

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



Eighteenth meeting of the Animals Committee  
San José (Costa Rica), 8-12 April 2002

SUMMARY RECORD

**1. Opening of the meeting ..... (no document)**

Ms Zayda Trejos Esquirel, Director General of the National System of Conservation Areas of the Ministry of Environment and Energy of Costa Rica, welcomed participants to Costa Rica and provided an overview of the national efforts being undertaken to preserve their fauna and flora. The Chairman of the Animals Committee (AC), Dr Marinus Hoogmoed, reflected on the years' events since the last meeting and thanked the host country, and in particular Mrs Yolanda Matamoros and her colleagues in the CITES Management and Scientific Authorities of Costa Rica, for organizing the meeting.

**2. Adoption of the Rules of Procedure.....(AC18 Doc. 2)**

The Chairman informed the meeting that the Rules of Procedure presented in document AC18 Doc. 2 were adopted at the 17th meeting of the Animals Committee (AC17) in Hanoi, Vietnam (30 July-3 August 2001). Upon the request from an observer Party to add in the summary records a list of all those participants that had made interventions on particular agenda items, the Secretariat explained that the summary record was intended to present the outcome of the discussions in the meeting as quickly as possible, and that given available resources, it would not be feasible to include such details in the summary record. The Rules of Procedure were adopted without amendment.

**3. Adoption of agenda and working programme ..... (AC18 Doc. 3.1 and Doc. 3.2)**

The provisional agenda in documents AC18 Doc. 3.1 was adopted with a slight amendment to the order of the working programme. The Chairman proposed deferring the presentation of the regional reports and the Chairman's report, so that the meeting could concentrate on more pertinent matters where it was likely that working groups would need to be established.

**4. Admission of observers.....(AC18 Doc. 4)**

The document was adopted after amendments had been incorporated to reflect all organizations that had informed the Chairman of their desire to be represented at the meeting and to whom the Chairman had extended an invitation.

**5. Regional reports.....(AC18 Docs. 5.1, 5.3, 5.4, 5.5 and 5.6)**

Written reports were presented by the regional representatives of Europe and North America. The regional representative of Europe (Dr Katalin Rodics) expressed her thanks to the Government of Germany for hosting the first European Regional Animals Committee meeting in Bonn, 14-16 November 2001. Document AC18 Doc. 5.4 was adopted with several amendments, and noting a request for the minutes from the first European regional Animals Committee meeting to be circulated to all Parties once they had been finalized. The report from the regional representative of North America was adopted without amendment.

The regional representative of Oceania (Dr. Rod Hay) introduced document AC18 Doc. 5.6 and expanded on several issues of importance in the region, including management and conservation of sharks and other marine species. He noted that a capacity-building workshop had been organized for Fiji later on in the month, and that several countries in the region were still subject to trade suspensions. The report was adopted without amendment by the AC.

The regional representative of Central and South America and the Caribbean (Dr Marco Polo Micheletti) introduced document AC18 Doc. 5.3 and mentioned the second wider range States hawksbill turtle dialogue meeting to be held on 21-23 May 2002 in the Cayman Islands. It was requested that draft reports by the regional representative be provided prior to meetings. The report was adopted without amendment.

The regional representative of Africa (Mr Michael Griffin) introduced document AC18 Doc. 5.1 (Rev. 1). He mentioned the adherence of Sao Tome and Principe to the Convention and an effort to encourage Angola to join CITES. M. Griffin noted a successful capacity-building workshop in Côte d'Ivoire, concluded with a Plan of Action, and said a similar one was planned in the Central and South America and Caribbean region this year, followed by another in south-west Africa the following year. Regarding trade in bushmeat, the Fund for Animals, Inc. commented that funding had been secured for a three-year action plan. The Secretariat requested that such information be provided to it directly. The Secretariat noted that it did not have information regarding the lack of reporting through ETIS by African countries and would follow this up. The report was adopted without amendment.

**6. Report from the Chairman**

**Liaison with the Standing Committee ..... (AC18 Doc. 6.1)**

The Chairman of the AC introduced document AC18 Doc. 6.1 which had been presented to the Standing Committee at its 46th meeting (Geneva, 11–15 March 2002) as document SC46 Doc. 21. Discussion centred around the part of the report dealing with the Criteria Review (paragraph 10 in Annex 1) and the divergence of opinions on this issue. The importance of collaboration between the Animals and Plants Committees on this issue was emphasized.

The Chairman of the AC welcomed input from the rest of the committee on the final report to be submitted at the 12th meeting of the Conference of Parties (CoP12). The report was adopted with minor amendments.

## 7. Implementation of Resolution Conf. 8.9 (Rev.)

**Progress on the implementation of the review of Significant Trade (Phase IV and V) ..... (AC18 Doc. 7.1)**

### **Acipenseriformes (Phase IV)**

The Secretariat explained that the document AC18 Doc. 7.1 had been prepared under contract by TRAFFIC International in cooperation with IUCN.

The observer from TRAFFIC International was asked to introduce document AC18 Doc. 7.1 taking each of the four *Acipenseriformes* species in turn. Substantial discussion on each species was deferred to the working group to be established by the Chairman.

*Acipenser oxyrinchus*: The consultant summarized the situation concerning *A. oxyrinchus* and highlighted discrepancies in the trade data. The recommendation of the consultant under Decision 11.106 was to include this species in Category 2 until the discrepancies in the data involving the United States of America and Canada had been resolved and further data had been obtained on domestic trade. General appreciation of the document was expressed by several representatives and it was agreed that the working group would consider the additional issues of by-catch, and restoration of habitat when formulating their opinions on which category to place this species.

*Acipenser persicus*: The consultant highlighted inconsistencies in the way in which range States manage harvesting and report on trade in this species and the closely related *A. gueldenstaedtii*, and recommended its inclusion in Category 1 or 2. The Committee was informed of the restocking programme and other management strategies in the southern Caspian Sea for this species that justified placing the population of Iran (Islamic Republic of) in Category 3, and of Azerbaijan in Category 1.

*Acipenser transmontanus*: The consultant summarized the information on this species, recommending that it be included in Category 3 on the basis that commercial harvest was prohibited in Canada and that it appeared to be managed sustainably in the United States of America. It was also recognized that most specimens of this species in trade are derived from aquaculture operations. It was also noted that the commercial breeding and aquaculture of this species in non-range countries was probably extensive.

*Scaphirhynchus platyrhynchus*: The consultant noted that the present level of trade in this species was low, but that there were indications that harvest and trade were increasing. There was concern over the lack of population status information. The original recommendation under Decision 11.106 was to include *S. platyrhynchus* in Category 1 or 2 but indicated that if the United States of America refrained from issuing export permits until stock assessments and monitoring mechanisms were in place, Category 3 would be appropriate. The shortcomings of the domestic management were recognized, but it was noted that international trade had remained very limited since the species had been listed on Appendix II. The need to standardize terminology used for describing specimens in trade was recognized as an important issue.

The Secretariat reminded Parties that Decision 11.95 instructed the AC to review all 27 species of Acipenseriformes. So far 14 reviews have been carried out, and these included all the species that were reported to be commercially traded. The Secretariat suggested that it might not be necessary to review in detail the last 13 species because trade levels were very low or non-existent. The Secretariat was requested to prepare a document prior to CoP12 to summarize the level of trade in the remaining species. The Chairman

proposed to defer a final decision of the AC on this issue until the document of the Secretariat for CoP12 was available.

#### **Testudinata (Phase IV)**

The Chairman referred participants to documents AC18 Inf. 11 and Inf. 12 which contained relevant information pertaining to the *Cuora* species under consideration in document AC18 Doc. 7.1. The observer from IUCN summarized the situation relating to five testudinid species identified in Phase IV.

*Cuora amboiensis*: This species was recommended under Decision 11.106 for inclusion in Category 1 on the basis of apparently high levels of unreported trade from a number of range States coupled with an apparent decline in the availability of individuals as evidenced by increasing prices. In addition, the scientific basis for the quotas established by Indonesia and Malaysia for exports of 18,000 and 50,000 live specimens respectively, was not clear.

*Cuora flavomarginata*: This species was recommended for inclusion in Category 1 or 2 owing to uncertainty over the levels of unreported (illegal) trade.

*Cuora galbinifrons*: This species was recommended for inclusion in Category 1 owing to its classification as Critically Endangered by IUCN on the basis of a declining abundance, increasing prices of specimens and limited reporting of trade.

*Lissemys punctata*: This species was recommended for inclusion in Category 2 owing to anecdotal evidence which suggested high levels of unreported cross-border trade and domestic consumption.

*Pyxis planicauda*: This species was recommended for inclusion in Category 1, on the basis of restricted population size, the incidence of illegal trade and problems with the management of trade in this species. Export quotas were reported to have been significantly exceeded in 2000 and 2001.

The Secretariat informed the meeting that all the species reviews had been circulated to the range States and any written comments that they had received would be made available to the working group.

#### **Progress on the review of species selected at AC16**

*Acipenser fulvescens*: Canada's population had been included in Category 2 at AC16, but in the absence of sufficient data from Canada concerning implementation of Article IV in relation to this species, it was moved to Category 1. It was noted that countries such as Canada faced difficulties with the complexity of the review process and that the standard letter sent by the Secretariat to countries asking them how they implement Article IV was not clear, and many countries did not fully understand the implications of not responding within the six-week deadline.

*Moschus* spp.: *Moschus moschiferus* had been included in Category 1 and the Secretariat was in the process of reviewing the responses received from China and the Russian Federation. Regarding species placed in Category 2, it was agreed that the Committee should determine, on the basis of responses previously received, whether this categorization should be maintained. The Secretariat would provide additional information concerning the domestic production of and trade in musk in China, which it had obtained through other sources.

*Naja* spp.: All but one subspecies of *Naja naja* was listed in Category 2 (*Naja naja sagittifera* was included in Category 3). Responses from China, Indonesia, Malaysia and Singapore had been provided to the Committee. It was agreed that the Committee should consider the current categorization and formulate recommendations as appropriate.

*Polyodon spathula*: In response to a question about the status of the species in the review process, the Chairman clarified that, on the basis of additional information provided by the United States of America, the AC had moved the species to Category 3.

The Chairman convened a working group to consider the sturgeons, *Moschus* spp. and *Naja* spp., to be chaired by the regional representative of Africa and comprising the regional representative of North America and observers from: Canada, China, India, Iran (Islamic Republic of), Japan, Spain, the United States of America, TRAFFIC, IWC, IUCN, Midwest Association of Fisheries, UNEP-WCMC and the CITES Secretariat. In Plenary the Chairman of the working group presented its report to the AC, which was adopted with some amendments (see Annex 2).

### **Review of the implementation of recommendations**

**(Part 2: Review of the outcome of Phase 1) .....(no document)**

The Secretariat explained that it had not been able to finalize Part 2 of the Review of the implementation of recommendations in time for this meeting, and that discussions were to be postponed until a further meeting.

### **Revision of Resolution Conf. 8.9 (Rev.) and Decisions 11.106-11.108 ....(AC18 Doc. 7.3)**

The Secretariat introduced document AC18 Doc. 7.3 emphasizing the need to simplify the Review of Significant Trade, consolidate the currently fragmented provisions guiding its implementation and to enable countries which become subject to review to have a clearer understanding of the process and their responsibilities. Several observers noted that they had been given insufficient time to review the document and consider its implications in any detail. Specific concerns were raised over the proposed changes in relation to categorization, the distinction between primary and secondary recommendations, deadlines and consultation with the technical Committees. It was suggested that a review of the effectiveness of the process be initiated after CoP12 to inform future decisions concerning the review. Current efforts of the Secretariat to review the implementation of the recommendations made by the Committee pursuant to Resolution Conf. 8.9 (Rev.) were supported.

After extensive discussion and further suggestions for improvements, the Chairman convened a working group to consider the proposed revision of Resolution Conf. 8.9 (Rev.) in Annex 3 of document AC18 Doc. 7.3, to be chaired by the alternate regional representative of Europe and comprising the regional representative of North America and regional representative of Central and South America and the Caribbean, observers from Canada, China, Costa Rica, Iran (Islamic Republic of), the Netherlands, the Russian Federation, the United Republic of Tanzania and the United States of America, the European Commission, TRAFFIC International, IFAW, IWC, OATA, Safari Club International and the Secretariat. In Plenary the Chairman of the working group indicated that the proposed revision of Resolution Conf. 8.9 (Rev.) had been agreed. The working group had achieved all actions outlined in its Terms of Reference. Following some discussion the proposed revision of the resolution was adopted with the suggested amendments (see Annex 3).

Where the recommendations made pursuant to the implementation of Resolution Conf. 8.9 (Rev.) had been met, it was agreed that the Secretariat would recommend to the Standing Committee that the species be removed from the process.

**Progress on the first country-based Review of Significant Trade**

The Secretariat updated the participants on the difficulties it had encountered in carrying out a country-wide Review of Significant Trade of Madagascar. It was explained that the lack of progress had been primarily due to breakdowns in communication between the Malagasy Management Authority and the Secretariat. The Secretariat confirmed that consultants had been appointed and funding had been set aside for implementing the review and initiating a capacity-building programme, but explained that local activities could not be instigated without the cooperation of the Malagasy Management Authority. Recent changes of personnel in the Management Authority and political instability in Madagascar were cited as reasons for the communication breakdown. The observer from Madagascar informed the participants that in view of an increase in illegal harvest and export of CITES-listed species, the current difficulties of travelling within the country, and therefore to control harvest and trade effectively, and the non-respect of the 2001 export quotas, Madagascar intended to introduce a six-month moratorium on all exports of CITES-listed species. This would allow time to restructure the CITES management systems in the country. Madagascar was complimented on its efforts to resolve its implementation problems and the Secretariat and the United States of America offered assistance. The Secretariat requested that Madagascar inform it in writing of its intention to impose a moratorium as soon as possible and this would be circulated in a Notification to the Parties, seeking their cooperation. Parties sought guidance from Madagascar on the validity of permits that had already been issued.

The Chairman asked Madagascar and the Secretariat to have a bilateral meeting later in the week to discuss the technical aspects of implementing this moratorium and progressing with the country-based Review of Significant Trade. It was agreed that the AC would meet informally to assess how it could offer support to Madagascar and facilitate the process.

**Significant trade field projects for animals  
(Notification to the Parties No. 763).....(AC18 Doc. 7.5)**

The Secretariat introduced document AC18 Doc. 7.5 and requested that the AC consider whether the *Guidelines for the Development and Assessment of CITES Significant-Trade Field Projects For Animals*, should be retained and, if so, provide recommendations for amendments. While it was generally recognized that the notification was out of date, there was support in principle for measures to assist countries in making non-detriment findings and setting sustainable quotas. The Secretariat noted that some of the issues addressed in Notification to the Parties No. 763 could be integrated into an operational manual that it had been asked to produce, which had been highlighted as a priority at the last Standing Committee meeting.

The Chairman requested the working group established to consider the revision of Resolution Conf. 8.9 (Rev.) to also consider the relevance of the guidelines in Notification to the Parties No. 763 to the Review of Significant Trade (see Annex 3).

## 8. Periodic review of animal taxa in the Appendices (Resolution Conf. 11.1)

### Report of the Working group..... (AC18 Doc. 8.1)

Dr Kurt Johnson, as Chairman of the working group, introduced document AC18 Doc. 8.1 and updated the meeting on the progress that had been made intersessionally on tasks assigned to it at AC17. He noted that the revision of *Cnemidophorus hyperythrus* and a further two reviews (*Anas aucklandica* and *Parnassius apollo*) had been completed from the 11 remaining species which had been identified for review in 1999. In Plenary it was agreed that the group continue to meet intersessionally. The report presented following its deliberations during the meeting was adopted without amendment (see Annex 4).

Recommendations provided by the reviewing Parties were as follows:

*Parnassius apollo* (reviewed by Spain): The reviewing Party recommended to retain this species in Appendix II. The Secretariat observed that the primary threat to the species appeared to be habitat destruction and fragmentation rather than trade and questioned the role of CITES in protecting wild populations of this species. However general comments supported the recommendation of the reviewing Party as a precautionary measure. It was subsequently recommended, following deliberations by the working group during the meeting, that the species be retained in Appendix II.

*Anas aucklandica* (reviewed by New Zealand): It was pointed out by the reviewing Party that the three subspecies that had been listed in the Appendices in 1975 were now recognized as separate species (*Anas aucklandica*, *A. chlorotis* and *A. nesiotis*), and that it provisionally recommended to retain the species in Appendix I.

In view of the fact that the species was afforded full protection in New Zealand, was not found to be traded in significant numbers and was easily bred in captivity, the recommendation to retain the species in Appendix I was not unanimously supported. It was subsequently recommended, following deliberations by the working group during the meeting, that the species be retained in Appendix I.

*Cnemidophorus hyperythrus* (reviewed by the United States of America): The reviewing Party recommended to remove the species from Appendix II given that it is protected throughout its range and only small numbers of specimens had been found in trade. The reviewing Party noted that the recommendation for this species presented at AC18 had been revised in light of the additional information provided by Mexico. There were some questions concerning this recommendation. It was subsequently recommended, following deliberations by the working group during the meeting, that the species be deleted from Appendix II and the United States of America indicated that they would submit a downlisting proposal.

### Draft guidelines for the periodic review of animal taxa in the CITES Appendices [Resolution Conf. 9.1 (Rev.)] ..... (AC18 Doc. 8.1 Annex 4)

Annex 4 of document AC18 Doc. 8.1 was introduced by the observer from the United States of America, who explained that the guidelines had been drafted in order to facilitate the periodic review. Several amendments were proposed during discussions and the issue was referred to the working group for further deliberation.

Discussion of document AC18 Inf. 13 which had been prepared by UNEP-WCMC on the development of a rapid assessment technique for screening multiple taxa (or higher-order taxa) at one time was referred directly to the working group for consideration. In Plenary

IUCN's involvement once the methodology would be in place was emphasized. It was also pointed out that the assessment for species included in Appendix I should be different from those on Appendix II as there was no commercial trade in such species.

