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Technical report on the regional workshop
on the Convention on International Trade in
Endangered Species of Wild Fauna and Flora (CITES),
fisheries and legal acquisition findings with
Latin American and Caribbean countries

8 to 11 May 2023

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Preparation of the document

This is the report of the regional training workshop on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), fisheries, and legal acquisition findings with Latin American and Caribbean countries. The workshop was jointly organized by the Food and Agriculture Organization of the United Nations (FAO) and the CITES Secretariat and hosted by the CITES Management Authority of Ecuador (National Biodiversity Directory, under the Ministry of the Environment) from 30 May to 2 June 2022.

This report was jointly prepared by FAO and the CITES Secretariat and reviewed by the workshop's participants. Copy-editing and layout were undertaken by Jessica Marasovic.

Abstract

This document contains the report of the regional training workshop on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), fisheries, and legal acquisition findings (LAFs) for 13 Latin American and Caribbean countries, jointly organized by the Development Law Service of the FAO Legal Office and the CITES Secretariat, in collaboration with the FAO Offices for Ecuador and Latin America and the Caribbean. The workshop was held in Spanish and in-person only from 8 to 11 May 2023. The workshop aimed to raise awareness and strengthen the understanding of CITES requirements and their implementation in the fisheries sector; introduce and train participants on the use of the [FAO-CITES Legal Study and Guide](#); train participants on the use of the Rapid Guide for the Making of LAFs, available at Annex 3 of [Resolution 18.7 \(Rev. CoP19\)](#); and identify countries' needs and interests [for a better implementation of CITES in the fisheries sector](#).

A total of 50 participants joined the workshop from 13 countries in the Latin American and the Caribbean region (Argentina, Bolivarian Republic of Venezuela, Brazil, Chile, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Mexico, Panama, and Peru), regional organizations (the Central American and Dominican Republic Wildlife Enforcement Network and Permanent Commission for the South Pacific), non-governmental organizations (Defenders of Wildlife and World Fund for Nature), the private sector (fishing enterprises), as well as the UN Office on Drugs and Crime, in addition to the CITES Secretariat and FAO.

The four-day programme included presentations on CITES key principles and requirements and their applicability in the fisheries sector; clarifications on commercially exploited aquatic species listed in CITES Appendix II, opportunities for collaboration between CITES and fisheries authorities, correlations between CITES and fisheries management; introduction on how to use the FAO-CITES Legal Study and Guide; the relevance to CITES of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, Catch Documentation Scheme, and associated technical guidelines. Additionally, the workshop promoted the use of the Rapid Guide for the Making of LAFs.

This is the third of a series of legal training workshops on CITES and fisheries organized by the CITES Secretariat and FAO. The first and second workshops were held at the subregional level, respectively, for Pacific Island countries (November 2021) and English-speaking Caribbean countries (May–June 2022).

Abbreviations

CAWEN	Central American and Dominican Republic Wildlife Enforcement Network
CCAMLR	Commission on the Conservation of Antarctic Marine Living Resources
CDS	catch documentation scheme
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora 1973
CoP	Conference of the Parties
CPPS	<i>Comisión Permanente del Pacífico Sur</i> [Permanent Commission for the South Pacific]
FAO	Food and Agriculture Organization of the United Nations
GIES	Global Information Exchange System
ICCAT	International Commission for the Conservation of Atlantic Tuna
IFS	introduction from the sea
INTERPOL	International Criminal Police Organization
IUU	illegal, unreported and unregulated
KDE	key data element
LAF	legal acquisition finding
LOSC	United Nations Convention on the Law of the Sea 1982
MA	Management Authority (of CITES)
MCS	monitoring, control and surveillance
NDF	non-detriment finding
NLP	National Legislation Project (of CITES)
OECS	Organization of Eastern Caribbean States
PSMA	Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing 2009
RFMO	regional fisheries management organization
SA	Scientific Authority (of CITES)
SDG	Sustainable Development Goals
UNODC	United Nations Office on Drugs and Crime
UNCTAD	United Nations Conference on Trade and Development
VMS	vessel monitoring system
WECAFC	Western Central Atlantic Fishery Commission
WWF	World Fund for Nature

National Institutions

ARAP	<i>Autoridad de Recursos Acuáticos de Panamá</i> [Authority for Aquatic Resources of Panama] (of Panama)
CENDEPESCA	<i>Centro de Desarrollo de la Pesca y la Acuicultura</i> [Centre for Fisheries and Aquaculture Development] (of El Salvador)
CODOPESCA	<i>Consejo Dominicano de Pesca y Acuicultura</i> [Dominican Council for Fisheries and Aquaculture] (of Dominican Republic)
CONAP	<i>Consejo Nacional de Áreas Protegidas</i> [National Council for Protected Areas] (of Guatemala)

CONAPESCA	<i>Comisión Nacional de Acuicultura y Pesca</i> [National Fisheries and Aquaculture Commission] (of Mexico)
DISPESCA	<i>Dirección de Normatividad de la Pesca y Acuicultura</i> (of Guatemala)
INCOPECSA	<i>Instituto Costarricense de Pesca y Acuicultura</i> [Costa Rican Institute for Fisheries and Aquaculture] (of Costa Rica)
IPIAP	<i>Instituto Público para Investigación de Acuicultura y Pesca</i> [Public Institute for Fisheries and Aquaculture Research] (of Ecuador)
INSOPESCA	<i>Instituto Nacional de Pesca y Acuicultura</i> [National Institute for Fisheries and Aquaculture] (of Venezuela (Bolivarian Republic of))
SERNAPESCA	<i>Servicio Nacional de Pesca y Acuicultura</i> [National Fisheries and Aquaculture Service] (of Chile)
SSPyA	<i>Subsecretaría de Pesca y Acuicultura</i> [Subsecretary of Fisheries and Aquaculture] (of Argentina)

1. Opening of the session

1. The CITES Secretariat and the Development Law Service of the FAO Legal Office jointly organized a four-day regional training workshop for Latin American and Caribbean countries (hereafter “the workshop”), in Spanish and in-person only, from 8 to 11 May 2023, in Manta, Ecuador. The workshop was hosted by Ecuador’s CITES Management Authority (MA) – the National Biodiversity Directory under the Ministry of the Environment – and held at the conference room of the [hotel Mantahost](#). The FAO Offices for Ecuador and Latin America, and the Caribbean also collaborated in organizing the workshop.
2. The workshop’s objective was to train representatives of national fisheries administrations, CITES MAs and Scientific Authorities (SAs) and other relevant institutions on the legal aspects for effective implementation of CITES in the fisheries sector, especially in the making of legal acquisition findings (LAFs) and in strengthening cooperation between fisheries and CITES authorities. The workshop also aimed at raising awareness and strengthening the understanding of CITES implementation in the fisheries sector; introducing and training participants on the use of the FAO-CITES Legal Study and Guide; and identifying countries’ needs and interests in enhancing national fisheries legislation for a better implementation of CITES in the fisheries sector.
3. A total of 50 participants took part in the training, including representatives of fisheries and CITES authorities in 13 countries that are active in the international trade of CITES-listed sharks’ species: Argentina, Bolivarian Republic of Venezuela, Brazil, Chile, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Mexico, Panama, and Peru. Representatives of the International Technical Assistance Programme of the Department of Interior of the United States of America (DOI-TAP)/Central American and Dominican Republic Wildlife Enforcement Network (CAWEN), the *Comisión Permanente del Pacífico Sur* (CPPS) [Permanent Commission for the South Pacific], Defenders of Wildlife, World Fund for Nature (WWF), fishing enterprises, and the UN Office on Drugs and Crime (UNODC). The list of participants is provided in [Annex I](#).
4. **Esther Boy**, FAO International Consultant, was the workshop’s facilitator on day 1.
5. On behalf of FAO, **Eve Crowley**, FAO Deputy Regional Representative for Latin American and the Caribbean and *ad interim* FAO representative in Ecuador, thanked the CITES Secretariat for the extensive collaboration and financial support to the organization of the workshop, the government of Ecuador for hosting the workshop, and the DOI-TAP for the support provided to the participation of delegations from El Salvador, Guatemala, and Honduras. Eve also thanked all participants for their interest in the workshop and for taking the time to travel and participate in the activities of the next four days. She recalled the importance of the waters of Latin America and the Caribbean as home to aquatic species listed in the CITES Appendices, such as species of sharks and rays, teatfish, and queen conch. These species support livelihoods and economic opportunities for communities in several Parties to the Convention. The sustainable use of these species and the regulation of their trade is of paramount importance for their conservation. Eve noted the workshop offers an opportunity for participants to learn from each other and enhance their knowledge about the implementation of CITES in the fisheries sector. The workshop supports countries in identifying their needs and interests, enhancing their national fisheries legislation for better implementation of CITES in the fisheries sector, and improving countries’ capacities for making LAFs, especially for marine species. She underscored the importance of the workshop in

contributing to achieving United Nations Sustainable Development Goal (SDG) 14, in particular its targets 14.4 and 14.A, through promoting the development and enhancement of scientific knowledge technology and research capacity to assist in the making of non-detriment findings; ensuring lawful harvesting; lawful transport as well as the control and monitoring of trade in order to avoid over-exploitation of species and ensuring the sustainability of fisheries. To conclude, she thanked all participants for their attention and wished a very productive, constructive and fruitful workshop.

6. On behalf of Ecuador, **Gabriela Manosalvas**, Vice Minister of the Environment, *Ministerio del Ambiente, Agua y Transición Ecológica* (MAATE) [Ministry of Environment, Water and Ecological Transition], thanked all for their participation in the workshop, also extending the greetings from José Antonio Dávalos, the Minister of the said Ministry. Gabriela reiterated the Ministry's commitment to continue working for conservation and affirmed that taking care of and preserving the natural heritage means to protect life and ensuring a sustainable future for all. She noted that the workshop represents another activity that contributes to the conservation of wild fauna and flora in the region and to broadening knowledge about fisheries and LAFs. This workshop covers subjects of special interest of the region. One of the outcomes of the 19th Meeting of the Parties to CITES (CoP19) was the inclusion of more than 60 species of sharks (family *Carcharhinidae* spp. and *Sphyrnidae* spp.) in Appendix II, to be in force from November 2023. This inclusion entails developing legal, technical and procedural frameworks for regulating international trade under CITES, as well as making LAFs that ensure the protection of fauna and flora. Gabriela noted that capacity development is fundamental for taking concrete actions in respect of issues of public interest. The workshop thus aims at strengthening the capacity of authorities with a view to ensure adequate policy implementation taking into account the FAO-CITES Legal Study and Guide. In addition to enhancing technical knowledge, the workshop offers an opportunity to understand the value of the different species that live in the region, such as sharks, which demand conservation and management measures for avoiding their overexploitation. Over 30 percent of the species are currently endangered. Gabriela underscored Ecuador's commitment toward the countries in Central and South Americas and the Caribbean, Parties to CITES, in advancing the mechanisms that enable conservation of the richness of the region.
7. On behalf of the CITES Secretariat, **Juan Carlos Vasquez**, Chief of Legal Unit, CITES Secretariat, also thanked the government of Ecuador for hosting the event, all partners – FAO through the support from FAO headquarters in Rome as well as from FAO Offices for Ecuador, and Latin American and Caribbean, the UN Office on Drugs and Crime (UNODC), DOI-TAP – and all participants, including countries' delegates, representatives from regional organizations, civil society and the private sector, for their participation in the workshop. Juan Carlos recalled that this is the third workshop organized by FAO and CITES concerning the theme of CITES and national fisheries legal frameworks, but the first workshop that is held in person, noting the importance of sharing knowledge, information, and experiences among participants throughout the four days of the workshop. He also drew attention to the species of sharks, many of which were included in Appendix II of CITES at CoP12, in Chile, in 2002, such as the basking sharks and whale sharks. Then, more recently, in CoP19, in Panama, in 2023, the Parties agreed to include, among others, all shark species family *Carcharhinidae* spp. and species of hammerhead sharks in Appendix II, a decision that will enter into force on 25 November 2023. For this reason, the workshop is held at a perfect time to delve into the discussions around this topic and better understand how CITES authorities and fisheries authorities can effectively work to address this issue. Juan Carlos raised consideration for two areas: (i) the concept of "incidental catch" or "bycatch" is not, for CITES, differentiated from harvesting as it is for fisheries; and (ii) the concept of using the economic value of fisheries as

the only indicator of prioritization – as occurs, for example, in respect of the anchovies in Peru and the tunas in Ecuador – as opposed to also focus on environmental conservation concerns for the species.

8. After a first round of introductions of participants from the countries' delegations, **Blaise Kuemlangan**, Chief of the Development Law Service, FAO Legal Office, through a video recording, reiterated the thanks to all participants, recalling that the workshop provides an opportunity to learn more about the *Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (PSMA), its relevance to CITES, and the mutually supportive implementation of the PSMA and CITES. As he would be attending the 4th Meeting of the Parties to the PSMA (MoP4) in Bali, Indonesia, during the same week of the workshop, Blaise drew attention of the Parties to the PSMA about the importance of CITES in the fisheries sector, and its link to the PSMA. Blaise urged the representatives of countries, as FAO Members and Parties to CITES, to raise the attention of the respective countries also about the importance of PSMA and, for the non-Parties to the PSMA, to seek to become a Party to this Agreement. Overall, the implementation of CITES in the fisheries sector relies on a coordinated effort between CITES authorities, fisheries authorities, as well as port authorities, customs, and many other stakeholders. They jointly contribute to meeting common high-level objectives of ensuring responsible, sustainable, legal, and traceable utilization of resources, including species, biodiversity and ecosystems, especially species commercially exploited by the fisheries sector and included in CITES Appendices.
9. **Manuela Cuvi**, Legal Officer, Development Law Service, FAO Legal Office, provided a general overview of the workshop, running through the agenda and activities of the workshop. **Sofia Guevara**, Assistant of FAO Representative in Ecuador, shared logistics and housekeeping notes.

2. CITES-specific considerations for the fisheries sector

10. **Juan Carlos Vasquez** introduced the fundamental principles of CITES, which include: ensuring that any species, including the marine species in CITES Appendices, are exploited in a sustainable manner; legality (which is associated to the LAF), sustainability (associated with the non-detriment findings (NDF)) and traceability, all pillars which are interconnected. It is important to standardize and simplify the processes of making NDF and LAF so that any country can recognize an NDF and a LAF produced by another country without questioning what the evidence concerned. CITES is at the intersection between trade, development and environment, and the Convention regulates the day-to-day trade (through authorizations, monitoring, inspection, etc.), different from other declaratory Framework Conventions that broadly cover biodiversity and climate change, for example. Responsible trade is in line with CITES, supporting livelihoods and national markets, generating jobs and promoting sustainable value chains.
11. The main tool of CITES is the system of permits, which has been operating since the adoption of the Convention in 1973 (this year is the 50th anniversary). The monitoring and controlling landings can complement the controls made under CITES, so it is fundamental to think about ways to strengthen the existing systems. CITES and fisheries overlap in many issues, and it is fundamental to foster integration, taking into account the different applicable rules and legislation. All species of animals subject to international trade under CITES Appendices must be regulated. A total of about 40 000 species are included in the three CITES Appendices, of which the workshop focuses on the marine species. CITES Appendix I include species that cannot be subject to international trade except for scientific purposes. International trade in CITES Appendices II and III is not prohibited, but it is controlled. Until 25 November 2023, it is fundamental that Parties are able to regulate the international trade in certain species of sharks (e.g. family *Carcharhinidae* spp. and species of hammerhead sharks) to ensure that the trade is not suspended once the listing enters into force. There are two working groups established by the CITES Standing Committee that are of relevance to the workshop: one for sharks and another for biotechnology.
12. At the institutional level, a CITES MA is responsible for issuing CITES permits and a CITES Scientific Authority (SA) that examines the sustainability of international trade – import, export, re-export, and introduction from the sea (IFS). In Chile, Costa Rica, and Peru, the CITES MA for marine species is the fisheries authority. In Argentina, Ecuador, Brazil, the Bolivarian Republic of Venezuela and the Dominican Republic, the CITES MA is the environmental authority. In El Salvador, the CITES MA is the Ministry of Agriculture. Depending on the country, different authorities are designated as CITES MA. Where the CITES MA is not the fisheries authority, it is fundamental to ensure cooperation between the concerned authorities. The CITES MA has two main functions: to communicate with the CITES Secretariat and other countries, and to issue the CITES permits and certificates. Additionally, the CITES MA is also in charge of representing the Party in CITES meetings, sharing information and awareness-raising about CITES, coordinating with other governmental departments, preparing proposals for the CoPs, disseminating official information about CITES, preparing the annual and biennial reports.
13. Cooperation is another fundamental pillar of CITES. The relevant national authorities are expected to cooperate well following the strong cooperation for legal matters between the CITES Secretariat and FAO at the international level. The CITES Secretariat also collaborates with UNODC for issues of illegality. It is important to cooperate with the regional fisheries

management organizations (RFMOs), particularly in respect of the potential making of regional NDFs. Customs is also a very important authority for the control of landings, the emission of permits, and the operationalization of international trade. The CITES MA prepares and disseminates official information about CITES to customs, other border control authorities, police, inspection, sanitary authorities, and others.

14. Parties to CITES agreed on a common interpretation of IFS, which is provided in [Resolution Conf. 4.6 \(Rev. CoP16\)](#), as the taking by a State of any specimen harvested in the marine environment beyond the jurisdiction of any State. As indicated in the CoP19, the implementation of CITES for marine species is very low, and there is very few reporting by Parties on IFS (e.g. Japan for whale species). There are many countries that are active in fishing on the high seas, but which are not issuing IFS certificates. None of the countries participating in the workshop seem to be issuing IFS certificates. Countries in the Latin American and the Caribbean region should take this opportunity to demonstrate good practice and become champions in IFS. If a vessel flying the flag of State A is operating in the exclusive economic zone (EEZ) and lands in State B, this trade transaction concerns import/export. If a vessel flying the flag of State A is operating on the high seas and lands in State B, this trade transaction concerns import/export. Only where a vessel flying the flag of State A is operating on the high seas and lands in State A, a one-State transaction, then it is IFS. In certain countries, such as Panama, there is a very large national fleet over which Panama has no control.
15. Lastly, the issue of LAF is regulated in [Resolution 18.7 \(Rev. CoP19\)](#), which is required prior to the issuance of a CITES export permit. The Parties have discussed the process of making LAF in an international workshop on LAF, where a rapid guide for the making of LAF was revised and further adopted at the CoP19. This process includes a series of five steps of verifying and documenting the legality in the international trade of species under CITES, from the moment the species leaves its environment (place of origin) to the moment the species is in possession of the exporter. In this process, CITES considers the evaluation of risks, the custody, requiring detailed information, and the applicant must prove all the necessary evidence of LAF to the CITES MA. The guiding principles of LAF are: flexible process (with risk evaluation), public process (to facilitate the compilation of required information and ensure clarity to the applicants), proportionality (to ensure the information provided is sufficient to prove that the specimen of a CITES-listed species has been legally acquired), registry of exports issued (to keep the information about the LAF). The fact that certain countries prohibit fishing of CITES-listed species does not prevent illegal international trade. It is important to understand what countries are doing to conserve sharks as well as to combat illegal trafficking. It is also important to note that the LAF process should not be overregulated as to create cumbersome and difficult processes for the countries to follow, leading to illegal activities. The CITES Secretariat is developing mechanisms in collaboration with FAO to facilitate and automatize the making of LAFs, for example, through the development of [CITES-LEX](#).

3. Using the FAO-CITES Legal Study and Guide

16. **Manuela Cuvi** began the presentation by introducing the [FAO-CITES Legal Study and Guide](#), explaining that it is a sourcebook with two parts. The first part of the Study clarifies the linkages between the CITES regime and the fisheries sector, and the potential role that CITES regulatory approaches and tools can play in the fisheries sector and vice versa. Potential users of this sourcebook include all participants of the workshop and more, both public and the private sectors, academia, scientific researchers, and fishers. The Study explains the Convention and its implementation in the fisheries context and includes important Annexes where users can find information about how CITES works and the specific species commercially exploited by the fisheries sector included in CITES Appendices. Such species include species of whales and turtles, which were in CITES Appendices since the early years of the Convention, as well as species that have been included in CITES Appendix II in subsequent CoPs: basking sharks whose meat and fins are commercially exploited, and whale sharks, also used for ecotourism, were included in Appendix II in 2003; all species of seahorses used for traditional medicine and aquariums' exhibition were included in Appendix II in 2004; the Maori wrasse species, an important reef fish used for food consumption, and the great white shark, one of the species of highest value per unit, were included in Appendix II in 2005; other species of sharks and rays in Appendix II in 2013 and 2016; and finally more important species of sharks were included in Appendix II in the latest CoP in 2019. In the Annex B of the Study, users can find all the species that are commercially exploited by the fisheries sector (Annex B.1) as well as the species that are impacted by the fisheries sector or subject to incidental catch or bycatch (Annex B.2).
17. The Study also highlights the interactions between CITES and the fisheries sector. International trade is vital to this sector, as the fishery products are among those most internationally traded, covering about 38 percent of the world's capture fisheries or 67 million tons in 2018. The increase in capture fisheries and international trade in fishery products raises concerns about the sustainability of the resources. While there are challenges with respect to data collection and the capacity of fisheries authorities, the statistics are concerning: 2 341 species are endangered (as of 2019), most of which are not in the CITES Appendices. There are many synergies between CITES and fisheries, as demonstrated in Table 4 of the Study. Therefore, it is fundamental to the coordination between the respective authorities in charge of CITES and fisheries. One of the challenges in ensuring this coordination stems from the fact that different representatives from national authorities participate in the different meetings of RFMOs, CITES and FAO, where there may be different positions and interests being supported.
18. **Julia Nakamura** continued by presenting the Guide for the implementation of CITES through national fisheries legal frameworks. This Guide provides the main considerations and key elements that need to be considered in the national legal frameworks with the objective to contribute to the objectives and requirements of CITES. The Guide is for use by all States, both Parties and non-Parties to CITES interested in implementing certain elements of CITES, with a view to enhance their national fisheries legal frameworks for better implementation of CITES in the fisheries sector. The objectives of the Guide are to evaluate the national legal framework, verify if the CITES legal requirements are adequately established in such framework and ensure that the fisheries sector recognize, apply, comply with such requirements. This guide was developed to strengthen and complement the existing initiatives, notably the [CITES National Legislation Project \(NLP\)](#). The first preliminary consideration is, thus, to verify in which category (1, 2 or 3) the CITES national legislation is placed under the NLP. The national legislation is considered in a given category depending on

the number of minimum requirements that are met. In the Guide, there is a box with the NLP's categorization of countries, explaining the four minimum requirements, which are (i) to establish at least one CITES MA and one CITES SA; (ii) prohibit international trade that contravenes the Convention; (iii) provides penalties for such illegal trade; and (iv) the confiscation of species illegally traded or confiscated. If the CITES national legislation meets all the minimum requirements, it is in category 1; if the CITES national legislation meets one to three minimum requirements, it is in category 2; and if it meets none of the minimum requirements, it is in category 3. The guide suggests countries with CITES national legislation in category 2 or 3 should first seek orientation from the CITES Secretariat or the respective national CITES MA to enhance the minimum requirements for CITES in the concerned legislation.

