Doc. 10.52

Interpretation and Implementation of the Convention

Trade in Plant Specimens

IMPLEMENTATION OF THE CONVENTION FOR TIMBER SPECIES

1. This document has been prepared by the CITES Secretariat at the request of the Standing Committee on the basis of the report of the CITES Timber Working Group (document Doc. SC.37.13).

INTRODUCTION

History of the Timber Working Group

Establishment

2. The United Kingdom of Great Britain and Northern Ireland, concerned about a number of implementation problems resulting from the inclusion of several timber species in the CITES appendices, presented at the ninth meeting of the Conference of the Parties document Doc. 9.52, addressing these concerns. At the same meeting, several proposals to include additional timber species were discussed and finally either withdrawn or rejected.

3. The Conference of the Parties, after discussion of document Doc. 9.52, directed the Standing Committee, through Decision no. 4. addressed to it, to establish a temporary working group, chaired by the Chairman of the Plants Committee (Dr J. Armstrong, Australia – referred to as 'the Chairman' in the rest of this document), charging it with a number of tasks. This temporary working group has been titled the Timber Working Group (TWG).

Terms of Reference

4. Terms of reference for the TWG were established by the Chairman, in consultation with the Standing Committee. These terms of reference identified: issues which the Group was to address; the tasks required of its Chairman; the role of the Standing Committee in the work of the TWG; and the working language of the TWG. These issues fell into three principal areas of interest and are given below. Unless otherwise indicated, any further references in this document to the terms of reference for the TWG relate specifically to the topics below.

Implementation issues

5. The Timber Working Group shall:

6. – review the trade in timber of species included in Appendix II before the ninth meeting of the Conference of the Parties, on the basis of information included in the annual reports, Notification to the Parties No. 787, reports from the Secretariat and information provided by the Parties involved in this trade; and

7. – provide recommendations to the tenth meeting of the Conference of the Parties on the possible need to amend certain CITES procedures for the implementation of the Convention for trade in specimens of species included in Appendices II and III.

Parts and derivatives

8. The Timber Working Group shall:

9. – review the current annotations of the appendices regarding the control of parts and derivatives of certain timber species;

10. – report to the tenth meeting of the Conference of the Parties on the problems of practical identification of parts and derivatives of timber species and, if necessary, make recommendations on the amendment of certain CITES procedures; and

11. – where such recommendations may require an amendment to the annotation of the appendices, make every effort to ensure that such recommendations are presented by a Party as a proposal for consideration at the tenth meeting of the Conference of the Parties.

Relationships with international organizations

The Timber Working Group shall:

12. – assess the potential contribution of various international organizations with expert knowledge of the trade and management of timber species; and

13. – provide for consideration at the tenth meeting of the Conference of the Parties recommendations on how to improve co-ordination and consultative mechanisms for interaction between CITES and these organizations.

14. In addition, the Conference of the Parties, at its ninth meeting, decided that the TWG shall consider associated matters referred to the Group by the Plants Committee, the Standing Committee or the Secretariat (Decision no. 4 addressed to the Standing Committee). This requirement is also taken into account in the terms of reference for the Group.

Membership

15. Although a number of Parties, timber trade organizations and other NGOs had expressed their interest in participating in the TWG, the Chairman suggested that its membership be limited to ensure that the work of the Group could be completed in the time allotted. Discussions in the Standing Committee, particularly with respect to the lack of identified funding, led to a decision to invite a representative of each of the following countries and organizations to participate as members of the Group:

16. – Brazil, Cameroon, Canada, Costa Rica, Ghana, Japan, Republic of Korea, Malaysia, Switzerland, United States of America, European Union.

17. – International organizations: ITTO, IUCN, TRAFFIC, IHPA.

18. In addition, the TWG includes the Chairman, the CITES Plants Officer and a rapporteur/secretary.

19. This composition reflected the requirements and instructions decided at the ninth meeting of the Conference of the Parties. It provided a balance of the boreal, temperate and tropical forest range States; a balance of the CITES regions; a balance between timber-producing States and timber-importing States; and a balance between developed and developing countries. A similar balance was struck by selecting NGOs with an interest in conservation of, and sustainable trade in, timber species.

20. Following requests by several members of the TWG, the Chairman agreed that, if a member so wished, the presence of not more than two advisers per member would be permitted.

Meetings of the Timber Working Group

21. The first meeting of the TWG was held from 27 to 29 November 1995 at the Royal Botanic Gardens, Kew, hosted by the Management Authority of the United Kingdom of Great Britain and Northern Ireland and its Scientific Authority for plants. The second meeting of the TWG was held from 7 to 10 October 1996 in Panama City, hosted by the Management Authority of Panama.

22. Participants heeded the spirit of the decision made at the ninth meeting of the Conference of the Parties, sending representatives with a broad range of expertise relevant to the subjects to be discussed.

23. The meetings proceeded in accordance with a set of formal operating procedures, agreed to by all participants.

24. The agendas for the first and second meetings, collectively, covered all issues identified in the terms of reference. Some terms of reference were split into more than one agenda item to allow for clearer consideration of their separate elements.

25. Detailed working documents were prepared for most agenda items, which provided relevant background information, identified key issues, and suggested tasks for the TWG in relation to the matter under discussion. The working documents are not reproduced in full in this report; extracts and summaries are included, however, where relevant. These working documents are information documents only. They do not reflect the general opinion of the members of the TWG.

26. The TWG took the following approach in addressing the tasks presented to it. Agenda items were discussed, generally concentrating on information presented in the working documents. Following this, a written report was prepared, detailing the conclusions and recommendations that the Group had reached. These reports were then re-examined by the TWG and given final approval prior to the conclusion of the meeting. This method allowed the TWG to prepare some quite detailed written outcomes prior to the completion of its meetings.

27. Abbreviated minutes were prepared by the rapporteurs, and approved by the members of the TWG. These minutes were circulated to members of the TWG only.

28. The report of the first meeting of the TWG was presented to, and approved by, the Standing Committee. It was then circulated for comment to Parties and relevant international and non-governmental organizations. Comments were received from Algeria, Australia, Austria, France, China, the United Kingdom, the United States of America, the *Association Technique Internationale des Bois Tropicaux*, the African Timber Organization and Amexbois. These comments were considered by the Group at its second meeting under the relevant agenda item.

IMPLEMENTATION ISSUES

29. This topic was discussed in three parts: implementation of the Convention for species included in Appendix III; procedures for the implementation of CITES for timber species included in Appendix II (including permitting procedures and the definition of artificial propagation); and review of the trade in timber of species included in Appendix II before the ninth meeting of the Conference of the Parties.

Implementation of the Convention for species included in Appendix III

Background

30. A working document that outlined the provisions of the Convention regarding Appendix III and Resolution Conf. 9.25 had been prepared. It indicated that there were options for including in Appendix III species, subspecies or geographically separate populations of the taxon in question.

31. Article V of the Convention states that import of a specimen of a species included in Appendix III requires the prior presentation of an export permit or a certificate of origin, depending on the country of export. Nowhere in the text of the Convention, or in a Resolution, is the format of the CITES 'certificate of origin' specified. The only reference to certificates of origin in Resolutions of the Conference of the Parties is in recommendation ff) of Resolution Conf. 9.3 and this concerns the issuing authority. Consequently, any type of document can be designated by a CITES Management Authority of the country of origin as a certificate of origin. The CITES Secretariat provides samples of the certificates of origin of which it has copies, as well as information regarding the Management Authorities authorized to issue such certificates, to all the Parties to CITES through Notifications to the Parties.

32. On 16 November 1995, the request from Costa Rica to include the population in the Americas of *Swietenia macrophylla* in Appendix III came into effect. This listing was made with annotation #5, thereby limiting its application to saw-logs, sawn wood and veneers.

Discussions by the Timber Working Group

33. In discussing this issue, the TWG made the following observations:

34. – Article I defines *species* as 'any species, subspecies, or geographically separate population thereof'.

35. – Article II, paragraph 3, states:

> "Appendix III shall include all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in the control of trade."

36. Applying the definition of species in Article I to paragraph 3 of Article II, and noting the provisions of Resolution Conf. 9.25, the following options are available for the inclusion of a species in Appendix III (taking into account that in any case the country proposing the inclusion may issue export permits in accordance with Article V, paragraph 2).

37. – To include the species *sensu lato* (i.e. all populations worldwide including plantations and introduced populations). Trade in specimens from plantations from all exporting countries (whether they are in the natural range of the species or not) other than the listing country would require certificates of origin or certificates of artificial propagation (see Article VII, paragraph 5).

38. – To include the population of the proposing Party, or the populations of the proposing Party and of one or more specified range States, or the population of all range States where the species occurs naturally. To authorize export the range States specified in the listing, other than the proposing Party, would have to issue certificates of origin or certificates of artificial propagation. The specimens originating from populations other than those specified in

Appendix III would be excluded from CITES controls.

39. Until recently, Parties having included a species in Appendix III have done so in accordance with the first of these options. However, the inclusion of *S. macrophylla* in Appendix III was made in accordance with the second option, limiting it to the populations in the Americas. Hence, plantation-grown specimens originating in Indonesia, for example, are excluded from CITES controls.

40. Requirements for issuance of certificates of origin for trade in *S. macrophylla* were discussed and it was noted that, at that time, examples of such documents were only available from three Parties (the number has since increased to six). The TWG considered that further guidance should be given by the Conference of the Parties on the minimum information to be included in a certificate of origin and the length of time for which the certificate should remain valid.

41. The Group attempted to analyze the effect of the Appendix-III listing of *S. macrophylla* on the volume of trade in this species. Substantial analysis was not possible due to a lack of data and complicating factors such as the impact of new domestic forest management initiatives recently introduced in Brazil and past variations in trade levels. However, perceptions provided by traders suggest that trade volumes of *S. macrophylla* in international trade have remained largely unaffected by the Appendix-III listing of the species.

42. When drafting proposed amendments to Resolution Conf. 9.25, the TWG considered the possibility of incorporating a recommendation specifically for timber and the possibility of providing the two options outlined above. It also considered the need to amend operative paragraph b) of the first "RECOMMENDS" in Resolution Conf. 9.25, being concerned about the absence of any specific definition of the level of illegal trade justifying the inclusion of a species in Appendix III. After considering this, the TWG agreed to propose only a text that is generally applicable to plants and animals. It also concluded that limiting an Appendix-III listing to geographically separate populations would not necessarily result in enforcement difficulties for Parties.

Recommendations of the Timber Working Group

43. The TWG recommended changes to Resolution Conf. 9.25 to the effect that when a Party lists a species in Appendix III, it should consider listing only that geographically separate population for which an Appendix-III listing would best achieve the aims of the Convention and its effective implementation. Recommendations were also made on the minimum information to be included in a certificate of origin, which should have a twelve month validity. See Annex 2 (Regarding requirements for certificates of origin) and Annex 4.

CITES procedures for timber species included in Appendix II

Background

44. In order to facilitate understanding of this subject, a working document was prepared describing some of the general structural elements of the international timber trade, drawing particularly on experiences with trade in the Appendix-II species *Pericopsis elata*. It gave a general description of the flow of the trade from exploitation to consumption (providing a simplified flow chart to describe this) and outlined some of the practical problems that had been encountered in implementing CITES requirements for trade in *P. elata*. Some of these elements are elaborated on in more detail in the discussion section that follows.

45. Following discussions at its first meeting, the Group felt it would be useful to have a more detailed discussion on the various aspects of the trade in order to evaluate the current proposals regarding amendments to CITES permitting procedures and to determine whether further amendments might be required. The discussion concentrated in particular on the possible future scenario of a listing of a timber species in Appendix II that is traded in high volumes. Background documents described potential trade patterns and raised possible implementation issues arising from the Appendix-II listing of a timber species that is traded in high volumes, possibilities raised for discussion included the making of non-detriment findings, the requirement to issue large numbers of permits or certificates and identification of parts and derivatives.

Discussions by the Timber Working Group

46. Discussion centred around the practices and patterns of the timber trade, from exploitation to consumption, and possible constraints on the implementation of CITES that arise from these trade practices and patterns.

47. In discussing timber trade patterns, the TWG noted the following types of transactions.

48. – The logs extracted from the forest are:

49. – used by local industries, which transform the logs by sawing or slicing them; part of the production is consumed on the local market and the rest is exported; or

50. – directly exported.

51. – The trader acts as a middleman, buying the merchandise in the exporting country and selling it to consumers in an importing country. The importer may either be a direct consumer or a larger company, which also sells to others in its own or other countries.

52. – Disembarkation of the shipment may take place in a country that IS or IS NOT the country of residence of the importer or trader. After disembarkation, the importer or trader may wish to import the shipment into the country of disembarkation, place it in a bonded warehouse, or put it into transit for importation into another country.

53. – A single shipment of timber products may comprise many separate consignments or 'parcels' of timber, which could be off-loaded at different ports and/or sold to numerous different buyers (so-called 'split-shipments'). However, it appears that individual consignments or 'parcels' of timber within one shipment will all be accompanied by a separate Bill of Lading. An individual Bill of Lading may, in certain cases, specify multiple possible ports of final destination.

54. The TWG discussed possible constraints on the timber trade that arise as a consequence of the implementation of CITES and noted that a CITES permit is not valid unless the destination or consignee is specified in box 3 (Resolution Conf. 9.3). Consequently, the destination is limited to one importer in one country. Timber trade practices that can lead to conflicts with this requirement include the following.

55. – The wood has not been sold to a client at the time when it is loaded for export on board a freight ship, and/or it is sold to a customer in a country other than the one specified on the export permit.

56. – A load has already been sold to one or more clients at the time of export, and the appropriate permits obtained, but one or more clients cancel the order when the load is still in transit and the exporter finds a new client in the same or another country.

57. – Frequently a load of timber is sold via a trade company that only buys and sells timber and that, as part of the code of conduct of the trade, maintains commercial confidentiality regarding any prior transactions relating to a single shipment of timber. These trade companies are frequently situated in countries that are neither the country of export nor that of import for the cargoes concerned. Again this poses problems regarding the completion of box 3 of the export permit.

58. – The wood changes ownership to multiple buyers during transit and needs to be divided before delivery.

59. In discussing the patterns of the trade and the possible constraints mentioned above, the TWG identified two areas where it felt it could make some recommendations as to how to reach an acceptable compromise between current CITES regulations and timber trade practices. The points of particular concern were the six-month limit on the validity of a CITES permit and the need to specify the country of import on the CITES permit in accordance with the provisions of Resolution Conf. 9.3. On the issue of the six-month validity, members of the TWG were of the view that generally problems only arose when timber goods had landed in the country within the six-month period of validity of the permit but were held in a bonded warehouse for a longer period prior to formal importation because a buyer could not be found immediately. The TWG concluded that implementation problems with split-shipments could be overcome if timber traders ensured that each Bill of Lading was accompanied by a CITES permit covering the goods on that single Bill of Lading only.

60. The Group discussed the general practice of Parties of making a non-detriment (Article IV) finding on a species basis rather than on a shipment-by-shipment basis. Given this, it was felt that the issue of making non-detriment findings did not necessarily present any greater difficulties for timber species traded in high volumes than for species traded in lower volumes.

Recommendations of the Timber Working Group

61. The TWG recommended that for timber species to which the current annotation #5 applies, the validity of a CITES export permit or re-export certificate be allowed to be extended for a further six months, subject to a number of conditions. See Annex 2; Regarding the change of destination on export permits issued for timber of species included in Appendices II and III. Furthermore, the TWG recommended that, for timber species included in the appendices with annotation #5, an export permit or re-export certificate be accepted for a country of destination different from that specified on the permit or certificate, again subject to a number of conditions. See Annex 2; Regarding time validity of export permits and re-export certificates. It was recommended that these procedures be reviewed at the 11th meeting of the Conference of the Parties. See Annex 6 (draft decision 11., directed to the Secretariat).

Definition of 'artificially propagated' in relation to timber production

Background

62. A background paper was prepared for the Group that introduced the concept of silvicultural practices and discussed, from a timber production viewpoint, the present timber species in the appendices of CITES. Silvicultural methods can be divided broadly into those involved with assisted natural regeneration and those involving artificial propagation of trees. The latter is further divided into the establishment of plantations on land without forest cover (afforestation), plantation establishment on areas where the forest cover has been removed by clear-cutting (reforestation), or planting in areas with existing forest cover (enrichment planting). The propagative material used can be of either wild-collected or cultivated origin.

