

Translation

Ministerial Decree No. (43) for the Year 2019 on Regulating the Fishing and Trading of Sharks

Minister of Climate Change and Environment,

Pursuant to Federal Law No. (1) for the Year 1972 Regarding the Functions of Ministries and the Powers vested in Ministers, and the Laws Amending it;

Federal Law No. (6) for the Year 1979 on Veterinary Quarantine and the Laws Amending it;

Federal Law No. (23) for the Year 1999 on the Exploitation, Protection and Development of Living Aquatic Resources of the United Arab Emirates, the Laws Amending it, and its Executive By-laws;

Federal Law No. (24) for the Year 1999 on the Protection and Development of the Environment and Laws Amending it;

Federal Law No. (11) for the Year 2002 on Regulating and Controlling the International Trade in Endangered Species of Wild Fauna and Flora and its Executive By-laws;

Federal Law No. (10) for the Year 2015 on Food Safety;

Federal Authority for Land and Maritime Transport (FTA) Chairman of the Board of Directors' Resolution No. (37) for the year 2017 Amending Some Conditions Concerning Registration, Licensing and Use of Marine Leisure Boats;

Based on the updated Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and Appendix (1) to Convention on the Conservation of Migratory Species of Wild Animals (CMS);

In line with the Ministry's endeavor to conserve sharks and support international efforts to ensure the sustainability of fish species belonging to Elasmobranchii; and

In accordance with the requirements of public interest;

Has decided on the following:

Article 1

Shark Fishing

- 1- Fishers whose boats have been entered in the Ministry's general register under the 'lansh' category are permitted to fish for sharks from the first of July of every year to the end of February of the following year using hooks. Shark fishing is prohibited from the first of March to the end of June of every year.
- 2- Fishers who are allowed to catch sharks in accordance with clause (1) shall comply with the following specifications and conditions:
 - The number of hooks shall not exceed 100 hooks per lansh in one fishing gear.
 - Hooks shall be circle hooks and shall not exceed (12/0) in size.
 - Hooks shall be non-stainless steel

- The fishing gear cord on which hooks are fixed shall be made of artificial fibers (KURALON), and it is prohibited to use nylon threads.
 - The fishing gear shall carry buoy lights on each ends of the cord indicating its location.
 - Each side of the fishing gear shall carry floating buoys with uniform and clear numbers corresponding to the fishing boat number and the code of the Emirate.
- 3- Sharks fishing shall be limited to fishing waters that are at distance not less than 8 nautical miles from the country's shoreline and 3 nautical miles from the country's islands.
 - 4- Shark fishing using is prohibited in the areas designated by the local authorities for Gargoor.
 - 5- Sharks shall not be fished solely for their fins.
 - 6- Fishers shall not dispose of the shark carcass in whole or in part in the sea. Sharks shall be brought whole to the landing site.
 - 7- Fishers who accidentally catch sharks during the banning season, shall release them again into the sea and take the necessary precautions to ensure their survival.
 - 8- If release of sharks was not possible due to shark mortality, shark carcasses must be handed over to the competent local authority of the Emirate.

Article 2

Permanently Banned Sharks

In exception to the provision of Article 1, it is prohibited to fish shark species set out in lists (1), (2) and (3) attached herewith. Fishers who accidently catch any of the aforementioned species shall take the following actions:

- Release them again into the sea, taking the necessary precautions to ensure their survival
- Hand over the sharks to the competent local authority in the Emirate in the event that shark release was not possible due to its mortality

Article 3

Imports of Sharks

- 1- Sharks may be imported in fresh, frozen, dried, salted, smoked or in any other form and each shipment shall be supported with the following documents:
 - Original certificate of origin of shipment indicating the scientific name and the imported quantity of each species.
 - Original health certificate of the shipment.
 - Packing list of the shipment.
- 2- The following additional documents shall be submitted in case of imports of shark species listed under the CITES Appendices and in list no. (1) attached herewith:
 - Export or re-export certificate from the management authority of the exporting country for any specimens of the species listed in CITES Appendices.
 - A valid CITES import certificate issued by the Ministry.

