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

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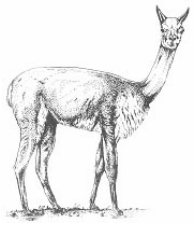

Twenty-second meeting of the Animals Committee
Lima (Peru), 7-13 July 2006

Conservation and management of sharks

MINUTES OF TECHNICAL WORKSHOP ON THE CONSERVATION AND MANAGEMENT OF SHARKS

This document has been prepared by the intersessional Shark Working Group of the Animals Committee.

Present at the technical workshop

Animals Committee

Rod Hay (*Oceania, New Zealand*) (Chair)

Alternate Member

Choo-Hoo Giam (*Singapore*)

Parties

Julian Colomer (*Australia*), Zhou Zhi hua (*China*), Elisabeth Munzert (*Germany*), Eréndira Garcia (*Mexico*), Ernesto Ruíz (*Spain*), John Carlson (*United States of America*)

CITES Secretariat

David Morgan

Intergovernmental Organisations

Lyle Glowka (*Convention on Migratory Species,* Ross Shotton (*FAO*), Sarah Fowler (*IUCN Shark Specialist Group*)

Nongovernmental Organisations

Sonja Fordham (*United States of America, Ocean Conservancy*), Keith Davenport (*United Kingdom, Ornamental Aquatic Trade Association Ltd*.), Cliona O'Brien (*WWF International*), Glenn Sant (*TRAFFIC International*)

Invited Experts

Randall Arauz (*PRETOMA, Costa Rica*), Shelley Clarke (*University of Hawaii and National Research Institute of Far Seas Fisheries, Japan*), Patricia Charvet-Almeida (*Projeto Trygon, Brazil*), Mika Diop (*Sub Regional Fisheries Commission of West Africa (Cape Verde, Gambia, Guinea-Bissau, Guinea, Mauritania, Senegal, Sierra-Leone*), Andrés Domingo (*DINARA, government office for Marine and Aquatic Resources in Uruguay*).

Rapporteurs

Claudine Gibson and Adel Heenan

Day 1, Tuesday 4th April 2006
Agenda Item 1: Opening of the Workshop

The Chair welcomed meeting participants. He thanked Nancy Daves (NOAA NMFS, USA) and WWF International for their financial support, WWF International for offering to host the Workshop in Rome, and the IUCN Shark Specialist Group for preparations and organisation. Wildfowl and Wetlands Trust Centre staff were thanked for hosting the meeting.

Agenda Item 2: Adoption of Agenda and working programme

The Alternate Member for Asia requested that the 'trade-related threats to sharks' be amended to 'fisheries threats to sharks'. In his opinion the greatest threat to sharks stems from fisheries, since sharks are caught for their meat but fins are only an incidental product. He also noted that the total number of sharks taken is more important than the value per kilogram of the product, therefore sharks are a fisheries problem and should be tackled from this angle. He requested the Workshop keep trade impacts in perspective. The WG referred to Decision 13.43, directed to the AC, and determined that the CoP had clearly directed them to consider trade-related threats, not other threats or welfare.

With regard to the response of the last CoP to the AC report and recommendations from the previous shark Working Group, the Chair noted that the best method for presenting information within the reports of this meeting should be determined and sought advice from the Secretariat.

Agenda Item 3: Workshop Background and Objectives

Meeting document SWG3

This Intersessional Shark Working Group (ISWG) was tasked with producing a maximum 12-page report for the Animals Committee (AC), to be submitted no later than 8th May 2006 to the Secretariat for translation prior to the AC meeting (7th-13th July 2006). Germany offered assistance with translation, if necessary. The report produced from the ISWG will form the basis for the AC report to the 14th Conference of Parties (CoP) (deadline for submission: 4 January 2007).

The Chair was particularly grateful for the presence of FAO, since Decision 13.42 directly relates to FAO's work on the conservation and management of sharks. Another ISWG participant (JC, USA) had also been present at the FAO expert consultation on the IPOA-Sharks in Rome, December 2005.

Agenda item 4: Feedback from FAO Expert Consultation

Ross Shotton, FAO, congratulated the Chair on his appointment. He summarised the background to the IPOA-Sharks and gave an overview of the Expert Consultation on IPOA-Sharks held in Rome, December 2005, emphasizing that FAO did not provide technical input, only the meeting Secretariat.

The experts considered that the comprehensive FAO guidelines for Shark Fisheries Management[1] are excellent but too intimidating; a simplified version is required to encourage States to take action. It was recognised that there was uncertainty whether a Shark Plan is a programme to be undertaken (including a budget, identified human resources, activities *etc*.), or simply a document setting out what needs to be done (which is less likely to result in appropriate action). They raised the following issues:

- Species identification problems, because appropriate taxonomic guides are lacking.
- Lack of long-term management funds. Episodic (two or three year) funding prevents the implementation of long-term monitoring programmes in both developed and developing States.
- Lack of human resources.