**Review of crocodile ranching operations ..... (no document)**

The consultant from the IUCN/SSC Crocodile Specialist Group (CSG) provided a verbal report on progress in reviewing crocodile ranching operations authorized under Resolution Conf. 11.16 in the framework of the review of Appendices. The finalization of the review would require funding. There was support for the Secretariat's proposal to consider, at a future meeting of the AC, the potential to increase the scope of Resolution Conf. 11.16 to include taxa other than crocodylians.

**9. Registration and monitoring of operations breeding**

**Appendix-I species for commercial purposes**

**(Resolution Conf. 11.14 and Decision 11.101)..... (AC18 Doc. 9 and Inf. 11)**

The Secretariat introduced document AC18 Doc. 9 and explained that CSG had been contracted to carry out a pilot project to compile three alternative lists of Appendix-I reptile species that are considered 'difficult to keep or breed in captivity'. The Consultant referred to document AC18 Inf. 11, emphasizing the approach and process that had been adopted in order to produce a preliminary set of species lists. The 75 reptile taxa listed on Appendix I had been evaluated, and it was found that approximately 60% of the species considered met the definition of 'difficult to breed in captivity' adopted by the contractors. The effect of considering these species against the different IUCN status criteria showed that the following number of Appendix I reptile species would be included in Annex 3:

Using only the Category 'Critically Endangered', 16 of 25 reptile species would be added to Annex 3 of Resolution Conf. 11.14; using 'Critically Endangered and Endangered', 27 of 46 species, would be added; and using all three IUCN categories 'Critically Endangered', 'Endangered' and 'Vulnerable', 43 of 73 Appendix-I reptile species would be included in Annex 3 of Resolution Conf. 11.14 [this did not include the two subspecies of *Geochelone nigra* (*abingdoni* & *ephippium*) that are considered to be extinct in the wild].

There was general appreciation for the comprehensive document prepared by CSG, although several issues concerning the methodology, the use of the IUCN categories, the treatment of 'critically endangered' national populations or subspecies, and whether the approach adopted by the contractor could be applied to other taxa, were raised as areas of concern. Substantial discussion was referred to a working group to be established later in the week, at which point they would also be provided with Terms of Reference.<sup>1</sup>

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<sup>1</sup> The representative from India stated that: 'The IUCN definition, only considers 'biological risk of extinction' of the species and not other detrimental factors that are undoubtedly contributing to the process of extinction, viz illegal trade, difficulty in rehabilitation of captive bred specimens in the wild. Captive breeding operations in species like tiger can foster illegal trade and may make the efforts/initiatives of CITES to save tigers futile. Therefore it is necessary to define 'critically endangered' category in a more practical manner.

It was noted that reptiles may not be a 'model' for other taxa. The fecundity, neo natal mortality, spatio-temporal use pattern of certain other animals, such as large mammals like tigers, cannot be compared with reptiles. Therefore the straightforward application of IUCN category 'critically endangered' would preclude tigers and many other species, which India may consider critically endangered from the managerial and protection angle, from being listed in Annex 3 of Resolution Conf. 11.14.'

In Plenary, Marco Polo Micheletti, as Chairman of the working group, reported on their lengthy deliberations during the meeting (see Annex 5). It was pointed out that a majority decision had been reached rather than a consensus. There was much discussion on how to compile a list with regard to Annex 3 of Resolution Conf. 11.14 and in conclusion it was recommended to revert back to Resolution Conf. 8.15 because thereby operations breeding any Appendix-I species would require to be registered and monitored.

#### **10. Relationship between *ex-situ* production and *in-situ* conservation..... (AC18 Doc. 10)**

The Secretariat introduced document AC18 Doc. 10 and requested that, in the absence of any replies to Notification to the Parties No. 2001/91 (except one from Mexico), the Committee recommend to the meeting of the Conference of the Parties, that work on this issue continue after CoP12.

The findings of a workshop organized by IUCN on the impact of commercial captive production/artificial propagation in relation to wild species conservation (Annex 2 of AC18 Doc. 10) were elaborated on by the observer from IUCN. IUCN explained that follow-up action would include a risk assessment approach, analyses of particular case studies and would involve the academic community.

The lack of responses to Notification to the Parties No. 2001/91 was put down by several Parties to a lack of clarity on the issue, and the emphasis on the possible negative effects of *ex-situ* breeding operations, whereas Decision 11.102 requires the AC to examine mechanisms whereby such operations may contribute to enhancing recovery and/or conservation of the species in the country of origin. The subject was discussed extensively.

The Secretariat stated that it would support actions taken by the AC to comply with Decision 11.102 and sought guidance in this regard. Following the deliberations of the contact group during the meeting, the Chairman presented a list of recommendations from the AC to the Secretariat (see Annex 6). After some discussion, it was agreed that more pointed recommendations would be provided and a Notification to the Parties could be sent out.

The AC agreed to continue evaluating the relationship between *ex-situ* production and *in-situ* conservation beyond CoP12, taking into account the possible approaches discussed at this meeting.

#### **11. Implementation of Resolution Conf. 10.21 on transport of live animals**

##### **Report of the working group ..... (AC18 Doc. 11.1)**

Dr Irina Sprotte, the Chairman of the Transport Working Group (TWG), introduced document AC18 Doc. 11.1 and summarized what had been achieved in relation to the work schedule adopted by the TWG at its meeting during AC17 in Hanoi, Viet Nam. The chairman further explained that she had worked through Resolution Conf. 10.21 and had drafted a series of recommendations for amendments, for the TWG to consider at this meeting (presented in Annex 1 to AC18 Doc. 11.1). It was recognized that transport-related mortality was of a very low incidence, with the exception of a few isolated but high-profile cases, and that mortality before export and after import accounted for greater losses. It was remarked that careful thought needed to be given to what information should be given to countries in terms of the provisions and safeguards they should have in place to prevent unnecessary suffering or death prior, during and after transportation. In this regard identifying good existing models and practices that would provide assistance to Parties was put forward as a suggestion, as well as capacity building for

personnel involved in handling and the transportation of live animals. The Chairman of the AC thanked Dr Sprotte for producing the report and asked the working group to continue with its deliberations, taking into account the issues raised in plenary.

The Chairman of the working group subsequently presented the results of their work during the meeting (see Annex 7). The principal outcomes were that the group needed to continue with its review of the IATA Live Animal Regulations and their application to other means of transport. Regarding the collection of data on transport mortality for selected species, the group agreed to stop collecting data using the questionnaire in the light of the low incidence of deaths during transport and to focus on understanding the causes of injury and mortality during preparation, transport and after transport. The working group would forward recommendations to the Secretariat concerning proposed amendments to Resolution Conf. 10.21. The report of the working group was adopted.

## **12. Trade in hard corals**

### **Implementation of Decision 11.99.....(AC18 Doc. 12.1)**

Dr. Vin Fleming, as Chairman of the working group, introduced document AC18 Doc. 12.1 pertaining to Decision 11.99. He presented a series of recommendations concerning which genera of hard corals it was practical to recognize to the species level, and which genera may be acceptably reported at the generic level for the purposes of implementing Resolution Conf. 9.4 and Conf. 10.2 (Rev.). In carrying out this analysis the Chairman of the working group expanded on some of the risks and benefits associated with identifying some taxa to genus level only. The working group emphasized that even with the recommendations in the report, where it was possible, corals should be identified to species level (as recommended in Resolution Conf. 11.17). The report was adopted by the AC without amendment.

The Chairman presented to Plenary the report of the Coral Trade Working Group on its conclusions against the tasks identified in its Terms of Reference (see Annex 8 and its Annexes 8.1 and 8.4). The Secretariat agreed to work with the Chairman to issue a Notification to the Parties with a list of species to be reported at species and generic levels. It was agreed that the issue of defining fossilized corals should continue beyond CoP12. A draft revision of Resolution Conf. 11.10 was presented and the ecosystem-based approach for implementing Article IV of the Convention was encouraged. The United States of America announced that an identification guide, of which a first draft was presented at AC16, would be published and distributed to the major stakeholders and importing and exporting Parties. The Secretariat encouraged the development of identification materials that showed specimens as appearing in international trade, and adapted to the needs of enforcement officers. The report was adopted without amendment.

A report on coral production systems prepared by the United States of America was introduced with regard to source codes for the various harvest production systems used in the artificial culture of corals (see Annexes 8.2 and 8.3). The Secretariat suggested that it be included in Resolution Conf. 11.10. The report was adopted without amendment.

## **13. Implementation of Decision 11.165 on trade in traditional medicine**

### **List of species traded for medicinal purposes .....(AC18 Doc. 13.1)**

The Secretariat introduced document AC18 Doc. 13.1, noting that it was reluctant to continue with the development of a list of species traded for their medicinal properties,

without being given a clearer mandate from the Parties as to the purpose of the list, and how best to further this issue. Several observers expressed their disappointment that so little progress had been made on this project. Several suggestions were made to improve the current list.

The Chairman established a contact group to consider the points raised and in particular how the information could be used by the Parties for the benefit of the species, comprising the regional representative of North America and observers from China and the United States of America, IFA, Project Seahorse and the Secretariat.

**Inventory of operations where captive breeding of CITES species is conducted for medicinal purposes.....(AC18 Doc. 13.2)**

The Secretariat introduced documents AC18 Doc 13.2 and referred the meeting to documents AC18 Inf. 4 and 8. There was general agreement that the greatest value for an inventory of operations where captive breeding of CITES species is conducted for medicinal purposes was likely to be at the national, rather than the international level.

It was agreed that the regional representatives of North America and Oceania would liaise informally with the Secretariat and the Chairman of the AC in order to decide how to proceed with this issue.

**14. Control of captive-breeding, ranching and wild harvest production systems for Appendix-II species .....(no document)**

The Secretariat explained that since the last meeting of the AC it had contracted a consultant (IUCN) to progress this issue, taking into account the discussions by the working group at AC16 and AC17. The consultant had prepared a draft report, but it was suggested that discussion on this document be deferred until the next meeting of the AC. The Secretariat remarked that in the meantime it would concentrate on assisting national authorities through capacity-building workshops to improve their understanding of the relationship between harvest production systems and wild populations and enable better application of the source codes. The meeting was informed that the Plants Committee had also set up a working group to look at the different production systems for Appendix-II plants. It was generally recognized that this was a complicated issue that needed more consideration than could be devoted to it at this meeting and the AC supported the Secretariat's proposal to bring the topic back at the next AC meeting.

**15. Universal labelling system for the identification of caviar (Resolution Conf. 11.13)**

**Report of the working group .....(AC18 Doc. 15.1)**

Dr. Rod Hay (regional representative of Oceania and Chairman of the working group) introduced the report of the working group and outlined the progress that had been made since the last meeting of the AC. He confirmed that the initial task to formulate recommendations and improve clarity regarding implementation of Resolution Conf. 11.13 had already been approved by the AC. Redrafting Resolution Conf. 11.13 and extending its scope to cover re-export was considered to be the main areas where the working group would be needed.

**Proposed amendment to Resolution Conf. 11.13.....(AC18 Doc. 15.2)**

The Secretariat explained that an informal technical sub-group of the working group had worked intersessionally to prepare a draft revision of Resolution Conf. 11.13 for discussion at AC18. The Secretariat offered assistance in re-drafting Resolution

Conf. 11.13 and in merging Resolution Conf. 11.13 with Resolution Conf. 10.12 (Rev.), including the possibility to include certain parts in Decisions. The AC agreed with this approach. Although it was recognized that implementing the universal labelling requirements would create additional work for re-exporting countries, it was felt by the range States present at the meeting that the requirements were essential for the effective monitoring of trade and should be implemented as soon as possible. The United States of America stated that it would be unable to support several provisions contained in the draft resolution concerning the labelling of caviar to be re-exported. The Chairman requested that the working group continue with its work, taking into account the comments made during the Plenary session. The report of the working group was adopted (see Annex 9).

#### **16. Trade in *Tursiops truncatus ponticus* (Decision 11.91)**

##### **Progress on the implementation of Decisions 11.91 and 11.139 .....(AC18 Doc. 16.1)**

The observer from the United States of America introduced document AC18 Doc. 16.1 which provided an evaluation of the biological status of and trade in *Tursiops truncatus ponticus*, using data provided by range States. It was noted that at the first meeting of the Parties of ACCOBAMS, a Resolution had been adopted calling upon CITES Parties to list *Tursiops truncatus ponticus* in Appendix I. Substantive discussion took place, with no clear consensus on how to proceed. A number of observer Parties felt that an Appendix I listing was not appropriate because the primary threat to the sub-species came from habitat deterioration and by-catch, rather than international trade. Some others felt that trade did pose a threat and encouraged the AC to support the ACCOBAMS recommendations. Some observer Parties remarked that ACCOBAMS would have been better to recommend to Parties to improve implementation of Article IV. In the absence of a clear way forward, further deliberations were deferred until the following day.

Discussions on this agenda item resumed, with no clear consensus emerging on how to proceed. It was suggested that information received in response to Notification to the Parties No. 2001/32 and document AC18 Inf. 2 could be made available at CoP12. A suggestion was made to consult the International Whaling Commission, to see what could be considered to be a reasonable level of offtake given the biological information currently available. The Secretariat proposed that a meeting of all countries bordering the Black Sea, which had been scheduled for later in April to discuss regional sturgeon management, might present an opportunity to acquire more information from the range States on: species management, formulation of non-detriment findings and what action was presently taken to address issues such as by-catch and pollution. There was general support for the Secretariat's proposal, provided that the Black Sea range States would be properly informed by the Secretariat of its intention to discuss *Tursiops truncatus ponticus* at the upcoming regional meeting. A decision on what information should be presented to CoP12 was postponed until the Secretariat had reported on the meeting to the AC.

#### **17. Trade in freshwater turtles and tortoises in Southeast Asia (Decision 11.150)**

As required under Decision 11.150, the Secretariat reported the findings and recommendations of the workshop on 'conservation of and trade in freshwater turtles and tortoises', held in Kunming, Yunnan Province, China (25-28 March 2002), to the AC in preparation of CoP12 (AC18 Inf. 12). It was reported that all Asian range States attending the meeting were aware of the conservation issues relating to trade in freshwater turtles and tortoises and recognized the associated enforcement problems. It was also clear from the workshop that more regulation and legislation for these species

existed than first thought. There was support from representatives attending the meeting to extend CITES control to more chelonian species than was currently the case and it was recognized that better collaboration between range States is required. Several observers indicated their intention to submit proposals to include freshwater turtles in the CITES Appendices, including *Kachuga* spp.

The Chairman asked the working group (to be chaired by himself in the absence of the representative of Asia) to look at the freshwater turtles and tortoises in terms of the Review of Significant Trade, to review the minutes from the workshop in China and formulate recommendations for consideration at CoP12. It was agreed that the working group should also consider possible amendments to Resolution Conf. 11.9.

The representative of Germany reported the deliberations of the working group. The findings and recommendations from the workshop had been agreed and Resolution Conf. 11.9 re-drafted to be finalized by the Secretariat. It was agreed that the group's wish to continue after CoP12 would be expressed in the Chairman's report at that meeting. The report was adopted with one comment by IWC regarding the wording of URGES c) in the draft Resolution (see Annex 10).

**18. Conservation of seahorses and other members of the family Syngnathidae (Decisions 11.97 and 11.153)**

**Report of the working group .....(AC18 Doc. 18.1)**

Dr Amanda Vincent, as chair of the working group, introduced document AC18 Doc. 18.1 and provided an overview of progress made by the Secretariat, the AC and the working group on syngnathids towards implementation of Decisions 11.97 and 11.153. She updated the meeting on the anticipated technical workshop on syngnathids which would be held in Cebu, Philippines, on 27–29 May 2002. The chair of the working group also provided an overview of the 13 responses the Secretariat had received to Notification to the Parties No. 2001/23. It was also noted that no Party had provided information on long-term research on syngnathids or on engagement in activities to enhance community involvement in syngnathid conservation and management in response to Notification to the Parties No. 2001/34. The report was adopted by the AC without amendment and the working group was asked to continue its work.

Following further deliberations during the meeting, the Chairman of the working group introduced its report (see Annex 11) in Plenary. It was adopted without amendment and the AC was asked to react very quickly to the outcome of the workshop.

**19. Implementation of Decision 11.94 regarding the biological and trade status of sharks**

**Report of the Chairman .....(no document)**

The Chairman referred the meeting to a letter from FAO (document AC18 Inf. 7) updating the AC on their current activities relating to the implementation of the International Plan of Action of Management and Preservation of sharks (IPOA-sharks) and to a letter from WWF International (document AC18 Inf. 15), expressing concerns about the unfavourable conservation and management status of sharks.

**Report on implementation of the International Plan of Action for sharks ..... (AC18 Doc. 19.2, AC18 Inf. 10)**

The observer from the IUCN/SSC Shark Specialist Group (IUCN/SSC SSG) introduced document AC18 Doc 19.2 noting concern at the lack of progress made on the

implementation of the IPOA-sharks since its adoption in 1999<sup>2</sup>. Very few countries had produced effective National Plan of Actions, and those that had were largely those States that already had effective shark management plans in place. Furthermore, the lack of implementation was seen to have implications in respect of Decision 11.94, which requires the Chairman of the AC to monitor the implementation of the IPOA-sharks and to report at CoP12. The AC was encouraged to consider including an agenda item at CoP12 to discuss the potential role for CITES in monitoring the trade in sharks and their products, and thereby assisting FAO in the implementation of the IPOA-sharks.

A wide range of views were expressed during the meeting<sup>3</sup> with some endorsement for the IUCN recommendations, and others wanting CITES to focus efforts on those species listed in the CITES Appendices and not to get involved in management issues which went beyond the specific mandate set out in Decision 11.94. The Chairman convened a working group to consider what should be reported at CoP12, to be chaired by himself and comprising the regional representatives of Oceania and North America and observers from Chile, China, Denmark, Japan, the United Kingdom, the United States of America, the IUCN/SSC Shark Specialist Group, IFAW, IWMC-CH and Project Seahorse. The report of the working group was presented by the IUCN representative and adopted without amendment (see Annex 12). The Chairman indicated that he would present the findings of the workshop at CoP12 in his report on the work of AC.

