

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



Seventeenth meeting of the Conference of the Parties
Johannesburg (South Africa), 24 September – 5 October 2016

ASSISTING PARTIES TO MEET THEIR COMMITMENTS:
CITES REVIEW OF SIGNIFICANT TRADE FOR SEAHORSES (*HIPPOCAMPUS SPP.*),
A TAXON TRADED IN HIGH VOLUMES

1. This document has been submitted by the Secretariat on behalf of the IUCN, in relation to Agenda Item 33: Evaluation of the Review of Significant Trade (CoP17 Doc. 33) *.
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* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

This analysis is being presented to the 17th meeting of the CITES Conference of the Parties (CoP17) **to support decision making with respect to the proposed revisions to Resolution Conf. 12.8 (Rev. CoP13)** (as per CoP17 Doc. 33 Annex 1¹). The purpose of this Information Document (Inf Doc) is to provide insight into the current process for the CITES Review of Significant Trade (RST), as per Resolution Conf. 12.8 (Rev. CoP13)². We use a case study of seahorses (*Hippocampus* spp.) to draw out observations that should inform best practices in support of species conservation. Our discussion at the end highlights the need for Parties to adopt the proposed revised Resolution Conf. 12.8 (Rev. CoP13) at CoP17, included in Doc. 33, but also highlights ongoing gaps in the RST process that should be addressed.

The RST is CITES' main mechanism for remedial action when there is concern that Appendix II listed species are being traded not in compliance with Article IV, and thereby are being traded at unsustainable levels. It originated at CoP8, with concerns that CITES was not being effectively implemented and species were being transferred from Appendix II to I. The RST is the only process by which trade in Appendix II listed species is regularly and consistently scrutinized, drawing attention to implementation challenges related to Article IV. Trade in Appendix II species not addressed by RST is not automatically investigated in other ways.

The scope of the RST is limited to Article IV³, paragraphs 2(a), 3 and 6(a) of the Convention, and to trade in specimens from the wild, from ranching operations, or where the source is unknown (source codes⁴ W, R, U or blank in the CITES Trade Database⁵). Thus the scrutiny on Article IV implementation through RST has focused on the issuance of non-detriment findings (NDFs, in support of Article IV, paragraphs 2(a) and 6(a)), and not on the issuance of legal acquisition findings (in support of Article IV paragraph 2(b)), or the welfare of live animals during transport (in support of Article IV paragraphs 2(c) and 6(b)). However, other challenges with CITES implementation are frequently identified during the course of the RST including, in particular, implementation of Article IV paragraph 2(b) on determinations that specimens were obtained legally.

We used seahorses as a case study for identifying best practices in the RST process as they are (i) among the top traded Appendix II animals by number of specimens⁶ and (ii) the first fully marine fishes to go through RST. Our study complements others prepared in support of the review of RST, which did not include fish (see AC26/PC20 Doc. 7⁷). The entire genus *Hippocampus* was listed on CITES Appendix II at CoP12 in 2002, with implementation delayed until May 2004. The Checklist of CITES Species includes 51 seahorses⁸, although a recent comprehensive revision of the genus - published in a primary journal – supports the validity of only 41 seahorse species (Lourie *et al.* 2016⁹).

Approach

The RST process is laid out in Resolution Conf. 12.8 (Rev. CoP13). For our analysis we have reduced the 22 stages of the resolution (paragraphs a-v) into six steps (Figure 1), explained in detail in Foster & Vincent (2016)¹⁰. This paper extracts key observations for each step of the RST, derived from the RST experience for seahorses. It then discusses next steps in the enhancement of the RST, based on revisions to Res Conf 12.8 (Rev. CoP13) that are being proposed at CoP17.