63. It was noted that the level of silvicultural knowledge for timber species currently listed in the CITES appendices ranges from those well known in silviculture to those that are more or less unknown in silviculture. The background paper also discussed some other issues in relation to CITES timber listings from the point of view of silviculture and forest management in general.

64. In the CITES context, 'artificially propagated' is defined in Resolution Conf. 9.18. It appears that the definition there is not easily applicable to certain silvicultural techniques such as assisted natural regeneration and enrichment planting.

Discussions by the Timber Working Group

65. The TWG discussed the definition of 'artificially propagated' as given in Resolution Conf. 9.18, the interpretation of its elements and the implications of these definitions for timber species. This led to a more detailed discussion of various silvicultural practices and whether or not these could or should be considered to be artificial propagation. The Group examined issues such as: whether or not plantations require definition in the CITES context and, if so, what this definition should be; and how to deal with silvicultural practices which appeared particularly problematic in relation to the current CITES definition of artificially propagated (e.g. assisted natural regeneration and enrichment planting). The TWG felt that it might be desirable to first explore the possible utilization of other CITES concepts, such as ranching, for several of these silvicultural techniques, before it would consider a possible adaptation of the current definition of 'artificially propagated'.

66. The Group considered the discussion points and certain other issues raised in the background document. The TWG noted the desirability of initiating the periodic review of listed plant species, as called for in Resolution Conf. 9.1, for timber species currently included in the appendices. A number of concerns were expressed by members of the Group about some of the points made in the background paper, including: a perceived concentration of focus on tropical timber issues; the labelling of many currently CITES-listed Appendix-II timber species as "endangered", which is not only inaccurate but may help perpetuate the misconception that the Convention only deals with endangered species; and that the paper erroneously indicates that a number of currently listed timber species have not been subject to international trade.

Recommendations of the Timber Working Group

67. The TWG decided to request the Secretariat to investigate the potential for silvicultural techniques to be dealt with in the general context of resolutions on ranching and quotas, to determine whether their inherent concepts are useful bases for establishing trade regimes for timber species listed in the appendices. The Group also recommended that the Plants Committee review the list of all timber species currently included in the appendices [as it is charged to do in Resolution Conf. 9.1, Annex 3, paragraph vii)] and report the results of this review at the 11th meeting of the Conference of the Parties. Finally, in discussing the numerous issues that were raised in the background document for this item, the TWG felt it worthwhile to recommend that Parties which are range States for timber species pay particular attention to internationally traded timber species within their territories for which the knowledge of biological status and silvicultural requirements indicate concern. See Annex 5 (Regarding the definition of 'artificially propagated' for timber species of concern) and Annex 6 (draft decision directed to the Plants Committee; draft decision 1. directed to the Secretariat).

Review of the trade in timber of species included in Appendix II before the tenth meeting of the Conference of the Parties

Background

68. The working document for this item provided short overviews of the reported trade in timber species currently listed in the appendices. It briefly examined procedures used by Parties for the collection of CITES trade data, based in part on responses received to a questionnaire on procedures for national collection of CITES data on trade in plants, sent to all CITES Management Authorities. The working document included a comparative tabulation of data on trade in timber species since 1977 and described in detail the timber trade data that were compiled by WCMC on the basis of statistics from annual reports of CITES Parties. Finally, the document noted that a number of issues relevant to this agenda item had been drawn to the attention of the Parties in CITES Notification to the Parties No. 787, of 10 March 1994, on Trade in Timber Species.

69. The principal problems in reporting the trade in CITES timber species that were identified in the background document were the following.

Lack of reporting

70. Data presented for *Araucaria araucana*, *Fitzroya cupressoides* and *Pericopsis elata* indicated that trade in these species had been reported much more comprehensively by countries of export than by countries of import. It is necessary to look further and ask why the shipments are not reported and whether this lack could be a symptom of a deeper problem such as inadequate implementation of the Convention.

Differential use of terms and units of measurement

71. Notification to the Parties No. 788, concerning Guidelines for the Preparation and Submission of Annual Reports, recommends the use of standard descriptions of specimens and units of quantity for reporting trade in timber. Trade in timber is reported in CITES annual reports in a variety of ways. Where there is a lack of consistency in the use of terms or units of measurement between importing and exporting countries or where units of measurement are not given, it is very difficult to compare all the information provided.

Other reporting problems

72. Other specific problems mentioned by Management Authorities in their returned questionnaires included: lack of expertise in identifying the diverse range of CITES-listed timber products, particularly with the naked eye; the lack of scientific names on paperwork accompanying shipments; difficulties in the reporting of trade in small, worked timber products; documents are not always valid since a shipment may have been resold after being exported; the control of timber trade is frequently done by others than those controlling trade in other CITES plants; and difficulties of retrieving documentation from other agencies. Not all of the Parties returning the questionnaire stated that their enforcement agencies were aware of the CITES timber listings.

Discussions by the Timber Working Group

73. Discussion on this issue covered trade in timber species listed in all the CITES appendices. Some members were able to correct reports of trade shown in the working document, with others drawing attention to figures that, based on their knowledge, appeared dubious. Means to avoid errors being incorporated into timber trade data in CITES annual reports were discussed. The Group also speculated as to why there was such poor reporting of import figures for trade in CITES-listed timbers and how this reporting could be improved. A lack of reporting of timber seizures was identified by participants. The issue of disposal of confiscated timber was also raised. However, it was felt that the provisions of Resolution Conf. 9.10 were sufficient to deal with this matter.

Recommendations of the Timber Working Group

74. The TWG made a number of recommendations which it felt would improve the data in annual reports, relating to trade in CITES-listed timber species. It also recommended that the Secretariat be requested to investigate the reasons for the non-reporting in annual reports of trade in CITES-listed timber species, including the extent to which Parties have informed timber traders on CITES procedures. See Annex 6 (draft decisions 4.-6. directed to the Secretariat).

PARTS AND DERIVATIVES

Background

75. A working document was prepared for the TWG covering five specific issues relating to parts and derivatives:

Parts and derivatives to be controlled

76. For effective implementation of CITES for timber species it is important to determine which parts and derivatives should be subject to control. Such determination should be based on a knowledge of the range of materials and products and their relative importance in international trade for individual species. Members of the TWG were asked to collect information on the form in which CITES-listed timber species are traded, in order to assess whether their current annotations are appropriate.

Readily recognizable

77. The TWG was asked whether the parts and derivatives of timber species subject to CITES controls, and in particular saw-logs, sawn wood and veneers, could be considered readily recognizable. Identification of parts and derivatives was also discussed by the TWG, however no working document was prepared to provide a background to this item.

Standardization of annotations

78. The TWG was provided with background information on a proposal submitted by Australia in 1992, and subsequently withdrawn, which was designed to standardize the annotation in the 'Interpretation' section of Appendix I and II for all timber species included in Appendix II. Members were asked to consider whether or not they agreed with the intention of this proposal and, therefore, whether a revised proposal needed to be prepared for submission to the Conference of the Parties.

Definition of saw-logs, sawn wood and veneers

79. Saw-logs, sawn wood and veneers are relatively broad categories of timber products, which may be interpreted differently, for example, by forest managers and timber traders. For CITES purposes a standard definition of the terms would be useful.

Use of terms for reporting purposes

80. A major requirement placed on Parties is the production of annual reports on trade. Timber has been reported in a variety of ways in CITES annual reports. The TWG was asked to consider the relevant background information and to suggest standard reporting units to be used in the annual reports.

Discussions by the Timber Working Group

81. The TWG examined existing annotations for timber species and discussed whether or not these adequately covered all parts and derivatives entering international trade. It was noted that annotations need to be determined on a species-by-species basis. Useful clarification was given of terminology used in the timber trade to describe timber goods entering trade and it was consequently agreed that there was a need to modify the annotations and standardize the terminology used to describe timber parts and derivatives in trade. Discussion on definitions was based on the appropriateness of aligning CITES definitions with the tariff codes included in Chapter 44 of the Harmonised System of the World Customs Organization. It was also recognized that the definitions agreed by the TWG should reflect the intentions of the Parties when they approved a timber listing. The Group also discussed the units of measurement that the Parties should use when reporting CITES-listed timber specimens in trade. The Group noted that if any timber species were included in the appendices in future with annotations different from existing annotations there would be a need to clearly specify the parts and derivatives in trade; amendment of Resolution Conf. 9.3 may also be necessary to deal with anticipated problems relating to the period of validity of permits and/or to changes of destination of shipments.

82. The TWG noted the existing lack of information and documentation relevant to the identification of timber species included in the CITES appendices. Indeed, three of the seven Parties that responded to the report of the first meeting of the TWG, included a request for timber identification materials. Matters relating to confusion arising from the use of many vernacular names for the same timber species were discussed. The representative of the European Union suggested that the World Conservation Monitoring Centre be asked to produce a preliminary list of vernacular names for CITES-listed timber species. There was a discussion on progress with, and the need for, production of identification materials for timber species listed in the CITES appendices and the obligations of Parties in this regard.

Recommendations of the Timber Working Group

83. A number of recommendations were made in relation to parts and derivatives of timber species listed in the CITES appendices. The TWG formulated definitions for the terms 'logs', 'sawn wood' and 'veneer sheets', to be applied with respect to the current annotations #5 and #6. Recommendations on units of measurement to be used in CITES annual reports for parts and derivatives of timber species were also made. The TWG advocated some minor amendments to annotations #5 and #6. A number of suggestions were made for improving identification of parts and derivatives of timber species listed in the CITES appendices, including issues relating to the production of timber identification materials. The Group also recommended that any Party proposing the inclusion of a timber species in Appendix II or III should clearly indicate which parts and derivatives are covered by the listing. If these are different from those included in the current annotation #5, they may also need to propose an amendment to Resolution Conf. 9.3 in order for the procedures relating to the extension of the period of validity of the export permit or re-export certificate and/or to the change of destination to apply. See Annex 3, Annex 5 (Regarding parts and derivatives; Regarding amendment proposals for timber species) and Annex 6 (draft decisions 1.-3. directed to the Parties; draft decisions 2., 3., 7. and 10. directed to the Secretariat; draft decision 1. directed to the Standing Committee or the Plants Committee).

INTERNATIONAL ORGANIZATIONS

Background

84. Numerous conferences, international agreements and organizations have devoted much time and effort to addressing various forest-related issues such as deforestation, sustainable management and biological diversity in tropical, temperate and boreal forests. The adoption of the non-legally-binding Forest Principles and the forestry chapter of Agenda 21 at the 1992 United Nations Conference on Environment and Development highlights the attention given to these issues. The Conventions on Climate Change and Desertification make little direct reference to forest issues but these Conventions have significant potential to affect forest management strategies in the future. Of particular current interest is the Intergovernmental Panel on Forests (IPF), which seeks to co-ordinate current international discussion on forest-related issues and which has a work programme element specifically devoted to trade in forest products. The Secretariat of the Convention on Biological Diversity (CBD) is preparing a background document on the links between forests and biodiversity in order to consider whether it should contribute further to the work of IPF.

85. There are many organizations with an interest in the conservation of forests and the sustainable production of forest resources. Among these organizations are the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the Food and Agriculture Organization of the United Nations (FAO), the World Conservation Union (IUCN), the World Food Programme (WFP), UNESCO's 'Man and the Biosphere' Programme (MAB), the World Bank and the International Tropical Timber Organization (ITTO).

86. These international organizations are complemented by an even larger number of non-governmental conservation organizations with interests in endangered species and other forest-related issues. Prominent among these are TRAFFIC and the World Wide Fund for Nature (WWF).

87. Various national and international trade associations, national and international conservation organizations and non-governmental industry organizations are playing an increasingly active role in addressing the issues of sustainable forest management. These organizations also are valuable sources of information specific to international trade, including information on identification and technical characteristics of specific species.

88. The TWG was presented with background documents, which included the information above and which also listed names, addresses and other details of organizations and individuals involved in forest research, forest conservation and management, timber identification and, particularly, timber trade.

Discussions by the Timber Working Group

89. The TWG discussed existing organizations that are addressing the problems of sustainable use of timber, their possible contribution to CITES and ways in which to improve the consultation process between such organizations, CITES Parties and/or the Secretariat. The Group developed a selected list of organizations that were felt to have the most expertise of direct relevance to CITES and that may be able to provide information for, or views on, proposals for listing timber species in the CITES appendices. In discussing possible inclusions in the list, the TWG noted a difficulty in deriving a list that gave a balanced representation across all forest areas — tropical, temperate and boreal. It noted further that there were a number of national institutions that have relevant expertise at an international level. There was considerable discussion on the type and amount of information Parties should be directed to seek from these organizations and how their particular area(s) of expertise should be presented. The TWG concluded that categorizing organizations in terms of the data they are most likely to be able to provide to Parties was more appropriate than classifying them in terms of their organizational mandate (e.g. research, conservation, forest management or trade institution).

90. There was discussion of the benefit of compiling, and the possible content of, a second, longer list of organizations with which Parties may wish to consult in regard to proposals to list timber species in the appendices. However, the difficulty of compiling a list that contained the relevant organizations but was not overly long was recognized. After discussion, the Group felt that the compilation of a supplementary list was not necessary.

91. The TWG also discussed possible liaison and information exchange on timber species and the work of the Group with the Secretariat of the CBD and the IPF. Liaison and/or information exchange with these bodies was strongly recommended.

Recommendations of the Timber Working Group

92. The TWG compiled a list of 14 international organizations that it felt could provide trade and/or biological data on timber species to Parties intending to present an amendment proposal to a meeting of the Conference of the Parties. It was recommended that Parties intending to present an amendment proposal relating to a timber species should consult with at least four of these 14 organizations (two for trade data and two for biological data) prior to the proposal being sent to the Secretariat for distribution to the Parties. The Group also recommended that the Secretariat seek the views of ITTO, FAO and IUCN on any timber proposals, and that it maintain or develop strong relationships with these three organizations and TRAFFIC and WCMC. Finally, the TWG recommended that the Secretariat send the report of the TWG to the Secretariats of the CBD and IPF. See Annex 1, Annex 5 (Regarding international organizations) and Annex 6 (draft decisions 8. and 9. directed to the Secretariat).

OTHER

Possible impacts of CITES timber listings

Background

93. This agenda item arose out of discussions held at the first meeting of the TWG. There had been considerable discussion, both inside and outside the CITES forum, of the possible, actual and perceived impacts, both positive and negative, arising from the inclusion of timber species in the appendices to CITES. The TWG felt that a more detailed examination of this point may help identify, confirm and/or refute the positive and negative impacts arising from such inclusion.

Discussions by the Timber Working Group

94. The Group had a detailed and wide-ranging discussion on the actual, possible and perceived positive and negative impacts of the inclusion of timber species in the CITES appendices. Issues raised included: concern that some potential purchasers are using CITES Appendix-II listing as a reason for not buying; the need for more education as to what CITES is and is not, particularly with reference to timber; that CITES listing confers a number of benefits including assistance in the control of illegal shipments, introduction of improved trade controls and facilitation of the collection of better trade data over time; and that better co-ordination was required between government agencies dealing with CITES-listed species.

Recommendations of the Timber Working Group

95. The TWG recommended that Parties consider any deleterious conservation and trade impacts before they impose stricter domestic measures on trade in timber specimens of species in Appendix II or III. Measures aimed at increasing public understanding of the role of the Convention in the conservation of timber species were also recommended. See Annex 5; Increasing public understanding of the role of the Convention in the conservation of timber species.

CERTIFICATION

Background

96. This item was included in the agenda of the second meeting of the TWG as it was raised by a Party in response to the circulation of the report of the Group's first meeting. It also appeared that it had been reported in other fora that CITES in general, or the TWG specifically, was debating the issue of timber certification.

97. Timber certification refers to the process of confirming or attesting to the management of forests according to a specified set of standards. Labelling is a marketing tool which confirms to consumers that the products are derived from forests managed according to a specified set of standards.

Discussions by the Timber Working Group

98. The TWG discussed the concept of making non-detriment findings for export of Appendix-II species, as required under Article IV of the Convention, and noted the difference between this concept and that of timber certification. It was also pointed out that CITES does not define 'sustainability' and leaves any determination of the meaning of this term to national governments.

Recommendations of the Timber Working Group

99. The Group felt that it would be useful to clarify that it had not been debating issues regarding timber certification and that this should be communicated in the report of its deliberations to be submitted to the IPF.

