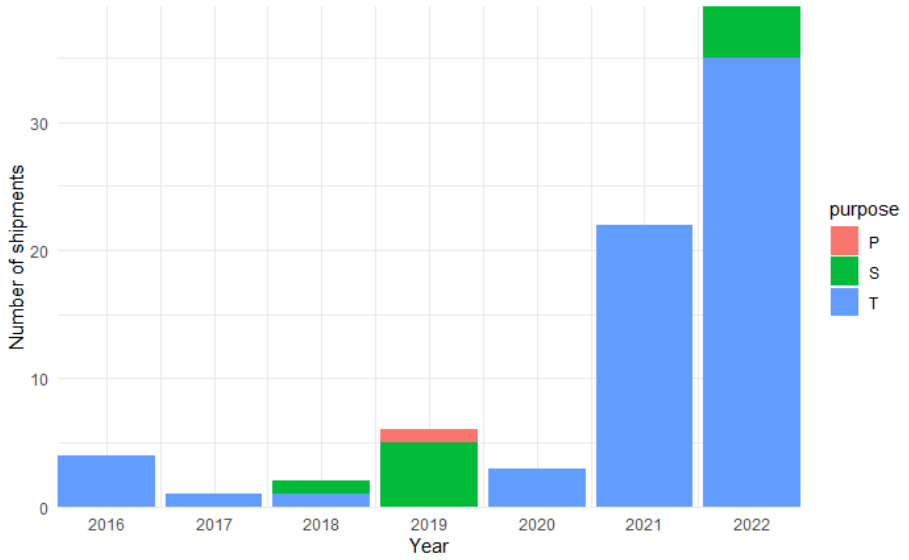

Figure 2. The number of shipments of two-state transactions of Appendix-II species in the CITES Trade Database colored by the purpose code.

Expected or anticipated trade

9. The most reported and the highest volume of specimens of Appendix-II species taken from ABNJ are of Elasmobranchii species. However, it has been noted that the current level of trade in CITES-listed Elasmobranchii species in the CITES Trade Database is lower than the expected value. To consider this issue, Decision 19.223 paragraph c) was adopted to conduct a further study to look into the apparent mismatch between the trade in products of CITES-listed sharks recorded in the CITES Trade Database and what would be expected against the information available on catches of listed species.

10. The word "anticipated" could refer to either "expected" or "predicted" level of trade. Secretariat interprets anticipated with an emphasis on the "expected" and therefore focused the discussion on the "expected" level of trade rather than the "predicted" level of trade in the future. However, identifying the "expected" level of trade would be a step towards informing the "predicted" level of trade as it would more accurately represent the current level of trade.

11. The study under Decision 19.223 paragraph c), conducted in collaboration with TRAFFIC, covers only Elasmobranchii spp. but all catch and trade, not only catch from ABNJ, however it still provides an overview of the level of expected trade in the taxonomic group that is most commonly taken from ABNJ (i.e. Elasmobranchii species). To examine expected levels of trade from ABNJ, information from the study is shown in the following paragraphs. The full study will be submitted to the 33rd meeting of the Animals Committee (AC33, Geneva, July 2024).

12. The study identified publicly available disaggregated data on catches of CITES-listed species Elasmobranchii species from FAO and three Regional Fisheries Management Organizations (RFMOS; Inter-American Tropical Tuna Commission [IATTC], Indian Ocean Tuna Commission [IOTC] and the International Commission for the Conservation of Atlantic Tunas [ICCAT]) and compared the catch data between those reported to FAO and RFMOs and included in the CITES Trade Database.

13. The table below shows cumulative catch and trade of all CITES-listed species from their first year of effective listing. CITES/RFMO and CITES/FAO indicate the proportion of catch reported to RFMOs and FAO respectively, in relation to the trade of each species reported as commercial trade in the CITES Trade Database. Dark shaded cells indicate species and databases where the trade reported to CITES is higher than the reported catch of the species. Lightly shaded cells indicate species and databases where there is reported trade but no reported catch to the respective database.