[1] *FAO Marine Resources Service. 2000. Fisheries management. 1. Conservation and management of sharks.* FAO Technical Guidelines for Responsible Fisheries. *No. 4, Suppl. 1. Rome, FAO. 37pp.*

- Sharks are only one of several priorities/crises facing fisheries departments, with other fisheries issues/species usually taking greater precedence.

- A frequent lack of effective policy and institutional practices in fisheries departments.

- Data required for good management decisions usually do not exist (catch, bycatch, discard and landings data by species and by weight).

- Many developing countries had either a weak or non-existent capacity to undertake any form of fisheries management, particularly for elasmobranchs.

- Elasmobranch fisheries are generally bycatch fisheries and have a low management priority because emphasis is on the target species, particularly when resources are scarce.

- Recognition of the importance of elasmobranchs for ecosystem management has not resulted in increased management attention.

- The voluntary nature of the IPOA was noted, but experts appreciated that a mandatory approach was not feasible.

- The IPOA should be reviewed to evaluate its effectiveness, and improved actions over the next ten years be considered.

The two most critical issues preventing implementation of the IPOA were considered to be:

i) The lack of long-term funds for management. This is a critical and widespread problem. It is essential to obtain a consistent permanent increase in funding, particularly on a regional basis, to improve shark fisheries management.

ii) Lack of human resources

An FAO Fisheries Report is in preparation for submission to the FAO Committee on Fisheries (COFI). It concludes that the IPOA–Sharks had not achieved the level of success envisaged at the time of its introduction, but that the problems remain and many have even intensified. COFI has a very broad global fisheries agenda. Unless FAO Members intervene to debate the implementation of the IPOA-Sharks, the Expert Consultation report will simply be noted. It is important for States to consider what issues they want to raise in order to generate further discussion at COFI.

The FAO delegate noted that many of the problems affecting the management of elasmobranch fisheries are no different from those of other fisheries; States that manage any fisheries well are also likely to manage their shark fisheries effectively. Solving the issues constraining shark fisheries management will likely benefit all other related fisheries problems. The pivotal issue for IPOA-Sharks is to determine the next step, which may require a shift away from drawing up plans towards focussing upon sustainable sources of funding. Since industry will directly benefit from the long-term sustainable management of fisheries, industry must contribute in the long-term towards its costs. Regional Fisheries Bodies are also able to contribute towards shark fisheries management and should be encouraged to do so, individually or collectively.

The IPOA–Sharks covers target and bycatch fisheries. FAO noted that sound management of bycatch shark fisheries relies upon data collection and entry to databases, analysis and preparation of reports, and management recommendations that result in regulations, which are then enforced. This requires an appropriate institutional framework and adequate resources. A single-issue approach, of focussing solely upon sharks will not solve fisheries management problems. Conversely, however, focusing on improving shark fisheries management could also benefit other fisheries management issues.

Discussion

It was noted that unsustainable shark fisheries arise largely because of a lack of fisheries and by-catch management; this lack of management is not directly related to trade. RS agreed.

Agenda Item 5: Responses to CITES Notification 2005/044

Meeting document SWG4. The USA response to the Notification was tabled

IUCN SSG summarised responses to Notification 2005/044 on the management of and trade in sharks. Of 14 Parties that had responded (in advance of the Workshop), four reported imports, five reported exports and one reported re-exports of the three listed shark species. Traded parts were mostly jaws and teeth of *Carcharodon carcharias*, and health products (derived from cartilage and fin) from *Cetorhinus maximus*. There were no trade records for *Rhincodon typus*. Based on these responses, few individuals of the listed species appear to have been targeted. However, the lack of responses from major target fishing States (some of whom have taken out Reservations on these listings) was acknowledged. The Secretariat attributed the low response rate to Notification fatigue and noted that late responses must be submitted to the CITES Secretariat.

1) Identification techniques:

A number of States have their own species identification guides, some of which are being updated and improved. However these are of limited application for States requiring translations. They do not provide comprehensive cover of shark parts and products in trade. DNA fingerprinting techniques (e.g. for *Carcharodon carcharias*) are too expensive for routine identification use, but useful to detect infringements and enforce regulations.

2) Further experiences to be shared by Parties on the implementation of shark listings:

The information from Parties gave an insight into species' population status, but it was questioned how useful these experiences would be for future implementation of listings; current experiences relate to listed species predominantly caught as by-catch, not directly targeted. Hong Kong has four different codes for shark fins (separating dried, frozen, processed and unprocessed fins), while China has one code specific to shark fins. In May 2000, the customs code format for China was changed; frozen shark fins are now classified with frozen shark meat and a potential loss of product information was noted.

