

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



Thirty-second meeting of the Animals Committee
Geneva (Switzerland), 19 – 23 June 2023

Interpretation and implementation matters

Regulation of trade

Captive-bred and ranched specimens

EXCEPTIONAL CASE FOR INCLUSION OF SPECIES-COUNTRY COMBINATION
IN REVIEW OF TRADE IN ANIMAL SPECIMENS REPORTED AS PRODUCED IN CAPTIVITY –
MACACA FASCICULARIS

1. This document has been submitted by the United States of America. *
2. In Resolution Conf. 17.7 (Rev. CoP19) on *Review of trade in animal specimens reported as produced in captivity*, the Parties recognize that captive breeding, and other captive production systems, can have a number of benefits compared with direct harvests from the wild, but also that the incorrect application of source codes and/or misuse or false declaration of source codes can reduce or negate such benefits where they exist, have negative implications for conservation, and undermine the purpose and effective implementation of the Convention.
3. In order to address these concerns, the Parties in Resolution Conf. 17.7 (Rev. CoP19) developed a process for reviewing trade in animal specimens reported as produced in captivity to ensure that such trade is conducted in accordance with provisions of the Convention and to identify remedial actions where needed to ensure trade is not detrimental to the survival of the species in the wild and effective implementation of the Convention.
4. At its 29th meeting (AC29; Geneva, July 2017), in accordance with Stage 1 of the process outlined in Resolution Conf. 17.7, the Animals Committee selected a number of species-country combinations for review under this Resolution, including the *Macaca fascicularis*-Cambodia due to concerns that specimens were not being bred in captivity in accordance with Resolution Conf. 10.16 (Rev.) (now Resolution Conf. 10.16 (Rev. CoP19)) on *Specimens of animal species bred in captivity*. For each species-country combination selected for review, the Animals Committee drafted general and specific questions to be addressed by the Secretariat to the Parties concerned.
5. In accordance with Stage 2 of the process outlined in the Resolution, the Secretariat notified the countries concerned that certain species produced in captivity in their country had been selected for review, and provided them with an overview of the review process and an explanation for the selection provided by the Animals Committee. Copies of the responses received, with personal details of the facilities/operations and names of inspectors removed, can be found in Annex 2 to Document AC30 Doc. 13.1 (Rev. 3).
6. At its 30th meeting (AC30; Geneva, July 2018), the Animals Committee reviewed the report of the Secretariat (Document AC30 Doc. 13.1 and its accompanying Annexes), including the responses to the questions

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received from Parties, and the reviews of known information relating to breeding biology and captive husbandry, and any impacts, if relevant, of removal of founder stock from the wild for species selected by AC29, to determine if the trade is in accordance with the provisions of Article III and Article IV of the Convention, as well as Article VII, paragraphs 4 and 5.

7. In the course of its discussions at AC30, the Animals Committee determined that for some species selected by AC29 that the trade in specimens with source codes C, D, F, or R was in compliance with Article III and Article IV of the Convention, as well as Article VII, paragraphs 4 and 5, and those species-country combinations were therefore excluded from the review, and the countries concerned notified accordingly by the Secretariat (see Document AC30 Com. 7, Document AC30 SR). Among the species-country combinations excluded from the review at AC30 was *M. fascicularis*-Cambodia following review of responses received from Cambodia and other information available at the time.
8. In accordance with the process outlined in Resolution Conf. 12.8 (Rev. CoP18) on *Review of Significant Trade in specimens of Appendix-II species*, at its 25th meeting (AC25; Geneva, July 2011) the Animals Committee included *M. fascicularis* in the Review of Significant Trade (RST). At its 27th meeting (AC27; Veracruz, April/May 2014), the Committee retained Cambodia (Possible Concern), Lao PDR (Urgent Concern) and Viet Nam (Possible Concern) in the RST and agreed to recommendations for each of the three countries. At its 28th meeting (AC28; Tel Aviv, August/September 2015), the Animals Committee agreed to retain Cambodia in the RST, and additionally, concerns were raised with regard to the lack of recent population studies, the status of the current ban on harvest of wild specimens, and the limitations of the current tagging and tracking system used to distinguish between wild and captive-bred specimens. While the Committee agreed to remove Viet Nam from the RST, concerns were noted and asked to be brought to the attention of the Standing Committee for further attention with regard to the high levels of illegal trade in the species, particularly between Cambodia and Viet Nam.
9. At its 66th meeting (SC66; Geneva, January 2016), the Standing Committee, having been informed that recommendations made by the Animals Committee under the RST had not been complied with, recommended that Parties suspend trade in several species, including *M. fascicularis*, with Lao PDR until it had demonstrated compliance with Article IV, paragraphs 2 (a) and 3. Noting that Lao PDR was only exporting captive-bred specimens, at its 74th meeting (SC74; Lyon, March 2022), the Standing Committee recommended the removal of the species-country combination *M. fascicularis*-Lao PDR from the RST, subject to the publication of a zero export quota for specimens of source codes W, F and R. The Committee further noted that should Lao PDR wish to resume trade under any of these source codes, it must communicate this to the Secretariat and Chair of the Animals Committee along with a justification (including a non-detriment finding), for their agreement.
10. *M. fascicularis* has been included in Appendix II since 1977 under the Order listing of Primates. In March 2022, the IUCN Red List of Threatened Species assessment (previously conducted in 2008) was revised from Vulnerable to Endangered, with a decreasing population trend. The assessment notes that organizations in Indonesia, the Philippines, and Viet Nam reported capture for pets and research as the main threat to the species while Cambodia reported it to be deforestation.
11. *M. fascicularis* is the predominant species in the international trade in live primates for research, and primate researchers have raised concerns that the official trade numbers fail to capture laundering of wild-caught individuals as captive bred, harvesting to establish or augment captive breeding operations, capture for the pet trade, hunting for consumption, and culling due to human-macaque conflict (Hansen et al. 2021). The overwhelming majority of live *M. fascicularis* in trade are identified as captive-bred (source code C) or born in captivity (source code F), and the People's Republic of China, Cambodia, Mauritius, Viet Nam, and Thailand, are the five largest exporting countries for the period 2012-2021 (See Table below).

