

CITES CoP17 Johannesburg, South Africa
Sea Save Foundation Position Paper



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It is a privilege to be accepted back as the leader of the Sea Save Foundation (SSF) delegation to CITES conference 2016. We first attended this critical meeting in Bangkok, Thailand, March 2013.

The SSF **Impact Statement** mandates the following, “We seek solutions, advance public policy, and drive advocacy.” There is no other global opportunity more suited to achieving this goal than being part of CITES. This enables us to interact and impact the management and protection of threatened and endangered marine animals.

At CoP16 we leveraged our social media platforms to provide real time updates about sensitive and essential marine life proposals. We were also able to video a clandestine meeting and handoff between representatives from China and Japan and the West African block of nations. We immediately posted this footage online. The backlash was immense.

Porbeagle sharks, manta rays, oceanic white tip sharks, and hammerhead sharks were placed on Appendix II due to the decisions made at CoP16. Proud to have been part of that critical success, the Sea Save team is working harder than ever to be sure even more threatened and endangered species receive the critical protection that they must have to survive. For it matters little if the oceans were inherited from our ancestors, or borrowed from our children. We are here now, and it is our duty to make sure we do not overfish them to oblivion.



I am proud to be leading this year’s Sea Save Foundation efforts on site at CoP17, in Johannesburg, South Africa.

Georgienne Bradley
Sea Save Foundation
Director

What is CITES? Definition paraphrased from the CITES website:

When the ideas for CITES were first formed, in the 1960s, international discussion of the regulation of wildlife trade for conservation purposes was something relatively new. With hindsight, the need for CITES is clear. Annually, international wildlife trade is estimated to be worth billions of dollars and to include hundreds of millions of plant and animal specimens. The trade is diverse, ranging from live animals and plants to a vast array of wildlife products derived from them, including food products, exotic leather goods, wooden musical instruments, timber, tourist curios and medicines. Levels of exploitation of some animal and plant species are high and the trade in them, together with other factors, such as habitat loss, is capable of heavily depleting their populations and even bringing some species close to extinction. Many wildlife species in trade are not endangered, but the existence of an agreement to ensure the sustainability of the trade is important in order to safeguard these resources for the future.

Because the trade in wild animals and plants crosses borders between countries, the effort to regulate it requires international cooperation to safeguard certain species from over-exploitation. CITES was conceived in the spirit of such cooperation. Today, it accords varying degrees of protection to more than 35,000 species of animals and plants, whether they are traded as live specimens, fur coats or dried herbs.

CITES was drafted as a result of a resolution adopted in 1963 at a meeting of members of IUCN (The World Conservation Union). The text of the convention was finally agreed at a meeting of representatives of 80 countries in Washington, D.C., on 3 March 1973, and on 1 July 1975 CITES entered in force.

CITES is an international agreement to which States (countries) adhere voluntarily. States that have agreed to be bound by the Convention ('joined' CITES) are known as Parties. Although CITES is legally binding on the Parties – in other words they have to implement the Convention – it does not take the place of national laws. Rather it provides a framework to be respected by each Party, which has to adopt its own domestic legislation to ensure that CITES is implemented at the national level.

For many years CITES has been among the conservation agreements with the largest membership, with now [183 Parties](#).

What are the CITES Appendices?

[Appendices I, II and III](#) to the Convention are lists of species afforded different levels or types of protection from over-exploitation

Appendix I lists species that are the most endangered among CITES-listed animals and plants (see [Article II, paragraph 1](#) of the Convention). They are threatened with extinction and CITES prohibits international trade in specimens of these species except when the purpose of the import is not commercial (see [Article III](#)), for instance for scientific research. In these exceptional cases, trade may take place provided it is authorized by the granting of both an import permit and an export permit (or re-export certificate). [Article VII](#) of the Convention provides for a number of exemptions to this general prohibition.

