

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA

Eighth Meeting of the Conference of the Parties

Kyoto (Japan), 2 to 13 March 1992

Interpretation and Implementation of the Convention

REVIEW OF PROCEDURES AND CRITERIA FOR THE TRANSFER OF CROCODILIANS
FROM APPENDIX I TO APPENDIX II

This document is submitted by Germany.

Introduction

Certain species of crocodilians were included in Appendix-I at the Plenipotentiary Conference in 1973. Subsequent discussions and decisions of the Conference of the Parties have accepted that some populations of these Appendix-I taxa are not endangered and are more appropriately listed in Appendix II. The transfer of such populations has occurred under the criteria of Resolution Conf. 3.15 (ranching populations) or Resolution Conf. 5.21 (quota populations). Although Resolution Conf. 5.21 was reviewed and replaced by Resolution Conf. 7.14 at the seventh meeting of the Conference of the Parties, all current quotas were given in terms of Resolution Conf. 5.21. In addition, increasing numbers of captive-breeding operations have been registered for trade in Appendix-I crocodilians. The overall situation is now complex and can benefit from certain clarifications regarding the conditions under which populations may be transferred to or maintained in Appendix II.

Objectives

The ultimate aim must be to ensure the adequate protection of Appendix-I populations in the wild and the establishment of conservation programmes most beneficial to crocodilians. Such programmes could be those relying on commercial utilization under a strictly controlled regime. Analysis of the current situation and its development strongly suggests that:

1. Ranching of crocodilian populations is a very powerful conservation mechanism. Ranching based on egg collection is an extremely robust management regime and should be promoted positively. That is, there should be positive incentives for Parties to adopt this technique and to discourage taking a harvest of skins from wild animals.
2. The quota system for crocodiles has, by and large, been successful in providing an interim mechanism to allow some trade whilst conservation/management programmes and ranching proposals are prepared.
3. Captive breeding of and trading in crocodilians under Resolution Conf. 2.12 has expanded greatly. However, its value to conservation of wild populations is minimal and may often be negative. This is particularly true where captive breeding has been established by removing wild animals as breeding stock.
4. Taking a harvest of skins directly from a wild crocodilian population is generally not to be recommended as a conservation/management strategy. However, since there are circumstances under which it may be both justified and beneficial, the Conference of the Parties should make appropriate allowance for this.

Discussion

1. Resolutions Conf. 3.15 and Conf. 6.22

It is clear from the Proceedings of the Third Meeting of the Conference of the Parties (pp. 172-173 and 201) that the transfer of a species or population from Appendix I to Appendix II under the terms of Resolution Conf. 3.15 applies to the whole population and not just to the ranching part of the population. It is implicit in this that a harvest of skins

from wild animals can quite legitimately be taken from such a population, whether or not this has been specified in the original ranching proposal.

However, it is equally clear that this aspect was neither foreseen nor discussed and that the intent (as amply illustrated by "assurance that the criteria continue to be met" and Resolution Conf. 6.22) was that the manner of exploitation of such a population should not be changed fundamentally.

It would therefore be appropriate for the Conference of the Parties to agree to a clarification of this point as proposed in the attached draft resolution. The intent of the present proposal is to limit exploitation of ranched populations to methods described in the original ranching proposal, and to discourage inclusion of a large-scale harvesting of wild crocodile skins in ranching programmes. Parties wishing to undertake such harvesting should seek a transfer to or retention in Appendix II under the Berne Criteria (Resolution Conf. 1.2).

2. Resolutions Conf. 5.21 and Conf. 7.14

Resolution Conf. 5.21 was adopted as a "temporary mechanism" with the implicit understanding that, in addition to its comprehensive review at the seventh meeting, Parties making use of the mechanism would subsequently present proposals for retention in Appendix II of their populations under either Resolution Conf. 1.2 or Conf. 3.15. Since four years were allowed to assess the operation of Resolution Conf. 5.21 in general terms, it seems reasonable to place a similar limit on individual Parties. Thus, Resolution Conf. 7.14 included the rule that quotas be used for a specific population for a maximum of four years, after which the population should either be transferred to Appendix I or retained in Appendix II under Resolution Conf. 1.2 or 3.15.

3. Resolutions Conf. 2.12, Conf. 6.21 and Conf. 7.10

Resolution Conf. 2.12 provides a mechanism for Parties to permit trade in Appendix-I species, e.g. crocodylians, when they are captive-bred in accordance with certain criteria. One of the most important of these criteria is that "the parental breeding stock must be to the satisfaction of the competent government authorities of the relevant country... established in a manner not detrimental to the survival of the species in the wild."

Since the criteria also specify that the stock must be "maintained without augmentation from the wild" (with some minor exceptions) it is implicit that captive-breeding operations of this type should not be established by depleting the wild stock. Despite these provisions, there is considerable likelihood that some have been established primarily through removal of crocodylians from the wild. Where these have been problem individuals there is no objection but, where wild adult animals have been captured purely for breeding purposes, this is clearly contrary to the spirit of the decisions of the Conference of the Parties. Such occurrences should be prevented. It is also relevant to point out that major incentives exist to establish captive breeding rather than ranching, whereas captive breeding adds little, if anything, to the conservation effort. This imbalance in incentives should be reversed.

