



**CONVENTION ON  
MIGRATORY  
SPECIES**

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13<sup>th</sup> MEETING OF THE CONFERENCE OF THE PARTIES  
Gandhinagar, India, 17 - 22 February 2020  
Agenda Item 26.2

**CHONDRICHTHYAN SPECIES (SHARKS, RAYS, SKATES AND CHIMAERAS)**

*(Prepared by the Scientific Council)*

Summary:

This document implements part of the work directed to the Scientific Council in Decision 12.11 - to review Resolution 8.16 (Rev.COP12) *Migratory Sharks*, in light of new scientific information and other developments, and to propose amendments if warranted. It also includes a review of Resolution 11.20 *Conservation of Migratory Sharks and Rays*.

The document proposes changes to these two Resolutions and consolidates them into a single Resolution *Chondrichthyan Species (Sharks, Rays, Skates and Chimaeras)*.

Furthermore, an additional paragraph has been proposed for inclusion in the Resolution and several Decisions have been proposed to address emerging concerns.

This document is a revision of Document UNEP/CMS/ScC-SC4/Doc.10.2.7 presented to the Scientific Council at its 4<sup>th</sup> Sessional Committee meeting in November 2019.

## CHONDRICHTHYAN SPECIES (SHARKS, RAYS, SKATES AND CHIMAERAS)

### Background

1. At the Twelfth Meeting of the Conference of the Parties (COP12) a large exercise was undertaken to repeal redundant resolutions and consolidate multiple resolutions on the same subject into one revised document.
2. As part of this exercise, Parties adopted Decisions 12.11 and 12.12 on the Review of Resolutions:

#### **12.11 Directed to the Scientific Council**

*The Scientific Council shall:*

*a) Review:*

- i. UNEP/CMS/Resolution 7.18 (Rev.COP12) on the Agreement for Dugong (Dugong dugong) Conservation,*
- ii. UNEP/CMS/Resolution 8.16 (Rev.COP12) on Migratory Sharks, and*
- iii. UNEP/CMS/Resolution 6.3 (Rev.COP12) on Southern Hemisphere Albatross Conservation*

*to determine whether they should be revised in light of new scientific information and other developments and propose amendments, if warranted.*

- b) Submit proposed amendments or a new resolution, as appropriate, to the Standing Committee for consideration at its 49<sup>th</sup> meeting.*

#### **12.12 Directed to the Standing Committee**

*The Standing Committee shall review and consider the proposed amendments or new resolution of the Scientific Council referred to in Decision 12.11 (b) and submit any proposed amendments to the resolutions or a new resolution to the 13<sup>th</sup> meeting of the Conference of the Parties for its consideration and decision.*

3. The Scientific Council has undertaken this task at the 4<sup>th</sup> Meeting of the Sessional Committee of the Scientific Council with regard to Resolution 8.16 (Rev.COP12) Migratory Sharks.<sup>1</sup> As part of the review process, the other Resolution in effect on these taxa, Resolution 11.20 *Conservation of Migratory Sharks and Rays* has also been considered by the Scientific Council. A consolidated resolution has been prepared for the Parties' consideration.
4. One additional paragraph has been proposed, to provide guidance to Parties on the implementation of Article III (5) of the Convention.

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<sup>1</sup> 1. The Scientific Council's reviews of UNEP/CMS/Resolution 7.18 (Rev.COP12) Agreement for Dugong (Dugong dugon) Conservation and UNEP/CMS/Resolution 6.3 (Rev.COP12) Southern Hemisphere Albatross Conservation are being dealt with in a separate document.

5. To assist in the implementation of the Resolution, three draft Decisions, directed to the Parties, the Scientific Council and the Secretariat have been included, which specify relevant actions relating to the implementation of Article III (5), including national legislation and reporting.
6. Following the practice applied at COP12, Annex 1 presents a draft consolidated resolution that includes, in the left-hand column, the original text and preamble of the Resolutions being consolidated. The right-hand column indicates the source of the text and a comment regarding any proposed change.
7. Annex 2 contains the clean version of the draft consolidated Resolution, taking into account the comments in Annex 1.
8. Annex 3 contains draft decisions directed to the Parties, the Secretariat and the Council related to Appendix I-listed chondrichthyan species.