Direct exports of live *M. fascicularis* reported as produced in captivity (Source codes source codes C, D, F, or R) (2012-2021), as reported by exporting Party

Country	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Total
CN	12580	14785	25122	19306	22342	21940	30450	360			146885
KH	3930	7039	5081	3661	6567	7025		13922	29466	26867	103558
MU	6214	6856	8533	8569	7860	8277		6550	11554	14579	78992
VN	5272	5045	3694	4654	4305	5313	7968	11911	5378		53540
TH				165	1415	3016	9854	16362			30812

ID	20	568	336					1569	2913	1600	7006
PH	758	770	804	676			140	1053	350	705	5256
Total	28774	35063	43570	36866	41074	42555	38558	35365	49661	43751	

Source: UNEP-WCMC CITES Trade Database

12. The United States is one of the largest importers of live *M. fascicularis* for biomedical research, and annually imported an average of 29,563 individual animals per year for the period 2018-2022 (Source: U.S. Fish and Wildlife Service Law Enforcement Management Information System (LEMIS)). In November 2022, the U.S. Department of Justice charged eight individuals with smuggling *M. fascicularis* from Cambodia into the United States. The indictment alleges that the defendants conspired over a nearly 5-year period to acquire hundreds of wild-caught macaques and launder them through Cambodian facilities to export to the United States and elsewhere, falsely labelled as bred in captivity.
13. Resolution Conf. 17.7 (Rev. CoP19) allows that in exceptional cases, outside of the standard process for identifying species-country combinations for review (Stage 1), and where new information provided to the Secretariat indicates that urgent action may be needed concerning problems relating to the implementation of provisions under the Convention for captive production of specimens, additional species-country combinations may be included in Stage 2 of the review process.

Recommendations

14. In light of the 2022 reclassification by IUCN of *M. fascicularis* as Endangered, the sustained high levels of exports of the species reported as produced in captivity, and recent indications of large-scale laundering of wild-caught specimens through captive breeding facilities, the United States believes that it would be appropriate, as an exceptional case in accordance with the process outlined in Resolution Conf. 17.7 (Rev. CoP19), to include the species in Stage 2 of the review process, or alternatively include specific species-country combinations as appropriate with particular attention to the species-country combination *M. fascicularis*-Cambodia. Given the changing export patterns for the species, and concerns with regard to the status of wild populations with the species' native range, the United States further suggests that the Committee may wish to consider grounds for including the species throughout its range in the review.

References

15. Hansen, Malene F., Mike Gill, Ventie A. Nawangsari, Karmele L. Sanchez, Susan M. Cheyne, Vincent Nijman, and Agustin Fuentes. 2021. "Conservation of Long-tailed Macaques: Implications of the Updated IUCN Status and the CoVID-19 Pandemic." *Primate Conservation* 2021 (35): 207-217.