FUTURE OF THE TIMBER WORKING GROUP

Background

100. The decision taken at the ninth meeting of the Conference of the Parties was that the Timber Working Group should be established on a temporary basis until the tenth meeting of the Conference of the Parties. While the TWG successfully completed all the elements of its terms of reference, given the complexities and controversial nature of certain timber-related issues, the Group wished to consider whether similar efforts may be required in the future.

Discussions by the Timber Working Group

101. The Group noted that the TWG had been an effective forum, which had completed a considerable amount of constructive work. It discussed whether or not a recommendation should be made to continue the work of the TWG and issues related to this.

Recommendations of the Timber Working Group

102. The TWG recommended that the Group continue with its current composition until the 11th meeting of the Conference of the Parties, with the Standing Committee determining when the Group should reconvene and its terms of reference. See Annex 6 (draft decisions 1.-3. directed to the Standing Committee).

Doc. 10.52 Annex 1

Information on International Organizations Included in the Table of the Draft Resolution on Timber Issues
(paragraph 1 of Annex 4 to this document)

International organizations with recognized expertise on issues related to the international timber trade and/or forest management

African Timber Organization (ATO)
B.P. 1077
Libreville
GABON

Tel: (241) 73 29 28
Fax: (241) 73 40 30

The ATO is an international organization for co-operation in matters of forestry management. Created in 1976, its membership includes: Angola, Cameroon, Central African Republic, Congo, Côte d'Ivoire, Gabon, Ghana, Equatorial Guinea, Liberia, Nigeria, Sao Tome and Principe, United Republic of Tanzania and Zaire. Its objective is to allow member countries to study and co-ordinate the ways and means of reaching an optimum economic return for their forest resources in order to protect the environment and maintain their forest resources.

The objectives that the ATO has set for itself are numerous and various, as they aim at allowing a continuous co-operation among member countries in all fields related to forestry economy: information, conservation and sustainable utilization of forest ecosystems, tax matters, research, training, promotion of forest and products, management and reforestation, etc.

Asian-Pacific Timber Trade Organization (ATTO)
GPO Locked Bag 3095
93760 Kuching
MALAYSIA

Tel: (6082) 44 14 77
Fax: (6081) 44 29 35

ATTO is an umbrella organization for timber trade associations in Japan, Malaysia, Papua New Guinea, the Philippines, the Republic of Korea, Solomon Islands and Taiwan, Province of China. It meets regularly for members to exchange trade statistics, market information, information regarding developments in forest conservation, etc. The organization started in the 1960s (then under the name of SEALPA).

Centre for International Forestry Research (CIFOR)
Jalan Gunung Batu 5
Bogor 16001
JKPWB-Jakarta 10065
INDONESIA

Tel: (62251) 34 36 52
Fax: (62251) 32 64 33

CIFOR is an international forestry research institution under the Consultative Group for International Agricultural Research. Its objectives are to improve the scientific basis for ensuring the balanced management of forests and forest lands, develop policies and technologies for sustainable use and management of forest goods and services and strengthen national capacities for research to support the development of policies and technologies for the optimal use of forests and forest lands.

Food and Agricultural Organization of the United Nations (FAO)
Forestry Department
Viale delle Terme di Caracalla
00100 Roma
ITALY

Tel: (396) 522 55 22 51
Fax: (396) 52 25 55 14

The Forestry Department of FAO has forestry experts among the staff in Rome and in the regional offices around the world to provide technical assistance, technology transfer, training and support to forestry programmes in developing countries. The Department maintains an extensive technical library and publishes technical papers and reports. It conducts training sessions and workshops. It has the lead in implementing the Tropical Forestry Action Plan. The Department compiles periodic inventories of world forest resources and monitors deforestation, in particular in the tropics.

International Boreal Forest Research Association (IBFRA)
c/o USDA Forest Service
Attn. Dr William Sommers
P.O. Box 96090
Washington, D.C. 20090-6090
UNITED STATES OF AMERICA

Tel: (1202) 205-1561
Fax: (1202) 205-2497

IBFRA promotes and co-ordinates research and understanding of the role circumpolar boreal forests play in the global environment and the influence of human resource management and environmental change on that role. Established in 1991. Membership comprises all major national research organizations in circumpolar nations.

The International Wood Products Association (IHPA)
4214 King Street West
Alexandria, Virginia 22302
UNITED STATES OF AMERICA

Tel: (1703) 820-6696
Fax: (1703) 820-8550

IHPA-The International Wood Products Association represents regional and national associations involved in the export and import of forest products. It also serves as a contact point for other trade associations.

International Tropical Timber Organization (ITTO)
International Organizations Center, 5th Floor
Pacifico-Yokohama
1-1-1, Minato-Mirai, Nishi-Ku
Yokohama 220
JAPAN

Tel: (8145) 223-1110
Fax: (8145) 223-1111

The International Tropical Timber Organization is an inter-governmental organization under the United Nations Conference on Trade and Development. The ITTO focuses on sustainable management of tropical forests and tropical hardwood timber trade, specifically trade in logs, lumber and plywood. ITTO member countries are either consumers or producers of tropical timber. The ITTO has become an important agent in addressing tropical forest issues, prioritizing policy and project work aiming at promoting the sustainable utilization and conservation of tropical forests.

International Union of Forestry Research Organizations (IUFRO)
Seckendorff-Gudent-Weg 8
A-1131 Wien
AUSTRIA

Tel: (431) 877-0151
Fax: (431) 877-9355

At present, IUFRO has 717 member organizations in 115 countries of the world. These members are organized in 266 Research Groups in 8 Technical Divisions. The International Union of Forestry Research Organizations was established in 1892, and reorganized in its present form in 1971 and 1995. The Union is a non-profit, non-governmental scientific organization open to organizations and individuals involved in forestry research. IUFRO aspires to bring together scientific knowledge about all aspects of trees and forests through the co-operative efforts of its world-wide member research organizations and scientists. Through this means it seeks to promote the sustainable use of forest ecosystems to provide multiple benefits for local people and for society as a whole.

The World Conservation Union (IUCN)
28, rue Mauverney
CH-1196 Gland
SWITZERLAND

Tel: (4122) 999-0001
Fax: (4122) 999-0002

Founded in 1948, IUCN – The World Conservation Union brings together States, government agencies and a diverse range of non-governmental organizations in a unique world partnership: some 650 members in all, spread across 120 countries. The Union seeks above all to work with its members to achieve development that is sustainable and that provides a lasting improvement in the quality of life for people all over the world.

Pro-tempore Secretariat of the Treaty for Amazonian Co-operation (SPT-TCA)
Av. Prolongación
Primavera N° 654
Surco Lima 33
PERU

Tel: (511) 438-9664; 438-9662
Fax: (511) 449-8718

SPT-TCA provides a forum for discussions, and undertakes the dissemination of information, on criteria and indicators for sustainable forest management in the Amazon region. It draws on technical expertise from FAO, WRI and other bodies in assisting member States' national forestry policies in the region.

TRAFFIC International
219 Huntingdon Road
Cambridge, CB3 0DL
UNITED KINGDOM

Tel: (441223) 27 74 27
Fax: (441223) 27 72 37

The TRAFFIC Network is the world's largest wildlife trade monitoring programme with offices covering most parts of the world. TRAFFIC is supported by WWF – the World Wide Fund for Nature and by IUCN – the World Conservation Union to help ensure that wildlife trade is at sustainable levels and in accordance with domestic and international laws and agreements.

UCBD/Union pour le commerce des bois durs dans l'U.E. (European Hardwood Federation)
c/o The Danish Timber Trade Federation
P.O. Box 69
Lyngby
DENMARK

Tel: (4545) 87 54 00
Fax: (4545) 87 13 32

The UCBD is a federation of the national trade associations in the countries of the European Union and Norway. The national associations represent members dealing in species originating in tropical, temperate and boreal forests.

World Conservation Monitoring Centre (WCMC)
219 Huntingdon Road
Cambridge CB3 0DL
UNITED KINGDOM

Tel: (441223) 27 73 14
Fax: (441223) 27 71 36

WCMC provides information services on the conservation and sustainable use of species and ecosystems, and supports others in the development of their own information management systems.

World Wide Fund for Nature-International (WWF)
Avenue du Mont-Blanc
CH-1196 Gland
SWITZERLAND

Tel: (4122) 364-9111
Fax: (4122) 364-5358

WWF – World Wide Fund for Nature is the world's largest private international conservation organization. WWF aims to conserve nature and ecological processes: by preserving species and ecosystem diversity; by ensuring that the use of renewable natural resources is sustainable both now and in the longer term; and by promoting actions to reduce pollution and wasteful exploitation and consumption.

Doc. 10.52 Annex 2

DRAFT AMENDMENTS TO RESOLUTION CONF. 9.3

Permits and Certificates

Regarding the change of destination on export permits issued for timber of species included in Appendices II and III

Insert after paragraph z) under the second "RECOMMENDS" and before the first "RECOMMENDS further":

> Regarding permits and certificates issued for trade in timber species with the current annotation #5 in the 'Interpretation' section of Appendices I and II and Appendix III
>
> RECOMMENDS that an export permit or a re-export certificate that was issued in conformity with requirement d) in Annex 1 to Resolution Conf. 9.3 not be accepted for import into a country other than the one for which it was issued except under the following conditions:
>
> a) the actual quantity of specimens exported or re-exported is included in the designated box on the export permit or re-export certificate, certified by the stamp or seal and signature of the authority that carried out the inspection at the time of the exportation or the re-exportation;
>
> b) the exact quantity referred to under a) is imported;
>
> c) the number of the Bill of Lading is included on the permit or certificate;
>
> d) the corresponding Bill of Lading is presented to the Management Authority together with the original of the export permit or re-export certificate;
>
> e) the import takes place within six months after the issuance of the original export permit or re-export certificate;
>
> f) the period of validity of the export permit or re-export certificate has not already been extended;
>
> g) the Management Authority of the importing country includes in the box on the permit or certificate relating to special conditions, or an equivalent place, the following text, certified by its stamp or seal and signature:
>
> > import into [name of country] permitted in accordance with Resolution Conf. [number and paragraph] on [date]; and
>
> h) a copy of the export permit or re-export certificate as amended in accordance with sub-paragraph g) above shall be sent to the country of export or re-export, allowing it to amend its annual report, and to the CITES Secretariat;

Regarding time validity of export permits and re-export certificates

Insert in Resolution Conf. 9.3 under the section Regarding the time validity of export permits and re-export certificates a new paragraph after cc):

> ..) that, for the purpose of trade in timber species to which the current annotation #5 in the 'Interpretation' sections of Appendices I and II and Appendix III applies, the validity of the export permit or re-export certificate may be extended beyond the normal maximum of six months after the date of issuance, on the condition that:
>
> i) the shipment has arrived in the port of final destination before the date of expiration on the original CITES document and is being held in Customs bond (i.e. is not considered by the Party as imported);
>
> ii) the time extension does not exceed six months from the date of expiration of the original CITES document and is not granted more than once;
>
> iii) the Customs official or appropriate CITES enforcement personnel has included the date of arrival and the new date of expiration in the box relating to special conditions, or an equivalent place, on the original export permit or re-export certificate, certifying the modification with an official stamp or seal and signature;
>
> iv) the shipment is imported for consumption from the port for which the extension has been approved before the expiration of the time extension indicated in the box relating to special conditions, or an equivalent place, of the original CITES document; and
>
> v) a copy of the export permit or re-export certificate as amended in accordance with sub-paragraph c) above shall be sent to the country of export or re-export, allowing it to confirm annual report data, and to the CITES Secretariat;

Regarding requirements for certificates of origin

Insert before paragraph ff) in the section Regarding certificates of origin for specimens of Appendix-III species, the following text:

> ..) a certificate of origin contain, as a minimum, the following information:
>
> i) the full name of the Convention and, if possible, its logo;
>
> ii) the complete name and address of the issuing Management Authority, as included in the CITES Directory, its stamp and the signature of an authorized person;
>
> iii) a unique control number;
>
> iv) the scientific name of the species to which the specimen belongs;
>
> v) a description of the specimens in one of the three working languages of the Convention, using the nomenclature of specimens distributed by the Secretariat;

vi) the number or quantity of the specimens and, if appropriate, the unit of measure used;

vii) the date of issuance;

viii) a statement that the specimens originate in the country that issued the certificate of origin;

ix) the date of expiry;

x) the country of destination;

..) a certificate of origin is only valid when it is presented for import within 12 months after its issuance.

Doc. 10.52 Annex 3

DRAFT AMENDMENTS TO RESOLUTION CONF. 9.4

Annual Reports and Monitoring of Trade

Insert the following new text:

RECOMMENDS that Management Authorities:

a) consult their national timber organizations to identify any anomalies in their annual reports and to discuss remedies if such anomalies exists; and

b) carefully review their procedures for reporting the trade in timber species included in the appendices to ensure that reporting is based on permits used rather that permits issues.

Doc. 10.52 Annex 4

DRAFT AMENDMENT TO RESOLUTION CONF. 9.25

Inclusion of Species in Appendix III

Insert in the preamble of Resolution Conf. 9.25, after the first RECALLING, the following text:

RECOGNIZING that, for species with a natural distribution that goes beyond the territory of the proposing Party and its immediate neighbours, their inclusion in Appendix III may not necessarily be required for all range States.

Insert as a new sub-paragraph iv) under paragraph a) of the first RECOMMENDS:

iv) consideration is given to listing only that geographically separate population of the species for which an Appendix-III listing would best achieve the aims of the Convention and its effective implementation, particularly with regard to the conservation of the species in the country requesting its inclusion in Appendix III.

Doc. 10.52 Annex 5

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Implementation of the Convention for Timber Species

RECOGNIZING that amendment proposals should contain the maximum amount of biological and trade information on the taxon concerned;

AWARE that such information is frequently available from international organizations that have expertise related to timber trade and/or forest management;

RECOGNIZING that parts and derivatives mentioned in the 'Interpretation' section of Appendices I and II and Appendix III should be clearly defined;

EMPHASIZING the need for Parties to adequately report on their annual trade in timber and to use agreed units of measurements;

RECOGNIZING that identification sheets suitable for inclusion in CITES Identification Manuals have not yet been published for any of the timber species currently included in the appendices of the Convention;

AWARE that unambiguous identification of timber, by its nature, can be a complex procedure, requiring particular expertise;

RECOGNIZING also that the development of timber identification materials is essential for the effective implementation of the Convention and that the cost of production will be considerable;

NOTING that the approach that authorities of some countries have taken, whereby they meet with timber trade groups and enforcement officers and agree to use standard nomenclature for vernacular and corresponding scientific names of timber species, appears to be a useful one;

NOTING further that the objective of the Convention is to ensure the conservation of wild fauna and flora for this and future generations through the protection of certain species against over-exploitation through international trade;

NOTING also that the Convention can play a positive role in promoting the conservation of animals and plants, including timber species, through trade in accordance with the requirements of Article III, IV and V of the Convention and through improving trade monitoring for evaluation of biological status and effective enforcement;

RECOGNIZING that commercial trade may be beneficial to the conservation of species and ecosystems when carried out at levels that are not detrimental to the survival of the species in question;

RECOGNIZING also that Parties have the right to take stricter domestic measures concerning any species listed in the appendices;

AWARE that such measures can have effects unrelated to the conservation of listed species and could be taken for purposes not directly related to the purpose for which the species concerned were included in the CITES appendices;

NOTING also that there are misconceptions that inclusion of a species in Appendix II or III represents a ban on trade in that species;

RECOGNIZING that such misconceptions can have negative impacts including the prohibition of or restriction on the use of CITES-listed timber species by architects, engineers, commercial businesses and others, and reduced use of such items by consumers;

ACKNOWLEDGING that education is an important tool in the effective implementation of the Convention;

NOTING that many internationally traded timber species, boreal, temperate and tropical, can be managed on a sustainable basis through the application of appropriate silvicultural techniques, but that for other timber species such knowledge is currently lacking; and

NOTING that some timber species may be under threat because of detrimental levels of use and international trade;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

Regarding international organizations

a) any Party that intends to present an amendment proposal for a timber species (irrespective of other agreed procedures) should consult with at least four different organizations listed in the table below (two from each of the two types [B and T]), to verify or request biological and trade data and should include any relevant information in the amendment proposal before this is sent to the Secretariat for distribution to the Parties; and