3) Materials/other assistance that might be helpful in enabling States to implement these listings:

Parties identified a need for quick, cheap identification techniques. There was a detailed discussion on harmonised customs code systems and labelling. Species-specific information is not available for these codes, which are a mandate of the World Customs Organisation (WCO). The CITES Secretariat was not optimistic regarding future changes to customs codes; this is a long process. China reported on their commodity-based customs code system; codes exist only for species listed on CITES and/or nationally protected. Thus, they only identify fins from the three CITES-listed shark species.

The UK's response to the Notification included Gibraltar's request that shark products be identified on labels, thus placing responsibility on producers. Canada's outreach programme to 180 importers (actual and potential) to help ensure accuracy in reporting, description and accounting of imports of shark fin and meat on customs release was a good case study.

Discussion

The Alternate Representative for Asia suggested that the response to the Notification indicates a low level of international trade and questioned the basis for the listing of three species of shark on the CITES Appendices. However, the lack of response from major fishing nations was acknowledged and it was noted that one report cannot provide an accurate account of international trade. The invited expert from Asia estimated that the import of 5,538kg of fins of *Cetorhinus maximus* to Hong Kong (SAR) may represent some 40 sharks, which was acknowledged to be a significant number. There was a debate on the use of the terms bycatch and target fisheries. The Workshop acknowledged the perceived differences in definitions of bycatch, discards and targeted fishing mortality, but agreed that the sustainability of overall fishing mortality is the central issue.

Agenda Item 6: Review of Implementation Issues

The Chair asked a sub-group to cover this topic during break out sessions. See report.

Agenda Item 7: Trade related threats to sharks

i) Australian Government and Traffic Oceania review on global trade in sharks

Meeting document SWG5

GS presented a desk-based review analysing FAO landings data from 1990-2003 and identifying the top ranking countries for catch, production and trade of sharks and shark products. The presentation focussed upon the paper's conclusions. Based upon this subjective analysis and interpretation of the percentages of world catch, exports and imports, Indonesia, Spain, USA, Japan, UK and New Zealand were identified as the top five contributors towards global trade in shark products. It was suggested that these conclusions be considered when developing Working Group recommendations.

Discussion

A number of issues were raised regarding the quality of national fisheries statistics provided to FAO: under- or over-reporting and often no or wholly estimated landings reports, inconsistencies between national and international data (e.g. Hong Kong SAR versus FAO international trade data), and deficiencies of data from States with closely regulated centrally-planned economies or lacking field staff to record raw data. The resultant inaccuracies of FAO data were widely acknowledged, as was the need for improved reporting of elasmobranch landings. GS re-iterated that the review was not a comprehensive data analysis but aimed only to serve as a first step towards identifying States presently reporting high volumes of trade in shark and shark products. Improved data quality was noted as key to achieving sustainable utilisation and trade of sharks. However, considering current international goals of sustainable fisheries management within ten years, and in the absence of 100% accurate data, the need to adopt alternative measures based on the precautionary approach was highlighted. The discussion ended on a positive note, acknowledging that despite the shortcomings of FAO statistics, this was a step in the right direction as many fisheries lack data altogether.

ii) Fin Trade

Information Document: Clarke, S. (2004). Shark Product Trade in Hong Kong and Mainland China and Implementation of the CITES Shark Listings. TRAFFIC East Asia, Hong Kong, China.

Shelley Clarke (invited expert, Asia) presented an overview of the fin trade through Hong Kong. Fins are the most economically valuable shark product. Hong Kong handles an estimated 50-67% of global fin trade. Demand for shark fin is closely linked with the global economy. In China, demand for fins parallels personal income, since consumption of shark fin soup is a symbol of economic status and prosperity. Of the three CITES-listed species, basking shark fins are most commonly consumed, but none of these species are preferred for taste. Whale and white shark fins are perceived as rather poor quality and more popular for display. The biomass of sharks entering the fin trade exceeds 3-to-4-fold FAO capture production figures for species whose fins could potentially be utilized.

The following trends are anticipated for the shark fin trade:

Consumers: demand will continue to rise alongside China's economic development, unless the popularity of shark fin soup falls.

Producers: it is likely that more targeted shark fisheries will develop.

Species: it may be that abundant and fecund blue shark *Prionace glauca* populations are able to sustain current fishing pressure, but the resilience of other species is unknown.

Utilization: finning regulations may drive a change in production patterns; however, they will not alter the overall volume of catch.

