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

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Eighteenth meeting of the Conference of the Parties
Colombo (Sri Lanka), 23 May – 3 June 2019

# ADDITIONAL INFORMATION ON DOCUMENT COP18 DOC. 12

This document has been submitted by Antigua and Barbuda in relation with agenda item 12.[1]

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**ADDITIONAL INFORMATION ON DOCUMENT COP18 DOC.12**
A Draft Resolution (CoP18 Doc.12) proposed by Antigua and Barbuda

SECURING BETTER IMPLEMENTATION OF MARINE FISH SPECIES LISTINGS IN THE APPENDICE

*"Those who cannot remember the past are condemned to repeat it."*
**George Santayana.**

*"...listing a species is not an achievement in its own right – implementation is critical"*
**SC70 Doc.45, Annex 2–p. 9**

## A. Introduction

The purpose of this paper is to provide supplementary information to complement the CoP18 proposed document to secure better implementation of marine fish listings in the CITES Appendices: CoP18 Doc. 12.

This document summarizes a number of key points:

- Technical reports confirm that CITES currently lacks the framework to manage and implement efficiently and efficaciously the listing of aquatic species in its Appendices.
- The precipitous – poorly conceived and managed - listing of some aquatic species has *undermined* their conservation prospects; this indicates that the adoption of alternative management solutions would have been more appropriate.
- Before endorsing or enacting an aquatic species listing, CITES requires a comprehensive evaluation of the science, expertise, funding and marshalling of other resources required to ensure that the listing is necessary, efficient and efficacious.
- To avoid counterproductive listings of aquatic species, all proposals must comply with the CITES listing criteria to ensure that decisions are based on reliable biological information. Proposals should not be based substantially on statements of concern or hope or on a liberal application of the precautionary principle.
- It is mission-critical that the FAO and CITES reconcile their – increasing - differences over how best to calibrate stocks and manage aquatic species in a sustainable manner; including resolving disagreements over which species require listing in CITES Appendices.
- The failures of listings of aquatic species, if not rectified, risks undermining the Convention itself.
- A pause in the listing of additional aquatic species is required, to create the space to review the lessons from the existing listings of marine species and ensure that Parties do not repeat past mistakes.

**Section B** outlines the lessons learned from listing European eel (*Anguilla anguilla*) in CITES Appendix II.

**Section C** outlines the experience and insights garnered from listing the Humphead wrasse *Cheilinus undulatus* in CITES Appendix II.

**Section D** reviews the CITES/FAO MOU and the intensifying disagreement over the scientific basis for listing aquatic species in Appendices.

**Section E** reviews worries concerning proposals to add more aquatic fish species at CoP18, particularly the short-fin mako shark proposal (CoP18 Prop. 42).

**Section F** concludes by drawing lessons learned from past experience and proposes steps to strengthen future listings of aquatic species.

## B. The troubling *Anguilla anguilla* experience

*Anguilla anguilla* is a prime example of a questionable application of the listing of an aquatic species. Contrary to expectations, in terms of conservation, sustainability, managing global trade and boosting public trust, it generated mostly negative returns. Yet the promise was:

> A CITES Appendix-II listing for *Anguilla anguilla* will regulate and monitor future international trade, particularly from Europe to Asia, hopefully ensuring that future fisheries will not be detrimental to the status of the wild stock and thus to the survival of the species.
> (CoP14 Prop. 18, page 12)

CoP14 (The Hague, June 2007) concluded – supported by FAO Expert Advisory Panel findings - that the European eel *Anguilla anguilla* species was in rapid decline, to less than 20–30% of baseline, due to overexploitation, excessive trade, principally to Asia, with more than 50% of exports consisting of juvenile eels destined for aquaculture. There were also concerns about habitat loss. While eels are a species that are fished and traded across the globe, it was considered – at the time - that the issue was essentially about the conservation of the European eel.

Following a proposal (CoP14 Prop. 18) by Germany, on behalf of the European Union, the European eel *Anguilla anguilla* was listed in CITES Appendix II. However, its enactment was postponed for 18 months until 13 March 2009, because Parties recognized – correctly - that there were technical and administrative challenges to overcome. These included differentiating eel products from different populations and the establishment of better fishery management measures within the European Union.

Despite good intentions, the expectation that CITES could work out the details – after the fact of listing - proved to be overly optimistic.