¹ <https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-33.pdf>

² <https://www.cites.org/eng/res/12/12-08R13.php>

³ <https://cites.org/eng/disc/text.php#IV>

⁴ <https://www.cites.org/eng/res/12/12-03R16.php>

⁵ trade.cites.org

⁶ dashboards.cites.org/global

⁷ <https://cites.org/sites/default/files/eng/com/ac-pc/ac26-pc20/E-AC26-PC20-07.pdf>

⁸ <http://checklist.cites.org>

⁹ Lourie *et al.* 2016. Zootaxa 4146(1) 66 pp. <http://doi.org/10.11646/zootaxa.4146.1.1>

¹⁰ Foster, S.J. and Vincent, A.C.J. (2016) Seahorses (*Hippocampus* spp.) and the CITES Review of Significant Trade. Fisheries Centre Research Reports 24(3), <http://oceans.ubc.ca/publications/research-reports/>

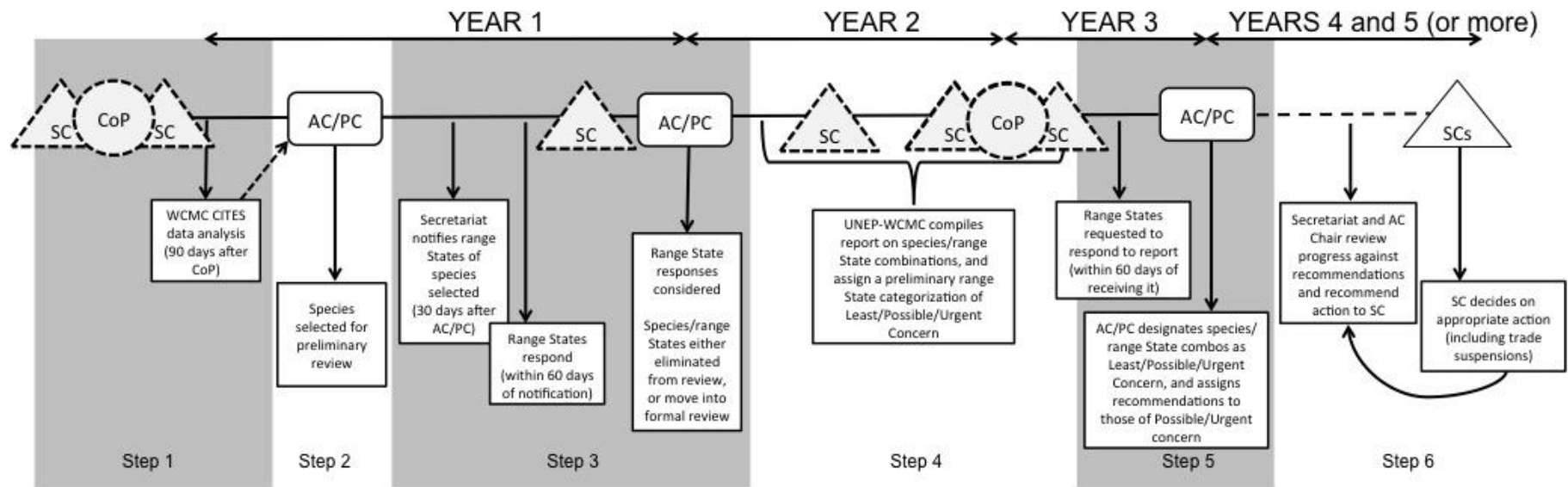


Figure 1. The CITES Review of Significant Trade (RST) process as laid out in Resolution Conf. 12.8 (Rev. CoP13), summarized in six steps. CoP = meeting of CITES Conference of the Parties, which comprises CITES member States; AC/PC = meeting of CITES Animals Committee or Plants Committee, which are CITES technical committees; SC = meeting of Standing Committee, which is the CITES implementation/enforcement committee. Note that there is an SC meeting immediately before and after every CoP. The figure is adapted from Figure 2 of AC27/PC21 Doc 12.1. The timeline starts with UNEP-WCMC generating a list of species to be considered for inclusion in RST, 90 days after a CoP. Steps differ in their duration.

Summary of the RST for seahorses

There have been three rounds of RST for seahorses since the Appendix II listing from CoP12 came into effect in May 2004, involving a total of eight *Hippocampus* species (Table 1).

Table 1. Summary of the three rounds of CITES RST for seahorses (*Hippocampus* spp.).