## **20. Implementation of Decision 11.100 regarding the trade in alien species**

### **Report of working group.....(AC18 Doc. 20)**

Dr. Rod Hay (regional representative of Oceania and Chairman of the working group) introduced document AC18 Doc. 20 and informed the meeting that a draft list of CITES invasive animals was in preparation. He recommended that the group should continue with the development of this list intersessionally, in conjunction with the Plants Committee and await the outcome of talks at the 6th meeting of the Conference of Parties to the Convention of Biological Diversity. The report was adopted without amendment, noting Chile's offer to act as coordinator between the AC and the Global Invasive Species Programme.

## **21. Conservation of Acipenseriformes (Decisions 11.59 and 11.152).....(AC18 Doc. 21)**

The Secretariat provided a brief introduction to document AC18 Doc. 21 and referred participants to documents AC18 Inf. 3 and 5 prepared by the United States of America and the Russian Federation respectively. The Secretariat invited the AC to consider the report and to determine whether it wished to make recommendations concerning further actions that needed to be taken, before consideration at CoP12. The Secretariat regarded this issue as a high priority and was willing to review Resolution Conf. 10.12 (Rev.). The progress made by range States in implementing Resolution Conf. 10.12 (Rev.) was acknowledged and the Secretariat was commended for compiling the report, and in particular, for facilitating the collaboration between Caspian and Black Sea range States.

The Chairman asked the regional representative of Oceania to chair a working group, comprising the regional representative of Europe and observers from China, France, Iran

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<sup>2</sup> India requested that it be recorded that illegal trade in shark fins was affecting its populations. It had therefore recently afforded protection to nine species of sharks and rays by including these species in Schedule I of its Wildlife Protection Act.

<sup>3</sup> A statement by the Japanese delegation on the implementation of Decision 11.94 regarding the biological and trade status of sharks was distributed as document AC18 Inf. 16 (see Annex 13).

(Islamic Republic of), the Russian Federation, the European Commission, TRAFFIC, the International Caviar Importers Association, IWMC-CH, Midwest Association of Fish and Wildlife Agencies. Following its deliberations the Chairman of the working group presented its report, reminding the AC that the draft resolution would be presented at CoP12 and indicating that additional comments had been submitted to the Secretariat. After a brief discussion the report was adopted without amendment (see Annex 9).

**22. Any other business ..... (no document)**

The United Republic of Tanzania was pleased to offer to host the next meeting of the Animals Committee (probably in the second half of 2003). This offer was gratefully acknowledged by the Chairman on behalf of the Committee.

**23. Closing remarks..... (no document)**

The Chairman expressed, on behalf of all participants, his gratitude to Costa Rica who had hosted the meeting, the Parties and NGOs for their communications, the rapporteur and the staff of the Secretariat and the interpreters for their excellent work and for extending their working hours. He also informed the AC that he would be stepping down from his role as Chairman of the AC and regional representative of Europe following CoP12.

The Secretariat thanked Costa Rica, and in particular Mrs Yolanda Matamoros, for their support in organizing the meeting.



**Opening speech by Ms Zayda Trejos Esquirel,  
Director General of the National System of Conservation Areas  
of the Ministry of Environment and Energy of Costa Rica**

Señor Viceministro de Ambiente y Energía,

Señor Presidente del Comité de Fauna,

Señores Representantes Regionales,

Señores Miembros de la Secretaria de CITES,

Señores Observadores de las Partes y Observadores de los diferentes Organismos No Gubernamentales presentes.

En nombre de la Autoridad CITES de Costa Rica, me permito transmitirles el más caluroso saludo de bienvenida a nuestro país, a la vez que les expreso nuestra mayor complacencia en tenerlos durante esta semana, para analizar aspectos importantes del Comercio Internacional de Especies amenazadas y sus efectos sobre las poblaciones de las mismas.

Costa Rica es un pequeño país que ha sido privilegiado por la naturaleza al contar con un 5% de la biodiversidad del mundo, por lo que invierte una gran cantidad de recursos en su protección y conservación, enorgulleciéndonos por tener el 25.8 % del territorio nacional dentro de alguna categoría de área protegida, lo que constituye un esfuerzo más en nuestro objetivo por garantizar que las actuales y futuras generaciones tengan acceso a los recursos naturales.

De acuerdo con nuestra Legislación, la Autoridad Administrativa CITES en este país le corresponde al Sistema Nacional de Areas de Conservación (SINAC), ente que pertenece al Ministerio del Ambiente y Energía, el cual cuenta con el apoyo del Consejo de Autoridades Científicas, que esta compuesto por las Instituciones que agrupan a los científicos nacionales especialistas en este campo.

La implementación de la Convención CITES ha sido asumida con gran responsabilidad por parte de nuestra institución, a pesar de tener limitaciones de recursos humanos y económicos, procurando lo mejor de nuestra capacidad en esta tarea.

Las exportaciones que realiza el país de especies en Apéndices CITES corresponden principalmente a especies de flora, orquídeas, zamia y cycas, lo que significa una fuente de divisas para el país, siendo mínimas las exportaciones de especies de fauna.

Queremos informarles que el País esta haciendo un esfuerzo muy grande para disminuir y detener el trafico y comercio ilegal de especies silvestres y sus productos, tenemos por ejemplo el aumento de la población de cocodrilos en el territorio nacional, el decomiso de cerca de 2500 piezas de productos de concha de tortuga carey en los últimos 6 meses, además de las técnicas de reproducción de iguanas, las cuales ya se han exportado y otros ejemplos mas.

Aunado a estas acciones el Sistema Nacional de Areas de Conservación en colaboración con diferentes Organismos no Gubernamentales desarrollan programas de Educación Ambiental en

todo el país lo que permite tener una ciudadanía capacitada e informada en temas relacionados con los recursos naturales, que respeta la vida silvestre y contribuye con los esfuerzos gubernamentales de conservación

Es nuestro mejor deseo que los resultados de esta reunión coadyuven en el futuro a mejorar, no solo las políticas nacionales, sino los esfuerzos orientados a la protección internacional de los recursos de flora y fauna cubiertos por CITES. Reitero nuestro saludo de bienvenida, y desearles éxitos en esta reunión.

Muchas Gracias

### Report of the working group on significant trade: Species

**Chair:** Michael Griffin, regional representative of Africa

**Participants:** Regional representative of North America, Canada, China, India, Iran, Japan, South Korea, Spain, United States of America (U.S.), HSUS, the Mid-Western Association of Fish and Wildlife Agencies, TRAFFIC/IUCN, and UNEP-WCMC.

#### 1. *Acipenser oxyrinchus*

The consultants recommended Category 2/3.

The U.S. explained that they do not allow exports of the species. The working group agreed to recommend to the AC that the U.S. population be included in Category 3.

Canada explained that there may be an error in the WCMC-UNEP data, possibly caused by an incorrect number on the Canadian export permit or the incorrect number recorded upon import to the U.S., and that consequently trade levels may be much lower than indicated by the report of the consultants. In addition, Canada explained that they are not issuing new licenses for the take of this species, and that the average age of current license holders was about seventy years. Consequently, this is a fishery that is in decline. The working group agreed to recommend to the AC that the Canadian population be included in Category 2 until Canada provides documentation addressing the discrepancy in the trade data. If the documentation is satisfactory, then the Canadian population shall be included in Category 3.

The consultants were requested to provide Canada with an itemized list of what trade data discrepancies need to be resolved.

#### 2. *Acipenser persicus*

The consultants recommended Category 1/2.

Iran explained that they provided the consultant with information that addressed many of the concerns raised regarding the status of the species and species identification issues. Iran explained that the population has not shown a decline and the species does not belong in Category 1. Furthermore, Iran explained that including the species in Category 2 would do no good because they had already supplied all the information they have on the species to the consultants. Iran recommended that the species be included in Category 3.

TRAFFIC/IUCN and Iran met privately to discuss this new information provided by Iran. They reached a consensus that the species in Iran should be included in Category 3. The working group agreed to recommend to the AC that the species in Iran be included in Category 3.

Iran noted their concern that Azerbaijan has an export quota which apparently includes, and does not distinguish between, this species and the Russian sturgeon, *A. gueldenstaedtii*. The working group agreed to recommend to the AC that the species in Azerbaijan should be included in Category 2. Azerbaijan should be sent a letter asking for clarification on whether the export quota includes *A. persicus* and, if so, how Azerbaijan distinguishes between the two species.

The working group agreed to recommend to the AC that, should any other range states in the future issue export quotas, then recommendations should be made at that time.

3. *Acipenser transmontanus*

The consultants recommended Category 3.

The working group agreed to recommend to the AC that the species be included in Category 3.

4. *Scaphirhynchus platyrhynchus*

The consultants recommended Category 1/2.

The working group acknowledged that changing this species to Category 3 was discussed in Plenary. The U.S. explained that they have allowed one shipment of caviar of this species.

The working group agreed to recommend to the AC that the species be included in Category 3.

5. *Moschus moschiferus*

The working group was charged with reviewing the responses by China and the Russian Federation to primary and secondary recommendations made on 19 March 2001.

China provided a report that did not address the primary and secondary recommendations. In addition, China provided the working group with a detailed written and verbal report on the results of a musk market survey it recently conducted. The results include the amount of musk, both real and synthetic, utilized by TCM companies.

The working group considered that, while the report provided excellent new information on musk trade in China, it was nonetheless a market survey and did not address the primary and secondary recommendations.

The working group agreed to report to the AC that there is insufficient evidence that China has addressed the primary and secondary recommendations.

The North American Representative reported that, to his knowledge, the CITES Secretariat had not received a reply from the Russian Federation to the primary and secondary recommendations.

The working group agreed to report to the Animals Committee that there is no evidence that the Russian Federation has addressed the primary and secondary recommendations.

The North American regional representative pointed out that Mongolia, Kazakhstan and Korea might also be range States. However, Mongolia has banned exports and it is believed that Korea has banned exports as well. The working group agreed to recommend to the AC that it request WCMC-UNEP to produce a trade data printout of those range states that are exporting musk. If South Korea, Kazakhstan and/or Mongolia are exporting musk then a letter should be sent to them to inquire about the basis of their Article IV non-detriment findings. South Korea stated that the species is extinct in South Korea, but that a very small population may still survive in North Korea.

#### 6. *Moschus fuscus*, *M. berezovskii*, and *M. chrysogaster*

At AC16, these three species were included in Category 2. The Report of the working group on Significant Trade at AC16 states that China was to be given six weeks to provide a satisfactory response as to the basis for making Article IV non-detriment findings for export of the species. If no such response was received then the species were to be included in Category 1.

The North American regional representative reported that China did respond but that the response does not satisfactorily address the Article IV requirements. The North American regional representative therefore recommended that the species be included in Category 1. India agreed.

The working group agreed to recommend to the AC that the three species be included in Category 1.

With regard to recommendations, the Chairman explained that, given the complexity of this issue, it might be advisable in this case not to make primary and secondary recommendations but, instead, to make a series of specific recommendations that should result in improvement in the control of musk trade. These include: registering all production facilities; ensuring that musk can only be sold to registered and authorized buyers; institute systems that track production, export and import; establish national, centralized programs that would organize market and production; provide for regional coordination of the national program; and labelling of products that contain natural musk.

China explained the difficulties that might be experienced in attempting to develop a labelling program, such as, for example, pills containing musk are sold singly. In addition, China stated that the biggest problem they face, and need help to address, is poaching of musk deer and illegal trade in musk from wild animals. China explained that wild musk deer populations continue to decline because of this threat. China stated that it has banned the export of products made of raw musk from wild animals, however, poaching and illegal trade continued. China recognizes these problems and is committed to collaborating with others to solve these problems. China suggested that AC makes recommendations to China to establish export quotas based on the results of future national comprehensive surveys of musk deer.

The U.S. suggested that the "sturgeon model", which was used to address a similarly complex trade and management issue, might be applied to the musk deer situation. The sturgeon model included a series of recommendations that were accomplished in three stages over a longer period of time than is provided by Resolution Conf. 8.9.

The working group agreed to recommend to the AC that the regional representative of North America, and the Secretariat, with input from China collaborate to develop, in a timely manner, a practical, detailed, and precise series of recommendations, each with a specific time-frame for implementation. There was consensus in the working group that this collaborative initiative would be extremely beneficial to China, and the region.

#### 7. *Naja naja*

At AC16, all *Naja naja* subspecies were included in Category 2 except for *N. n. sagittifera*, which was included in Category 3. In a letter from the CITES Secretariat in March 2001, the range States that trade were given six weeks to provide a satisfactory response as to the basis for making Article IV non-detriment findings for export of the species. Four of these six range States responded. Singapore stated that they only transship the species. Malaysia indicated that it has not conducted a population survey for the species even though they

exported nearly 40,000 specimens during the period 1995-1999. Indonesia provided a detailed document on how they make non-detriment findings. China did not indicate the scientific basis they use for making non-detriment findings for the species. China also stated that live specimens of *Naja naja* are banned from commercial trade. No response was received from Thailand or Lao PDR.

The working group agreed to recommend to the AC that *Naja naja* in Singapore be included in Category 3; in Indonesia, Category 2; in Malaysia, Thailand and Lao PDR, Category 1; and for China, it was recommended that it remains in Category 1 until China provides written documentation of the trade ban, at which point the species in China should be moved to Category 3.

The working group further agreed to recommend to the AC that those countries where the species is included in Category 1 or 2 should receive the following recommendation: The Management Authority should not issue export permits until it has established a cautious export quota and provided a satisfactory scientific basis for this quota to the Secretariat.

The working group agreed to recommend to the AC that it request the Secretariat to write to Singapore to inquire about how they control transshipments of the species (this is to be combined with a letter regarding transshipment of turtles and tortoises)

**Report of the working group on the revision of Resolution Conf. 8.9 (Rev.)  
and Decisions 11.106-11.108**

**Chair:** Thomas Althaus, alternate regional representative of Europe

**Participants:** Regional representative of Africa, regional representative of North America, Canada, China, Costa Rica, Netherlands, United Republic of Tanzania, United States of America, Zimbabwe, European Commission (Rapporteur), TRAFFIC, IFAW, IWC, OATA, SCI, David Shepherd Conservation Foundation, CITES Secretariat.

1. The terms of reference of the group were as follows:
  - a. To review AC18 Doc. 7.3 and use it as a basis for further discussions;
  - b. To take into consideration AC18 Doc. 7.5;
  - c. To approach Resolution Conf. 8.9 (Rev.) with a view to simplifying the language without weakening its effectiveness;
  - d. Where possible, to expand the scope of Resolution Conf. 8.9 (Rev.) in order to provide incentives for countries to implement its recommendations;
  - e. To ensure that the recommendations are not seen as punishment but are intended to guide Parties into applying correct procedures;
  - f. To provide a revised text to the Animals Committee and the Chair for a possible draft resolution for CoP12;
  - g. To provide suggestions for a review of the effectiveness of the Significant Trade Process, to be initiated after CoP12.
2. The group took as its basis of discussion Annex 3 of AC18 Doc. 7.3, i.e. the draft resolution tabled by the Secretariat.
3. It produced a further revised text consisting of the existing text with proposed changes in one annex and the new proposed text in another annex, which it presented to Plenary. Following deliberations some further amendments were made. Annex 3.1 to this report contains the final text approved by the Animals Committee.
4. The group is of the view that the new text achieves the purpose of simplifying and clarifying the language for the benefit of all concerned: While the three categories of species set out in the current resolution are retained, the definition and treatment of these categories is clearer than before. The text also allows more flexibility to the Animals and Plants Committees in their actions and recommendations in respect of each category.
5. With regard to the provision of incentives, the new draft Resolution considerably strengthens the provisions regarding support to the range States. It also endeavors to ensure that where species are removed from the process at any stage, the efforts of the range States concerned are duly acknowledged by means of Notifications to the Parties.

6. The language of the draft text also seeks to increase the scope for range States to comply with the terms of the Resolution.
7. The group decided that the guidelines set out in AC18 Doc. 7.5 did not add greatly to the other material already available regarding the methodology for field projects for Significant Trade Reviews, for example, the Resolution dealing with the role and function of Scientific Authorities, the IUCN guidelines to make non-detriment findings and the material prepared for capacity-building projects. However, it was emphasized that Significant Trade Reviews should follow a standard methodology where possible and should be capable of withstanding peer review.
8. It was decided that in particular paragraph a) of Resolution Conf. 11.18 should be retained as it relates to bilateral dealings between importing countries and range States, rather than to the Significant Trade Process. However, it was noted that the remainder of its provisions duplicated some of those in the Convention and that the Secretariat intends to carry out a review of all Resolutions where this is thought to be the case.
9. Finally, it was considered that a review of the effectiveness of the Significant Trade Process would be timely at this juncture. Such a review could arise from a decision at CoP12. In that event, the work should be completed by CoP13 if possible, but in any event no later than CoP14.

Proposed revision of Resolution Conf. 8.9 (Rev.)  
Text in square brackets still has to be finalized.

