

OUTCOMES OF THE RECENT MEETING ON CITES WITH RESPECT TO SHARKS ISSUES

Fautina Ida Harjanti
CITES Management Authority

1. WORKING DOCUMENT AND PROPOSAL REGARDING SHARKS IN THE NEXT 12th MEETING OF THE CONFERENCE OF PARTIES TO CITES (COP 12)

There have several documents on conservation on sharks for consideration by COP 12th CITES. Australian document discuss the problems of the development and implementation of National Plan of Action for the Conservation and Management of Sharks Stocks (NPOA-Sharks) which should have been adopted prior to the COFI (FAO Committee of Fisheries) 24th session held in 2001 by countries whose vessels take sharks in non directed fisheries. It is noted that there is significant lack of progress with the development and implementation of NPOA-Sharks, therefore a resolution concerning conservation and management of sharks, emphasizing the role of CITES in implementation of the IPOA-Sharks. Ecuador also proposed similar resolution concerning conservation of and trade in sharks.

The Philippines and India also propose the inclusion of the Whale shark (*Rhincodon typus*) on Appendix II CITES. A proposal to include Whale shark was first presented by the USA at COP 11, but was rejected. Based on the analysis of the CITES Secretariat, the Philippines and India proposal provide additional information on national fisheries and conservation measures and on national and international trade.

2. SYNERGY AND COOPERATION BETWEEN CITES AND FAO REGARDING SHARKS

Synergy and cooperation between CITES and FAO was proposed by Japan, whereas FAO collaboration with CITES through a Memorandum of Understanding was proposed by USA. During the CITES Asian Regional Meeting in Mongolia, Japan presented the document of the proposal as mentioned above. The documents cope with important issues on the respective laws of FAO, on the regional fisheries management organization (RFMO), and on CITES for conservation of fisheries resources. They also inform that the draft resolution highlights that MOU between FAO and CITES should be developed to include provisions regulating future FAO involvement. FAO should be involved in the scientific evaluation of the proposals for listing and down listing exploited aquatic resources. On the draft resolution propose by Japan, it is also specified that CITES Secretariat has to work with FAO on drafting the MOU by establishing a framework for cooperation between the two organizations. It also affirms that FAO and mandated RFMOs are the appropriate intergovernmental bodies responsible for fisheries and fisheries management.

During this Asian Regional Meeting on CITES, CITES Secretariat confirmed that it was already collaborating with FAO, and representatives of two organizations met to discuss the conclusion of MOU. The conclusion of MOU will take a certain time and it is appropriate

to approve a Decision at COP, which instruct the Secretariat or Standing Committee to conclude the MOU.

3. REPORT ON THE SECOND MEETING OF THE ASEAN EXPERT GROUP ON CITES RELATED TO SHARKS

The second meeting of the ASEAN Expert Group on CITES was held on 6-8 August in Kuala Lumpur – Malaysia. During this meeting, it was noted that the report from the Animal Committee members from Asian region, regarding the Biological and Trade Status of Sharks, mentioned that the Chairman of the Animal Committee (in accordance to the provision of Decision 11.94) liaised with FAO regarding IPOA-Sharks. Until the Animal Committee 18, it was apparent that little progress has been made in development of the IPOA-Sharks and that the number of the Parties that have been implemented National Plan of Action remained very limited. The voluntary nature of the IPOA-Sharks was considered to be the reason for this unsatisfactory progress. The report also mentioned that the AC recommended that CITES Authorities of Parties should be encouraged to obtain information on the IPOA-Sharks implementation from their national fisheries departments and report progress to the AC.

To comment this report, Malaysia informed that the FAO has formulated a Code of Practice for Responsible Fisheries where issue on sharks is addressed. Malaysia also informed that the Southeast Asian Fisheries Development Center (SEAFDEC) has made efforts to regionalize the use of Code. The meeting agreed that many of the regional efforts on shark conservation should be highlighted to CITES.

Regarding shark conservation, the meeting recalled that the SOM of the 23rd AMAF in October 2001 has agreed that the management of commercial fisheries, including shark, should come under the preview of FAO and the Code of Conduct for Responsible Fisheries and not CITES. The Meeting therefore agreed that matters relating to shark and marine species be taken up by FAO and not through listing on CITES. The meeting also noted that Philippines, together with India, have proposed the listing of shark species under Appendix II at the COP 12. Therefore, the meeting requested the chairman to convey to the Philippines the above decision and urge them to reconsider their proposal.