Recommended Actions:

9. The Conference of the Parties is recommended to:
  - a) review the suggestions made in Annex 1;
  - b) adopt the consolidated Resolution included in Annex 2;
  - c) review and adopt the Decisions included in Annex 3.

**DRAFT CONSOLIDATED RESOLUTION:  
CHONDRICHTHYAN SPECIES  
(SHARKS, RAYS, SKATES AND CHIMAERAS)**

*NB: Proposed new text is underlined. Text to be deleted is ~~crossed-out~~.*

Text from Existing Resolutions	Comment
<p><i>Acknowledging</i> the obligations of the global community to conserve, protect and manage migratory sharks as underpinned by, <i>inter alia</i>, the Convention on Biological Diversity (<u>CBD</u>), <u>the Convention on the Conservation of Migratory Species of Wild Animals</u> (CMS), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the United Nations Convention on the Law of the Sea, the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the United Nations Food and Agriculture Organization (FAO) International Plan of Action for the Conservation and Management of Sharks (<u>IPOA-Sharks</u>), and FAO’s Committee on Fisheries,</p>	<p>Resolution 8.16 (Rev.COP12)</p> <p>Retain and amend to spell out CMS and FAO and to add the acronyms for “Convention on Biological Diversity” and “International Plan of Action for the Conservation and Management of Sharks”</p>
<p><i>Recognizing</i> that under CMS, Range States should take action to conserve, protect and manage migratory species, and endeavour to conclude Agreements to promote the conservation and management of migratory species,</p>	<p>Resolution 8.16 (Rev.COP12)</p> <p>Retain</p>
<p><i>Noting</i> that several <del>shark</del> <u>chondrichthyan</u> species are already listed in Appendices I and II,</p>	<p>Resolution 8.16 (Rev.COP12)</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><del>Aware of the vital ecosystem role played by sharks, and the significant and continuing mortality of sharks listed on Appendix I and II through a range of impacts, including habitat destruction, target fisheries, illegal, unreported and unregulated (IUU) fishing, and as fisheries by-catch, and</del></p>	<p>Resolution 8.16 (Rev.COP12)</p> <p>Redundant; the content of this paragraph was merged with a similar paragraph in Resolution 11.20 (see below)</p>
<p><i>Noting</i> the importance of cooperation between Range States in furthering research, awareness raising, trade monitoring and <del>bycatch reduction</del> <u>reducing bycatch</u> of migratory <u>chondrichthyan species</u> <del>sharks</del>, and that these activities could greatly strengthen conservation outcomes for migratory <u>chondrichthyan species</u> sharks,</p>	<p>Resolution 8.16 (Rev.COP12)</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>