Review of significant trade in specimens of Appendix-II species

RECALLING that Article IV, paragraph 2 (a), of the Convention requires, as a condition for granting an export permit, that a Scientific Authority of the State of export has advised that the export will not be detrimental to the survival of the species concerned;

RECALLING that Article IV, paragraph 3, requires a Scientific Authority of each Party to monitor exports of Appendix-II species and to advise the Management Authority of suitable measures to be taken to limit such exports in order to maintain such species throughout their range at a level consistent with their role in the ecosystem;

RECALLING also that Article IV, paragraph 6 (a), requires, as a condition for granting a certificate of introduction from the sea, that a Scientific Authority of the State of introduction from the sea has advised that the introduction will not be detrimental to the survival of the species concerned;

CONCERNED that some States permitting export of Appendix-II species are not effectively implementing Article IV, that, in such cases, measures necessary to ensure that the export of an Appendix-II species takes place at a level that will not be detrimental to the survival of that species, such as population assessments and monitoring programmes, are not being undertaken; that information on the biological status of many species is frequently not available; and that the data on trade as included in annual reports are frequently incomplete;

RECALLING that the proper implementation of Article IV is essential for the conservation and sustainable use of Appendix-II species;

NOTING the important benefits of the review of trade in specimens of such species by the Animals and Plants Committees as set out in Resolution Conf. 8.9 (Rev.) [on trade in specimens of Appendix-II species taken from the wild, adopted at the eight meeting of Conference of the Parties (Kyoto, 1992) and amended at the 11th meeting (Gigiri, 2000),] referred to as the Review of the Significant Trade, and the need to clarify further and simplify the procedure to be followed;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DIRECTS the Animals and Plants Committees, in cooperation with the Secretariat and experts, and in consultation with range States, to review the biological, trade and other relevant information on Appendix-II species, to identify problems and solutions concerning the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a) of the Convention in accordance with the following procedure:

Selection of species to be reviewed

- a) The Secretariat shall request UNEP-WCMC to produce, within 90 days after each meeting of the Conference of the Parties, a summary from the CITES database of

annual report statistics showing the recorded net levels of exports<sup>4</sup> for Appendix-II species over the five most recent years;

- b) On the basis of recorded trade levels and information available to the Animals or Plants Committee, the Secretariat, Parties or other relevant experts, species of priority concern will be selected for review (whether or not such species have been the subject of a previous review);
- c) In exceptional cases where new information indicates an urgent concern, the Animals or Plants Committees can [add a species to this selection process at another stage];

#### Consultation with range States concerning implementation of Article IV

- d) The Secretariat should, within 30 days after the meeting of the Animals or Plants Committee at which species are selected, notify range States of the species selected, providing an explanation for this selection and requesting comments regarding possible problems of implementing Article IV identified by the Committee. Range States shall be given 60 days to respond;
- e) The Secretariat shall report to the Animals or Plants Committee on the response of the range States concerned, including [in that report] any other pertinent information; and
- f) When the Animals or Plants Committee, having reviewed the available information, is satisfied that Article IV paragraphs 2 (a), 3 and 6 (a), are correctly implemented, the species shall be eliminated from the review with respect to the State concerned. In that event, the Secretariat shall notify the Parties accordingly;

#### Compilation of information and preliminary categorization

- g) In the event that the species is not eliminated from the review as provided for in paragraph f) above, the Secretariat shall proceed with the compilation of information regarding the species and the preliminary categorization of that species in the range State(s) concerned;
- h) When necessary, consultants shall be engaged by the Secretariat to compile information about the biology and management of the selected species and shall contact the range States and/or relevant experts to obtain information for inclusion in the compilation;
- i) The Secretariat or consultants, as appropriate, shall summarize their conclusions about the effects of international trade on the selected species and problems concerning the implementation of Article IV, and shall divide the selected species into three preliminary categories:
  - i) 'species of urgent concern' shall include species for which the available information indicates that the provisions of Article IV of the Convention are not being implemented;

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<sup>4</sup> 'Net level of exports' means the total number of specimens exported from a range State, based on the reported export and import data.

- ii) 'species of possible concern' shall include [those] species for which it is not clear whether or not the provisions of Article IV of the Convention are being implemented; and
- iii) 'species of least concern' shall include species for which the available information appears to indicate that the provisions of Article IV are being met;
- j) Before consideration by the Animals or Plants Committee, the Secretariat shall transmit the review documents prepared by the consultants to relevant range States, seeking comments and, where appropriate, additional information. Range States shall be given 60 days to respond.

Review of information and confirming categorization by the Animals or Plants Committee

- k) The Animals or Plants Committee shall review the information provided by the [Secretariat or the] consultants and the responses received from the States concerned and, if appropriate, revise the preliminary categories proposed by the [Secretariat or the] consultants; and
- l) Species of least concern shall be eliminated from the review. Problems identified in the course of the review that are not related to the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), [such as problems related to enforcement,] shall be addressed by the Secretariat.

Formulation of recommendations and their transmission to range States

- m) The Animals Committee or Plants Committee shall, in consultation with the Secretariat, formulate recommendations relating to the remaining species. These recommendations shall be directed to range States;
- n) For species of urgent concern, these recommendations should propose specific actions to address problems related to conservation and the regulation of trade. Such recommendations should differentiate between short-term and long-term actions, and may include, for example:
  - i) the establishment of administrative procedures, cautious quotas or other temporary restrictions on exports of the species concerned;
  - ii) the application of adaptive management procedures [to ensure that further decisions about the harvesting and management of the species concerned will be based on the monitoring of the impact of previous harvesting and other factors];
  - iii) the conducting of taxon- and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors to provide the information necessary for a Scientific Authority's non-detriment finding.

Deadlines for implementation of these actions should be determined by the Animals or Plants Committee. They must be appropriate to the nature of the action to be undertaken, but should normally be no less than 90 days or longer than two years;

- o) For species of possible concern, these recommendations should propose specific actions to provide the information with a view to categorizing the species as either of urgent concern or of least concern, as well as interim measures where appropriate for

the regulation of trade. Such recommendations should differentiate between short-term and long-term actions, and may include, for example:

- i) the conducting of taxon and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors; [and]
- ii) cautious quotas on exports of the species concerned as an interim measure.

Deadlines for implementation of these actions should be determined by the Animals or Plants Committee. They must be appropriate to the nature of the action to be undertaken, but should normally be no less than 90 days or no longer than two years;

- p) These recommendations shall be transmitted to the States concerned by the Secretariat;

#### Measures to be taken [regarding the implementation of recommendations]

- q) The Secretariat shall, in consultation with the Animals or Plants Committee, determine whether the recommendations outlined above have been implemented and report to the Standing Committee accordingly;
- r) Where the recommendations have been met, the Secretariat shall recommend to the Standing Committee that the species be removed from the process;
- s) When the Secretariat, having consulted with the Chairman of the Animals or Plants Committee, is not satisfied that a State has fulfilled the requirements specified in paragraph n) or o), it should recommend to the Standing Committee that all Parties take strict measures immediately, which may include, as appropriate, a suspension of trade in the affected species with that State;
- t) The Secretariat shall notify the Parties of the outcome and of any recommendations or actions taken by the Standing Committee; and
- u) A recommendation to suspend trade in the affected species with the State concerned should be withdrawn only when that State demonstrates to the satisfaction of the Standing Committee, through the Secretariat, compliance with Article IV, paragraph 2 (a), 3 or 6 (a);
- v) The Standing Committee, in consultation with the Secretariat and the Chairman of the Animals or Plants Committee, shall review recommendations to suspend trade that have been in place for longer than two years and, if appropriate, formulate additional recommendations to resolve the situation.

#### Support to range States

URGES the Parties and all organizations interested in the conservation and sustainable use of wildlife to provide the necessary financial support and/or technical assistance to those States in need of such assistance to ensure that wild populations of species of fauna and flora subject to significant international trade are not subject to trade that is detrimental to their survival. Examples of such measures could include:

- i) Training of conservation staff in the range States;
- ii) Provision of information and guidance to stakeholders;

- iii) Facilitation of information exchange among range States; and
- iv) Provision of technical equipment and support.

DIRECTS the Secretariat to assist with the identification and communication of funding needs in the range States and sources for such funding.

Monitoring, reporting and reintroduction into the review process

DIRECTS the Secretariat, for the purpose of monitoring and facilitating the implementation of this Resolution and the relevant paragraphs of Article IV of the Convention;

- a) To report to each meeting of the Animals or Plants Committee on the implementation by the countries concerned of the recommendations made by the Committee;
- b) To report at each meeting of the Conference of the Parties on the progress of this review, on the recommendations made and on the measures adopted in accordance with this Resolution; and
- c) To maintain a register of species that are included in the review process set out in this Resolution and progress with the implementation of recommendations.



**Report of the working group on the periodic review of animal taxa in the Appendices  
(Resolution Conf. 11.1)**

**Chair:** Kurt Johnson, regional representative of North America

**Participants:** Mike Griffin (regional representative of Africa), Ron Orenstein (International Wildlife Coalition), Carlos Ibero (Scientific Authority of Spain), Tim Inskipp (UNEP WCMC),

Jacques Berney (IWMC-CH), Ana Virginia Mata (IUCN-ORMA), Alison Rosser (IUCN-SSC), Javier Alvarez (Scientific Authority of the United States), Bruce D. Taubert (Western Association of Fish and Wildlife Agencies), Bill Wall (Safari Club International Foundation), Tom De Meulenaer (CITES Secretariat)

**Terms of Reference:**

- Review document AC18 Doc. 8.1 and Annexes 1-4 plus AC18 Inf. 13 and
  - Provide advice on the three species reviews conducted;
  - Discuss draft guidelines for conducting species reviews; and
  - Discuss rapid assessment process for expediting future reviews.

Species Reviews

*Parnassius apollo*

The working group agreed with the reviewer's recommendation to retain this species in Appendix II.

*Cnemidophorus hyperythrus*

The working group agreed with the reviewer's recommendation to delete this species from Appendix II.

*Anas aucklandica*

The working group believes that this taxon satisfies the criteria for retention in Appendix I. The Group notes that retention in Appendix I has minimal additional conservation value for this species.

The Group agreed that AC should continue to pursue completion of outstanding species reviews identified at AC15 and AC16.

Draft Guidelines for the Periodic Review of Animal Taxa in the Appendices

The working group considered the draft guidelines in Annex 4, but was unable to complete its review and revisions during the allotted time. The working group completed revision of the preamble, and the sections Objective of the periodic review process and Identification of species for review. Those revisions are attached. The working group did not complete consideration of the section Process for future reviews, in part because considerable

discussion was devoted to the draft rapid assessment process mentioned below. The working group agreed to continue work intersessionally on development of a review process, with a goal of completing the revisions by CoP12.

#### Rapid assessment process for expediting future reviews

The consultant provided an introduction to the draft rapid assessment process outlined in AC18 Inf. 13. After considerable discussion, the working group concluded that the process is not sufficiently developed to serve as a useful, effective rapid assessment technique for screening multiple taxa. A small group, consisting of the consultant and representatives of the USA and Spain, was constituted to consider revisions to the draft rapid assessment technique. The working group also recommends that the Secretariat be requested to seek a small amount of funding to continue the development and testing of the rapid assessment technique.

Draft guidelines for the periodic review of animal taxa in the Appendices - Revised

Resolution Conf. 11.1, Annex 2, paragraph h) directs the AC to “undertake a periodic review of animal or plant species in the CITES Appendices...” The purpose of these guidelines is to assist in the identification of species for review, and to outline the process for conducting those reviews.

Objective of the periodic review process

**The objective of the periodic review process is to determine if species are in the correct Appendix, or if a proposal to transfer the species within or off the Appendices should be recommended.**

If the reviewing Party or regional representative obtains information identifying previously unknown or new threats to a species (i.e., illegal trade, sharp population declines, etc.), that goes beyond the issue of whether or not the species is listed in the correct Appendix, it is recommended that such information be submitted to the AC, the Secretariat, or the Standing Committee, as appropriate, for their consideration.

Identification of species for review

**The following criteria are to be used for the selection of species to be subject to review:**

1. The following species should be given higher priority in reviews:
  - i) Appendix-II species with little or no recorded trade;
  - ii) higher taxon listings (e.g., genus or family listings);
  - iii) species that reflect geographic diversity and diversities of life history strategies.
2. The following species should not be included in reviews:
  - i) species subject to other review processes, such as species that have been or are currently subject to the Significant Trade Review Process or those that have already been evaluated for listing in the CITES Appendices as proposals submitted for consideration in the previous two CoPs.



**Report of the working group on the registration and monitoring of operations breeding  
Appendix-I species for commercial purposes (Resolution Conf. 11.14 and Decision 11.101)**

**Chair:** Marco Polo Micheletti

**Participants:** Belgium, Bolivia, Chair of the AC, Chile, China, Costa Rica, Czech Republic, Germany, India, Iran (Islamic Republic of), Israel, Korea, Mexico, Namibia, South Africa, Spain, United States of America, AZA, CCC, IUCN, SSN, WAZA, WCS, WSPA

1. The working group discussed the report by the Crocodile Specialist Group (AC18 Inf. 11) as a pilot project for looking at how to choose Appendix I listed species that can be traded commercially only from captive breeding facilities that have been registered with the Secretariat (Annex 3). The working group was unanimous in its praise of the report as a comprehensive survey that has helped the working group in its deliberations.

Some members of the working group expressed the feeling that the results of the pilot project on the reptiles may not be indicative of the situation with other taxa of wildlife, since many species of reptiles are of low mobility and exhibit high endemism, especially in contrast to mammals and birds.

2. A large proportion of the time allotted during the afternoon of 10 April was spent discussing the central premises of Resolution Conf. 11.14, specifically, the definition of "Critically Endangered in the Wild", and known to be "Difficult to Breed in Captivity". The implications of these two definitions are far-reaching and can have bearing on the conservation of Appendix I listed species in the wild.

*Critically Endangered in the Wild:* Many members of the group felt that the pilot project has shown some of the problems of using IUCN global categorizations alone to determine if a species is critically endangered in the wild, since these may not take into account species endangered at a regional level. Many members also said that each state must have the right to decide which of its Appendix I listed species are to be considered critically endangered and should therefore not be allowed to be raised for commercial trade. Other members indicated that by the precautionary principle, we should seek the good of the species and greatly limit the number of Appendix I species that are left out of Annex 3.

The majority of the working group members agreed that the IUCN global criteria cannot be used alone as a parameter to categorize the species to be considered for inclusion in Annex 3. Using data in IUCN's Red Book alone runs the risk of impinging on the autonomy of individual countries to determine the level of protection needed for populations of their native species. In other words, most members felt that each country should be able to decide which species should be included in Annex 3. An alternate view was expressed by a few members who felt that a single range state should not have the *de facto* ability to place species on Annex 3.

*Difficult to Breed in Captivity.* All the members agree with the consultant that only those Appendix I listed species that are definitively proven to be easy to breed should be excluded from Annex 3, and that those in all other categories (provisionally not difficult, difficult, provisionally difficult, or unknown) should be included. Most members agreed with the consultant's assumption that in most cases it is probably enough to consider if a species is Difficult to Breed in Captivity, and that it is superfluous to consider also whether the

species is Difficult to Keep, since animal welfare issues would be dealt with at other points in the registration process.

3. A short discussion ensued on the mandate of the working group, when Belgium intervened to state that it did not appear that the working group was fulfilling the mandate of the COP, because the working group was not reducing the number of Appendix I listed species requiring registration with the Secretariat (Annex 3). Several other members noted that the mandate of the working group was not to seek to reduce (or even to increase) the number of species in Annex 3, but rather to find the means by which Appendix I listed species could be categorized as “Critically Endangered in the Wild and/or Difficult to Breed in Captivity”.
4. A wide-ranging discussion on captive breeding ensued based on the report, including specific issues related to some of the species in the report, the captive-breeding operations surveyed, and the fact that in general the captive breeding operations are not completely independent of the populations in the wild.
5. If we apply the interpretation discussed by the working group, taxa would be included in Annex 3 if any one of the following are met:
  - they are categorized by IUCN as Critically Endangered, Endangered or Vulnerable, **or**
  - they are difficult to breed in captivity (as defined by the consultant’s report), **or**
  - nominated by a range state for inclusion.

Then by these criteria there are 94 taxa of reptiles to consider (AC 18 Inf. 11, Table 2 plus Annex. 1 page 23). Nearly all of these species will end up in Annex 3.

In conclusion, the majority of the working group recommends adopting these criteria for including species in Annex 3.

6. A number of members felt that the pilot project has brought to light many of the problems associated with trying to implement Resolution Conf. 11.14 and how it may be difficult to establish a list for Annex 3 that is different from Appendix I, so therefore the effort might be unproductive. The working group noted that CITES has attempted for many years attempted to resolve the issue of registration of breeding facilities for Appendix I listed species by a variety of means. The working group discussed some of the different ways this has been done in the past, and has concluded that the results of these have been more or less the same over the years.

**Therefore, the working group suggests that the AC recommend that the CoP retain the method currently in operation for registration of captive breeding facilities of Appendix I listed species, viz. Resolution Conf. 8.15 (Rev).**

7. It is apparent that there will be very little difference between Annex 3 and Appendix 1. Although it is clearly outside the mandate of the working group, it was suggested that further work is apparently needed to examine or review the process of registration of facilities that breed Appendix I listed species. This review would seek ways to improve the process while taking into account the importance of conservation of these species in the wild.

**Report of the contact group on the Relationship between *ex situ* production and *in situ* conservation (Decision 11.102) [AC18 Doc. 10]**

**Participants:** Europe, Oceania, North America, and the Secretariat.

Further recommendations from AC to Secretariat:

1. Process to be continued beyond CoP12, because information from Parties and organizations has hardly been forthcoming.
2. Develop a new Notification in consultation with AC, based on Decision 11.102. The Notification should not only ask about the negative effects, but also about the positive ones.
3. Matters under consideration should be confined to the direct relationship between species bred ex-situ and the same species in the wild (do not involve projects in which benefits of ex-situ breeding go towards an entire ecosystem).
4. For some countries the origin of founder stock is a continuing worry. However, it is not very realistic to think this could be traced for all ex-situ operations, especially not for those that have been functioning for a long time.
5. Send the Notification to the Parties and organizations. Specifically approach a number of specialized organizations (WAZA, AZA, EAZA) for input in the process. Ask Parties and organizations to provide case studies.
6. Conservation Force provided an interesting example of benefit sharing and will provide info about it to the Secretariat. Parties to take note of these initiatives.
7. Project Seahorse mentioned aquaculture as an example of benefit sharing.
8. Continue cooperation with IUCN on impact of commercial captive production/artificial propagation in relation to wild species conservation.
9. Secretariat to inform Parties (preferably via the CITES website), when results of the White Oaks workshop on CCP will be available on the IUCN website.