After March 2009, information provided by the EU continued to show that – despite being listed in CITES Appendix II - the conservation status of the species was, at best, static, while illegal harvesting was booming. Furthermore, the EU Scientific Review Group admitted that it was "not in a position to make a non-detriment finding (NDF)". (SC70 Doc.5, Annex 2–p.2) So, in December 2010, it used the precautionary principle to justify prohibiting all international trade in European eel.

But this total export ban did not subdue demand. Instead it increased the value of American eel (*A. rostrata*) and tropical species, such as *Anguilla bicolor*, which were increasingly fished as a consequence; directly detrimental to their long-term commercially sustainable conservation parameters. Meanwhile, the European eel – which grew in value as a consequence of trade restrictions - was increasingly traded illegally – and virtually undetectably – as another type of eel, such as the American eel.

It is very difficult –often disproportionately expensive, technically complex and time consuming – for authorities to distinguish a European eel – in transit or on sale - from any other type of eel. These facts proved to be a boon to black market traders as the price of eels soared. In Europe, illegal operators took over major aspects of the eel industry – often by intimidating physically legal fishers and traders.

While illegal fishing and trade of eels has been proven difficult to police; it is also true that criminals have no incentive to capture eels in a sustainable manner.

As the state of European eel stocks worsened, the issue of the listing's efficiency and efficacy was raised at several meetings of the Animals and Standing Committee, as well as at successive CoPs. As the years rolled on, it became a labour-intensive, chronic fire-fighting exercise to understand and ameliorate the harm that was being caused. Despite the evidence, CITES was reluctant to acknowledge that a combination of observable factors was having negative conservation consequences on *Anguilla anguilla,* as well as on other eel species.

At CoP17, several decisions were made. In particular, Decision 17.186 directed the Secretariat, subject to external funding, "to contract independent consultants to undertake a study compiling information on challenges and lessons learnt with regards to implementation of the Appendix II listing of the European eel (*Anguilla anguilla*) and its effectiveness". The consultants were asked to focus on "the making of non-detriment findings, enforcement and identification challenges, as well as illegal trade".

The Zoological Society of London (ZSL) conducted the review. Its report was included in document SC 70 Doc. 45 Annex 1; and its findings were discussed at an international technical workshop on eel (*Anguilla* spp.) held in London in April 2018. The report of the workshop's conclusions constitutes Annex 2 of the same document.

When discussing the ZSL's findings, the working group acknowledged that the trade ban's major impact had been to encourage "a growth in illegal fishing and trade". (SC70 Doc. 45, Annex 2, page 9)

The working group found that the most positive identifiable benefits from listing Anguilla anguilla - ten years after its listing, and eight years after its implementation – were unified aspirations regarding the recovery of European eels and the fact that:

> .....the CITES listing (in combination with a range of other initiatives) has increased the awareness and profile of the European eel and brought a range of sectors together (including marine and freshwater fisheries managers) to work for its conservation, recovery and sustainable use. Political will has been mobilised and the species is a useful flagship species. (SC70 Doc.45, Annex 2, page 9)

But that result has nothing to do with the primary purpose of listing any species in a CITES Appendices. In short, CITES is a trade body for the conservation of endangered commercially exploited species, not a public relations or campaigning or awareness-raising organisation. Moreover, this increased awareness has not brought about any conservation benefits.

Untangling cause and effect can be challenging. The technical working group noted, it is "difficult to distinguish the effects of the listing from the effects of the EU trade ban – the latter probably having had a greater impact (but one potentially being dependent on the other)." (SC70 Doc.45, Annex 2–p. 9) Nevertheless, there are some overarching lessons from the *Anguilla anguilla* experience that can be applied to the listing of any future marine species in the CITES Appendices:

1. The identification of a decline in an aquatic species, even if based on reliable numbers, is required for a CITES listing, but that does not provide sufficient grounds to justify a listing. There needs to be a greater understanding of the full impact that a listing will produce. Without a clear roadmap for implementation, listing a species could make things worse and consume inordinate amounts of energy and resources to correct after the event.
2. Since the three pillars of 'sustainable / legal / traceable' trade are mission-critical to CITES, proponents should be obliged to propose and validate clear metrics for any aquatic listing proposal. Parties should assess the merits of these metrics ***before*** agreeing to either list or apply trade restrictions.
3. Capacity building - legal, market, industrial, financial, manpower, technical, administrative, metrics, targets etc. - must not be an after thought; a delay in the enactment of a listing is not a substitute for establishing efficient measures.

