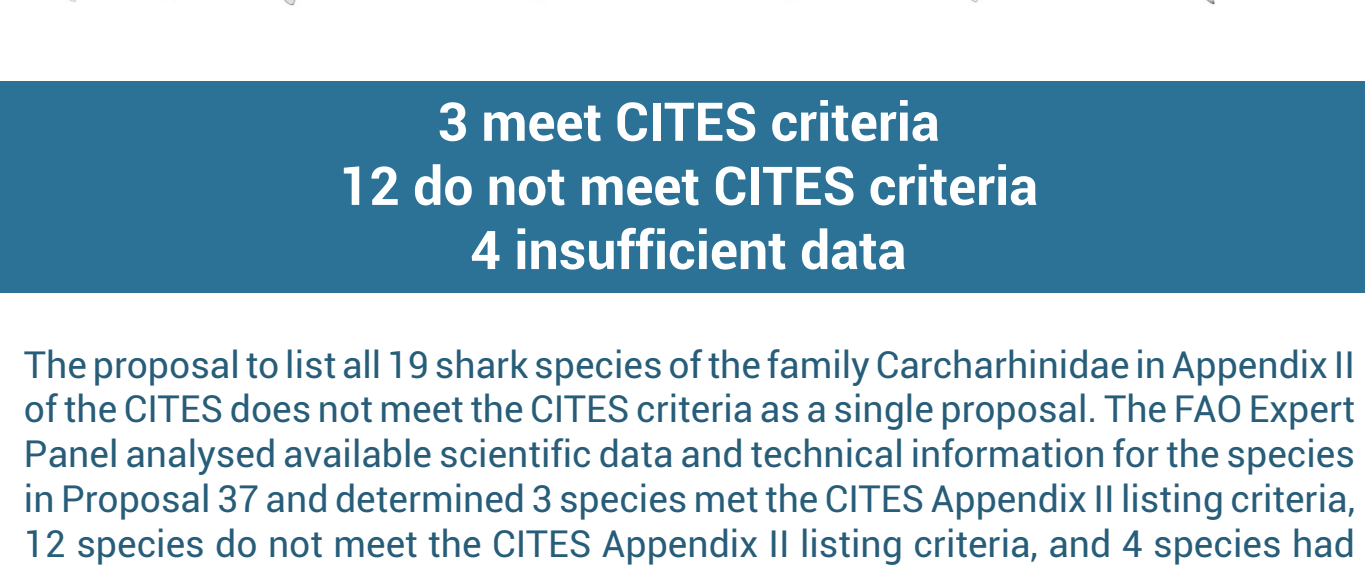


Nineteen species in the family Carcharhinidae

and all other requiem shark nei



3 meet CITES criteria
12 do not meet CITES criteria
4 insufficient data

The proposal to list all 19 shark species of the family Carcharhinidae in Appendix II of the CITES does not meet the CITES criteria as a single proposal. The FAO Expert Panel analysed available scientific data and technical information for the species in Proposal 37 and determined 3 species met the CITES Appendix II listing criteria, 12 species do not meet the CITES Appendix II listing criteria, and 4 species had insufficient data to make a determination. The FAO Expert Panel recommended the consideration of separate proposals for the species assessed to meet CITES Appendix II listing criteria.

The Expert Panel noted three fundamental issues in the proposal – effectively a collation of 19 sub-proposals.

First, the Expert Panel found that for nine shark species the key listing criteria on which the Convention relies, trade (“affected by trade”; Article II 1 and 2 of the CITES Convention) was not evidenced by the proposal or related information. The Expert Panel considered these species not to have met the CITES criteria for listing in Appendix II.

Second, the proposal failed to mention that the family Carcharhinidae have a range of distinctly different sizes, morphological appearances and productivity. This means many of these species can be readily differentiated from each other both at landing sites and in trade (proposed species from “look-alikes” and differentiation across “look-alikes”). The Expert Panel noted that listing the 35 species proposed under look-alike provisions would have substantial socioeconomic, surveillance, enforcement and prosecution implications – far in excess of requirements, and impacts for the 19 species singled out for addition to Appendix II of CITES.

