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 the Resolution, 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).

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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.
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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