19. The second consideration is to, once it is understood that there is a need to enhance the national fisheries' legal frameworks for better implementation of CITES in the fisheries sector, identify the CITES-specific legislation and the fisheries-specific legislation. The use of the [FAOLEX database](#) is recommended where there are country profiles with lists of national legislation organized by themes, including "wildlife and ecosystems", which contains CITES-specific legislation. After identifying the two groups of legislation (fisheries and CITES), the third consideration is to examine the CITES-specific legislation against the key fisheries elements for CITES and to examine the fisheries-specific legislation against the key CITES elements for fisheries. Finally, the fourth consideration is to, based on the analysis done previously and the identification of gaps and provisions that need improvement, ensure that the legislation is coherent, consistent and complementary. If there is an understanding of the need for drafting new fisheries legislation or amending the existing one for better CITES implementation, the user may then rely on the legislative options of the Guide to support this undertaking. Part 6 of the Guide contains several examples of fisheries legislation which already contain useful provisions that serve as good practices of certain countries in reflecting key elements of CITES in their national fisheries legislation. The summary table of the Guide contains the legislative options organized in the structure of a typical fisheries legislation to help the analysis and verify if such options are indeed relevant for the different parts that a fisheries legislation may provide.

4. CITES legal implementation in Latin American and the Caribbean

4.1 Argentina

20. **Daniel Ramadori**, CITES Management Authority of Argentina, Secretariat of Environmental Policy and Natural Resources, Ministry of the Environment and Sustainable Development (MAyDS), began by explaining that Argentina has a federal regime, where each Province has its normative framework regulating natural resources within its territory (see Constitution of Argentina, Article 124). There are 24 Provinces, which exercise jurisdiction over the 12 nautical miles of the respective marine territories. The nation has jurisdiction over the federal transit, export and import activities. There are also national management plans for the conservation and management of different species. This political and legal organization creates a challenge for coordination among the different Provinces' normative frameworks for fauna, flora, and fisheries.
21. Pursuant to the Constitution of Argentina, international treaties are internalized by laws. Law No. 22.344 approves CITES in Argentina, and Decree No. 522 of 1997 regulates and incorporates CITES provisions in the national legal framework. Also important are Law No. 22.421 of 1981 (declares of public interest the wildlife fauna as well as its national protection, conservation, dissemination and repopulation) and Decree No. 666 of 1997 (regulates Law 22.421, establishing requirements for the protection and conservation of the wildlife fauna, import, export and interprovincial trade). Article 3 of Law 22.421 clarifies the meaning of "wildlife fauna", which does not include the animals covered by the fisheries legislation, notably Fisheries Law No. 24.922. Following the inclusion of various species of sharks at CoP16 in 2013, the Ministry of Environment and Sustainable Development, one of Argentina's CITES MA, adopted Resolution No. 321 of 2015 regulating CITES permits for fisheries resources included in CITES Appendices. Order No. 186 of 2022 of the Fisheries and Aquaculture Subsecretary also endorses the CITES requirements within the National System for the Certification of Legal Catch.
22. In Argentina, there are two CITES MA: (i) the *Dirección de Asuntos Ambientales* (DIGMA) [Directory of Environmental Affairs] under the Ministry of Foreign Affairs, International Trade and Worship, which is in charge of coordination and communication activities; and the (ii) the Secretary of Environmental Policy in Natural Resources, under the Ministry of the Environment and Sustainable Development, which is in charge of issuing CITES permits. As for the CITES SA for fisheries issues, there are four: (i) the *Subsecretaría de Pesca y Acuicultura* (SSPyA) [Subsecretary of Fisheries and Aquaculture], under the Secretary of Agriculture, Livestock and Fisheries; (ii) the *Instituto Nacional de Investigación y Desarrollo Pesquero* (INIDEP) [National Institute of Fisheries Research and Development]; (iii) the National Directory of Environmental Management of Water and Aquatic Ecosystems and Aquatic Resources in general; and (iv) the Foundation CETHUS for marine fauna in general with a focus on marine mammals.
23. **Juan Federico Bernarsconi**, Technical Expert of the Coordination of Fisheries Management, Directorate of Fisheries Planning, Undersecretariat of Fisheries and Aquaculture of the Nation, Ministry of Economy, continued with the presentation on fisheries administration and management, which is regulated by the Federal Fisheries Law No. 24,922. This law creates the Federal Fishing Council (CFP) in charge of implementing fishing policy and management, issuing fishing permits, establishing maximum allowable catches, quotas and other

management measures based on scientific advice and evaluations carried out by the National Institute of Fishing Research and Development (INIDEP). There are closed fishing zones combined with area openings and closures, as well as fishing effort restriction zones. Each of the main target species has different behavioural patterns, so that fisheries management requires an administration adjusted to these requirements. In terms of fisheries monitoring, control and surveillance (MCS), fishing vessels must submit a sworn declaration of their landings in port (fishing report), where the control and inspection of landings is carried out by inspectors (landing report). This information is integrated into the National Fishing Information System (SIFIPA) databases for different requirements and tasks. The national fleet uses a satellite monitoring system (VMS) that reports the position of the vessels every hour.

24. **María Isabel Molina**, Coordinator of Catch and Export Certification of the Undersecretariat of Fisheries and Aquaculture of the Nation, continued the presentation by presenting the National System of Digital Certification of Catches and Fishery Exports of the Argentine Republic. This system, in force since January 1, 2010, aims to certify that catches, both those under national and provincial jurisdiction, have been made in accordance with applicable national laws and regulations, as well as with international management and protection measures. The National System of Digital Certification of Fishing Catches and Exports works along three main lines of action: i. to guarantee the traceability of fishery products throughout the entire value chain, from their capture, unloading, processing and transportation to their commercialization; ii. to become a tool that promotes compliance with management and conservation standards; iii. to strengthen cooperation between the States that have the necessary measures to protect and manage their catches; iv. to strengthen cooperation between the States that have the necessary measures in place to ensure the traceability of fishery products. iii. strengthen cooperation among the States that subscribed to the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) adopted by the FAO Committee on Fisheries in 2001, as well as with those countries that will join the global scheme for sustainable catch and trade in the future.
25. In 2022, the Argentine Republic became the first exporting country to digitally issue Legal Catch Certificates for those destinations that present this requirement in order to authorize the entry of fishery products (European Union, Japan and Chile). That same year, the Commercial Transactions Module was implemented within the Integrated Federal System of Fisheries and Aquaculture Information, allowing administrators to record product processing and marketing in real time. Finally, the presentation highlighted that in the development of the National Legal Catch Certification System, the requirements of all the catch documentation schemes to which Argentina has subscribed, including CITES and CCAMLR, were taken into account.
26. **Juan Federico Bernarsconi** noted that there are currently no records of exports or significant catches in volume of marine cartilaginous species included in the CITES Appendices. MADyDS Resolution No. 321 of 2015 establishes the mechanisms between the relevant authorities in the event that any such CITES-listed species are intended to be exported. The main management measures for cartilaginous fish fisheries in Argentina are established in Resolution No. 8 of 2021 and No. 19 of 2022 of the PIC, integrating regulatory background at the national level since 2013. It is important to highlight that Article 7 establishes that all specimens of large sharks (including species included in the CITES Appendices) caught incidentally must be returned to the sea quickly and in the least traumatic way possible to maximize their survival. All species found dead should be declared, preserved and landed, and their transfer should be coordinated exclusively to a research institute, or an on board

observer should be notified. In addition, progress has been made in the measures adopted for the management of chondrichthyans, with: the publication of a guide on Good Fishing Practices and the return of cartilaginous fish caught by the Argentine commercial fleet; the implementation of the temporary closure for the protection of juveniles and reproductive groups of chondrichthyans in the Argentine-Uruguayan Common Fishing Zone since 2007, as well as the annual implementation of total allowable catches (TAC) in these zones established since 2010-2011; the implementation of the temporary closure in "El Rincón" prohibiting bottom net fishing since 2005; and the monitoring and workshops of the National Action Plan for chondrichthyans (PAN-Tiburón) implemented since 2009.

4.2 Brazil

27. **Sara Mota**, Public Servant, *Instituto Brasileiro do Meio Ambiente e Recursos Naturais Renováveis* (IBAMA) [Brazilian Institute of the Environment and Renewable Natural Resources], begins by mentioning that Brazil's legal framework looks a bit like the Argentinian one. Brazil's Federal Constitution of 1988 contains a provision dedicated to the environment, and Decree No. 3.607 of 2000 establishes the provisions for the implementation of CITES in Brazil, designating the IBAMA as the CITES MA, and the IBAMA, *Instituto Chico Mendes para Biodiversidade* (ICMbio) [Chico Mendes Institute for Biodiversity] and the Rio de Janeiro Botanical Garden as the CITES SAs. These CITES SAs can designate natural or legal persons widely recognized for the scientific capacity to support the CITES SAs in the fulfilment of its functions. The Ministry of Foreign Affairs (Itamaraty) follows up, monitors and guides Brazil's official position in the CITES meetings, conferences and negotiations. In Brazil, among CITES-listed species, the species of *Arapaima gigas* (pirarucu) is of particular importance in the Amazon region, highly consumed and exported, used for making clothes and by local traditional communities. The harvesting of pirarucu has increased significantly over the last five years. Only in the State of Amazon are these species regulated and its trade prohibited. There is also the *Hypancistrus zebra* (zebra pleco) in the Amazon region, an endemic species subject to trafficking and whose catch is prohibited. Species of *Hippocampus* (seahorses) are used for aquaculture in the Northeast and Southeast regions. Brazil has developed an NDF for *Isurus oxyrinchus* (Mako sharks), and sharks are regulated by a specific legislation, Normative Order No. 14 of 2012. The fisheries sector often conflicts with the measures adopted by IBAMA, and there has been a high demand for the export and trafficking of shark fins.
28. **Luana Sêga**, Chief of Unit (Industrial, Recreational and Sportive Fisheries), Ministry of Fisheries and Aquaculture, continued the presentation, noting that there have been several institutional changes over the past decades regarding the authority in charge of fisheries, which increases legal uncertainty. The current Ministry of Fisheries and Aquaculture includes the National Secretary for Industrial Fisheries, the National Secretary for Artisanal Fisheries, the Secretary for Registration, Monitoring and Research, and the National Secretary for Aquaculture. Also important to fisheries are the Ministry of Environment and Climate Change, the Department of Management of Shared Fisheries Resources, and the IBAMA. Brazil's great challenge is managing fisheries across its wide territory with vast inland waters and coastal areas. Regions generally carry out fisheries management. For marine species, the relevant regions are the North, Northeast, South and Southeast. Brazil has a register of all fishing vessels, which currently contains 24 633 fishing vessels registered, of which 23 757 are artisanal fishing vessels, 815 are medium-scale fishing vessels, and 60 are large-scale fishing vessels. A re-registering process is currently in place to update the numbers and improve the control over fishing vessels. A system of registration of fishers is also in place and being updated. Recently, an onboard mapping system was launched where all industrial fishing vessels and certain artisanal fishing vessels must present the onboard map with information about catches

and landings. This system was operated by IBAMA using written paper documentation, but this system was digitalized and launched in 2022 to ensure the information provided is automatically made available online to the public. There is also the VMS required for all fishing vessels measuring more than 15 meters. This VMS is linked with the Global Fishing Watch. Brazil also has a Brazil Fisheries Network, with ten Permanent Committees for Participatory Fisheries Management and Sustainable Use of Fisheries Resources (marine and inland), some organized by regions and others by species. Brazil participates in meetings of the International Commission for the Conservation of Atlantic Tunas (ICCAT), FAO, and the Western Central Atlantic Fishery Commission (WECAFC). Brazil is also committed to marine spatial planning by 2030 and has a Committee to Combat IUU Fishing (created by Order No. 127/MB/MD of 16 June 2022). Within the Ministry of Fisheries and Aquaculture, there is a Certificate of Accreditation of Legal Origin, regulated by Normative Order No. 1 of 2014, which functions as an LAF for species subject to export but not for CITES-listed species. The said Ministry collaborates with universities and scientific researchers to improve data collection. The main challenges for Brazil include the capacity for fisheries inspectors in identifying species that are CITES-listed; the making of LAF, which relies on the review and compilation of legislation; verification of the origin of specimens and monitoring of the fisheries value-chain, which should be based on a shared and standardized information system; and the capacity of the CITES SA for the development of NDFs.

29. **Sara Mota** notes that in Brazil, there has not been adequate monitoring of fisheries catches over the last decades. There is no statistical data on fisheries, and it is hoped that the new Ministry of Fisheries and Aquaculture will advance on this endeavour. The onboard mapping system is a way to monitor marine species and generate statistical data, but there is no system for monitoring the fishing of inland species. Brazil needs assistance to develop a more organized system of data collection and improve fisheries management in the country.

4.3 Chile

30. **Ricardo Sáez**, Chief of Unit (Conservation and Biodiversity), Fisheries and Aquaculture National Service, Ministry of Economy, highlighted Law No. 20962, which applies CITES in Chile, providing for the designation of CITES MA, SA and enforcement authority, the registration of trade in CITES-listed species, penalties and sanctions, among other rules. While this law regulates Chile's obligations under CITES, the aspects of plant and animal health are regulated by the existing special legislation, which prevails over that law. The law also allows the State of Chile to adopt measures more restrictive than those established by the Convention. There are four CITES MAs in Chile: (i) the *Corporación Nacional Forestal* (CONAF) [National Forestry Corporation], under the Ministry of Agriculture, dedicated to the terrestrial flora; (ii) the Service for Agriculture and Livestock, which covers the terrestrial fauna; (iii) the *Servicio Nacional de Pesca y Acuicultura* (SERNAPESCA) [National Fisheries and Aquaculture Service], which covers the hydrobiological species; and (iv) the Directorate of Environment and Marine Species, under the Ministry of Foreign Relations, which coordinates with the CITES Secretariat and presides the National CITES Committee. There are also enforcement authorities, including the Police and the National Customs Service, whose respective organic laws determine their functions and competence. There is an ongoing process for designating an authority dedicated to the marine species among the CITES SA in Chile.
31. There are currently no CITES permits issued for commercial shark species. There are permits for biological samples of scientific interest, especially reptiles, cetaceans and cold-water corals. There are also CITES permits for Appendix I species and for aquaculture products for sturgeon species and their associated products. The requirements for the issuance of a CITES permit

include an application supported by documentation, which may be a legal origin authorization or similar document, a research fishing permit, a pre-CITES permit, or a CITES import permit issued by the CITES MA of another country. SERNAPESCA, as CITES MA, issues the CITES permit for species and hydrobiological resources, as appropriate. Chile also collaborates with the customs authorities of other countries, such as Peru.

32. **Francisco Fernández Urzúa**, Fisheries Subdirector, SERNAPESCA, Ministry of Economy, noted the work in Chile concerning traceability in fisheries. As Chile is a Member of the Commission on the Conservation of Antarctic Marine Living Resources (CCAMLR) and the South Pacific Regional Fisheries Management Organization (SPRFMO), and Cooperating Non-Member of the IATTC, Chile periodically reports information and catch data based on the information collected through national reports and VMS, which is available to the public. Inspection at the port is also carried out with a view to meet the obligations under the PSMA and the applicable conservation and management measures. A public electronic Traceability System is available to the public and for use by the SERNAPESCA to upload information about all activities along the fisheries value chain.

4.4 Costa Rica

33. **Ana Isabel Azofeifa**, CITES MA for fisheries and aquaculture species, clarified that there are two CITES MAs in Costa Rica, one for fisheries and aquaculture species and another for species of fauna and flora that are not of interest to the fisheries sector. There are two CITES SAs: the Technical Scientific Committee for species of interest to the fisheries and aquaculture sector; and the Representative Council of Scientific Authorities. Other authorities involved in fisheries and aquaculture are: the *Instituto Costarricense de Pesca y Acuicultura* (INCOPESCA) [Costa Rican Institute for Fisheries and Aquaculture], the *Servicio Nacional de Salud Animal* (SENASA) [National Service for Animal Health], the Ministry of Environment, and the *Promotora de Comercio Exterior* (PROCOMER) [Foreign Trade Promoter]. Several legal instruments implement CITES in Costa Rica, including: Executive Decree No. 42842-MINAE-MAG, Executive Decree No. 43900-MAG-MINAE, AJDIP/415-2003, Law No. 8436, Resolution C-11-10, Executive Decree No. 37354-MINAET-MAG-SP-MOPT-H, Executive Decree No. 38027-MAG, AJDIP/026-2018, AJDIP/067-2018, AJDIP/077-2020, AJDIP/143-2020 and AJDIP/144-2020. The latter approved the creation of a Commission for MCS and the implementation of the NPOA-Sharks. The traceability process for the making of LAF goes through the landing, buying of fish products, processing, application for export, inspection, checking of documents, approval, and issuance of the CITES permit. The process of exporting begins with an application by the interested party, followed by the inspection to verify that the species are authorized to be exported according to the applicable rules; revision of species, volume and information; registration of the data collected and of the export volumes; where applicable, conversion; and approval, or three-days for complying with pending requirements prior to approval.
34. For the NDF, Costa Rica has NDFs for the period 2021–2023 species of *Carcharhinus falciformis* (silky sharks) and *Alopias* (thresher sharks), and pending NDFs for *Isurus paucus* (mako sharks), as there has been no export, and for *Sphyrna* (hammerhead sharks) the trading of which is currently prohibited. The main challenges include obtaining biological data; improving the traceability system; capacity of the technical personnel and financial resources to deal with the inclusion of new species in the Appendices; identification of subproducts; IF5; and negative NDFs, which leads to illegal trade. It is important to have fisheries experts dealing with the issuance of permits for CITES-listed species commercially exploited by the fisheries sector, given that before, the experts were not specialized in fisheries. There have been some issues with non-governmental organizations (NGOs) which have committed to support in previous

meetings, but are not often able to implement the project according to what the country actually needs. There is a need to improve local data for NDFs and disaggregate data from the local fisheries and the transboundary migratory species, or obtain support from RFMOs for such species. It is also important to have reporting of illegal trade as well.

35. Costa Rica is developing a technological tool. The INCOPECSA uses various forms for fisheries management (fishing logbooks, landing documentation, etc.), and the objective is to incorporate all these forms into a digital platform, developing the capacity of the inspectors to use this platform. There is another digital tool for the management of CITES permits and certificates to simplify the process for users and allow them to fill in all the information within the same system. All the documentation is to be uploaded into this system. The idea is to link the two tools to ensure cross-control using both tools. There is also a traceability system, "Trazar-Agro", developed by the International Regional Organism for Plant and Animal Health, of which Costa Rica is part. It has been 13 years since the system was developed, but Costa Rica has not effectively implemented it yet. Finally, opportunities exist to create a tool, within the Integrated System for the Processing and Handling of Environmental Complaints, which allows one to issue a complaint regarding illegal trade in CITES-listed species, alerting the INCOPECSA, the inspectors, and police.

4.5 Cuba

36. **Viana Pérez**, Policy Expert, Office of Environmental Regulation and Security, informed that generally, the national legal framework began with the adhesion of Cuba to CITES in 1990. By 1994, the Ministry of Science, Technology and Environment was created, and one year later, it was designated as the CITES MA. In 1996, Resolution No. 87 was adopted, incorporating the requirements under CITES. In 2015, Cuba approved the NPOA for the Conservation and Management of Sharks, with several activities and action points for the research, regulation, monitoring, and education, aiming to manage and improve the conservation of such species in Cuba. In 2019, Fisheries Law No. 129 was approved to manage the conservation of marine species and biological resources. In 2022, Law No. 150 on the System of Natural Resources and Environment was approved, establishing the principles and fundamental rules that regulate the actions of the State, citizens and society to ensure the implementation and functioning of the system of natural resources and environment. In 2023, a new regulation on the control of biodiversity, which implements CITES (thus replacing Resolution No. 87) and other international conventions relating to biodiversity will be adopted. The institutions involved in CITES are under the Ministry of Science, Technology and Environment: *Oficina de Regulación y Seguridad Ambiental* (OR-CITMA) [Office of Environmental Regulation and Security], which is the CITES MA, and *Instituto de Ciencias del Mar* (ICiMAR) [Institute of Sciences of the Sea], which is the CITES SA for marine species.
37. **Raidel Vejerano**, General Director, *Centro de Investigaciones Pesqueras* (CIP) [Fisheries Research Centre], continued the presentation by noting the other institutions involved in the fisheries sector: CIP, in charge of investigation, scientific-technical services and technological transfers; the Directory of Fisheries Regulations and Science (in charge of issuing fishing concessions, permits and licences); the Fisheries Advisory Council (which approves the fisheries regulations) and the National Office of State Inspection (which monitor the compliance with regulations).
38. **Viana Pérez** clarified that the process involving CITES and fisheries usually concerns a fishing enterprise that applies for a fishing licence from the fisheries authority, as well as an environmental licence to the CITES MA. The latter then consults with the CITES SA and other

relevant authorities in relation to the NDF if the species concerns a CITES-listed species, subject to export, after which there is also control by the Customs authority. Three main legal instruments are important for the making of LAFs for marine species: Resolution No. 160 of 2011, which regulates the control and protection of species of special significance to the biological diversity in the country; Resolution No. 18 of 2020, which regulates the process for issuance of fishing authorizations in Cuba; and Resolution No. 87 of 1996, which regulates the requirements under CITES.

39. In Cuba, no NDFs have been developed for sharks or rays. These species are considered incidental catch or bycatch. In the case of marine species, NDFs have been made for *Strombus gigas* (queen conch), *Scleractinia* spp. (live coral reefs), *Tursiops truncatus* (bottlenose dolphins), dark corals and sea cucumber. The NDFs are developed based on the information provided by the fishing enterprises with support from CIP. As regards IFS, there are no IFS certificates issued, given that fishing by Cuban fishing vessels is carried out within Cuba's EEZ.
40. Challenges include: lack of information, human and financial resources, which are insufficient for pursuing the necessary research; traceability of specimens and fishing vessels; and control and identification of specimens listed in CITES Appendices.