Acronym	International Organization	Data	
ATO	African Timber Organization		T
ATTO	Asian-Pacific Timber Trade Organization		T
CIFOR	Center for International Forestry Research	B	
FAO	Food and Agricultural Organization of the United Nations; Forestry Department	B	T
IBFRA	International Boreal Forest Research Association	B	
IHPA	The International Wood Products Association		T
ITTO	International Tropical Timber Organization	B	T
IUFRO	International Union for Forest Research Organizations	B	
IUCN	IUCN-The World Conservation Union	B	
SPT-TCA	Pro-tempore Secretariat of the Treaty for Amazonian Co-operation	B	
TRAFFIC	Trade Records Analysis of Flora and Fauna In Commerce	B	T
UCBD	Union pour le Commerce des Bois Durs dans l'U.E. (European Hardwood Federation)		T
WCMC	World Conservation Monitoring Centre	B	
WWF	World Wide Fund for Nature	B	
B = Biological data **T** = Trade data			

b) when any proposal is submitted to amend the CITES appendices for timber species, for the implementation of paragraph i) of the second RESOLVES of Resolution Conf. 9.24, the Secretariat should seek the views of ITTO, FAO and IUCN and present these to the meeting of the Conference of the Parties;

Regarding parts and derivatives

c) the following definitions be applied with respect to the current annotations #5 and #6:

   i) Logs

      All wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, for processing notably into sawn wood, pulpwood or veneer sheets (HS code 44.03*);

   ii) Sawn wood

      Wood simply sawn lengthwise or produced by a profile-chipping process. Sawn wood normally exceeds 6 mm in thickness (HS codes 44.06* and 44.07*); and

   iii) Veneer sheets

      Thin layers or sheets of wood of uniform thickness, usually 6 mm or less in thickness, usually peeled or sliced, for use in making plywood, for veneering furniture, veneer containers, etc. (HS code 44.08*); and

d) for the purpose of annotations to the appendices for parts and derivatives of CITES-listed species traded as timber, definitions be used that, to the extent possible, are based on the tariff classifications of the Harmonized System of the World Customs Organization;

Regarding amendment proposals for timber species

e) proposals for the inclusion of timber species in Appendix II or III indicate clearly which parts and derivatives should be regulated; and

f) where these are different from the parts and derivatives included in the current annotation #5, the proponent should also propose the relevant amendment to Resolution Conf. 9.3 if the procedures for extending the period of validity of, and/or changing the destination on, the export permit or re-export certificate should apply;

Regarding the definition of 'artificially propagated'

g) timber taken from specimens grown in monospecific plantations be recognized as being artificially propagated;

Increasing public understanding of the role of the Convention in the conservation of timber species

h) Parties consider any possible deleterious conservation and trade impacts before they impose stricter domestic measures on trade in timber specimens of species in Appendix II or III; and

---

* *HS refers to the Harmonized System of the World Customs Organization describing and coding goods in trade. The codes referred to in this document for timber include the following:*
44.03 Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared
44.06 Railway or tramway sleepers of wood
44.07 Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm
44.08 Veneer sheets and sheets for plywood (whether or not spliced) and other wood sawn lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness not exceeding 6 mm

i) Management Authorities work with governmental agencies (including local governments), non-governmental organizations, industry and the general public to develop and provide information on the objectives, provisions and implementation of the Convention to counter the misconception that the inclusion of species in the appendices represents a ban on the trade in specimens of these species, and to disseminate the message that international trade and utilization of timber species included in Appendices II and III is generally permitted and can be beneficial; and

For timber species of concern

j) the range States pay particular attention to internationally traded timber species within their territories for which the knowledge of the biological status and silvicultural requirements gives cause for concern.

Doc. 10.52 Annex 6

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

Implementation of the Convention for Timber Species

Directed to the Parties

Regarding identification of timber

1. The Parties should determine whether national standards organizations have already developed agreed vernacular nomenclatures for timber species and, if so, should provide this information to the Secretariat.
2. A list of agreed scientific names and their agreed vernacular names should be provided to timber importers and agencies dealing with CITES enforcement and border inspection for such standardization to be useful and effective.
3. The Parties that have proposed the inclusion of timber species in the appendices should comply with their existing obligations to produce identification materials for timber species.

Directed to the Standing Committee

Regarding the Timber Working Group

1. The Timber Working Group shall be maintained with its current composition until the 11th meeting of the Conference of the Parties.
2. The Timber Working Group shall be reconvened when tasks and issues so warrant.
3. New terms of reference for the Group shall be established.

Directed to the Plants Committee

On the periodic review of the appendices

1. The Plants Committee, in accordance with its Terms of Reference specified in Resolution Conf. 9.1 Annex 3, paragraph vii), shall review all timber species currently included in the appendices and report the results of this review at the 11th meeting of the Conference of the Parties.

Directed to the Standing Committee or the Plants Committee

1. That for the purposes described in draft decisions 7. and 10. directed to the Secretariat (Annex 6 of this document) and in paragraph c) in the section on Parts and derivatives in the draft resolution on Timber Issues (Annex 5 of this document):
   a) if the Timber Working Group continues to exist, it shall review and make recommendations for any necessary definition of terms and units used to describe parts and derivatives of timber in trade, to the extent possible, based on the tariff classification of the Harmonized System of the World Customs Organization; or
   b) if the Timber Working Group does not continue to exist, the Plants Committee shall be charged with undertaking such a review; and
   c) the results of the review shall be communicated to the Secretariat for inclusion in the "Guidelines for the Preparation and Submission of Annual Reports".

Directed to the Secretariat

Regarding the use of particular silvicultural techniques

1. The potential for silvicultural techniques (e.g. enrichment plantings, assisted natural regeneration) to be dealt with in the general context of resolutions on ranching and quotas shall be investigated to determine whether these concepts provide useful bases for establishing trade regimes for timber species listed in the appendices.

Regarding the identification of timber species

2. With the assistance of members of the Timber Working Group, the existing timber identification materials shall be reviewed to determine their potential value for enforcement of the Convention.
3. External funding shall be sought for the production and publication of identification materials for the timber species included in the appendices and currently in international trade.

Regarding annual reports

4. The reasons for non-reporting on timber trade, in particular by importing countries, shall be investigated.
5. The extent to which Parties (in particular the main exporters and importers of CITES-listed species) have informed the traders in their countries of CITES procedures shall be investigated.
6. The Secretariat shall report back on these issues at the 11th meeting of the Conference of the Parties through the Timber Working Group or the Plants Committee, as appropriate.
7. The Secretariat shall, in concurrence with the Standing Committee, amend the "Guidelines for the Preparation and Submission of Annual Reports" to include:
   a) appropriate reference to the definitions proposed in Annex 5, paragraphs c) and d); and
   b) the following units of measurement to be used for reporting on trade in timber:

i)	logs	m^3
ii)	sawn wood	m^3
iii)	veneer sheets	
	rotary veneer	m^3
	sliced veneer	m^2
iv)	carvings	kg

v) other finished wood products such as pieces of furniture, musical instruments, other handicrafts, etc. kg

vi) logs and sawn wood of special purpose timbers traded by weight rather than volume (for example Lignum vitae; *Guaiacum* spp.) kg

Regarding international organizations

8. The Secretariat shall establish and maintain good working relationships or, where possible, formal relationships with the secretariats or relevant departments of the following organizations: ITTO, FAO, IUCN, TRAFFIC and WCMC.

9. The Secretariat shall inform the Secretariat of the Convention on Biological Diversity (CBD) and the Intergovernmental Panel on Forests (IPF) about the discussions in the Timber Working Group by sending these organizations the reports of the Timber Working Group.

Regarding primary products

10. For the purpose of facilitating identification, permit issuance and annual reporting, trade in CITES timber species shall be examined on a taxon-specific basis to identify the primary products in trade.

Regarding special procedures for permits issued for timber species

11. The Secretariat shall report at the 11th meeting of the Conference of the Parties on the implementation of the special procedures regarding time validity and change of destination for permits issued for timber species and shall provide recommendations on whether these special procedures should be maintained or not.

Doc. 10.53 (Rev. 2)

Interpretation and Implementation of the Convention

Trade in Plant Specimens

AMENDMENT TO THE DEFINITION OF 'ARTIFICIALLY PROPAGATED'

1. This document has been prepared by the Secretariat at the request of the Plants Committee.
2. At its sixth and seventh meetings the Plants Committee discussed the applicability to seeds of the current definition of 'artificially propagated'.
3. The current definition, included in Resolution Conf. 9.18, reads as follows:

   Regarding the definition of 'artificially propagated'

   DETERMINES

   a) that the term 'artificially propagated' shall be interpreted to refer only to plants grown from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules under controlled conditions; and

   that 'under controlled conditions' means in a non-natural environment that is intensively manipulated by human intervention for the purpose of producing selected species or hybrids. General characteristics of controlled conditions may include but are not limited to tillage, fertilization, weed control, irrigation, or nursery operations such as potting, bedding, or protection from weather;

   b) that the cultivated parental stock used for artificial propagation must be:

   i) established and maintained in a manner not detrimental to the survival of the species in the wild; and

   ii) managed in such a way that long-term maintenance of this cultivated stock is guaranteed; and

   c) that grafted plants shall be recognized as artificially propagated only when both the root-stock and the graft have been artificially propagated.

4. The definition can be easily applied to live plants. No reference is made to parts and derivatives although it could be interpreted that the word 'plants' also refers to parts and derivatives.
5. For plant species included in Appendix II, all seeds are excluded from CITES controls, although several countries have national legislation prohibiting the export of wild-collected seeds.
6. In view of the illegal trade in wild-collected specimens of species included in Appendices I and II, in particular of Cactaceae, the Plants Committee felt that it was important to build in some safeguards to avoid illegally collected plants being used for the production of artificially propagated seeds. It therefore deemed it important to include a reference to the legal origin of the parental stock from which the seeds are taken, referred to in paragraph b) of the definition. Such a reference is also important in relation to the conditions under which seeds are produced, referred to in the second part of paragraph a) of the current definition.
7. It is therefore proposed to amend the current paragraph b) to include the requirement that the parental stock be acquired legally.
8. The Plants Committee concluded that, in order to make the definition of 'artificially propagated' easily applicable to seeds, it would be difficult to make a textual amendment to the first part of paragraph a) without weakening the current text. The current paragraph a) should refer to live plants, and a separate paragraph dealing with seeds should be added.
9. While preparing this document, the Secretariat concluded that it would be better to make the text agreed upon by the Plants Committee applicable to all parts and derivatives (including seeds) rather than to seeds alone.
10. A proposed revision of the definition of 'artificially propagated' is included in the Annex to this document.

Doc. 10.53 (Rev. 2) Annex

PROPOSED AMENDMENT TO RESOLUTION CONF. 9.18

Regulation of Trade in Plants

The definition of 'artificially propagated' contained in Resolution Conf. 9.18 should read as follows:

Regarding the definition of 'artificially propagated'

DETERMINES:

a) that the term 'artificially propagated' shall be interpreted to refer only to live plants grown from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules under controlled conditions; and

   that 'under controlled conditions' means in a non-natural environment that is intensively manipulated by human intervention for the purpose of producing selected species or hybrids. General characteristics of controlled conditions may include but are not limited to tillage, fertilization, weed control, irrigation, or nursery operations such as potting, bedding, or protection from weather;

b) that the cultivated parental stock used for artificial propagation must be, to the satisfaction of the competent government authorities of the exporting country:

   i) established in accordance with the provisions of CITES and relevant national laws and in a manner not detrimental to the survival of the species in the wild; and

   ii) managed in such a way that long-term maintenance of this cultivated stock is guaranteed;

c) that seeds shall be regarded as artificially propagated only if they are taken from specimens acquired in accordance with the provisions of paragraph b) above and grown under controlled conditions, or from parental stock artificially propagated in accordance with paragraph a) above;

d) that all other parts and derivatives shall be regarded as being artificially propagated only if they are taken from specimens that have been artificially propagated in accordance with the provisions of paragraph a) above; and

e) that grafted plants shall be recognized as artificially propagated only when both the root-stock and the graft have been artificially propagated.

Doc. 10.54

Interpretation and Implementation of the Convention

Trade in Plant Specimens

DISPOSAL OF CONFISCATED LIVE PLANTS OF SPECIES INCLUDED IN THE APPENDICES

1. This document has been prepared by the Secretariat at the request of the Plants Committee.

Introduction

2. During the discussion of the draft resolution on disposal of confiscated live animals, in Committee I, at the ninth meeting of the Conference of the Parties, the delegation of the Netherlands informed the meeting that the Plants Committee would prepare a similar document on the disposal of confiscated live plants.
3. At its sixth (Tenerife, Spain; 19-23 June 1995) and seventh meetings (San José, Costa Rica; 11-15 November 1996), the Plants Committee discussed draft proposals prepared by a working group created for this purpose. The result of these discussions is a set of draft guidelines for the disposal of confiscated live plants, with two decision trees. These are presented in this document as Annex 2.
4. If the tenth meeting of the Conference of the Parties agrees to adopt these, they will have to be incorporated into the current Resolution Conf. 9.11, resulting in a revised resolution on the disposal of confiscated live specimens, for which the following is proposed:
5. – to change the title of Resolution Conf. 9.11 to read: Disposal of Confiscated Live Specimens of Species Included in the Appendices;
6. – to amend the preamble of Resolution Conf. 9.11 to refer to live specimens of fauna and flora rather than to live animals only (cf. Annex 1 to this document);
7. – to amend the operative part of Resolution Conf. 9.11 to refer to live specimens of fauna and flora rather than to live animals only (cf. Annex 1 to this document);
8. – to insert as Annex 2 to Resolution Conf. 9.11 CITES Guidelines for the Disposal of Confiscated Live Plants (cf. Annex 2 to this document);
9. – to amend Annex 2 to Resolution Conf. 9.11 to refer to live specimens of fauna and flora rather than to live animals only (cf. Annex 3 to this document), and attach it as Annex 3 to the revised Resolution Conf. 9.11; and
10. – to amend Resolution Conf. 9.10, as proposed in Annex 4 to this document if the amendments to Resolution Conf. 9.11 are adopted.

Doc. 10.54 Annex 1

DRAFT RESOLUTION CONF. 9.11 (REV.)

Disposal of Confiscated Live Specimens of Species Included in the Appendices

N.B. New language in *italics*
Deleted language in ~~strike-out~~

RECALLING that according to Article VIII, paragraph 4(b), of the Convention, confiscated ~~animals~~ *live specimens* shall, after consultation with the State of export, be returned to that State at the expense of that State, or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purposes of the Convention;

RECALLING that Article VIII, paragraph 4(c), of the Convention, leaves open the possibility for the Management Authority to obtain the advice of a Scientific Authority or of the Secretariat;

RECALLING Resolution Conf. 3.14, adopted at the third meeting of the Conference of the Parties (New Delhi, 1981), on the Disposal of Confiscated or Accumulated Specimens of Appendix-I Species;

RECALLING Resolution Conf. 4.17, adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983), on the Re-export of Confiscated Specimens;

RECALLING that Resolution Conf. 4.18, adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983), asks the Parties not having done so yet, to adopt legislation in order to charge the costs of returning confiscated live specimens to the State of origin or export, to the guilty importer and/or carrier;

RECALLING Resolution Conf. 7.6, adopted at the seventh meeting of the Conference of the Parties (Lausanne, 1989), about the Return of Live Animals of Appendix-II or – III Species;

NOTING that shipments of Appendix-II or – III live ~~animals~~ *specimens* often include large quantities of specimens for which no adequate housing can be made available, and that in general there are no detailed data about country of origin and site of capture for these specimens;

CONSIDERING that the successful recovery of the costs of confiscation and disposal from the guilty party may be a disincentive for illegal trade;

CONSIDERING that specimens once in trade no longer form part of the reproducing wild population of the species concerned;

CONCERNED about the risks of releasing confiscated specimens into the wild, such as the introduction of pathogens and parasites, genetic pollution and negative effects on the local fauna and flora;

CONSIDERING that release to the wild may not always be in the best interest of the conservation of a species, especially one not in danger of extinction;

RECALLING that IUCN is developing draft Guidelines for the Disposal of Confiscated Animals and Guidelines for Re-introductions;

CONVINCED that the ultimate objective of the Convention is the continued existence of wild populations in their natural habitat;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS:

a) that the Management Authorities before making a decision on the disposal of confiscated live ~~animals~~ *specimens* of species in the appendices consult with and obtain the advice of their own Scientific Authorities and, if possible, of that of the State of export of the confiscated ~~animals~~ *specimens*, and other relevant experts such as IUCN/SSC Specialist Groups;

b) that Scientific Authorities in preparing their advice take note of the guidelines in Annex*es* 1 *and 2*;

c) that the Secretariat be informed about any decision taken on the disposal of confiscated live ~~animals~~ *specimens* of species that are either in Appendix I or, if in Appendix II or III, involve commercial quantities; and

d) that in the case where live ~~animals~~ *specimens* arrive in an importing country without the proper export permits or re-export certificates, and where an importer refuses to accept a shipment of live ~~animals~~ *specimens*, the shipment be confiscated and the ~~animals~~ *specimens* disposed of in accordance with the guidelines set out in Annex*es* 1 *or 2*; and

URGES Management Authorities, in consultation with Scientific Authorities and other bodies concerned, to develop action plans to deal with seized and confiscated live ~~animals~~ *specimens* consistent with the guidelines set out in Annex ~~2~~ *3*.