**Report of the working group on the implementation of  
Resolution Conf. 10.21 on transport of live animals**

**Chair:** Irina Sprotte, MA of Germany, Chair of Transport Working Group

**Participants:** Katalin Rodics, (regional representative of Europe, MA of Hungary), Edson Chidziya (alternate regional representative of Africa, MA of Zimbabwe), Zhihua Zhou (MA of China), Bruce Weissgold (MA of USA), Georges Evrard (MA of Belgium), Peter Linhart (MA of Austria), Donald Bruning and Colleen McCann (Wildlife Conservation Society), Robert Atkinson (Royal Society for the Prevention of Cruelty to Animals), Teresa Telecky (Humane Society of the United States), Keith Davenport (on behalf of Marshall Meyers, Pet Industry Joint Advisory Council), Kris Vehrs (American Zoo and Aquarium Association), Peter Dollinger (World Association of Zoos and Aquariums).

Discussion of the report submitted by the chair to the AC18

The TWG discussed the report and agreed that it reflected the work done by the Group. The TWG made progress on its work but has not completed everything it assigned itself at AC17, especially the evaluation of the IATA Live Animals Report (LAR) and its applicability to transport by means other than air. The TWG agreed that the evaluation is labor intensive and requires special expertise and more time for completion. The AZA and EAZA have started the evaluation process and plan to provide their results to the TWG by 31 December 2002. To support this process, the USA representative offered to collect information from its wildlife inspectors.

Collaboration with IATA

The TWG established a subgroup of specialists to submit the group's advice to IATA on LAR Container Requirement 45, per a request by IATA.

The TWG underlined that the present cooperation with IATA is a high priority task of the group and should be continued.

Discussion of the outcome of the evaluation of the questionnaire on collection of mortality and injury data

The TWG discussed the draft report. Although there were considerably more responses received from this questionnaire as compared to past efforts, there were still relatively few Parties that responded. The TWG thanks all Parties who did respond. The data collection gives an overview of the past two years.

After discussion, the TWG agreed to stop collecting data using the questionnaire. Nevertheless, the TWG believes that it is important to focus further studies on understanding causes of injury and mortality during preparation, during transport, and post-transport. The TWG recommends to the AC that in-depth investigations should be conducted voluntarily by major importing countries to give a basis for preparing recommendations to other Parties.

In addition, the TWG learned that some of the questions asked on the questionnaire were confusing so Parties did not know how to answer them. The consultant has revised the questionnaire. Therefore, if countries wish to use a questionnaire to collect data, the TWG offers the revised questionnaire.

### Revision of Resolution Conf.10.21

Humane transport is a requirement of the treaty and must be a main goal for all countries involved in live animal trade. The TWG believes that much has been accomplished on the basis of Resolution Conf. 10.21 but further work still needs to be done. In this respect, the Group welcomed the initiative by WAZA/EAZA to conduct transport training workshops and welcomed their offer to hold such workshops in any region, if requested. The TWG determined that parts of the Resolution need revised. The TWG agreed to changes to the Resolution and will forward them to the Secretariat so that it can take them into consideration.

### Presentation of database project for the transport of live animals by the representative of Austria

The representative of Austria presented a three-phase database project to the TWG.

### **Report of the Coral Trade Working Group**

This paper reports our conclusions against the tasks identified in our Terms of Reference (in *italics*) as follows. Coral mariculture and production systems are dealt with in a separate report. The Committee is asked to note that not all members of the working group are at this meeting, with few delegates from exporting countries.

#### Decision 11.98

*The Animals Committee shall, as part of its consideration of corals in accordance with Resolution Conf. 8.9 (rev.), consider the application of Article IV, paragraph 3, of the Convention, as an alternative to Article IV, paragraph 2(a), when making non-detriment findings for corals in trade and shall make recommendations for consideration at the 12<sup>th</sup> meeting of the Conference of Parties.*

The group discussed this issue. It was felt that it was important to retain non-detriment findings at the level of individual species or taxa. All agreed, however, that a greater emphasis on assessing the impacts of harvesting on the role that corals played in their ecosystem was essential. Indeed, the nature of hard corals, namely that they form the structure of reefs and, accordingly, the basis for an entire ecosystem, means that this ecosystem role is significantly greater than for many other CITES species.

However, the group also felt that that it was not possible to assess whether a species was being maintained at a level consistent with its role in the ecosystem by monitoring exports alone (as suggested by Article IV.3). The group agreed that a more ecosystem-based approach to the management of corals harvested for export was desirable and that Parties should be encouraged to do this. It was agreed that some additional text inserted into Res. Conf. 11.10 could address this subject. A suggested revision of Resolution Conf. 11.10 (which also identifies some minor editing changes to the document) is attached as Annex 1.

#### Decision 11.99

*The Animals Committee shall provide advice to the Secretariat, for dissemination to the Parties, on which genera of corals it is practical to recognize to species level and which genera may be acceptably identified to genus level for the purposes of implementing Resolution Conf 9.4 and Conf. 10.2 (Rev.).*

Our report in document AC18.12.1 has been adopted by the Committee. That document noted that final decisions had still to be made regarding 6 genera. The working group has now produced its final recommendations and proposes only two changes to 18.12.1, namely that the genera *Lithophyllon* and *Solenastrea* should be recommended for identification to species level and not genus level as originally indicated.

#### Should coral taxa that are only to be identified to genus level be retained on the CITES appendices?

The group endorsed and reiterated its conclusions from AC17, namely that simply because species within a genus might not be readily distinguished, one from another, there were no strong grounds to say that the genus itself did not warrant listing on Appendix II. If the genus can be readily distinguished from other genera, and if the genus as a whole meets the criteria

for listing under Appendix II, then the group did not see any reason why these genera should not be retained on the CITES appendices.

However, we feel that if there are specific examples of genera of concern regarding their inclusion on Appendix II, these should be referred for a formal review as to whether they still meet the criteria for listing or not. We note that one genus, *Goniopora*, is already proposed for inclusion in the periodic review of the appendices by the AC. The group also noted that at AC16, the United States presented a review of the listing on the appendices of black coral Order Antipatharia. Despite the fact that species within genera within this Order cannot be readily distinguished, and this distinction is infrequently made in international trade, the AC concluded regardless that this genus merited retention in Appendix II.

To determine whether it is possible to advise the Nomenclature Committee of a standard taxonomic reference to corals which could be adopted by the Parties (linked to Decision 11.99)

Following discussions at AC17, the group has referred this matter to the Nomenclature Committee for guidance. At this stage, the Nomenclature Committee is unable to provide advice because the possible reference has yet to be revised. At present, no single standard reference to coral nomenclature is available. The group were aware of initiatives which may, in time, help to resolve this issue.

Recognizing existing efforts at producing identification guides by Spain, Australia, CITES Secretariat and the USA, to consider whether these guides can be integrated or improved upon and to encourage the wide dissemination of such guides

The group confirmed its findings from Hanoi that it was vital that guides to identification were produced that matched the recommendations of the working group in AC18.12.1. In particular, guidance for identification to species level for those taxa required to be identified to specific level was a priority (especially for those corals most likely to be in trade).

The priorities identified by the group for future identification guides include the following:

- 1) publication of the guide to genus-level identification of Indo-Pacific corals in trade produced by the USA;
- 2) guide to the identification of Indo-Pacific corals which are required to be identified to species level;
- 3) guide to Caribbean corals in trade.

To consider whether there are any practical means by which fossilised corals (which are exempt from the provisions of the Convention), can be distinguished in trade from non-fossilised corals (especially regarding coral rock)

The group considered the report, commissioned by the UK, which aimed to define fossilised corals and provide a practical assessment of how such corals could be distinguished from non-fossilized corals in trade. This report is available on the UK CITES website ([http://www.ukcites.gov.uk/pdf\\_files/Full\\_text\\_pics.pdf](http://www.ukcites.gov.uk/pdf_files/Full_text_pics.pdf)). Although support for the suggested approach was expressed by a majority of those members of the group present, there was no consensus overall. The group is unable to reach any conclusion on this subject though informal dialogue between participants may continue.

To explore the scope for improved synergy with other initiatives and agreements regarding coral reefs and their exploitation.

The group felt that there was relatively little that it could do itself to improve such synergy. However, we felt that there was scope to enhance formal links between CITES, through the AC and Secretariat, and other initiatives such as the International Coral Reef Initiative (ICRI) and the International Coral Reef Action Network (ICRAN). Such links might include improving understanding of the role of CITES by presentations on the work of the Convention, with respect to corals, at international or regional meetings of ICRI / ICRAN. We noted that enhancing such links had been suggested in a paper to the 46<sup>th</sup> meeting of the Standing Committee (SC46.19). Links could also be established with CBD and their coral reef programme. Finally, issues regarding corals and international trade could also be raised with bodies such as the International Society of Reef Studies. These could aim to inform and influence the academic community to undertake the sorts of population studies, which would help inform non-detriment findings and the sustainable use of corals for international trade.



Resolution Conf. 11.10  
Trade in **stony** corals

DRAFT REVISION (new text in bold)

AWARE that **stony** corals (**in the orders Scleractinia, Stolonifera, Coenothecalia, Milleporina, & Stylasterina**) are in international trade as intact specimens for aquaria and as curios;

RECOGNIZING also that coral rock, fragments, sand and other coral products are also traded;

NOTING the unique nature of corals, namely that their skeletons are persistent, that they may become mineralized in time and that they are the foundation of reefs, and that, following erosion, fragments of coral may form part of mineral and sedimentary deposits;

NOTING also that coral rock may act as an important substrate for the attachment of live corals and that the removal of rock may have a detrimental impact on reef ecosystems;

AWARE, however, that coral rock cannot be readily identified other than to the order Scleractinia and that accordingly non-detriment findings under Article IV, paragraph 2 (a), of the Convention cannot be readily applied;

NOTING that Article IV, paragraph 3, of the Convention requires the monitoring of exports of specimens of each species in Appendix II, in order to assess whether the species is being maintained at a level consistent with its role in the ecosystem;

**NOTING that assessments under Article IV, paragraph 3, of the impacts of harvesting corals on their role in the ecosystems from which they are derived, cannot adequately be assessed by monitoring exports alone;**

ACCEPTING that coral fragments and coral sand cannot be readily recognized;

RECOGNIZING also that it is frequently difficult to identify live or dead corals to the species level owing to the lack of a standard nomenclature and the lack of comprehensive and accessible identification guides for the non-specialist;

RECOGNIZING that corals that are fossilized are not subject to the provisions of the Convention;

NOTING that it has been difficult to apply and enforce the provisions of the Convention to trade in corals;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES to adopt the working definitions of coral sand, coral fragments, coral rock, live coral and dead coral provided in the Annex to this Resolution; and

**RECOMMENDS that Parties give much greater emphasis to the implementation of Article IV.3 when permitting the export of corals and that Parties, rather than relying on the monitoring of exports alone, should adopt the principles and practice of an ecosystem approach; and**

URGES:

- a) interested Parties and other bodies from range and consumer States to collaborate and provide support, coordinated by the Secretariat, to produce as a priority accessible and practical guides to recognizing corals and coral rock in trade and to make these widely available to Parties through appropriate media; and
- b) Parties to seek synergy with other multilateral environmental agreements and initiatives to work for the conservation and sustainable use of coral reef ecosystems.

## **Annex**

### Definitions

*Coral sand* - material consisting entirely or in part of finely crushed fragments of dead coral no larger than 2 mm in diameter and which may also contain, amongst other things, the remains of Foraminifera, mollusc and crustacean shell, and coralline algae. Not identifiable to genus.

*Coral fragments (including gravel and rubble)* - unconsolidated fragments of broken finger-like dead coral and other material between 2 and 30 mm in diameter, which is not identifiable to genus.

*Coral rock*<sup>1</sup> (*also live rock and substrate*) - hard consolidated material, > 3 cm in diameter, formed of fragments of dead coral and which may also contain cemented sand, coralline algae and other sedimentary rocks. 'Live rock' is the term given to pieces of coral rock to which are attached live specimens of invertebrate species and coralline algae not included in the CITES Appendices and which are transported moist, but not in water, in crates. 'Substrate' is the term given to pieces of coral rock to which are attached invertebrates (of species not included in the CITES Appendices) and which are transported in water like live corals. Coral rock is not identifiable to genus but is recognizable to Order. The definition excludes specimens defined as dead coral.

*Dead coral* - pieces of coral that are dead when exported, but that may have been alive when collected, and in which the structure of corallites (the skeleton of the individual polyp) is still intact; specimens are therefore identifiable to species or genus.

*Live coral* - pieces of live coral transported in water and that are identifiable to species or genus.

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<sup>1</sup> *Rock that does not contain any corals or in which the corals are fossilized is not subject to the provisions of the Convention*

Report of the Coral Working Group on coral production systems

Prepared by the United States  
in consultation with the Coral Working Group

Introduction

International trade in live stony corals (Order Scleractinia) for the aquarium hobby has increased over the last decade, from approximately 200,000 specimens in 1990 to 750,000 in 1999 (WCMC data). Industry representatives have expressed a desire to double this volume in the next 10 years. Scleractinia are listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which generates almost all of the available data on international coral trade.

Although wild specimens currently dominate international trade, there is an increase in the availability of cultured corals, and considerable trade in these corals occurs among hobbyists. There are numerous methods for culturing corals, both *in situ* and *ex situ*. Most methods rely on stony corals' ability to regenerate tissue over lesions and continue growing through a process of budding, where the original polyp divides into two or more polyps. In this approach, fragments or nubbins of coral are cut from live donor colonies and the fragments are then fixed to a suitable substrate and placed in growing tanks or aquaria (*ex situ* operations) or in the ocean (*in situ* operations) for grow-out to the desired size. In non-range countries, fragments are reared in controlled environments (aquariums and shallow seawater tables) using artificial light, or outdoors relying on natural sunlight. Coral culturists within range countries typically require a continual source of fragments removed from wild colonies. In importing countries, corals that are several 'generations' removed from the original mother colony are propagated and sold, and some facilities no longer require a continuous supply of wild stock. A large "mother" or source colony can be pruned several times in a year, and may provide hundreds of fragments for propagation, depending on the species and its rate of growth. Progress has also been made in rearing corals from planula larvae, and efforts are underway to produce certain rapidly growing species for commercial sale.

It appears that there is little or no agreement or understanding on the proper and consistent application of CITES source codes for cultured corals. This situation has probably arisen because of stony corals' multiple reproductive strategies (budding, broadcast spawning, brooding, clonal growth), the diversity of culture techniques, and differential interpretation of CITES resolutions on captive breeding and source codes. A small number of corals are entering trade with source code C, suggesting they are captive bred, even though these specimens may not fully meet the criteria of CITES Resolution 10.16. The lack of agreement on codes and marking systems to separate cultured corals from wild corals, and to differentiate coral production systems prevents an accurate assessment of different components of the global coral trade and will confound future efforts to assess the magnitude and impact of wild coral harvest within range countries.

The Coral Working Group began to address this issue at the AC16 in December 2000. To assist with its review, it was agreed that Parties should solicit information on coral culture operations under their jurisdiction and report any findings to the Secretariat. This information was requested through Notification 2001/010 on 9 February 2001. The United States volunteered to contact these operations, summarize any information obtained, and present results to the Coral Working Group before AC17 (Hanoi, Vietnam). That report presented an

initial summary of coral culture efforts, including the techniques used to grow coral, the species involved, and when possible, the total volume in trade. Recommendations for the application source codes and techniques to differentiate cultured corals were discussed.

There has been substantial comment on the U.S. discussion paper, and numerous suggestions for improvement and revision. This supplement is an attempt to address the comments received, suggest standard terminology, and offer a more detailed discussion of the source code issue mentioned above.

### Purpose of this report

This report reviews information on culturing of corals and, specifically, addresses the Terms of Reference set for the group by the AC, namely:

1. Review the extent of, and methods for, the artificial culturing of corals, the species to which these methods have been successfully applied, the potential impact of such actions on wild populations and the scope to further this method of producing corals for international trade;

A detailed review was provided in an earlier report submitted by the United States for the 17<sup>th</sup> meeting of the AC (Hanoi, Vietnam; August, 2001), and will not be repeated in detail here. Information on particular operations obtained through Notification 2001/010 and the United States' own investigations is reproduced in Annex 1 to this document. Readers are referred to the August 2001 report for more detail on types of operations, culturing techniques, source countries, and research activity. The species known to be produced through culture operations are listed in Annex 2 to this report.

Conservationists, biologists, and industry representatives continue to discuss coral culture/propagation as a viable alternative or supplement to harvested wild specimens. Indeed, Internet websites indicate that U.S. hobbyists are already actively trading surplus clonal material amongst themselves. Cultured colonies are also used in reef rehabilitation in certain countries, and closed-cycle captive breeding operations almost eliminate the need to affect wild populations of a given species, but these types of corals are primarily small polyp species (SPS corals). It is unlikely that all species of corals currently in international trade (see Annex 2 of this report) will be successfully cultured. Massive, large polyp species (LPS corals) exhibit slow growth rates (1-2 mm per year) and some may take 4-6 months before budding new polyps. Although it is possible to raise some of these types of corals from fragments, and possibly from larvae, it may not be economically feasible. Because LPS corals are the dominant corals in international trade, wild harvest of these species will continue to be a significant part of the international coral trade for the foreseeable future.