Appendix II lists species that are not necessarily now threatened with extinction but that may become so unless trade is closely controlled. It also includes so-called "look-alike species", i.e. species whose specimens in trade look like those of species listed for conservation reasons. International trade in specimens of Appendix-II species may be authorized by the granting of an export permit or re-export certificate. No import permit is necessary for these species under CITES (although a permit is needed in some countries that have taken stricter measures than CITES requires). Permits or certificates should only be granted if the relevant authorities are satisfied that certain conditions are met, above all that trade will not be detrimental to the survival of the species in the wild.

Appendix III is a list of species included at the request of a Party that already regulates trade in the species and that needs the cooperation of other countries to prevent unsustainable or illegal exploitation. International trade in specimens of species listed in this Appendix is allowed only on presentation of the appropriate permits or certificates.

Convention on International Trade of Endangered Species
Seventeenth meeting of the Conference of the Parties 2017
CITES CoP17 Proposals for Amendment of Appendices I and Appendices II



The species listed below will be discussed and a vote will be taken. Accepted species will be placed upon Appendix II and afforded additional international protection and attention.

ELASMOBRANCHII

CARCHARHINIFORMES

*Carcharhinus
falciformis* CoP17 Prop. 42
(Silky sharks)

LAMNIFORMES

Alopias spp. CoP17 Prop. 43
(Thresher sharks)

MYLIOBATIFORMES

Mobula spp. CoP17 Prop. 44
(Devil rays)

The following pages include Sea Save Foundation's official recommendations to the Parties.

Carcharhinus falciformis (Silky Sharks)
**Sea Save Foundation Recommends:
that Parties Adopt this Proposal**



Paraphrased summary of the original proposal submitted by The Republic of the Maldives.

Inclusion of Silky Sharks, *Carcharhinus falciformis*, in Appendix II in accordance with Article II paragraph 2(a) of the Convention.

It is known, or can be inferred or projected, that the regulation of trade in the species is necessary to avoid it becoming eligible for inclusion in Appendix I in the near future. The species qualifies for inclusion in Appendix II under this criterion because marked population declines meet CITES' guidelines for the application of decline to commercially exploited aquatic species. This proposal describes declines in *C. falciformis* populations of between 70% and 90% in all regions. These declines arise from over-exploitation in fisheries that are driven by international trade demand. Based upon current rates of exploitation, this species is likely to become threatened with extinction and soon qualify for Appendix I under Criterion Cii unless international trade regulation provides an incentive to introduce or improve monitoring and management measures to provide a basis for non-detriment and legal acquisition findings.

The Republic of Maldives proposes the silky shark *Carcharhinus falciformis* for listing in Appendix II of CITES in accordance with Article II.2 (a) of the Convention and Resolution Conf. 9.24 (Rev. CoP16), in recognition of the serious declines in this species population observed in Maldivian waters, elsewhere in the Indian Ocean, and in other parts of the silky shark's range. The Republic of Maldives fully recognizes the very high non-consumptive value of sharks and in 2010 declared a shark sanctuary by prohibiting the capture, killing, or harming of any shark species within the Maldivian EEZ, and implementing a complete ban on all shark trade. These measures provide total domestic protection for silky sharks, but are insufficient to allow the population to

recover from its depleted state, because it is part of an unmanaged straddling and migratory high seas stock.

Carcharhinus falciformis meets the guidelines suggested by FAO for the listing of commercially exploited aquatic species. It falls into FAO's lowest productivity category of the most vulnerable species: those with an intrinsic rate of population increase of 10. Ecological Risk and Productivity Assessments determined that silky sharks ranked first in their susceptibility to pelagic fisheries among 12 other Atlantic Ocean species. This species is therefore highly vulnerable to over-exploitation in fisheries and very slow to recover from depletion (section 3). The extent and rate of decline of silky shark populations for which trend data are available indicate stock depletion to some 10-30% of baseline levels (section 4). These declines meet or significantly exceed the qualifying levels for listing in Appendix II. Some stocks may even qualify for consideration for Appendix I. These declines are primarily due to overexploitation by fisheries supplying fin products for international trade. Trade regulation through an Appendix II listing is required to prevent the species from qualifying for consideration for listing in Appendix I in future and to allow populations to recover.

