



**HUMANE SOCIETY
INTERNATIONAL**

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Committee Secretary
Joint Standing Committee on Treaties
Department of House of Representatives
PO Box 6021
Parliament House
Canberra ACT 2600
By email to: jsct@aph.gov.au

17 December 2009

Dear Sir or Madam

**Re: National Interest Analysis [2009] ATNIA 26 with attachment on consultation –
the listing of three shark species as migratory under the EPBC Act**

Humane Society International (HSI) is writing with regards to the Committee inquiry into the listing of three shark species as migratory under the EPBC Act. HSI supports the inclusion of the three shark species, porbeagle, shortfin mako and longfin mako, in the Appendices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), and has attended international meetings discussing the development a Memorandum of Understanding for the conservation of migratory sharks.

Shark species worldwide are facing numerous threats. Sharks are inherently vulnerable to over-fishing because they grow slowly, are late to mature and produce relatively few young. Listing under Appendix II of CMS encourages much needed international cooperation to work towards the conservation of these species.

Nationally, species listed under the Appendices of CMS are required to be listed as migratory species under section 209(3)(a)(ii) of the EPBC Act. Under this clause, the Minister does not have the opportunity to exercise Ministerial discretion, which HSI believes to be appropriate, the Minister having already agreed to it internationally with full understanding of the domestic implications.

HSI has been closely following the implementation of the listing of the three species as migratory species under the EPBC Act, and has consistently called on the Government to implement this clause. We believe that the listing of these species as migratory species will afford them the protection needed in Australian waters.

Whilst there have been some arguments that this listing will not affect the conservation of the three species in Australian waters, as they are particularly at risk in the Mediterranean Sea and Atlantic Ocean, there is very little data to demonstrate the robustness of Australian populations. For example in NSW, the shortfin mako shark is considered as 'Undefined' due to the lack of programs that would allow an estimate to be derived from the composition of harvested sharks. As a result of HSI's concerns regarding the shortfin mako and other species, a nomination for listing of the species as vulnerable under the EPBC Act was put forward and subsequently included on the Finalised Prioritisation

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Assessment List (see attached nomination). Claims by recreational fishermen and others that mako sharks are common off the Australian coast are therefore simply not justified.

HSI firmly believes the implementation of greater protection through listing under the EPBC Act as migratory species for the shortfin mako, longfin mako and porbeagle sharks to be an appropriate measure. This will ensure that Australia can take a precautionary approach to the protection of these species, ensuring that the sharks found in Australia's waters can be protected now, and will not need stricter emergency conservation measures required in other parts of the world.

Yours sincerely

A handwritten signature in black ink, appearing to read "Alexia Wellbelove". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Alexia Wellbelove
Program Officer

Enc: EPBC threatened species nomination for shortfin mako shark