Text from Existing Resolutions	Comment
<p><i>Aware of the critical role that migratory <del>sharks and rays</del> <u>chondrichthyan species</u> play in marine ecosystems and local economies, and <i>concerned</i> about the significant mortality of these species, especially those listed on Appendices I and II of <del>CMS the Convention</del>, from a range of impacts and threats, <u>including habitat destruction, target fisheries, illegal, unreported and unregulated (IUU) fishing, and fisheries bycatch.</u></i></p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species and to include information from Resolution 8.16 (Rev.COP12)</p> <p>(see redundant preambular paragraph four deleted above)</p>
<p><i>Noting IUCN's <del>the</del> 2014 assessment by IUCN on the conservation status of <u>chondrichthyan species</u> sharks, rays (including skate, guitarfish, sawfish, wedgefish, numbfish, etc.) and chimaera species (Chondrichthyan fish), estimating that one quarter of all examined species are threatened with extinction, and only one third are classified as being of low conservation concern,</i></p>	<p>Resolution 11.20</p> <p>Retain and amend to shorten the text</p>
<p><i>Noting that <del>the</del> IUCN has warned that rays are generally more threatened and less protected than sharks, and that <u>all mobulids, sawfishes, and the Mediterranean population of the Common Guitarfish</u> <del>the Giant Manta Ray was added to</del> are included in CMS Appendix I and II, <del>at the Tenth Meeting of the Conference of the Parties;</del></i></p>	<p>Resolution 11.20</p> <p>Retain and update to include all relevant species listed</p>
<p><i>Noting with concern that overfishing is the main driver behind significant declines in <u>chondrichthyan</u> <del>shark and ray</del> species worldwide, threatening many populations, the stability of marine ecosystems, sustainable fisheries, shark- and ray-based eco-tourism and food security,</i></p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Aware that “finning”, the removal and retention of the fins of sharks (and some rays) and the discard at sea of the rest of the carcass, is associated with unsustainable mortality and unacceptable waste,</i></p>	<p>Resolution 11.20</p> <p>Retain</p>
<p><i>Also aware that the demand for chondrichthyan species’ products (e.g. shark and some ray fins and mobulid gill plates) can fuel unsustainable practices and overexploitation of these species,</i></p>	<p>Resolution 11.20</p> <p>Retain and revise to include all relevant products</p>

Text from Existing Resolutions	Comment
<p><i>Recalling</i> the UN Fish Stocks Agreement that aims to ensure the long-term conservation and sustainable use of straddling and highly migratory fish stocks,</p> <p><i>Further recalling</i> <del>and that the United Nations General Assembly Resolutions on sustainable fisheries, which have been adopted by consensus Resolutions on sustainable fisheries every year since 2007 (62/177, 63/112, 64/72, 65/38, 66/68, and 67/79, 68/71),</del> calling upon States to take immediate and concerted action to improve the implementation of and compliance with existing Regional Fisheries Management Organizations (RFMOs) or <del>arrangement</del> measures that regulate shark fisheries and incidental catch of sharks,</p> <p><i>Emphasizing the importance of</i> <del>in particular</del> those measures that prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with each fin naturally attached,</p>	<p>Resolution 11.20</p> <p>Retain and revise to avoid having to update the list of General Assembly resolutions continuously</p> <p>Split sentence to make it easier to read</p> <p>Add acronym for Regional Fisheries Management Organizations (RFMOs)</p>
<p><i>Aware</i> that, despite past and present scientific research and monitoring, knowledge of the biology, ecology and population dynamics of many migratory <u>chondrichthyan species</u> <del>sharks and rays</del> is deficient, and that it is necessary to promote stronger co-operation among fishing nations on research, monitoring, enforcement and compliance in order to effectively implement conservation measures,</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Noting</i> that several RFMOs have adopted science-based conservation and management measures, applicable to all fishing vessels operating within the RFMO Convention areas, aiming at eradicating shark finning and ensuring protection and sustainable management of specific <del>sharks</del> <u>chondrichthyan</u> species harvested as target and/or bycatch species,</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Further noting</i> that <u>CITES lists a number of species that are also included in CMS Appendices, including all species of sawfishes, listed in CITES Appendix I, with effect from 14 September 2014,</u> <del>eight species of shark and all manta rays are included in Appendix II of the Convention on the International Trade in Endangered Species (CITES), and that all species of sawfishes are listed in Appendix I;</del></p>	<p>Resolution 11.20</p> <p>Retain and make more general to avoid having to update information on CITES-listed species continuously.</p>

