



Our ref.: SG/JSt/2021/DOALOS/01  
Your ref.:

Mr. Miguel de Serpa Soares  
Under-Secretary-General for Legal Affairs  
and United Nations Legal Counsel

Geneva, 18 June 2021

**Subject: CITES contribution to the report of the Secretary-General on oceans and the law of the sea**

Dear Mr. de Serpa Soares,

I have the pleasure of writing to you in response to your letter, dated 13 January 2021, in which you solicited the contribution of the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) to the report of the Secretary-General on oceans and the law of the sea.

In this context, I am pleased to report that a number of scientific, legal and enforcement activities have been undertaken under CITES. The main developments that have occurred since the latest meeting of the Conference of the Parties to CITES (CoP18, Geneva, 2019) include the following:

*Scientific developments – conservation and management of marine species*

CoP18 resulted in the inclusion of three species of **teatfish** or **sea cucumbers** and 18 additional species of **sharks and rays** in Appendix II of CITES. A number of Resolutions and Decisions were adopted or revised that focus on the maintenance of biodiversity of oceans and marine ecosystems and ensuring that international trade in CITES-listed marine species does not endanger the survival of these species in the wild.<sup>1</sup>

[Resolution Conf. 12.6 \(Rev. CoP18\)](#) on *Conservation and management of sharks* encourages Parties to strengthen measures for conservation and management of **sharks** by improving data collection and reporting, developing non-detriment findings (NDFs), and working regionally to collect and share information on shared stocks. To provide an accessible tool for identifying sharks and rays, the CITES Secretariat and the Secretariat of the Southeast Asian Fisheries Development Center (SEAFDEC) jointly published two guides named [Pocket Field Guide: sharks and rays in Southeast Asian region](#) in 2020.

CoP18 mandated the CITES Secretariat to organize an international workshop on Non-Detriment Findings which intends to include a focus on sharks within the marine or aquatic species workstream to support the making of NDFs, in particular in data-poor, multi-species, small-scale/artisanal, and non-target (by-catch)

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<sup>1</sup> See [Decision 16.136 \(Rev. CoP18\)](#) on *Identification and traceability of sturgeons and paddlefish*, [Decisions 18.197 - 18.202](#) on *Eels* (*Anguilla* spp.), [Decision 18.209](#) on *Humphead wrasse* (*Cheilinus undulatus*), [Decisions 18.210-18.217](#) on *Marine turtles* (*Cheloniidae* spp. and *Dermochelyidae* spp.), [Resolution Conf 12.6 \(Rev. CoP18\)](#) on *Conservation and management of sharks* and [Decisions 18.218-18.225](#) on *Sharks and rays* (*Elasmobranchii* spp.), [Decisions 18.228 - 18.233](#) on *Seahorses* (*Hippocampus* spp.), [Decisions 18.263-18.265](#) on *Banggai cardinalfish* (*Pterapogon kauderni*), [Decisions 18.292 - 18.295](#) on *Totoaba* (*Totoaba macdonaldi*) [Decisions 18.296 – 18.298](#) on *Marine ornamental fishes*, and [Decisions 18.275 - 18.280](#) on *Queen conch* (*Strombus gigas*).

situations, introduction from the sea, shared and migratory stocks, recognizing that sharks and rays are good examples of the challenges faced by Parties when preparing NDFs in these situations.

Regarding **marine turtles** (*Cheloniidae* spp. and *Dermochelyidae* spp.), the CITES Secretariat in close collaboration with the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC), the Secretariat of the Convention on Migratory Species (CMS) and the Indian Ocean–South-East Asian (IOSEA) Marine Turtle Memorandum of Understanding published a study on the legal and illegal international trade in marine turtles, entitled [Status, scope and trends of the legal and illegal international trade in marine turtles, its conservation impacts, management options and mitigation priorities](#). The study focuses on *in-situ* assessments in eight countries from three geographical subregions, East Africa, the Inter-Americas, and Southeast Asia/Coral Triangle, and provides an overview of global trends in illegal international trade. This study was considered at the 31st meeting of the CITES Animals Committee (AC31, Online, June 2021) to identify recommendations of a scientific nature that would support the Parties in their conservation efforts for marine turtles.

The **Banggai cardinalfish** (*Pterapogon kauderni*), endemic to the Banggai Archipelago in Indonesia, has been discussed in CITES fora to encourage Indonesia to continue its conservation and management measures to ensure the sustainability of international trade in this species with the support of CITES. While not a CITES-listed species, the recommendations by the Animals Committees resulted in a Banggai Cardinal Fish National Plan of Action (2017-2021), the expansion of a marine protected area, population surveys, and the establishment of harvest quotas to promote sustainable use of the species.