Discussion

Improved data are required to understand better the impact of the fin trade on shark populations, for example: the percentage of fins derived from carcasses discarded at sea, and changes in the size of

shark fins over time. This could be achieved through a move away from using fin weight:whole (carcass) weight ratios to prevent finning. The retention of fins on carcasses would also assist with more accurate species identification. The difficulty of implementing shark finning regulations based on fin:whole weight ratios was noted. In order to maximise efficacy and facilitate enforcement, if ratios are adopted as a means of regulation they must be proven valid for the State and fisheries to which they are applied. Asian and European shark fisheries were discussed. Fishing vessel hold-capacity limits shark landings if carcasses must be retained as well as fins. It was acknowledged that the high value of fins in international trade currently drives some unregulated fisheries that target sharks but only retain their fins. It was also acknowledged that as valuable commercial fish species become more and more scarce, the importance of shark meat as a protein source could increase.

iii) Meat trade

The value of shark meat varies considerably between species and markets. A relatively small number of shark species are targeted for their meat. Examples include short-fin mako *Isurus oxyrinchus*, porbeagle *Lamna nasus*, spiny dogfish *Squalus acanthias,* tope shark *Galeorhinus galeus*, thresher, blacktip and some deepwater shark species. Despite being the most heavily fished shark in the world, blue shark *Prionace glauca* meat is generally considered low quality (but is valued in Spain). Examples of States with active shark meat fisheries include Australia, UK and USA.

Shark meat contains a high quantity of urea. After death, ammonia is produced and poorly handled meat rapidly becomes tainted, rendering it unpalatable/unmarketable. Spoilt shark meat can also taint and spoil other fish stored with it. Tuna fishermen generally only retain sharks at the very end of fishing trips, to prevent contamination of the rest of the catch.

Discussion

Some countries, including Australia, ban landing of sharks over a certain size, due to the high levels of mercury that accumulate within these apex predators. Monitoring and enforcement of these measures is difficult when the trunk of the shark is processed before landing.

The relatively short-lived nature of some shark fisheries was highlighted. For example, Northeast Atlantic deepwater shark stocks fished since the 1990's have declined 90% in just ten years.

Eighty years ago, Common Skate *Dipturus batis* comprised up to 30% of Scottish skate and ray fisheries. This Northeast Atlantic species is now rarely recorded and Critically Endangered. This is attributed to the lack of regional and national management of skate fisheries. There are no species-specific quotas or landings data for skates and rays in this region.

In the Amazon Basin, adult freshwater stingrays are targeted for their meat, which is frozen and transported to markets. A new freshwater stingray fishery in North Brazil exports mainly to Spain.

Chimaeras are targeted for their meat in a New Zealand fishery, now strictly regulated to protect an endangered dolphin species taken as bycatch. Chimaeras are also targeted in South Africa and southern Argentina. The Workshop noted that the extent to which their products are traded was unknown; are these fisheries of concern? IUCN global Red List assessments for the chimaeras are mainly Data Deficient (DD). There is currently less concern for their status than for skates and rays.

iv) Curio trade

JC (USA) and P C-A (invited expert, Brazil) introduced a paper by McDavitt M. T. & Charvet-Almeida P. 2004. Quantifying trade in sawfish rostra: two examples. IUCN *Shark News* 16: 10-11.

Discussion

The impact of allowances for personal effects on implementing potential CITES listings for these species was considered. DM (Secretariat) stated that while some Parties control the movement of personal effects, others do not have the legislation in place to control or monitor this trade. The high potential for demand to increase with rarity was noted. This is particularly significant for the rarest and most unusual trophy species, even though total global mortality from these sources may be small.

v) Aquarium Trade

a) South American freshwater stingrays

Patricia Charvet-Almeida (invited expert, Brazil) summarised a document previously submitted to the Animals Committee, AC20 Inf. 8: an overview of the endemic South American freshwater stingrays, Family Potamotrygonidae. She described the artisanal fisheries that target them to supply the aquarium trade, regulations in place to protect them, and the challenges in managing their fisheries.

Discussion

The potential for listing these endemic species on the CITES Appendices was considered, recognising that an Appendix II proposal is largely dependent upon range State Parties. An Appendix III listing could only regulate trade and discourage unsustainable exploitation with the full co-operation of trading States. The Secretariat suggested that such an Appendix III listing would have little impact.

FAO noted that, since regulating the number of fish entering trade is the best way to control such a fishery, this offers an ideal scenario to implement a system of individual transferable quotas. A catch documentation system certifying specimens from a controlled fishery could also be considered. PC-A pointed out that similar proposals had been discussed, but not implemented due to the danger of identifying fishery locations; this would likely lead to increased levels of targeted fishing pressure.

b) Ornamental Aquatic Trade Association Ltd

Keith Davenport (OATA) tabled "General notes on elasmobranch fisheries from the aquarium industry", highlighting key issues for consideration. The term 'ornamental fish' should only be used for trade in live fish; there is no trade in sawfish rostra by the aquarium industry. OATA collaborates with the Marine Aquarium Council on the certification of sustainable supply chains (collecting, holding, and handling) of marine fish. The aquarium trade provides a livelihood to hundreds of thousands of people across the world. It is the only trade that requires fish to be kept alive and healthy for market; commercially prudent care is required for low volume, very high value species. Discussions previously held with major fish importers indicated that very small numbers of sharks were traded each year (~100-200 individuals) to public aquaria. Freshwater ray imports to the EU may be some 10,000–15,000 per year. Finally, it was noted that the aquarium industry has its own informal taxonomy in place for buyers, based on books of high quality photographs.