Doc. 10.54 Annex 2

DRAFT ANNEX 2 TO DRAFT RESOLUTION CONF. 9.11 (REV.)

CITES Guidelines for the Disposal of Confiscated Live Plants

These Guidelines are addressed to authorities in countries of origin and countries of import. When government authorities seize and subsequently confiscate live plants, these authorities have a responsibility to dispose of them appropriately. In the case of importing countries, the country of origin and/or export of the plants will normally first be contacted and notified of the seizure. Within the confines of the law, the ultimate decision on disposal of confiscated plants must achieve three goals:

a) to maximize conservation value of the specimens without in any way endangering the genetic integrity or conservation status of wild or cultivated populations of the taxon (species, subspecies etc.);

b) to discourage further illegal or irregular trade in the taxon; and

c) to avoid the resources used by organizations involved in their care or disposal being diverted away from other equally important conservation activities.

Statement of Need

Increased regulation of trade in wild plants and animals and enforcement of these regulations have resulted in an increase in the number of wildlife shipments intercepted by government authorities as a result of non-compliance with these regulations. In some instances, the interception is a result of patently illegal trade; in others, it is in response to other irregularities, such as insufficient or incomplete paperwork from the exporting country or poor packing of the shipment. Whilst in some cases the number of plants in a seized shipment is small, in many others the number is in the hundreds or thousands. Although, in many countries, confiscated plants have been donated to botanic gardens or other publicly managed living plant collections, this option is proving less viable with large numbers of poorly documented plants and common species of artificially propagated horticultural origin.

In light of these trends, there is an increasing demand – and urgent need – for information and advice to guide CITES authorities in the disposal of live plants. Although the options available have been discussed for certain groups of plants, such as cycads, no general guidelines exist.

When disposing of confiscated plants, authorities must adhere to national, regional and international law. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) requires that confiscated live specimens of taxa listed in the treaty's appendices be returned to the 'State of export ... or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purpose of the Convention' (Article VIII). However, the treaty does not elaborate on this requirement, and CITES Management Authorities must act according to their own interpretation, not only with respect to repatriation but also as regards what constitutes disposal that is 'appropriate and consistent' with the treaty. Although the present guidelines are intended to assist CITES Management Authorities in making this assessment, they are designed to be of general applicability to all confiscated live plants.

The lack of specific guidelines has resulted in confiscated plants being disposed of in a variety of ways, many inconsistent with conservation objectives. While, in some cases, replanting of confiscated plants into existing wild populations has been made after careful evaluation and with due regard for existing guidelines, in others, such releases have not been well planned. Such releases may have a strong negative conservation value by threatening existing wild populations. Threats to existing populations can take several forms:

a) diseases and parasites acquired by the released plants while held on horticultural premises may spread into existing wild populations;

b) specimens planted amongst existing populations, or in areas near to existing populations, may not be of the same race or subspecies as those in the wild population, resulting in mixing of distinct genetic lineages.

Until recently disposal of confiscated plants has meant either long term care in a botanic garden or transfer to a secure nursery for the purpose of artificial propagation in an attempt to lessen the demand for the species from wild sources.

Management Options

Within a conservation perspective, by far the most important consideration in reviewing the options for disposal is the conservation status of the species concerned. For confiscated plants of endangered or threatened taxa, particular effort should be directed towards evaluating whether and how these plants might contribute to a conservation programme for the taxon concerned. The decision as to which option to employ in the disposal of confiscated plants will depend on various legal, economic and biological factors. The 'Decision Tree Analysis' provided in the present guidelines is intended to facilitate consideration of these options. The tree has been written so that it may be used for both threatened and common taxa, although it is recognized that conservation status will be the primary consideration affecting whether or not confiscated plants might be of value to an active conservation propagation/reintroduction programme, and whether or not local or international agencies

will be willing to make an investment in expensive and difficult tasks such as genetic determination of country of origin and site of collection, the establishment of reintroduction programmes, or reinforcement of extant wild populations. International networks of experts, such as the IUCN/SSC Specialist Groups, Botanic Gardens Conservation International (BGCI) and the International Association of Botanic Gardens (IABG), should be able to assist confiscating authorities and CITES Scientific and Management Authorities in their deliberations as to the appropriate disposal of confiscated specimens. Confiscated plants, whether destined for long term maintenance at horticultural premises or eventual reintroduction into the wild, should first be made available to propagation centres in the country of origin, if these exist and are willing to accept the consignment.

OPTION 1 – MAINTENANCE IN CULTIVATION

Seized plants are usually maintained in publicly managed horticultural establishments pending a decision on confiscation; subsequently there are numerous options for their maintenance. Placement may be either in the country of origin, the country of export (if different), the country of confiscation, or in a country with adequate and/or specialized facilities for the taxa in question. Depending on the circumstances and national laws, plants can be donated, loaned or sold. Final placement may be in botanic gardens or other publicly managed facilities, or with private organizations/individuals.

Placement options include:

a) Botanic gardens and other publicly managed facilities, which are those that have mostly been used to date (and which in some cases are reaching the limit of capacity, placing in jeopardy their ability to carry out other *ex situ* conservation activities).

b) Universities and research laboratories, which maintain living botanical collections for many kinds of research and teaching purposes (e.g. molecular systematics, anatomy, cytogenetics, reproductive biology, etc). Whether transfer of confiscated plants to research institutions is appropriate will depend on the likelihood that research carried out may eventually contribute information relevant to the species' conservation. In some cases, the lack of known provenance will make transfer to a research institution an option unlikely to be exercised or desired. Depending on the nature of the research being carried out it may also be important to establish written agreements protecting the rights of the country of origin of the plants concerned in line with the Convention on Biological Diversity.

c) Specialist societies or clubs devoted to the study and care of particular plant groups (e.g. succulent plants), which could, in some instances, provide an avenue for the disposal of confiscated plants without involving sale through intermediaries. However, care must be taken to ensure that such organizations do not include persons trading in wild-collected specimens.

d) Sale of confiscated specimens to traders, commercial propagators or others involved in commercial activities, which can provide a means of disposal that helps offset the costs of confiscation, especially in the case of large consignments of artificially propagated material. However, sale should not be considered unless the plants in question have been legally collected in the country of origin, are not going to be exploited in contravention of the Convention on Biological Diversity, are not subject to a legal prohibition on trade and there is no risk of stimulating further illegal or irregular trade. Sale to commercial propagators may contribute to reducing the demand for wild-collected specimens. At the same time, however, it may prove to be a poor option owing to the risk of creating a public perception of the State's perpetuating or benefiting from illegal (unlicensed) or irregular trade.

Where plants are transferred by the confiscating authority but not sold, ownership by the Management Authority should be specified as one of the terms and conditions of the transfer. Where the country of origin may desire return of the plants, this desire should be respected, so long as the condition of the plants is such that they will survive the return voyage. The custodian (botanic garden or other organization) of confiscated plants should only move confiscated stocks to another facility for legitimate propagation purposes with the authorization of the administrative authority.

Maintenance in Cultivation – Benefits and Disadvantages

The *benefits* of placing confiscated plants in a facility that will provide a satisfactory standard of horticultural care include:

a) educational value;

b) potential for propagation for eventual reintroduction and/or to satisfy consumer demand for artificially propagated specimens; and

c) potential to carry out genetic fingerprinting and other molecular studies contributing to a better understanding of the population genetics and therefore conservation status of the taxa concerned.

The *disadvantages* of placing plants in a facility not involved in an established programme for artificial propagation and reintroduction include the following:

a) The risk of encouraging illegal trade unless:

   i) the species to be sold is already available in the confiscating country in commercial quantities or as legally traded wild-collected specimens; and

   ii) wildlife traders under indictment for, or convicted of, crimes related to import of wildlife are prevented from obtaining the specimens in question.

   Placing threatened taxa into commercial trade should not be considered because of the risks of stimulating unwanted trade. Appendix-I taxa can be sold to a nursery registered under CITES for the propagation of Appendix-I taxa, but the confiscated specimens themselves can not be resold or enter commercial trade. Since artificially propagated offspring of Appendix-I taxa are deemed to be specimens of species included in Appendix-II, there is the potential for commercial growers to propagate specimens to replace wild-collected plants as a source for trade. Hence the loan or sale, in certain circumstances (e.g. to commercial nurseries) may have a higher potential for the conservation of the species than non-commercial disposal or destruction. Such propagation activities must be carefully assessed and approached with caution, since they may be difficult to monitor.

   It is essential that confiscating authorities recognize that there may be threatened plant taxa that are not currently included in CITES Appendix I but may, nevertheless, warrant the same treatment.

b) Cost of placement. While seized plants are being maintained pending a decision on confiscation, the facility providing care for the plants may have its expenses reimbursed by the importer, airline carrier and/or the confiscating authority. Upon confiscation, if the plants are sold to a commercial organization, any payment received by the CITES authorities will place a value on such specimens. However, there is no evidence that trade would be encouraged if a commercial trader were to reimburse costs of care and transport.

c) Disease. Confiscated plants may serve as vectors for disease and, therefore, must be subject to proper quarantine inspection. The potential consequences of the introduction of alien disease to a horticultural establishment are as serious as those of introducing disease to wild populations.

d) Risk of escape. Plants can escape from horticultural control and become deleterious weeds. Accidental introduction of exotic species can cause tremendous damage and certain countries have strict legislation aimed at limiting the risks of this happening.

OPTION 2 – RETURN TO THE WILD

Although CITES requires that repatriation of confiscated CITES-listed plants to the country of export be considered as an option for disposal by a confiscating authority, the treaty in no way requires that plants be returned to the wild in that country. These guidelines suggest that return to the wild would be a desirable option only in certain circumstances. Repatriation to avoid addressing the question of disposal of confiscated plants is irresponsible. When considering repatriation, the confiscating authority must ensure that the recipients of the plants are fully cognisant of the ramifications of repatriation and the options for disposal, as set forth in these Guidelines. Furthermore, the country returning a plant to its country of origin must ensure that the Management Authority in the country of origin is aware of the return and welcomes it.

The rationale behind many of the decision options in this section is discussed in greater detail in the IUCN Guidelines for Reintroduction (IUCN/SSC Reintroduction Specialist Group, IUCN, 1995). It is important to note that these Guidelines make a clear distinction between the different options for returning organisms to the wild. These are elaborated below.

a) Reintroduction: an attempt to establish a population in an area that was once part of the range of the species but where it has become extinct.

   Some of the best known reintroductions involving plants have been of taxa that were extinct in the wild. Other reintroduction programmes have involved taxa that existed in some parts of their historical range but that had been eliminated from other areas; the aim of such programmes being to re-establish a population in an area, or region, from which the species has disappeared.

b) Reinforcement of an existing population: the addition of specimens to an existing population of the same taxon.

   Reinforcement can be a powerful conservation tool when natural populations are diminished by a process which, at least in theory, can be reversed.

   Because of inherent disease risks, reinforcement should only be employed in instances where there is a direct and measurable conservation benefit (demographically or genetically), as when reinforcement is critical for the viability of the wild population into which a specimen is being placed.

Return to the Wild – Concerns and Benefits

Before return to the wild of confiscated plants is contemplated, several issues of concern must be considered in general terms: conservation value, cost, source of specimens and disease.

a) Conservation value and cost. In cases where returning confiscated plants to the wild appears to be feasible, such action can only be undertaken if it does not threaten existing populations of wild plants and animals or the ecological integrity of the area in which they live. The conservation of the taxon as a whole, and of other organisms already living free, must take precedence over the welfare of specimens that are already in cultivation.

b) Source of specimens. If the country of origin and site of collection of plants is not known, or if there is any question of their source, supplementation may lead to inadvertent pollution of distinct genetic races or subspecies.

c) Disease. Plants maintained in cultivation and/or transported, even for a very short time, may be exposed to a variety of pathogens. Release of these plants into the wild may result in introduction of disease to conspecific or unrelated species with potentially catastrophic effects. Even if there is a very small risk that confiscated plants have been infected by exotic or common horticultural pathogens, the potential effects of introduced diseases on wild populations are so great that this will often preclude returning confiscated plants to the wild.

   Where confiscated plants are judged unsuitable for return to the wild, disease screening and appropriate quarantine are, nevertheless, essential (and are frequently a legal requirement) in order to ensure that they are free of disease, or that diseases and parasites harboured by these plants are already present in the cultivated population to which the specimens may be transferred. Introduced diseases can be a serious threat to horticultural establishments. Where such quarantine can not ensure reasonable certainty that a specimen is healthy, isolation for an indefinite period or destruction of the confiscated specimens must be carried out.

   Clearly, there are instances where return to the wild of confiscated plants must be considered an option for disposal. First and foremost, the question to be addressed is: will returning the plants to the wild make a significant contribution to the conservation of the taxon in question? Release into the wild of any plant that has been held in horticultural premises is risky. While some diseases can be tested for, tests do not exist for all plant diseases. Furthermore, plants held in horticultural premises are frequently exposed to diseases not usually encountered in their natural habitat.

   Given that any release incurs some risk, we must adopt the following 'precautionary principle': if there is no conservation value in releasing confiscated specimens, the possibility of accidentally introducing into the environment a disease that is not already present, however unlikely, will rule out returning confiscated specimens to the wild.

There are several *benefits* of returning plants to the wild, either through reintroduction or reinforcement of an existing population.

a) In situations where the existing population is severely threatened, such an action might improve the long-term conservation potential of the taxon as a whole, or of a local population of the taxon.

b) Returning plants to the wild makes a strong political/educational statement concerning their fate and may serve to promote local conservation values. However, as part of any education or public awareness programme, the costs and difficulties associated with the return to the wild must be emphasized.

OPTION 3 – DESTRUCTION

Destruction of plant material of common taxa, poorly documented specimens and/or those of horticultural origin, or of diseased material that will require expensive techniques to rid it of the diseases or pests involved, is clearly a justifiable action, especially when to keep the material in horticultural premises will cause the use of resources better directed to

other conservation activities. Destruction of such material, if publicized, will also act to discourage the activities that led to confiscation, e.g. illegal collection (although the plants may be needed in the country of origin as evidence), failure to obtain correct import/export documents, poor packing etc. In some cases, while it may be impractical to maintain plants in a living state in cultivation, their preservation as herbarium specimens may be desirable, especially if their country and site of origin is adequately documented and technical help for their preparation is available from the recipient herbarium or museum. This applies both to the country where the confiscation took place and to the country of origin, whose institutions may have been denied the right to receive material through illegal collecting. Destruction of material that is well-documented as to its wild provenance should be done only as a last resort when all other options for its disposal have been exhausted.

DECISION TREE ANALYSIS

For decision trees dealing with 'Return to the Wild' and 'Maintain in Cultivation' options, the confiscating Party, in discussion with the CITES authorities in the country of origin (if appropriate), must first ask the question:

Question 1: Will returning the plant to the wild make a significant contribution to the conservation of the taxon, including through education and other means?

The most important consideration in deciding on disposal of confiscated specimens is the conservation of the taxon in question. Because there can never be absolute certainty that a confiscated plant is free of pests and diseases, returning to the wild a specimen that has been held on horticultural premises will always involve some level of risk to existing populations of the same or other taxa in the ecosystem to which the plant is returned.

Where returning confiscated plants, or their propagations, to the wild appears to be an achievable action, it must improve the prospects for survival of the existing wild population(s). Conservation interests are best served by ensuring the survival of as many specimens as possible, not just the short-term survival of a few specimens. The benefits of the reintroduction in terms of conservation value must clearly outweigh the potential risks.

