

EXTRACT of the CITES "Secretariat's assessment of the proposals to amend Appendices I and II" relating to Proposal 42 for CITES CoP18

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Annex 2

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Proposal 42

***Isurus oxyrinchus* and *Isurus paucus* (mako sharks) - Inclusion in Appendix II**

Proponents: Bangladesh, Benin, Bhutan, Brazil, Burkina Faso, Cabo Verde, Chad, Côte d'Ivoire, Dominican Republic, Egypt, European Union, Gabon, Gambia, Jordan, Lebanon, Liberia, Maldives, Mali, Mexico, Nepal, Niger, Nigeria, Palau, Samoa, Senegal, Sri Lanka, Sudan and Togo

Provisional assessment by the Secretariat

CITES background

Isurus oxyrinchus and *Isurus paucus* are not currently included in the CITES Appendices and had not been proposed for listing before.

Purpose and impact of the proposal

The proposal seeks to include *Isurus oxyrinchus* in Appendix II, in accordance with Article II, paragraph 2(a) and *Isurus paucus* in accordance with Article II, paragraph 2(b) of the Convention. If the proposal is adopted, international trade in specimens of these taxa will be regulated in accordance with the provisions of Article IV of the Convention.

Compliance with listing criteria

The supporting statement suggests that *Isurus oxyrinchus* qualifies for inclusion in Appendix II under criterion of Annex 2a of Resolution Conf. 9.24 (Rev. CoP17) on *Criteria for amendment of Appendices I and II* and that if the species were to be included in Appendix II, *Isurus paucus* would qualify to be included under criterion A of Annex 2b of Resolution Conf. 9.24 (Rev. CoP17).

As stated in Annex 2a of Resolution 9.24 (Rev. CoP17) the criteria should be read in conjunction with the definitions, explanations and guidelines in Annex 5, including the footnote with respect to application of the definition of 'decline' for commercially exploited aquatic species. That footnote suggests that for a commercially exploited marine species a population decline to 5-20% of the baseline would warrant inclusion on Appendix I, depending on its productivity, and a decline to a range of between 5 % and 10 % above that, e.g. 10-30%, would fulfil criterion A in Annex 2a of Resolution 9.24 (Rev. CoP17) for inclusion of a species in Appendix II. When considering these percentages, account needs to be taken of taxon-and case-specific biological and other factors that are likely to affect extinction risk.

According to the information in the supporting statement, *Isurus oxyrinchus* has low productivity, which means that according to the guidance referred to above, a decline of the population to 30% of the baseline would mean that a species meets criterion A in Annex 2a for inclusion in Appendix II.

Isurus oxyrinchus is a highly migratory pelagic shark occurring circumglobally from temperate to tropical waters and diving up to 500m depth. There is no strong evidence for population structuring. According to the supporting statement, it was challenging to assess declines, in particular long-term historic rate of decline, against a baseline, as data collection only started several decades after the start of pelagic fisheries. The authors provide an estimate of historic decline of 60% (1950-2015) and a range of recent declines for the North Atlantic, 80% over the last three generation periods for the Mediterranean, and 80% historic decline combined with 50% (1990-2003) and 69% (1996-2009) recent decline for the Northern Pacific. A regional IUCN Red List assessment has classified the Mediterranean population of *Isurus oxyrinchus* as critically endangered. Both the General Fisheries Commission for the Mediterranean and the Barcelona Convention prohibit take of the species. There is also an indicator analysis available for the Northern Pacific that estimates the population to be relatively stable (2000-2010). For the South Atlantic Ocean, Indian Ocean and South Pacific Ocean no quantitative estimates are provided. The proponents note that reported catches have declined by 30% in the Pacific Ocean from 2011 to 2016 and increased in the Indian Ocean.

No estimate of the overall status or decline is available for the species, and the information contained in the supporting statement suggests that both status and trend vary between regions.

The supporting statement reports that *Isurus oxyrinchus* are susceptible to catch in pelagic longlines, as target or opportunistic bycatch. With regards to taxon-and case-specific biological and other factors that are likely to

affect extinction risk, they have been identified as among the most vulnerable sharks from overfishing in Ecological Risk Assessments for the Atlantic (2nd most vulnerable) and Indian Ocean (Most vulnerable). Their wide distribution and lack of population structuring on the other hand may be seen to decrease risk.

Isurus oxyrinchus and *I. paucus* are targeted for both their meat, which is considered to be of high quality and value, and their fins, that have a distinct trade category in the Hong Kong Market and which are among the most common fins on the market, but with declining market share between 2000-2015.