Text from Existing Resolutions	Comment
<p><i>Emphasizing</i> the importance of the International Plan of Action for the Conservation and Management of Sharks, which was adopted by the <del>Food and Agriculture Organization (FAO) of the United Nations</del> in 1999, in providing guidance on the development of such measures, and welcoming the fact that <u>the majority of the FAO 18 out of 26 top fishing nations recognized by FAO have</u> adopted National Plans of Action for Sharks (NPOA-Sharks),</p>	<p>Resolution 11.20</p> <p>Retain and make more general to avoid having to update the numbers continuously.</p>
<p><i>Further emphasizing</i> the prominent role of RFMOs in establishing conservation and management measures for <u>chondrichthyan species sharks</u>, many of which are binding upon all fishing vessels operating within the RFMO Convention areas, based on best available data and scientific advice provided by their Scientific Committees,</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><del><i>Recalling</i> Recommendation 8.16 on the Conservation of Migratory Sharks requesting all Parties to strengthen measures to protect migratory shark species against threats, including habitat destruction, IUU fishing, and fisheries bycatch, and</del></p>	<p>Resolution 11.20</p> <p>Redundant as Recommendation 8.16, which was partially repealed at COP12, is currently being consolidated</p>
<p><u><i>Recalling</i> the obligations in Article III (5) of the Convention, which prohibits the taking of Appendix I-listed species and of Resolution 12.22 on <i>Bycatch</i>, which requests all Parties “as a matter of gravity, to continue and strengthen measures within fisheries under their control [...], , to minimize as far as possible the incidental mortality of migratory species listed in Appendices I and II”.</u></p>	<p>New paragraph</p>
<p><u><i>Recalling</i> Resolution 12.12 on <i>Bycatch</i>, which requests Parties “to improve reporting of bycatch information and data in their CMS National Reports, or via their reports to CMS daughter agreements, [...]”, and</u></p>	<p>New paragraph</p>
<p><i>Recalling</i> the establishment of the CMS Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks MOU) in 2010, which aims to achieve and maintain a favourable conservation status for migratory sharks based on the best available scientific information, taking into account the socio-economic and other values of these species, and the Conservation Plan for Migratory Sharks <u>in Annex III of the Sharks MOU.</u></p>	<p>Resolution 11.20</p> <p>Retain</p>

Text from Existing Resolutions	Comment
<p><i>The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals</i></p>	
<p><i>Requests</i> all Parties to strengthen measures to protect migratory <del>shark</del> <u>chondrichthyan</u> species against threatening processes, including habitat destruction, IUU fishing and fisheries bycatch;</p>	<p>Resolution 8.16 (Rev.COP12)</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><del><i>Encourages</i> the FAO Committee on Fisheries to promote greater uptake of the International Plan of Action for the Conservation and Management of Sharks as a matter of urgency;</del></p>	<p>Resolution 8.16 (Rev.COP12)</p> <p>Repeal (redundant and covered by para 3 of Res. 11.20)</p>
<p><del><i>Requests</i> the Secretariat to explore future avenues of cooperation with the FAO Committee on Fisheries, and CITES as well as with Range States of migratory sharks that will lead to enhanced protection, conservation and management of these sharks.</del></p>	<p>Resolution 8.16 (Rev.COP12)</p> <p>Repeal in part and merge aspects with para 13 of Res. 11.20</p>
<p><i>Urges</i> Parties to ensure that all fishing and trade of <del>sharks and rays</del> <u>chondrichthyan species</u> are ecologically sustainable, and noting that a lack of scientific data does not preclude conservation or fisheries management action towards this objective;</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Further urges</i> Parties to take steps to eliminate <del>shark</del>-finning where they have not already done so, including implementing measures such as prohibiting the removal of <del>sharks</del> fins at sea and discarding the carcass at sea, requiring <del>sharks</del> <u>chondrichthyan species (excluding species within the order Rajiformes)</u> to be landed with all fins naturally attached, <u>fully or partially</u>, or other measures in line with applicable UN General Assembly Resolutions;</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Further urges</i> Parties, where they have not already done so, to develop and implement National Plans of Action for Sharks (NPOA-SHARKS) in accordance with FAO's <del>International Plan of Action for Sharks</del>– IPOA-SHARKS;</p>	<p>Resolution 11.20</p> <p>Retain and delete the full name of “IPOA-SHARKS”</p>
<p><i>Further urges</i> Parties to comply with existing conservation and management measures in particular those of <del>Regional Fisheries Management Organizations</del> (RFMOs), where applicable, including compliance with data collection and submission requirements/ obligations to allow for reliable stock assessments by the Scientific Committees of these bodies;</p>	<p>Resolution 11.20</p> <p>Retain and delete full name of RFMOs as it was spelled out above.</p>