Third, owing to the diversity of sharks in the proposal that includes a large number of species with heterogeneous biological, distributional, habitat, and fisheries and trade characteristics, their management is not simple to examine. The Expert Panel noted that there is a broad range of international, regional and national policy that in practice takes account of the capacities of local actors required to implement governance in a way that is respectful of biocultural contexts. As such, neither the proposal nor the Expert Panel was able to well articulate technical aspects relating to ongoing successes and challenges of management and trade of the species proposed, or make detailed suggestions as to the likely effectiveness of implementation of CITES listing for each species separately.

Ideally, the Expert Panel would be able to review evidence presented in the listing proposal alone. However, for a large number of the species, the included information was either absent or challenging to evaluate. Sources of information presented in the proposals included qualitative descriptions of potential trends or non-specific information (IUCN assessments *in toto*, without links to the evidence that was critical to informing those assessments). To make a determination, the Expert Panel retrieved and reviewed the original sources of data used to make more general claims in the proposal, analysed information provided, and additional scientific data and technical information that could be accessed.

The Expert Panel used its expert knowledge to prioritize scientific data and technical information in its work completing a species by species analysis against the CITES listing criteria for shark “affected by trade” in Proposal 37 (see full Expert Panel Report). The Expert Panel review found that three species met the criteria for CITES listing, twelve species did not, and scientific data and technical information were insufficient for another four species to allow a decision against the criteria to be reached.

Management

Many species in Proposal 37 are caught as bycatch, incidental catch, or in some cases targeted within coastal waters in subsistence or artisanal fisheries. The available information indicated that, for many countries domestic utilization of meat is the primary reason for exploitation and fisheries are often data limited, making management challenging.

Management regimes/measures related to governance, shark population monitoring and fishery value chain compliance include the FAO IPOA-Sharks that underscores international, regional and national responsibilities of fishing and coastal states in sustaining shark populations, ensuring the full utilization of retained sharks and improving shark data collection and monitoring.

No shark related controls were noted at the taxonomic level of family in this management review. In most cases, management measures for fisheries are typically focused by place (ecosystem), fishing method and/or target species. Where fisheries measures are in place to conserve a species or group of species these usually do not focus on family level due to the broad diversity of species and the spatial variance inherent in such a classification.

Many general shark measures were noted but these were related to landing measures, e.g., landing with fins attached or general prohibitions. For example, since 2015 in India, all shark fin exports and imports are prohibited.

Species-related controls were noted. Since 2001, the ganges shark (*Glyphis gangeticus*) along with nine other species of shark have been protected in India under Schedule I of India’s Wildlife (Protection) Act, 1972, whereby capture is a punishable offence. The dusky shark (*Carcharhinus obscurus*) is listed in Appendix II and in the Memorandum of Understanding of the Convention on the Conservation of Migratory Species of Wild Animals (CMS). The sandbar shark (*C. plumbeus*) is listed in Annex III “List of species whose exploitation is regulated” of the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean of the Barcelona Convention (SPA/BD), and limits the number of specimens that can be taken, including other measures. Smalltail shark (*C. porosus*) is on the reference species list of the Data Collection Framework of the Western Central Atlantic Fishery Commission (WECAFC) to improve catch reporting. Nationally, management measures for the full list of species are too numerous to document here (e.g. catch and effort limits, commercial catch quotas, effort controls, recreational bag limits, minimum retention sizes, and time-area closures and spatial closures), and these can also centre around key species (e.g. dusky, sandbar, grey reef and sharptooth lemon sharks). In some cases, for example, in the United States of America, the sandbar and blacknose sharks are under a rebuilding plan, while dusky, caribbean reef, night and smalltail sharks are all prohibited species that cannot be landed.

