



EP(19)12

Brussels, 8 April 2019

RE.: Rejection to EU proposal to include shortfin mako in Appendix II of CITES

Dear Permanent Representative to the EU,

The European fishing industry, represented by Europêche, recognises the work of CITES concerning marine species to ensure that the international trade does not threaten their survival. However, simultaneously, the work and instruments already defined and implemented for this purpose by Regional Fisheries Management Organisations (RFMOs), governments, and the sector itself needs to be respected. In this vein, when it comes to highly migratory stocks that number in their millions and where trans-boundary management arrangements are already in place, the fishing industry fails to understand the need for additional CITES measures. Therefore, the sector opposes the inclusion of shortfin mako shark (*Isurus oxyrinchus*) in Appendix II of CITES in view of the arguments hereunder.

According to the stock assessments from the North Pacific and North Atlantic, the current population numbers of shortfin mako sharks in these regions are about 8 million and 1 million respectively. In the latter, the population is still above 50% of historic levels, well above the numbers that would meet the criteria for listing. Furthermore, in the Atlantic Ocean, the International Commission for the Conservation of Atlantic Tunas (ICCAT) oblige member nations to release any shortfin mako sharks that are alive when caught, which is expected to reduce mortality and help rebuild the stock thanks to the high survivability rate of 70%. All tuna-RFMOs have adopted similar provisions and prohibitions on finning.

In this context, the Food and Agriculture Organization of the United Nations (FAO) Panel of Experts clearly concluded that the best available scientific data does not provide evidence that the mako shark species meets the CITES Appendix II listing criteria¹.

This accurate conclusion would not have been possible without the scientific information provided by RFMOs, given that most of the fishing mortality for mako shark is from pelagic longline fisheries and that fisheries stock assessments are the primary source of information on stock status.

In addition, ICCAT is of the opinion that the projections made in the proposal for future years are misleading as trends are assumed similar to those from the past which are unlikely to be correct as they do not take into account the new regulations and management measures established since the last stock assessments. Namely, for the North Atlantic, catch restrictions and regulations for shortfin mako were implemented by ICCAT in 2018, after the 2017 stock assessment (using catch data up to 2015). These measures forecast a positive recovery of this fish population, whose situation will be reviewed by ICCAT's Scientific Committee in May 2019.

¹ [FAO Expert Advisory Panel Report January 2019](#)

The European fisheries sector considers that the work of the Convention should focus on threatened species in certain geographical areas and vulnerable protected populations; not in those that are already regulated and managed by RFMOs. These organisations have adopted strong measures to protect and ensure its sustainable exploitation and legal trade with the ultimate goal to fish at MSY levels and achieve healthy levels of the population.

Furthermore, the situation of this species is not comparable in terms of conservation to the rest of the species included in Appendix II of CITES. This is especially true if compared with, for instance, hammerhead or whale sharks, which are not covered by RFMO management and have a markedly worse status requiring different management and protection measures than shortfin mako shark does.

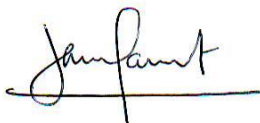
In terms of socio-economic sustainability, a possible trade restriction of the species would have a massive economic impact on the European surface longline fleet. Only in Spain, the sales notes of shortfin mako show that almost 3.000 tonnes in 2017 and 2.000 tonnes in 2016 were sold, with associated profits of around € 10 and € 8 million respectively. Let alone, the administrative burden that arises to provide and manage certifications to permit the landing of CITES listed species from high-seas fisheries.

According to reliable import and export data from the most representative European country in the mako fishery, Spain, its international trade does not constitute a threat to the survival of these species. Indeed, since 2011, only five shipments associated with mako species were denied, accounting for less than 1% of the shipments up until today. This demonstrates two things - there is no real illegal market for these products and governmental controls have effectively restrained any tentative to illegally trade mako shark. This is especially relevant to support its non-inclusion in CITES, since preventing illegal trade of certain species is precisely the purpose pursued by the Convention.

In light of all of the above, we urge the Council of the EU to abstain from proposing or associating with third countries to advocate the inclusion of shortfin mako in Appendix II of CITES. Especially considering that Mexico, leading country advocating the listing of the mako shark, now intends to withdraw their proposal in light of the FAO report. Apart from being scientifically and legally wrong, the listing would bring about unnecessary red tape and adverse socio-economic effects on the fishing fleet targeting shortfin mako shark.

We trust you will devote particular attention to this matter in order to safeguard the interests of the European fishing industry.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Javier Garat', written over a horizontal line.

Javier Garat
President of Europêche