It is important to consider both the risks and benefits associated with coral culturing operations. Unless the size and number of the fragments removed from donor colonies are regulated, there is no way to prevent a coral culture operation from removing entire colonies or to ensure that this is sustainable. Also, a shift entirely to closed-cycle captive breeding of corals in importing countries, with no reliance at all on wild populations, may also reduce an important financial incentive to conserve healthy, intact reefs in source countries. Finally, culturing stony corals outside of their native habitat dramatically increases the chances of introducing these species as exotics in other reef ecosystems. Aquaculture operations for other taxa (ornamental fish, food fish, etc.) have a well-documented history of "escapes" through disastrous storms, structural failures, or wastewater discharge. There is no reason to expect that *ex situ* coral farm operations would be immune to such phenomena. In addition to releasing larvae or entire colonies, such operations may also release disease vectors to which local reefs and species have

little immunity. *In situ* culturing or farming of exotic coral species poses an unacceptable risk to the native reefs and should never be encouraged or facilitated by Parties.

2. Provide a definition of what constitutes a 'cultured' coral, rather than simply wild-taken;

For consistency, the Coral Working Group has adopted the terms below to define coral production systems. The term 'cultured' corals is reserved for any non-wild whole coral, colony, fragment, clipping, nubbin, larvae, or individual polyp produced through coral aquaculture, captive-culturing or captive-breeding (as defined in CITES Resolution Conf. 10.16). The terms F1, F2, F3, etc. as used in Resolution Conf. 10.16 are explicitly reserved to describe generations of sexually produced offspring, and would only apply to corals that have been raised from gametes and/or planula larvae. These terms have no meaning for asexual reproduction, cloning, or budding in corals. Specimens derived from asexual reproduction, cloning, or budding should be described as first-generation, second-generation, etc. depending on how far removed they are from wild specimens in captivity. For example, a clipping taken from a wild specimen and subsequently grown in culture would be considered "first-generation".

Coral production systems:

- a) Wild coral: Any whole coral, colony, polyp, fragment, clipping, nubbin, gamete, or larva taken from the wild. Portions, fragments, or clippings that are removed from wild corals then maintained and grown in a controlled environment are not considered wild and are termed "first-generation" specimens (see below). Portions, fragments, or clippings from first-generation specimens (or beyond) are not considered wild. Any products of sexual coral reproduction generated in captivity are not considered wild.
- b) Coral mariculture or coral farming: The maintenance and growth of wild coral clippings, nubbins or fragments in raised pens, rope or wire racks, or other artificial enclosures/retaining devices placed in the marine environment that are used to optimize coral growth and discourage predation. This indicates that the specimens are propagated in the ocean and there is no physical barrier between the marine environment and the coral specimens in question. Coral farming operations generally do not produce "cultured" or "ranching" corals as defined below because they typically maintain and grow out wild corals.
- c) Coral ranching: The rearing of whole corals, colonies, polyps, fragments, clippings, nubbins, or larvae taken from the wild in a controlled environment. Coral ranching can also refer to the practice of bringing wild corals into captivity until they spawn, then repatriating them to their normal wild habitat. In this latter production system, the larvae obtained through captive spawning are subsequently reared and grown in a controlled environment. This practice may involve the rearing of high mortality life stages (such as larvae) or low mortality life stages (such as coral clippings). Coral ranching does not refer to the standard handling and maintenance of wild corals prior to transport or sale.
- d) Aquacultured corals: Coral clippings, fragments, nubbin, larvae, or polyps derived from wild specimens maintained in captivity, then maintained and grown in an controlled environment that is separate from the sea. Such environments may have filtered natural seawater pumped through them by artificial means, and may utilize natural sunlight to drive photosynthesis in the system. Any such "flow through" systems must be treated sufficiently to prevent the escape of corals, gametes, larvae, or disease vectors back to the marine environment. Coral aquaculture produces first-generation cultured corals from wild colonies.

- e) Captive-culturing of corals: Production of coral colonies in “closed” controlled environments, maintained without the introduction of specimens from the wild, except for the occasional addition of colonies, gametes, or larvae to maintain genetic diversity. In these operations, colonies must be managed in such a way that long-term maintenance of this cultured stock is guaranteed. These operations must be able to produce second-generation corals or be using methods that have been reliably shown to produce second-generation corals.
- f) Captive-breeding of corals: Production of coral colonies from gametes or larvae in “closed” controlled environments, maintained without the introduction of specimens from the wild, except for the occasional addition of colonies, gametes, or planula larvae to maintain genetic diversity. In these operations, parental stock must be managed in such a way that long-term maintenance of this cultured stock is guaranteed. These operations must be able to produce F2 corals or be using methods that have been reliably shown to produce F2 corals.

3. Advise on what source code(s) should be applied to the different means of propagation; and

Within the CITES trade database a small number of corals are reported using a source code “C” that indicates they are captive bred (currently less than 1% of the total trade). However, these specimens generally do not meet the definition of “captive bred” in Resolution Conf. 10.16 because donor colonies are regularly removed from the wild, and the specimens are often not maintained in a closed environment. Considerable effort goes into the production of a cultured coral, and this may have less negative impacts to wild populations if the activity is conducted by following specific guidelines and protocols. Thus, the ability to distinguish wild-harvested corals from cultured corals in the CITES database would be beneficial for conservation purposes.

We propose the following assignment of CITES source codes (as currently understood in Resolution Conf. 10.2 and 10.16). Future revisions to source codes may require modifying or replacing these codes for corals. This section should be read in conjunction with section 2 above.

<b>CITES Source Code</b>	<b>Relevant coral production system</b>
W	Wild, maricultured*, or farmed* corals
F	Aquacultured corals (first-generation cultured corals that are produced in systems that don’t meet the requirements of Resolution Conf. 10.16)
C	Captive-bred corals or captive-cultured corals (second-generation cultured corals that are produced in closed systems as per the terms of Resolution Conf. 10.16)
R	Ranched corals

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\* The Coral Working Group recommends exploration of new or revised CITES source codes to more accurately describe mariculture or coral farming production systems. Such analysis may produce a more appropriate source code for mariculture/coral farming operations than “W”, and better reflect the potential conservation benefit of these operations. The Working Group suggests that the mariculture/marine farming issue be included in any future Animals Committee discussions on wildlife/plant production systems.

4. Consider any features of cultured corals that may enable them to be distinguished in trade from wild-taken corals

Clear differentiation between cultured and wild corals is important to allow accurate interpretation of trade data and potential impacts on wild reef ecosystems. However, the lack of morphological or biological differences between cultured and wild corals necessitates some sort of marking system.

While the presence of an artificial base suggests that a coral was cultured, it is possible that large fragments could be attached to this base, grown out for a few weeks, and then exported as cultured corals. The presence of new tissue and skeleton that has accreted onto the base is also a poor indication of the culture time, as many species will overgrow the base in a matter of weeks before increasing in size or number of branches, as a strategy to permanently reattach to the substrate. In addition, many suppliers in the U.S. sell cultured fragments that are significantly smaller than readily available wild-harvested corals, with no way to verify that these are not just pieces of a larger wild colony that was broken apart, attached to bases, and immediately exported or sold.

Regulating minimum culture times (and thus the amount of new growth required on a cultured specimen) for commercial operations would be somewhat arbitrary given the differences in growth rates among species, and possibility that variations in light quality and intensity, nutrient levels, water flow or other manipulations may enhance or decrease growth rates in captivity. A bar code or a numbered tag could be attached to the coral when it is first placed on its base, as it will become partially embedded in the skeleton as the coral grows. The amount of growth over the tag may also be indicative of how long the coral was cultured prior to export. Another option may involve the incorporation of dye into the skeleton. Scientists examining coral growth rates commonly use alizarin red; the coral incorporates the dye in its skeleton upon exposure and as the coral grows the dye remains visible as a band. However, there are disadvantages to this technique as it would be possible to dye numerous corals in situ, then return several months to years later, and collect and market these corals as captive bred. In addition, verification would require sacrificing the colony, as it must be broken open to visualize the dye. The most feasible marking option is that corals are oriented parallel to the base (instead of vertical, or upright) when first attached. In this way, they would not be marketed until new upright branches have been produced, and the original horizontal branch would be recognizable as the base. A recent study by Epstein and Rinkevich (2001) illustrates the utility of different fragment sizes, orientation, and branching complexity, and the amount and rate of production during various grow-out periods. To date, there is no standard grow-out time for stony corals that permits visual differentiation between wild and cultured specimens.

Recommendations and conclusions

5. Standard terminology

We recommend that the AC endorse the terms and definitions for coral production systems provided in Section 2 of this report and advise on their dissemination to the Parties, either through a Notification or by amending Resolution Conf. 11.10.

6. Source codes

We recommend that the AC endorse the source code assignment for stony corals, described in section 3, and also recommend their distribution to the Parties by a Notification.

#### 7. Distinguishing cultured and wild corals in trade

The Coral Working Group does not feel that there is enough research or practical experience in the coral culture industry to recommend one marking system over another. We recommend the AC encourage the Parties, the coral trade industry, NGO's, and the scientific community develop appropriate marking systems for ranched, farmed and cultured corals that are affordable, readily identifiable, and easy to use. If tags, labels, or similar unique marks are used, Parties should give due consideration to a centralized disbursement and control system to avoid mark duplication and minimize fraud.

#### 8. Sustainability issues

Culturing corals to supply the international market has the potential to reduce the stresses placed on wild coral ecosystems. Operations may still require wild-collected fragments or colonies to initiate or supplement production. In such cases, range countries should continue to ensure that such collection, as with the harvest of any wild organism, is sustainable and does not affect the species' ability to perform its role in the ecosystem. In the CITES context, assignment of source codes other than "C" for cultured corals in trade does not relieve Parties of their responsibility to monitor and control coral culturing activities as per Article IV of the Convention.

#### 9. Establishment of non-native species

The Working Group also draws the attention of the Committee to the significant risks of farming or culturing of non-native corals in open-sea coral farms or risk-prone flow-through aquaculture operations. The group is concerned that such systems might lead to the establishment of non-native species in the wild. Parties should seek to prevent such operations. Ex situ coral aquaculture and captive-breeding operations propagating exotic species should be discouraged or prohibited unless appropriate wastewater treatment and escape-prevention plans are in place. These risks should be drawn to the attention of the working group on alien species.

In all cases, Parties should weigh the economic and ecological risks and benefits of coral culturing before endorsing or permitting such operations in their jurisdiction.

#### 10. Production system discussions

The information from this review on mariculture/coral farming might usefully inform current assessments of wildlife production systems being undertaken by IUCN on behalf of the CITES Secretariat. Such discussions may yield a more appropriate source code for mariculture in general and coral production operations in particular. The absence of a suitable source code for corals produced by mariculture or farming was seen by the group as being particularly unfortunate.

Coral production systemsRESPONSES FROM NOTIFICATION 2001/010 AND INFORMATION OBTAINED BY THE  
AUTHORS ON CORAL CULTURING TECHNIQUES*France, Monaco and the Netherlands*

Working Group member Philippe Jouk provided contact information for two public aquaria investigating coral mariculture:

Aquarium of the Institut Oceanographique de Monaco

Nausicaa at Boulogne, France

Mr. Stephane Henard of the Nausicaa facility responded by listing 47 species or genera of stony and soft corals propagated at the French National Sea Center/Nausicaa. He indicated that his facility has not used wild specimens in its 120 square meter display tank since 2000, instead relying on cuttings from captive colonies to replace dead specimens. Nausicaa also uses a combination number and color code to identify each cutting in an electronic database. Currently, the Nausicaa facility has eight 1200-liter production tanks for coral display and propagation.

Research is also underway to look at *ex situ* sexual reproduction of hermatypic Scleractinia between the Oceanium at Rotterdam Zoo, The Netherlands and the University of Essen, Germany.

*China*

The Chinese Management Authority contacted their government's Fishery Bureau/Ministry of Agriculture for information on coral mariculture. The Fishery Bureau responded simply that there were "scarcely any coral mariculture in China", and the Management Authority therefore concluded that they could not provide any information for the Coral Working Group to consider.

*Dominica*

Applied Marine Technologies (AMT) is a U.S. run operation based on the Caribbean island of Dominica that is currently propagating about 25,000 pieces of living corals in 128 shallow 250 gallon tanks and a 25,000 gallon pool. AMT reportedly takes a single polyp from the parent stock and grows it out on a growth medium (using a patented technique), producing a new coral suitable for export within six weeks (State Department Cable, 7/13/01). However, based on existing knowledge of coral growth, it is virtually impossible to grow a coral this fast from a single polyp, and it is unclear whether the reported information is in error. The facility is propagating Caribbean taxa from local waters and imported Indonesian (Indo-Pacific) corals, and is seeking to export corals to the U.S. for aquarium markets. They also produce corals for reef rehabilitation projects.

*Fiji*

Fiji did not respond to the Notification to the Parties. However, a U.S. representative obtained information on mariculture through a visit. There are two ongoing efforts to raise corals in Fiji: 1) the *Coral Gardens Initiative*, sponsored by The Foundation for the Peoples of the South Pacific and Counterpart International; and 2) Walt Smith International, a commercial exporter of stony corals and live rock.

The *Coral Garden Initiative* is attempting to develop a commercial coral aquaculture venture involving villagers to provide corals for reef rehabilitation, to produce lime for the betel nut industry, and for international trade. Coral fragments are attached to thin concrete discs that are secured to a 1x1 cm mesh screen with 30 lb monofilament. The screen forms a tray that is secured to a metal (rebar) table placed in shallow water. The primary genera that are targeted are *Acropora*, *Pocillopora*, *Tubipora*, *Porites*, *Pavona*, *Montipora* and *Seriatopora*.

Walt Smith International is the largest commercial coral and live rock exporter in Fiji. Although the bulk of their coral in commercial trade is wild-harvested, they have begun raising corals from small fragments, 2-3 cm in length, which are attached to a cement disc with epoxy, and grown out on wire racks placed at 3-10 m depth in reef flat environments off the main island. The source of the coral and the grow-out locations are the same; however, because of recent losses due to a cyclone, the operator is planning to begin cultivating coral at their facility on land. Genera observed included *Acropora*, *Pocillopora*, *Hydnophora*, *Millepora*, *Caulastrea*, *Favites*, *Euphyllia* and *Seriatopora* although only branching corals have been imported into the U.S. so far, as *Caulastrea*, *Favites* and *Euphyllia* grow much more slowly. Walt Smith is also culturing artificial live rock, produced from a mix of cement and coral rubble, and grown out on the reef, with one to two years required before the product is marketable.

#### *Indonesia*

Indonesia's trade organization, AKKII, provided a one-page document to the AC chair (see attachment). This document briefly described research on coral transplantation and culture in Pari Island conducted from March 2000 to February 2001. The stated purposes of this research included education, research, tourism, conservation, and trade. However, methods and materials were not described, and results were qualitative. The anonymous author(s) provided no contact information.

#### *Israel*

The Scientific Authority of Israel said that it has received inquiries about establishing commercial coral culture operations within the country. Israel is considering the ecological and enforcement implications of permitting such activity and has indicated that two new coral farms are opening culturing only non-native species. All corals will be grown in closed-system tanks not linked to the sea.

#### *Marshall Islands*

The authors obtained copies of breeders' certificates from Robert Reimers' Enterprises in the Republic of the Marshall Islands. At the time of printing, the authors' had not contacted the proprietors to obtain details on technology, species, and production capacity. The species listed in the breeder's certificate included "*Acropora sp.*", "*Pocillopora sp.*", "*Fungia sp.*", and "*Lopophyllia sp.*". Other taxa included Tridacnid clams and soft corals. The Marshall Islands had issued a CITES "in lieu of" export permit for these species, stating that they had been in accordance with national laws, will not be detrimental to the survival of the species in the wild, and will be transported in a manner which will minimize the risk of injury, damage to health, or cruel treatment.

#### *Philippines*

Although the Philippines did not directly respond to Notification 2001/010, the United States obtained information on one significant coral propagation project in Cebu through professional contacts. This program, the Philippines Coral Farm Project, is a joint effort between the German Technical Cooperation/Tropical Ecology Program, the University of San Carlos, the Philippine government, and the Barangay Caw-oy (Cebu) local authorities.

## Project Summary

The Coral Farm Project employs fishermen and other workers from the local community in Barangay Caw-Oy to run an *in situ* coral propagation program in a two-hectare marine reserve. In short, the project involves clipping segments from live corals at healthy reef sites, moving them to shallow grow-out areas, and then transplanting them to selected reefs in need of rehabilitation. In addition to its ecological benefits, the project is intended to provide a source of income and ecotourism for the local community while simultaneously educating citizens about the vulnerability of reef ecosystems.

The farm utilizes over 100 species of stony coral, including branching, columnar, massive, encrusting, foliaceous, and solitary growth forms. Fragments are collected from a healthy reef, attached to limestone blocks and grown out at 6-12 m depth in 1m<sup>2</sup> concrete "coral nursery units" (CNU's), with 50-90 fragments per unit. The farm currently maintains 22,000 fragments in 275 CNU's. Moderate to fast-growing fragments remain in the farm for 6-12 weeks, while slow growing massive species may need 4-6 months to develop new polyps. During this grow-out phase, divers remove predators, upright fallen colonies, and remove accumulated sand or algae. Dead fragments are removed from the farm, but are analyzed and recorded. During the grow-out period, fragments grow several centimeters in height or width (depending on the species and growth form), and establish a new basal disc over the limestone block.

It is important to note that the size of fragments removed from donor colonies may not be optimal for reef conservation or for use as aquarium specimens. The divers remove much larger fragments than reported in other studies (branches are typically 4 cm by 8 cm), and as much as 50% of the donor colony is removed, which may cause significant impact to the donor sites. In addition, these are too large for the aquarium trade. While this problem may be remedied, the export of corals from the Philippines is currently prohibited.

### *Singapore*

The Agri-food and Veterinary Authority of Singapore provided two contacts for mariculture investigations in Singapore:

Prof. Chou Loke Meng  
Reef Ecology Laboratory  
Dept of Biological Sciences  
National University of Singapore

Prof. Lam Toong Jim  
Tropical Marine Science Institute  
Dept. of Biological Sciences  
National University of Singapore

Prof. Chou responded by describing both *ex situ* and *in situ* propagation experiments within Singapore. *Ex situ* experiments (in aquaria) have investigated settlement and growth rates for *Porites* placed in aquaria just prior to spawning events. The goal is to infuse settlement plates with captive-born larvae, and then transfer these to degraded reefs for rehabilitation. *In situ* experiments have modeled the work at the Philippines Coral Farm Project (see above), with moderate growth success.