Text from Existing Resolutions	Comment
<p><i>Further urges</i> Parties to develop and implement guidelines and procedures for implementing the provisions of CITES regulating the trade of <del>shark</del> <u>chondrichthyan species</u> products deriving from species listed under the Appendices of the Convention;</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Encourages</i> Parties to identify the needs of training and capacity development in research, species specific data collection and monitoring, and to facilitate initiatives to enhance institutional capacities and competencies in <del>shark and ray</del> <u>chondrichthyan species</u> identification, management and conservation techniques;</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Requests</i> Parties to improve the biological and ecological knowledge of migratory <del>elasmobranchs</del> <u>chondrichthyan species</u>' populations and identify ways to make fishing gear more selective to support effective conservation measures through research, monitoring and information exchange and promote population assessments and research including within the <u>framework</u> of RFMOs and their scientific bodies where applicable;</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Encourages</i> Parties to prioritize programmes to monitor and document directed <del>shark and ray</del> fisheries for <u>chondrichthyan species</u> and those fisheries where <del>sharks and rays</del> <u>chondrichthyan species</u> are a significant bycatch, which may include vessel monitoring systems, <u>port</u> inspections and on-board observer or <u>electronic</u> monitoring programmes;</p>	<p>Resolution 11.20</p> <p>Retain and amend to be more specific and to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Further encourages</i> Parties, where appropriate, to promote the establishment of science-based conservation targets for migratory <u>chondrichthyan species</u> <del>sharks and rays</del>, and indicators to assess progress towards reaching these targets, including within the RFMOs where applicable;</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><i>Requests</i> Parties to identify and conserve critical habitats and life stages, and migration routes, with a view to contributing to the development and implementation of effective conservation and sustainable management measures, based on the best available scientific knowledge and the precautionary approach;</p>	<p>Resolution 11.20</p> <p>Retain</p>
<p><i>Encourages</i> Parties, RFMOs and other relevant bodies to minimize the impact of fishing in migration corridors and other habitats deemed critical to the recovery and sustainability of <del>shark and ray</del> <u>chondrichthyan species</u> populations, including those that straddle <u>jurisdictional</u> boundaries;</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>

Text from Existing Resolutions	Comment
<p><del>Invites Parties, Range States, and Cooperating Partners</del> <u>non-Range States, Inter-Governmental and Non-Governmental Organizations, and other relevant bodies and entities</u> to sign the Sharks MOU <u>as Signatory or Cooperating Partners</u> and engage in conservation and research measures in order to prevent the unsustainable use of <del>sharks and rays</del> <u>chondrichthyan species</u>;</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that non-Range States, Inter-Governmental and Non-Governmental Organizations, or other relevant bodies become Cooperating Partners only after signature of the MOU</p>
<p><del>Instructs</del> the Secretariat to continue to liaise with FAO, RFMOs, CITES, civil society and other relevant stakeholders <u>and to explore future avenues of cooperation</u> in order to promote coordinated actions <u>that will lead to enhanced protection, conservation and management of chondrichthyan species</u>; <del>for the conservation and sustainable use of sharks and rays</del>; and</p>	<p>Resolution 11.20</p> <p>Retain and amend to include elements from paragraph 3 of Resolution 8.16 (Rev Cop12)</p>
<p><del>Encourages</del> Parties to bring to the attention of FAO, RFMOs and other relevant bodies the objectives of CMS and the CMS Sharks MOU with regard to the conservation of <u>chondrichthyan species</u> <del>Sharks and Rays</del> with the aim to ensure cooperation, complementarities and improve efficiency of global instruments and bodies sharing similar objectives in relation to <del>elasmobranchs</del> <u>the conservation and management of chondrichthyan species</u>;</p>	<p>Resolution 11.20</p> <p>Retain and amend to reflect that the resolution refers to all chondrichthyan species</p>
<p><u>Further urges</u> Parties to enact and enforce national legislation to prohibit the take of chondrichthyan species listed in Appendix I; and</p>	<p>New paragraph</p>
<p><b><u>Final Provisions</u></b></p>	<p>New header</p>
<p><u>Repeals</u></p> <p><u>Resolution 8.16 (Rev. COP12) Migratory Sharks;</u></p> <p><u>Resolution 11.20 Conservation of Sharks and Rays.</u></p>	<p>New text to reflect consolidation</p>

