

WCC-2012-Res-146-EN

The conservation of hammerhead sharks in the Mesoamerican Region and the marine corridor in the Eastern Tropical Pacific

RECOGNIZING the obligations of the global community to conserve, protect and manage migratory sharks, according to the commitments in various international conventions, such as the Convention on Biological Diversity (CBD), the Convention on Migratory Species (CMS), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the United Nations Convention on the Law of the Seas (UNCLOS), 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 (Fish Stocks Agreement), International Plan of Action for Conservation and Management of Sharks (IPOA-Sharks) of the Food and Agriculture Organization of the United Nations (FAO), and the FAO Committee on Fisheries (COFI);

CONSIDERING that CITES came into effect in 1975, in response to the increasing threat posed by international trade to many vulnerable or threatened species, it is crucial that collaboration and cooperation exist among States to ensure that this commerce is sustainable and controlled, so as not to further threaten or endanger wildlife;

REITERATING that CITES regulates the international trade of wildlife species, as well as their products and subproducts, through three appendices:

- Appendix I. Threatened species for which international trade is forbidden
- Appendix II. Species that could become endangered, and for which trade is allowed under strict regulations, requiring evidence of sustainability and legality
- Appendix III. Species included upon request of a specific nation, that requires the cooperation of other countries to prevent illegal exploitation;

RECALLING that the 4th IUCN World Conservation Congress (Barcelona, 2008) adopted Recommendation 4.111 *Conservation of Leatherback Sea Turtles Dermochelys coriacea and hammerhead sharks Sphyrna spp. in the Eastern Tropical Pacific Marine Corridor*, in which stronger protection is requested for the Leatherback Turtle and hammerhead sharks, through the control and management of fishing effort, including the establishment of spatial and temporary closures of fisheries that interact with such species in the aforementioned biological corridor;

ACKNOWLEDGING that in 2009, IUCN declared the Scalloped Hammerhead Shark (*Sphyrna lewini*) a globally Endangered species, given that its populations have declined by over 90% during the last 20 years;

RECALLING that during the XV Conference of the Parties (COP) of CITES, in Doha (Qatar), 13–25 March 2010, there were four proposals to include species of sharks in Appendix II, one of them being the Scalloped Hammerhead Shark (*Sphyrna lewini*);

STRESSING that prior to the aforementioned COP, the ad hoc Expert Panel of the FAO concluded that there was enough information to justify the inclusion of Scalloped Hammerhead Shark (*Sphyrna lewini*) in Appendix II of CITES;

AWARE that on that occasion, the total number of votes required to add this species to Appendix II of CITES was not reached, but currently the majority of the countries in the Mesoamerican region have elaborated their respective Action Plans for Sharks, which allow for more effective management measures to be taken; and

DEEPLY CONCERNED that to date, these Shark Action Plans have not been implemented effectively, and a framework of concrete actions to control indiscriminate fishing of this species in the Mesoamerican Region is still lacking;

The World Conservation Congress, at its session in Jeju, Republic of Korea, 6–15 September, 2012:

1. REQUESTS all States to support the inclusion of the Scalloped Hammerhead Shark (*Sphyrna lewini*), the Smooth Hammerhead Shark (*Sphyrna zygaena*) and the Great Hammerhead Shark (*Sphyrna mokarran*) in Appendix II of CITES, to contribute to the conservation and sustainability of wild populations in the future, through control of the international trade of their products, taking into account all available information and the advice of the FAO Expert Panel¹; and
2. REQUESTS States and Regional Fisheries Management Organizations where these species are present during reproduction, feeding and/or migration, to conserve the following shark species: the Scalloped Hammerhead Shark (*Sphyrna lewini*), the Smooth Hammerhead Shark (*Sphyrna zygaena*) and the Great Hammerhead Shark (*Sphyrna mokarran*), through conservation and management measures, which could include control and management of fishing effort, strengthening of the legal framework, improvement of communication channels amongst nations, and identification and protection of critical habitats.

Expressing its support for an alternative formulation (referred to as ‘Option 1’) of operative paragraph 1, which was not approved during voting on this Motion, the State Member Japan provided the following statement for the record during the 11th Sitting of the Members’ Assembly:

“Japan has concern about this Motion because it prejudices the position of State Members at the CITES meeting next March. The deadline for submitting listing proposals on CITES Appendices is October 4. We have not even seen any proposal to list hammerhead sharks yet. If such a proposal is submitted, we will carefully study all the information contained. We will study the results of the FAO Expert Panel which will examine the validity of proposals on fishery species. We will also have to investigate whether listing this species on CITES Appendices will really contribute to its conservation. Before studying all these points, Japan cannot prejudge whether we can support inclusion of this species on CITES Appendices. Therefore, we support Option 1.”

¹ It is hereby affirmed that the support of the Congress for the inclusion of these species in CITES Appendix II does not in any way prejudice the independence, or determine the findings, of the IUCN/TRAFFIC Analyses of Proposals to Amend the CITES Appendices.