14. The values shown in the column RFMO (mt) and FAO (mt) contains catch data from the Exclusive Economic Zone (EEZ), which would not need CITES permits should it not be exported, and from ABNJ, which would require CITES certificate/permits. In addition, the RFMO (mt) column only shows data from three RFMOs and so is not indicative of all catches in ABNJ. Therefore, it is not straightforward to identify the amount of

expected catch from ABNJ. It is possible to examine the catch data for species that are more likely to be caught in ABNJ, i.e. those most commonly reported to be taken from ABNJ in the CITES Trade Database, which are *C. falciformis* and *I. oxyrinchus*.

Species	RFMO (mt)	FAO (mt)	CITES (mt)	CITES/RFMO	CITES/FAO
Alopias pelagicus	1,488.20	19,238.20	1,764.40	1.19	0.09
Alopias spp.	30,583.70	29,081.40	17.7	0.001	0.001
Alopias superciliosus	82.8	1,894.40	132.1	1.59	0.07
Alopias vulpinus	0	1,003.90	86.6	100*	0.09
Carcharhinus falciformis	13,462.30	33,538.20	3,965.10	0.29	0.12
Carcharhinus longimanus	1,174.30	3,211.90	41.9	0.04	0.01
Carcharodon carcharias	365.9	161	3.8	0.01	0.02
Cetorhinus maximus	632.4	714.2	10.5	0.02	0.01
Isurus oxyrinchus	10,956.00	17,867.70	11,974.40	1.09	0.67
Isurus paucus	61.5	66.2	18.8	0.31	0.28
Isurus spp.	6,341.00	2,120.80	0	0	0
Lamna nasus	707	583.2	50.5	0.07	0.09
Mobula birostris	0	1,663.70	2.4	100*	0.001
Mobula mobular	1,462.50	982.3	34.8	0.024	0.001
Mobula spp.	10,074.80	34,738.50	26.1	0.003	0.001
Mobula tarapacana	3.7	0	27.2	7.37	NA
Mobula thurstoni	0.7	0	0	NA	NA
Pristidae spp.	0	8,749.10	0	0	0
Pristis pristis	0	0.02	0	0	0
Rhincodon typus	3.4	55	0.009	0.003	0.0001
Sphyrna lewini	1,799.60	899.6	178.6	0.1	0.2
Sphyrna mokarran	53.5	334.9	47.4	0.89	0.14
Sphyrna zygaena	6,018.60	1,492.30	168.6	0.03	0.11
Sphyrnidae spp.	44,095.10	73,516.50	4.9	0.0001	6.70E-05

15. Taking a close look at the catches of *C. falciformis*, the below figure shows the total catches of *C. falciformis* reported by country to FAO on the left and to RFMOs on the right with the year of listing shown in a dashed red line (Figure 3). A large number of additional countries appear in the FAO Catch Statistics for *C. falciformis* after its listing on Appendix-II, which could be due to improved species-specific reporting. Cumulatively 13,462.30 mt were reported to RFMOs, 33,538.20 mt were reported to FAO and 3,965.10 mt were recorded in the CITES Trade Database. Of the 3,965.10 mt in the CITES Trade Database, 6.3 tonnes were from one-state transaction for catch from ABNJ. It was noted that in the CITES Trade Database, there are instances where an importer has reported importing *C. falciformis* specimens but the exporter had not reported the same transaction.

