

07 May 2012



Ms Deb Callister
Assistant Secretary
Wildlife Branch International Wildlife Trade Section
Dept. Sustainability, Environment, Water, Population and Communities
GPO BOX 787
CANBERRA ACT 2601

Dear Ms Callister:

Project AWARE Foundation¹ and Shark Advocates International² appreciate this opportunity to comment on potential Australian 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 16th Conference of the Parties (CoP16) to be held in March 2013 in Thailand. We respectfully urge Australia to:

- propose the up-listing (from Appendix II to Appendix I) for freshwater sawfish;
- take the lead in proposing manta/devil rays for Appendix II; and
- actively support proposals to list porbeagle, hammerhead, oceanic whitetip, and spiny dogfish sharks under CITES Appendix II.

All of these species are particularly vulnerable to overexploitation due to exceptionally low reproductive capacity and insufficient fishing controls, and have been highlighted as species of concern by the CITES Animals Committee. With the exception of freshwater sawfish, these species are traded internationally in substantial quantities and subject to persistent demand that drives targeted fisheries and retention of bycatch.

We are currently encouraging the EU and the U.S. to update and reissue their strong proposals to list porbeagle, spiny dogfish, hammerhead, and oceanic whitetip sharks on CITES Appendix II, and urge Australia to continue to actively support such efforts. Our specific rationales for Australia taking the lead in up-listing freshwater sawfish and listing devil rays follow.

Background

Our organisations and close colleagues were strong proponents of the U.S. and EU-led proposals to list commercially valuable shark species under CITES Appendix II at CoP15 in Qatar. Of course, we were deeply dismayed by the outcomes for sharks from the meeting. Since that time, however, more than 100,000 scuba divers and shark advocates from around the world have voiced related concerns through a Project AWARE petition that asks CITES Parties, including Australia, to:

- Heed all available scientific advice for limiting shark catches
- Protect shark species listed by IUCN as Endangered or Critically Endangered
- Set precautionary shark fishing limits (where no advice exists)
- Ensure all sharks are landed with their fins naturally attached

¹ A growing movement of scuba divers protecting the ocean planet, one dive at a time.

² A project of The Ocean Foundation, aiming to safeguard sharks through sound conservation policy.

- Work with other countries to prepare and promote shark listing proposals for CoP16
- List shark species proposed at CoP15 on CITES Appendix III before CoP16.

We are hopeful that this solid demonstration of support for shark fishing and trade measures will help build the political will needed to ensure decisive action for sharks at CoP16.

Freshwater sawfish *Pristis microdon*

Sawfish are among the most endangered fish in the world. Based on the IUCN classification of all sawfish species as Critically Endangered, coupled with the threats posed by international trade, we were strong supporters of the 2007 proposal to list sawfish under CITES Appendix I and deeply disappointed that Australia supported continued trade of live freshwater sawfish, resulting in only an Appendix II listing for this species.

As you know, in 2011, the Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC) issued a revised non-detriment finding³ and concluded that, "it is not possible to conclude with a reasonable level of certainty that any harvest of *P. microdon* for export purposes would not be detrimental to the survival or recovery of the species". According to this finding, data indicate that Australia's freshwater sawfish population has suffered significant decline, fragmentation, range retraction. The species "continues to be at risk from the impacts of fishing (commercial, recreational, Indigenous, domestic and international illegal unregulated and unreported fishing) and habitat modification."

Given that Australia was the lead opponent to listing *Pristis microdon* on CITES Appendix I in 2007, we believe an Australian proposal for up-listing the species is the necessary response to these alarming findings and a clear responsibility for the country. Such action could also help recovery efforts for all sawfish species.

Devil rays Family *Mobulidae*

This family, which includes the giant manta ray (*Manta birostris*), 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."

These rays are as biologically vulnerable as the shark species discussed above (female manta rays are thought to have just one pup every two to three years) and yet subject to significantly fewer restrictions on fishing and trade. A substantial increase in demand for devil ray gill rakers (which are exported to Asia for use in Chinese medicine) has sparked what are typically unsustainable fisheries off Mexico, the Philippines, Indonesia, Sri Lanka, Japan, and elsewhere. Meat is also used for human consumption, while ray cartilage is traded for use as filler in shark fin soup. Global catch of devil rays reported to the Food and Agriculture Organization increased from 900 tonnes (t) to over 3300t from 2000 to 2007.⁴

Overfishing of devil rays squanders the significant economic potential of eco-tourism. In particular, operations that facilitate diving and swimming with manta rays are increasingly lucrative in tropical island and coastal communities across the globe, such as the Maldives, Mozambique, and Hawaii. Night diving and snorkeling excursions alone generate an estimated US\$2.4 million annually for the Hawaiian economy. A study in the Maldives found that manta ray based activities generate more

³ <http://www.environment.gov.au/biodiversity/wildlife-trade/publications/ndf-freshwater-sawfish.html> (viewed 7 May 2012).

⁴ A. Marshall., M.B. Bennett., G. Kodja, S. Hinojosa-Alvarez, F. Galvan-Magana, M. Harding, G. Stevens, and T. Kashiwagi. 2011. *Manta birostris*. In: IUCN 2011. IUCN Red List of Threatened Species. Version 2011.2. <www.iucnredlist.org>. Downloaded 2 May 2012.

than US\$8 million per year in combined revenue for the islands.⁵ At a popular dive site in southern Mozambique, 80% of people surveyed cited the opportunity to see manta rays as the reason they visited the country. A new study estimates the worldwide value of manta-based tourism and filming at US\$100 million per year.⁶

Giant and reef manta rays have been classified as Vulnerable under the IUCN Red List. Regional subpopulations of giant mantas appear to be generally small (fewer than 1000 individuals, often just a couple hundred rays). Interchange between subpopulations is unclear, but assumed low. Manta rays are protected in Western Australia, New Zealand, Hawaii, Maldives, Philippines, Mexico, Ecuador, and Yap, but migrate into unprotected waters of other countries and the high seas⁷. The giant manta is the only devil ray species that is subject to international agreements (2011 listing under Appendix I and II of the Convention on Migratory Species); there are no regional fishery management measures for devil rays.

We are deeply concerned about the threats to devil rays and encourage Australia to lead the charge to secure CITES action for these vulnerable species.

Conclusion

We are grateful for Australian leadership in international conservation of sharks and rays, we urge Australian authorities to develop and promote proposals to up-list freshwater sawfish to CITES Appendix I and list devil rays under CITES Appendix II, and to actively support proposals for other CITES Parties to list hammerheads, oceanic whitetip sharks, porbeagles and/or spiny dogfish under CITES Appendix II. We look forward to working with the Australian Government throughout the CITES CoP16 activities.

Thank you for considering our views.

Sincerely,



Henrik Nimb
Director (Asia Pacific)
Project AWARE Foundation



Sonja Fordham
President
Shark Advocates International

⁵ R.C. Anderson, M.S. Adan, A. Kitchen-Wheeler and G. Stevens. 2010. Extent and economic value of manta ray watching in Maldives, *Tourism in Marine Environments* 7(1): 15 – 27.

⁶ S. Heinrichs, M. O'Malley, H. Medd, and P. Hilton. 2011. Manta Ray of Hope: Global State of Manta and Mobula Rays. Manta Ray of Hope Project (www.mantarayofhope.com).

⁷ Marshall *et al*, *op. cit.*