Prof. Chou indicated that Singapore does not expect commercial production in the next five years, and will instead focus culturing efforts on reef rehabilitation.

### *United Republic of Tanzania*

Details of experiments on coral culturing and settlement of larvae are described by Franklin, Muhando & Lindahl (1998). Culturing experiments on 4 species from 3 genera were undertaken off Chumbe Island, Zanzibar. Coral fragments were cemented into small plastic cups and placed on racks on the seabed at 4m depth. The results showed that coral fragments of 1-2cm in length could be grown to market size, or for use in reef rehabilitation, within the period of one year.

### *United States of America*

The U.S. Scientific Authority, in conjunction with the U.S. National Marine Fisheries Service, has begun to evaluate the extent of U.S. coral mariculture operations via Internet business searches, hobbyist literature, and professional contacts. Initial searches revealed more than 100 individuals or businesses offering "cultured corals" for sale. Many of these were private hobbyists offering specimens for domestic sale within the U.S., and one operation, ReefFarmers.com sells fragments from 10-12 different aquarists. Even one of the larger businesses advertised for U.S. sales only (Appendix I). The U.S. also noted several domestic public aquaria are investigating coral propagation.

#### 1. Public aquariums

The Waikiki Aquarium in Hawaii maintains over 75 species of stony corals from southeast Asia and the south Pacific which must be pruned on a regular basis. Over 500 fragments each year are made available to other public aquariums and researchers around the world. The majority of these are branching genera, including *Acropora*, *Anacropora*, *Caulastrea*, *Pavona*, *Seriatopora*, *Stylophora* and *Hydnophora*. Large mother colonies provide up to 500 fragments 2-3 times per year.

Sea World of Ohio has a coral propagation facility that provides clippings to other Sea World Parks in California, Florida and Texas.

Pittsburgh Zoo is reported to have the largest coral collection in the country.

#### 2. Large commercial operators

Tropicorium, located in Romulus Michigan has a 40,000 gallon facility with over 10,000 corals on hand and 85 species. Coral fragments are placed in test-tube sized plastic flower vases, each with a small cap that has a hole punched in it; no adhesive is used. Fragments are sold at a very small size (2-5 cm) and often have not attached to the substrate suggesting that the grow-out period is relatively short. Information on the amount of wild-harvested corals used at Tropicorium was not available.

Geothermal Aquaculture Research Foundation (GARF), located in Idaho, is a non-profit organisation that conducts research on propagation of coral reef organisms, provides educational seminars, and sells some of their product. Corals are produced by breaking small fragments (0.25-1 inch long) off a mother colony with pliers and attaching this to a lava, aragonite or tufa rock with superglue. They do not recommend epoxy, as they find that it causes some tissue loss and it takes longer for the epoxy to set. This technique is recommended for *Acropora*, *Montipora*, *Pocillopora*, *Stylophora*, *Hydnophora*, *Pavona*, *Anacropora*, *Seriatopora*, *Porites*, *Favia* and *Favites*. GARF has over 120 types of SPS corals that have come from coral farms around the world; fragments grown from these colonies are kept in a database and numbers are attached to each animal so the hobbyist can determine the specimen's 'generation' (F1, F2, etc.) as well as the species and origin.

### 3. Hobbyists and small vendors

Over 100 hobbyists and small aquarium stores were identified that are producing their own cultured corals for sale or trade. The source of the corals includes wild-harvested Indo Pacific corals, corals raised in coral farms in tropical countries, and through barter with other hobbyists in the United States.

### 4. Other

Puerto Rico Coral Farmers are growing corals in nurseries established in shallow water currently only for reef rehabilitation. Fragments are attached directly to wire frames with monofilament, or are tied onto line suspended in the seawater to create "coral necklaces" The project has success with *Acropora cervicornis* and *A. prolifera*.

Scientists with the University of Puerto Rico (Ernesto Weil), University of North Carolina (Alina Szmant), Waikiki Aquarium (Bruce Carlson) and University of Guam (Bob Richmond) are experimenting with the culture of corals from sexually produced larvae.



Corals that are being raised through culture. **The list is not complete**; the taxa listed were those identified as being available to hobbyists through various internet sites and some may represent clippings from larger colonies that have not been grown-out. Taxa that are not in commercial production, but are under experimentation are indicated by an asterix.

Species	Fragmentation	Larvae
<i>Acropora abrolhosensis</i>	X	
<i>A. aculeus</i>	X	
<i>A. acuminata</i>	X	
<i>A. anthocercis</i>	X	
<i>A. aspera</i>	X	
<i>A. austera</i>	X	
<i>A. azurea</i>	X	
<i>A. batunai</i>	X	
<i>A. brueggmanni</i>	X	
<i>A. bushyensis</i>	X	
<i>A. carduus</i>	X	
<i>A. caroliniana</i>	X	
<i>A. cerealis</i>	X	
<i>A. cervicornis</i> (Caribbean)	X *	
<i>A. clathrata</i>	X	
<i>A. digitifera</i>	X	
<i>A. divaricata</i>	X	
<i>A. echinata</i>	X	
<i>A. elseyi</i>	X	
<i>A. florida</i>	X	
<i>A. formosa</i>	X	
<i>A. furcata</i>	X	
<i>A. gemmifera</i>	X	
<i>A. grandis</i>	X	
<i>A. hoeksemai</i>	X	
<i>A. horrida</i>	X	
<i>A. indiana</i>	X	
<i>A. indonesia</i>	X	
<i>A. latistella</i>	X	
<i>A. lovelli</i>	X	
<i>A. lutkeni</i>	X	
<i>A. microclados</i>	X	
<i>A. microphthalma</i>	X	
<i>A. millepora</i>	X	
<i>A. multiacuta</i>	X	
<i>A. nana</i>	X	
<i>A. nasuta</i>	X	
<i>A. nobilis</i>	X	

Species	Fragmentation	Larvae
<i>A. palifera</i>	X	
<i>A. palmata</i> (Caribbean)	X*	
<i>A. palmerae</i>	X	
<i>A. paniculata</i>	X	
<i>A. polystoma</i>	X	
<i>A. prolifera</i> (Caribbean)	X*	
<i>A. pulchra</i>	X	
<i>A. samoensis</i>	X	
<i>A. sarmentosa</i>	X	
<i>A. secale</i>	X	
<i>A. secale</i>	X	
<i>A. selago</i>	X	
<i>A. spicifera</i>	X	
<i>A. subglabra</i>	X	
<i>A. subulata</i>	X	
<i>A. tenuis</i>	X	
<i>A. totuosa</i>	X	
<i>A. valenciennesi</i>	X	
<i>A. valida</i>	X	
<i>A. yongei</i>	X	
<i>Montipora hoffmeisteri</i>	X	
<i>M. digitata</i>	X	
<i>M. spongodes</i>	X	
<i>M. hoffmeisteri</i>	X	
<i>M. efflorescens</i>	X	
<i>M. capricornis</i>	X	
<i>M. spumosa</i>	X	
<i>M. foliosa</i>	X	
<i>M. tunerculosa</i>	X	
<i>M. stellata</i>	X	
<i>Pocillopora eydouxi</i>	X	
<i>P. wooddjonesi</i>	X	
<i>P. meandrina</i>	X	
<i>P. elegans</i>	X	
<i>P. damicornis</i>	X	X*
<i>P. verrucosa</i>	X	
<i>Seriatopora caliendrum</i>	X	
<i>S. octoptera</i>	X	
<i>S. hystrix</i>	X	
<i>Stylophora subseriola</i>	X	

Species	Fragmentation	Larvae
<i>S. pistillata</i>	X	X*
<i>Hydnopora rigida</i>	X	
<i>H. exesa</i>	X	
<i>Porites cylindrica</i>	X	
<i>Pectinia paeonia</i>	X	
<i>Tubastrea</i>	X	
<i>Pavona cactus</i>	X	
<i>Caulastrea furcata</i>	X	
<i>Anacropora sp.</i>	X*	
<i>Euphyllia divisa</i>	X	
<i>Echinopora lamellosa</i>	X	
<i>Blastomussa merleti</i>	X	
<i>Turbinaria reniformis</i>	X	
<i>Astreopora sp</i>	X	
<i>Plerogyra spp.</i>	X*	
<i>Mycetophyllia spp. (Caribbean)</i>		X*
<i>Favia fragum (Caribbean)</i>		X*
<i>Porites astreoides (Caribbean)</i>		X*



**Working group on the universal labelling system for the identification of caviar (Resolution Conf. 11.13) and conservation of Acipenseriformes (Decisions 11.59 and 11.152)**

**Chair:** Regional representative of Oceania.

**Participants:** Canada, China, France, Germany, Islamic Republic of Iran, Russian Federation, United States of America, European Commission, International Caviar Importers Association, IWMC-CH, Midwestern Association of Fish and Wildlife Agencies, TRAFFIC, Secretariat.

Work Programme

1. This working group initially worked to draft an amendment to Resolution Conf. 11.13. The purpose of amending the resolution includes improving definitions of terms used, extending the universal labelling system implemented for exports of caviar from countries of origin, to also cover its re-export and other procedural recommendations.
2. Additionally, the group was tasked with assessing AC18 Doc. 21 on the conservation of Acipenseriformes and determining whether it wished to make recommendations based on the report or to make additional ones relevant to the species.

Universal Labelling System for the Identification of Caviar

3. The group agreed to use AC18 Doc. 15.2 as a basis for the draft amendment. It also agreed that the scope of its work included recommending a system that could be used for domestic trade. In addition, the group concluded that it was not appropriate to extend the labelling requirements to sturgeon and paddlefish meat at this stage.
4. The result of the group's work is embodied in the amended draft resolution, which is attached as Annex 9.1 (Rev.).

Recommendation

5. That the AC accepts the attached draft resolution and asks that it be submitted to COP12.

Conservation of Accipenseriformes (Decisions 11.59 And 11.152)

6. The group accepted the broad thrust of the recommendations contained in AC18 Doc. 21 with some minor modifications, which were communicated to the Secretariat as written notes. In doing so, it was agreed that some of the recommendations needed to be targeted at certain organizations or Parties for maximum effectiveness.
7. It was agreed that some recommendations could be the subject of Conference resolutions while others of a more short-term nature could form the basis for Conference Decisions. The Secretariat was given a mandate to take this aspect further and decide which recommendations fitted into each category.
8. In addition, the group recognized work already being done to improve understanding of the population structure and genetic variation of stocks. It acknowledged the need to progress further with this issue. The collection of voucher specimens by range States was an essential first step in this process. The Secretariat indicated its willingness to facilitate

appropriate action, such as a technical workshop, in conjunction with the sub-group on genetic and molecular identification of sturgeons in the IUCN sturgeon specialist group.

9. It was agreed that the recommendations set out in paragraphs 38 and 39 of the report should be replaced by one stating that the AC strongly urges Parties to contact FAO to request assistance with long-term management and monitoring of shared sturgeon stocks.
10. The Working Group praised the Secretariat for its recognition – in paragraphs 46 to 49 that the problems posed by sturgeon conservation and trade were part of the wider issue of the economic management of the entire resource. In order to develop the recommendations set out in these paragraphs, it was recommended that the AC, together with the relevant commission of IUCN, the Sturgeon Specialist Group and other relevant organizations, establish a working group to deal with the socio-economic aspects of sturgeon conservation and trade.

### **Recommendation**

11. That the Committee notes the conclusions reached in paragraphs 7-11 and agrees to them as a basis for further action.

Universal labelling system for the identification of caviar

PROPOSED AMENDMENTS TO RESOLUTION CONF. 11.13

AWARE that all living species of sturgeon and paddlefish (Acipenseriformes) are listed in Appendix I or II of CITES, but concerned that certain parts and derivatives of some sturgeon species may be subject to some illegal trade;

RECOGNIZING that illegal trade has in the past threatened the survival of certain populations of sturgeons and has undermined the efforts of producer countries to manage their sturgeon resources on a sustainable basis;

RECOGNIZING that Resolution Conf. 10.12 (Rev.), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 11th meeting (Gigiri, 2000), directs the Secretariat in consultation with the Animals Committee to explore the development of a uniform marking system for sturgeon parts and derivatives to assist in subsequent identification of the species;

RECALLING that Article VI, paragraph 7, of the Convention provides that specimens of species listed in the Appendices may be marked to assist in identifying them;

NOTING that, in order to assist the Parties in identifying legal caviar in trade, labelling should be standardized and that particular specifications for the design of labels and utilization thereof are fundamental and should be generally applied;

CONSIDERING that the labelling of all caviar in international trade would be a fundamental step towards the effective regulation of trade in sturgeons and sturgeon products;

RECOGNIZING that the Animals Committee, at its 17th meeting (Hanoi, 2001), recommended that the universal labelling system for the export of caviar from producing countries to the initial country of import should be expanded to cover re-export of caviar;

NOTING that the Standing Committee at its 45th meeting (Paris, 2001), raised concerns about domestic markets of caviar and the need to significantly increase efforts to combat illegal harvesting and illegal trade, and to regulate domestic trade;

NOTING that strategies for the uniform labelling of caviar should take into account marking systems currently in place and should not prevent producer countries and legitimate processing and trading industries from labelling the caviar in trade in a further developed way;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS:

a) that the following definitions apply in relation to trade in caviar:

Caviar: processed roe of Acipenseriforme species;

Lot identification number: a number that corresponds to information related to the processing or repackaging plant's caviar tracking system;

Non-reusable label: any label or mark which can not be removed undamaged or transferred to another container;

"Pressed" caviar: caviar composed of the roe of one or more sturgeon or paddlefish species, remaining after the processing and preparation of other higher quality caviar;

Primary container: tin, jar or other receptacle that is in direct contact with the caviar;

Processing plant: facility in the country of origin responsible for the first packaging of the caviar into a primary container;

Repackaging plant: facility responsible for receiving and repackaging caviar into new primary containers;

Secondary container: receptacle into which primary containers are placed;

Source Code: Letter corresponding to the source of the caviar, as defined by the relevant CITES resolutions (e.g. 'W' for wild, 'C' for captive bred);

- b) the introduction of a uniform labelling system for the caviar produced for commercial or non-commercial purpose, for either domestic or international trade, based on the application of a non-reusable label on each primary container;
- c) that, in the country of origin, a non-reusable label be affixed by the processing plant to any primary container of caviar which includes, as a minimum: a standard species code as provided in the Annex; the source code of the caviar; the ISO two-letter code for the country of origin; the year of harvest; the official registration code of the processing plant (e.g. xxxx); and the lot identification number for the caviar (e.g. yyyy):

HUS/W/RU/2000/xxxx/yyyy

- d) that, when no repackaging takes place, the non-reusable label referred to in paragraph c) above be maintained on the primary container and be considered sufficient, including for re-export;
- e) that a non-reusable label be affixed by the repackaging plant to any primary container in which caviar is repackaged which includes, as a minimum: a standard species code as provided in the Annex; the source code of the specimen; the ISO two-letter code of the country of origin; the year of repackaging; the official registration code of the repackaging plant, which incorporates the ISO two-letter code of the country of repackaging if different from the country of origin (e.g. IT-wwww); and the lot identification number, or CITES export permit or re-export certificate number (e.g., zzzz):

PER/W/IR/2001/IT-wwww/zzzz

- f) that, when the caviar is exported or re-exported, it be indicated on any secondary container, in addition to the description of the content in accordance with international customs regulations, the exact quantity of caviar;

- g) that the same information that is on the label affixed to the container be given on the export permit or re-export certificate or in an annex attached to the CITES permit or certificate;
- h) that, in the event of inconsistencies between information on a label and a permit or certificate, the Management Authority of the importing Party contact its counterpart in the exporting or re-exporting Party as soon as possible to establish whether this was a genuine error arising from the volume of information required by this Resolution, and that, if this is the case, every effort be made to avoid penalizing those involved in such transactions;
- i) that each importing, exporting and re-exporting Party establish, where consistent with national law, a registration system for processing and repackaging plants in its territory and provide to the Secretariat the list of these facilities and their official registration codes, and that the list be updated as needed;
- j) that the Secretariat, in consultation with the Parties and other relevant entities, explore the establishment of a clearinghouse of information regarding all permits issued for international trade in caviar, to assist in the control of illegal trade;
- k) that Parties accept shipments of caviar only if they are accompanied by appropriate documents containing the information referred to in paragraph c), e), f) and g).

RECOMMENDS that the preceding set of procedures take effect as soon as possible, but not later than 1 January 2004.

## Annex

CODES FOR IDENTIFICATION OF ACIPENSERIFORMES SPECIES,  
HYBRIDS AND SEVERAL SPECIES

Species	Code
<i>Acipenser baerii</i>	BAE
<i>Acipenser baerii baicalensis</i>	BAI
<i>Acipenser brevirostrum</i>	BVI
<i>Acipenser dabryanus</i>	DAB
<i>Acipenser fulvescens</i>	FUL
<i>Acipenser gueldenstaedtii</i>	GUE
<i>Acipenser medirostris</i>	MED
<i>Acipenser mikadoi</i>	MIK
<i>Acipenser naccarii</i>	NAC
<i>Acipenser nudiventris</i>	NUD
<i>Acipenser oxyrhynchus</i>	OXY
<i>Acipenser oxyrhynchus desotoi</i>	DES
<i>Acipenser persicus</i>	PER
<i>Acipenser ruthenus</i>	RUT
<i>Acipenser schrencki</i>	SCH
<i>Acipenser sinensis</i>	SIN
<i>Acipenser stellatus</i>	STE
<i>Acipenser sturio</i>	STU
<i>Acipenser transmontanus</i>	TRA
<i>Huso dauricus</i>	DAU
<i>Huso huso</i>	HUS
<i>Polyodon spathula</i>	SPA
<i>Psephurus gladius</i>	GLA
<i>Pseudoscaphirhynchus fedtschenkoi</i>	FED
<i>Pseudoscaphirhynchus hermanni</i>	HER
<i>Pseudoscaphirhynchus kaufmanni</i>	KAU
<i>Scaphirhynchus platyrhynchus</i>	PLA
<i>Scaphirhynchus albus</i>	ALB
<i>Scaphirhynchus suttkusi</i>	SUS
Mixed species (for "Pressed" caviar exclusively)	MIX
Hybrid specimens: code for the species of the male x code for the species of the female	YYYxXX

Comments on Recommendations in AC18 Doc. 21

Para. 16: It was clarified that this referred to remaining stocks in unaltered rivers.