These management arrangements are not applicable everywhere and to all species.

Trade

The Expert Panel noted that domestic consumption and national trade were the primary reasons for fisheries retaining and landing many of the species proposed, with the component of the fin trade that comprised the species in Proposal 37 being low (<1 percent). Where international fin and meat trade is rare in comparison with market demand, and trade is not a major component or driver of fishing pressure, fins entering international markets could be viewed in the context of efforts to “encourage full use of dead sharks”, as is recommended as part of many national shark plans, and the FAO IPOA-Sharks.

The Eschmeyer’s Catalog of Fishes states 59 species in the family Carcharhinidae, meaning that Proposal 37’s suggestion to place another 35–40 species of sharks under Appendix II provisions as look-alike species needs special consideration (over 100 percent increase in sharks species under Appendix II provisions). Additionally, one species under the look-alike provision, blue shark (*Prionace glauca*), makes up the largest component of shark fins in export markets.

Although the Expert Panel acknowledges the fact that there are several “look-alikes” within the family Carcharhinidae, it, however, advocates for a more deliberate look-alike species assessment, beyond what was achieved in the proposal or by the Expert Panel’s week-long efforts. Noting that morphological similarities of sharks may not relate to similarities in the biological status, a more nuanced approach is needed so that CITES can be effective in offering value where it is needed, without unduly impacting fishing communities.

Many species (e.g. the genus *Carcharhinus* are smaller, more abundant and more productive (e.g. *Scoliodon* spp.) than species already listed in CITES Appendix II. Some of the species of the family Carcharhinidae can be excluded from the list of “look-alikes”, as they are distinctively different from other species in morphological appearance, size and productivity, such as sharks of the genera *Rhizoprionodon* and *Scoliodon* that are both small and easily distinguished at landing (full shark) or by the small but recognizable fin shape in markets. Blue sharks (*Prionace glauca*), the most prevalent species in the shark fin trade and not classified as threatened (IUCN Red List), are identifiable at landing sites because of their body colour and appearance, while traders attest to their fins having particular and differentiating qualities.

For species that are mostly used locally and catch is not significantly incentivized by international trade, encouraging appropriate local management measures and help for implementation of local measures and controls would lead to better sustainability outcomes for these fisheries.

Likely effectiveness for conservation

Establishing a new set of international trade controls on species where export values were found to be a limited or non-existent driver of exploitation could lead to a large investment of effort for limited returns with regard to ensuring survival of those species.

The CITES provisions on the exporting of specimens of species listed in Appendix II require an expert permit from the trade country, which will only be granted if the national CITES authorities are satisfied that: (i) the export is not detrimental to the survival of the species in the wild; and (ii) the specimens were not obtained in contravention of the national laws of that State.

In many cases, fishery information for the 19 species (family Carcharhinidae) across range states was basic, and this would limit the ability for authorities to make positive non-detriment findings (NDFs), as evidenced by the situation encountered for shark and ray species already listed. This may lead to the following outcomes: (i) legal trade in the species being delayed for a significant period or ceasing altogether; (ii) trade continuing without proper CITES documentation (also known as “illegal trade”); (iii) trade continuing with inadequate NDFs.

On a positive note, legal trade will likely be recorded in the CITES Trade Database, and this will improve overall trade information. Compliance will remain an issue, especially where small numbers of commodities of newly listed species will be packaged among larger shipments of other fisheries commodities (see Appendix G, especially point 5 (iii) of the previous FAO Expert Panel report published in 2019).

For such species that are mostly used locally and catch is not significantly driven by international trade, encouraging and investing in appropriate local management measures would potentially lead to improved management and documentation of the catch and effort. Given the potential susceptibility of some of these low and medium productivity species to overexploitation and localized depletion, improved fishery management through national authorities and relevant regional fisheries bodies should be promoted.