Discussion

The biomass of sharks traded in the UK for the aquarium trade is extremely small and the volume of fish taken for this purpose is much smaller than in any other fishery. However, despite the smaller biomass of elasmobranchs fished for the ornamental trade (relative to teleosts), elasmobranch life history constraints must be considered. Discrepancies between legal and illegal trade in elasmobranchs was noted (for example, leopard shark *Triakis semifasciata*).

It was acknowledged that sawfish are taken in very small numbers for the ornamental trade (two individuals have been imported into the UK by a major importer; no major European importers are known currently to be trading in sawfishes). This is an example of high value low volume trade, but the need to consider the population status and life history of elasmobranchs was re-emphasised.

The high visibility of elasmobranchs in aquaria (the popular nature of which mean that most ornamental elasmobranchs are displayed openly in retail outlets) must not be confused with a high volume of trade. Growth within the ornamental fish trade industry can be expected as national economies improve and the numbers of aquaria increase. Generally, consumers empathise with conservation issues; this represents an untapped potential to promote shark conservation.

Damming and deforestation were considered a greater threat to freshwater stingrays than overfishing. Catch per unit effort may be increasing slightly due to advances in fishing techniques and equipment.

The status of aquarium species from SE Asia was discussed. Workshop participants had formerly observed Southeast Asian ray species in Bangkok markets, but recently only South American species.

Small numbers of Southeast Asian *Himantura* are imported by Europe for aquariums. The question was posed as to whether management measures employed in South America could be transferred to Southeast Asia. If so, which is the most appropriate body to promote this (e.g. SEAFDEC or CITES?).

ACTION: KD to provide an Animals Committee information document on volume of aquarium trade.

vi) Impact of International Trade Development on Elasmobranchs in West Africa

Mika Diop (invited expert, Sub-regional Fisheries Commission, West Africa) described shark fisheries and trade in the region. The seven States of the CSRP (Commission Sous-Régionale de Pêche) are Senegal, Mauritania, Guinea, Guinea-Bissau, Gambia, Cap Verd and Sierra-Leone. Fisheries began during the 1970's, but statistical data are only available from 1984. Catches in these States have declined since 2002. Information gathered from the stakeholders and analyses of commercial trade show that shark fisheries in the countries of the CSRP are focused on meeting shark fin market demand in Asia. Salted/dried and smoked by-products supply African markets.

In 2003, Mauritanian authorities, with the support of FIBA, successfully initiated science-based stake-holder negotiations with the local communities of the Banc d'Arguin National Park, aimed at regulating then closing shark fisheries. In 2004, CSRP implemented a sub-regional action plan for sharks: PSRA-Requins (Plan Sous-Régional d'Action Requins). This facilitated the preparation of national action plans for the conservation and sustainable management of sharks in all seven CSRP States.

Discussion

The reactions of fishermen to the closure of Mauritanian shark fisheries, in 50% of territorial waters, were discussed. MD informed the meeting that most fisheries were artisanal and that fisherman were willing to co-operate with the fishery closure as they were informed of the scientific findings and had personally witnessed the decrease in shark catches. Fishermen have now moved on to other directed fisheries. The Workshop acknowledged the importance of community participation as being key to the success of such initiatives.

Agenda Item 8: Key shark species threatened by trade

It was agreed that species threatened by trade would emerge from the discussions of sub-groups. This item was therefore deferred for later discussion in Plenary.

Agenda Item 9: Establishment of subgroups

Sub-group 1. Implementation of CITES Shark Listings:

Participants: Shelley Clarke, Lyle Glowka, **Rod Hay (convener)**, Cliona O'Brien, Ross Shotton. **Rapporteur:** Claudine Gibson.

Sub-group 2. Trade-related threats to sharks

Participants: Randall Arauz, John Carlson, Patricia Charvet-Almeida, Julian Colomer, Keith Davenport, Mika Diop, Andrés Domingo, Sonja Fordham, **Sarah Fowler (convener),** Eréndira Garcia, Choo-Hoo Giam, David Morgan, Elisabeth Munzert, Ernesto Ruíz, Glenn Sant, Zhihua Zhou.

Rapporteur: Adel Heenan.

Subgroup Session One convened to determine report structure and begin discussions.

Day 2, Wednesday 5th April 2006

The Chair opened the second day of the meeting. Change in agenda: further presentations will take place on Wednesday morning, prior to sub-group break out sessions, and on Thursday morning prior to plenary discussions.