The technical working group reached similar conclusions, in its own trio of key findings:

1. Concerning challenges, effectiveness and lessons learned.... it is helpful to have a framework to assess effectiveness of listings – to understand where we are now, where we want to get to and how do we go about getting there. (SC70 Doc.45, Annex 2, page 9)
2. The CITES three pillars of 'sustainable / legal / traceable' trade might be useful to frame assessments of the effectiveness of the CITES listing of European eel but it is difficult to assess "effectiveness" when it is not clear what the best metrics to use are. (SC70 Doc. 45, Annex 2, page 9)
3. ...listing a species is not an achievement in its own right – implementation is critical. (SC70 Doc. 45, Annex 2, page 9)

Today, despite the vast financial and legal resources of the EU, *Anguilla anguilla* continues to languish.

**C: Humphead wrasse *Cheilinus undulatus***

In 2004, this easily identifiable species was considered to be a prime candidate to test the suitability, effectiveness and efficiency of an Appendix II listing designed to protect a commercially exploited marine species.

CITES, FAO and others concurred that the Humphead wrasse was overexploited, often as a result of destructive fishing practices, mainly for international trade in live specimens. It was thought at the time that because international trade volumes of this valuable species were relatively low, a listing would be relatively easy to implement. However, the FAO still had concerns about the reliability of the data being cited by proponents of the listing:

> This is an example of a data-poor species. In several areas there is no fisheries management in place for *Cheilinus undulatus* (humphead wrasse). Therefore, there was no baseline information to evaluate against the decline criteria. However, the FAO Expert Advisory Panel inferred that depletion is a widespread phenomenon..... CITES listing could make a significant contribution to the conservation of the species, but strengthening the regional and national management of the fisheries ***is*** also ***essential*** for the conservation of the species. (FAO Fisheries and Aquaculture Report No.976 FIRF/R976 P-5, **emphasis added**)

A proposal to list the Humphead wrasse *Cheilinus undulatus* in CITES Appendix II was first prepared and submitted by the United States of America for CoP12 (Santiago, November 2002). It was rejected after a vote with a less than two-thirds majority. But a similar proposal, backed by additional and more credible data, also prepared by the US, and submitted by the US, Fiji and Ireland, on behalf of the Member States of the European Union, was adopted by consensus at CoP13 (Bangkok, October 2004).

A reasonable expectation would be that 15 years after the listing of *Cheilinus undulatus* in Appendix II, CITES should be capable of demonstrating effective, efficient, efficacious results. Unfortunately, it cannot do so.

As a result of serious implementation and enforcement problems, the species has been repeatedly on the agenda of meetings of the Animals Committee and the Standing Committee, as well as on meetings of the Conference of the Parties.

At CoP15 (Doha, March 2010), Indonesia, a main exporting Party, submitted document CoP15 Doc. 51 on additional management measures needed to combat IUU (illegal, unreported and unregulated) fishing, mainly in Indonesian, Malaysian and Philippines waters. A draft resolution was proposed, but it was replaced by the adoption of Decisions 15.86, 87 and 88, which were directed to Parties, the Standing Committee and the Secretariat. They were meant to improve the implementation and enforcement of the Convention and, subject to external funding, to establish a working group to make recommendations.

At CoP16 (Bangkok, March 2013), document CoP16 Doc. 62 (Rev. 1) provided a report from the Working group on humphead wrasse. It suggested maintaining Decisions 15.86 and 87, as amended, and asked for additional assistance of Parties and others. The Secretariat - in its comments - recommended the adoption of two additional decisions. Both actions were accepted.

At CoP17 (Johannesburg, September-October 2016) the Standing Committee submitted document CoP17 Doc. 54. The Conference adopted, as recommended, the extension of Decisions 15.87 (Rev. CoP16) as amended, 16.139 and 140, as well as two new Decisions 17.201 and 202 directed to the Secretariat for cooperation with FAO and submission of reporting to the Standing Committee. It also reported on a workshop that was organized in Indonesia in December 2015.