In most instances, the benefits of return to the wild will be outweighed by the costs and risks of such an action. If returning plants to the wild is not of conservation value, maintenance in cultivation in a propagation centre may pose fewer risks and may offer more conservation benefits.

Answer: Yes: Investigate "Return to the Wild" options.

No: Investigate "Maintain in Cultivation" options.

DECISION TREE ANALYSIS — MAINTAIN IN CULTIVATION

The decision to maintain confiscated plants in cultivation, whether in the country of origin or elsewhere, involves a simpler set of considerations than that involving attempts to return confiscated plants to the wild.

Question 2: Have plants been subjected to comprehensive plant health screening and quarantine?

Plants that may be transferred to horticultural premises must have a clean bill of health because of the risk of introducing disease to cultivated populations.

These plants must be placed in quarantine to determine if they are disease-free before being transferred to a propagation centre.

Answer: Yes: Proceed to Question 3.

No: Quarantine and screen and move to Question 3.

Question 3: Have plants been found to be disease-free by comprehensive plant health screening and quarantine or can they be treated for any pests and diseases discovered?

If, during quarantine, the plants are found to harbour pests that can not be eliminated or diseases that can not be reasonably cured, they must be destroyed to prevent infection of other plants. If the plants are suspected to have come into contact with diseases for which screening is impossible, extended quarantine, donation to a research facility or destruction must be considered.

Answer: Yes: Proceed to Question 4.

No: If with chronic and incurable infection, first offer plants to research institutions or to herbaria/museums for preservation. If impossible to place in or not required by such institutions, destroy.

Question 4: Are there grounds for concern that sale or donation will stimulate further illegal or irregular trade?

Commercial sale of Appendix-I taxa might stimulate trade in these species. Taxa not listed in any CITES appendix, but which are nonetheless seriously threatened with extinction, should be afforded the same caution.

Sale or donation of confiscated plants, where legally permitted, is a difficult option to consider. While the benefits of sale – income and quick disposal – are clear, there are many problems that may arise as a result of further commercial transactions of the specimens involved. Equally, it should be noted that there may be circumstances where problems arise as a result of non-commercial transactions. It would also be noted that, sale or donation to commercial nurseries may increase the availability of propagated material, thereby reducing the threats from wild-collection.

More often than not, sale of threatened taxa should not take place. Such sales of or trade in threatened species may be legally proscribed in some countries, or by CITES. There may be instances, where a commercial nursery may purchase or receive specimens for propagation, which may reduce pressure on wild populations subject to trade. In all circumstances, the confiscating authority should be satisfied that:

a) those involved in the illegal or irregular transaction that gave rise to confiscation can not obtain the plants;

b) the sale or donation does not compromise the objective of confiscation; and

c) the sale or donation will not increase illegal, irregular or otherwise undesired trade in the taxon.

Answer: Yes: Proceed to Question 5a.

No: Proceed to Question 5b.

Question 5a: Is space available in a botanic garden/non-commercial propagation centre, whether publicly managed or privately owned?

Question 5b: Is space available in a botanic garden/non-commercial propagation centre, whether publicly managed or privately owned or is there a commercial facility propagating this taxon, and is it interested in the plants?

Transfer of plants to non-commercial propagation facilities, if their sale, donation or loan may stimulate further illegal or irregular trade, or to commercial propagation facilities, an

option only if sale/donation/loan will **not** stimulate further illegal or irregular trade, should generally provide a safe and acceptable means of disposal of confiscated plants. When a choice must be made between several such institutions, the paramount consideration should be which facility can:

a) offer the opportunity for the plants to be used in a programme of propagation; and

b) provide the most consistent care without compromising the resources available for other equally valuable conservation activities in which it is engaged.

The terms and conditions of the transfer should be agreed between the confiscating authority and the recipient institution. Terms and conditions for such agreements should include:

a) a clear commitment to ensure indefinite care to an acceptable standard or, in the event that this becomes impossible, transfer to another facility that can ensure such care;

b) a clear specification of ownership of the specimens concerned (as determined by national law) and, where propagation may occur, the offspring. Depending on the circumstances, ownership may be vested with the confiscating authority, the country of origin or export, or with the recipient facility; and

c) a clear specification of conditions under which the plants or their propagations may be sold.

In the majority of instances, there will be limited facilities available in the country in which plants are confiscated. Where this is the case other horticultural options should be investigated. This could include transfer to a propagation centre outside the country of confiscation *and ideally in the country of origin*, or, if transfer will not stimulate further illegal trade, placement in a commercial propagation facility. However, such propagation programmes must be carefully assessed and approached with caution, also bearing in mind the restraints implied by the Convention on Biological Diversity. It may be difficult to monitor these programmes and such programmes may unintentionally stimulate trade in wild-collected plants. The conservation potential of this transfer, or loan for propagation, must be carefully weighed against even the smallest risk of stimulating trade which would further endanger the wild population of the taxon.

In many countries, there are active specialist societies or clubs of individuals with considerable expertise in the care and propagation of particular plant groups in trade. Such organizations can assist in finding homes for confiscated plants without involving sale through intermediaries. In this case, individuals receiving confiscated plants must have demonstrated expertise in the cultivation of the taxa concerned and must be provided with adequate information and advice by the relevant club or society. Transfer to specialist societies or individual members must be made according to terms and conditions agreed with the confiscating authority. Placement with these societies or members is an option if sale or donation of the confiscated plants may or may not stimulate trade.

Answer: Yes: Execute agreement and sell/donate/loan.

No: Proceed to Question 6.

Question 6: Are institutions interested in plants for research as museums specimens?

Answer: Yes: Execute Agreement and Transfer.

No: Destroy.

DECISION TREE ANALYSIS — RETURN TO THE WILD

Question 2: Have plants been subjected to comprehensive plant health screening and quarantine?

Because of the risk of introducing disease to wild populations, plants that may be reintroduced must have a clean bill of health. These plants must be placed in quarantine to determine if they are disease-free before being considered for return.

Answer: Yes: Proceed to Question 3.

No: Quarantine and screen and move to Question 3.

Question 3: Have plants been found to be disease-free by comprehensive plant health screening and quarantine or can they be treated for any pests and diseases discovered?

If, during quarantine, the plants are found to harbour pests that can not be eliminated or diseases that can not be reasonably cured, unless any institutions are interested in the plants, whether alive or preserved, they must be destroyed to prevent spread of disease. If the plants are suspected to have come into contact with diseases for which screening is impossible, extended quarantine, donation to a research facility or destruction must be considered.

Answer: Yes: Proceed to Question 4.

No: If with chronic and incurable infection, first offer plants to research institutions or to herbaria/museums for preservation. If impossible to place in such institutions, destroy.

Question 4: Can country of origin and site of collection be confirmed?

The geographical location from which confiscated specimens have been removed from the wild must be determined if these specimens are to be reintroduced or used to supplement existing populations. In most cases, plants should only be returned to the population from which they were taken or to populations which are known to have gene exchange with this population.

If the provenance of the plants is not precisely known, their use for reinforcement may lead to inadvertent hybridization of distinct genetic races or subspecies. Related plant taxa that live in sympatry in the wild and never hybridize may do so when held in cultivation and this problem is in no way restricted either to naturally sympatric taxa or even to closely related taxa in the plant kingdom.

Answer: Yes: Proceed to Question 5.

No: Pursue "Maintain in Cultivation" options.

Question 5: Can specimens be returned expeditiously to origin (specific location), and will benefits to conservation of the taxon outweigh any risks of such action?

Reintroduction of the specimen(s) and reinforcement of the population will only be options under certain conditions and following the IUCN/SSC Reintroduction Specialist Group's 1995 guidelines. An appropriate habitat for such an operation should still exist in the specific location that the specimen(s) was removed from.

Answer: Yes: Repatriate and reinforce at origin (specific location) following IUCN Guidelines.

No: Proceed to Question 6.

Question 6: For the taxon/taxa in question, does a generally recognized programme exist whose aim is conservation of that/those taxon/taxa and eventual return to the wild of confiscated specimens and/or their progeny? (Contact relevant IUCN/SSC Specialist Group, BGCI and/or IABG).

In the case of species for which active propagation and/or reintroduction programmes exist, and for which further propagation material/mother plants are required, confiscated plants should be transferred to such programmes after consultation with the appropriate scientific authorities. If the taxon in question is part of such a programme, but the actual subspecies or race confiscated is not part of this programme, other methods of disposal must be considered. Particular attention should be paid to genetic screening to avoid jeopardizing reintroduction programmes through inadvertent hybridization.

Answer: Yes: Execute agreement and transfer to existing programme.

No: Proceed to Question 7.

Question 7: Is there a need and is it feasible to establish a new reintroduction programme following IUCN Guidelines?

In cases where specimens can not be transferred to existing reintroduction programmes, return to the wild, following appropriate guidelines, will only be possible under the following circumstances:

a) appropriate habitat exists for such an operation;

b) sufficient funds are available, or can be made available, to support a programme over the many years that (re)introduction will require; and

c) either sufficient numbers of specimens are available so that reintroduction efforts are potentially viable or only reinforcement of existing populations is considered.

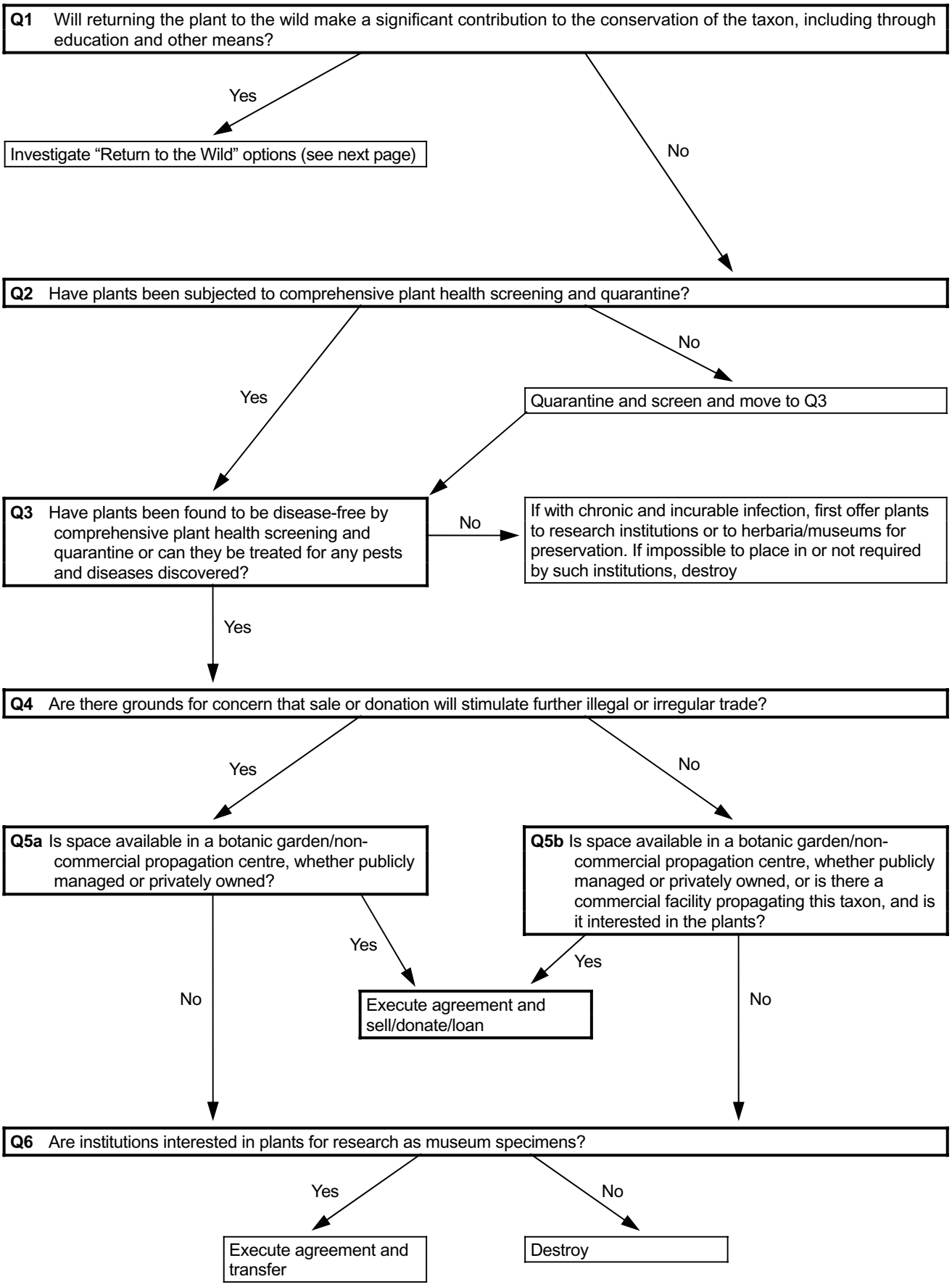
In the majority of cases, at least one, if not all, of these requirements will fail to be met. In this instance, either conservation introductions outside the historical range of these species or other options for disposal of the plants must be considered.

It should be emphasized that if a particular taxon is confiscated with some frequency, consideration should be given as to whether to establish a reintroduction, reinforcement or introduction programme. Plants should not be held by the confiscating authority indefinitely while such programmes are planned, but should be transferred to a holding facility after consultation with the organization which is establishing the new programme.

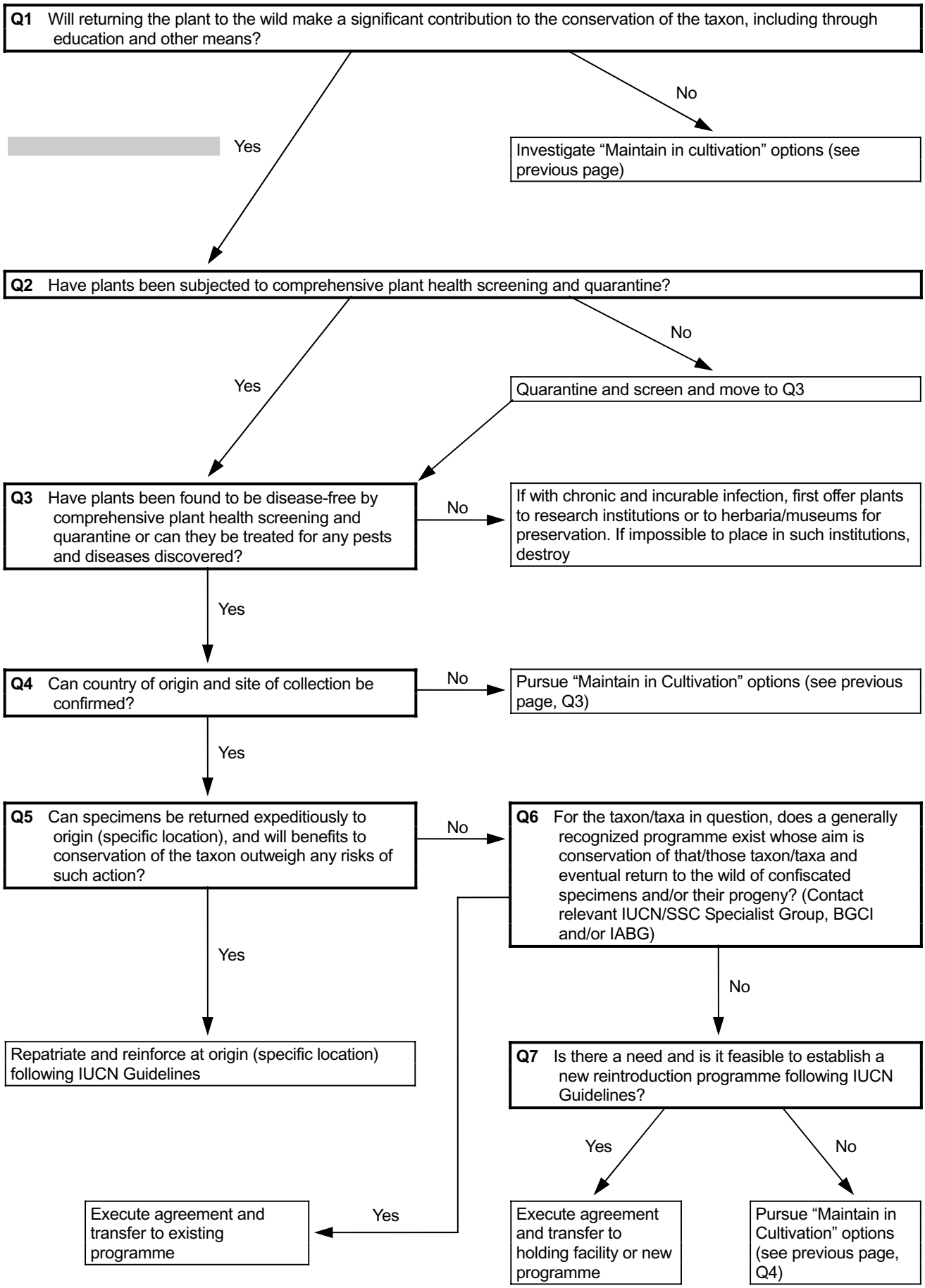
Answer: Yes: Execute agreement and transfer to holding facility or new programme.