- 3- In exception to the provisions of clause (1) and (2) of this Article, the import of shark fins, whether fresh, frozen, dried, salted, smoked or in any other form is permanently prohibited, excluding shark fins imported for scientific research purposes and after obtaining Ministry's approval.

Article 4

Exports/Re-exports of Sharks

- 1- Imported sharks, whether fresh, frozen, dried, salted, smoked or in any other form, may be re-exported in accordance with the following requirements:
- A- The exporter shall have a re-export license issued by the Ministry.
 - B- The exporter shall have re-export permit (authorization) issued by the Ministry after submitting the following documents:
 - Certificate of origin for the shipment issued by the competent authority from the exporting country.
 - Custom statement (Bill of Entry) of shipment issued at the entry port.
 - Packing list issued by an establishment licensed by the Ministry
 - In case the importing establishment is different from the re-exporting one, a purchase invoice shall be submitted with the above documents.
 - c- The exporter shall receive veterinary health certificate issued by the Ministry related to the shipment of re-exported sharks after confirmation of attaching the following documents:
 - Re-export permit (authorization) of aquaculture products issued by the Ministry, or re-export certificate (CITES) for the species listed in the (CITES) Appendices.
 - Certificate of origin for the shipment issued by the competent authority in the country.
 - Certificate of validity for the export of foodstuff issued by the competent local authority, stating the scientific name and quantity of each kind.
- 2- In case of re-export of shark species listed under the CITES Appendices, the following additional documents shall be submitted:
- Re-export CITES certificate issued by the Ministry for any specimen of species listed in CITES Appendices.
 - Prior permit from the importing country for re-exporting any of the specimen of the species listed in Appendix I.
- 3- In exception to the provisions of clauses 1 and 2 of this Article, the re-export of shark fins from the country, whether fresh, frozen, dried, salted, smoked, or any other form, shall be prohibited permanently, except for shark fins that are to be re-exported for purposes of scientific research and after the approval of the Ministry.
- 4- Local shark export shipments must comply with all applicable legislations in force

Article 5

Decree Appendices

- 1- The Fisheries Sustainability Department shall review and amend the lists attached to this decree in cases of:
 - Updates to the Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
 - Updates to Appendix I of the Convention on the Conservation of Migratory Species of Wild Animals (CMS).
 - Any environmental considerations concerning the conservation of sharks based on Federal Law No. (23) for the year 1999, concerning the Exploitation, Protection and Development of Living Aquatic Resources in the United Arab Emirates, its Amendments and its Executive By-laws.
- 2- The lists are amended by an administrative resolution.

Article 6

General provisions

- 1- The Ministry may at any point withdraw, amend or revoke any issued permits (authorization) or certificates if it is proved that any of them were issued based on false or misleading data prohibited by the applicant.
- 2- The Ministry shall, in the case of transnational specimens or unloaded with the shipment in the country, ensure that there is a valid export or re-export certificate issued by the management authority of the exporting or re-exporting country.
- 3- Marine vessels licensed for leisure/recreation are prohibited from hunting sharks permanently.

Article 7

Veterinary Quarantine

All imported and re-exported shipments are subject to the applicable legislations in force.

Article 8

Cancellations

Ministerial Decree No. (500) for the Year 2014 on Regulating the Fishing and Trading of Sharks shall be canceled as well as any provisions that contravenes or contradicts the provisions of this decree shall be null and void.

Article 9

Decree Effective Date

This Decree shall be published in the official gazette and enters into effect on March 1, 2019. All concerned persons and entities shall take the necessary actions to implement and comply with it.

