



29 September, 2022

To: Jennifer Shaw
Science Advisor, Ecosystems and Oceans Science
Fisheries and Oceans Canada
By email: jennifer.shaw@dfo-mpo.gc.ca

Dear Jenn,

Thank you very much for the excellent discussion we had on August 17th, regarding the shark proposals being tabled and discussed at the upcoming 19th meeting of the Conference of the Parties (CoP19) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). We appreciate your openness, and of course your consideration of these proposals.

We are writing in follow up to that meeting and our letter of the 21st of July, to provide you with additional information that has since become available.

We call your attention to the recent assessments of these proposals by the CITES Secretariat, IUCN/TRAFFIC and the UN Food and Agriculture Organization (FAO), which we know Canada will consider carefully in developing its positions for CITES CoP19.

In addition to the clear justification for the adoption of these listings detailed in our previous letter and the proposals themselves, we were pleased to see that both the CITES Secretariat and the IUCN/TRAFFIC assessments of the proposals for the requiem sharks (Family Carcharhinidae), hammerhead sharks (Sphyrnidae spp.), and guitarfishes (Rhinobatidae spp.) concluded that they meet the CITES listing criteria for inclusion in Appendix II.

Even the FAO panel, which uses a very narrow and non-precautionary interpretation of the CITES listing criteria, noted in their assessment that three of the lead requiem shark species, and the bonnethead shark qualified for Appendix II. Importantly, this FAO panel noted that analyzing lookalike species (CITES Article II.2.b) was beyond its capacity.

We welcome and call your attention to the recent submission from Panama of a new identification guide that supports these three proposals, providing the additional information the FAO panel was lacking. This guide was developed by the leading experts in visual fin identification and confirms that all remaining members of all three families meet the CITES criteria as lookalike species, with point of landing identification possible to the species level. Although this will facilitate traceability, point of trade identification remains only possible to the family level. Therefore, requiring the listing of the entire family will facilitate enforcement at the point of trade, in line with the CITES listing criteria.

Panama's additional Information documents for CoP19, including this new identification guide for the proposed shark species can be found at: <https://cites.org/sites/default/files/documents/E-CoP19-Inf-02.pdf>

As noted in that guide itself:

At the point of landing, all species included in Proposals 37, 38, and 40 are identifiable to the species level. Identification guides to support implementation of the proposed listings are often

available at the national and regional levels and in multiple languages. This allows for species specific management and monitoring, and the issuance of CITES permits before products enter the international trade (if supported with appropriate documentation such as non-detriment and legal acquisition findings). This in turn is likely to increase traceability and reporting at the species-level.

At the point of trade, the ability to visually identify first dorsal fins and pectoral fins (for some species) has been key to ensure effective implementation of species listings. With multiple species of requiem, hammerhead, and guitarfish species being proposed, visual identification to the species-level will become increasingly difficult and customs officials will need to rely on genetic approaches to determine the species entering the trade. As highlighted in this document, look-alike issues for the majority of these species will occur within each of the families proposed.

The information provided in this guide demonstrates the difficulty in identifying fins to the species level for all three proposals. Combined with the current status of species, family level listings of sharks and rays are likely going to be more effective from both a conservation and implementation/enforcement perspective. This family level approach has also been adopted for other species such as seahorses and orchids and has encouraged the development of traceability mechanisms. Since the majority of fins of the newly proposed species cannot be distinguished from each other without genetic tools, a family listing would allow customs officials to implement new listings and support with regulating international trade.

This reinforces the summary in the IUCN/TRAFFIC analysis that states:

'Some 16 of these species (Carcharhinus altimus, C. albimarginatus, C. amboinensis, C. brevipinna, C. leucas, C. limbatus, C. sorrah, Negaprion brevirostris, Prionace glauca, Rhizoprionodon acutus, R. lalandii, R. longurio, R. oligolinx, R. porosus, R. taylori, and Triaenodon obesus) and two additional species (C. galapagensis and Rhizoprionodon terraenovae) also have fins that are difficult to distinguish from some of the lead species above as well as species already included in the Appendices (Sphyrna mokarran and Carcharhinus falciformis). These appear to meet the (lookalike) criteria for listing in Annex 2bA.

In summary, the great majority of species in the family Carcharhinidae appear to meet the criteria for inclusion in Appendix II, either because regulation is needed to ensure that the harvest is not reducing the wild populations to a level at which their survival may be threatened by continued harvesting or other influences (Annex 2a of the Resolution) or as lookalikes (Annex 2b of the Resolution). Inclusion of the remaining seven species in the Appendices would facilitate compliance.' <https://www.traffic.org/site/assets/files/19065/iucn-traffic-cop19-full-analyses.pdf>

And is further strengthened in the finding of the CITES Secretariat's analysis that:

All species (in the requiem shark family) are likely to be look alike species for trade in meat. <https://cites.org/sites/default/files/notifications/E-Notif-2022-066.pdf>

Finally, Panama has submitted an additional information document that summarizes a newly released peer reviewed paper on the global trade in shark fins. The paper was released after these independent analyses of the listing proposal were conducted, and again raises concerns about the methodology used in the FAO panel's analysis. It shows that some 70% of the global trade in shark fins are IUCN threatened, that requiem sharks make up the core of that trade, and in conclusion recommends that

CITES Parties consider listing the family on CITES Appendix II as a means of regulating this unsustainable trade: <https://cites.org/sites/default/files/documents/E-CoP19-Inf-01.pdf>

There is also helpful information now available at www.citessharks.org.

Based on the huge body of evidence in the listing proposal itself and presented here, along with the crisis facing the world's sharks, and the additional support these listings have been offered via these independent assessments, we reiterate our request that Canada support these important proposals.

Sincerely,



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