No: Pursue "Maintain in Cultivation" options.

Decision Tree for Maintain in Cultivation



Decision Tree for Return to Wild



Doc. 10.54 Annex 3

Guidelines to Develop an Action Plan on Seized and/or Confiscated Live ~~Animals~~ *Specimens*

N.B. New language in *italics*
Deleted language in ~~strike-out~~

Each Party should develop a plan of action that can be executed without delay in the event that live ~~animals~~ *specimens* are seized. This action plan should be developed in accordance with the CITES Guidelines for the Disposal of Confiscated Live Animals in Annex 1 *and the CITES Guidelines for the Disposal of Confiscated Live Plants in Annex 2*. The plan should:

1. identify means for procuring funds to provide care, quarantine, and transport and other costs incurred for seized and confiscated live ~~animals~~ *specimens*. Funding might be secured through levying of fines, obtaining reimbursement from importers, licensing and bonding importers and exporters, requiring import duties or permit fees, seeking donations from private or government sources, obtaining government allocations, or selling confiscated live ~~animals~~ *specimens*, where appropriate;
2. establish a procedure for implementing the Guidelines in accordance with the Party's domestic law and policy;
3. identify government agencies and personnel with authority to make decisions regarding the seizure and disposal of live ~~animals~~ *specimens* and clarify their roles and jurisdiction in this process. Such agencies and personnel may include Customs agricultural inspection services, law enforcement agencies, veterinary agencies, public health services, and the Management and Scientific Authorities;
4. identify which authority in the country of origin listed in the CITES Directory should be contacted in the event that live ~~animals~~ *specimens* are seized. This authority should be annotated in the CITES Directory;
5. provide for training of personnel involved in the seizure and disposal of live ~~animals~~ *specimens* to ensure both the immediate and long-term welfare of the ~~animals~~ *specimens*;
6. include a list of experts who or institutions which can assist in species identification, care and/or other technical aspects of the seizure, confiscation and disposal process;
7. identify and/or develop facilities to provide for the care of live ~~animals~~ *specimens* immediately after seizure;
8. identify temporary holding facilities that have agreed to provide adequate care for seized live ~~animals~~ *specimens* of particular taxa until the confiscation process is completed;
9. identify approved facilities and programmes located within the country that have agreed to provide adequate care, including veterinary care, and that are willing to accept confiscated ~~animals~~ *live specimens* of particular taxa. Parties should prepare a list of such facilities and programmes, which should be submitted to the Secretariat which will make it available to the Parties on request; and
10. ensure that the Party begins evaluating options for disposal of seized live ~~animals~~ *specimens* immediately after seizure.

Doc. 10.54 Annex 4

PROPOSED AMENDMENTS TO RESOLUTION CONF. 9.10

Paragraphs i), j), k), l), m) and n) should be deleted for the reasons explained below:

paragraphs i), k), l), m) and n):

The various subjects discussed in these paragraphs are dealt with in the CITES Guidelines for the Disposal of Confiscated Live Plants (Annex 2 to draft Resolution Conf. 9.11).

paragraph j)

The procedures referred to in this paragraph are part of the Guidelines to Develop an Action Plan on Seized and/or Confiscated Live Specimens (Annex 3 to draft Resolution Conf. 9.11).

Table 1. Nominal Elasmobranch Catches (in tonnes) by FAO Fishing Area for the Period 1985-1994

FAO Fishing Area	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
Atlantic, Antarctic	44	17	–	–	–	0	0	1	–	
Atlantic, Eastern Central	32,106	22,549	26,545	27,441	23,53	126,015	22,593	27,347	26,093	28,960
Atlantic, North-east	90,73	190,117	100,022	93,225	80,443	79,582	78,429	79,093	71,444	64,700
Atlantic, North-west	22,671	29,571	37,647	34,995	31,291	51,178	62,610	43,544	44,380	42,880
Atlantic, South-east	5,470	5,593	5,426	5,411	10,42	47,033	3,437	4,031	5,373	4,409
Atlantic, South-west	47,297	44,770	45,733	49,138	46,188	45,827	51,452	48,587	48,248	54,954
Atlantic, Western Central	25,463	24,836	25,018	30,786	32,513	29,742	26,680	29,759	27,172	33,874
Indian Ocean, Antarctic	4	3	–	–	–	–	–	1	–	2
Indian Ocean, Eastern	49,245	55,475	60,033	81,576	64,009	52,261	60,553	65,629	83,546	89,020
Indian Ocean, Western	85,738	88,680	92,317	95,238	96,328	96,056	107,520	120,669	135,174	146,640
Mediterranean and Black Sea	25,589	23,886	21,699	22,932	20,022	817,357	18,722	20,663	16,718	23,118
Pacific, Eastern Central	26,379	24,046	23,170	29,420	26,238	30,491	27,989	30,452	31,642	29,751
Pacific, North-east	4,791	6,757	8,683	7,807	4,302	4,906	8,836	20,416	2,754	3,669
Pacific, North-west	103,439	96,835	95,404	74,300	91,880	108,494	104,403	99,192	102,176	72,358
Pacific, South-east	20,226	27,582	28,260	33,391	34,149	19,793	13,349	14,892	13,240	12,820
Pacific, South-west	15,251	13,336	14,772	19,090	13,592	14,711	14,397	12,752	17,849	16,354
Pacific, Western Central	71,530	79,837	84,297	87,131	98,194	100,433	103,439	94,541	101,479	107,275
TOTAL	625,974	633,890	669,026	691,881	673,310	683,879	704,409	711,569	727,288	730,784

Source: FAO

Summarized Primary Species Landings Data (Oliver, Correspondence)

The information in this table summarizes information provided in response to Notification to the Parties No. 884 of 6 November 1995, FAO data on shark fisheries and yearbook statistics, information made available by international fishery bodies and NGOs, and information from articles found in journals and fishing magazines and supplemented by comments received from shark scientists and fishery managers through international review, as explained in document Doc. AC.13.6 (Annex)

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
ALGERIA*			1,800[1]	1,885		All sharks landed are taken as by-catch
ARGENTINA* *G. galeus*	75	554 (1975)	27,299 (1995†)		*G. galeus* *Mustelus schmitti, Carcharhinus brachyurus*†	*Mustelus canis, M. fasciatus, Squatina argentina, S. guggenheim, Squalus acanthias, Notorynchus cepedianus, Carcharias taurus* (coastal fisheries†) *Callorhynchus callorhynchus* (coastal and large trawl fisheries†) *Lamna nasus, Isurus oxyrinchus* (offshore longline†)
AUSTRALIA* Southern shark fishery (carcass weight) *M. antarcticus* *G. galeus* *P. nudipinnis* *Callorhinchus milii* other shark Northern Shark Fishery – reported by-catch	 3,272 55% 30% 9% 2% 4% <1,000		2,612	~10,000 (late 1980s)	*Galeorhinus galeus, Mustelus antarcticus* (Southern Shark Fishery) *Furgaleus macki, M. antarcticus* (adults), *Carcharhinus obscurus* (0+ year class) (South Western Shark Fishery)	*G. galeus, M. antarcticus* (seine, drop line and trawl fisheries in the southern shark fishery management area) *Carcharhinus obscurus, C. brachyurus, Isurus oxyrinchus, Galeocerdo cuvier, Sphyrna* spp., *Alopias* spp. (East coast pelagic longline fishery) *Prionace glauca, I. oxyrinchus, C. longimanus* (Japanese longline fleet) *P. glauca, L. nasus, Pseudocarcharias kamoharai, I. oxyrinchus* (AFZ observer longline database)
AUSTRIA*	NA	NA	NA	NA	NA	NA
BARBADOS*			22			
BELIZE*					*Carcharhinus limbatus, C. acronotus, Sphyrna zygaena, S. tiburo, Negaprion brevirostris, Galeocerdo cuvier*	

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
BERMUDA* *G. cuvier* *C. galapagensis* *P. glauca* *I. oxyrinchus* *M. canis*	 1.8 6.5 1.6 < 1 < 1				*G. cuvier, Carcharhinus galapagensis, P. glauca, I. oxyrinchus, M. canis*	*P. glauca*
BRAZIL* Longline vessels Demersal species (southern Brazil) (*Squatina occulta, S. guggenheim*) (*Rhinobatos horkelii)* (*G. galeus, M. schmitti*)	 2,744 ~3,500 964 279 2,767	 7,085 (1985) 2,442 (1988) 1,927 (1984) 3,839 (1987)		31,300 (1982)	*Squatina* spp., *Sphyrna lewini, S. zygaena, Carcharias taurus* (surface and bottom-set gillnet) *Galeorhinus galeus, Mustelus schmitti, Rhinobatos horkelii, Squatina occulta, S. guggenheim* (southern inshore gillnet, beach seine and trawl)	*P. glauca, I. oxyrinchus, S. lewini, S. zygaena, Alopias superciliosus, C. maou, C. signatus, Pseudocarcharias kamoharai, G. cuvier* (longline). *Squatina occulta, S. guggenheim, Squalus acanthias, S. megalops, Galeorhinus galeus, Mustelus canis, Rhizoprionodon lalandii, R. porosus, Sphyrna tiburo* (shrimp and pair trawls)
CANADA* All large sharks *Lamna nasus*	 1,943 1,545				*L. nasus, I. oxyrinchus, P. glauca, S. acanthias*	*L. nasus, I. oxyrinchus, P. glauca, Carcharodon carcharias, Carcharhinus longimanus, C. obscuras, Carcharias taurus, Alopias* spp., *Somniosus microcephalus, Cetorhinus maximus, Apristurus* spp., *Sphyrna zygaena, Squalus acanthias, Centroscymus coelolepis, Centroscyllium fabricii, Etmopterus princeps, Rhizoprionodon terraenovae, Mustelus canis* (Atlantic Ocean) *Apristurus brunneus, Galeorhinus galeus, Cetorhinus maximus, Hexanchus griseus, Somniosus pacificus* (Pacific Ocean) *Somniosus microcephalus* (Arctic Ocean)
CHILE*			450		*Mustelus mento, Isurus oxyrinchus*	
CHINA*			~4,000 to 7,000		*Scoliodon laticaudus, Chiloscylium plagiosum, Hemitriakis japanica, Sphyrna lewini, Carcharhinus sorrah, Triakis scyllium, Mustelus griseus* (coastal and offshore fisheries, unspecified target or incidental†)	

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
COLOMBIA* Pacific Ocean Total Artisanal fisheries Caribbean Sea Total Artisanal fisheries			 365 170 102 96			
COSTA RICA			2,486			
COTE D'IVOIRE					*Sphyrna* spp., *Carcharhinus* spp.	*Isurus oxyrinchus*
DENMARK *Squalus acanthias* *Lamna nasus*	20,094	 1,500 (1988) 114 (1986)			*S. acanthias, L. nasus*	
EGYPT						*C. limbatus, C. longimanus, Galeocerdo cuvier, Ginglymostoma cirratum, Sphyrna* spp.
ERITREA†					An artisanal directed fishery in the Red Sea uses gillnets and longlines for sharks	A pelagic offshore fishery for snapper takes sharks as by-catch
FRANCE (1993) *Scyliorhinus canicula* *Squalus acanthias* *Lamna nasus* *Galeorhinus galeus*	 4,441 1,760 640 225 (1992)	1,100 (1982)	20,000 (1993)	40,000 (1981)	*L. nasus*	*Raja* spp., *Scyliorhinus canicula, S. acanthias* (multiple gear sectors), *P. glauca* (tuna gillnet, longline and coastal trawlers), *Galeorhinus galeus* (tuna gillnet), *Centrophorus squamosus, Centroscymus coelolepis* (deep-water trawl fisheries)
GERMANY* *Squalus acanthias*	11					*S. acanthias, L. nasus*
GUATEMALA* Artisanal fisheries			45		*Carcharhinus* spp., *Alopias* spp., *Heterodontus* spp., *Triakis* spp., *Sphyrna* spp., *Squatina* spp. (Pacific Ocean)	
GUYANA*					*Carcharhinus porosus*, *C. limbatus, C. obscurus, Galeocerdo cuvier, Sphyrna tiburo, S. zygaena, Mustelus canis, Rhizoprionodon porosus*	Sharks are caught in shrimp trawl fishery. There are 90 vessels in the fishery.

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
HONG KONG*			353	1,777 (1981)		All sharks landed are caught as by-catch in other fisheries.
INDIA			83,807		*Carcharhinus falciformis, C. leucas, Sphyrna lewini, Galeocerdo cuvier* (east coast bottom and drift longline†)	*Rhizoprionodon acutus, R. oligolinx, Carcharhinus limbatus, C. sorrah, C. hemiodon, C. wheeleri, Scoliodon laticaudus, Eusphyra blochii*†
INDONESIA	65% landings are sharks		92,990		*Rhynchobatus djiddensis* (Aru Islands gillnet†) *Carcharhinus limbatus, C. sorrah* †	
IRELAND	16				*S. acanthias*	*Galeorhinus galeus, Lamna nasus, Hexanchus griseus* (south coast bottom-set gillnet) *Cetorhinus maximus, P. glauca* (south coast drift gillnet)
ITALY						*Alopias* spp., *Prionace glauca, Cetorhinus maximus* (surface driftnets) *Carcharodon carcharias* (juveniles, deep water trawl fisheries) *Hexanchus griseus, Notorynchus cepedianus, Centrophorus granulosus, Isurus oxyrinchus* (southern Italy and off Sicily)
JAPAN*			28,993	120,000 (1940s)	*Prionace glauca, Lamna ditropis, Isurus oxyrinchus, Mustelus manazo, Squalus* spp., *Cephaloscyllium isabellum* (northern coastal longline†) *Squalus acanthias* (coastal trawl fishery†)	*P. glauca, Lamna ditroptis, Carcharhinus longimanus, C. falciformis, Alopias* spp., *Isurus oxyrinchus, I. paucus, Sphyrna* spp.
LUXEMBOURG*	NA	NA	NA	NA	NA	NA
MADAGASCAR						*Carcharhinus melanopterus, C. amblyrhynchos, C. falciformis, C. longimanus, C. sorrah, amboinensis, Galeocerdo cuvier, Sphyrna lewini, Odontaspis ferox, Chiloscyllium griseum, Stegostoma fasciatum* (small-scale coastal fisheries)
MALAYSIA Liver-oil sharks	6,889	7,545	>20,000 (1993)		*Rhynchobatus djiddensis, Gymnura* spp., *Scoliodon laticaudus, Chiloscyllium indicum, Sphyrna* spp., *Dasyatis* spp.†	

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
MALDIVES Deep-water species (primarily *Centrophorous* spp.) Total	61,068	 147 (1991) 2,073			*Centrophorous* spp. (deep-water longline) *Carcharhinus falciformis* (offshore longline) Various reef species (inshore fishery)	
MALTA					*Hexanchus griseus, Centrophorus granulosus, Squalus blainvillei, Mustelus* spp.	*Prionace glauca, Isurus oxyrinchus, Alopias superciliosus, Carcharodon carcharias, Odontaspis ferox, Scyliorhinus canicula, Squatina* spp.
MEXICO*			35,355		*Rhizoprionodon terraenovae, Sphyrna tiburo, Mustelus norrisi, Carcharhinus falciformis, C. leucas, C. obscurus, C. limbatus, C. brevipinna.* (Gulf of Mexico and Caribbean Sea) *Carcharhinus porosus, C. falciformis, C. limbatus, C. galapagensis, C. albimarginatus, C. leucas Galeocerdo cuvier, Negaprion brevirostris, Sphyrna zygaena, S. lewini, P. glauca, Alopias pelagicus, A. superciliosus, A. vulpinus, Rhizoprionodon longurio, Squatina californica, Mustelus californicus, M. lunulatus, Nasolamia velox* (Pacific Ocean)	
MONACO*	NA	NA	NA	NA	NA	NA
MOZAMBIQUE† Directed artisanal gillnet Prawn fisheries by-catch	~1,800		 ~1,500		*Hemipristis elonggatus, Carcharhinus brevipinna* (Bazaruto Island – recreational sport fishery)	
NAMIBIA					*Carcharhinus brachyurus, Notorhynchus cepedianus*	Most sharks caught are taken as by-catch
NETHERLANDS						*Squalus acanthias, Lamna nasus*