Overview of elasmobranch fisheries in the southwest Atlantic Ocean

Andres Domingo (invited expert, Uruguay) presented an overview of Southeast American elasmobranch fisheries in Uruguay, Argentina and Brazil, based on fisheries data up to 2004. The following elasmobranch fisheries operating in the Southwest Atlantic Ocean were discussed:

Blue Shark Prionace glauca: Landings by Brazilian and Uruguayan fishing fleets have increased as a result both of introducing protection measures for swordfish and tuna and rising prices for fins and meat. There is an urgent need to determine blue shark population structure in the South Atlantic in order to implement effective management measures, including capture quotas. Recent research indicates at least two separate fisheries management units.

Angel sharks Squatina spp.: Landing statistics document a severe decline in *Squatina* catches in Brazil. A minor increase in landings in Uruguay is the result of growing demand in the Brazilian market. A declining trend in landing rates in Argentina has been reported.

Rays: Landings data indicate a notable increase in ray catches in Argentina and Uruguay in recent years. This is attributed to a newly established fishery that mainly supplies Korean markets. None of this catch is for domestic consumption.

The majority of regional commercial elasmobranch catches are for export. Sharks are mainly utilised for meat and fins. Landing and export data indicate high volumes of unidentified sharks.

DISCUSSION

The Chair requested the Workshop consider which of the species discussed might benefit from CITES action. Tope shark *Galeorhinus galeus* was identified; this wide-ranging species has a history of stock collapse and management difficulties. In the Southwest Atlantic Ocean, tope fisheries have collapsed in Brazil and Uruguay and a severe decline is reported in Argentina. The Australian target tope shark fishery required extensive management effort to stabilize the population. It is fished in Europe, particularly for the French market; in the UK it is not commercially important but highly valued in target recreational fisheries. A population crash was reported in a Southern Californian fishery targeting tope for liver oil. Previous experiences of managing fisheries for this species in other areas were discussed. Methods to encourage the use of species codes and identifying sharks at a species level was noted, as were the multi-species effects of tope shark fisheries and associated species.

The need for an international workshop on tope shark assessment and management was discussed. This was a former Animals Committee recommendation and has been raised in several previous fora.

Subgroup Session two: (Drafting of reports and recommendations)

Day 3, Thursday 6th April 2006
Draft CITES Appendix II Listing Proposals

Elisabeth Munzert (Germany) briefly summarized the consultation draft listing proposals for Spiny dogfish *Squalus acanthias* and Porbeagle shark *Lamna nasus*[2], two species that, following Resolution Conf. 12.6, Germany has identified as under significant threat from international trade. EM outlined the biological vulnerability of these species, reported population declines and the reasons why criteria for a CITES Appendix II listing have been met. Listing these species should have the following effects:

- Exports of live or dead sharks or their products will require a CITES export permit, which can only be issued after the competent Scientific Authority has stated that the catch has not been detrimental to the population of the species (non detriment finding).

- Parties will have to provide an adequate fisheries management system to ensure that these species are sustainably fished.

- With regard to coastal fisheries, fishermen will not require permits for domestic landings, but traders and industry will need CITES export documents to export products to other Parties.

The overriding goal of CITES listings for these species should be to ensure that future international trade is supplied by sustainably managed and accurately recorded fisheries. CITES can not replace adequate fisheries management, but can facilitate international cooperation in trade regulation, thus enabling consumer countries to support the management efforts of producer countries.

Germany proposes an annotation to both proposals to prolong the time-frame until these listings enter into force, enabling the Parties concerned to take the appropriate steps to develop and implement the adequate measures required (management plans and designation of Authorities). Additional implementation aspects can be dealt with in accompanying draft Decisions. The draft Resolution sent out has, however, been withdrawn, as it is to some extent out of date. Considering the precautionary principle and the need to maintain fish stocks as a basis for food supply, employment and economic development: Germany calls upon the CITES community to take the first step towards a modern sustainable fisheries by listing Porbeagle and Spurdog in Appendix II of CITES.

DISCUSSION

The consultation process prior to submitting these two species proposals to the next CoP was described. The first round of consultation commenced in February 2006. Revised proposals will be sent out to range State Parties for further consultation in summer 2006. EU States will consider internal approval of the proposals in autumn 2006, followed by a further consultation round. In December 2006 they will be submitted to the Secretariat and are on the agenda of AC22 in July 2006. The characteristics of the market for spiny dogfish were discussed, and it was noted that this species is fished for its meat (not fins), which is considered a delicacy within Europe. It was noted that the Workshop will not comment formally on these draft CITES Appendix II proposals. The Chair encouraged participants, particularly those representing range States, to provide their comments directly to EM (Germany).

ii) Shark fisheries and trade in Costa Rica

Randall Arauz (invited expert, Costa Rica) provided an overview of the status of shark fisheries operating in Costa Rican waters. Costa Rica initiated the development of longline fishery to exploit pelagic resources in 1982, with the assistance of an official mission from Taiwan Province of China. Currently, Costa Rica has the largest longline fleet in Latin America. In 1998, Costa Rican authorities allowed foreign flag vessels that operate in international waters to land products at national private docks. In 2003, 40 to 60 foreign flagged vessels were landing their products per month.