CITES maintains a [list of forensic providers](#) able and willing to carry out wildlife forensic analyses upon request from other countries on a range of samples including those from aquatic animals. In fulfillment of [Decision 16.136 \(Rev. CoP18\)](#) on *Identification and traceability of sturgeons and paddlefish (Acipenseriformes spp.)*, a study on “*Identification of species and hybrids, source and geographical origin of sturgeon and paddlefish (Acipenseriformes spp.) specimens and products in trade*” was discussed at AC31, which aim to apply molecular techniques to promote traceability in those species.

#### *Legal developments – Regulating international trade in marine species*

[Decision 18.224](#) directs the CITES Standing Committee to develop guidance on the making of legal acquisition findings, and related assessments for introductions from the sea for CITES-listed **shark** species in the context of the implementation of [Resolution Conf. 18.7](#) on *Legal acquisition findings*. The Committee has established an intersessional working group that is developing such guidance. In addition, the CITES Secretariat is conducting a study on the apparent mismatch between trade in shark products, especially regarding introduction from the sea, and the volumes of trade reported by the Parties in their annual reports.

In close collaboration with the CITES Secretariat, the Food and Agriculture Organization of the United Nations (FAO) put out a publication to support the implementation of CITES in the fisheries context, with a focus on national fisheries legislation and related legal matters. The publication [“Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora \(CITES\) through national fisheries legal frameworks: a study and a guide”](#) explains how key elements and provisions of CITES could be implemented and applied in national fisheries legal frameworks. A growing commercial market for marine species has caused increased concerns for the conservation status of such species, in turn leading to the inclusion of more marine species in the CITES Appendices. This highlights the need for a better understanding of the interlinkages of the frameworks. The publication is available in English, French and Spanish.

In a joint initiative on **Queen conch** (*Strombus gigas*), the United Nations Conference on Trade and Development (UNCTAD), the Organisation of Eastern Caribbean States (OECS) and CITES initiated the project “*Seizing the trade and business potential of Blue BioTrade products for promoting sustainable livelihoods and conservation of marine biodiversity in selected Organisation of Eastern Caribbean States (OECS) Countries*” which aims to empower small-scale coastal producers from the main queen conch producing nations in the eastern Caribbean, while ensuring sustainability. As part of this project, the CITES Secretariat delivered a presentation on “*CITES regulations and decisions applicable to trade of queen conch: Non-detriment findings (NDFs) and effective license/permits system*” at a Regional stakeholder webinar on Blue BioTrade & BioTrade principles and criteria including CITES requirements on 22-23 March 2021.

*Enforcement activities – fighting illegal trade in marine species*

CITES has been working with its partners in the [International Consortium on Combating Wildlife Crime \(ICCWC\)](#) in support of efforts to combat wildlife crime related to marine species. Several activities are underway or planned, such as ongoing support to address the illegal trade in **totoaba** (*Totoaba macdonaldi*) swim bladders, or targeted global operations to combat wildlife crime. For example, over 56,200 kg of marine products were seized during Operation Thunder 2020, a global ICCWC supported operation led by INTERPOL and the World Customs Organization (WCO). Following Operation Thunder 2020, ICCWC supported cooperation and information sharing between Peru and Ecuador in a case of shark fin trafficking. Data extracted from seized telephones revealed the involvement of global export companies as well as links with other serious crimes, such as tax evasion and false declaration.

Regarding **eels** (*Anguilla* spp.), a [chapter on European glass eels](#) is contained in the [World Wildlife Crime Report 2020](#) which was developed by the United Nations Office on Drugs and Crime (UNODC), drawing upon the best available data provided by international bodies and enforcement authorities from around the world including data from the [annual illegal trade reports](#) that CITES Parties are required to submit to the Secretariat since 2017. Pursuant of [Decision 18.199 on Eels](#), the CITES Secretariat is also commissioning a study on levels of eel trade and trade patterns, especially in live eels for aquaculture, for more effective future management of harvests of and trade in eels.

The CITES Secretariat appreciates the opportunity to provide input to the report of the Secretary-General and agrees to the posting of the present letter on the website of the Division for Ocean Affairs and the Law of the Sea.

Any enquiries regarding the above can be directed to [Johannes.Stahl@cites.org](mailto:Johannes.Stahl@cites.org), with a copy to [cites.info-cites@un.org](mailto:cites.info-cites@un.org). The Secretariat remains at your disposal as may be needed.

Yours sincerely,

A handwritten signature in black ink on a light yellow background. The signature is stylized and appears to be 'IH' followed by a large '27'.

p.p. Ivonne Higuero  
Secretary-General

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