The workshop focused on Indonesia, the main exporting country, which had established a 2000 quota for export only by air. It was made known also that in two islands, juveniles had been captured and kept in aquaculture. There were about 300,000 (CoP17 Doc. 54, page 3) such specimens at that time, and exports to China (Hong Kong) had taken place by boat, contrary to both the quota and the required transport means. Furthermore, IUCN/SSC Specialist Group on Groupers and Wrasses reported that there were large numbers of humphead wrasses on sale in China.

At SC69 (Geneva, November 2017), while some progress was noted, it was widely accepted that worrying levels of illegal trade still existed. So at SC70 (Sochi, October 2018) it was agreed to recommend for consideration at CoP18 a new draft decision. The Secretariat will be asked, subject to external funding, to invite the FAO, IUCN/ SSC Specialist Group on Groupers and Wrasses, to help support major exporting and importing countries of *Cheilinus undulatus*, upon request, to address remaining implementation challenges, to ensure well-regulated, sustainable management of, and trade in, the species.

After fifteen years and countless meetings, initiatives and amendments, conservation benefits from this listing are difficult to establish. It seems possible that the listing may have caused an increase in the value of the humphead wrasse and thereby – inadvertently – may have encouraged an increase in its illegal trade.

**D: Science, experts the FAO and CITES: a need for a truce**

In 2006, CITES and FAO signed a Memorandum of Understanding (MOU). The MOU committed the two parties to working together to review and consult each other on the scientific, legal and technical evaluation of commercially exploited aquatic species in or proposed for CITES Appendices.

Before CoP14 (3-15 June 2007) in The Hague, Netherlands, Ichiro Nomura, Assistant Director-General at FAO, wrote (CoP14 Inf. 26) to CITES Secretary-General Willem Wijnstekers. His letter expressed FAO's surprise at the fact that the CITES Secretariat had rejected four out of seven of the scientifically based FAO Expert Advisory Panel recommendations. Nomura's major complaint was that CITES had not provided any scientific challenge to the findings of the FAO Panel. He also pointed out that CITES had fallen short of CITES Resolution Conf. 9.24 (Rev. CoP13) on criteria for amendment of Appendices I and II. He wrote:

> This sets a precedent that potentially negates all the progress and consensus developed on the criteria, including Annex 5, over the last five or more years and that contributed to the agreement and signature of an MOU last year. (CoP14 Inf. 26 p. 3)

Since then, the disconnection between the two parties has widened.

Neither CITES nor FAO has a monopoly over knowledge. However, the biological criteria of a listing proposal are the essential determining factors when it comes to respecting the Convention. While FAO's findings have no formal binding effect on CITES Parties, the burden is clearly on CITES to methodically justify a listing that the FAO has concluded fails to meet the necessary biological criteria to qualify. The propensity for CITES to respond inadequately to biological criteria findings – or to give proper credence to enforcement challenges – that FAO highlights is a cause for significant concern. The dichotomy between the two organisations' scientific opinion, standards and listing criteria has therefore excited considerable – legitimate – attention.

At CoP15, 16 and 17 matters did not improve. This was despite the commendable attempt on the part of both organisations to grapple with their differences, at the request of CITES, at an FAO Workshop in Rome, 19–21 April 2011.[1]

[1] FAO WORKSHOP TO REVIEW THE APPLICATION
OF CITES CRITERION ANNEX 2 a B TO COMMERCIALLY-EXPLOITED AQUATIC SPECIES
Rome, 19–21 April 2011

The Workshop discussed the differences between the two institutions. On the one side, CITES anticipates a possible impact across the global distribution of the species without requiring data based evidence to project or infer the magnitude of such an impact. On the other, the FAO Expert Advisory Panel requires factual, scientifically verifiable evidence in order to reach a meaningful conclusion. Unfortunately, even though the Workshop shed clear light on the substance of the dispute, it did not persuade CITES to change course.

Since the Workshop there has been more disputes between the FAO and the CITES Secretariat over the listing of marine species on CITES Appendices **(see Appendix 1 for a full list 2004 to 2016)**. Put simply, too often for comfort, the FAO Expert Advisory Panel has advised one thing and the CITES Secretariat has recommended the opposite.