The silky shark is taken in very large numbers in target and bycatch fisheries and is an economically important retained and utilized catch of large tropical oceanic pelagic fisheries. Products from these fisheries supply international market demand for shark fins. Silky shark fins are very distinctive, identified at species level by the dried marine products industry, and of high quality and value. In the early 2000s, the species comprised around 3.5% of the international shark fin trade – By 2013, the proportion of silky shark fins in the market had increased to levels as high as 7.47% (median 4.67). This shows that current global management of this species is insufficient, and that despite global declines, the demand for this species fins continues to rise (section 6), and without proper regulation these declines will continue.

An Appendix II listing will also provide valuable support for regional and national fisheries management regulations, through the implementation of legal acquisition and non-detriment findings, and certificates for introductions from the sea. Implementation of and compliance with the Maldives' and other national shark sanctuary measures, and other national biodiversity conservation regulations, will similarly benefit from the trade management synergies provided through a CITES Appendix II listing for silky sharks. An Appendix II listing will also support the collaborative management of silky shark populations through Appendix II of the Convention on the Conservation of Migratory Species and the CMS Migratory Sharks MOU.

Alopias spp. (Thresher Sharks)
**Sea Save Foundation Recommends:
that Parties Adopt this Proposal**



Paraphrased summary of the original proposal submitted by The Government of Sri Lanka.

Inclusion of *Alopias superciliosus* (bigeye thresher shark), in Appendix II in accordance with Article II paragraph 2(a) of the Convention and satisfying Criterion A in Annex 2a of Resolution Conf. 9.24 (Rev. CoP16). 1 Inclusion of *Alopias vulpinus* (common thresher shark) and *Alopias pelagicus* (pelagic thresher shark) in Appendix II in accordance with Article II paragraph 2(b) of the Convention and satisfying Criterion A in Annex 2b of Resolution Conf. 9.24 (Rev. CoP 14).

Inclusion in Appendix II, with the following annotation: The entry into effect of the inclusion of *Alopias superciliosus* in Appendix II of CITES will be delayed by 18 months to enable Parties to resolve the related technical and administrative issues.

Annex 2a, Criterion A. It is known, or can be inferred or projected, that the regulation of trade in the species is necessary to avoid it becoming eligible for inclusion in Appendix I in the near future.

Alopias superciliosus qualifies for inclusion in Appendix II under this criterion because it is over-exploited for its fins, an important component of the global shark fin trade. This unsustainable international trade is driving marked declines of this species populations worldwide.

Alopias Spp have been identified in a 2014 study as the world's most vulnerable family of pelagic sharks due to a lack of global management and the threat of the unsustainable shark fin trade (Dulvy et al., 2014). The bigeye thresher shark is listed on the IUCN Red List of Threatened Species as Vulnerable globally but Endangered in the north-western, western, and central Atlantic and Near Threatened in the south-western Atlantic due to continued declines in their populations around the world.

A. superciliosus are migratory and found in oceanic and coastal habitats of tropical water. They exhibit extremely low productivity and show slow recovery from overexploitation. *A. superciliosus* are vulnerable to fishing pressure, both directed and bycatch. *Alopias* spp. fins are an important component of the global shark fin trade accounting for approximately 2.3 % of sharks in the Hong Kong market. *A. superciliosus* populations have declined globally, with some regions experiencing declines of more than 83% (Ward and Myers, 2005), and with declines of over 70% observed globally. Based upon rates of exploitation, this species is likely to face an even higher threat of extinction unless international trade regulation provides an incentive to introduce or improve monitoring and management measures to provide a basis for non-detriment and legal acquisition findings.