4.6 Dominican Republic

41. **Angel Luis Franco**, Director of Fisheries Resources, *Consejo Dominicano de Pesca y Acuicultura* (CODOPESCA) [Dominican Council for Fisheries and Aquaculture], highlighted the importance of interinstitutional integration. In the Dominican Republic, the CITES MA is the Ministry of Environment and Natural Resources, and there remains a need for more collaboration between this authority and the fisheries authority (CODOPESCA). The environmental normative framework includes the main Law No. 64-00 of 2000, which creates the said Ministry and provides rules for the conservation, protection, improvement restoration and sustainable use of the environment and natural resources. The Law No. 333 of 2015 on Biodiversity further provides the application of such principles in an equitable and fair manner. Other important legal instruments are: Law No. 202 of 2004 on Protected Areas; Decree No. 1288 of 2004 on the implementation of CITES at the national level; Decree No. 288 of 2012, which prohibits the harvesting of five species of marine turtles; and Decree No. 499 of 2009 establishing a temporal closed season for queen conch (from July 1st to October 31st). Of most importance for this workshop is Resolution No. 0023 of 2017, which prohibits harvesting, trading, importing and exporting species of shark and ray species. For the implementation of CITES in the fisheries sector, other institutions are relevant and support, notably the Specialized Prosecutor's Office for the Defence of the Environment and Natural Resources. The economic impact of wildlife trafficking demands action from various enforcement authorities, including Customs and the Prosecutor's Office, among others. The Dominican Republic shares borders with Haiti, and there is trafficking of fisheries resources.
42. Law No. 307 of 2004 created CODOPESCA to support the country's fisheries and aquaculture sector, in accordance with the principles of responsible fishing and sustainable use. CODOPESCA's Board of Directors is made up of several entities, including the Secretariat of Agriculture (now the Ministry), which presides it, the Secretariat of Environment and Natural Resources (now the Ministry), representatives of the Fishermen and Aquaculture Associations, among other entities. In the Dominican Republic, fishing activity is completely artisanal, and although there are official landing sites, it is very difficult to control illegal fishing activities. There is a single form to apply for a licence to fish, import or export fish or fish products. The duration of the fishing licence is two years and can be renewed. There are two types of fishing

vessel registration: one from the fishing authority and one from the maritime authority.

43. In recent years, shark fishing in the Dominican Republic has been banned through Resolution No. 0023 of 2017, which prohibits the capture, trade, import and export of all shark and ray species; the fishing gear used is very specific, so bycatch or incidental catch is very low. It is possible to catch only one shark as bycatch in a six-month period, which is reported by the fishermen, as required. Eating sharks is not part of the Dominican Republic's culture, which is generally uncommon among seafood consumers. People are used to eating reef fish and aquaculture products. In addition, awareness has increased through education, socialization and vigilance by the parties, fishermen and competent authorities.

4.7 Ecuador

44. **David Veintimilla**, Expert in Protected Areas, MAATE, explained that the MAATE is the designated CITES MA, with competence for the implementation of CITES, and the CITES SA in charge of marine issues is the. The authority in charge of fisheries in Ecuador is the Ministry of Production, Foreign Trade, Investment and Fisheries, which has undertaken initiatives for the management of sharks – for instance, the prohibition of incidental catch in shark species (Executive Decree No. 486 of 2008) and the adoption of the Agreement MPCEIP-SRP-2022-0002-A of 2022, which provides for conservation and management measures in waters under national jurisdiction and the areas of the Inter-American Tuna Commission (IATTC). On the environmental side, the main legislation is the Environmental Regulation Organic Code, which establishes the authority responsible for the implementation of CITES. There are also the Customs authorities that control and monitor the borders. As regards the species of sharks and rays included in Appendix II, certain species were regulated in Ecuador, with, for instance, the prohibition of fishing *Manta* spp. in 2010 and *Sphyrna* (hammerhead sharks) in 2020. In respect of NDFs, Ecuador has developed three NDFs for: *Isurus oxyrinchus* (Mako sharks), *Alopias superciliosus* (bigeye thresher sharks), and *Carcharhinus falciformis* (silky sharks). With the inclusion of new species of sharks in Appendix II, Ecuador is in the process of developing NDFs.
45. **Karla Bravo**, Interinstitutional Coordinator, Ministry of Production, Foreign Trade, Investment and Fisheries, presented the NPOA-Sharks, which is based on four components: (i) a system of information and monitoring and applied research, for implementing an integrated data system, ensuring constant scientific and technical data collection, and establishing a program of applied research; (ii) regulations, management and incentives for developing adaptive management measures; (iii) education and outreach for developing and implementing a programme of sustainable management outreach; and (iv) control and surveillance for maintaining the compliance of fisheries management rules applied to sharks. The fisheries inspectors monitor the landing in different ports at the national level and issue a certificate of control of the landing, with information about the fishing vessel, registration, the catches composition and bycatches, which serves to document the origin of the catch. A document is also issued for bycatches with information about the fishing vessel. Landing can only be performed in authorized ports. Sharks cannot be landed in parts or pieces, but only the full body of the shark.
46. Coordination is carried out between the fisheries authority and the CITES authority for the issuance of CITES permits. Since 2015, there has been a platform linked with the systems of the fisheries and environmental authorities, as well as with the Customs authority. This platform is fundamental for the traceability of the fisheries product. About 267, of which 256 fisheries inspectors and 11 technical experts, are distributed across ten Provinces. They monitor and control fisheries at the national level. Fisheries observers are present in different fishing

vessels and fisheries to register the biological data of each fishery. For an export permit application, the applicant must provide all required information and documentation, including the document about the incidental catch. There are various filters prior to advancing on the application process, for instance, the verification of all the documentation provided and physical inspection of the product. After all the verifications are made, the Ministry of Production, Foreign Trade, Investment and Fisheries passes the information to the CITES MA to issue the CITES permit.

47. **David Veintimilla** added that Ecuador continues to advance cooperation between the relevant authorities. One of the laws provides that the CITES MA, together with the CITES SA, must decide the requirements for incidental catch, which is fundamental to determining the exact fishing capacity and limits for these incidental catches. There is also an ongoing inter-ministerial agreement to formalize the coordination and ensure that the institutions cooperate independently from institutional changes that may occur in the future and fix the processes of coordination and cooperation. Ecuador also has a specific scheme for handling shark species and their fins, which can help the adequate export of such species pursuant to CITES requirements. It is important that the control activities and processes are carried out physically for all CITES-listed species to ensure that they are well documented for traceability.

4.8 El Salvador

48. **Marcela Chinchilla**, Chief (Animal Protection), Ministry of Agriculture and Livestock, reiterated the importance of the workshop for the countries in preparation for the inclusion of new shark species in CITES Appendix II, which will enter into force in November 2023. El Salvador has laws dedicated to the management of fisheries resources and natural resources in general, which contribute to the management of species of sharks and rays. This normative framework includes: the Constitution of the Republic of El Salvador; Legislative Decree No. 355 of 1986 providing for the ratification of El Salvador to CITES; the Criminal Code of 1977 with provisions relevant to the protection of habitat and resources; Wildlife Conservation Law of 1994; the Special Regulation for international trade in endangered species of wild fauna and flora of 2009; Agreement No. 74 with the official list of wild species threatened or in risks of extinction of 2015; and General Law on Fisheries and Aquaculture Management and Promotion of 2001. Other national legislation relevant to CITES are: the Environmental Law of 1998; the Resolution for the establishment of management measures to combat shark finning of 2006; the Special Law for the prohibition of shark finning of 2012; the Resolution prohibiting fishing of hammerhead sharks of 2014; the CODEX STAN 189 of 1993 on rules for dry shark fins; the Regional POA-Sharks of 2022 and the NPOA-Sharks of 2012. A CITES Resolution from the *Centro de Desarrollo de la Pesca y la Acuicultura* (CENDEPESCA) [Centre for Fisheries and Aquaculture Development] is currently under revision.
49. **Numa Hernández**, Chief (Fisheries and Aquaculture Management), Ministry of Agriculture and Livestock, explained that there are 14 Departments in El Salvador, 262 Municipalities (27 of which are located in the coastal area, and in four, there are landings of shark species). The majority of El Salvador's fleet is artisanal, with 30 927 artisanal fishers, of which 8 804 are inland artisanal fishers (4 425 inland fishing vessels across 62 freshwater bodies), and 22 123 are marine artisanal fishers (6 200 marine fishing vessels across 321 km of coast). There is also industrial fishing, which includes 55 marine shrimp fishing vessels, 8 tuna fishing vessels, and 1 longline fishing vessel.
50. **Marcela Chinchilla** clarified that the CITES authorities are involved with other authorities depending on the CITES-listed species of concern. The CITES MA is the Ministry of Agriculture

and Livestock, and the CITES SA is the Ministry of Environment and Natural Resources. Other authorities interacting with the CITES authorities are: the National Civil Police, the General Customs Directorate, the Navy Force, and CENDEPESCA, the latter of which is the fisheries authority in El Salvador.

51. **Numa Hernández** explained that a digital platform exists through which users can apply and upload the documentation for a CITES permit. This system allows for mapping the international trade in CITES-listed species and verifying the documents and information related to the exported products. Precautionary trade measures have also been put in place. Since the inclusion of shark species in CITES Appendices, a dedicated National Committee on Sharks was created, with the participation of representatives from the CITES MA, SA, the fisheries authority and the Animal Products Inspection Division within the Ministry of Agriculture and Livestock. This committee meets regularly to discuss follow-up actions for meeting CITES requirements and decisions adopted at CITES CoP19. This year, 2023, there is also a pilot program with exporter users, engaging with artisanal fishers to understand the requirements for improving catch documentation, and developing the capacity of inspectors from the fisheries authority to carry out the inspection, completion of forms, and develop a new procedure for the international trade in marine species listed in CITES Appendices.
52. **Marcela Chinchilla** noted that, in this process, an interinstitutional protocol was created, the review of forms and requirements for users, definition of steps for proceeding with export, designation of ports for landing of sharks, definition of a process of technical inspection related to the export (which can be linked with the LAF), taking into account all applicable legal requirements throughout the process. Regarding the NDF for shark species, Agreement No. 74 of 2015 on the official list of wild species threatened or at risk of extinction is currently being updated, and a resolution on measures for the exploitation and trade in shark species regulated by CITES is subject to legal review. For future planning, it is expected that more NDFs will be developed for shark species and more technical assistance will be obtained to develop more research and support scientific findings. Activities are being carried out to strengthen the technical capacity of fishers and inspectors, who can support the qualified technical personnel. The aim is to improve the monitoring of traceability of the product in the national and international market and raise awareness of the national population for sustainable consumption of fish and fishery products.

4.9 Guatemala

53. **Alejandra Contreras**, Support Technique, Legal Directorate of Fisheries and Aquaculture, Ministry of Agriculture, Livestock and Food, is in charge of following up on the National Action Plan for the protection and management of sharks, rays and chimaeras in Guatemala. Alejandra explained that Guatemala has territorial waters in the Atlantic and Pacific oceans. Fisheries is categorized into different types: fishing for subsistence, artisanal, commercial (small, medium or large-scale and tuna), sportive, and scientific. About 90 percent of the fisheries is small-scale, artisanal and subsistence. Sharks are fished only on the Pacific coast by licenced commercial fishing of small and medium-scales, but not by industrial fishing. Sharks are subject to incidental catch on the Atlantic coast, but no licensing exists for such species. The fishing communities of the Atlantic have recognized the importance of conserving fishery resources, and there is currently in place a four-month closed season for sharks (from 1 May to 30 August) and for queen conch species (from 1 July to 30 October). Fishing on the Pacific coast covers 134 species (65 percent marine and 35 percent inland) while fishing on the Atlantic coast covers about 60 species, mostly marine species. Fisheries are regulated by Fisheries and Aquaculture General Law Decree No. 80-2002 and its regulation, Government

Accord No. 223 of 2005. Since last year, this law and its regulation are being revised and updated to meet the current needs for the conservation of fisheries resources.

54. **Kenya Diaz**, Directorate of Management Forests and Wildlife, *Consejo Nacional de Áreas Protegidas* (CONAP) [National Council for Protected Areas], continued explaining the implementation of CITES in the fisheries sector of Guatemala. Traceability, legality and sustainability are the pillars for such implementation. For traceability, the fisher must have its fishing licence issued by the competent fisheries authority, as well as the form of inspection of landing sites also completed by the fisheries authority, registration and certification. Sustainability is measured based on the quota for shark products developed with the NDFs. In Guatemala, the export quota is very small. The legality is evaluated based on the documentation and permit process of the CITES MA. There is an analysis of estimated biometrics for the grey sharks and thresher sharks harvested by the small and medium-scale fishing fleets. There is a factor parameter for the landing of products. To understand how many of the products landed are from grey sharks, for example, that factor is multiplied by the products.
55. **Alejandra Contreras** clarified that one of the challenges faced in shark fishing by artisanal fisheries is that the sharks are often caught a size below the allowed size. Of the catches registered, the shark species most caught in Guatemala are the *Carcharhinus falciformis* (silky sharks) and *Alopias superciliosus* (bigeye thresher sharks). Therefore, there is a need to strengthen the research and periodic monitoring of these fisheries. The fisheries authority is currently strengthening the NPOA-Sharks, which was adopted in 2008 and updated in 2021. There are four main actions: 1. strengthening the institutional framework, 2. management, conservation and other environmental or ecological factors. 3. Strengthening of research and 4. Dissemination and awareness-raising. There are 30 species of Chondrichthyes harvested in the country, 22 of which are sharks, 7 rays, and 1 chimaera (the latter only incidental catch in the Caribbean).

4.10 Mexico

56. **Marcela Dominguez**, Specialized Technical Liaison, General Directorate of Wildlife, Ministry of Environment and Natural Resources, began the presentation focused on the shark species included in Appendix II of CITES. The interinstitutional cooperation in Mexico for the protection of sharks against illegal fishing occurs through the promotion of international trade that is sustainable, legal and traceable, strengthening the compliance with and implementation of CITES in the country. Part of this interinstitutional cooperation are: the Ministry of Agriculture and Rural Development, under which the *Comisión Nacional de Acuacultura y Pesca* (CONAPESCA) [National Fisheries and Aquaculture Commission] implements policies, programs and normative instruments related to the development of the fisheries sector, and the *Instituto Nacional de Acuacultura y Pesca* (INAPESCA) [National Fisheries and Aquaculture Institute] conducts the scientific and technological fisheries research; the Ministry of Environment, under which the *Dirección General de Vida Silvestre* (DGVS) [General Directorate of Wildlife] verifies the LAF and issues CITES permits, and the *Comisión Nacional para el Conocimiento y Uso de la Biodiversidad* (CONABIO) [National Commission for the Knowledge and Use of Biodiversity] assists on the impacts of international trade and conservation status of species, and the *Procuraduría Federal de Protección al Ambiente* (PROFEPA) [Federal Prosecution for Environmental Protection] verifies the documentation of transboundary movements in points of entry to and exit from the country; and the Ministry of Finance, under which the *Administración General de Aduanas* (SAT) [Customs General Administration] collaborates with PROFEPA regarding Customs issues.

57. The process of verifying LAF includes the verification, in the borders and collaboration with the Customs authorities, that the specimens were acquired in conformity with the applicable legislation. For the case of shark species, the verified documents are the fishing licence, arrival notice, fishing guide, and invoice. Balances are controlled through the maintenance of balance cards for each arrival notice. The NDFs are issued by the CITES SA, the CONABIO and INAPESCA. In Mexico, reference values were created for the sustainable export volumes based on the best scientific evidence available, also incorporating the concept of maximum sustainable yield.
58. **Javier Ávila**, Senior Research Fellow, Regional Centre for Fisheries and Aquaculture Research in the Banderas Bay, INAPESCA, noted that Mexico is among the countries with the greatest volumes of export of shark species. INAPESCA assists and advises the fisheries authorities in respect of the permits issued, and the CONABIO, which is the CITES MA, in respect of the NDFs. Since 2019, the INAPESCA has been collaborating with CONABIO to determine the adequate quantity to be exported to ensure the sustainability levels of the species. Mexico has no total allowable catch (TAC) or export quotas. As there is no sufficient data on sharks and rays, the INAPESCA has been working based on the total volume harvested and documented, and estimated the values through catch data reconstruction and biological studies. One of the challenges is that, in Mexico, there is no control over the amounts of sharks harvested. Sharks fins are destroyed, and the meat is highly used for human consumption.
59. **Marcela Dominguez** informed that no IFS certificate has been issued in Mexico. All permits issued by INAPESCA for fishing sharks concern fishing in areas under national jurisdiction. However, the requirements imposed for fishing such species in Mexico are more restrictive than those posed by the Convention.

4.11 Panama

60. **Carmen Medina**, Ministry of Environment, explained that the said ministry is the CITES MA, which collaborates with the fisheries authority, the *Autoridad de Recursos Acuáticos de Panama* (ARAP) [Aquatic Resources Authority of Panama] in respect of CITES-listed marine species. Also relevant is the maritime authority of Panama through the registry of vessels. There is interinstitutional cooperation, but no technical group is established by law in this regard. Regarding LAF, the Ministry of Environment issues a legal certification for forestry species. A draft of LAF entails the analysis of documents regulated by the ARAP. There are no NDFs currently available. Two IFS certificates have been issued so far. There are many challenges, including the lack of staff to carry out inspections on board fishing vessels.
61. **Cielo O'Neill**, Lawyer, ARAP, clarified that Article 4 of the Political Constitution of the Republic of Panama of 2016 provides that Panama abides by the rules of international law. In this sense, while it has not been possible to implement all the requirements of the Convention in detail, Panama continues to work toward enhanced implementation of CITES. Under the Constitution, the national legal framework of Panama is formed by several legal instruments, including Law No. 18 of 2017, which prohibits fishing of sharks and rays within a designated area (168 500 hectares) in the special zone of marine coastal management. Shark finning is also prohibited by Law No. 9 of 2006. After CITES CoP19, a legislative initiative emerged aiming to modify this law to ensure that the practice of shark finning is fully eliminated without any exceptions (as in the case of certain artisanal fishing vessels). Another important instrument is Resolution of 2018, adopting the Management Plan for Sharks and Rays. The CITES SA is the University of Panama, and there is an ongoing process to include the International Maritime University of Panama as CITES SA as well. It is expected to be a process

through which the interested person can request, by completing a prescribed form, the certificate of legal acquisition, supporting this application with documents such as the fishing licence, the registration of the fishing vessel, and others.

4.12 Peru

62. **Jocabel Soto**, Legal Analyst (Harvesting for Direct and Indirect Human Consumption), General Directorate of Environmental, Fisheries and Aquaculture Affairs, Ministry of Production, clarified that this ministry is the CITES MA of Peru. The main fisheries are anchovies, which is highly regulated and well monitored by advanced VMS, with automatized reporting in the system, but this is not the same for other fisheries. The implementation of CITES for fisheries is a process of continued improvement. The CITES SA is the Ministry of Environment, and the CITES MA for hydrobiological species is the Ministry of Production. There is also another CITES MA for other species, which is the Ministry of Agriculture. Within the hydrobiological species are those from aquaculture and those from capture fisheries. Enforcement authorities include the Public Prosecutor, Customs authority, Armed Forces, and regional governments.
63. The normative framework relevant to CITES in Peru includes Supreme Decree No. 030-2005-AG, as amended by Supreme Decree No. 001-2008-MINAM, approving the regulation for the implementation of CITES in the country. These rules contain some constraints and need improvement, so there is an ongoing review process to develop new regulations for enhancing the processes of traceability and permits for harvesting concerning CITES-listed species. The current legislation provides the requirements for applying to a CITES permit or certificate. The application must be addressed to the Directorate of Harvesting for Direct and Indirect Human Consumption, under the Ministry of Production, supported by the certificate of identification of specimens signed by a qualified biologist expert in Taxonomy (in the case of export), or a copy of the certificate of export or reexport of the country of destination (in the case of import), or a copy of the certificate of import (in the case of reexport).
64. The regulation for the international trade in Appendix II-listed species focuses on sharks. Since 2006, it has prohibited shark finning. If sharks are harvested, it is mandatory that the entire bodies of the sharks are landed to allow for the identification of the species as CITES-listed or not. Since 2008, a catch certificate for sharks has been implemented, clearly identifying the species, requiring the weighing of species and its landing in designated ports where inspectors have the capacity to identify such species. Harvesting of sharks is carried out by artisanal fishers. A catch certificate is required, and trade documents are also required to ensure the traceability of the resource.
65. The Ministry of Production is currently working on a pilot, automated, digital Traceability System in collaboration with the WWF. Peru has imposed catch quotas for hammerhead sharks, but it is hoped that, with time, more controls will be implemented for other shark species. With respect to IFS, there was one case in 2019 where it was possible to identify the transaction as IFS due to the digital localization system in the fishing vessel. It is hard to determine whether the harvesting was carried out on the high seas because most Peru-flagged fishing vessels are artisanal and do not carry that digital localization system.

4.13 Venezuela (Bolivarian Republic of)

66. **Juan Carlos Santander**, General Director of Biological Diversity, Ministry of Popular Power for Eco-socialism and Waters, which is the CITE MA in Venezuela (Bolivarian Republic of). The

country is an oil power country, and, considering the size of the Bolivarian Republic of Venezuela's EEZ, there is great potential to further develop the fisheries sector and the international trade in fisheries, which includes CITES-listed species. The CITES MA is the General Directorate for Biological Diversity and General Directorate for Forestry Management under the Ministry of Popular Power for Eco-socialism and Water. The CITES SA is the Inter-ministerial Commission, which includes institutions with extensive scientific knowledge in CITES-listed species. Currently, there is no specific institution in charge of CITES-listed marine species, but there is ongoing coordination to address this matter.

67. Resolution No. 343 of 2016 provides the rules for the implementation of CITES in Venezuela (Bolivarian Republic of), but it needs revision to allow for the designation of a fisheries authority among the CITES authority for fisheries issues. The national legal framework relevant to CITES implementation includes the said Resolution No. 343 of 2016, as well as the Environmental Organic Law of 2006, the Biological Diversity Sectoral Law No. 333 of 2015, the Environmental Criminal Law of 2012, and the Fisheries and Aquaculture Decree-Law No. 1480 of 2014. There is also a resolution that prohibits shark finning, establishes a maximum quota for incidental catch, and requires licence for fishing for scientific research, issued by the *Instituto Nacional de Pesca y Acuicultura* (INSOPESCA) [National Institute for Fisheries and Aquaculture].
68. Establishing restricted monitoring of artisanal fishing is very important, which is difficult to control. Another challenge is maintaining the coordination and inter-institutional support across the different ministries. There is a challenge for the export of seahorses, the management of which is carried out by the fisheries authority, but the CITES MA issues the CITES permit. Therefore, it is fundamental to ensure coordination between the two institutions. There is a commission dealing with offences committed against the environment, which is in coordination with the International Criminal Police Organization (INTERPOL). There are no specific provisions under the applicable law for LAFs and NDFs. Therefore, there is a need to dedicate special attention to further developing these instruments, which are so important and needed for the implementation of CITES.
69. The following activities are planned to address the challenges: a laboratory under the genetic molecular section in order to correctly carry out taxonomy and identify shark species that are listed in CITES; and putting in place a digitalized system to register documentation and information. It is important to note that there is a Fisheries Council integrated by fishers and aquaculturists, which could also contribute to this data collection. A group to perform MCS in fisheries is also fundamental, as established by the fisheries law.