	Round 1	Round 2	Round 3
<i>Hippocampus</i> spp. involved	<i>H. kelloggi</i> , <i>H. kuda</i> , <i>H. spinosissimus</i> (IndoPacific)	<i>H. barbouri</i> , <i>H. histrix</i> , <i>H. trimaculatus</i> (IndoPacific); <i>H. algiricus</i> (Eastern Atlantic)	<i>H. erectus</i> (Western Atlantic)
Launched	AC23 (April 2008)	AC25 (July 2011)	AC27 (April 2014)
Completed	ongoing as of August 2016	ongoing as of August 2016	AC28 (September 2015)
# Range States consulted in preliminary review (Figure 1, Step 3)	33	36	35
# Range States that replied to Secretariat request for information (Figure 1, Step 3)	9	11	12
# Range States moved into formal review (Figure 1, Step 3)	28	7	0
Range States of Least Concern (Figure 1, Step 5)	26	4	n/a
Range States of Possible Concern, with # recommendations issued (Figure 1, Step 5)	Vietnam for <i>H. kuda</i> , 7 recommendations	0	n/a
Range States of Urgent Concern, with # recommendations issued (Step 5)	Thailand for <i>H. kelloggi</i> , <i>H. kuda</i> , and <i>H. spinosissimus</i> , with 11 recommendations	Thailand for <i>H. trimaculatus</i> , with 7 recommendations; Guinea and Senegal for <i>H. algiricus</i> , with 8 & 7 recommendations respectively	n/a
Notes	In the CITES Trade Database for 2004-2011: Thailand was reported as source of 99, 66, >99% of wild (W, R or U) exports of <i>H. kelloggi</i> , <i>H. kuda</i> and <i>H. spinosissimus</i> globally. Vietnam was reported as source of 4% wild exports of <i>H. kuda</i>	In the CITES Trade Database for 2004-2011: Thailand was reported as source of >99% of wild (W, R or U) exports of <i>H. trimaculatus</i> globally. Guinea and Senegal were reported as sources of 57% & 37% of wild exports of <i>H. algiricus</i> .	
Status as of August 2016	Thailand considered to have met or partially met 7 of 11 recommendations. Next review at SC67 (September 2016). Parties recommended to suspend trade in <i>H. kuda</i> from Vietnam at SC63 (March 2013) for failure to meet the recommendations by deadlines.	Thailand considered to have met or partially met 3 of 7 recommendations. Next review at SC67 (September 2016). Parties recommended to suspend trade in <i>H. algiricus</i> from Guinea and Senegal at SC66 (January 2016) for failure to meet the recommendations by deadlines.	Review complete

Observations of seahorse RST of broad relevance

The following observations emerge from the RST process for *Hippocampus* but are of broad taxonomic relevance. Supporting evidence for all observations can be found in Foster & Vincent (2016)¹⁰. Observations marked with * are addressed – in whole or in part – in the proposed changes to Resolution Conf. 12.8 (Rev. CoP13) presented in CoP17 Doc. 33, as explained in the Discussion section that follows. The Discussion section offers remedial suggestions for all observations marked with #.

Step 1: List of species brought before an AC/PC meeting for consideration under RST

- 1.1. The RST does not address unreported, misreported and/or illegal trade.
- 1.2. The RST does not address trade in specimens produced in aquaculture (“bred in captivity”) (source codes F or C in CITES data). #

Step 2: AC/PC votes whether to bring a species under preliminary review

- 2.1 Many groups can nominate species for RST, usually from the UNEP-WCMC candidate list.

Step 3: AC/PC makes decisions about which range States to move into formal review

- 3.1 The integrity of the RST process relies on accurate geographic information in the CITES species database (Species+¹¹). *
- 3.2 Many States failed to reply to Secretariat enquiries about seahorses in Step 3 (Table 1), or replied with very little information. *
- 3.3 Most exporting Parties did not provide evidence of making valid NDFs for their seahorse exports at this Step in the RST.
- 3.4 When queried during the RST, several major exporting Parties decided to avoid the need for seahorse NDFs by ending exports. Such zero quotas were not included in the Secretariat’s Notification to the Parties documenting the export quotas of which it had been informed¹². * #
- 3.5 It was not entirely clear how Parties were selected for retention through to formal RST.

Step 4: Secretariat contracts a consultant to compile information for all species-range State combinations in formal review

- 4.1 UNEP-WCMC assessments of species-Range state combinations supported decision-making well.
- 4.2 The RST process is lengthy and it took time to get Parties started on improving CITES implementation for seahorses. *

Step 5: AC/PC designates range States as Least, Possible or Urgent Concern for a species, and issues recommendations for those of Possible or Urgent Concern.