4. Resolution Conf. 1.2

Interpretation of the Berne Criteria is by no means straightforward. However, Resolution Conf. 5.21 was adopted as an interim measure to provide time and opportunity for Parties to obtain adequate data on their crocodylian population to justify long-term retention in Appendix II, whilst offering the incentive of permitting some trade. Thus it is implicit that such retention might be under the criteria of Resolution Conf. 1.2. Parties should, therefore, expect to be able to use this mechanism if, during the interim period when their population is subject to a quota system, they collect and present good scientific evidence to show that the population has undergone a "recover" sufficient to justify its transfer from Appendix I to Appendix II and that the population can withstand the proposed rate of exploitation. In this context, "recovery" should include an indication that the population concerned is healthy and that there is some evidence of an increasing population-trend, or numbers sufficient so that the population qualifies for inclusion in Appendix II under Resolution Conf. 1.2; i.e. the population should be demonstrably not endangered.

While this interpretation of Resolution Conf. 1.2 is not stated explicitly in the text, it is truly in accordance with the spirit of both the Convention itself and the decisions of the Conference of the Parties.

Conclusion

The Conference of the Parties should discuss these issues with a view to adopting a clear policy with respect to the status of Appendix-I or ranched and annual-quota crocodylian populations. The attached draft resolution (Annex) is provided as a

basis for such a policy. It is designed to encourage ranching on the basis of egg or hatchling collection, to discourage harvest of wild animals for skins and to control more strictly the way in which captive breeding is established.

These recommendations are not meant to apply to those species or populations of crocodylians listed in Appendix II without reference to Resolutions Conf. 2.12, Conf 3.15 and Conf. 5.21 (Conf. 7.14).

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Additional Criteria for the Establishment of Captive-Breeding Operations
and for the Assessment of Ranching Proposals for Crocodilians

RECALLING that certain species of crocodilians were included in Appendix I in 1973 at the Plenipotentiary Conference;

RECOGNIZING that, since such inclusion, it has been demonstrated that certain populations of these species are more appropriately included in Appendix II, and that their transfer thereto has been subject to various conditions;

NOTING that transfer of populations from Appendix I to Appendix II, or their retention in Appendix II may be accomplished with reference to Resolution Conf. 1.2 adopted at the first meeting of the Conference of the Parties (Berne, 1976) or Conf. 3.15 adopted at the third meeting of the Conference of the Parties (New Delhi, 1981) or Conf. 7.14 adopted at the seventh meeting of the Conference of the Parties (Lausanne, 1989), and that there is a need to clarify the associated mechanisms, conditions and controls;

AWARE that ranching of crocodilians on the basis of controlled egg or hatchling collection can be potentially a valuable, positive conservation force, whereas harvest of wild adult animals needs more careful control;

CONSCIOUS of the danger of providing greater incentives for the establishment of captive-breeding operations which may damage efforts to conserve wild populations, than for ranching operations which, in principle, are more beneficial to crocodilian conservation;

CONSIDERING the recommendations and the general intent of Resolutions Conf. 2.12, 3.15, 4.15, 5.21, 6.17, 6.21, 6.22, 7.10 and 7.14 adopted respectively at the second (San José, 1979), third (New Delhi, 1981), fourth (Gaborone, 1983), fifth (Buenos Aires, 1985), sixth (Ottawa, 1987) and seventh (Lausanne, 1989) meetings of the Conference of the Parties;

EMPHASIZING that the overriding objective of the Convention is to conserve wild populations of the species listed in the appendices and that positive incentives must be offered to programmes designated to achieve this aim;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that Parties allowing the establishment of commercial captive-breeding operations for an Appendix-I crocodilian do not, as a general rule, allow wild-caught adult animals to form the major part of the breeding stock, with the exception of individual animals that are genuinely required to be removed from the wild as problem animals; and
- b) that the breeding stock for new captive-breeding operations should only be established using wild-caught specimens if suitable specimens are not available from stock bred in captivity in accordance with Resolution Conf. 2.12 or from stock raised in a ranching operation having been established in accordance with Resolution Conf. 3.15, and in this case specimens taken from the wild as problem animals should be preferred;

DIRECTS the Secretariat to include a new captive-breeding operation in its Register of Operations which Breed Specimens of Species Included in Appendix I in Captivity for Commercial Purposes under the provisions of Resolutions Conf. 4.15, 6.21 and 7.10 only when it has been proved that the breeding stock has not been established primarily through depletion of the wild breeding stock;

RECOMMENDS also with respect to ranching proposals that:

- a) Parties achieving or having achieved the transfer of their populations to Appendix II under the provisions of Resolution Conf. 3.15 be required to limit the manner of exploitation of wild populations to those techniques described in the proposal and that for example, they do not later initiate new programmes for cropping;

- b) those based solely on egg or hatchling collection be accepted provided that appropriate inventory, harvest level controls and monitoring programmes are proposed and that sufficient safeguards are established in the proposal to ensure that adequate numbers of animals are returned to the wild if necessary;
- c) those which include a component of a wild adult harvest be examined much more stringently than those based purely on egg or hatchling collection; and
- d) any harvest of wild adult crocodylians included as a component of a ranching proposal be limited to a reasonable number commensurate with the control of nuisance animals and sport hunting together; and

RECOMMENDS finally that any Party wishing to establish a long-term commercial harvest of wild adults be required to satisfy the Berne Criteria (Resolution Conf. 1.2) for the transfer of its population to Appendix II.