5. CITES and international and regional initiatives

5.1 United Nations Conference on Trade and Development

70. **David Vivas**, Legal Officer, recalled the longstanding collaboration between UNCTAD and the CITES Secretariat in relation to the blue economy. One of the programmes includes the Blue BioTrade Project. This relates to the promotion, investment and sustainable use of biodiversity, native and shared, following economic, environmental, and social parameters. The principle of BioTrade has been consolidated in the private sector in the past 20 years, with national bio-trade strategies in countries in Latin America, the Caribbean and Central America. Over the last four years, there has been a focus on Blue BioTrade, which covers marine species included in CITES Appendices. In 2022, a pilot project was launched in collaboration with the CITES Secretariat and the Organization of Eastern Caribbean States (OECS) to implement the principles of blue-biotrade (developed in 2020–2021) for marine species. The species of focus was the *Strombus gigas* (queen conch), which involves 74 million USD a year for export, and it is used as a gastronomy delicacy (mean) as well as the shell and stones. The project works with three countries: Saint Lucia, Saint Vincent and the Grenadines, and Grenada.
71. An analysis of the queen conch value chain was performed to understand the challenges with respect to meeting the requirements under CITES, the Convention on Biological Diversity (CBD), and the socioeconomic and legal issues. Based on this project, a common strategy for the Members of OECS was developed, and some management measures established in Grenada, for example, are being implemented, such as suspension in trade, establishment of principles of maximum export quota, closed seasons and allowable minimum size for the species harvested.
72. There is a lot of potential to expand the concept of Blue BioTrade in collaboration with the CITES Secretariat, and we would like to invite FAO to be part of this initiative as well. This project focuses on species of high commercial value but with low volume. Harvesting of CITES-listed species demands compliance with important standards, the evaluation of the species population, the NDF, the traceability and the sustainability measures. This monitoring has a cost. The processes should be made easier for those complying with the law than those not complying with the law. See the video on the [Blue BioTrade project](#).
73. The investment on sustainability costs depends on the purpose of use of a given species. For instance, there is more interest in paying by the cosmetics sector using the species. The greatest challenge is when the species is used for food consumption, as the quality of the product is much less prioritized.

5.2 Permanent Commission for the South Pacific

74. **Carlos Polo**, Scientific Advisor for the CPPS, provides an overview of the importance of sharks, which have existed for more than 400 million years and currently count more than 500 identified species. Sharks are unlike other species because they have a low growth rate, late maturity and few offspring. Their role in the environment is to regulate ecosystems. Whale sharks, the largest species capture in international waters, measure more than 28 metres in length and are herbivorous. The decrease in sharks directly affects the ecosystems. The main threats to sharks are overexploitation (including bycatch), coastal development (with habitat

alteration) and marine pollution. It is estimated that about 100 million sharks die every year.¹ As the demand for sharks increases, more monitoring and inspection are also required.

75. A recent study found that shark and ray species are decreasing over the years, about 70 percent since 1970.² In 2020, scientists found that 20 percent of 54 countries assessed had none or few species of sharks in their waters.³ Then, in 2021, another study showed that the second most vulnerable species group was the sharks.⁴
76. Challenges for CPPS countries include the lack of capacity of inspectors and observers to identify the shark species at port and Customs checkpoints. There are different tools for identifying the species, such as visual guides and genetic tools.⁵ Since 2010, various workshops have been undertaken to develop the countries' capacities to identify shark fins (including with the application IShark Fin). The applications can be uploaded to mobile phones; thus, they are very useful for quickly identifying species.
77. Another challenge concerns the making of NDFs. Very few countries were able to make NDFs for sharks due to insufficient or lack of data. In 2014, the German government, with other partners, developed a Model Guide for making NDFs for sharks, which has six steps. In 2016, these steps were made available electronically through the e-DENP software. The user feeds information into this system following the six steps. A workshop was carried out in Costa Rica using this tool, and workshops are planned to be carried out in Panama and Ecuador. Under discussion is an initiative to make regional NDFs for sharks, with the collaboration of RFMOs, which can facilitate data collection at the regional level based on data collection from the Member countries. In this respect, there is a Memorandum of Understanding for cooperation between CPPS and IATTC.
78. Another gap concerns the traceability and the reporting of data and information to support traceability. There are also inconsistencies in the registration of trade. The data is often inconsistent between the species that has been exported from one country, and the same species that has been imported by the other country. It is fundamental that the export and import countries communicate to ensure that the data is accurately recorded.

5.3 International Technical Assistance Program of the Department of Interior of the United States of America

79. **Fátima Vanegas**, Programme Coordinator, DOI-TAP and CAWEN, clarified that the DOI-TAP supports the Central American region and Dominican Republic on matters of: implementation of CITES; enhancing the capacity of the personnel (CITES authorities, police, inspectors) involved in the entire value-chain; strengthening the implementation of laws; ensuring the monitoring of networks involved in the trafficking of wildlife; the digitalization of CITES processes and relevant information for CITES; review and implementation of wildlife legislation; awareness-raising campaigns for CITES.
80. Recently, the DOI-TAP supported Guatemala in the estimation of biometrics and parameters for establishing the quota for the export of dry shark fins. This resulted in the development of an implementation tool, and there is an opportunity to replicate this methodology in other

¹ See <https://sharkstewards.org/shark-finning/tools-for-identifying-shark-fin/>

² Pacaureau *et al.* 2021. Medio siglo de declive global de los tiburones y rayas oceánicas. *Nature* 589, 567-571.

³ MacNeil *et al.* 2020.

⁴ Dulvy *et al.* 2021.

⁵ See <https://citessharks.org/resources>

countries. Assistance is being provided to countries in the region, remaining only Belize, which will begin the digitalization of the process. In Costa Rica, a pilot project was successfully carried out for the digital transformation of information concerning all fisheries matters.

81. It is fundamental to strengthen the capacity of inspectors, who, through the users, can verify electronically the products that are entering and leaving the country. DOI-TAP has also been supporting countries' participation in regional training workshops, which are very important for sharing information and learning experiences. There is also assistance to the forensic and judicial personnel of countries with respect to investigations concerning offences committed against wildlife. This work is highly scientific and being carried out by an American laboratory, but the idea is to then offer a free service to the countries in the region.
82. The CAWEN is a platform dedicated to the issue of combatting wildlife trafficking. It has been contributing to strengthening regional coordination for the implementation of CITES; exchange of information concerning wildlife trafficking; and facilitating opportunities to assist countries regarding environmental cooperation, using CITES as a tool for control of trade and identification of wildlife trafficking. CAWEN has been collaborating with UNODC to develop a report with information about wildlife trafficking.
83. CAWEN is also supporting national authorities to ensure information is collected electronically, with resources, reports and notifications, and in certain countries, a feature to submit complaints is also being developed. There is also a mobile application with information about the species, applicable and relevant laws and guidelines. The CAWEN's website (www.roavis.net) provides all relevant information about the network, including details on the activities and projects carried out in the projects.
84. Challenges include the constant rotation of personnel in government authorities, which is common in the region. It is fundamental to support and raise awareness of the decision-makers about CITES and related issues to ensure that ongoing legislative processes take these issues into account. It is very important to engage more with the political authorities participating in the meetings of RFMOs so that they can raise the problems and challenges to be addressed at these forums as well.

5.4 United Nations Office on Drugs and Crime

85. **Lorenzo Vallejos**, UNODC Regional Officer, noted that when speaking about crimes, it is not only about prosecution but also prevention. UNODC's mandate concerns ensuring the custody and implementation of the UN Convention against Transnational Organized Crime (UNTOC), UN Convention against Corruption (UNCAC) and International Drug Control Conventions. UNODC has a global program dedicated to combatting crimes that affect the environment, assisting States in respect of implementation, enhancing their actions and measures to address these crimes, promoting inter-institutional collaboration, and supporting tax and police investigations. UNODC works in cooperation with administrative authorities and strategic partners, creating platforms on environmental crimes with the involvement of all relevant stakeholders to ensure the processes of prevention, identification, interdiction, investigation, prosecution, and adjudication are carried out in an integrated manner. This is to ensure that the inspector can develop a solid case with the support of the administrative authorities. There is a current project, ECOS, working with six countries (Brazil, Colombia, Ecuador, Guyana, Peru and Suriname). The environmental program works with three main thematic areas: forestry crimes, wildlife trafficking, crimes related to fisheries, crimes related to mining, and waste trafficking. It is fundamental that the sectors work in a coordinated manner.

86. **Cristina Barros**, UNDOC Coordinator for Ecuador (Environmental Program), noted that UNODC deals with organized crime, crimes committed along the fisheries value-chain and the crimes associated with the fisheries sector. The latter corresponds to crimes that are not related to fishing but which are associated with fishing, such as those using fishing vessels, for instance, trafficking of migrants, firearms and drugs. UNODC deals with organized crimes, corruption, tax evasion, and other crimes committed along the fisheries value chain. With this focus, it is important to identify the crimes that occur in each phase, the preparatory works, harvesting, processing, storage, transport, selling, and consumption. These crimes can be document fraud and falsification, money laundering, corruption and tax evasion. UNODC's work in the fisheries sector includes: the review of legal frameworks to ensure they are aligned with international standards; legal assistance to governments upon formal request; a legislative guide to combat crimes in the fisheries sector in collaboration with FAO; a database SHERLOCK which contains judicial cases relating to crimes in the fisheries sector; strengthening capacities through analysis of value-chain, risks of corruption, and training for prosecutors; awareness-raising through global and regional forums to allow for sharing of information between prosecutors, good practices. There is an ongoing effort to work in an integrated manner on the identification (maritime crimes and Skylight for threats at sea), interdiction (for personnel onboard fishing vessels at sea, and control of Customs), investigation (capacitation for administrative authorities and prosecutors) and judicialization (capacitation for tax inspectors and judges).

6. CITES and the FAO Agreement on Port State Measures

87. **Esther Boy** began this presentation by informing that some countries present at the workshop are Parties to the PSMA and are implementing the Agreement, while others are not yet Parties. Within the IUU fishing concept, illegal fishing means the practices that do not comply with the applicable rules; unreported fishing concerns fishing operations that have not provided or have not adequately provided, relevant information about its activities; and unregulated fishing involves operations of non-flagged fishing vessels, activities that are not regulated. It is fundamental to combat IUU fishing because this problem affects all fisheries in all waters and threatens the sustainability of ecosystems and fisheries. Combatting IUU fishing also means valuing those who comply with the rules and perform legal fishing. IUU fishing takes advantage of vulnerable environments and situations, creating an additional problem. IUU fishing is motivated by economic gains, and it is often linked with crimes associated with fishing. Eliminating IUU fishing thus helps to combat these crimes associated with fishing as well.
88. In IUU fishing, there are criminal activities that are directly connected with fishing (crimes related to fisheries, for instance, the landing of fish originated from illegal fishing in contravention to applicable rules) and other criminal activities that are not related to fishing but which occur in the fisheries sector (crimes associated with fisheries, for instance, a fishing vessel where the people onboard is subject to slavery or trafficking of persons, drugs or protected species). This is why it is so important to have an integrated approach to deal with this problem. At the international level, FAO has been working with other agencies – such as UNODC, International Maritime Organization (IMO) and International Labor Organization (ILO) – to develop tools and guidance for combatting IUU fishing and crimes in the fisheries sector.
89. In international law, many international instruments are in place, notably legally binding ones: the UN Law of the Sea Convention (LOSC), the FAO Compliance Agreement, the UN Fish Stocks Agreement, and the PSMA. There are also the IPOA-IUU and other voluntary guidelines on flag State performance, catch documentation scheme, marking of fishing gears, and transshipment. These international non-binding instruments complement and fill in gaps in the legally binding ones, elaborating in more detail on their provisions. While they are non-binding, it is important that States implement them and internalize the guidelines in their national legal and policy frameworks.
90. Fishing-related activities happening at port include landing or transshipment, all of which are subject to the control of the port State. A declaration on the landing or transshipment is required to ensure the catches are not originated from illegal fishing. It is now established that the port State is to carry out control and inspection, irrespective of which activity, landing or transshipment. It is, therefore, crucial that this control is carried out at the global level, not only by certain States, so that all States are aware of what is happening and whether the products entering their ports have not originated from illegal fishing.
91. The PSMA aims to ensure that IUU fishing does not generate benefits for those undertaking it. The foreign fishing vessel wishing to enter into port must send an advanced request for entering into port (AREP) with information about the fishing activities carried out, and the port State will verify this information. If there is evidence that the foreign fishing vessel has been engaged in IUU fishing, then the port State has two options: (i) authorize the entry into port by the foreign fishing vessel, which will be subject to inspection at port and enforcement

measures if IUU fishing is confirmed; or (ii) deny port entry. Any information collected, such as the denial of entry into port or the results of inspection at port, should be shared among States so they are aware of the history of that particular foreign fishing vessel. The PSMA has 75 Parties.

92. Inspection can be carried out by examining the information received through the AREP and when the foreign fishing vessel has entered into port, prior to authorizing (or not) the use of the port. Once it is identified that the foreign fishing vessel has been engaged in IUU fishing, the port State can take MCS and enforcement measures, such as retaining catches or the vessel, and must communicate other State parties to the PSMA and FAO about the findings of the inspection. The relevant CITES permits should be examined at the moment of AREP as well as at the moment of inspection at port. Port States must designate their national ports and have agreed that FAO, as the Secretariat of the PSMA, develops a Global Information Exchange System (GIES), which will be important for Port States to exchange any relevant information, including on CITES documentation.
93. For the implementation of the PSMA, States must have the institutional capacity, legislation that apply the PSMA at the national level, and MCS systems. Annex B of the PSMA contains procedures to be followed by port inspectors and includes the analysis of CITES documentation. This can contribute to the legality and traceability of CITES implementation as well. Inter-sectoral communication and coordination is crucial, so that the CITES authority can check the documentation concerning CITES-listed commercially exploited species with the fisheries authority. FAO has been assisting Parties and non-Parties to the PSMA in the identification of needs and actions to implement the Agreement from the legal, MCS and institutional perspectives.

7. CITES legal acquisition findings and catch documentation scheme

94. **Esther Boy** explained that the *Voluntary Guidelines on Catch Documentation Scheme* aims to ensure a product's legality from its origin along the entire value chain. At the international level, there are different types of catch documentation schemes (CDS). Some are based on the species (such as bluefin tuna or toothfish), and other schemes that cover internationally traded species (such as Atlantic swordfish or bigeye tuna), and schemes that are market-based, such as those in the European Union and the United States of America.
95. In CDS, there are various requirements to be met. From the CITES perspective, CDS can serve as evidence of the legal provenance of the fish, which, in a way, is very similar to LAF. Comparing the CDS and LAF, it is possible to identify three key differences. While LAF is required at the point of export, the CDS covers the entire value chain (from harvesting to trading); the LAF is evidence that one country needs to provide in an international trade transaction in CITES-listed species with another country, whereas the CDS is documentation that is passed from country to country, involving multiple countries; the LAF is required for CITES-listed species while the CDS can be required to certain species, listed or not in CITES, depending on the specie and the type of trade. There are also similarities between LAF and CDS, as both are based on licences or permits as evidence of legality, identification markings of species, and the chain of custody.
96. FAO has developed *Understanding and implementing Catch Documentation Schemes: a guide for national authorities* (CDS Guidance Document), which can guide States in implementing CDS at the national level and developing future CDS based on similar parameters. It can also help in the review of existing CDS. The CDS works based on the collection and verification of information about the fishing vessel, but there is different information required for every event depending on the CDS applied in CCAMLR, ICCAT, Commission for the Conservation of Southern Bluefin Tuna (CCSBT), European Union, United States of America.
97. For the event of vessels, the key data elements (KDEs) required may be the name of the vessel, the flag, registry number, authorization number, port of base, call sign, fishing authorization number (basic information), as well as contact details of the vessel, quota, length overall, name of fishing vessel's master, and fishing authorization validity period (more advanced information). Irrespective of the information required, it is essential to verify, in the case of vessels, that they meet two functional requirements: to (i) establish the identity of the fishing vessel, and (ii) confirm that the fishing vessel had all necessary authorizations to produce the fish. The point is that the country has to have the capacity to verify such information, for instance, a VMS to validate the vessel's localization, an electronic fishing logbook to ensure catch reporting, a fishing licence scheme to issue the licences and authorizations, and the MCS scheme to ensure the inspections.
98. For the catch event, the KDEs required may be the species, estimated weight to be landed, product type, catch area, catch month and/or date, number of fish, gear (basic information), as well as trip dates, fishing dates, EEZ, average weight per fish, applicable conservation and management measures, estimated live weight, type of processing onboard, name and address of processing establishment (more advanced information). For the catch event, the two functional requirements to be verified are: to (i) establish the identity and quantity of the fish; and (ii) confirm whether its timing, location, and method of capture was legal.

99. For the transshipment event, the KDEs required may be receiving vessel name, location, date, port authority name, fishing vessel's master name, receiving fishing vessel master's name, receiving vessel call sign, receiving vessel flag, estimated weight transshipped (basic information), as well as receiving vessel authorization number, receiving vessel registration number, intended landing port, intended landing date, transshipment in port authority contacts, name of transshipment observer (more advanced information). For transshipment, the three functional requirements to be verified are: to (i) establish the identity of the transport vessel receiving the fish; (ii) confirm the identity of the fish received; and (iii) document the transfer event and establish whether it was compliant with any applicable rules.
100. For the landing event, the KDEs required may be landed weight by product type, name of landed product receiver, name of fishing vessel master, landing location, landing date, contact details for landed receiver (basic information), as well as landing quantity by product type, net weight sold, landing authority name (more advanced information). For the landing event, the three functional requirements are: to (i) establish the details – who, when and where – of the landing event; (ii) confirm that the landing complied with all applicable regulations; and (iii) identify the first, usually land-based buyer or receiver of the catch.
101. Finally, there are functional requirements for product tracking up to processing and export. A national CDS needs to be complemented by a national traceability system, which allows for the verification of the legality of the documentation, prevents the overuse of legal certification documents, prevents the substitution or mix of certified and uncertified material, and establishes an audible domestic chain of custody.
102. Some examples of verification tools and systems: vessels registries, fishing licence databases, logbook reporting, observers' reports, VMS, transshipment authorization systems, landing authorization systems, inspection records, and licensed fish receiver reports.

8. The Rapid Guide for the Making of Legal Acquisition Findings

103. **Juan Carlos Vasquez** recalled that traceability is a legality component under CITES for tracing the specimen, thus, the LAF contains these elements, but there is a need to have a system that enables the control beyond the paper itself. There is a high risk of duplication of efforts that we need to avoid as much as possible. The LAF is when a CITES MA of the State of export verifies that the specimens were not acquired in contravention of the applicable and relevant national laws. CITES uses a proceeding for risk evaluation, as described in [Resolution 18.7 \(Rev. CoP19\)](#). Multiple activities need to be examined along the chain of custody, so it is important to understand when information needs to be more detailed and where there are higher risks for the specimens. The burden of proof is on the applicant, who needs to provide all the information required (e.g. declarations, affidavits, invoices, receipts, licences, etc) so that the CITES MA can confirm the DAL. The requirements for LAF, thus, need to be published and made available to the public.
104. There is a discussion on which (the NDF or the LAF) should come first, and it is important for the coordination between the CITES SAs and MAs responsible for making both, because the information made for each may be relevant to both. In the Rapid Guide for the making of LAF, available in Annex 3 of [Resolution 18.7 \(Rev. CoP19\)](#), five steps are described in the making of LAFs. The idea is to standardize the process as much as possible so that all Parties understand what LAF is about. It is important to underscore that while the decision to include certain species in Appendix II will only enter into force in November, Parties should already begin to put in place processes and monitor the international trade in the species concerned. The steps include: (1) verify if there is a need for a LAF or other type of legal requirement; (2) evaluate the risks, if the species is rare or of high value, or if the trade is occurring in country where there is no control over international trade or is in conflict; (3) evaluate the applicable and relevant laws and regulations for determining the legality of the species; (4) ensure all the relevant information is sufficient as evidence of legality, ask for more information as needed; and (5) examine all the relevant information underpinning the chain of custody. After all these steps, the CITES MA may issue a positive LAF, after which it is important that the relevant information is recorded in a central database or a negative LAF, as well as continuing monitoring the permit. Or the CITES MA may issue a negative LAF, notifying the relevant government institutions.
105. It is also important to note the [Resolution Conf. 11.3 \(Rev. CoP19\)](#) on compliance and enforcement. The concept of *due diligence*. Many countries request the CITES permit for the import of species in Appendix II, which is a way of double controlling because CITES does not require this. Where the State of import has found any irregularity with the import, then that State needs to contact the State of export and clarify questions as needed.

9. Group activities

106. On day 2, participants were divided into the following groups: Chile and Argentina; Costa Rica and Mexico; Ecuador and Peru; El Salvador and Guatemala; Panama and Brazil; Dominican Republic, Cuba and Venezuela (Bolivarian Republic of). Participants were asked to imagine a concrete case where their respective countries carried out international trade of a CITES-listed species commercially exploited by the respective national fisheries sector, and to apply the Rapid Guide for the making of LAF in that particular case. The findings of this group exercise are available in [Annex III](#).
107. On day 3, participants were divided into country teams and asked to: coordinate their work in filling in a questionnaire; assessing the key fisheries elements for CITES in the CITES-specific legislation; and assessing the key CITES elements for fisheries in the fisheries-specific legislation. The findings of this group exercise are available in [Annex IV](#).
108. On day 4, participants were asked to reflect on the practical exercise conducted over the previous days, brainstorm the way forward in implementing CITES through national fisheries legal framework and issues of LAF and NDFs, and share preliminary ideas on what these next steps could be. The discussions from this work are provided in the next section.
109. Participants also discussed matters relating to the following topics, among others: institutional coordination, introduction from the sea, fisheries management and conservation, RFMOs, traceability and legality, and inspection.

10. Next steps and closing remarks

110. Each country shared some key ideas on the next steps for implementing CITES through national fisheries legal frameworks and enhancing the making of LAFs.
111. **Argentina:** create a digital system for the issuance of CITES permits; formulate and implement a common protocol for institutions involved in the application of CITES provisions; develop a Procedures Manual for the issuance of DALs for the different groups of species (birds, terrestrial mammals, timber, chondrichthyans, etc.); manage the necessary funding to generate more scientific information and strengthen capacities in the private and/or government sphere; include and make compatible the definitions referring to CITES instruments in the internal fisheries regulatory framework. Increase the number of on board observers and control agents during campaigns, strengthen the training of on board observers on specific CITES issues and the collection of data on species included in the appendices, which can serve the requirements of the convention; strengthen the training of inspectors and control and enforcement personnel on the application of current regulations and the collection of data on those species included in the CITES appendices.
112. **Brazil:** reinforce the communication between IBAMA and the MPA by nominating a CITES focal point in each institution; create a communication channel between these focal points to ensure they communicate regularly; regulate the specific criteria and requirements to be met for obtaining a CITES permit; establish fisheries data system for collection of data, which has not been done for several years; review the national fisheries legislation to incorporate CITES concepts; seek investments for establishing an observers program on board fishing vessels and monitoring of landings.
113. **Chile:** in general terms, the appointment of CITES SAs in fisheries matters and the optimization of the procedures for updating the Appendices and other related matters; where appropriate, establish ad hoc mechanisms between the relevant authorities, which should basically include SERNAPESCA and the SA to be designated; continued improvement to be applied to the institutional traceability system, based on the dynamics for the behaviour of agents/users and the optimization of internal processes of electronic validation (e.g. progress in the establishment and implementation of productive yields per species) and physical validation (e.g. effective and efficient field actions); ensure the designated CITES SA conducts, manages - articulates, links, coordinates and participates, internally (scope within the EEZ) and externally (offshore), in aspects related to technical assessments for the sustainability of CITES species (e.g. Academy, RFBs); incorporate CITES standards in activities and training of fisheries inspectors, improving their skills in this topic.
114. **Costa Rica:** improve cooperation between the different institutions involved in CITES implementation both at the national level and with international strategic partners; develop an AJDIP agreement that regulates the NDF in a coordinated manner between the CITES MA and the fisheries authority, with the participation of the fisheries sector; implement a guide to provide better traceability of CITES species; implement a system to automatize traceability; develop training for the taxonomic identification of by-products; consider information from RFMOs in the making of NDFs for highly migratory species; training is required for implementing NDFs for such species; more resources (human and financial) are required to do more research and generate data for NDFs; review the fisheries legislation to include CITES concepts and details on LAF and NDFs; implement an on board observer

programme; promote training activities on CITES generalities, species identification, among other topics.