Common thresher (*A. vulpinus*) and Pelagic Thresher (*A. pelagicus*) sharks are included in this proposal, as in the most commonly form traded (dried, unprocessed shark fins) they closely resemble the fins of *A. superciliosus* and meet the criteria laid out in Article II paragraph 2(b) of the Convention and satisfy Criterion A in Annex 2b of Resolution Conf. 9.24 (Rev. CoP 16).

Mobula spp Mobula Rays
Sea Save Foundation Recommends:
that Parties Adopt this Proposal

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Paraphrased summary of the original proposal submitted by The Government of Fiji.

The Genus *Mobula*, (including *Mobula mobular*, *Mobula japanica*, *Mobula thurstoni*, *Mobula tarapacana*, *Mobula eregoodootenkee*, *Mobula kuhlii*, *Mobula hypostoma*, *Mobula rochebrunei*, *Mobula munkiana* and any putative species of *Mobula*), a globally distributed and highly migratory group of species, is proposed here for listing on CMS Appendix I and II. All of these ray species would benefit from strict range state protections under a CMS Appendix I listing as well as collaborative management initiated under a CMS Appendix II listing, since they are all low productivity, commercially exploited aquatic species that are in decline. In addition, international cooperation under the Appendix II listing would be greatly facilitated by adding all species of the Subfamily Mobulinae (genus *Manta* and genus *Mobula*) to Annex I of the CMS Sharks MoU. Increasing international trade in Mobulinae gill plates, and to a lesser degree skins and cartilage, and unregulated bycatch in industrial and artisanal fisheries have led to significant rates of decline in population sizes in recent years.

i. Since fifty-four of the CMS parties are range states for one or more of the *Mobula* species, representing a majority of the global ranges for these species, the range state protections called for under a CMS Appendix I listing are urgently needed to avoid further population declines. Methods have already been developed to aid CMS Parties implement the listings by releasing bycaught rays alive. Collaborative management initiated under a CMS Appendix II listing would also greatly benefit these species by ensuring international cooperation to collect population data and identify the most critical habitats. The current research provides troubling new evidence of increased threats from rapidly escalating demand for *Mobula* gill plates in China, expansion of targeted fisheries, as well as large incidental catch in industrial tuna fisheries with very low post release survival. In light of this new evidence combined with the extremely low reproductive capacity of these species, continued lack of population data, lack of conservation or management measures, and the potentially much higher value from sustainable non-consumptive ecotourism compared with fisheries, we strongly urge the Parties to act fast in the spirit of the precautionary approach to include these highly vulnerable species on Appendix I and II.

ii. The Genus *Mobula* are slow-growing, large-bodied migratory animals with small, highly fragmented populations that are sparsely distributed across the tropical and temperate oceans of the world. *Mobula* rays are likely to be among the least fecund of all elasmobranchs, however scientific data on the life history strategies of these species is 3 CMS/Sharks/MOS2/Doc.8.2.5 severely lacking to date (Couturier et al. 2012, Dulvy et al. 2014). Their biological and behavioral characteristics (low reproductive rates, late maturity and aggregating behavior) make these species particularly vulnerable to over-exploitation in fisheries and extremely slow to recover from depletion.

iii. *Mobula* rays are caught in commercial and artisanal fisheries throughout their global warm water range in the Atlantic, Pacific and Indian Oceans. Directed fisheries primarily utilize harpoons and nets, while significant bycatch occurs in purse seine, gill and trawl net fisheries targeting other species, including on the high seas. A recent surge in demand for *mobula* ray products (gill plates) in China and reports of increased direct fishing effort in key range states suggests an urgent and escalating threat to these species.

iv. There have been no stock assessments, official monitoring, catch limits or management of *Mobula* spp. fisheries in the waters of range states with the largest fisheries. Regional Fishery Management Organizations (RFMOs) have not taken any measures to minimize high seas bycatch of *Mobula* spp. Incidental landings and discards are rarely recorded at the species level. Several species within the genus are legally protected in a few countries and in some small Marine Protected Areas (MPAs), though throughout most of their range most *Mobula* species have little or no protection.