Costa Rican shark exports increased markedly between 1998 and 1999 and exponentially from 1999–2003. The Office of Foreign Commerce (PROCOMER) does not have data on shark fin exports; fins are included with other shark products in the tariff for 'dried or smoked fish for human consumption'.

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2 *These drafts have recently been circulated to Parties by Germany.*

Discrepancies exist between data available from the local authority on shark landings by the national fleet and FAO statistics on Costa Rica's global shark fin trade. Between 1994 and 1998, landings of the local fleet were less than exports recorded by FAO, but in 1999 and 2000 local fleet landings exceeded exports. Shark landing data from the fishing authority (INCOPESCA), demonstrate a steady increase in shark catches over the last 15 years, but landings have remained stable during the last few years. However, these data relate only to the landing of shark products and do not take fishing effort into account, which is necessary to estimate stock status.

PRETOMA has conducted a study on the relative abundance of sharks. Analysis suggests a 58% decrease in shark catch between 1991 and 2001, but no further decline from 2001 to 2003. Pelagic shark populations appear to have crashed. Similar studies onboard small longliners targeting sharks on the continental slopes indicate high catch rates, however the majority of the catch are immature scalloped hammerheads *Sphyrna lewini* (less than 1m long). The depletion of pelagic shark resources has now focused fishing effort upon these juvenile hammerhead populations.

Since 2001, PRETOMA has been embroiled in legal action against INCOPESCA for not complying with newly introduced shark fishing and landing regulations (in 2003 the fin to body weight ratio; in 2004 the use of private docks by foreign vessels landing shark fins; and in 2005 the refusal of the fishing authority to abide by the resolution stating that sharks must be landed with their fins attached in natural form). Early this year, PRETOMA filed a lawsuit against the Executive President and Technical Director of INCOPESCA for non-compliance with their duty to protect the public interest and abide by the resolution of the General Attorney. PRETOMA triggers political change by providing technical advice, instigating legal action and education of the general public. It also operates within local and international fora: the Costa Rica Congress, IUCN World Conservation Congress, and United Nations.

Plenary session on Workshop Reports

Subgroup 1: Implementation of CITES shark listings

The Chair presented the draft report for discussion.

It was noted that in 2005 there were 3 commodity codes specific to shark fin products (1 for dried unprocessed fins and 2 for processed fin products) under China's customs coding system. Since 2000 frozen shark fins are classified in the same category as frozen shark meat and thus it is not possible to accurately quantify total shark fin imports to China. China stated that in 2004, a new notification was introduced by the Ministry of Commerce, General Administration of Customs and the State Environmental Protection Administration. This notification (No. 55) suspends the duty-free import of shark fins for processing in China and re-export for sale abroad. A copy was not available for circulation at the meeting, the effect of this notification on the shark fin trade in China is not known. China stated that the total trade volume of shark fin is expected to and apparently is already decreasing, however no evidence in support of this statement was made available to the working group and it was agreed that more analysis and monitoring of the effect of the Notification is needed.

The potential for CITES to play a positive role in facilitating co-operative work between fisheries agencies was noted. The relationship between the Convention on Migratory Species (CMS) and CITES, arising from the listing of the same migratory shark species on both Conventions' appendices, was noted. The need to consider shared stocks when developing non-detriment findings was noted. There is potential for collaborative work between CITES and CMS on regional management issues. It was requested that CMS and CITES consider NDFs at the upcoming CMS migratory shark workshop, A CMS Appendix I listing requires stronger conservation measures than a CITES Appendix I listing.

It was noted that there is no exclusion for white shark teeth as 'personal effects'. Despite not being CITES listed species, it was decided that sawfish Pristidae rostra provide a useful and relevant case study for considering the implications of the curio trade and personal effects exemptions that are relevant to the Workshop's recommendations.

The need for adequate customs codes and recording these codes was highlighted, recognising that small fins and shark meat can easily be traded undetected and make it difficult to assess the level of actual trade that occurs. Such codes may also be used to record trade in shark products from States that have taken out reservations on CITES listings.

ACTION: ZZ will provide an updated list of the customs codes in use in China.

Subgroup 2: Trade-related threats to sharks

Sarah Fowler (IUCN) presented the draft report for discussion, noting that there had been a lengthy discussion of the relative impact of international trade *versus* unsustainable shark fisheries, and the contribution of IUU fishing. Lack of adequate data had prevented a conclusion on this subject.

The Chair discouraged further debate on the concept of by-catch *versus* discards (definitions are included in the sub-group's report). The level of overall fishing mortality and the extent to which this is excessive was identified as the pivotal issue; this is recognised in the introduction to the report.