115. **Cuba:** improve the work of the Fisheries Advisory Body as a key body for fisheries management to be more active in coordinating cooperation between the CITES MA and the fisheries authority; include the fisheries authority among the CITES SA; ensure data sharing to facilitate traceability for making NDFs and LAFs; collect information on stocks of fins; collect statistical information on landings held by the fisheries authorities as a basis for LAFs; consider whether or not to make NDFs for new CITES-listed shark species and assess actions to be taken prior to entry into force; begin to compile data to assist in the hypothetical development of an NDF.
116. **Dominican Republic:** implement an NDF by region, as shark species are highly migratory; develop regulatory guidelines manual, where RFMOs and CITES converge; integrate institutions directly related to the fisheries sector into this type of workshop, e.g. Customs, Navy, Port Authority, among others; implement a satellite positioning system for artisanal fishing vessels for the countries that manage this type of fishing, in order to contribute to the monitoring of IUU fishing; expand in the region the project for the data collection on the population of elasmobranch species by country, as to promote the use of NDFs in each CITES country
117. **Ecuador:** work immediately to establish catch and trade quotas; continue working in a coordinated manner with all the institutions relevant to the implementation of CITES; automatize information and systematize the issuance of CITES permits; review and take into account the main challenges to tackle for the making of LAF and NDF.
118. **El Salvador:** update legal frameworks to enable the incorporation of the fisheries authority as CITES SA by competence (fisheries issues); establish an inter-institutional management committee for the management of fish species; homologate documentation, information management protocol, legal procedures, establishment of regional technical information links, preferably digital, to be evaluated in real time among the authorities involved; establish measures for verification of LAF through which the specimen transits from its origin to become the possession of the exporter with the fulfilment of the chain of custody with chronological documentation in accordance with the applicable national and international laws and records relating to the taking from the wild of a specimen ensuring that it has not been acquired illegally; fund management; search for national and international information, identification of key actors for the development of the scientific study; promote inter-institutional work for the development of the study; with the involvement of universities, research centres, private institutions supporting economic investment for research development; review the legislation to incorporate CITES concepts; develop regulatory instruments that allow the Fisheries Law to comply with the CITES Convention, in order to generate follow-up actions and decision-making; update and promote the use of landing forms, especially for species listed in the CITES appendices; promote improvements in infrastructure, equipment and technical capacities of the personnel involved
119. **Guatemala:** update the Fisheries Act and its regulations; update the CITES Procedure Manual; create a working protocol for the basic indicators necessary for the results of the LAF and NDF and also verification of legality, depending on the landings; close communication and liaison with the countries for information exchange when they fly the Guatemalan flag and have quotas for fishing access rights; training of inspectors for the new provisions that will enter into force; continue with the process of automation of CITES and all the complements; continue with our data generation for the application that helps us to measure the quota and

exploitation of hydrobiological resources; continue with the discussion tables and the necessary support when required; support from both institutions such as the fisheries authority, and CITES MA and SA for the exchange of necessary information; work together with the Academy on the species included in CITES that are of commercial interest in our country; include in the regulations that the generation of data that support the measurement of traceability is one of the requirements of the LAF and NDF; training, updating and support for inspectors.

120. **Mexico:** clearly define in the Law the competences and functions of each authority within the CITES framework; establish the processes and timescales required to expedite CITES procedures; make this digital; clearly define communication channels and liaisons; create a format that is easy to fill in and that can be used by all Parties involved in the elaboration of the LAF; improve catch information to allow more reliable estimates of the status of stocks; provide more resources for research; encourage training and exchange of scientific information among the Parties; make participation in the On Board Observer Programme mandatory for a representative percentage of fishing vessels and fishing trips; ensure the correct verification of the products corresponding to the respective CITES permits; enhance coordination between authorities (access by all to digital documents in real time).
121. **Panama:** develop a protocol to clarify the process for enhancing the coordination between the CITES and fisheries authorities; train the personnel in charge of surveillance so they are able to verify that the information provided by the applicants is sufficient; improve research and investigation to address the gaps for the making of NDFs; clarify the needs for funding and the priority areas; enhance inter-institutional cooperation to enable the monitoring, control and surveillance.
122. **Peru:** implement a tool to review and ensure the legal origin of products, LAF, through a checklist format, validating the registration of catches, or homologate an existing system already in place for the European Union; strengthen the fisheries legislation as regards CITES issues, notably in respect of IFS, LAF and export quotas; enhance awareness-raising about the inclusion of blue sharks in CITES Appendix II; collect information for the making of NDFs of such species.
123. **Venezuela (Bolivarian Republic of):** include all fisheries-related institutions within the CITES SA; implement a mechanism that allows for the appointment of the fisheries authority in a rapid and timely manner; ensure operations are carried out through automated and inter-institutional systems; technical training for the systematic making of LAFs and NDFs, according to the mandates established by CITES; strengthen research on the biology of shark species included in CITES, which is the basis for NDFs; incorporate all CITES concepts into the national fisheries legislation; training and establishment of automated mechanisms, although the Unilateral Coercive Measures imposed by the USA make it difficult, if not in many cases impossible, to carry out the implementation of an important part of the Conventions signed by the Bolivarian Republic of Venezuela, including the payments corresponding to the dues of the organizations for their exclusion from the international banking system; training and communication of advances in performance processes and good practices in both industrial and artisanal fisheries.
124. Finally, concluding remarks were made by the CITES Secretariat and FAO LEGN. Part of the follow-up activities of the workshop is the development of this technical report, which provides information about the presentations, discussions, contributions from participants, and the findings from the practical group exercises. The workshop was an opportunity to create a network of countries' participants, which should facilitate the sharing of information,

lessons learned and good practices among the countries, with a view to enhance implementation of CITES in the fisheries sector, and enhance the making of LAFs for all CITES-listed species.

Annex I. List of participants

	Country	Name	Title	Institution
1.	Argentina	Lic. Daniel Ramadori	CITES Management Authority, Secretariat of Environmental Policy in Natural Resources	Ministry of the Environment and Sustainable Development
2.	Argentina	Juan Federico Bernasconi	Fisheries Management Expert (Coordination Unit)	Directory of Fisheries Planning, Subsecretary of Fisheries and Aquaculture of the Nation, Ministry of Economy
3.	Argentina	María Isabel Molina Carranza	Coordinator of Certification of Capture and Export	Directory of Fisheries Control and Inspection, Subsecretary of Fisheries and Aquaculture of the Nation, Ministry of Economy
4.	Argentina	Vanessa Tossenberger	Vice President	CETHUS Foundation, CITES Scientific Authority
5.	Brazil	Sara Quízia Correa Mota	Public Servant	IBAMA
6.	Brazil	Luana Arruda Sêga	Chief of Unit (Industrial, Recreational and Sportive Fisheries)	Ministry of Fisheries and Aquaculture
7.	Chile	Ricardo Sáez	Chief of Unit (Conservation and Biodiversity)	SERNAPESCA, Ministry of Economy
8.	Chile	Francisco Miguel Fernández Urzúa	Fisheries Sub-directorate	SERNAPESCA, Ministry of Economy
9.	Costa Rica	Ana Isabel Azofoifa Pereira	Markets Promotion	INCOPESCA
10.	Costa Rica	Bernald Pacheco Chaves	Biologist	INCOPESCA
11.	Cuba	Viana Victoria Barceló Pérez	Policy Expert	Office of Environmental Regulation and Security
12.	Cuba	Raidel Borroto Vejerano	General Director	Fisheries Research Centre
13.	Dominican Republic	Casilda Ivelisse Figueroa Toribio	Leader of the Department of Wildlife Regulation and Control	Biodiversity Directory, Viceministry of Protected Areas and Biodiversity
14.	Dominican Republic	Angel Luis Franco	Director of Fisheries Resources	Dominican Council for Fisheries and Aquaculture
15.	Ecuador	Gabriela Manosalvas	Vice Minister of Environment	MAATE
16.	Ecuador	Glenda Ortega	Subsecretary of Natural Heritage	MAATE
17.	Ecuador	David Alejandro Veintimilla Yáñez	Engineer, Expert in Protected Areas	MAATE
18.	Ecuador	Karla Estefanía Bravo Vásquez	Interinstitutional Coordinator	Ministry of Production, Foreign Trade, Investment and Fisheries
19.	Ecuador	María Isabel Gilces Anchundia		Directory of Fisheries Control, Ministry of Production, Foreign Trade, Investment and Fisheries
20.	Ecuador	Jorge Luis Delgado Macías		Directory of Fisheries and Aquaculture Policy, Ministry of Production, Foreign Trade, Investment and Fisheries
21.	El Salvador	Marcela Vanessa Chinchilla Frech	Chief (Animal Protection)	General Directorate of Livestock Ministry of Agriculture and Livestock
22.	El Salvador	Numa Rafael Hernández	Chief (Fisheries and Aquaculture Management)	Fisheries and Aquaculture Management Administration Division, Ministry of Agriculture and Livestock
23.	Guatemala	Kenya Melissa Diaz		Directorate of Management of Forests and Wildlife, CONAP
24.	Guatemala	Alejandra Raquel Contreras Perdomo	Support Technique	Legal Directorate of Fisheries and Aquaculture, Ministry of Agriculture, Livestock and Food
25.	Mexico	Javier Tovar Ávila	Senior Research Fellow	Regional Centre for Fisheries and Aquaculture Research in the Banderas Bay, National Institute for Fisheries and Aquaculture
26.	Mexico	Marcela Moreno Dominguez	Specialized Technical Liaison	General Directorate of Wildlife, Ministry of Environment and Natural Resources
27.	Panama	Carmen Y. Medina G.		Ministry of Environment

	Country	Name	Title	Institution
28.	Panama	Cielo O'Neill	Lawyer	ARAP
29.	Peru	Jocabed Canchari Soto	Legal Analyst, Director (Harvesting for Direct and Indirect Human Consumption)	General Directorate of Fisheries and Aquaculture Environmental Affairs, Ministry of Production
30.	Venezuela (Bolivarian Republic of)	Dr Juan Carlos Santander Torres	General Director of Biological Diversity	Ministry of Popular Power for Eco-socialism and Waters
31.	Venezuela (Bolivarian Republic of)	Jhon Jairo Marin	First Secretary	Ministry of Foreign Affairs

	Regional/International Organization	Name	Title
32.	CARWEN	Fatima Vanegas Zuniga	Program Coordinator
33.	CPPS	Carlos Julio Polo Silva	Scientific Advisor and Director of Sharky Management & Consulting
34.	CPPS	Sebastian Hernandez	
35.	UNCTAD	David Vivas	Legal Officer
36.	UNODC	Lorenzo Vallejos	Regional Officer
37.	UNODC	Cristina Barros	Coordinator for Ecuador (Environmental Team)
38.	UNODC	Natalia Milanezi	Coordinator for Brazil (Environmental Team)

	Observers	Name	Title
39.	Defenders of Wildlife	Alejandra Goyenechea	Senior International Counsel
40.	Empresas Palangreras	Ken Sugahara	Engineer in Port and Maritime Transport
41.	Empresas Palangreras	Mario Leroy Tortorelli	
42.	WWF	Fernando Rey	Senior Programme Officer for Marine Conservation

	CITES/FAO	Name	Title
43.	CITES Secretariat	Juan Carlos Vasquez	Chief, Legal Affairs
44.	FAO	Manuela Cuvi	Legal Officer, Development Law Service
45.	FAO	Julia Naomi Nakamura	Legal Officer, Development Law Service
46.	FAO	Esther Boy Carmona	International Consultant, Fisheries and Aquaculture Division
47.	FAO	Eve Crowley	Deputy Regional Representative for Latin American and Caribbean, <i>ad interim</i> Representative for Ecuador
48.	FAO	Maria Belen Herrera	Consultant (Program)
49.	FAO	Sofia Narvaez Guevara	Assistant to the Representative in Ecuador
50.	FAO	Cristina Isabel Santamaria	Purchase Technique

Annex II. Agenda

(Times correspond to Manta time)

Day 1 – 8 May 2023 (Monday)	
Moderator: Esther Boy, International Consultant, FAO Fisheries and Aquaculture Division	
08.30 – 09.00	Greetings, registration, and coffee
09.30 – 10.10	Welcome and opening remarks Eve Crowley , FAO Deputy Regional Representative for Latin American and the Caribbean, <i>ad interim</i> FAO representative in Ecuador Gabriela Manosalvas , Vice Minister of Environment, MAATE Juan Carlos Vasquez , Chief, Legal Unit, CITES Secretariat Ice breaker: participants introducing participants
10.10 – 10.20	Overview of the workshop (Video recording) Blaise Kuemlangan , Chief, Development Law Service, FAO Legal Office Manuela Cuvi , Legal Officer, Development Law Service, FAO Legal Office Julia Nakamura , Legal Officer, Development Law Service, FAO Legal Office
10.20 – 10.50	Charla de Seguridad de la FAO-Ecuador/UNDSS
10.50 – 11.20	Presentation: <i>Considerations of CITES for the fisheries sector</i> Juan Carlos Vasquez , Chief, Legal Unit, CITES Secretariat
11.20 – 11.40	Presentation: <i>Using the FAO-CITES Legal Study and Guide</i> Manuela Cuvi , Legal Officer, Development Law Service, FAO Legal Office Julia Nakamura , Legal Officer, Development Law Service, FAO Legal Office
11.40 – 11.50	Break
11.50 – 12.00	Q&A and discussion
12.00 – 12.15	Presentation: <i>The Implementation of CITES in the fisheries sector in Argentina</i> Daniel Ramadori , CITES Management Authority, Secretariat of Environmental Policy and Natural Resources, Ministry of the Environment and Sustainable Development Juan Federico Bernarsoni , Fisheries Management Expert (Coordination Unit), Directory of Fisheries Planning, Subsecretary of Fisheries and Aquaculture of the Nation, Ministry of Economy María Isabel Molina Carranza , Coordinator of Certification of Catch and Export, Directory of Fisheries Control and Inspection, Subsecretary of Fisheries and Aquaculture of the Nation, Ministry of Economy
12.15 – 12.30	Presentation: <i>The Implementation of CITES in the fisheries sector in Brazil</i> Sara Mota , Public Servant, Brazilian Institute of the Environment and Renewable Natural Resources Luana Sêga , Chief of Unit (Industrial, Recreational and Sportive Fisheries), Ministry of Fisheries and Aquaculture
12.30 – 12.50	Presentation: <i>The Implementation of CITES in the fisheries sector in Costa Rica</i> Ana Isabel Azofeifa , CITES MA for fisheries and aquaculture species
12.50 – 13.00	Q&A and discussion
13.00 – 14.00	Lunch
14.00 – 14.20	Presentation: <i>The Implementation of CITES in the fisheries sector in Cuba</i> Viana Pérez , Policy Expert, Office of Environmental Regulation and Security Raidel Vejerano , General Director, Fisheries Research Centre

Day 1 – 8 May 2023 (Monday)

Moderator: **Esther Boy**, International Consultant, FAO Fisheries and Aquaculture Division14.20 – 14.45 Presentation: *The Implementation of CITES in the fisheries sector in Ecuador***David Veintimilla**, Expert in Protected Areas, MAATE**Karla Vásquez**, Interinstitutional Coordinator, Ministry of Production, Foreign Trade, Investment and Fisheries14.45 – 15.10 Presentation: *The Implementation of CITES in the fisheries sector in El Salvador***Marcela Chinchilla**, Chief (Animal Protection), Ministry of Agriculture and Livestock**Numa Hernández**, Chief (Fisheries and Aquaculture Management), Ministry of Agriculture and Livestock

15.10 – 15.35 Q&A and discussion

15.35 – 15.50 Break

15.50 – 16.10 Presentation: *The Implementation of CITES in the fisheries sector in Chile***Ricardo Sáez**, Chief of Unit (Conservation and Biodiversity), Fisheries and Aquaculture National Service, Ministry of Economy**Francisco Urzúa**, Fisheries Subdirector, Fisheries and Aquaculture National Service, Ministry of Economy16.10 – 16.30 Presentation: *The Implementation of CITES in the fisheries sector in Peru***Jocabed Soto**, Legal Analyst, Director (Harvesting for Direct and Indirect Human Consumption), General Directorate of Environmental, Fisheries and Aquaculture Affairs, Ministry of Production16.30 – 16.50 Presentation: *The Implementation of CITES in the fisheries sector in Mexico***Marcela Dominguez**, Specialized Technical Liaison, General Directorate of Wildlife, Ministry of Environment and Natural Resources**Javier Ávila**, Senior Research Fellow, Regional Centre for Fisheries and Aquaculture Research in the Banderas Bay, National Institute for Fisheries and Aquaculture16.50 – 17.10 Presentation: *The Implementation of CITES in the fisheries sector in Panama***Carmen Medina**, Ministry of Environment**Cielo O'Neill**, Lawyer, ARAP

17.10 – 17.30 Q&A and discussion

17.30 Closing

Day 2 – 9 May 2023 (Tuesday)

Moderator: **Manuela Cuvi**, Legal Officer, Development Law Service, FAO Legal Office

09.00 – 09.20 Recap of Day 1: participants share their views

Juan Carlos Vasquez, Chief, Legal Unit, CITES Secretariat09.20 – 09.40 Presentation: *The Implementation of CITES in the fisheries sector in Guatemala***Kenya Diaz**, Directorate of Management Forests and Wildlife, CONAP**Alejandra Contreras**, Support Technique, Department of Marine Fisheries, Ministry of Agriculture, Livestock and Food09.20 – 09.50 Presentation: *The Implementation of CITES in the fisheries sector in Dominican Republic***Angel Luis Franco**, Director of Fisheries Resources, CODOPESCA09.50 – 10.10 Presentation: *The Implementation of CITES in the fisheries sector in the Bolivarian Republic of*

Day 2 – 9 May 2023 (Tuesday)
Moderator: **Manuela Cuvi**, Legal Officer, Development Law Service, FAO Legal Office

Venezuela

Juan Carlos Santander, General Director of Biological Diversity, Ministry of Popular Power for Eco-Socialism and Waters

Jhon Marin, First Secretary, Ministry of Foreign Affairs

10.10 – 10.40 Live conversation with UNCTAD about the BlueBio Trade Project

David Vivas, Legal Officer, UNCTAD

10.40 – 11.00 Presentation: *The main gaps in the implementation of CITES in Latin America: Perspectives from CPPS on Sharks*

Carlos Polo, Scientific Advisor for Sharks, CPPS

11.00 – 11.15 Break

11.15 – 11.40 Presentation: *Environmental Cooperation: Governments of Central America and Dominican Republic*

Fátima Vanegas, Regional Coordinator, DOI-TAP/CAWEN

11.40 – 12.10 Presentation: *The requirements under the Agreement on Port State Measures relevant to CITES*

Esther Boy, International Consultant, FAO Fisheries and Aquaculture Division

12.10 – 12.35 Q&A and discussion

12.35 – 13.00 Presentation: *Principles of the Catch Documentation Scheme for CITES Legal Acquisition Findings*

Esther Boy, International Consultant, FAO Fisheries and Aquaculture Division

13.00 – 13.10 Presentation: *UNODC: focus on crimes related to the fisheries sector*

Lorenzo Vallejos, Regional Officer, UNODC

Cristina Barros, Coordinator for Environmental Program, UNODC

13.00 – 14.00 Lunch

14.00 – 14.30 Presentation: *Legal acquisition findings*

Juan Carlos Vasquez, Chief, Legal Unit, CITES Secretariat

14.30 – 14.50 Q&A and discussion

14.50 – 17.00 Practical exercise I: identification of LAF key elements for marine species

- Participants were invited to apply the Rapid Guide to a concrete case
- Participants were invited to resolve a mock case (“Mantita”, “Romón” and “Genevaro”)

Juan Carlos Vasquez, Chief, Legal Unit, CITES Secretariat

Day 3 – 11 May 2023 (Wednesday)

09.00 Leaving Hotel MantaHost

08.30 Visit to the Marine Wildlife Reserve Liguiqui to observe community experiences in catching octopus

10.00 Visit to the Marine Wildlife Reserve Pacoche, in San Lorenzo to observe landing of small pelagic fisheries and experiences with monitoring marine turtles in the protected area

11.30 Returning to Manta

12.00 Visit to the Maritime Port of Manta

13.00 Returning to Hotel MantaHost

Day 3 – 11 May 2023 (Wednesday)

13.30 – 14.30 Lunch

14.30 – 15.30 Discussion about the practical exercise

15.30 – 15.40 Overview of the findings (comparative table)

Esther Boy, International Consultant, FAO Fisheries and Aquaculture Division

15.40 – 15.50 Explaining the practical exercise II

Julia Nakamura, Legal Officer, Development Law Service, FAO Legal Office

15.50 – 17.00 Practical exercise II:

- Participants were invited to follow the guide's preliminary considerations, that is, the three-step analysis of key elements in the selected CITES-specific and fisheries-specific legislation.
- Each country team nominates a chair to coordinate the works and a rapporteur to report the findings on the next day.

Day 4 – 11 May 2023 (Thursday)

Moderator: **Esther Boy**, International Consultant, FAO Fisheries and Aquaculture Division

09.00 – 11.30 Reporting by country on practical exercise II

11.30 – 12.00 Break

12.00 – 13.30 (continuation) Reporting by country on practical exercise II

13.30 – 14.30 Lunch

14.30 – 15.30 Brainstorming of ideas on the next steps in implementing CITES through national fisheries legal frameworks

15.30 – 16.30 Sharing ideas on next steps and discussion

16.30 – 17.00 Closing remarks and round of final considerations from participants

Juan Carlos Vasquez, Chief, Legal Unit, CITES Secretariat

Manuela Cuvi, Legal Officer, Development Law Service, FAO Legal Office

Julia Nakamura, Legal Officer, Development Law Service, FAO Legal Office

Esther Boy, International Consultant, FAO Fisheries and Aquaculture Division

Annex III. Findings of Practical Exercise 1

CASE 1

Imagine a situation in which your country is involved in an international trade transaction for a CITES-listed species commercially exploited by the fisheries sector.