Both meat and fins of *Isurus* spp. are the specimens most likely to enter international trade. According to the supporting statement, the fins are easily identifiable by visual inspection to genus, but not species level, making it therefore necessary to include both species of the genus on Appendix-II based on look-alike grounds.

Additional considerations (including relevant CoP recommendations)

There is no adopted standard nomenclature reference that would cover the taxon and no standard nomenclature reference is proposed in the supporting statement.

Isurus oxyrinchus is listed on Annex 1 of the UN Convention on Law of the Sea (UNCLOS), Annex 2 of the Convention on Migratory Species (CMS) and on the Annex of the CMS Sharks Memorandum of Understanding.

Pursuant to Article XV, 2 b), the Secretariat has consulted intergovernmental bodies with a role in fisheries management, including the Food and Agriculture Organization of the United Nations (FAO), with a view to obtaining scientific data these bodies may be able to provide and to ensure co-ordination with any conservation measures enforced by such bodies. In line with the 2006 Memorandum of Understanding between CITES and FAO, FAO has convened an Expert Panel to review CITES marine species listings proposals.

Comments from Parties

Sierra Leone reiterated its support for the proposal as a co-sponsor and highlighted in particular look-alike issues between the two species, its assessment of failures of the current management regime for the species and benefits that would arise from listing the two species on Appendix II of the Convention.

Comments from statutory consultees

The **FAO** Expert Panel concluded that the available data do not provide evidence that *Isurus oxyrinchus* meets the CITES Appendix-II listing criteria.

The Secretariat of the Convention on Migratory Species (**CMS**) informed that Mako (*Isurus oxyrinchus*) and Longfin Mako (*Isurus paucus*) were listed in CMS Appendix II in 2008, and in Annex 1 of the Sharks Memorandum of Understanding (MoU) in 2010.

The Secretariat of the Inter American Tropical Tuna Commission (**IATTC**) shared the first full stock assessment of *Isurus oxyrinchus* for the North Pacific Ocean, conducted in 2018. The stock assessment concluded that the North Pacific stock is likely not in an overfished condition and overfishing is likely not occurring, while highlighting high uncertainties about fishery data and key biological processes.

The Secretariat of the Indian Ocean Tuna Commission (**IOTC**) shared the IOTC Scientific Committee's executive summary on the status of *Isurus oxyrinchus* for the Indian Ocean. There is no quantitative stock assessment currently available for *Isurus oxyrinchus* in the Indian Ocean therefore the stock status is unknown. The IOTC also highlighted the high vulnerability of the species identified through a risk assessment analysis.

The Secretariats of the International Council for the Exploration of the Sea (**ICES**), the North Pacific Anadromous Fish Commission (**NPAFC**) and the South Pacific Regional Fisheries Management Organisation (**SPRFMO**) informed that they hold small datasets on predominantly *Isurus oxyrinchus*, and sometimes *Isurus paucus*, within their areas of competence.

Conclusions

Summary and review of available information

The Secretariat notes that updated IUCN Red List assessments of the status of *Isurus oxyrinchus* and *I. paucus* have been published since the submission of the proposal. Both species have been categorised as Endangered. These assessments, as well as some of the responses by statutory consultees, contain new and additional information to that in the supporting statement. All of that information was available to the FAO Expert Panel, because IUCN had shared an advance copy of the updated IUCN Red List Assessment. The FAO Expert Panel further conducted its own analyses, where required, based on datasets available. For parts of the range of the species, multiple datasets were available with partially conflicting trends. The FAO Expert Panel assigned reliability scores to all datasets which the Secretariat is taking into account for its conclusion.

All information available confirms that *Isurus oxyrinchus* has low productivity and is among the most vulnerable species for bycatch for long-line and purse-seine gear.

While population structures remain uncertain, most studies and applicable management measures are organized in line with the jurisdictional boundaries of the relevant regional scientific and management agencies. This makes it useful to look at population status and trends on a regional basis. Pursuant to the guidelines for the application of the listing criteria for commercially exploited marine species in Annex 5 of Resolution Conf. 9.24 (Rev. CoP17) and as in the original supporting statement, the historical extent of decline and the recent rate of decline should be considered in conjunction with one another. The Secretariat notes that data to assess the historical rate of decline from virgin biomass was not always available, and that the FAO Expert Panel judged that, where no abundance index was available, it considered that more simplistic forms of retroactive extrapolation of trends were not defensible. The following table presents summaries of the population trends for different ocean regions based on the datasets identified as most scientifically sound and reliable:

Region	Summary of information on populations of <i>Isurus oxyrinchus</i>
North Atlantic	<ul style="list-style-type: none">Population has declined to about 50% of historic levelsMay be at risk of declining to below 30% of baseline biomass in the next few decades if catches are not decreased well below current levels
South Atlantic	<ul style="list-style-type: none">No direct evidence that the population is depleted below 30%Population may be overfished and may experience overfishingThe analysis showing steep population declines of 99%, referenced in the updated IUCN Red List Assessment, is considered to be methodologically flawed by the FAO Expert Panel
Mediterranean	<ul style="list-style-type: none">Species' abundance in the Mediterranean has decreasedFAO Expert Panel considered the two datasets referenced in the supporting statement too unreliable to assess the extent of decline
Indian Ocean	<ul style="list-style-type: none">Considerable uncertainty exists on aspects of data available, and no formal stock assessment has been conductedCatch Per Unit Effort (CPUE) series analyzed by the FAO Expert Panel suggest varying or declining trends until 2003 or 2004, and a subsequent increaseThe preliminary study referenced in the supporting statement to substantiate population declines in the Indian Ocean, according to its own authors and the FAO Expert Panel, has too much uncertainty to derive management advice from it
North Pacific	<ul style="list-style-type: none">North Pacific shortfin mako assessment (ISC, 2018) provides the best available assessment of trends and supersedes previous datasetsAccording to the FAO Expert Panel, the assessment's best estimate of depletion to 58% of its baseline represents the historical extent of declineAccording to the FAO Expert Panel, the population was currently slightly increasingAnalysis of other datasets from the North Pacific yield similar conclusions
South Pacific	<ul style="list-style-type: none">No stock assessment for shortfin mako exists and therefore catch rate indicators provide the best available information to estimate the extent of any stock decline

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| | <ul style="list-style-type: none">• Re-analysing the longer of the two datasets referenced in the supporting statement, to address some methodological shortcomings, the FAO Expert Panel found that the time series 1996-2013 showed an increasing trend of 1.3 percent per annum, with the most recent and reliable ten years (2004-2013, i.e. 2014 excluded) an increasing trend of 2.2 percent per annum |
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Considering the summaries by region above, the Secretariat considers that, with the possible but uncertain exception of the Mediterranean, the population of *Isurus oxyrinchus* does not seem to have declined below the 30% threshold in different ocean regions, and that the populations of the Indian Ocean, North Pacific and South Pacific seem to be stable or slightly increasing, meaning that it is currently not projected that declines will continue. The guidelines for the application of the listing criteria for commercially exploited marine species in Annex 5 of Resolution Conf. 9.24 (Rev. CoP17) state that in most cases, listing would only be considered if declines were projected to continue. The only ocean region where decline is projected to continue and where *Isurus oxyrinchus* may likely decline below 30% of its historical biomass over the next few decades, is in the North Atlantic, which makes up 14.5% of the total range of the species.

The reportedly high vulnerability to a wide variety of fishing gear, in particular long lines and purse seines, may be seen as additional taxon- and case-specific risk factors, but it is important to note that all tuna regional fisheries management organizations have adopted some management measures, ranging from prohibitions of finning and encouraging the live release of sharks (in non-targeting fisheries) to reduce fishing mortality, as well as the mandatory collection and submission of data for these species. The International Commission for the Conservation of Atlantic Tunas in the North Atlantic has adopted management measures for mako shark specifically because the stock is currently declining as a result of excessive fishing mortality and plans to conduct a future assessment of the *Isurus oxyrinchus* stock in its area of competence to produce improved advice. Population estimates for the North Atlantic and North Pacific alone indicate current numbers of about 1 million and 8 million individuals respectively.

Conclusion

Based on the information summarised above, the Secretariat concludes that for the global population of *Isurus oxyrinchus*, there is no evidence to currently assume that “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 its survival might be threatened by continued harvesting or other influences” (Criterion B of Annex 2A of Resolution Conf. 9.24 (Rev. CoP17)).

All available information confirms that if *Isurus oxyrinchus* were listed on Appendix II, the similarities of the fins would make it necessary to also include *Isurus paucus* in Appendix II based on look-alike grounds pursuant to Annex 2b of Resolution Conf. 9.24 (Rev. CoP17).

Recommendations

Isurus oxyrinchus does not meet the criteria in Resolution Conf. 9.24 (Rev. CoP17) Annex 2a for its inclusion in Appendix II in accordance with Article II, paragraph 2 (a) or 2 (b) of the Convention. Consequently, *I. paucus* should not be included for look-alike reasons under Annex 2b, criterion A of Resolution Conf. 9.24 (Rev. CoP17).

The Secretariat recommends that this proposal be **rejected**.