v. While there are no historical baseline population data for the genus, recent declines have been reported in range states for several species (Doubouya 2009, Mohanraj et al. 2009, Llanos et al. 2010, Fernando and Stevens in prep, Anderson et al. 2010;

Heinrichs et al. 2011, Setiasih et al. in prep, Couturier et al. 2012, White et al. 2014, Abudaya et al. 2014).

vi. While much of the published data on fisheries and trade of *Mobula* spp. refers to *M. japonica* or *M. tarapacana*, the other seven species in the genus: *M. mobular*, *M. thurstoni*, *M. eregoodootenkee*, *M. kuhlii*, *M. hypostoma*, *M. rochebrunei*, *M. munkiana* and any other putative species of *Mobula* are likely to also be at risk of overexploitation due to their similar biological and behavioural characteristics. The lack of specific records of *Mobula* landings at the species level, mainly as a result of the difficulty in distinguishing between the different *Mobula* spp. in the field makes assessment of the conservation status of individual *Mobula* species extremely difficult.

vii. Following consideration of a taxonomic review prepared by the IUCN SSC Shark Specialist Group (Fowler & Valenti/SSG 2007), the CMS Scientific Council agreed in March 2007 (CMS SCC14) that these threatened migratory species meet the criteria for listing on the Appendices and should be considered by the Conference of Parties to CMS.

viii. *M. mobular* is listed as Endangered on the IUCN Red List of Threatened Species; *M. rochebrunei* as Vulnerable; *M. japonica*, *M. thurstoni*, *M. eregoodootenkee*, and *M. munkiana* as Near Threatened; and *M. tarapacana*, *M. kuhlii*, and *M. hypostoma* as Data Deficient. *M. japonica* and *M. tarapacana* assessed as Vulnerable in SE Asia where these species are increasingly targeted (White et al. 2006a). It is considered that the IUCN Red List of Threatened Species categories are sufficiently developed and widely understood as to recommend them for use in assessing the appropriateness of listing a taxon to CMS Appendix I. It is suggested that a taxon, which is assessed as “Extinct in the Wild”, “Critically Endangered”, “Endangered” or “Vulnerable” using the IUCN Red List criteria, should qualify for listing on Appendix I. It is also suggested that migratory species with a status of EW, CR, EN, VU or NT should ‘automatically’ qualify for consideration for listing to Appendix II. Therefore six of the 4 CMS/Sharks/MOS2/Doc.8.2.5 nine species of *Mobula* rays should ‘automatically’ qualify for one or both of the Appendices, while the other 3 species are assessed as Data Deficient, most likely due to the rarity of observation of these species and lack of data at the species level. Due to the difficulty in distinguishing *Mobula* rays at the species level, assessment of the conservation status of individual *Mobula* species is extremely difficult, and hence both Appendix I and II listing for the genus *Mobula* is strongly recommended as a precautionary measure (and also listed due to the classification of “look-alike species” as used under the current CITES Appendices Listing criteria). In the recent study led by the IUCN Shark Specialist Group on the extinction (Dulvy et al. 2014), it was found that for the 1,041 species of sharks, rays and chimaeras assessed, 487 were classed as Data Deficient. By applying the findings for data sufficient species to those deemed Data Deficient, the experts estimate that one-quarter of all shark, ray, and chimaera species are actually Threatened (249 species, 24% of 1,041). Also, rays make up 5 out of the 7 of the most threatened families of cartilaginous fishes.

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Page 1 – CITES 2013 banner and Sea Save Foundation Director – Jay Ireland

Page 3 – Thresher Shark – Sheila Ott

Page 4 - Mobula Ray – Brandon Cole

Page 5 – Silky Shark – Shmulik Blum

For Additional Information and to Stay Updated During the Meeting,
September 24th – October 5th, be sure to stay connected to our social media
page or e-mail CITES@SeaSave.org with any inquiries.