- 5.1 Recommendations for seahorses were based on recommendations that had been used before, for other species, and did not have metrics. #
- 5.2 Parties faced tight deadlines on many RST recommendations for seahorses. #
- 5.3 The RST addressed only a subset of identified concerns about trade in the nominated seahorse species, while the rest (e.g. illegal trade) were not addressed. #

Step 6: Secretariat and Chair of the AC/PC assess range State progress against recommendations.

- 6.1 Progress on RST recommendations for seahorses depended heavily on external catalysts and funding.
- 6.2 Taxon experts were rarely consulted in the evaluation of progress against recommendations for seahorses. #
- 6.3 The RST process led to many outputs, but substantive conservation improvements or outcomes for seahorses have not been documented. * #

Discussion

Our analysis of the RST experience for seahorses highlights the need for Parties to adopt the proposed revised Resolution Conf. 12.8 (Rev. CoP13) at CoP17, included in Doc. 33, which “makes recommendations to improve and streamline the review process **for the benefit of the CITES Parties**, and ultimately for the conservation and

¹¹ www.speciesplus.net

¹² see Resolution Conf. 12.3 (Rev. CoP16), and <https://cites.org/eng/resources/quotas/index.php>

sustainable use of the species” (Cop17 Doc. 33, paragraph 29). However, our analysis also highlights remaining gaps in the RST process that should also be addressed **to improve benefits for the listed species**, while being realistic in terms of expectations on Parties.

Our observations support the need for the following proposed changes to Resolution Conf. 12.8 (Rev. CoP13), presented in CoP17 Doc. 33 – Evaluation of the Review of Significant Trade:

- Re Observations 3.1: A revised methodology for selection of species for RST (Cop17 Doc.33, paragraph 11 and Annex 1.B.). This revision streamlines the process by allowing for specific species/country combinations to be selected for preliminary review under Step 1, above. Further, the methodology calls for a summary of direct exports by country, which **should lessen the dependency on accurate geographic information in Species+** which might contain important errors or omissions about range States.
- Re Observation 3.2: Improvements to the Secretariat’s initial letter to range States to elicit more detailed information early in the RST process (Cop17 Doc. 33, paragraph 13 and Annexes 3 and 4). **A letter that is more specific as to the desired nature, scope and scale of the responses would indeed be valuable** as it may result in more, and more informative, range State replies.
- Re Observation 3.4: The proposal to direct range States to seek agreement of the Secretariat and AC/PC before changing an interim export quota (including a zero export quota) that was the basis for elimination from the RST at any stage of the process (Cop17 Doc. 33, paragraph 34). This would ensure Parties that set zero quotas and are eliminated from review must be scrutinized before resuming trade (and thus would help ensure that zero quotas are set from a conservation and management perspective only). **It would be most helpful if there were follow-up by the Secretariat to ensure that Parties reported their declared quotas to the Secretariat** (as recommended in Resolution Conf. 12.3 (Rev. CoP16), paragraph VIII(a), and Resolution Conf. 14.7 (Rev. CoP15), paragraph 15) so they could inform other Parties and include them in the CITES website.
- Re Observations 4.1 and 4.2: Compiling the report on the biology, management and trade of the species in conjunction with the Secretariat’s initial letters to range States (Res. Conf. 12.8 (Rev. CoP17), paragraph d(ii)). This makes the process one year shorter by combining Steps 3 and 4 (above) into one time step, which is especially important as range States may not reply at Step 3. **There would be value in funding the relevant IUCN SSC Specialist Group to produce this report, where such a Group exists.**
- Re Observation 6.3: The suggestion of a “final recommendation”, requesting range States to report on the new basis for NDFs and how actions taken will address concerns identified during the RST (Cop17 Doc. 33, paragraph 11 and Annex 5, Table 3). This recommendation is intended to assist in future reviews of the RST process, but it would also encourage Parties to continue in their progress toward reliable NDFs, and ensure conservation benefits to the species. **Setting the deadline for this recommendation at one to five years after completion of the other recommendations would allow Party progress to be evaluated in an adaptive management framework.** Parties’ effectiveness at meeting this recommendation would need to be evaluated by the SC as with all other recommendations.