The case of the silky shark's listing at CoP17 is a classic example. The FAO Expert Panel determined that available information on the status of the silky shark did not meet the Appendix II listing criteria. The panel also expressed concerns over the possible harmful impacts caused by a poorly implemented and enforced listing. The FAO warned that:

> If a CITES Appendix II listing was adopted and implemented effectively, this could act as a complementary measure for regulations implemented by Regional Fisheries Management Organisations. However, the Panel noted that where a States' abilities to complete CITES provisions was limited then trade might cease, or continue without adequate CITES documentation. (FAO EXPERT PANEL SUMMARY: 42)

In essence, FAO feared that an Appendix II listing could encourage noncompliance and deception. And because there would be no way to stop this outcome in most of the countries and regions concerned; the species and its related trade and conservation would then be rendered unmanageable or very difficult to control.

As demonstrated in sections B and C of this document, the FAO's cautious assessment was grounded in experience. CITES has a poor track record when it comes to implementation – or even understanding the issues – in marine environments. The FAO was also suggesting – as it has many times in relation to other species – that there was a better approach than simply expecting positive conservation results to arise from an Appendix II listing. But CITES was not listening: the Secretariat recommended adoption and the Parties accepted the silky shark's listing.

**E: The short-fin mako shark risk**

An unscientific approach to listing migratory shark species in CITES Appendices risks damaging the integrity of existing regulatory and management systems.

Experience shows that in many cases the demands of remaining compliant with CITES criteria – particularly non-detrimental findings - cannot be met by the fisheries industry. If fishers and traders are required to prove the improvable – by showing that their catch of a migratory species in specific waters is sustainable and consistent with international law - they will be ***incentivized*** to not declare their catches accurately. They may also become reluctant to cooperate fully with other marine management regulatory regimes.

In his letter of complaint to CITES (mentioned in section D), Ichiro Nomura said that criteria and accompanying definitions, explanations and guidelines, which were the result of several years of broad and intensive scientific deliberation and negotiation between the FAO and CITES, had been ignored by CITES. He added that **in keeping with the CITES Convention, the FAO had used CITES criteria to validate its evaluations.**

Referring to CITES Secretariat's recommendation to listing the porbeagle mackerel shark (in opposition to FAO's biological science and trade findings), Nomura accused the Secretariat of replacing rigorous methodologies with loose waffle, such as:

> ...it does not seem unreasonable to conclude that for those populations, in line with paragraph B in Annex 2a of Resolution Conf. 9.24 (Rev. CoP13), regulation of trade is required to ensure that harvest specimens is not reducing wild populations. (CoP14 Inf. 26, page 3)

And, if we now examine the CoP18 proposal to list the highly migratory short-fin mako - *Isurus oxyrinchus* – and longfin mako - *Isurus paucus* - sharks *in* Appendix II, we see the same flocculent – subjective and circular - language being marshaled to disguise a lack of scientific justification. In the words of the latest proposal:

> ...establishing population trends, particularly the historical-extent-of-decline, is severely hampered by under-reporting (or more frequently no reporting). (E-CoP18-Prop_draft-Isurus-oxyrinchus_Isurus-paucus, page 5)

In fact, while the proposal estimates millions of these sharks are caught each year (in Hong Kong alone, fins representing up to 1 million mako sharks were sold annually in 2000: CoP18-Prop_draft-Isurus-oxyrinchus_Isurus-paucus, page 2), they also admit:

> The total size of the world population for *Isurus oxyrinchus* is unknown. E-(CoP18-Prop_draft-Isurus-oxyrinchus_Isurus-paucus, page 4)

But the absence of meaningful relative data does not prevent the proponents from claiming to know what constitutes a sustainable harvest in the western Atlantic where, we're told, the:

> ... fishing mortality in the region was 5-18 times higher than maximum sustainable yield (Byrne *et al.* 2017). (CoP18-Prop_draft-Isurus-

oxyrinchus_Isurus-paucus, Page 5)

Whenever the data points in more than one direction, we are being asked to assume the worst, rather than to demand more evidence:

> This is especially concerning, as north Atlantic mako stocks assessed in 2012 were found to be not overfished with no overfishing occurring, and in 2017 upon reassessment with additional data collected, the stock was found to have a historical exent (*sic*) of decline of 60% (ICCAT SCRS 2017). (CoP18-Prop_draft-Isurus-oxyrinchus_Isurus-paucus, Page 5)

And when meaningful data is completely missing, we are asked to assume – without evidence - that what is supposedly happening in one place is occurring in another:

> Given that the majority of the ocean basins are operating on limited data and old assessments, it is warranted to have concerns that these levels of declines are happening in other ocean basins as well. Therefore using the precautionary principle listing the species on CITES Appendix II now is fully justified. (CoP18-Prop_draft-Isurus-oxyrinchus_Isurus-paucus, page 5)

But the ebb and flow of a highly migratory species is constantly subject to fluctuation, so circumstantial evidence will never be sufficient to subvert verifiable science.