	Explain the case in question: species, fleet catching it, area of catch	Identify the international trade transaction and countries involved	Assuming that the chosen case requires a legal acquisition finding, apply the Quick Guide to making legal acquisition findings (see Annex 3 of CITES Resolution 18.7 (Rev. CoP19) Legal Acquisition Findings).
Chile and Argentina	Species: <i>Lamna nasus</i> (FAO code) in Appendix II and the conditions leading to it is Significant Trade, that this species will be subject to increased monitoring Catch area: zona FAO 87 Fleet: artisanal, Gear: gillnet Landing Certificate, Issuing authority: SERNAPESCA Vessel name: Mafalda, Registration number: 666 Fishing licence: 999 Port of origin: Coquimbo HGT and estimated catch quantities: 1000 kg and Verified discharge: 970 kg No transshipment.	Exports from Chile to Argentina	1) LAF is required : yes 2) Carry out risk assessment: Verification of fishing gear, Permit or Licence and Area of operation (VMS). As it is not a target species, the catch is in the fishery with the target species Albacore so the fleet might not have complied with the regulations of the gear rule, not have a permit for the target species and operate in a restricted area. 3) The operation was assessed as compliant with the current regulations: There was certification process in port of landing. 4) Check if the CITES permit application is duly completed and sufficient documentation was provided: It was checked that there was sufficient information for product traceability. Check of required forms, and verification of legal provenance with competent authorities.
Costa Rica and Mexico	Silky shark (<i>Carcharhinus falciformis</i>), thresher shark (<i>Alopias</i> spp), blue shark (<i>Prionace glauca</i>), are on Appendix II, conditions: NDF required for export, DAL required and CITES Permit required.	Costa Rica exports to Mexico	1) LAF is required. 2) Risk evaluation: Sustainability – Quota availability in NDF Legality – Verification of the documents provided for the acquisition of the product or by-product. Physical inspection of the goods to be exported at the plant and the respective markers are placed Traceability – Documentary evidence of traceability 3) Fisheries and Aquaculture Law 8436 and its regulations 4) Does not comply with documentation. You are warned with 10 working days to remedy. 5) Once the DAL has been corrected, it is positive, and the permit is issued.
Ecuador and Peru	The artisanal fishing fleet. The species <i>Alopias pelagicus</i> , listed in appendix II in 2017, caught by the artisanal longline fleet with surface longline in the Fao 87 area, is issued the CMCDP No. 0245898, which describes the total catch of the target fishery.	Export from Ecuador to Peru	1) LAF is required. 2) Risk evaluation: Appendix II – medium risk, monitoring and landing control certificate, fishing inspectors, n/a, no conflict of interest, medium/ there are cases from other countries with confiscation, commercial trade, no previous record, sale >\$100 (\$1000 Representative value), <i>Alopias superciliosus</i> , high risk of being passed through CITES spp., migratory species, level of trade: tonnes, no quotas, stricter national

	Explain the case in question: species, fleet catching it, area of catch	Identify the international trade transaction and countries involved	Assuming that the chosen case requires a legal acquisition finding, apply the Quick Guide to making legal acquisition findings (see Annex 3 of CITES Resolution 18.7 (Rev. CoP19) Legal Acquisition Findings).
			measures, traceability system PAT-Ec/control, national or internal register of persons authorised to carry out commercial transactions.
El Salvador and Guatemala	A licensed shark fleet, with a catch area of 20 nautical miles within the EEZ, is catching the species <i>Carcharhinus falciformis</i> , which will export 400 kg of dried fin to Japan. The company attaches the documentation requested by the CITES office: FID, commercial invoice, CITES request, transport guide. <i>Carcharhinus falciformis</i> Appendix II, intrinsic biological vulnerability and precaution of the species, pressures on the species, trade pressures.	Introduction from the sea	-
Panama and Brazil	The case concerns an export of a cargo of dried Mako shark (<i>Isurus oxyrinchus</i>) fins from Brazil to Panama, caught by a Brazilian-flagged industrial fleet vessel using longline fishing gear. The product was caught in international waters. The Mako shark (<i>Isurus oxyrinchus</i>) is listed in Appendix II of CITES, therefore, its trade can be authorised by means of an export permit that can be issued by the competent authority once it has been determined that certain conditions have been met, in particular, that the trade will not be detrimental to the survival of the species, which entails the preparation of a positive Non-detriment Finding, and subsequently, the issuance of a Legal Acquisition Finding, which proves that the specimens were not obtained in contravention of the legislation in force.	The international trade transaction of these species, having been caught by a Brazilian-flagged vessel in international waters and having been landed in a Brazilian port, implies an introduction from the sea, for which a prior legal verification is required, involving a review of compliance with ICCAT regulations. Subsequently, and given that in this case an export of this product to Panama is desired, Brazil must carry out a LAF, in order to subsequently issue the CITES permit by the administrative authority, for approval of the export. Panama, for its part, once it has received the import request, must verify compliance with domestic regulations and present the export permit and other relevant documentation, in order to issue the import certificate for this transaction.	For the formulation of the legal acquisition report, the interested party must present the following requirements to the Instituto del Environment Institute, the following requirements: - Fishing Licence of the vessel, which must be registered in the General Register of Fishing Activity, of the Ministry of Fisheries and must contain information, among others, on the name of the vessel and fishing gear. - Registration with the Maritime Authority - Voyage map (which must contain information such as the name and captain of the vessel, position of sets, latitude, longitude, time, environmental information, species, quantities, etc.). - Vessel's registration document in the National Fishing Vessel Satellite Monitoring Program, for verification of set position. - Record indicating that fins were landed attached to the body of each specimen. - Federal Inspection Service record of the company that is going to carry out the export. Once the documentary verification has been carried out, and if everything is in accordance, the Environmental Institute proceeds to issue the DAL for the export procedure.
Dominican Republic, Cuba and Venezuela (Bolivarian Republic of)	Species: <i>Carcharhinus falciformis</i> Fishing fleet: artisanal Panga type Name: Shark F-2528 Fishing gear: Drifting longline with 225 hooks Catch area: EEZ Cuba, North Coast Matanzas Prov., Coordinates 00000N and 000000E CITES Appendix 2 species and requires an LAF and NDF in order to be able to export	The product is intended for export to China.	Risk evaluation i) Appendix II, medium risk ii) wildlife species, medium risk iii) n/a iv) low risk v) medium risk vi) medium risk vii) medium risk viii) low risk ix) high risk
Observers	Colombia as an importing country (of meat)	Imports of meat by Colombia and exports by Ecuador	1. LAF necessary for all three

	<p>Explain the case in question: species, fleet catching it, area of catch</p>	<p>Identify the international trade transaction and countries involved</p>	<p>Assuming that the chosen case requires a legal acquisition finding, apply the Quick Guide to making legal acquisition findings (see Annex 3 of CITES Resolution 18.7 (Rev. CoP19) Legal Acquisition Findings).</p>
	<p>Ecuador as exporting country. Species: Silky shark (silky) <i>Alopias pelagicus</i> (fox). Hammerhead shark (<i>S. zygaena</i>). Catching fleet: Artisanal fleet fishing for trammel fish. Area of catch: Within and outside jurisdictional waters. All CITES Appendix II species (meet CITES listing criteria, population reduction, threatened by high commercial demand for their products etc.) and additionally have ministerial catch and trade bans in place for hammerhead species including this one.</p>		<p>2. Risk to hammerhead sharks for violating the Ministerial Agreement. In addition, the company that is requesting the export has a judicial record (consult the background of the exporting company). The population status of the species was reviewed according to the IUCN.</p> <p>3. Ministerial Agreement for Hammerhead Sharks. For the other species the Executive Decree 486.</p> <p>4. Cannot apply for a permit application for <i>S. zygaena</i>. For silky and thresher sharks there are valid permits because they have valid NDFs.</p> <p>5. The chain of custody and traceability documents are in line with the application. The only species that was caught in violation of the law was hammerhead shark. Enforcement bodies such as the Public Prosecutor's Office, Fisheries (Control and Surveillance Authority) are notified.</p> <p>6. Based on the above, a DAL would only be issued for <i>C. falciformis</i> and <i>A. pelagicus</i> because they have all the documentation in order and traceable. And a negative DAL for <i>S. zygaena</i> and no permit is issued.</p>

CASE 2

Mantita and Romón are coastal and port States. Both are party to CITES and the PSMA. Mantita is known for its high volumes of hammerhead shark trade. During one fishing trip a Mantita-flagged fishing vessel caught 3 tonnes of hammerhead sharks on the high seas and 2 tonnes of Atlantic bluefin tuna. At the end of the fishing trip, the fishing vessel returned to its home port in Mantita and landed the catch. Some of the Atlantic bluefin tuna and hammerhead shark landed were subsequently sold to Genevaro country. In the same port and at the same time, another Romón-flagged vessel is landing the same species in the same quantities but caught in the Romón EEZ, while an AMERP inspector checks, among other things, CITES documentation. These catches will also end up being sold to Genevaro along with those of the Mantita trawler. Given the above scenario, identify below all the international trade transactions that occurred involving the Mantita-flagged fishing vessel, the CITES-listed species involved, and the documentation and verifications that must be made to generate it in order for those transactions to comply with CITES and other fisheries regulations.

International trade transaction	Commercially exploited species	Required documentation		Chile & Argentina	Costa Rica & Mexico	Brazil & Panamá	El Salvador & Guatemala	Dominican Rep., Cuba & Venezuela (Bolivarian Rep. of)	Ecuador & Peru	Observers
		LAF	NDF							
Introduction from the sea (Mantita fishes on the high sea and lands in Mantita's port)	Hammerhead sharks	Fishing logbook Deep-sea fishing licence. Fishing vessel licence ... other ... Confirmation from the fishing authority that the fishing trip has been carried out in accordance with the applicable regulations.	Scientific study Fishing logbook	(legal verification) Introduction from the sea	Landing inspection form, which serves for issuance of product invoice, certification that the company is in good standing and other requirements - important link to traceability system (Costa Rica). On-site verification (El Salvador)	LAF: no (legal verification) NDF: yes	LAF: FID NDF: Positive, quota	LAF: no NDF: yes	LAF: yes NDF: no	LAF: Legal verification (permits, VMS information, licenses, logbook and other documentation) and international legislation of the 3 ton. NDF: No, stock assessment that allows to know if the NDF is required for an export quota.
Export (from Romón to Mantita/Import in Mantita)	Hammerhead sharks	Made by Romón's CITES MA	Scientific study developed by Romón's CITES SA		LAF: yes NDF: yes	LAF: yes NDF: yes	LAF: FID NDF: Positive, quota		Only import permit	LAF : with prior information of what is being exported. NDF: No.
Expor from Romón to Mantita/Import in Mantita	Bluefin tuna (with catch documentation issued by and	N/A	N/A				Precautionary measures in			

International trade transaction	Commercially exploited species	Required documentation		Chile & Argentina	Costa Rica & Mexico	Brazil & Panamá	El Salvador & Guatemala	Dominican Rep., Cuba & Venezuela (Bolivarian Rep. of)	Ecuador & Peru	Observers
		LAF	NDF							
	completed by Romón)						accordance with the resolution			
Export from Mantita to Genevaro (catches from Mantita's vessel)	Hammerhead sharks	LAF from Mantita's CITES MA	NDF from Mantita's CITES SA	LAF: (regulatory compliance for Altamar/ROFO: e.g. legal catch certificate) NDF : for Mantita and/or RFMOs		LAF: yes NDF: yes	LAF: FID NDF: Positive, quota		LAF: No NDF: No	
Export from Mantita to Genevaro (catches from Mantita's vessel)	Bluefin tuna	N/A	N/A				Precautionary measures in accordance with the resolution			
Re-export (catches from Romón's vessel to Genevaro)	Bluefin tuna (with catch documentation issued by Romón and completed by Mantita)	N/A	N/A							
Reexport (catches from Romón's vessel to Genevaro)	Hammerhead sharks	LAF from previous export	NDF from previous export			LAF: yes NDF: yes		LAF: n/a NDF: n/a		(Resol 12.3. Item II) LAF: Legal verification. NDF: used the same previously made for the first report.
Fishing prohibited	Bluefin tuna						LAF: illegal/NDF: Application of precautionary measures in accordance with the resolution			

Specify the documentation that should be required by the inspector from Romón's ship, identifying the commercial transaction in that case and the subsequent joint shipment to Genevaro.						
FAO-CITES	Chile & Argentina	Costa Rica & Mexico	Brazil & Panamá	El Salvador & Guatemala	Ecuador & Peru	Dominican Rep., Cuba & Venezuela (Bolivarian Republic of)
<p>Atlantic bluefin tuna is not a CITES-listed species, so a CITES permit is not required for international trade of this species. However, both Mantita and Romón must comply with the requirements (allowable catch) for fishing for this species and accompany the catch with the BFT CD by completing the relevant landing and trade events.</p>	<p>To elaborate the answer to this item, we took the example of the CCAMLR E-CDS System, which regulates the catch and trade of cod/Patagonian toothfish (<i>Dissostichus eleginoides</i>):</p> <ul style="list-style-type: none"> - As it is an electronic catch documentation system, the application process is simplified for those administered, and the issuance is the responsibility of the enforcement authority. - The volumes landed are recorded in a database managed by the Convention, as well as the volumes and products traded and their destinations. This allows for statistical consultations, simplifying the availability of information and its updating in real time. - An electronic documentation system allows the exchange and use of information in an agile manner, minimizing errors in data processing, loss of information and/or adulteration of data. 	<p>It is an export from Romón to Mantita and requires a CITES permit and it is an import into Mantita and requires verification of the permit from the country of origin. The product landed by Romón's vessel leaves the country as a re-export to Genevaro.</p>	<p>Export permit, since the fact of having this, implies that it has previously presented its DAL, that there was available export quota in its NDF, and that it complied with all the applicable fishing regulations for this transaction.</p>	<p>Valid navigation licence, valid commercial fishing licence, logbook or fishing log, do a gear inspection (if everything is in order issue FID).</p> <p>Send to genevaro</p> <p>Application for introduction from the sea, fid, invoice, certificate from fishing authorities, DAL, DENP POSITIVE, quota, authorization opinion, issue of certificate.</p>	<p>Documents authorizing entry to Mantita for landing, as well as catch authorizations issued by Romon under the PSMA.</p>	<p>Transaction is an import and re-export, carries CITES Export Permit from country of origin, Fishing Authorization, Information contained in PSMA Annex A to remove IUU.</p>

Reflect on how a catch documentation system similar to that applicable to bluefin tuna could benefit compliance and verification of CITES requirements.						
FAO-CITES	Chile & Argentina	Costa Rica & Mexico	Brazil & Panamá	El Salvador & Guatemala	Ecuador & Peru	Dominican Rep., Cuba & Venezuela (Bolivarian Republic of)
When a species is subject to a CDS, the fisheries authority must have a procedure in place to certify the activity in the events where it is requested. If the CDS is in place for a CITES species, it could act as the necessary documentation for the CITES Management Authority to verify the SAD.	For the elaboration of the response to this item we took the CCAMLR E-CDS system that regulates the catch and trade of cod/ Patagonian toothfish (Dissostichus Eleginoides): - Being an electronic catch documentation system simplifies the application process as well as the issuance. - The volumes landed are recorded in a database managed by the Convention, as well as the volumes traded and their destinations. This allows for statistical queries, simplifying the availability of information and its use in real time. - It allows information to be exchanged and used more quickly, minimizing the risk of errors in the process (loss of information), as well as the risk of data adulteration.	It is a beneficial tool for the verification of the legality of the product, as it would speed up the verification process. Does the catch documentation system lead to an inspection process?	A CDS would facilitate the elaboration of the LAF, as it already has a flow of information collection and review of compliance with national and international legislation, since it already has the documentation that the administrative authority should request from the interested parties for the elaboration of the LAF.	It would strengthen the verification of the traceability and legality of the product and gives an extra value to the value chain by establishing specific animal health codes for species, products and by-products and their derivatives, improving and ordering the country's trade, ensuring the sustainability of resource extraction.	Especially with traceability at the time of landings and in the identification if the catches are being taken in international waters, for which an Introduction from International Waters document should be generated.	The bluefin tuna system can benefit from the organizational aspect of traceability, as it is organised in a way that is clearly traceable by digitised record sheets that guarantee that the species was caught in the areas indicated in the eBCD, as well as the fishing gear used until it reaches the final buyer.

Annex IV. Findings of Practical Exercise 2

	1. a. Are fisheries authorities aware of and apply CITES-specific legislation?	1. b. Where there is no CITES-specific legislation, is there equivalent legislation to what would be required under CITES?	2. Are CITES authorities aware that LAFs can be used to support fisheries enforcement officers and Port Authorities in their activities to tackle IUU fishing?	3. Would fisheries authorities be able to recognize 'introduction from the sea' (IFS) transaction?	4.a. How often do fisheries authorities and CITES MA and SA interact?	4.b. What other authorities have a role to play in the implementation and enforcement of CITES-related legislation in your country?	5. Do the fisheries authorities provide support and data in the making of NDFs for commercially-exploited aquatic species? If yes, how?	6. Are data and information from relevant RFMO/As or national CITES SAs of other countries used to prepare NDFs?
Argentina	Yes, enforcement authorities are aware of CITES provisions. Specific legislation does not apply because there is no trade in CITES species.	N/A	Yes, the issuance of any CITES permit must be accompanied by the issuance of a DAL. This establishes the requirements for the approval or issuance of a CITES permit for export.	Yes, but this is not currently the case in Argentina. However, an Argentinean flag vessel needs a permit from the fisheries authority to operate outside the EEZ and foreign flag vessels cannot land in Argentinean ports or they would have to apply for permits from the competent authorities.	There is fluid and regular communication between the two organizations.	Argentine Customs, Argentine Naval Prefecture, Chancellery, National Institute of Fisheries Research and Development (INIDEP), and provincial government agencies.	No opinions have been issued as there are no exports of CITES-listed species. The National Institute for Fisheries Research and Development (INIDEP) is identified as the scientific authority.	N/A
Brazil	Yes, all foreign trade in CITES-listed species must be analysed by the CITES MA.	Specific CITES legislation exists.	Yes, we are aware of the importance of the elaboration of all CITES documents and we are already working in cooperation so that the management of the species is done jointly between CITES and fisheries authorities.	Yes, the fisheries authority can recognize by the satellite-based fishing vessel tracking programme.	The authorities interact whenever necessary and periodically in meetings of the Standing Committees for Fisheries Management and Sustainable Use of Fishery Resources, which are conducted by the fisheries authority, but with the participation of the administrative and scientific authorities and other government bodies, as well as civil society and academia.	We have the participation of some environmental authorities from Brazilian districts.	No, the authorities are in the process of resuming technical cooperation.	In the NDF conducted for <i>Isurus oxyrinchus</i> (Mako) dice from ICCAT were used.
Chile	Yes, given that for Chile the Fisheries Authority (SERNAPESCA), has the responsibility and competence in matters of hydrobiological species, as established	Not applicable as stated in the previous answer.	Yes, given that the legal origin of catches, landings and the remaining steps in the value chain (e.g. Traceability System and Accreditation of Legal Origin) is checked at all events. In this sense,	Yes, since SERNAPESCA is mandated by law to do so.	Not applicable, given that the competition for the designation of the National CITES SA for hydrobiological species is currently being processed. In relation to the above, and given the existence of a	Administrative: Flora: National Forestry Corporation (CONAF); Terrestrial fauna: Agriculture and Livestock Service (SAG). Hydrobiological species: SERNAPESCA; Coordination with CITES and National Secretariat: Directorate of Environment	Where appropriate, SERNAPESCA shall provide all relevant background information, without prejudice to the ad hoc obligations and feedback, as provided for in Art. N° 5 of Law 20.962 and those mentioned in the text of	Yes, information from RFBs and ad hoc Commissions (e.g. CCAMLR), based on the work of their respective Scientific Bodies, should be used and considered

	1. a. Are fisheries authorities aware of and apply CITES-specific legislation?	1. b. Where there is no CITES-specific legislation, is there equivalent legislation to what would be required under CITES?	2. Are CITES authorities aware that LAFs can be used to support fisheries enforcement officers and Port Authorities in their activities to tackle IUU fishing?	3. Would fisheries authorities be able to recognize 'introduction from the sea' (IFS) transaction?	4.a. How often do fisheries authorities and CITES MA and SA interact?	4.b. What other authorities have a role to play in the implementation and enforcement of CITES-related legislation in your country?	5. Do the fisheries authorities provide support and data in the making of NDFs for commercially-exploited aquatic species? If yes, how?	6. Are data and information from relevant RFMO/As or national CITES SAs of other countries used to prepare NDFs?
	in Title II, Section C, of Law 20.962 of 2016, of MINAGRI.		Chile has a system and tools that allow to effectively address and control IUU fishing at national and international level. However, Chile has an "operational" advantage in this matter, since the CITES Fishing Authority and Management Authority is SERNAPESCA.		National CITES Committee, chaired by the Ministry of Foreign Affairs, the appointed Scientific Authority(ies) will begin to interact with the other existing CITES Authorities, highlighting the bilateral technical work to be carried out with the corresponding CITES MA (SERNAPESCA).	and Maritime Affairs of the Ministry of Foreign Affairs (DIMIA). Scientific: Flora: Forestry Institute (INFOR). Terrestrial Fauna: Dr. Juan Carlos Ortiz (Dept., Zoology, Faculty of Natural and Oceanographic Sciences, University of Concepción). Hydrobiological species: In process. Enforcement: Carabineros de Chile; Investigative Police; National Customs Service.	the CITES Convention and all its associated regulations.	in the elaboration of NDFs.
Costa Rica	Yes, it is known and implemented. In Costa Rica the Fisheries Authority is designated as the CITES MA. In addition, the CITES SA is coordinated by the Fisheries Authority.	Yes, the Fisheries and Aquaculture Law 8436 and its Regulation, among others.	Yes, the LAF is a tool that supports the processes of monitoring, control, surveillance, follow-up and traceability of the products of responsible fishing, which were obtained in accordance with the laws and regulations of the State.	Yes, it could, since there is satellite monitoring, set registration forms where the coordinates of the set and what was caught are recorded. What complicates this task is that there is no separation of the product caught inside and outside the EEZ, so some mechanism for separation and traceability must be implemented.	Currently there is constant interaction between the two authorities, as both are coordinated by the Fishing Authority. With regard to the CITES SA, interaction takes place whenever advice is required from the CITES MA.	INCOPESCA, National Animal Health Service (SENASA), Ministry of Environment (MINAE), Foreign Trade Promotion Agency (PROCOMER), Port Captaincy of the Ministry of Public Works and Transport (MOPT), National Coast Guard Service, Public Force and Customs Technical Department of the Ministry of Finance.	Yes, the INCOPESCA provides support and data in the elaboration of NDFs. INCOPESCA provides data on biological fisheries sampling, landings and exports that are used as input for the elaboration of NDFs, which are under the competence of the CITES Scientific Council. In addition, the NDF contains a section analysing progress in the implementation of the recommendations of the NDF previously in force, and this is a contribution made by the Fisheries Authority.	No, it is done only with local data.
Cuba	The fisheries sector is one of the most familiar in Cuba with CITES legislation. It is a sector that maintains good communication with the management authority.	Cuban species that are included in the CITES appendices are also regulated by fisheries legislation. Appendix I species are permanently banned.	Prior to this workshop we were not very clear about the LADs and their use by other authorities.	There is no fishing outside the EEZ in Cuba.	Frequently (fisheries advisory).	Forest Rangers, Border Guards, Fisheries Inspectors, Police, National Centre for Animal Health, National Centre for Plant Health	Most of the information used to make NDFs comes from companies, research centres and fisheries authorities.	No.