Our observations revealed notable remaining gaps or omissions in the proposed changes to Resolution Conf. 12.8 (Rev. CoP13). We articulate them here and suggest ways forward:

- Re Observation 1.2: The AC/PC recognized that source code F does not meet the definition of captive bred under Resolution Conf. 10.16 (Rev), but considered that evaluation of trade in F specimens should be discussed elsewhere (than in the context of the RST) (Cop17 Doc.33 paragraph 12). As unregulated trade in F specimens could have negative impacts on wild populations through dependence on wild broodstock, **it is important that CoP17 adopts the proposed mechanism for oversight of trade in captive bred and ranched specimens proposed in CoP17 Doc. 32¹³.**

¹³ <https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-32.pdf>

- Re Observation 3.4: The seahorse experience has shown trade has continued (illegally) in the face of some zero quotas or national export bans¹⁴. When major exporting Parties set zero quotas in response to RST, illegal exports of the same species may increase. Importing countries should, therefore, be informed of zero quotas and the need for enhanced enforcement efforts. **Parties that are eliminated from RST as a result of setting a zero quota should be clearly identified in the Secretariat's report to each SC meeting, so that any breaches of such zero quotas can be identified.** This information should also be communicated to all Parties through a Notification to enhance enforcement effectiveness.
- Re Observations 5.1 and 5.2: The revised resolution sets an important framework for formulating recommendations to the range States in the RST process – stating that they must be **time-bound, feasible, measurable, proportionate** (to the perceived conservation risk), **transparent**, and **promote capacity building** (Res. Conf. 12.8 (Rev. CoP17) paragraph g,ii). The AC/PC are requested to use the principles outlined in Annex C of the revised resolution. We note in particular that a recommendation should be:
 - feasible – “designed so it will be possible to implement in the time frame specified”; and
 - measurable – having “a definitive indicator of completion that can be objectively measured”.
 However, we further note that few of the recommended actions outlined in Tables 1 and 2 of Cop17 Doc. 33 Annex 5 – which provides general guidance on the development of recommendations for RST – meet these criteria. We recognize that the tables are examples, and there remains scope to adjust/constrain recommendations when they are crafted by WGs at meetings. **It will be important for the AC/PC to take a critical approach when formulating recommendations so as to meet the criteria outlined above, and not to rely over-heavily on the sample recommendations set out in the tables referred to above.** Consultations with the relevant IUCN SSC Specialist Group could assist.
- Re Observation 5.3: New text in Res. Conf. 12.8 (Rev. CoP17) – paragraph i – requires the AC/PC to formulate separate recommendations directed at the SC for problems identified in the course of the review that are outside the scope of the RST (i.e. not related to implementation of Article IV, paragraphs 2(a), 3 or 6(a)). This formalizes a process by which concerns about trade in the nominated species outside the scope of RST can be referred to the SC, which was hitherto missing. It would be helpful if, as a follow up, **the SC (i) included the Party/species combination on its agenda for its next meeting**, and subsequent meetings as appropriate, **(ii) reviewed the issues concerned**, based on information from the AC/PC and Secretariat and **(iii) made recommendations to the relevant Party**. These latter should include compliance measures when appropriate, to help ensure that the species concerned is not adversely affected by trade and that the Convention is effectively implemented. In addition, **the Secretariat may wish to (i) ensure that the issues of questionable compliance with the Convention beyond Article IV paragraphs 2(a), 3 and 6(a) are included on the agenda of the next SC meeting**, and subsequent meetings as appropriate, **and (ii) consider the issue and Party concerned pursuant to Article XIII of the Convention**, if it believes that the species concerned is being affected adversely by trade in specimens of that species or that the provisions of the Convention are not being effectively implemented.
- Re Observation 6.2: The revised Resolution Conf. 12.8 (Rev. CoP13), presented in CoP17 Doc. 33, asks the Secretariat to review implementation of the recommendations issued to range States in the RST process by intersessional consultation with members of the AC/PC through the Chairs (Res. Conf. 12.8 (Rev. CoP17) paragraph k). In contrast, the current process involves consultation with the Chair alone (under Step 6, above). Including all members of the AC/PC would be a notable increase in transparency of the review and would facilitated inclusion of diverse expertise. **However, there would be benefits in formalizing the need for the Secretariat to consult species or taxon experts during the RST process at this stage** to ensure the evaluation is strong in both scope and rigour.

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¹⁴ e.g. O'Donnell et al 2012. Coastal Management, 40(6), 594-611. DOI: 10.1080/08920753.2012.727734; Lawson 2014. MSc thesis, The University of British Columbia. <http://hdl.handle.net/2429/50198>