The Secretariat noted that the Animals Committee have been charged with taking into account FAO activities with respect to Decision 13.42. FAO was requested to present the summary of the report from its Expert Consultation in December 2005 as an Animals Committee information document.

TRAFFIC's trade analysis (in document SWG5), was again discussed, particularly the ranking of the top five countries trading in shark products. It was again noted that this is a subjective analysis, based on FAO data that are, in turn, wholly dependent upon records submitted by FAO Member States. Neither China nor Taiwan Province of China are included within the top ranking trading States, while New Zealand may only be listed because of the very comprehensive data that it presents to FAO.

The Alternate Representative for Asia noted that finning refers to the live finning of sharks; other Workshop members disagreed. 'Finning' is normally defined as the removal and retention of shark fins on board a vessel and the discard of the remainder of the carcass into the sea. This is primarily a sustainable management issue, which is why several Regional Fisheries Bodies now regulate it. The Chair stated that welfare issues were not considered by CITES.

Report 3: Key shark species threatened by trade

The Chair reminded the Workshop that the Animals Committee is tasked under Decision 13.43 with identifying specific cases where trade is having an adverse impact on sharks and, in particular, key shark species threatened in this way.

The Alternate Member for Asia questioned the Workshop's role in highlighting species for CITES' consideration, noting that only Parties can propose species listings to CITES. He queried whether the Workshop was either appropriate or competent enough to do so, and felt that there was not enough information or time to complete this task. China considered that the Animals Committee and Shark Working Group had only been charged with reviewing the implementation of existing shark listings, not proposing additional species. The CITES Secretariat confirmed that all Parties had agreed to the mandate set for the Working Group by the Animals Committee, in order to fulfil Decision 13.43 (b).

It was agreed that the species list submitted to CoP13 (Doc 35 Annex 2 pp.21-27) would serve as the basis for discussion. A lengthy plenary session reviewed and refined the list of taxa in CoP13 Doc 35 Annex 2 pp.21-27, in order to prepare the Workshop report.

Any other business

a) Report production

All documents for the consideration of the Animals Committee must be finalised *via* email correspondence within one month, for submission to the Secretariat by the deadline of 8th May. The IUCN Shark Specialist Group will co-ordinate report preparation, consultation, and finalisation. The Chair noted that post Workshop correspondence will provide an opportunity to revise existing texts, not to alter or digress from the key issues and conclusions discussed during the meeting. For those issues on which consensus could not be reached, then alternate views should be acknowledged and any uncertainty expressed.

b) Procedural concerns

The Alternate Member for Asia had frequently raised concerns over the organisation, remit and expertise of the Workshop. He stressed his disagreement with a number of issues throughout the Workshop and noted that he will raise these with the Animals Committee in July. These included:

Workshop composition. Why was the Workshop not open to Party States, and why were Parties not at least advised that it would be taking place? He considered that there was an inadequate geographical balance and representation, particularly from Asia. The Secretariat explained that the membership of the Working Group was by the last Animals Committee meeting. The Chair explained that an invitation to attend had been sent to all Working Group members at the previous Animals Committee meeting and to those Parties who had not attended that Working Group session but had expressed an interest in participating in its work. All Parties had been advised at the last Animals Committee meeting that this meeting would take place, however it is not standard practice for Parties to attend intersessional Working Group meetings. Because these are not official CITES meetings, the AC Chair could also use his discretion to invite the participation of a small number of additional shark experts. Participants were attending from 17 States, including Singapore and China, (eight Parties, invited experts from three other States and two global regions (West Africa and Asia), and NGO/IGO observers of various nationalities).

Both China and the Alternate Representative of Asia felt that all Parties should be allowed to attend a meeting such as this; many Parties could not attend the AC meeting in Geneva, and were therefore denied opportunity to attend the Workshop although involved in the issues discussed. China requested that all Parties be invited to comment on the Workshop reports.

The competency of the Workshop to make recommendations on species affected by trade. The Chair explained that the invited shark experts had been selected in consideration of their broad range of knowledge, both geographically and across the fisheries and conservation sectors. He noted the high level of international competence present and that additional raw material had been made available for consideration prior to the meeting. This Working Group contributes towards a re-iterative process and the AC will provide further opportunity to review the recommendations generated at this meeting.

The remote location. The request for a more accessible location for future Workshops was noted, as was the safe, timely arrival of all participants and the suitable facilities that had been made available.

Closing of the Workshop

The Chair thanked everyone for their valuable participation, particularly the representatives from the FAO, CMS and CITES Secretariats. He thanked WWF International and US NMFS, NOAA, for funding the Workshop, the IUCN SSG for organisation and the Wildfowl and Wetlands Trust for hosting the meeting. Participants particularly thanked the Chair for his guidance.