	1. a. Are fisheries authorities aware of and apply CITES-specific legislation?	1. b. Where there is no CITES-specific legislation, is there equivalent legislation to what would be required under CITES?	2. Are CITES authorities aware that LAFs can be used to support fisheries enforcement officers and Port Authorities in their activities to tackle IUU fishing?	3. Would fisheries authorities be able to recognize 'introduction from the sea' (IFS) transaction?	4.a. How often do fisheries authorities and CITES MA and SA interact?	4.b. What other authorities have a role to play in the implementation and enforcement of CITES-related legislation in your country?	5. Do the fisheries authorities provide support and data in the making of NDFs for commercially-exploited aquatic species? If yes, how?	6. Are data and information from relevant RFMO/As or national CITES SAs of other countries used to prepare NDFs?
Dominican Republic	Yes, as far as enforcement is concerned, we do not currently have any species that are subject to quotas in the trade of species of wild origin within our country, as our national laws are stricter in these aspects. Except when there is reproduction in captivity in the cause of fauna, specifically in the fishing area.	Law 64-00, Law 33-15 y la Law 307-04	The fisheries authority is aware that our country has a Foreign Trade Single Window System (VUCE) made up of state institutions with due competence in foreign trade, such as the General Directorate of Customs, the Dominican Port Authority, the Ministry of Agriculture, the Ministry of the Environment, and the CODOPESCA. This system allows to know in advance what will enter the country and whether or not what is requested can be authorized. In a transparent way to make imports more efficient, which currently has a 24-hour clearance time.	Yes, it can be recognized through the instrument of Administrative Resolution by the Fishing Authority of our country, CODOPESCA.	On a frequent basis, as we are interconnected to the VUCE System and through other activities, where we jointly act on fisheries, aquaculture and marine issues.	Ministry of Agriculture (President of the Council) Ministry of Foreign Affairs (MIREX). Ministry of Defence, through the National Environmental Protection Service (SENPA). Navy of the Dominican Republic (Member of the Council) Specialised Attorney's Office for the Defence of the Environment and Natural Resources (Procuraduría Especializada para la Defensa del Medio Ambiente y los Recursos naturales).	The Fishing Authority in the Dominican Rep. No NDF has been issued so far.	If they have been carried out in the past following the guidelines of OSPESCA and the country's Scientific Authority, the Ministry of Environment.
Ecuador	The fisheries authorities are aware of CITES legislation; however, as they are not the CITES MA and the CITES regulatory framework is implemented through the Organic Environmental Code, there is a coordination process between the CITES MA and the Fisheries Authority.	Although there is no specific legislation for the application of CITES to marine species, the general regulatory framework for CITES is established in the Regulations to the Organic Environmental Code. However, the specific regulatory framework for the fisheries sector is defined through	In the case of Ecuador, the CITES Authorities rely on the fisheries authority to determine legality, considering that the entire process of control and traceability from capture, landing, mobilization and export is carried out by the fisheries authority, in this sense, it is the fisheries authority that supports the CITES Authority in the LAF.	In order to recognize introduction from the sea by the fisheries authority, it is necessary to establish a national legal framework for its implementation, considering that the CITES Authority is not the governing body for fisheries.	The three agencies interact frequently in the elaboration of NDFs, LADs and export processes; however, it is necessary to establish a coordination mechanism between the three agencies that is recognized and guarantees its permanence.	The customs authority in export processes and verification of compliance with the respective documentation. The Navy for control processes at sea and in the exclusive economic zone, and the Environmental Protection Unit of the National Police for control processes at the national level.	If, prior to the preparation of NDFs, the Scientific Authority requests information from the Fishing Authority concerning: landing data, morphometric measurements, regulatory framework, traceability, export data, etc.	Not at the moment.

	1. a. Are fisheries authorities aware of and apply CITES-specific legislation?	1. b. Where there is no CITES-specific legislation, is there equivalent legislation to what would be required under CITES?	2. Are CITES authorities aware that LAFs can be used to support fisheries enforcement officers and Port Authorities in their activities to tackle IUU fishing?	3. Would fisheries authorities be able to recognize 'introduction from the sea' (IFS) transaction?	4.a. How often do fisheries authorities and CITES MA and SA interact?	4.b. What other authorities have a role to play in the implementation and enforcement of CITES-related legislation in your country?	5. Do the fisheries authorities provide support and data in the making of NDFs for commercially-exploited aquatic species? If yes, how?	6. Are data and information from relevant RFMO/As or national CITES SAs of other countries used to prepare NDFs?
		the Organic Law for the Development of Aquaculture and Fisheries, as well as specific rules (Ministerial Agreements).						
El Salvador	Fisheries Authorities were aware of the Convention but it was not given the required importance as a complement to the trade process.	Yes, the Wildlife Conservation Law is a legal instrument (administrative type) managed by the Ministry of Environment and Natural Resources Scientific Authority. The institutions are often working in a dispersed manner within the scope of the Convention. Proof of this is the catch documentation system, which has been modified to comply with the CITES guidelines on marine issues.	Currently, LDAs are not linked within the schemes (they are not binding), largely because they do not jointly form the (administrative or scientific) authority. The country's participation in RFMOs should also be considered in this regard. It is necessary for this instrument to validate and complete all the processes linked mainly to extraction (origin within traceability).	Now, from this workshop, this concept is better understood and there is a need to update El Salvador's fisheries legal framework, recognizing within its fisheries legislation the binding harmonization of legality in order to comply with the CITES Convention.	Previously, it is from Cop 19 that the need is seen to generate communication tools to establish harmonized legal frameworks that respond to compliance for the implementation of marine species in the CITES appendices by November 2023.	Enforcement Authorities National Civil Police, Customs, Naval Force, General Prosecutor's Office, Central Reserve Bank, Animal and Plant Quarantine, Food Safety (MAG), Directorate of Ecosystems and Biodiversity Ministry of Environment and Natural Resources (MARN). Creation of a legal framework that allows the Fisheries Authorities to be an active part of support for species from fisheries, as well as involving the institutions that may be related to the fisheries sector such as the Naval Force (FN), the Maritime Port Authority (AMP) and customs.	If required by the CITES Authorities.	Within the official National data the data are available to the CITES Authorities; in the case of Regional information it is the Fisheries Authority that can request the required information.
Guatemala	The Guatemalan fisheries authorities do not specifically legislate CITES, they only provide the requirements that are necessary for the country's administrative and scientific CITES authority to comply	It is known that Guatemala has been a party to the CITES convention since 1979 and official fishing documents are applied as one of the requirements for the export of CITES species, which	Yes, because they improve the traceability and legality of fish products, making harvesting transparent and sustainable, as well as giving the fisherman the opportunity to add extra value to the value chain.	Yes with proper training, with the complementarity of fisheries authorities in CITES.	In Guatemala there is open communication between the authorities, who respond immediately to CITES emergencies, and technical roundtables are held on a regular basis to discuss CITES.	The academy through its scientific studies for the generation of data and scientific information on species listed in the CITES appendices.	Yes, with the transfer of information based on Landing Inspection Forms (LIF's) for species to be traded in Appendix II from the sea that are recorded in the country's catches.	Yes, data from OSPESCA-SICA and its regulations are used, and sometimes information from scientific literature from the region or neighbouring countries is used.

	1. a. Are fisheries authorities aware of and apply CITES-specific legislation?	1. b. Where there is no CITES-specific legislation, is there equivalent legislation to what would be required under CITES?	2. Are CITES authorities aware that LAFs can be used to support fisheries enforcement officers and Port Authorities in their activities to tackle IUU fishing?	3. Would fisheries authorities be able to recognize 'introduction from the sea' (IFS) transaction?	4.a. How often do fisheries authorities and CITES MA and SA interact?	4.b. What other authorities have a role to play in the implementation and enforcement of CITES-related legislation in your country?	5. Do the fisheries authorities provide support and data in the making of NDFs for commercially-exploited aquatic species? If yes, how?	6. Are data and information from relevant RFMO/As or national CITES SAs of other countries used to prepare NDFs?
	with the required documentation and contribute to CITES compliance.	serve as legal and traceable support at the time of issuing the documentation by the CITES administrative authorities of Guatemala.						
Mexico	They are aware of it, but it is not up to them to apply it, as the CITES authority and the fisheries authority are different. There is cooperation between the two.	Yes, Mexican legislation is even stricter than that of the Convention itself.	Yes, the results of the LAD can be communicated to both the fisheries authorities and the enforcement authority, especially when during the assessment we detect any irregularities possibly related to IUU fishing.	Yes, because the vessels have GPS locators and at each set they record the location coordinates (which are recorded in the logbook), therefore it would be possible to know if the catches were made in international waters.	There is a great synergy between all the authorities, interacting all the time.	Enforcement authorities, including surveillance (PROFEPA, Ministry of the Navy, Customs), prosecution (Public Prosecutor's Office).	Yes, the best available scientific information and technical advice is provided to assess the status of stocks to enable the NDF to be issued.	Yes, from RFMOs, e.g. bycatch information from the IATTC or stock assessments by multinational bodies such as the ISC (International Scientific Committee).
Panama	Yes, the Panamanian fisheries authorities are aware of CITES legislation and participate with the management authority in the processing of international trade transactions involving fishery products.	In the case of Panama, we do have specific CITES legislation. By Law 14 of 28 October 1977, Panama approved the CITES.	The CITES MA of Panama is aware of the relationship between the LAF and fisheries law enforcement, in support of fisheries enforcement officers and port authorities in combating IUU fishing; However, from this workshop and the presentation made regarding the link with the Agreement on Port State Measures to prevent, deter and eliminate IUU fishing, there is greater clarity on the importance of the LAF in the fight against these illegal activities, which supports the authorities in charge to maintain greater control and verification of relevant documentation,	The fisheries authorities would be able to recognize when it is an introduction from the sea, since they are the first ones to verify that the documentation presented by the interested party coincides with the fact that the fishing of the CITES species has been carried out on the high seas, under legal conditions, and landed in a Panamanian port.	The interaction of these three authorities has been very sporadic in Panama. Efforts and approaches are being made to ensure a better flow of information and a more robust inter-institutional relationship, allowing each to play its role in this process.	In Panama, other authorities that play a role in the implementation and enforcement of CITES-related legislation are: - Panama Maritime Authority - National Naval Air Service (Ministry of Public Security) - Ministry of Commerce and Industry - National Customs Authority Public Prosecutor's Office and its auxiliary arms.	Yes, the Panamanian fisheries authorities provided the scientific authority (University of Panama) with the relevant information available, for the development of the hammerhead shark NDF made by the country. This was done through the submission of the relevant information by the fisheries authority and by responding to requests for information from the scientific authority, of the data available for this purpose.	We are unaware of this response, as there are no recent NDFs available. The last one, for hammerhead sharks, was made by Panama in 2015.

	1. a. Are fisheries authorities aware of and apply CITES-specific legislation?	1. b. Where there is no CITES-specific legislation, is there equivalent legislation to what would be required under CITES?	2. Are CITES authorities aware that LAFs can be used to support fisheries enforcement officers and Port Authorities in their activities to tackle IUU fishing?	3. Would fisheries authorities be able to recognize 'introduction from the sea' (IFS) transaction?	4.a. How often do fisheries authorities and CITES MA and SA interact?	4.b. What other authorities have a role to play in the implementation and enforcement of CITES-related legislation in your country?	5. Do the fisheries authorities provide support and data in the making of NDFs for commercially-exploited aquatic species? If yes, how?	6. Are data and information from relevant RFMO/As or national CITES SAs of other countries used to prepare NDFs?
			and thus ensure the detection of cases of IUU fishing, and to proceed with its consequent sanction.					
Peru	Peru is currently applying the national regulations for the application of CITES, but there are deficiencies for compliance with some of CITES Resolutions, for which we are working on a regulatory project to improve these aspects, such as: traceability, accreditation of legal origin, imports that are then used for re-export, IFS, among others.	In Peru, CITES has been ratified by Decree Law 21080, which gives it the status of a law. In addition, it has been regulated by Supreme Decree 030-2005-AG – Regulations for the implementation of the CITES.	The Peruvian CITES authorities are clear about the importance of the DALs in the CITES framework. However, the DALs are currently issued after a purely documentary review and verification; it is not possible to guarantee the legal origin of a fishery product or resource without a system of traceability of the chain of custody, which is still being implemented.	Peru has limitations in determining IFSs, since CITES species are normally extracted by artisanal vessels, which do not have GPS or similar systems, nor is there a system to distinguish between fishing inside or outside the jurisdictional sea. In addition, there is no regulated procedure for dealing with this type of situation, and an NDF would have to be made by the scientific authority for each IMP, which delays the process and requires information.	We have a multi-sectoral CITES working group that meets virtually at least once a month.	Fisheries control and sanction authorities play an important role in the detection of IUU fishing, as well as the application of the AMERP. On the other hand, in the CITES regulations we have enforcement bodies such as: Public Prosecutor's Office (Prosecutor's Offices specialized in environmental crimes). Customs Armed Forces Regional Governments	The CITES SA, prior to an NDF, asks the fisheries authority for all the information it has on the capture of hydrobiological species and permits that have been granted for CITES species. Likewise, the Instituto del Mar del Perú (scientific fisheries authority) provides any information it has on population or scientific studies it has been carrying out on CITES-listed species.	In recent years, the scientific authority has been compiling and comparing information with that recorded in Ecuador, which is the closest country and with which there are similarities in the species extracted.
Venezuela (Bolivarian Republic of)	They are aware of it and there are cooperation efforts between the ministry of fisheries and aquaculture and the ministry of ecosocialism for its application, as MINEC is the administrative authority of cites.	Yes, the Bolivarian Republic of Venezuela has an environmental legal framework, which has constitutional rank, and at the level of organic laws we have an organic environmental law, an environmental criminal law, a law on the management of	Yes, however, there is a need for technical training for fisheries enforcement officers and Port Authorities in their activities to deal with IUU fishing.	Yes, the Bolivarian Republic of Venezuela is a signatory to the CITES signed on 3 March 1973. In Venezuela there are the 2016 Rules for Application of CITES.	They have not met, however there is interaction on the issue of possible trade in seahorses.	The Ministry of Ecosocialism is responsible for the administrative authorities and scientific authority, however, the Ministry of Defence through the national guard, the national guard, and the Public Ministry through the environmental prosecutor's office both play a role in the enforcement of CITES legislation.	No, there has not been a case of export of a CITES-listed species warranting an NDF.	No, there has not been a case of export of a CITES-listed species warranting an NDF.

1. a. Are fisheries authorities aware of and apply CITES-specific legislation?	1. b. Where there is no CITES-specific legislation, is there equivalent legislation to what would be required under CITES?	2. Are CITES authorities aware that LAFs can be used to support fisheries enforcement officers and Port Authorities in their activities to tackle IUU fishing?	3. Would fisheries authorities be able to recognize 'introduction from the sea' (IFS) transaction?	4.a. How often do fisheries authorities and CITES MA and SA interact?	4.b. What other authorities have a role to play in the implementation and enforcement of CITES-related legislation in your country?	5. Do the fisheries authorities provide support and data in the making of NDFs for commercially-exploited aquatic species? If yes, how?	6. Are data and information from relevant RFMO/As or national CITES SAs of other countries used to prepare NDFs?
	biological diversity, a decree with rank, value and force of law on fishing and aquaculture, and a law on coastal zones.						

Does the selected CITES-specific legislation provide for key fisheries elements for CITES:							
	- provide for a clear definition of introduction from the sea?	- provide for a clear definition of NDF and LAF?	- refer to compliance with and applicability of other relevant legislation (general terms) or fisheries legislation (specific terms)?	- designate the Fisheries Authority (FA) or other relevant authority responsible for fisheries management, conservation, development and MCS, maritime matters among the CITES SA and/or the MA?	- clearly outline the mandates and responsibilities of the FA, the CITES SA and MA, ensuring coherence and including the duty to cooperate and coordinate with other authorities?	- promote or provide mechanisms for effective cooperation and coordination between those authorities as well as with other relevant authorities?	- protect all the CITES-listed species commercially-exploited and managed, including the recent listing of sharks and rays?
Argentina	Yes, Decree n° 522-97 mentions them in Article 18. If known, there is specific legislation, but it is not applied because there is no international trade of CITES species. Resol SAGyP 321/2015 and Disp. SAGyP 186-2022 and Law 22.344 and its regulatory decree 522/97.	Yes, Decree n° 522-97 mentions them in art. 9, art. 11, art. 13a, art. 17. Argentina has the one mentioned in point 1.a. above.	Decree n° 522-97 does not refer to other legislation. SSPyA Disp. n°186-2022 does refer to other legislation. Yes, there is awareness that for the issuance of any CITES permit, the issuance of a DAL is necessary and this would establish the points to be taken into account for the approval or issuance of a CITES permit to export (Resol SAGyP 321/2015), similar to the rules established for the current Legal Catch Certification approved for CITES by SAGyP Disp. 186-2022.	Yes, but this is not currently the case in Argentina. However, an Argentinean flag vessel needs a permit from the fisheries authority to operate outside the EEZ and foreign flag vessels cannot land in Argentinean ports or they would have to apply for permits from the competent authorities.	Yes, Decree n° 522-97. When the need exists, there is fluid communication between the two bodies. As a regulatory example that establishes such interaction, Resol SAGyP 321/2015 and Disp. SAGyP 186-2022 can be mentioned.	No, Decree n° 522-97. Yes, Dispo. n° 186-22. Enforcement and scientific authorities: Customs, Prefectura Naval Argentina, Armed Forces, Argentine Chancellery, Instituto Nacional de Investigaciones y Desarrollo Pesquero (INIDEP), provincial authorities and agencies.	Yes, Decree n° 522-97. Yes, Dispo. n° 186-22. No opinions have been issued as there are no exports of CITES species. The National Institute for Fisheries Research and Development (INIDEP) is identified as the scientific authority.

Does the selected CITES-specific legislation provide for key fisheries elements for CITES:

	- provide for a clear definition of introduction from the sea?	- provide for a clear definition of NDF and LAF?	- refer to compliance with and applicability of other relevant legislation (general terms) or fisheries legislation (specific terms)?	- designate the Fisheries Authority (FA) or other relevant authority responsible for fisheries management, conservation, development and MCS, maritime matters among the CITES SA and/or the MA?	- clearly outline the mandates and responsibilities of the FA, the CITES SA and MA, ensuring coherence and including the duty to cooperate and coordinate with other authorities?	- promote or provide mechanisms for effective cooperation and coordination between those authorities as well as with other relevant authorities?	- protect all the CITES-listed species commercially-exploited and managed, including the recent listing of sharks and rays?
Brazil	Yes. Decree No. 3.607 of 2000 VI - "introduction from the sea" means the transportation of specimens of species captured in the marine environment outside the jurisdiction of any country into the interior of a country"	Not quite. It has the citation to be made by the scientific and administrative authorities, but not with the names of DENP and DAL, nor with their definitions. § 1 For the export of any specimen of a species included in Appendix II of CITES, the prior granting and presentation of an export permit will be necessary, which will be granted only once, after the following requirements have been met I - issuance of an opinion, by the Scientific Authority, certifying that the export will not harm the survival of the species; and II - verification, by the Management Authority, that transportation will not cause harm to the specimen and that its acquisition is legal.	Yes. V - seize specimens obtained in violation of Law No. 9605 of 12 February 1998; (Provides for criminal and administrative penalties resulting from conducts and activities that are harmful to the environment, and makes other provisions).	No. The Decree only ratifies the Convention in a general way, it does not go into the details of fisheries resources.	No. The Decree only ratifies the Convention in a general way, it does not go into the details of fisheries resources.	No. The Decree only ratifies the Convention in a general way, it does not go into the details of fisheries resources.	Yes. Art. 1 International trade in species and specimens included in Appendices I, II and III of the Convention on International Trade in Endangered Species of Wild Flora and Fauna - CITES is subject to the provisions of this Decree.
Chile	Not quite. Although it does not explicitly define it, Law 20.962 is binding on CITES obligations, so that definition is assumed in accordance with the text of the Convention.	Not quite. Even though it does not explicitly define it, Law 20.962 is binding on CITES obligations, so that definition is assumed to be in line with the text of the Convention.	Yes, given that it is linked to sanitary aspects, special regulations and current legal norms, and the State of Chile can adopt stricter measures than those established in the Convention (Art. n° 1, Third Paragraph, Law 20.962).	Yes, given that SERNAPESCA is the Fisheries Authority and also the CITES Authority for hydrobiological species.	Yes, given the provisions of Law 20.962.	Yes, given the provisions of Law 20.962.	Yes. Decree No. 11 updates the list of species for the appendices of the Convention sanctioned at COP18 and earlier. It should also be noted that the update sanctioned at COP19 held in November 2022 in Panama is currently being processed for signature by the President of the Republic.

