

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

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CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

Proposal Summary – Porbeagle Shark *Lamna nasus*



Proposal

Inclusion of the porbeagle shark *Lamna nasus* in Appendix II in accordance with Article II paragraph 2(a) of the Convention:

- *Lamna nasus* stocks in the North and southwest Atlantic and Mediterranean satisfying Criterion A of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15): “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.”
- *Lamna nasus* stocks in the Southern Hemisphere satisfying Criterion B of Annex 2a of Resolution Conf. 9.24 (Rev. CoP15): “It is known, or can be inferred or projected, that a regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which survival might be threatened by continued harvesting or other influences.”

A delay of 18 months in the entry into effect of the listing of the species in Appendix II is proposed to provide time to resolve technical and administrative issues.

Proponents

Brazil, Comoros, Croatia, Egypt and the European Union.

Rationale

Lamna nasus qualifies for listing in CITES Appendix II because it is a globally threatened, low-productivity species that has been depleted by fisheries over major portions of its range and continues to be subject to directed and incidental mortality in fisheries aimed at national and international meat and shark fin markets. CITES Appendix II listing will assist States, regional entities, and Regional Fisheries Management Organizations (RFMOs) in ensuring compliance with finning, zero catch quotas, and other prohibitions affecting the species, while also providing the basis for science-based limits on exports that can complement other national and regional fishery management measures and be enforced by importing CITES member States.

IUCN Red List Status

Vulnerable globally; Critically Endangered – NE Atlantic and Mediterranean; Endangered – NW Atlantic; Near Threatened – Southern Ocean¹.

Species Description and Life History

The porbeagle shark *Lamna nasus* is an active, warm-blooded shark species found in a circumglobal band of ~30–60°S in the Southern Hemisphere (including off the coasts of southern

Africa, South America and Australia), and primarily between 30 and 70°N in the North Atlantic and Mediterranean. Porbeagle sharks are known to migrate up to 2,000km. They are commonly reported on continental shelves and slopes both inshore and far offshore but are believed to be less abundant on the high seas beyond the exclusive economic zones (EEZs) of range States. As an apex predator, the porbeagle feeds on fish, squid, and smaller sharks; it has few predators other than humans.

The UN Food and Agriculture Organization (FAO) classifies the porbeagle shark in its lowest-productivity category of most vulnerable aquatic species. Biological characteristics that make this species highly vulnerable to over-exploitation in fisheries include long generation times (at least 18 years in the North Atlantic and 26 years in the Southern oceans) and extremely low reproductive capacity, unnaturally exacerbated in exploited stocks, which are reported to retain very few mature females. Southern stocks are considered even more biologically vulnerable as those animals are smaller and longer-lived (~65 years) than the faster-growing northern stocks. Porbeagle shark populations take decades to recover from depletion, even under sustainable fisheries management.

Population Trends

The extent and rate of decline of the global population of *L. nasus* significantly exceeds the qualifying levels for inclusion in CITES Appendix II, while some particularly depleted stocks already qualify for Appendix I status. Porbeagle sharks were once common in the Mediterranean but have declined to less than 5% of baseline, and the species has all but disappeared from landings records. Unsustainable target fisheries in the North Atlantic have likewise severely depleted stocks, with landings falling from thousands of tonnes to just a few hundred in less than 50 years' time. Recent assessments of North and southwest Atlantic stocks have identified dramatic declines in the species' numbers to considerably less than 30% of baseline. In the northeast Atlantic, stock assessments estimate declines from baseline of over 90%, far below MSY (maximum sustainable yield).

Population trends and catch data in the Southern oceans are less well-documented, but evidence of porbeagle sharks' being commonly caught as bycatch in tuna and swordfish longline and other fisheries, and lack of management measures, point to similar levels of decline in these smaller and more vulnerable stocks. Assessments from Uruguay estimate an 82% decline in porbeagle biomass since 1961, while New Zealand catch records report an 86% decline in porbeagle catch weight since 1998–99, reflecting the impact of the intensifying domestic tuna longline fishery.

¹ The full IUCN Red List species assessment and supporting documentation for *Lamna nasus* and details of the IUCN Red List and Red List Categories and Criteria are available at: www.iucnredlist.org

Economic Importance

Porbeagle sharks are subject to target fisheries, which depleted the world's largest North Atlantic stocks over 50 years ago, and to highly valued longline catch or bycatch throughout their range. The highest recorded catches in 2009 and 2010 were from France, Spain, Canada and New Zealand, but reported landings are understood to grossly under-estimate actual landings (according to the International Commission for the Conservation of Atlantic Tunas-ICCAT/International Council for Exploration of the Sea-ICES), as many States – notably Japan, Taiwan, and Republic of Korea – do not report their landings to the FAO or any RFMO. After blue sharks, porbeagles are one of the shark species most commonly caught by Japanese southern bluefin tuna longline vessels, and the large oceanic fishing effort by a number of industrial fleets known to catch porbeagles in the Southern oceans is considered an ongoing threat to the species.