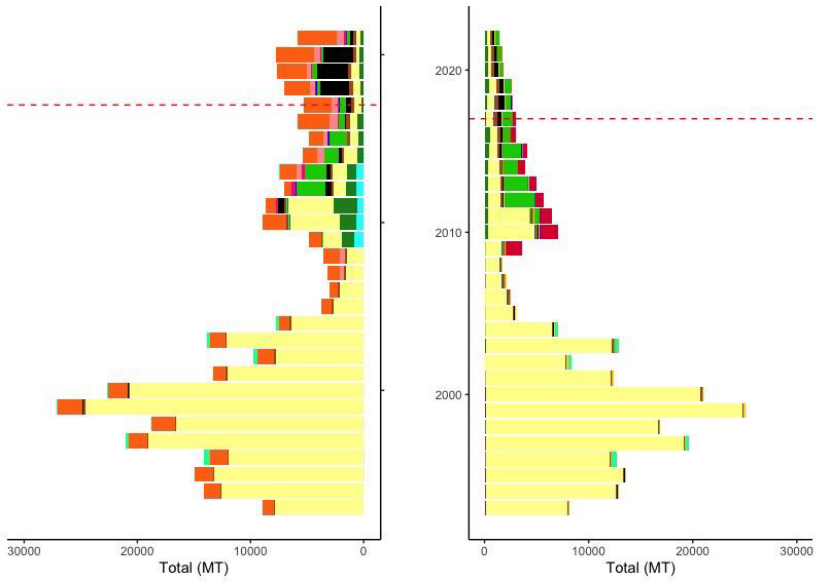

Figure 3. Total catch of *C. falciformis* reported by country to FAO (left) and RFMOs (right). Year of listing on CITES Appendix II is indicated by a dashed red line.

16. For *I. oxyrinchus*, Figure 4 shows the total catches of the species reported by country to FAO on the left and to RFMOs on the right with the year of listing shown in a dashed red line. Cumulatively, 10,956.00 mt were reported to RFMOs, 17,867.70 mt to FAO and 11,974.40 mt of *I. oxyrinchus* were recorded in the CITES Trade Database. Of the 11,974 mt in the CITES Trade Database, 7169.50 mt were from one-state transaction and 188 mt were from two-state transaction from ABNJ.

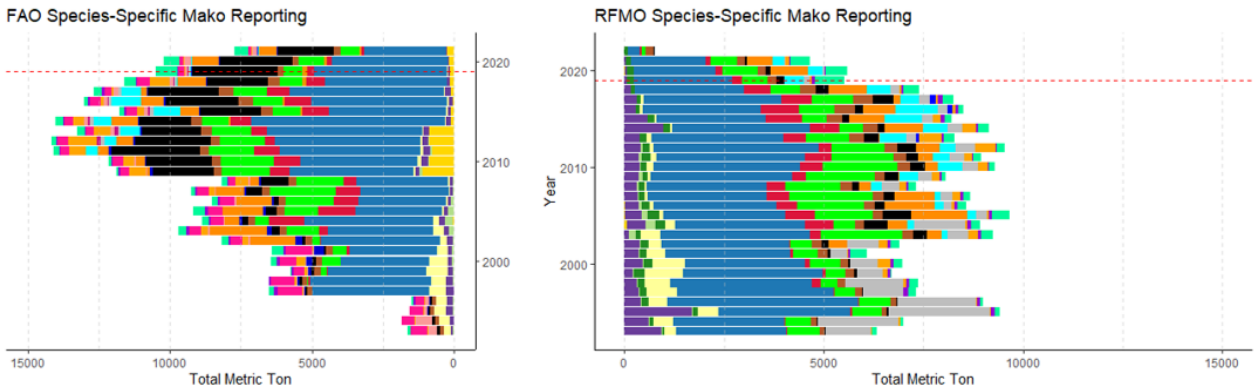

Figure 4. Total catch of *I. oxyrinchus* by country to FAO (left) and RFMOs (right). Year of listing on CITES Appendix II is indicated by a dashed red line.

17. Considering the above, there is a need to improve reporting to the CITES Trade Database of both one-state and two-state transactions to better track the level of trade of specimens taken from ABNJ. This will facilitate monitoring of the trade from ABNJ and provide information relating to total offtake of Appendix-II listed species to inform their NDFs.