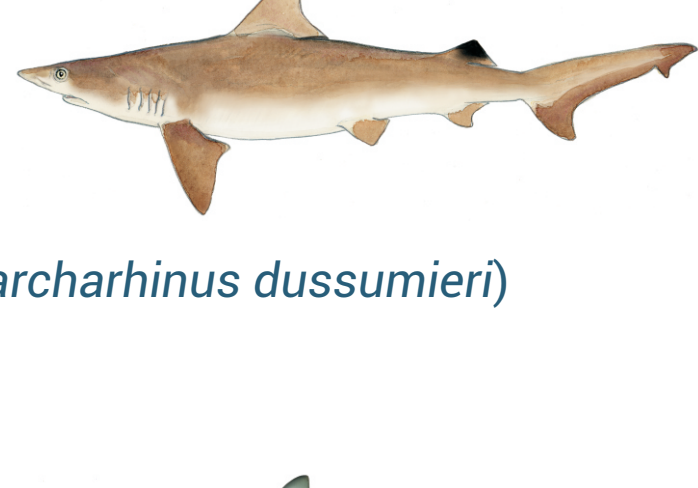
Considering the challenges that surround the identification of sharks in general and carcharhinids in particular, it is necessary to generate awareness and capacities. To the extent possible, personnel involved in the supply chain, from the stakeholders to the enforcement teams, could be offered use of available resources and techniques to identify species better at landing sites, ports and trade points. Hereby, there is also ample opportunity to use forensic tools (DNA analysis, 3D printed shark fins) to inform and help better monitoring and management.

The proposal does not provide information on the impacts of CITES provisions on the remaining part of the family Carcharhinidae, a component over 100 percent larger than the component proposed for listing. Of particular importance is the look-alike species is the blue shark, a productive shark species that likely makes up around 90 percent of the shark fin market. The blue shark is subject to multiple management measures in different regional fisheries management organizations, and its inclusion under the provisions of CITES Appendix II will incur a large cost to management, fishers and markets – and could produce a global socioeconomic impact. Regarding blue shark in particular, the Expert Panel received information from management and market authorities that strongly opposed the proposal’s suggestion that there would be an issue of misidentifying blue shark and its products. The information provided included identification guides as well as qualifying information as to why blue shark fins are easy to differentiate from the other species (see the full report of the Expert Panel).

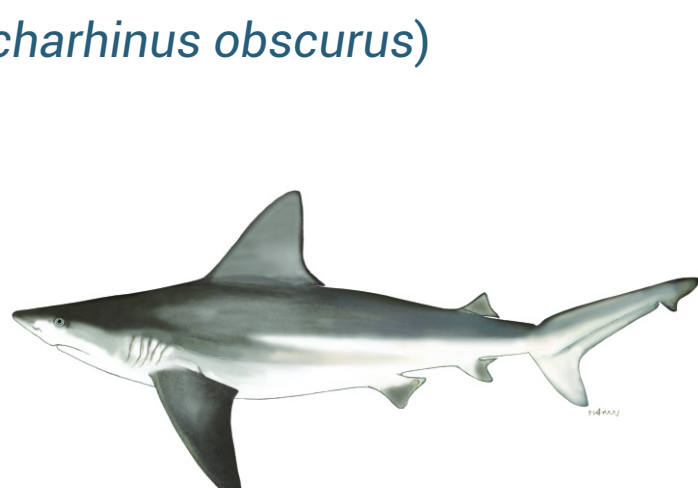
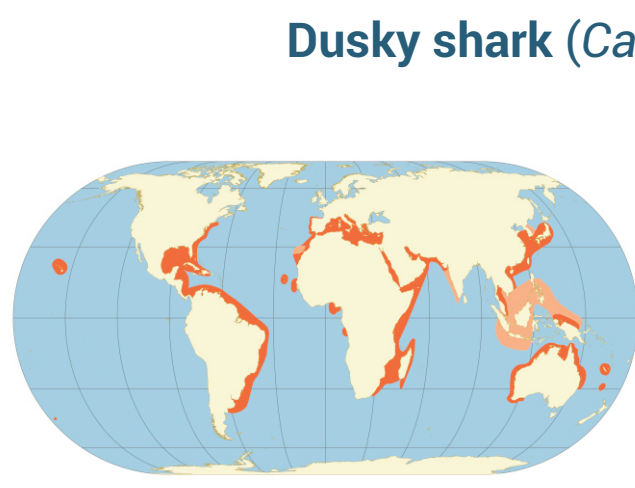
The Expert Panel noted that listing the 35 species proposed under look-alike provisions would have substantial socioeconomic, surveillance, enforcement and prosecution implications – far in excess of requirements and impacts for the 19 sharks singled out for addition to the Appendix II listing in the proposal.