Does the selected CITES-specific legislation provide for key fisheries elements for CITES:

	- provide for a clear definition of introduction from the sea?	- provide for a clear definition of NDF and LAF?	- refer to compliance with and applicability of other relevant legislation (general terms) or fisheries legislation (specific terms)?	- designate the Fisheries Authority (FA) or other relevant authority responsible for fisheries management, conservation, development and MCS, maritime matters among the CITES SA and/or the MA?	- clearly outline the mandates and responsibilities of the FA, the CITES SA and MA, ensuring coherence and including the duty to cooperate and coordinate with other authorities?	- promote or provide mechanisms for effective cooperation and coordination between those authorities as well as with other relevant authorities?	- protect all the CITES-listed species commercially-exploited and managed, including the recent listing of sharks and rays?
Costa Rica	There is no specific definition of Introduction from the Sea in Costa Rican legislation.	No, Costa Rican legislation does not contain specific definitions for NDF and LAF.	Yes, Costa Rican legislation refers to compliance with and applicability of other relevant legislation.	Yes, in Costa Rica the Fisheries Authority is designated as the CITES MA. In addition, the CITES SA is coordinated by the Fisheries Authority.	Yes, the mandates and responsibilities of PAs, CITES CAs and CITES MAs are clearly defined in Costa Rican legislation.	Yes, effective coordination mechanisms between authorities are provided.	Yes, protects all commercially exploited and managed CITES-listed shark and ray species. International trade is allowed under CITES rules.
Cuba	Not quite. Resolution 87/1996 has a definition but it is not clear. This resolution is being updated, it should come out this year with a new, clearer definition of IFS.	No. It is not defined in the current legislation. This resolution is being updated, it should come out this year with a new, clearer definition of NDF and LAF.	No.	No.	Not quite. Defines the functions of the CA and the AA, but not of the PA or the coordination between them.	No.	Yes. Defines that species included in the CITES appendices automatically become protected by Cuban legislation.
Dominican Republic	Yes, as it provides clarification on issues related to IFS, noted at the CoP and the meeting of the Standing Committee's Working Group on IFS. Mentioning the articles and paragraphs of the Conference where the issues of species from the sea are dealt with. Regarding the IFS, very transparent and clear, especially in the Explanatory Notes.	Yes, regarding NDFs, very clear on the competences that the MA and the Fishing Authority should have and how to work together with the tools provided in Conf. 16.7. Regarding the LAF. Conf. 18.7 provides the necessary guidance for the formulation of LAFs and sets out the additional circumstances that require verification of legal acquisition or other legality opinions.	Yes, through CITES Decree 1288-04.	No. Since this is the full competence of the Ministry of Environment and Natural Resources through Decree 1288-04.	Yes, through CITES Decree 1288-04.	Yes, through CITES Decree 1288-04.	Yes, through CITES Decree 1288-04, Article 3.
Ecuador	No. The Organic Environmental Code and its regulations do not mention IFS.	Not quite. The Regulation to the Organic Environmental Code establishes that a Scientific Authority must generate an NDF, but it does not define it or how it should be done.	Not quite. Article 772 of the Regulations to the Organic Code of the Environment establishes Guidelines for the use of marine resources, in which the sustainable use of living marine resources in maritime areas under national jurisdiction shall be carried out according to several parameters.	No. However, Article 116 of the Regulations to the Organic Code of the Environment establishes the National Cooperation Authorities as those competent to participate, in coordination with the Management Authority, in the application of the rules relating to the trade regime of CITES.	Not quite. Consider the National Cooperating Authorities.	Yes, it establishes National Cooperating Authorities as those competent to participate, in coordination with the Management Authority, in the implementation of the rules relating to the trade regime of CITES.	Yes, Article 87 of the Regulations to the Organic Code of the Environment.

Does the selected CITES-specific legislation provide for key fisheries elements for CITES:

	- provide for a clear definition of introduction from the sea?	- provide for a clear definition of NDF and LAF?	- refer to compliance with and applicability of other relevant legislation (general terms) or fisheries legislation (specific terms)?	- designate the Fisheries Authority (FA) or other relevant authority responsible for fisheries management, conservation, development and MCS, maritime matters among the CITES SA and/or the MA?	- clearly outline the mandates and responsibilities of the FA, the CITES SA and MA, ensuring coherence and including the duty to cooperate and coordinate with other authorities?	- promote or provide mechanisms for effective cooperation and coordination between those authorities as well as with other relevant authorities?	- protect all the CITES-listed species commercially-exploited and managed, including the recent listing of sharks and rays?
El Salvador	Yes, it is clear for CITES Authorities.	For the Fisheries Authority it was not considered.	Yes, it is clear for CITES Authorities.	Yes, it is clear and allows support on the issue of traceability, legality and sustainability.	Yes, it allows linking other legislation.	No. The Fisheries Authority is not part of the CITES Authorities of El Salvador. There are no criteria to define this classification. It is being promoted and implemented. Proof of this is the establishment of a monitoring committee for the implementation of the incorporation of marine species into CITES.	Yes, as they form part of the appendices and new listings to be implemented.
Guatemala	No. The explanation is confusing, it can be understood as meaning that the introduction can come from another state to be landed in X state.	Yes. The NDF is the document that guarantees the sustainability and conservation of the species to be extracted from the hydrobiological resource. The LAF is the document that confirms the legality and traceability of the species extracted from the country's hydrobiological resources.	Yes, because they are governed by RFMOs and OSPESCA.	Yes, Guatemala has a professional designated to deal with and enforce the National Action Plan for the Conservation of Chondrichthyans of Guatemala, as well as trained professionals oriented in CITES as administrative and scientific authority.	No. There are no CITES authorities in the fisheries authorities.	Yes.	-
Mexico	No. It is a general law on the sustainable use and conservation of wildlife.	No. It is a general law on the sustainable use and conservation of wildlife.	Yes, the General Law on Wildlife refers to fishery resources regulated by the General Law on Sustainable Fisheries and Aquaculture.	No. The fisheries authorities are distinct from the CITES scientific and administrative authorities; however, there is coordination between all of them.	Not at all. The responsibility and mandate of each of the authorities in relation to CITES is not defined; however, it does point out the need for coordination between the scientific and administrative authorities of the Ministry of Environment and Natural Resources.	Not entirely. It mentions it but does not specify which authorities.	Not at all. Protects all species at risk (including CITES-listed species) but does not regulate their exploitation.
Panama	Yes, the Law of ratification of CITES by Panama adopts the full text of the Convention, and therefore includes the definition established for IFS.	Yes, the Law on the ratification of CITES by Panama adopts the full text of the Convention, and therefore the NDF and LAF.	Yes. It addresses the corresponding obligations of the responsible entities in an indirect way, calling for inter-institutional coordination.	No. However, in general, it calls for inter-institutional coordination.	Not at all. Explains the obligations of the AA, the obligation of the CA, but does not specify anything direct with the PA.	Yes, the law points it out indirectly in some articles. In practice we are doing those cooperative approaches.	Yes. The regulation is adjustable to the changes in the CITES Convention.

Does the selected CITES-specific legislation provide for key fisheries elements for CITES:

	- provide for a clear definition of introduction from the sea?	- provide for a clear definition of NDF and LAF?	- refer to compliance with and applicability of other relevant legislation (general terms) or fisheries legislation (specific terms)?	- designate the Fisheries Authority (FA) or other relevant authority responsible for fisheries management, conservation, development and MCS, maritime matters among the CITES SA and/or the MA?	- clearly outline the mandates and responsibilities of the FA, the CITES SA and MA, ensuring coherence and including the duty to cooperate and coordinate with other authorities?	- promote or provide mechanisms for effective cooperation and coordination between those authorities as well as with other relevant authorities?	- protect all the CITES-listed species commercially-exploited and managed, including the recent listing of sharks and rays?
Peru	Yes. An IFS is defined as any transfer of hydrobiological species caught in the marine environment, airspace, seabed and subsoil beyond the jurisdiction of any State, to a State.	Not quite. The definition of the NDF and its parameters is clear, but as regards the LAF, the national regulations need to be improved to include the parameters that should be subject to assessment. For this reason, a regulatory project is being worked on to regulate the CITES aspects of hydrobiological species that come from fishing, for their specific application.	Yes, it refers in general terms to compliance with fisheries management regulations.	Yes. In Peru the CITES management authority is the fisheries authority (Ministry of Production) and the Ministry of Environment is defined as the scientific authority.	Yes. The CITES Regulations regulate the functions of the CITES MAs and CAs, as well as the duty of coordination, for which the CITES Multisectoral Working Group is established.	No. The regulation is limited to establishing the duty to cooperate.	Yes, the regulation has been envisaged in general terms, it would be applicable to all species, but it requires efforts to implement it for the new species that are being incorporated.
Venezuela (Bolivarian Republic of)	Yes. The 2016 Rules for the implementation of CITES defines IFS as: the movement into a country State of specimens of CITES-listed species taken from the marine environment outside the jurisdiction of any State.	Yes. NDFs. Relevant provisions: Articles 27, 34, 39, 42, 43, 44 and 50.	Yes. Relevant legislation is mentioned, Criminal Law on the Environment, Organic Law on the Environment and the Law on Biodiversity Management.	No. It does not designate a fishing authority, the administrative authority according to: Article 16.-The Management Authority shall issue a permit or certificate only if it is ensured that the shipment of live specimens included in the CITES Appendices, is in accordance with the Regulations for the Transport of Live Specimens of the International Air Transport Association (IATA) and the International Maritime Organization (IMO) and other regulations governing the matter.	Not quite. It does not define the mandates and responsibilities of the PA. The CITES CA and the CITES MA are defined and their functions are described. Relevant provisions: Articles 5 and 7.	Yes, the Scientific Authority may request the advice of persons and institutions with extensive scientific knowledge of the species included in the CITES Appendices.	Yes. The Bolivarian Republic of Venezuela is a Party to CITES, which establishes the requirements for the import, export, re-export and introduction from the sea, of species, parts or derivatives of wild fauna and flora, threatened or in danger of extinction contained in the appendices of the said Treaty.

Does the selected fisheries-specific legislation provide for key CITES elements for fisheries:						
	- provide for a clear definition of international trade as comprising import, export, re-export and IFS transactions?	- refer to relevant definitions in CITES-specific legislation, particularly of the MA, SA, IFS, NDF and LAF?	- make cross-reference to compliance with and applicability of other relevant legislation (general terms), to the Convention itself, or the relevant CITES-specific legislation (specific terms)?	- clearly outline the mandates and responsibilities of the FA, port authorities, and other relevant authorities responsible for fisheries management, conservation, development and MCS and enforcement, and maritime matters, ensuring coherence and including the duty to cooperate or collaborate with other relevant authorities?	- promote or provide mechanisms for effective cooperation, collaboration, coordination and interaction between the FA and other relevant authorities?	- protect and/or provide for conservation and management measures of CITES- listed aquatic species commercially-exploited and managed, including the recent listing of sharks and rays?
Argentina	Yes, Dispo. n° 186-22. Disp. n° 186-22 provides for the mechanisms for the marketing of fishery products both on the internal and external markets.	No. Disp. n° 186-22 provides for mechanisms for the marketing of fishery products both on the internal and external markets and approves the Legal Catch Certificate when requesting the export of a CITES species.	Yes, Disp. n° 186-22 establishes mechanisms for the integration and cooperation of certification schemes as well as management and conservation measures in force (European Union, Japan, CCAMLR, CITES, SERNAPESCA-Chile).	Yes, Disp. n° 186-22 is framed in the Federal Fisheries Law 24.922 which establishes the responsibilities of the authorities in charge of the administration and management of resources.	Yes, Disp. n° 186-22 establishes mechanisms for the integration and cooperation of certification schemes as well as management and conservation measures in force (European Union, Japan, CCAMLR, CITES, SERNAPESCA-Chile).	Yes, Disp. n° 186-22 is framed in the Federal Fisheries Law 24.922, which establishes the management measures for chondrichthyans.
Brazil	Law No. 11.959, of 29 June 2009.	No.	Article 33. Conduct and activities harmful to fishery resources and the environment shall be punished in accordance with Law No. 9605 of 12 February 1998 and its regulations. (Provides for criminal and administrative penalties resulting from conducts and activities which are harmful to the environment, and makes other provisions).	No.	Yes, it refers to the maritime authority. Art. 26. In addition, Decree n° 10.736, of 29 June 2021 (Institui a Rede Nacional Colaborativa para a Gestão Sustentável dos Recursos Pesqueiros - Rede Pesca Brasil) establishes the discussion of management among all authorities involved in fishing activities.	Yes. The law is established taking into consideration the conservation and sustainable use of all fishery resources. III - the preservation, conservation and recovery of fishery resources and aquatic ecosystems; In addition, regulations governing the sustainable use of sharks and rays, including those of the recent CITES listing: Instrução Normativa Interministerial MPA/MMA n° 14, de 26 de novembro e 2012 e Instrução Normativa IBAMA n° 16, de 29 de setembro de 2015.

Does the selected fisheries-specific legislation provide for key CITES elements for fisheries:						
	- provide for a clear definition of international trade as comprising import, export, re-export and IFS transactions?	- refer to relevant definitions in CITES-specific legislation, particularly of the MA, SA, IFS, NDF and LAF?	- make cross-reference to compliance with and applicability of other relevant legislation (general terms), to the Convention itself, or the relevant CITES-specific legislation (specific terms)?	- clearly outline the mandates and responsibilities of the FA, port authorities, and other relevant authorities responsible for fisheries management, conservation, development and MCS and enforcement, and maritime matters, ensuring coherence and including the duty to cooperate or collaborate with other relevant authorities?	- promote or provide mechanisms for effective cooperation, collaboration, coordination and interaction between the FA and other relevant authorities?	- protect and/or provide for conservation and management measures of CITES-listed aquatic species commercially-exploited and managed, including the recent listing of sharks and rays?
Chile	Not quite. Although not specifically defined in the Fisheries Law, the operations consulted are covered by the control, monitoring and surveillance processes developed by SERNAPESCA according to its competences.	Not quite. The Fisheries Legislation does not incorporate the definitions consulted, but when referring to compliance with International Agreements, the definitions consulted are those defined by CITES.	Yes, it refers to compliance with international agreements in general terms.	Not quite. The mandate and responsibilities of SERNAPESCA in matters of SVC of the fishing activity are defined in the Fisheries Act and Decree with Force of Law No. 5. In addition, the Fisheries Law assigns a MCS role, according to their jurisdictional competences, to the Chilean Navy and Carabineros de Chile (Uniformed Police). Given the above, and although the Fisheries Act does not expressly establish/mandate it, collaboration, cooperation and coordination between the different Authorities is "a fact of the case" in MCS matters.	Not quite. Although not expressly provided for/mandated in the Fisheries Act, collaboration, cooperation and coordination between the different Authorities is "a fact of the case" in MCS matters.	Yes, the Fisheries Act only refers to compliance with international agreements in general terms, thus the CITES agreement and its measures.
Costa Rica	No, these terms are used but there is no clear definition within the Costa Rican regulations.	Partly because there are no relevant definitions for IPM, NDF and LAF.	Yes, in Costa Rica the Fisheries Authority is designated as the CITES MA. In addition, the CITES SA is coordinated by the Fisheries Authority.	Yes, Costa Rican legislation establishes the competencies of these institutions and promotes inter-institutional cooperation. There is specific legislation in general for each authority, including legislation governing fisheries and aquaculture issues.	Yes, Costa Rican legislation promotes these mechanisms between these institutions and promotes inter-institutional cooperation. There is specific legislation in general for each authority, including legislation governing fisheries and aquaculture issues.	Yes, fisheries legislation promotes the conservation and sustainable use of all species of fisheries and aquaculture interest, including sharks and rays.
Cuba	No.	No.	Yes. The issuing of fishing licences for species listed in Appendix II and III require an environmental licence issued by the National AA. Appendix I Cites species are permanently prohibited.	Yes. Responsibilities are defined in Law 129/2019 for the MCS of national fisheries and in Decree 12/2020 the responsibilities linked to the PSMA.	Yes. The Fisheries Advisory Committee (Resolution 23/2020 MINAL) is the highest fisheries management body, made up of authorities from the governing bodies linked to the conservation, surveillance and control of hydrobiological resources.	Yes.

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Dominican Republic	Yes. Law 307-04 DGA through VUCE MIMARENA through CITES Decree 1288-04	Yes. MIMARENA through CITES Decree 1288-04	Yes, MIMARENA through CITES Decree 1288-04 Law 307-04	Yes, through Decree 1288-04, Law 307-04 and Law 64-00	Yes, since the Fisheries Authority is a Council and the Ministry of Environment is an integral part of the Council.	Yes, through the most recent country document, Resolution 023-17 of the Ministry of Environment and Natural Resources, which permanently bans all species of sharks and rays.
Ecuador	Not quite. It establishes regulations for the import and export of fishery resources, however there is no precise definition for IFS.	No. The Fisheries Act as well as its regulations do not refer to the definitions of CITES MA, SA, IFS, NDF and LAF, which are also not defined in CITES legislation.	<p>Not quite. Article 149 of the Fisheries Law establishes that the governing body for fisheries will determine the allowable catch rates for bycatch according to the fishery, based on the scientific and technical reports of the Public Institute for Aquaculture and Fisheries Research, which will be established in general for a fishery on the basis of the statistical information on its catches held by the governing body.</p> <p>The internal and international trade of authorised and incidentally caught hydrobiological species will be allowed within the limit of permissibility and in accordance with the national and international regulations in force regarding endangered species.</p> <p>The governing body, in coordination with the national environmental authority, will establish by means of technical regulations, the permissibility indexes for incidental fishing and for the trade of these species in accordance with the preceding article, and other applicable national or international regulations.</p> <p>On the other hand, Articles 8 and 9 of the Fisheries Law establish elements related to sustainability in the exploitation of hydrobiological resources.</p>	<p>Yes. The fisheries law establishes the responsibilities of the fisheries authority (Art. 14) and Art. 12 establishes that the entities that make up the National Aquaculture and Fisheries System will coordinate actions within the framework of their competences assigned in the Constitution and the Law, with the objective of achieving local development in this area and avoiding the duplication of activities and functions.</p>	<p>Yes. Article 10 establishes the National Aquaculture and Fisheries System, which is the articulated set of bodies, public and private entities, natural and legal persons, aimed at the coordination, cooperation, supervision and monitoring of public policies and the rules necessary to manage the aquaculture and fisheries sectors, under the principles established in this Law. Their functioning will be established in the respective regulations of this law.</p> <p>In addition, several articles establish coordination actions to establish permissibility indexes for incidental catches, protected species and authorised hydrobiological resources.</p>	Yes. Relevant provisions: Articles 149 and 152 of the Fisheries Law.

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El Salvador	Not quite. Within the fisheries legislation in force, specifically the concept of IFS is not covered by the regulations.	No. Although it is true that the General Law contemplates an article of technical terminology, these concepts are not part of it.	Yes, because it is part of international legal frameworks which are strictly enforced according to the Constitution of the Republic.	No. The institutional legal frameworks are not harmonized.	Not quite. As the General Directorate of Fisheries is an institution attached to the Ministry of Agriculture and Livestock, this type of inter-institutional linkage is part of the agreements made by the ministerial office, which sometimes generates cumbersome administrative processes, delaying this type of mechanism.	Yes, the Law contemplates a principle of sustainability, which promotes the development of measures for the sustainable use of fishery resources.
Guatemala	No. The term "from the sea" is not very clear and is a new concept for fisheries authorities, and can be confused with re-export, export and import operations.	Yes. NDF information is submitted to the fisheries authorities for endorsement.	Yes, shared at technical roundtables.	Yes.	Yes, mechanisms for cooperation and coordinated inter-institutional work are promoted.	Yes.
Mexico	No. It does not define some concepts such as re-export and IFS.	Not specific to CITES or its mechanisms.	Not specific to CITES or its mechanisms.	Yes, it does clearly define mandates and responsibilities in fisheries matters in coordination with other competent authorities.	Yes, promotes coordination with other competent authorities.	The legislation protects species at risk, not necessarily because they are listed under CITES.
Panama	Not quite. Law 204 of 2021 refers to import and export activities; however, for further development of these activities and re-export, the Customs Legislation and the Trade and Industries Legislation apply. The Panamanian Fisheries Law does not refer to imports from the sea.	No. The specific Panamanian Fisheries Law does not refer to administrative authority, scientific authority, import from the sea, non-detriment finding, or legal acquisition finding. As the Convention has been approved by law by Panama, these terms apply in the country through this regulation.	Not quite. In general terms, the Fisheries Law does refer to compliance with and applicability of other legislation, such as legislation applicable to the waters of the Panama Canal, environmental legislation, land authority legislation, and legislation of the Economy and Finance, among others. As for CITES legislation, it does not make specific reference to compliance with it, but recognises as part of the National System of Fisheries Information and Statistics, the data and records of export and import of fishery products of CITES species.	Yes, the Panamanian Fisheries Law provides for inter-institutional and inter-sectoral coordination and coordination to achieve its objectives, to promote strategies and actions that contribute to the sustainable use of aquatic resources, and establishes the application of monitoring, control and surveillance mechanisms and coordination on maritime issues. Additional details regarding the responsibilities of the port authorities and the maritime authority are contained in their regulations.	Yes. Same answer as above.	No. This applies in Panama through the Convention legislation, approved by Law of the Republic.

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Peru	Not quite. Fisheries regulations regulate the import and export of species in general. There is no regulation on IFS.	No. There is a lack of coordination or concordance between fishing regulations and CITES regulations. Although both regulations seek a reasonable management of the species, they need to be agreed in order to be better applied.	No. The fisheries regulations do not contain references to the CITES regulations or the Convention, and a joint reading of both regulations is necessary for their application.	Yes, the fishing regulations are clear as to the functions of the fishing, MCS, port and maritime authorities, among others, as well as their duty to collaborate.	Not quite. There is a duty to collaborate, but there are no mechanisms foreseen to make such collaboration effective. The authorities have to seek or promote spaces for collaboration, which is subject to the willingness of the other authorities to participate.	Not quite. Shark finning is prohibited and shark landings are monitored. So far last year, conservation and management measures for hammerhead sharks (maximum catch limit or quota) have been foreseen, but there are no such measures for other CITES shark species, a Shark Management Plan is required.

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Venezuela (Bolivarian Republic of)	<p>Not quite. It is clear that international trade includes import and export operations.</p> <p>It does not cover re-export nor IFS.</p>	<p>DO NOT refer to the relevant definitions in specific CITES legislation, in particular CITES MA, SA, IFS, NDF and LAF.</p>	<p>No, cross-references compliance and applicability to other relevant legislation (general terms), to the Convention itself or to relevant specific CITES legislation.</p>	<p>Yes, responsibilities of fisheries authority and other relevant authorities responsible for management, conservation, development.</p> <p>Not the port authorities, it is the responsibility of the ministry of transport.</p> <p>Yes, mentions cooperation with other relevant authorities.</p>	<p>Yes, on the management of the hydrobiological resources Management rules. The Ministry of the People's Power with competence in matters of fishing and aquaculture, through the Socialist Institute of Fishing and Aquaculture, in co-ordination with the competent bodies and entities in this matter, shall adopt technical regulations for the management of hydrobiological resources, among others.</p> <p>Article 38. When it is intended to carry out activities likely to cause damage to ecosystems, the Socialist Institute of Fisheries and Aquaculture shall require for the granting of authorizations referred to in this Decree with Rank, Value and Force of Law, the presentation of the corresponding environmental impact studies approved by the competent body in environmental matters, as well as a study of the socio-cultural impact.</p> <p>Article 53. The Socialist Institute of Fisheries and Aquaculture has the following powers.</p> <p>6. To provide technical advice to the competent bodies and entities in all matters relating to fishing, aquaculture and related activities, in order to comply with the provisions of this Decree with the Rank, Value and Force of Law.</p> <p>10. Execute the rules for the conservation of hydrobiological resources, in coordination with the competent bodies and entities, in order to ensure sustainable fishing and aquaculture.</p>	<p>Yes. The purpose of this Decree with the Rank, Value and Force of Law is to regulate the fisheries and aquaculture sector in order to ensure the food sovereignty of the Nation, especially the sufficient and stable availability of fishery and aquaculture products and by-products to meet the basic needs of the population in a timely and permanent manner. To this end, it shall establish the rules through which the State shall plan, promote, develop and regulate fishing, aquaculture and related activities, based on the guiding principles that ensure the production, conservation, control, administration, promotion, research, responsible and sustainable use of hydrobiological resources, taking into account the biological, technological, economic, social, cultural, environmental and solidarity-based exchange and distribution aspects.</p>

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