In reality, the motivation to list this commercially exploited species in CITES Appendices is not rooted in the verity of scientific criteria. It is driven by the view that – as the proponents see it - there has been insufficient or no protective action taken by other responsible management organisations; so CITES must step in to 'save' *Isurus oxyrinchus*. But the belief that the intervention of CITES – whether based on scientific criteria or, as in this case, ***not*** - will inevitably improve the conservation status of aquatic species is demonstrably invalid.

**F: Conclusions**

- Parties have a responsibility to take notice of, and respond to, the growing body of authoritative evidence that reveals how listings of aquatic species under the CITES Appendices have achieved very few positive outcomes for conservation and, in some cases, may have worsened the conservation status of species that have been listed.

- Even when an Appendix II listing – such as Anguilla anguilla - has been found to be biologically justified by FAO, CITES Parties in general and the European Union and its Members States in particular have not been successful in its implementation. The reasons for this must be understood if CITES is to avoid inadvertently undermining the conservation status of aquatic species in the future.

- Even when there is a neutral impact on the status of a species following a listing, this should be regarded by Parties as a failure because desired conservation outcomes have not been reached.

- Significantly, these negative outcomes contravene a number of highly relevant Sustainable Development Goals, particularly SDG 14, which requires us to, "Conserve and sustainably use the oceans, seas and marine resources for sustainable development."

- Proposals for aquatic listings had clearly stated conservation goals. Parties have a duty to assess the extent to which common factors have led to negative outcomes. Once these factors have been identified and quantified, future proposals to list aquatic species can be prepared in a manner that increases the likelihood that they will generate positive conservation outcomes. As part of this process, a methodology should be developed – based on the best available science – that can reliably calibrate the conservation outcome and efficacy of the listings

- It is clear in retrospect that CITES Parties have been too eager to propose and agree aquatic listings, as if a listing itself was an outcome rather than a means to a conservation end. A review of media coverage and the websites of lobbying organizations reinforce this concern. Consideration should now be given as to why CITES has made the mistake of agreeing (or maintaining) listings that have been unsuccessful and whether the preparations made by Parties have been tainted by non-scientific pressures, such as politics. In particular, CITES should look at the role of lobbying organizations in generating proposals and influencing voting at CoPs.

- The role taken by the Secretariat in facilitating these listings should also be reviewed. If CITES had followed its own criteria for listing proposals, some of these mistakes would never have been adopted because the listings would not have been considered by CoPs. A two-thirds majority of Parties at a CoP is needed to agree listings. But this majority does not possess the authority under the Convention to consider a proposal that does not meet the CITES listing criteria. A two-thirds majority of a CoP cannot vote to set aside the text of the Convention.

- CITES must resolve its differences with the FAO and agree with it a common approach to assessing - and respecting - relevant scientific evidence.

- Until all the above has been completed, any new aquatic listings proposals would be tainted. It is therefore important for CITES Parties to agree to refrain from making new aquatic listings proposals pending the outcome of this review.

Appendix 1:

| | CoP | 2aA / 2aB | Year | Species | Decisions FAO | Decisions CITES Sec | CITES followed FAO | Decision Parties | Parties followed FAO |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 13 | 2aA/2aB | 2004 | Carcharodon carcharias (white shark) | Appendix II | adopt[2] | ✓ | Accept | ✓ |
| 2 | 13 | 2aB | 2004 | Cheilinus undulatus (humphead wrasse) | Appendix II | adopt | ✓ | Accept | ✓ |
| 3 | 13 | n/a | 2004 | Lithophaga lithophaga (Med mussel) | not supported | reject | ✓ | Accept | × |
| 4 | 13 | n/a (definition of fossil corals) | 2004 | Helioporidae spp., Tubiporidae spp., Scleractinia spp., Milleporidae spp. and Stylasteridae spp) | no decision, limited comment | adopt | | | |
| 1 | 14 | 2aA/2aB | 2007 | Lamna nasus (porbeagle shark) | not supported | adopt | × | Reject | ✓ |
| 2 | 14 | 2aA/2aB | 2007 | Squalus acanthias (spiny dogfish) | not supported | adopt | × | Reject | ✓ |
| 3 | 14 | 2aA/2aB | 2007 | Pristidae (sawfishes) | Appendix I and App II | adopt | ✓ | Accept | ✓ |
| 4 | 14 | 2aA/2aB | 2007 | Anguilla anguilla (European eel) | Appendix II | adopt | ✓ | Accept | ✓ |
| 5 | 14 | 2aB | 2007 | Pterapogon kauderni (Banggai cardinalfish) | not supported | adopt | × | Reject | ✓ |
| 6 | 14 | 2aB | 2007 | Panulirus argus and P. laevicauda (Brazilian lobster) | not supported | reject | ✓ | Reject | ✓ |
| 7 | 14 | 2aB | 2007 | Corallium (red/pink corals) | not supported | adopt | × | Reject | ✓ |
| 1 | 15 | 2aA | 2009 | Sphyrna lewini (Scalloped hammerhead) | Appendix II | adopt | ✓ | Reject | × |
| 2 | 15 | 2aA | 2009 | Carcharhinus longimanus (Oceanic whitetip shark) | Appendix II | adopt | ✓ | Reject | × |
| 3 | 15 | 2aA/2aB | 2009 | Lamna nasus (Porbeagle) | Appendix II | adopt | ✓ | Reject | × |
| 4 | 15 | 2aA/2aB | 2009 | Squalus acanthias (Spiny dogfish) | not supported | adopt | × | Reject | ✓ |
| 5 | 15 | (App. I) | 2009 | Thunnus thynnus (Atlantic bluefin tuna) | Appendix II, ~ App I | adopt | ✓× | Reject | × |
| 6 | 15 | 2aB | 2009 | Coralliidae (Red and Pink corals) | not supported | adopt | × | Reject | ✓ |

| # | CoP | 2aA / 2aB | Year | Species | Decisions FAO | Decisions CITES Sec | CITES followed FAO | Decision Parties | Parties followed FAO |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 16 | 2aA | 2012 | Carcharhinus longimanus (oceanic whitetip shark) | Appendix II | adopt | ✓ | Accept | × |
| 2 | 16 | 2aA | 2012 | Sphyrna lewini (Scalloped hammerhead) | Appendix II | adopt | ✓ | Accept | × |
| 3 | 16 | 2aA/2aB | 2012 | Lamna nasus (Porbeagle) | Appendix II | adopt | ✓ | Accept | ✓ |
| 4 | 16 | (App. I) | 2012 | Pristis microdon (Large sawfish) | Appendix I | adopt | ✓ | Accept | ✓ |
| 5 | 16 | 2aA/2aB | 2012 | Mantas | no decision, limited comment | adopt | | Accept | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 6 | 16 | (2aB) | 2012 | Paratrygon aiereba (FW Stingray) | no decision, limited comment | reject | | Reject | × |
| 7 | 16 | 2aB | 2012 | Potamotrygon motoro and P. schroederi (FW Stingray) | no decision, limited comment | reject | | Reject | ✓ |
| 1 | 17 | 2aA | 2016 | Carcharhinus falciformis (silky shark) | **not supported** | **adopt** | × | Accept | × |
| 2 | 17 | 2aA | 2016 | Alopias superciliosus (bigeye thresher shark) | not supported | reject | ✓ | Accept | × |
| 3 | 17 | 2aA | 2016 | Mobula tarapacana (sicklefin devil ray) and Mobula japanica (spinetail devil ray) | Appendix II | adopt | ✓ | Accept | ✓ |
| 4 | 17 | 2aB | 2016 | Potamotrygon motoro (Raya) | not supported | reject | ✓ | Reject | ✓ |
| 5 | 17 | 2aA/2aB | 2016 | Pterapogon kaudemi (Banggai cardinalfish) | Appendix II | adopt | ✓ | | |
| 6 | 17 | 2aA | 2016 | Holacanthus clarionensis (Clarion angelfish) | not supported | reject | ✓ | Accept | × |
| 7 | 17 | 2aB | 2016 | Family Nautilidae | Appendix II | adopt | ✓ | Accept | ✓ |