It is also important to note that some of the highest quality scientific data (e.g. catch, fishing effort, discard rates, life history information) are collected from shark research efforts. If sharks in these programmes were listed in Appendix II, it is anticipated that many of the fishers would no longer participate in the research fishery owing to the complexity of obtaining research permits and allowances for moving shark samples across international borders. Thus, critical data would go unreported or be lost.

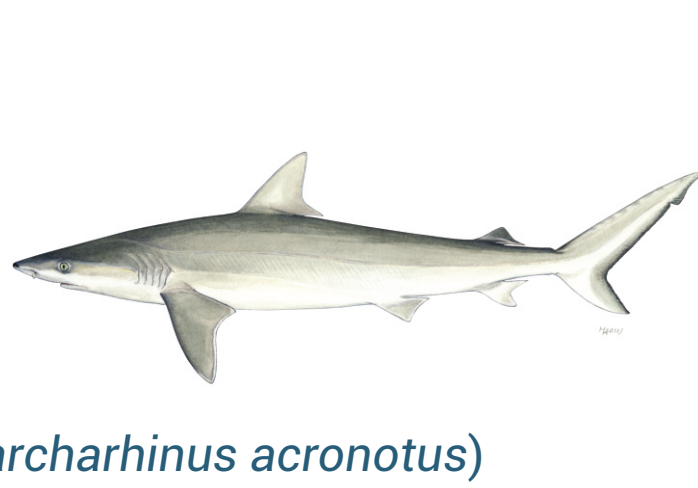
In summary, the Expert Panel noted that the extensive list of species in the proposal and included as “look-alikes” was insufficiently justified. Including so many new species in CITES Appendix II would place an unnecessary burden on existing monitoring capacity resulting in a decrease in the effectiveness of controls for species for which the listing is justified.



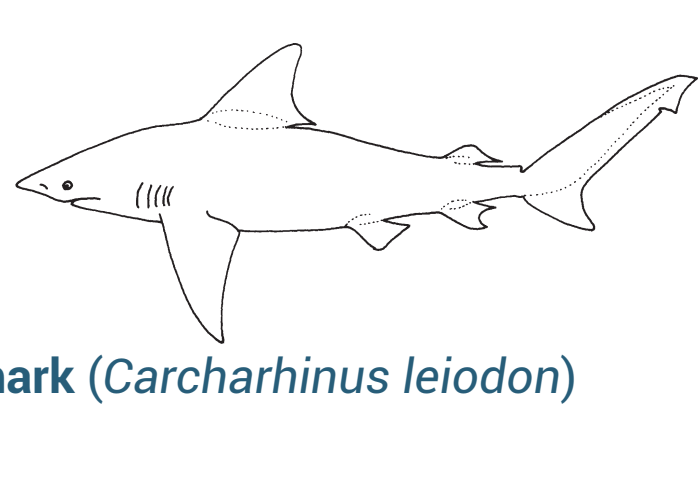
Grey reef shark (*Carcharhinus amblyrhynchos*)