## ANNEX 2

## DRAFT RESOLUTION

**CHONDRICHTHYAN SPECIES  
(SHARKS, RAYS, SKATES AND CHIMAERAS)**

*Recalling* previous related decisions of the Conference of the Parties including Resolution 8.6 (Rev. COP12) and Resolution 11.20 on sharks and rays,

*Acknowledging* the obligations of the global community to conserve, protect and manage migratory sharks as underpinned by, inter alia, the Convention on Biological Diversity (CBD), the Convention on the Conservation of Migratory Species of Wild Animals (CMS), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the United Nations Convention on the Law of the Sea, the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the United Nations Food and Agriculture Organization (FAO) International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), and FAO's Committee on Fisheries,

*Recognizing* that under CMS, Range States should take action to conserve, protect and manage migratory species, and endeavour to conclude Agreements to promote the conservation and management of migratory species,

*Noting* that several chondrichthyan species are already listed in Appendices I and II,

*Noting* the importance of cooperation between Range States in furthering research, awareness raising, trade monitoring and reducing bycatch of migratory chondrichthyan species, and that these activities could greatly strengthen conservation outcomes for migratory chondrichthyan species,

*Aware* of the critical role that migratory sharks and rays play in marine ecosystems and local economies, and concerned about the significant mortality of these species, especially those listed on Appendices I and II of CMS, from a range of impacts and threats, including habitat destruction, target fisheries, illegal, unreported and unregulated (IUU) fishing, and fisheries bycatch,

*Noting* the 2014 assessment by IUCN on the conservation status of chondrichthyan species, estimating that one quarter of all examined species are threatened with extinction, and only one third are classified as being of low conservation concern,

*Noting* that IUCN has warned that rays are generally more threatened and less protected than sharks, and that all mobulids, sawfishes, and the Mediterranean population of the Common Guitarfish are included in CMS Appendices I and II,

*Noting* with concern that overfishing is the main driver behind significant declines in chondrichthyan species worldwide, threatening many populations, the stability of marine ecosystems, sustainable fisheries, shark- and ray-based eco-tourism and food security,

*Aware* that "finning", the removal and retention of the fins of sharks (and some rays) and the discard at sea of the rest of the carcass, is associated with unsustainable mortality and unacceptable waste,

*Also aware* that the demand for chondrichthyan species' products (e.g. shark and some ray fins and mobulid gill plates) can fuel unsustainable practices and overexploitation of these species,

*Recalling* the UN Fish Stocks Agreement that aims to ensure the long-term conservation and sustainable use of straddling and highly migratory fish stocks,

*Further recalling* the United Nations General Assembly Resolutions on sustainable fisheries, which have been adopted by consensus every year since 2007 to this date, calling upon States to take immediate and concerted action to improve the implementation of and compliance with existing Regional Fisheries Management Organizations (RFMOs) or measures that regulate shark fisheries and incidental catch of sharks,