Dr. Thani Ahmed Al Zeyoudi

Minister of Climate Change and Environment

Issued in: 24 /Jumada Al-ula / 1440

Corresponding To: 30 /January /2019

**List no. (1) Shark species set out in Appendix (I) and (II) of the
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)**

Appendix	Family	Genus	Species			No.	
			Scientific Name	Common Name	Arabic Name		
I	Pristidae	<i>Anoxypristis</i>	<i>Anoxypristis cuspidata</i>	Narrow sawfish	سمكة المنشار ذات السن الحادة	1	
		<i>Pristis</i>	<i>Pristis clavata</i>	Dwarf sawfish	سمكة المنشار القزمة	2	
			<i>Pristis pristis</i> (<i>Pristis microdon</i>)	Largetooth sawfish	سمكة المنشار ذات السن الكبيرة	3	
			<i>Pristis pectinata</i>	Smalltooth sawfish	سمكة المنشار ذات السن الصغيرة	4	
			<i>Pristis zijsron</i>	Green sawfish	سمكة المنشار الخضراء	5	
II	Myliobatidae	<i>Mobula</i>	<i>Mobula thurstoni</i>	Bentfin devil ray	شيطان البحر الأملس	6	
			<i>Mobula tarapacana</i>	Sicklefin devil ray	شيطان البحر ذو الزعنفة المنجلية	7	
			<i>Mobula rochebrunei</i>	Lesser Guinean devil ray	شيطان البحر الغيني الأصغر	8	
			<i>Mobula munkiana</i>	Smoothtail devil ray	شيطان البحر ناعم الذيل	9	
			<i>Mobula mobular</i>	Giant devil ray	شيطان البحر العملاق	10	
			<i>Mobula kuhlii</i>	Shortfin devil ray	شيطان البحر القزم ذو الزعانف القصيرة	11	
			<i>Mobula japanica</i>	Spinetail devil ray	شيطان البحر الفقري الذيل	12	
			<i>Mobula hypostoma</i>	Atlantic devil ray	شيطان البحر الأطلسي	13	
			<i>Mobula eregoodootenkee</i> (<i>Mobula eregoodoo</i>)	Pygmy devil ray	شيطان البحر القزم	14	
			<i>Manta</i>	<i>Manta birostris</i>	Oceanic manta	شيطان البحر المحيطي	15
		<i>Manta alfredi</i>		Reef manta	شيطان بحر الشعاب المرجانية	16	
		Rhincodontidae	<i>Rhincodon</i>	<i>Rhincodon typus</i>	Whale shark	القرش الحوت	17
		Sphyrnidae	<i>Sphyrna</i>	<i>Sphyrna mokarran</i>	Great hammerhead	القرش أبو مطرقة الكبير	18
				<i>Sphyrna lewini</i>	Scalloped hammerhead	القرش أبو مطرقة الصدفي	19
	<i>Sphyrna zygaena</i>			Smooth hammerhead	القرش أبو مطرقة الانسيابي	20	
	Carcharhinidae	<i>Carcharhinus</i>	<i>Carcharhinus longimanus</i>	Oceanic whitetip shark	القرش أبيض الأطراف المحيطي	21	
			<i>Carcharhinus falciformis</i>	Silky shark	القرش الحريري	22	
	Lamnidae	<i>Lamna</i>	<i>Lamna nasus</i>	Porbeagle shark	القرش البوربيجل	23	
			<i>Carcharodon</i>	<i>Carcharodon carcharias</i>	Great white shark	القرش الأبيض الكبير	24
		<i>Isurus</i>	<i>Isurus oxyrinchus</i>	Shortfin mako	قرش ماكو قصير الزعانف (الذئبية)	25	
			<i>Isurus paucus</i>	Longfin mako	قرش ماكو طويل الزعانف (الذئبية)	26	
	Cetorhinidae	<i>Cetorhinus</i>	<i>Cetorhinus maximus</i>	Basking shark	القرش المتشمس	27	
	Rhinidae	<i>Rhynchobatus</i>	<i>Rhynchobatus australiae</i>	Bottlenose wedgefish	سمكة الوند ذات الأنف القاروري	28	
			<i>Rhynchobatus djiddensis</i>	Whitespotted wedgefish	سمكة الوند المنقط الأبيض	29	
			<i>Rhynchobatus immaculatus</i>	Taiwanese wedgefish	سمكة الوند التايوانية	30	
			<i>Rhynchobatus laevis</i>	Smoothnose wedgefish	سمكة الوند ذات الأنف الأملس	31	
			<i>Rhynchobatus luebberti</i>	African wedgefish	سمكة الوند الأفريقية	32	
			<i>Rhynchobatus palpebratus</i>	Eyebrow wedgefish	سمكة الوند ذات الحاجب	33	
			<i>Rhynchobatus springeri</i>	Broadnose wedgefish	سمكة الوند ذات الأنف العريض	34	
			<i>Rhynchobatus cooki</i>	Clown wedgefish	سمكة الوند المهرجة	35	
		<i>Rhynchorhina</i>	<i>Rhynchorhina mauritaniensis</i>	False shark ray	قرش اللحم المزيف	36	
		<i>Rhina</i>	<i>Rhina ancylostoma</i>	Bowmouth guitarfish	الحريري ذو الفم المقوس	37	
	Glaucostegidae	<i>Glaucostegus</i>	<i>Glaucostegus cemiculus</i>	Blackchin guitarfish	سمكة السوس ذات الذفن الأسود	38	
			<i>Glaucostegus granulatus</i>	Sharpnose guitarfish	سمكة السوس ذات الأنف الحاد	39	
			<i>Glaucostegus obtusus</i>	Widenose guitarfish	سمكة السوس ذات الأنف العريض	40	
			<i>Glaucostegus thouin</i>	Clubnose guitarfish	سمكة السوس ذات الأنف الهراوة	41	