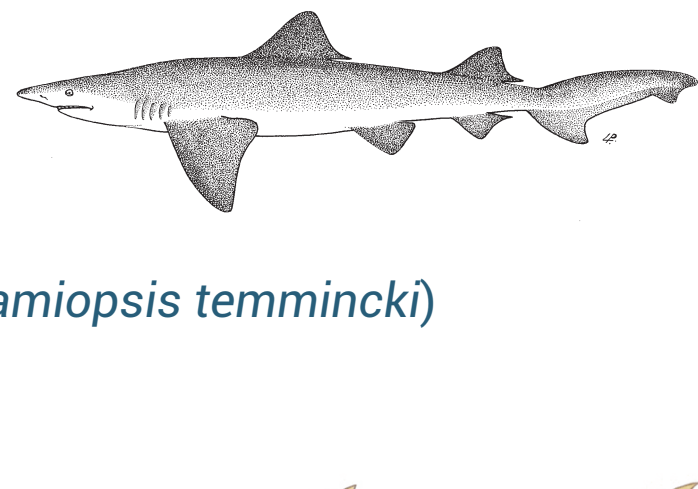
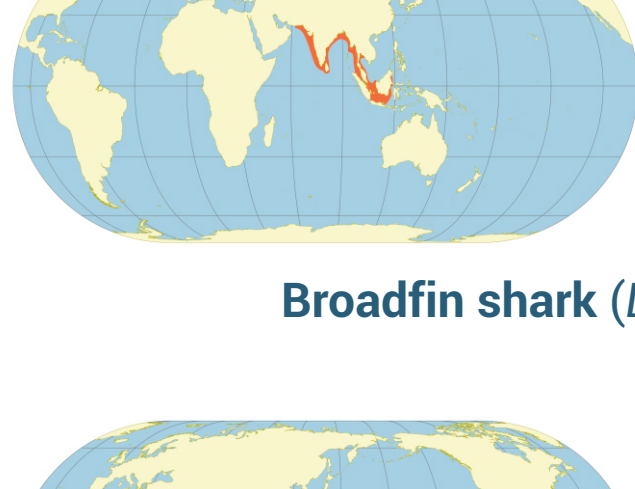
Smalltail shark (*Carcharhinus porosus*)



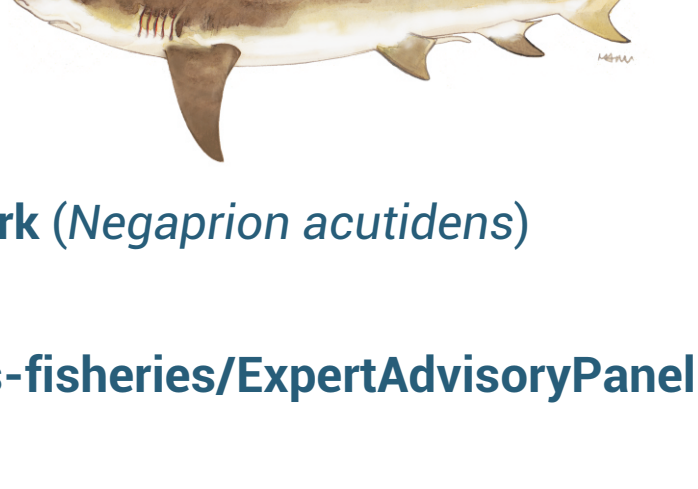
Ganges shark (*Glyphis gangeticus*)



Whitecheek shark (*Carcharhinus dussumieri*)



Dusky shark (*Carcharhinus obscurus*)



Sandbar shark (*Carcharhinus plumbeus*)

Blacknose shark (*Carcharhinus acronotus*)

Smoothtooth blacktip shark (*Carcharhinus leiodon*)

Broadfin shark (*Lamiopsis temmincki*)

Sharptooth lemon shark (*Negaprion acutidens*)