*Emphasizing* the importance of those measures that prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with each fin naturally attached,

*Aware* that, despite past and present scientific research and monitoring, knowledge of the biology, ecology and population dynamics of many migratory chondrichthyan species is deficient, and that it is necessary to promote stronger co-operation among fishing nations on research, monitoring, enforcement and compliance in order to effectively implement conservation measures,

*Noting* that several RFMOs have adopted science-based conservation and management measures, applicable to all fishing vessels operating within the RFMO Convention areas, aiming at eradicating shark finning and ensuring protection and sustainable management of specific chondrichthyan species harvested as target and/or bycatch species,

*Further noting* that CITES lists a number of species that are also included in CMS Appendices, including all species of sawfishes in CITES Appendix I,

*Emphasizing* the importance of the International Plan of Action for the Conservation and Management of Sharks, which was adopted by FAO in 1999, in providing guidance on the development of such measures, and welcoming the fact that the majority of the top fishing nations recognized by FAO has adopted National Plans of Action for Sharks (NPOA-Sharks),

*Further emphasizing* the prominent role of RFMOs in establishing conservation and management measures for chondrichthyan species, many of which are binding upon all fishing vessels operating within the RFMO Convention areas, based on best available data and scientific advice provided by their Scientific Committees,

*Recalling* the obligations in Article III (5) of the Convention, which prohibits the taking of Appendix I-listed species and of Resolution 12.22 on *Bycatch*, which requests all Parties “*as a matter of gravity, to continue and strengthen measures within fisheries under their control [...], to minimize as far as possible the incidental mortality of migratory species listed in Appendices I and II*”,

*Recalling Resolution 12.12 on “Bycatch”* which requests Parties “*to improve reporting of bycatch information and data in their CMS National Reports, or via their reports to CMS daughter agreements, [...]*”, and

*Recalling* the establishment of the CMS Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks MOU) in 2010, which aims to achieve and maintain a favourable conservation status for migratory sharks based on the best available scientific information, taking into account the socio-economic and other values of these species, and the first Meeting of the Signatories in 2012 where the Conservation Plan for Migratory Sharks was adopted;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Requests* all Parties to strengthen measures to protect migratory chondrichthyan species against threatening processes, including habitat destruction, IUU fishing and fisheries bycatch;
2. *Urges* Parties to ensure that all fishing and trade of chondrichthyan species are ecologically sustainable, noting that a lack of scientific data does not preclude conservation or fisheries management action towards this objective;
3. *Further urges* Parties to take steps to eliminate finning, where they have not already done so, including implementing measures such as prohibiting the removal of fins at sea and discarding the carcass at sea, requiring chondrichthyan species (excluding species within the order Rajiformes) to be landed with all fins naturally attached, fully or partially, or other measures in line with applicable UN General Assembly Resolutions;
4. *Further urges* Parties, where they have not already done so, to develop and implement National Plans of Action for Sharks (NPOA-SHARKS) in accordance with FAO's International Plan of Action for Sharks - IPOA-SHARKS;
5. *Further urges* Parties to comply with existing conservation and management measures in particular those of RFMOs, where applicable, including compliance with data collection and submission requirements/obligations to allow for reliable stock assessments by the Scientific Committees of these bodies;
6. *Further urges* Parties to develop and implement guidelines and procedures for implementing the provisions of CITES regulating the trade of chondrichthyan species products deriving from species listed under the Appendices of that Convention;
7. *Encourages* Parties to identify the needs of training and capacity development in research, species-specific data collection and monitoring, and to facilitate initiatives to enhance institutional capacities and competencies in chondrichthyan species identification, management and conservation techniques;
8. *Requests* Parties to improve the biological and ecological knowledge of migratory chondrichthyan species populations and identify ways to make fishing gear more selective to support effective conservation measures through research, monitoring and information exchange and promote population assessments and research including within the framework of RFMOs and their scientific bodies, where applicable;
9. *Encourages* Parties to prioritize programmes to monitor and document directed fisheries for chondrichthyan species and those fisheries where chondrichthyan species are a significant bycatch, which may include vessel monitoring systems, port inspections, and on-board observer or electronic monitoring programmes;
10. *Further encourages* Parties, where appropriate, to promote the establishment of science-based conservation targets for migratory chondrichthyan species, and indicators to assess progress towards reaching these targets, including within the RFMOs where applicable;
11. *Requests* Parties to identify and conserve critical habitats and life stages, and migration routes, with a view to contributing to the development and implementation of effective conservation and sustainable management measures, based on the best available scientific knowledge and the precautionary approach;