Prior to 2010, when a zero catch quota for *L. nasus* was established for EU waters, all EU fleets, and the North East Atlantic Fisheries Commission-NEAFC area, the porbeagle shark was one of the most valuable by weight of any marine species landed in Europe and both consumed domestically and exported to international markets. The closure of the major northern porbeagle shark fisheries now places greater pressure on southern stocks to meet continuing international demand for their meat and fins, with trade likely to drive greater depletion of already severely depleted populations.

Until very recently, the lack of species-specific landings and trade data made it impossible to determine the proportions of the porbeagle shark catch being consumed domestically compared with that entering international trade. Since the EU, the largest market for valuable porbeagle shark meat, introduced new species-specific codes in 2010, more international trade data for the species are becoming available.

International Trade

Porbeagle meat is traded internationally in both fresh and frozen form, with markets in the EU, Switzerland, Turkey, Morocco, China, the USA, and other countries. As a consequence of the introduction of the EU's 2010 zero catch quota, EU market demand must now be met solely by imports, from countries including South Africa, Japan and Morocco.

Asia, especially Indonesia and China, is the principal export market for porbeagle shark fins and the destination of the fins of most of the sharks landed in the Southern Hemisphere. Porbeagle fins appear in the list of preferred species for fins in Indonesia but are reportedly of relatively low value. They have also been reported in the Hong Kong fin market, the world's largest.

There are no historical trade data for the porbeagle shark as, prior to 2010, the entire global trade in *L. nasus* products was included under codes for all shark species, a situation that persists for trade involving countries outside the EU.

Illegal Trade and IUU Fishing²

All international trade in *L. Nasus* products is legal and unregulated, with the exception of trade involving States that have banned the possession of or trade in any shark products (none of which are porbeagle shark range States); no species-specific legislation has been adopted by range States or trading States to regulate either national or international trade in *L. nasus*. Due to the lack of trade regulation, the true extent of illegal fishing activities (such as finning or exceeding catch quotas, such as the EU zero quota) involving the species is also unknown; however, *L. nasus* is known to be frequently caught by IUU vessels on the high seas.

Legal Status

Lamna nasus, as a member of the Family "Isurida" (now Lamnidae), is listed in Annex I, Highly Migratory Species, of the UN Convention on the Law of the Sea, but no international arrangements have been made under the treaty to provide for collaborative management of this species. *L. nasus* is also included in Appendix II of the Convention of Migratory Species (CMS), and the Mediterranean population is protected under the Barcelona Convention Protocol (Annex II) and the Bern Convention on the Conservation of European Wildlife and Habitats (Appendix II).

A zero catch quota for *L. nasus* was established in 2010 for EU waters, all EU fleets and the NEAFC area. Amongst RFMOs, NEAFC introduced a zero catch quota for the species consistent with the EU measure, in 2010, and ICCAT has prohibited the retention of threatened species, including porbeagle sharks, since 2007. In 2009, ICCAT and ICES recommended that high-seas fisheries stop targeting porbeagle sharks. Neither ICCAT nor the Northwest Atlantic Fisheries Organization-NAFO has adopted proposals to introduce catch limits or prohibit the retention of porbeagle sharks caught on the high seas.

At the national level, management measures and legislation aimed at protecting porbeagle sharks have been adopted by Australia, Canada, EU members, New Zealand, Norway and the USA; the U.S. and Canadian fisheries are bound by strict quota management. National fisheries management measures, however, cannot deliver sustainable harvest levels for or recover populations of *L. nasus* as long as stocks are exploited by several fleets, particularly on the high seas fisheries, and international trade remains unregulated.

CITES History

The porbeagle shark was proposed for listing in Appendix II in 2007 and 2010 but in both instances failed to secure the two-thirds' majority required for adoption. The ad hoc Expert Panel convened in December 2009 by the FAO to review this and other CITES marine proposals concluded that the porbeagle shark meets the criteria for inclusion in Appendix II.

In 2012, the porbeagle was listed in Appendix III by the EU, thus establishing the requirement for issuance – and verification – of a CITES export permit for all porbeagle products traded from the EU and a certificate of origin for porbeagle products from all other CITES Parties.

² IUU fishing is defined by the FAO as: illegal, unreported, and unregulated fishing

This summary of the proposal for CITES listing has been prepared by a coalition of NGOs working to promote shark conservation. It is not a formal CITES document. The original full text of the proposals can be found here:<http://www.cites.org/eng/cop/16/prop/index.php>