			<i>Glaucostegus typus</i>	Giant guitarfish	سمكة السوس العملاقة	42
			<i>Glaucostegus halavi</i>	Halavi guitarfish	سمكة السوس الحلاوي	43
	Alopiidae	<i>Alopias</i>	<i>Alopias vulpinus</i>	Common thresher	قرش الثعلب	44
			<i>Alopias superciliosus</i>	Bigeye thresher	قرش الثعلب أبو عين كبيرة	45
			<i>Alopias pelagicus</i>	Pelagic thresher	قرش قط البحار	46

List no. (2) Shark species set out in Appendix (I) of the Convention on the Conservation of Migratory Species of Wild Animals (CMS)

Family	Genus	Species			No.
		Scientific Name	Common Name	Arabic Name	
Pristidae	<i>Anoxypristis</i>	<i>Anoxypristis cuspidata</i>	Narrow sawfish	سمكة المنشار ذات السن الحادة	1
	<i>Pristis</i>	<i>Pristis zijsron</i>	Green sawfish	سمكة المنشار الخضراء	2
Myliobatidae	<i>Mobula</i>	<i>Mobula eregoodootenkee</i> (<i>Mobula eregoodoo</i>)	Pygmy devil ray	شيطان البحر القزم	3
		<i>Mobula kuhlii</i>	Shortfin devil ray	شيطان البحر القزم ذو الزعانف القصيرة	4
		<i>Mobula mobular</i>	Giant devil ray	شيطان البحر العملاق	5
		<i>Mobula thurstoni</i>	Bentfin devil ray	شيطان البحر الأملس	6
	<i>Manta</i>	<i>Manta birostris</i>	Oceanic manta	شيطان البحر المحيطي	7
		<i>Manta alfredi</i>	Reef manta	شيطان بحر الشعاب المرجانية	8
Rhincodontidae	<i>Rhincodon</i>	<i>Rhincodon typus</i>	Whale shark	القرش الحوت	9
Carcharhinidae	<i>Carcharhinus</i>	<i>Carcharhinus longimanus</i>	Oceanic whitetip shark	القرش أبيض الأطراف المحيطي	10

List no. (3) Shark species protected under the Federal Law No. (23) for the year 1999, on the Exploitation, Protection and Development of Living Aquatic Resources in the United Arab Emirates and its Executive By-laws

Family	Genus	Species			No.
		Scientific Name	Common Name	Arabic Name	
Rhinobatidae	<i>Acroteriobatus</i>	<i>Acroteriobatus omanensis</i>	Oman guitarfish	سمكة السوس العمانية	1
	<i>Rhinobatos</i>	<i>Rhinobatos annandalei</i>	Bengal guitarfish	سمكة السوس البنغالية	2
		<i>Rhinobatos punctifer</i>	Spotted guitarfish	سمكة السوس المنقطعة	3