

August 8, 2016

Rosemarie Gnam, Chief
Division of Scientific Authority
U.S. Fish and Wildlife Service
4401 North Fairfax Drive
Arlington, VA 22203



Dear Dr. Gnam:

On behalf of our organizations, we appreciate this opportunity to comment on proposals to amend Appendices I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in preparation for the 17th regular meeting of the Conference of the Parties (CoP17) to be held in the autumn of 2016. These comments reflect testimony delivered at the July 19th public meeting.

Overview

As was the case at CITES CoP16, Shark Advocates International and Project AWARE continue to work closely with the Shark Trust, World Wildlife Fund, and many other conservation NGOs toward our shared goal of securing CITES protections for heavily traded rays and sharks. In particular, we take this opportunity to express our deep appreciation for U.S. co-sponsorship of Proposal #44 to include devil rays (genus *Mobula*) in Appendix II, and our support for Proposals #42 and #43 to include silky sharks (*Carcharhinus falciformis*) and thresher sharks (genus *Alopias*) in Appendix II, respectively.

All of these species are:

- Particularly vulnerable to overexploitation due to low reproductive capacity;
- Traded internationally in substantial quantities;
- Subject to persistent demand that drives retention in fisheries; and
- Insufficiently protected by existing conservation measures.

Listing these ray and shark species under CITES Appendix II would be:

- In line with the precautionary approach;
- Complementary to existing national and regional conservation efforts;
- Key to monitoring and ensuring sustainability of international trade;
- Helpful in improving fisheries-related information and assessments; and
- Consistent with several international policy commitments, including the FAO Plan of Action for Sharks and listings under the Convention on Migratory Species (CMS).

We are pleased that the shark and ray proposals for this CoP have been co-sponsored by a record number of Parties, demonstrating widespread support for new measures to prevent international trade from driving depletion. Properly implemented Appendix II listings can greatly improve the outlook for these vulnerable, globally traded species, while also helping to fulfill commitments for previously listed sharks and rays.

*Shark Advocates International, a project of The Ocean Foundation, aims to safeguard sharks through sound conservation policy.
Project AWARE Foundation is a growing movement of scuba divers protecting the ocean planet – one dive at a time.*

Devil Rays (Genus *Mobula*)

As detailed in the listing proposal, devil rays, along with closely related mantas, are among the oceans' most vulnerable animals, usually producing just one pup every one to three years. Mobulids' large size and tendency to move slowly in predictable aggregations can make them easy targets. We are pleased that the U.S. and 22 other Parties are attempting to use CITES to regulate the international trade in mobula gill plates. The associated demand drives largely unregulated fishing pressure, risking serious depletion around the world and squandering economic benefits of devil ray-based tourism. Indeed, landings data and/or anecdotal reports indicate significant declines in mobulid populations around the world, including off Philippines, Indonesia, Thailand, Sri Lanka, India, Mozambique Madagascar, Guinea, Mexico, and Peru. The 21 year time series of SCUBA diving encounters¹ that shows a 78% decline in mobula rays from 1993-2013 at Cocos Island, Costa Rica is among the most striking examples of such depletion.

As you may recall, Family Mobulidae has been highlighted by the CITES Animals Committee as a "taxonomic group that contains a significant proportion of species subjected to unregulated, unsustainable fishing pressures, leading to severe stock depletion, and whose high value products enter international trade in large numbers."

CITES listing for devil rays is not only urgently needed to control burgeoning international trade, but should also enhance implementation of the 2013 Appendix II listing for manta rays, whose gill plates are exported to meet the same demand. Experts in the IUCN Shark Specialist Group have identified devil and manta rays as high priorities for action, and have recently completed a new Global Conservation Strategy that includes CITES as a key element for improving their status. Fisheries managers, on the other hand, have largely neglected these species. The Inter-American Tropical Tuna Commission (IATTC) is the only Regional Fishery Management Organization (RFMO) to ban retention of mobulid rays, and this measure allows significant exceptions for small scale fisheries.

We strongly support CITES Appendix II listing for mobula rays to establish science-based export limits, improve fisheries and trade data, bolster enforcement of national protections, and complement listing under CMS.

Silky Sharks (*Carcharhinus falciformis*)

We support the inclusion of the silky shark in CITES Appendix II for reasons and benefits described above and in the listing proposal.

In addition, we note that only three RFMOs have taken action aimed at conserving silky sharks, and each of these measures has shortcomings. Recent silky shark fishing limits agreed by IATTC fell far short of scientific advice. The silky shark retention ban adopted by the International Commission for Conservation of Atlantic Tunas (ICCAT) exempts developing countries on a condition that these Parties ensure that silky shark fins are not traded, yet ICCAT lacks the mandate, resources, and expertise to regulate international trade in sharks. Compliance with the Western and Central Pacific Fisheries Commission (WCPFC) ban on silky shark retention depends on national actions that are to date lacking.

¹ White, E. R., Myers, M. C., Flemming, J. M. & Baum, J. K. 2015. Shifting elasmobranch community assemblage at Cocos Island, an isolated marine protected area. *Conservation Biology*. 29:4,1186–1197. doi: 10.1111/cobi.12478.

As explained by the U.S. government many times in the past, and asserted in the *Report of the FAO/CITES workshop to review the application and effectiveness of international regulatory measures for the conservation and sustainable use of elasmobranchs*, CITES and fishery management measures should complement each other to enhance effective conservation. In particular, listing on CITES Appendix II could strengthen monitoring and implementation of current and future RFMO measures aimed at conserving these wide ranging sharks.

Thresher Sharks (Genus *Alopias*)

We support the inclusion of thresher sharks in CITES Appendix II for reasons and benefits described above and in the listing proposal.

We are pleased that ICCAT and the Indian Ocean Tuna Commission (IOTC) have recognized the exceptional vulnerability of thresher sharks and adopted measures to prevent the retention of this species. We remain concerned, however, that the ICCAT ban covers only bigeye thresher sharks, and compliance with the IOTC ban depends on national actions that are to date seriously lacking. Listing on CITES Appendix II could strengthen monitoring and implementation of current and future RFMO measures aimed at conserving these highly migratory sharks.

Conclusion

We remain grateful for U.S. efforts to spearhead shark conservation initiatives in various international fora. We encourage the relevant agencies to place high priority on continued efforts to secure adoption of the devil ray listing proposal, while also supporting Appendix II listing for thresher and silky sharks. We also appreciate and urge continued U.S. leadership in ensuring effective implementation of the 2013 shark and ray listings, as well as CITES Resolutions aimed at broader conservation of these and other shark and ray species.

Thank you for your consideration.

Sincerely,



Sonja Fordham
Shark Advocates International



Ania Budziak
Project AWARE