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
NEW ZEALAND* *G. galeus* *M. lenticulatus* *S. acanthias* *Raja* spp. *Hydrolagus* spp. *P. glauca* *I. oxyrinchus*	 1,600 (1995)	 5,600 (1984) 3,800 (1983) 6,200 (1993) 520 (1991)	17,000 2,800 2,300		*Galeorhinus galeus, Mustelus lenticulatus, Callorhinchus milii*	*Squalus acanthias, Raja* spp., *Hydrolagus* spp. (trawl fisheries) *Prionace glauca, Lamna nasus, Isurus oxyrinchus, G. galeus* (tuna longline)
NIGERIA			5,849	21,476 (1980)		
NORWAY *Squalus acanthias* *Cetorhinus maximus* *Lamna nasus*	 4,552 1,762 25	 31,479 (1961) 11,335 (1979) 3,884 (1933 NE Atl)			*Cetorhinus maximus, L. nasus, S. acanthias*	
PAKISTAN			30,226	~75,000 (1979†)		
PANAMA*			3,636 1,413 (1995)			
PAPUA NEW GUINEA*			25,000 (sharks, 1993)		*Squalidae*	

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
PERU* *Mustelus* spp. Unspecified shark		8,578 (1992)		2,087 (1992)		*Mustelus* spp., *P. glauca, I. oxyrinchus*
PHILIPPINES* Commercial sector Municipal sector			329 3,849		*Rhincodon typus, Sphyrna mokarran, Alopias* spp., *Galeocerdo cuvier, Carcharhinus melanopterus, C. limbatus, C. amblyrhynchos, Isurus oxyrinchus, Triaenodon obesus, Squalus acanthias, Stegostomo fascaiatum, Prionace glauca, Carcharias taurus*	
POLAND* *Squalus acanthias* (most recent landings)	47 (1989)					
PORTUGAL *Dalatius licha* *Prionace glauca* *Galeorhinus galeus* *Centrophorus granulosus* *Scyliorhinus canicula* *Galeus melastomus*	309 115 886 (1993) 596 (1993) 23 (1993)	950 (1981) 170 (1992)			Azores *Dalatius licha*	Mainland *Scyliorhinus canicula, Galeorhinus galeus, Mustelus* spp. (artisanal fisheries) *Centrophorus granulosus, S. canicula, Galeus melastoma, Dalatius licha, Deania calcea, Etmopterus spinax* (longline and trawl fisheries) Azores *Prionace glauca, Isurus oxyrinchus*, *Lamna nasus, Alopias* spp., *Sphyrna* spp., *G. galeus* (pelagic longline) *G. galeus* (demersal longline)
REPUBLIC OF KOREA†			12,221 (1992)	22,888 (1985)	*Notorynchus cepedianus, Sphyrna zygaena, Alopias vulpinus, Isurus paucus, Lamna ditropis* (gillnets)	
ROMANIA[2]*						
RUSSIAN FEDERATION*						*Squalus acanthias*

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
SEYCHELLES†			116.5			*Carcharhinus albimarginatus, C. amblyrhynchos, C. brachyurus, C. brevipinna, C. melanopterus, C. plumbeus, C. longimanus, Galeocerdo cuvier, Loxodon macrorhinus, Tiaenodon obesus, Carcharias taurus, Sphyrna mokarran, S. lewini, Ginglymostoma brevicaudatum, Nebrius ferrugineus, Rhynchobatus djiddensis, Rhinobatos blochi* (artisanal fishery for groupers, snappers, emperors Lethrinidae, and rabbit fish) *C. longimanus* (domestic and foreign tuna and swordfish vessels)
SIERRA LEONE			1,403			*G. cuvier, S. lewini*
SINGAPORE*			124			
SOMALIA†					*Carcharhinus melanopterus* , *Alopias* spp., *Sphyrna* spp., *Isurus* spp.(~90% – north-east region)	*Carcharhinus altimus*, Dasyatididae, *Rhincodon typus*
SOUTH AFRICA*					*Galeorhinus galeus* (commercial handline) *Carcharhinus obscurus, C. brachyurus, Mustelus mustelus, Triakis megalopterus, Rhizoprionodon acutus,* (shore recreational) *Isurus oxyrinchus, Alopias vulpinus* (offshore recreational)	*Squalus megalops, S. mitsukurii, S. acanthias, Holohalaelurus regani, Callorhinchus capensis, G. galeus, Mustelus mustelus, M. palumbes* (demersal trawl fishery) *Prionace glauca, Carcharhinus longimanus* (offshore longline) *S. capensis, G. galeus* (bottom-set gillnet fishery)
SPAIN offshore longline coastal longline			 234 (1993) 452 (1993)		*Somniosus rostratus, Deanis calcea, Centrophorus granulosus, Centroscymus coelolepis* (offshore longline) *Scyliorhinus canicula*, *G. melastoma, Centrophorus* spp., *Etmopterus* spp., *Dalatius licha, Deanis calcea* (longline vessels off Cantabria	*Isurus oxyrinchus, Prionace glauca*
SRI LANKA *C. falciformis*	25		~16,800†		*Carcharhinus falciformis*	Carcharhinidae, *Sphyrna* spp., *Alopias* spp., *Isurus* spp. (pelagic tuna fisheries†) *Carcharhinus longimanus, C. sorrah, Sphyrna lewini* (gillnet and other fisheries†)

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
ST. KITTS AND NEVIS* *Carcharhinus perezi* *Ginglymostoma cirratum* Unspecified shark	 .2 .1 .3				No directed shark fishery	
ST. LUCIA*	6					*Carcharhinus melanopterus, C. leucas, C. longimanus, C. perezi, C. isodon, Galeocerdo cuvier, Sphyrna* spp., *Carcharias taurus, Negaprion brevirostris, Ginglymostoma cirratum*
ST. VINCENT AND THE GRENADINES*	8					*Isurus paucus*
SURINAME*						*Carcharhinus limbatus, C. acrontus, C. leucas, C. falciformis, Sphyrna lewini, S. tiburo, Galeocerdo cuvier* *Mustelus canis, M. higmani, Carcharhinus leucas, Rhizoprionodon lalandii, Sphyrna tiburo* (shrimp trawl fishery)
SWEDEN* *Squalus acanthias*	87				*S. acanthias*	
SWITZERLAND	NA	NA	NA	NA	NA	NA
TAIWAN (PROV. OF CHINA) Large sharks Small sharks	 38,337 (1995) 5,081	 61,917 (1991)			*Alopias superciliosus, A. pelagicus, Isurus oxyrinchus, Sphyrna zygaena, S. lewini, Carcharhinus plumbeus, C. falciformis, C. longimanus, C. brevipinna, C. obscurus, Galeocerdo cuvier* (coastal and offshore longline†) *Carcharhinus falciformis* (60%), *C. longimanus* (30%) (distant water longline vessels – Papua New Guinea†) *C. falciformis* (90% – Indonesia†) *C. albimarginatus, C. longimanus, Sphyrna* spp., *Alopias* spp. (Mozambique†)	Some of the species caught by the directed fishery are also caught incidentally†

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
TANZANIA† *Rhynchobatus djiddensis* (prawn trawl by-catch)	24		~1,103		*Carcharhinus falciformis, C. albimarginatus, C. macloti, C. melanopterus, C. plumbeus, C. sealei, C. wheeleri, Rhizoprionodon acutus, Triaenodon obesus, Sphyrna lewini, S. mokarran, Rhynchobatus djiddensis*	*Rhynchobatus djiddensis*
THAILAND						*Carcharhinus* spp. (<1.5 m in length), *Chiloscyllium* spp. Rays (mainly *Dasyatis* spp.), comprising nearly 2/3rds of the catch†, are taken as by-catch in trawl fisheries dominate elasmobranch catches
TOGO*			< 5		*Sphyrna lewini, Carcharodon carcharias, Carcharhinus milberi (= plumbeus)*	
TRINIDAD AND TOBAGO* Artisanal fisheries Industrial fishery *Isurus oxyrinchus*	 440 (1993) 1,135 (1993)	 1,995 (1978) 1,480 (1989)				*Carcharhinus porosus, C. limbatus, Sphyrna tudes, S. lewini, Rhizoprionodon lalandii, R. porosus, Mustelus canis.* (artisanal fisheries) *I. oxyrinchus, P. glauca*
TUNISIA* *Squalus* spp. *Scyliorhinus canicula*	 925 110				*Squalus* spp., *Scyliorhinus canicula, Centrophorus* spp., *Carcharhinus brevipinna, C. plumbeus, C. limbatus, C. melanopterus, P. glauca, Sphyrna* spp., *Hexanchus griseus, Heptranchias perlo, Carcharodon carcharias, Alopias* spp., *I. oxyrinchus, Squatina* spp. (artisanal fisheries)	
UNITED STATES* *Squalus* spp. Other sharks	 24,032 (1995)	26,000	 6,425 (1995)	 7,685 (1989)	*Carcharhinus plumbeus, C. obscurus, C. limbatus, C. leucas, C. altimus, C. brevipinna, Carcharias taurus, Galeocerdo cuvier, Negaprion brevirostris, Sphyrna lewini, S. mokarran* (Atlantic longline) Same species as above plus *C. isodon, Rhizoprionodon terraenovae* (Atlantic and Gulf of Mexico gillnet) *Alopias vulpinus, I. oxyrinchus, Triakis semifasciata* (Pacific Ocean) *Squalus acanthias* (Atlantic and Pacific Oceans)	*Carcharhinus falciformis, C. brevipinna, C. limbatus, C. obscurus, C. plumbeus, Sphyrna lewini* (Gulf of Mexico tuna longline) *C. limbatus, Sphyrna* spp., *R. terraenovae* (Gulf of Mexico shrimp trawl) *P. glauca, I. oxyrinchus, Alopias* spp., *L. nasus* (Atlantic tuna longline) *P. glauca, I. oxyrinchus* (Pacific longline) *Somniosus pacificus, Lamna ditropis* (Bering Sea/Gulf of Alaska groundfish fisheries)

Country	Landings Data (MT)				Primary Species Landed	
	Sharks		Sharks, Skates and Rays		Target	By-catch
	1994	Peak	1994	Peak		
UNITED KINGDOM* *Prionace glauca* (recreational fishery)	~500 (sharks)				*Prionace glauca* (recreational and longline) *Squalus acanthias, Scyliorhinus canicula, Scyliorhinus stellaris* (longline, fixed gillnets, recreational) *Lamna nasus* (recreational)	*L. nasus*, *Galeorhinus galeus, Alopias vulpinus, P. glauca*
URUGUAY†			~1,062		*G. galeus* (artisanal fisheries)	*Squatina argentina, Carcharias taurus, Carcharhinus plumbeus, Notoynchus cepedianus, Sphyrna* spp. (artisanal fisheries) *Isurus oxyrinchus, Lamna nasus, Prionace glauca, Sphyrna* spp., *Alopias* spp., *Carcharhinus* spp. (tuna and swordfish longline) *P. glauca, I. oxyrinchus, Sphyrna* spp., *Carcharias taurus* (trawl fisheries)
VENEZUELA*	7	7,415 (1988)	1,994 (rays)		*P. glauca, Carcharhinus springeri, C. porosus, C. leucas, Isurus oxyrinchus, Alopias superciliosus* (industrial longline fishery) *Rhizoprionodon porosus, Sphyrna lewini, S. tudes, Carcharhinus limbatus, C. acronotus, P. glauca, Mustelus canis* (artisanal fisheries)	

* *Denotes Party submitted data in response to Notification No. 884.*

† *Denotes information derived from Rose 1996.*

[1] *Algeria reports landings of sharks and swordfish together.*

[2] *Domestic shark landings for Romania have declined since 1984 and have now virtually ceased.*

Management Tools Currently Implemented for Domestic Shark Fisheries by Shark Fishing Nations

Country	Manage-ment Plan	Quotas	Licences/ limited entry	Habitat/area closures: adult/ nursery[1]	Closed seasons	Protected species	Minimum sizes	Gear restric-tions[1]	Prohibition on finning	Recreational bag limits	By-catch monitoring (species-specific)
Australia – Southern Shark fishery (of Victoria, Tasmania, South Australia)	1988		X	X		*Carcharodon carcharias* in Tasmania[2]	X	X	Finning discouraged but not prohibited within EEZ for domestic vessels	X	Limited
Australia – South Western Shark Fishery (of Western Australia)			X			*Rhincodon typus* at Ningaloo Reef	X		Finning discouraged but not prohibited within EEZ		
Australia – Northern Australia Fishery (of Queensland, Northern territory, and north of Western Australia)	?	X	X	X (area 15 miles within coast closed)		*Carcharias taurus* in New South Wales		X	Finning discouraged but not prohibited within EEZ		Minimal
Canada	1995	X	X			*Isurus oxyrinchus* (targeted fisheries)			X		X
European Union		X[3]									
Ireland							Recreational only (self-regulated)				Limited
Israel						All species of chondrich-thyans					
Japan			X								Limited
Maldives						*Rhincodon typus*					

Country	Manage-ment Plan	Quotas	Licences/ limited entry	Habitat/area closures: adult/ nursery[1]	Closed seasons	Protected species	Minimum sizes	Gear restric-tions[1]	Prohibition on finning	Recreational bag limits	By-catch monitoring (species-specific)
Mexico			X	X[4]				X			
Namibia						*Carcharodon carcharias* (1993)					
New Zealand		X[5]	ITQs			X[6]	Recreational only	X			Limited
Norway							For *Squalus acanthias* only				
South Africa	In develop-ment[7]		Pelagic and demersal longline permits; in Cape Province gillnet licences			*Carcharodon carcharias*[8]		X commercial only	X	X	Minimal
United States – Atlantic and Gulf coasts	1993	On large coastal sharks (22 spp.) and pelagic sharks (10 spp.)[9]				X[10]			X	X	Limited
United States – Pacific coast (California, Oregon and Washington)	X[11]		For *Alopias vulpinus* only	For *Alopias vulpinus* only		*Carcharodon carcharias* in California & Florida	For *Triakis semifasciata* in California only		California only	For *Triakis semifasciata* in California only	Limited

Key: ITQs = Individual Transferable Quotas

1 Area closures and gear restrictions listed on action was specific to shark fisheries.
2 *Carcharinus taurus* fully protected in New South Wales since 1984; *Rhincodon typus* also protected in some parts of Australia.
3 Quota is a 400 tonnes live weight for *Cetorhinus maximus* caught by Norwegian vessels in EU waters.
4 Nursery areas protected for *Carcharinus leucus, C. limbatus, Sphyrna tiburo, Negaprion brevirostris* and others in Campeche and Quintana Roo.
5 Quota management system (est. 1986) sets quotas for some species, including *Galeorhinus galeus, Mustelus lenticulatus, Callorhinchus milii, Squalus acanthias*, and *Raja* spp.
6 Many elasmobranchs are prohibited as target species, but since by-catch is quite high, effective protection may be minor.
7 Research and management plan will focus on *G. galeus, Mustelus mustelus* and *Callorhinchus capensis*.
8 *Triakis magalopterus, Carcharias taurus, Poroderma africanum* and *P. pantheriunum* are about to be 'decommercialized' and restricted to sport fisheries.
9 Excludes management for *Squalus acanthias* despite large increase in landings for export markets.
10 Unlawful to harvest, process, land, purchase, sell or exchange *Cetorhinus maximus, Rhincodon typus, Pristis* spp. sawsharks (Order Pristiophoriformes) and *Aetobatis narinari* (spotted eagle ray).
11 No federal management but Tri-State Monitoring Plan in California, Oregon and Washington for *Alopias vulpinus*.