12. *Encourages* Parties, RFMOs and other relevant bodies to minimize the impact of fishing in migration corridors and other habitats deemed critical to the recovery and sustainability of chondrichthyan species populations, including those that straddle jurisdictional boundaries;
13. *Invites* Parties, Range States, non-Range States, Inter-Governmental and Non-Governmental Organizations, and other relevant bodies and entities to sign the Sharks MOU as Signatory or Cooperating Partner and engage in conservation and research measures in order to prevent the unsustainable use of chondrichthyan species;
14. *Instructs* the Secretariat to continue to liaise with FAO, RFMOs, CITES, civil society and other relevant stakeholders and to explore future avenues of cooperation in order to promote coordinated actions that will lead to enhanced protection, conservation and management of chondrichthyan species;
15. *Encourages* Parties to bring to the attention of FAO, RFMOs and other relevant bodies the objectives of CMS and the CMS Sharks MOU with regard to the conservation of chondrichthyan species with the aim to ensure cooperation, complementarities and improve efficiency of global instruments and bodies sharing similar objectives in relation to the conservation and management of chondrichthyan species;
16. *Urges* Parties to enact and enforce national legislation to prohibit the take of chondrichthyan species listed in Appendix I; and

#### **Final Provisions**

17. *Repeals*
  - a) Resolution 8.16 (Rev. COP12) *Migratory Sharks*;
  - b) Resolution 11.20 *Conservation of Sharks and Rays*.

**ANNEX 3**

## DRAFT DECISIONS

**CHONDRICHTHYAN SPECIES  
(SHARKS, RAYS, SKATES AND CHIMAERAS)****Directed to Parties:**

13.AA <sup>2</sup> Parties are requested to:

- a) Review their existing legislation and enact new legislation, as required, with a view to addressing the prohibition of the taking of Appendix I-listed chondrichthyan species;
- b) Inform the Secretariat, as required and as appropriate, about the need for support with the review and/or the development of new legislation regarding the above.

**Directed to Scientific Council:**

13.BB The Scientific Council shall:

- a) Review a synthesis of national reports, to be prepared by the Secretariat, to examine information provided on bycatch of Appendix I-listed chondrichthyan species and provide advice to Parties as warranted on measures to reduce bycatch to sustainable levels.

**Directed to the Secretariat:**

13.CC The Secretariat shall:

- a) Produce a synthesis of information on bycatch of Appendix I-listed chondrichthyan species in national reports provided by Parties for presentation to ScC-SC5.
- b) Subject to the availability of resources and in the context of the National Legislation Programme: <sup>3</sup>
  - i. Prepare legislative guidance materials and model laws; and
  - ii. Provide technical support to assist Parties in drafting adequate national legislation

to support the implementation of Article III (5) of the Convention regarding the prohibition of the taking of Appendix I-listed chondrichthyan species.

<sup>2</sup> The Scientific Council recommended that this decision should be moved to [UNEP/CMS/COP13/Doc.22 Review Mechanism and National Legislation Programme](#) However, that document had already been published at that time.

<sup>3</sup> The Scientific Council recommended that this decision should be moved to [UNEP/CMS/COP13/Doc.22 Review Mechanism and National Legislation Programme](#) However, that document had already been published at that time.