Para 17: The recommendations set out here need to be targeted at relevant bodies indicating who was responsible and when they should be achieved. The Sturgeon Specialist Group had an important role to play here.

Para. 18: See paragraph 4 above.

Para. 19: The stated objective that "the genetic composition of offspring produced for release into a functional spawning river should not compromise the genetic variation of that spawning stock" should be made into a definitive recommendation.

Para. 27: The new departure of setting catch quotas was recognized. However, while export quotas should be set for all sturgeon stocks, catch quotas might not be appropriate outside the Black and Caspian Seas, where stocks were shared between a number of range States. The deadline for submission of quotas needed to be adjusted because the fishery year does not correspond with the calendar year.

Para 28: This should be targeted at range States and information should be sought from FAO.

Para. 29: This needed to be targeted.

Para. 30: Amend "illegal fishing" to "illegal catch and domestic use of ".

Para. 31: The US emphasized the length of time and financial commitment at stake in restocking programmes as evidence that they should not be undertaken lightly: Iran pointed out that restocking and aquaculture were separate issues and should be treated accordingly. This recommendation needs to be elaborated further by the Secretariat in consultation with the range States.

Para. 32: The Secretariat clarified that the purpose here was to urge the range States to agree among themselves as to how to carry out research requiring scientific catches and to satisfy other countries that such catches did not constitute quota avoidance.

Para. 40: The purpose of this recommendation was to ensure cooperation between neighboring countries.

Para. 43: This recommendation was intended to ensure that land-based and water-based enforcement activities were properly coordinated and resourced.



## **Report of the Working Group on Freshwater Turtles and Tortoises**

**Chair:** Marinus Hoogmoed (Europe)

**Participants:** China, Germany, [Rep of Korea], Madagascar, United States of America, IWC, IUCN, David Shepherd Conservation Foundation, Pro Wildlife, TRAFFIC, WCS, CITES Secretariat

### Terms of Reference for the group

- Review the Significant Trade sheets for five species, and determine categorisations in the light of information presented at the Kunming workshop.
- Considering Decision 11.93 review the results of the Kunming workshop presented in AC 18. Inf. 12 and prioritize the action points therein.
- Review and tighten the text of Resolution Conf 9.11.
- Consider draft text for inclusion in the Chair's report to CoP12.

### Results

#### *Cuora amboinensis* - **Category 1**

According to participants at Kunming, this is the most abundant species in trade and the CITES reported data show that Malaysia and Indonesia are the major exporters. Export quotas for 2002 are not yet published, but were announced to be the same as the 2001 quotas for the two major exporters, viz., 50,000 live specimens from Malaysia and 18,000 live specimens from Indonesia. However the basis for establishing these quotas is not clear. The AC should pose the following questions to Malaysia and Indonesia:

1. Indonesia appears to have allocated part of its quota to the province of Papua, however the species does not appear to occur in this province, what is the explanation for this?
2. What is the basis for Indonesia to establish quotas in compliance with Article IV?
3. What is the relationship between the MA and SA and the Fisheries Department of Indonesia in establishing quotas?
4. Malaysia should clarify its policy on the export of tortoises and freshwater turtles.
5. Peninsular Malaysia has an export quota for 50,000 live specimens but there is no quota or information for exports from Sabah and Sarawak, and yet Malaysia's annual reports combine data from all three areas. Malaysia should clarify how the cumulative exports can be totalled and thus how quota adherence can be assessed and assured in such a situation.
6. Malaysia should clarify how Sabah and Sarawak make non-detriment findings and why they have no quotas.

7. The source of specimens to fulfill Malaysia's export quota should be clarified, as there is concern that this may include unreported exports from nearby Sumatra.
8. Singapore and Viet Nam should clarify their position with respect to their enforcement of international trade controls in relation to transit trade and re-exports.

In addition, it was noted that China's ban on the import of freshwater turtles for commercial purposes from range countries in the region does not include a ban on imports from Viet Nam, because China has never received any official applications to accept imports from Viet Nam. So despite concern at apparently high levels of cross border trade, because it has been informal, there are no official records and China did not include Viet Nam in the import ban..

#### *C. flavomarginata* - **Category 2 for China and Category 3 for Japan**

Concern over specimens exported from Hong Kong to the US led to the Category 2 categorisation for the China populations. The Japanese population was included in Category 3 on the basis that there are no records of trade.

The AC should review any further trade data at its next meeting in 2003.

#### *C. galbinifrons* - **Category 2**

Whilst the review does not include any reported trade in this species, it was thought that this might be because the review was undertaken so soon after the species was first listed in the Appendices.

The AC should:

1. Ask Range States if there has been any reported trade since the completion of the desk based review.
2. Ask Viet Nam to clarify whether exports are allowed from its territory.
3. Ask Lao PDR to clarify the legal requirements for the exports of turtles from its territory.
4. Review any further trade data at its next meeting in 2003.

#### *Lissemys punctata* - **Category 2**

Although the species is widely distributed and reported trade data are limited, there are concerns regarding exports from Bangladesh. In addition, recently, the Secretariat has received a letter in which Bangladesh states that current domestic trade is unsustainable and that a programme of *ex situ* production is being instituted to meet demand.

The AC should ask:

1. Bangladesh about the fact that trade has been reported by importing countries, but Bangladesh itself has reported few exports.
2. Bangladesh to clarify how non-detriment findings can be made for wild caught specimens in international trade when domestic trade is unsustainable.
3. Bangladesh to clarify its export policy.

## *Pyxis planicauda* – Category 1

This species was categorized on the basis of concerns about its small area of distribution and apparent recent over-harvest as evidenced by the fact that the export quota was exceeded in 2000 and 2001. Given this situation, if exports are re-instated it is not clear that a non-detriment finding can be made.

Madagascar reported that a two-week field study to assess the status of the species was apparently carried out recently and the results transmitted to the Secretariat, but this and a number of other communications do not appear to have reached the Secretariat.

Madagascar now has a new CITES Authority, which recognizes past problems such as the issue of blank permits. The current political situation has also caused difficulties in implementing CITES. Consequently Madagascar is imposing a voluntary export moratorium for six months and this is being communicated to the Secretariat, although it still awaits confirmation by the Prime Minister. After much discussion as to how to assist Madagascar in imposing this moratorium and ensuring that improperly authorized (“blank”) permits already in circulation and still “valid” during the six-month period of permit validity are not accepted by importing Parties, it was agreed that:

- After receiving notice from Madagascar, the Secretariat should send an urgent Notification to all Parties asking them to comply with Madagascar’s moratorium and not accept permits other than those detailed in the Secretariat’s Notification.
- The Secretariat is required to draw the attention of Parties to the problems in Madagascar.

In addition to the species Significant Trade Review, a country based Significant Trade review is also underway and so it will be important to ensure that any recommendations ensuing from the species review are coordinated with the Country-based process.

Before exports are re-instated it was recommended that:

1. Further information should be collected on the reliability of the density estimates for this species and the reliability of extrapolating total population numbers from these density estimates.
2. Madagascar should satisfy the Committee of the basis for its non- detriment finding for any proposed exports.
3. The seven captive breeding establishments licensed and given a quota of 100 animals for export in 2000 and 100 specimens to establish their breeding stock should be reviewed by the Authorities.
4. The Secretariat evaluates any clashes between the recommendations associated with the species-based review and the country-based review.

## Preliminary Discussion of Results of the Kunming workshop

### Inclusion of further species in the Appendices

There was consensus amongst the range States that all freshwater turtles and tortoises in trade in the region should be included in the Appendices.

The four proposals being developed by Germany should be supported.

In addition there was support for another two proposals under development by the US although it is not yet clear who the proponent states will be.

In total it looks as though 6-8 proposals may go to the CoP.

#### Recommended Amendments to Resolution Conf. 11.9

The working group reviewed the findings and recommendations of the working group on conservation management and CITES implementation of the Kunming workshop (see AC 18 Inf. 12). The recommendations from that working group were used to derive suggested amendments to Resolution Conf. 11.9 on the Conservation of, and trade in tortoises and freshwater turtles (see Annex 10.1). The Secretariat was requested to finalize the redraft.

It was recommended that the working group continue work after CoP12.

Resolution Conf. 11.9

Conservation of and trade in tortoises and freshwater turtles in Asia and other regions

DRAFT PROPOSAL FOR FURTHER WORK BY THE SECRETARIAT

AWARE that the global international trade in tortoises and freshwater turtles involves millions of specimens each year, affecting more than 50 Asian Chelonian species and at least five North American species;

RECOGNIZING that nearly all Asian tortoise and freshwater turtle species are found in trade, and that a number of species are already included in Appendix I or II;

OBSERVING that the collection of tortoises and freshwater turtles is carried out through an extensive informal network of trappers, hunters and middlemen, and that collection efforts and export volumes have increased significantly, especially throughout much of Asia;

CONSIDERING that, in addition, turtles in general are vulnerable to overexploitation, because of biological characteristics such as late maturity, limited annual reproductive output, and high juvenile mortality, as well as habitat degradation and loss;

NOTING that there are two significant types of trade in tortoises and freshwater turtles, a high-volume trade in tortoises and freshwater turtles and their parts for consumption both as food and in traditional medicine, and a species-focused trade for pets;

CONCERNED that the movement of live tortoises and freshwater turtles to non-range states where introduction could occur could have adverse impacts on the native species of importing countries, and that little is known of such impacts by alien species;

CONSIDERING that little is known of the population status and ecological role of tortoises and freshwater turtles;

RECOGNIZING that trade from and transit through some countries that are not party to CITES could be a concern;

RECALLING Resolution Conf. 10.19 on traditional medicines;

RECALLING that Article III, paragraph 2 (c), Article IV, paragraph 2 (c) and Article V, paragraph 2 (b), of the Convention require that live specimens be so prepared and shipped as to minimize the risk of injury, damage to health, or cruel treatment;

NOTING that the shipment of living tortoises and freshwater turtles is often not conducted in accordance with the provisions of Articles III, IV and V of the Convention, and in particular that transport of living tortoises and freshwater turtles by air is often not conducted in accordance with IATA regulations;

RECOGNIZING that many countries have legislation concerning tortoises and freshwater turtles but that there are inadequacies in the scope and extent of coverage, and that enforcement is often insufficient;

ACKNOWLEDGING that the demand for and trade in tortoises and freshwater turtles poses a significant threat to wild populations, and that international cooperation is needed to urgently address these threats;

NOTING that the Technical Workshop on Conservation of, and Trade in Tortoises and Freshwater Turtles, held at Kunming, China, on 25-28 March 2002, provided useful suggestions for the improvement of this resolution;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES all Parties:

- a) especially Asian tortoise and freshwater turtle range, exporting and importing states, to enhance and increase enforcement efforts with regard to existing legislation as a matter of urgency;
- b) especially Asian tortoise and freshwater turtle range, exporting and importing states to enhance co-operation among wildlife law enforcement agencies at an intra-regional and international level concerning trade in tortoises and freshwater turtles;
- c) especially Asian freshwater turtle and tortoise range states, to assess current efforts to manage native tortoise and freshwater turtle populations, and improve those efforts as necessary, e.g. by establishing quotas that take into account the particular biology of tortoises and freshwater turtles;
- d) to develop and implement research programmes to identify the species involved in trade, and programmes to monitor and assess the impact of trade;
- e) whose national legislation is not sufficient to control effectively the unsustainable harvest of and trade in tortoises and freshwater turtles, to enact legislation to protect these species;
- f) involved in the trade in tortoises and freshwater turtles to examine their national legislation to ensure that treatment of these animals during transport is in accordance with the provisions of the Convention and, where relevant, with IATA regulations, and to take immediate action to correct any deficiencies in such legislation;
- g) to increase public awareness of the threats posed to tortoises and freshwater turtles, including harvest and trade to supply the demand for food, traditional medicines and pets; and
- h) to explore ways to enhance the participation of collectors, traders, exporters, importers and consumers in the conservation of and sustainable trade in freshwater turtle and tortoise species.
- i) especially in the Asian region to collaborate on all aspects of conservation of, trade in and enforcement for tortoises and freshwater turtles;
- j) especially Asian Parties, in compliance with Resolution Conf. 10.7, to develop plans of action that can be executed without delay in the event that live specimens of tortoises and freshwater turtles are confiscated;

- k) to submit a report, according to an agreed format, to the Secretariat at least six months prior to each meeting of the Conference of Parties, detailing (either the following..... or) progress in implementing this resolution;

DIRECTS the Secretariat:

- a) to develop a standard format for these reports, to evaluate the reports as well as any information it has received, and to submit a written summary of these for consideration at each meeting of the Conference of the Parties;
- b) in collaboration with range states and international organizations from both industry and the conservation community, to assist with the development of strategies, including action plans for the conservation of ASIAN( ?) tortoises and freshwater turtles; and
- c) for that purpose, to seek financial assistance from Parties, international organizations, United Nations Specialized Agencies, intergovernmental and non-governmental organizations and industry.



**Report of the working group on conservation of seahorses and other members of the family Syngnathidae (Decisions 11.97 and 11.153)**

**Chair:** Project Seahorse

**Participants:** China, France, Japan, Netherlands, United States of America, American Zoo and Aquarium Association (AZA), International Fund for Animal Welfare (IFAW), regional representative of Oceania, Secretariat

The Chair opened the meeting by describing the tasks at hand for the working group. These included drafting agenda items for the May 2002 technical workshop, and ensuring that those agenda items addressed the topics in Decisions 11.97 and 11.153.

The Chair first asked the group if there was anything that should be modified or updated in the current AC discussion document (AC18 Doc. 18.1), or if there was any additional use of the Parties' responses to Notifications. There was no response from the group on this point.

The Chair then proposed several discussion topics regarding the upcoming workshop. These included the draft agenda, possible recommendations to the AC, and procedural issues for completing the group's work in time for COP12.

The Chair noted that the workshop should involve a series of presentations on Syngnathid biology, trade, and conservation, as well as a series of recommendations to the AC on Syngnathid conservation. She asked the group about steps and timelines to develop these recommendations, what options could be put before the workshop participants, how to review these recommendations after the workshop, and possible connections with the ongoing U.S. consultation process for a CITES Syngnathid listing proposal.

China stated that the recent experience with the CITES workshop on freshwater turtles and tortoises may guide the development of the seahorse workshop. It was agreed that the turtle/tortoise conservation issues were similar to those of Syngnathid fishes, and that the AC experience in that forum could be useful.

The Chair recounted the recent CITES history with respect to Syngnathidae, and mentioned that the USA is in the midst of range country consultation on a possible COP12 listing proposal for the family (or lower taxonomic levels). She mentioned that the USA could still use the workshop results to guide their decisions on such a listing proposal, and could even amend it before or during COP12 to narrow its scope if necessary. The Chair went on to say that the workshop is charged with developing recommendations to the AC about proper conservation steps for Syngnathids, and that the AC will consider these recommendations when submitting its report to COP12. She had recently learned that the Secretariat can give an extension beyond the June 6, 2002 deadline for accepting the AC's submission (because of the workshop's timing in late May).

The USA questioned the role of the workshop in providing recommendations to the AC, particularly in reference to a potential listing proposal. The USA stated that such analysis is not to be found anywhere in Decisions 11.97 or 11.153, and that it's the role of the AC members themselves to develop recommendations to the Parties. The USA was particularly concerned about the possible shortage of CITES expertise at the workshop, and how this may

bias any discussions of listing proposal merits. The Chair responded that she had been instructed by the Secretariat and the AC chair to include consideration of CITES listing proposals at the workshop among a suite of possible CITES actions that could be recommended. The workshop is instructed to examine options ranging from no further CITES action to an Appendix listing for a taxon.

The Netherlands asked if perhaps the working group could today endorse any draft U.S. listing proposal, with the understanding that a proposal could be improved or amended after the workshop occurred. IFAW agreed with this approach, suggesting that the WG urge Parties to consider the draft US proposal seriously, noting that such a move would not actually endorse the proposal. It was decided that it would be premature to evaluate any listing proposal at this time, because no proposal yet exists, because the group lacks the expertise to make such judgments, and because there was so little background information available to the group. The AC representative for Oceania noted that this would not be helpful to the AC and might compromise exploration of possibilities, and restrict options for consensus at the workshop.

The Chair emphasized that three new background papers would be made available before the workshop, and these would address: 1) a review of Syngnathid biology; 2) a report of a consultative process on possible fishery management guidelines for regulating and controlling *Hippocampus comes* fisheries; and 3) the most recent trade information from global markets.

In order to assess the expertise of workshop participants, the Chair read a tentative list of invitees. This list included nine Syngnathid biologists, three TCM industry representatives, two members of the NGO/IGO community, one fisheries expert, two aquaculturists, two aquarium experts, two members of the Secretariat staff, the chair of the AC, four AC regional representatives, and representatives from the USA (2), the Philippines, China (2), India, Indonesia, Vietnam, Mexico, Thailand, and Australia.

The Chair stated that the breadth of expertise should allow an objective discussion of potential CITES listing. The Oceania AC rep acknowledged that such a discussion could really assist the AC in making its final report to COP12. AZA agreed with the USA by stating that the workshop simply wasn't the forum to be discussing listing proposals and their specifics. The Secretariat commented that a thorough discussion of CITES' potential role in Syngnathid conservation was appropriate at the workshop, and this would mirror what happened at the recent turtle/tortoise workshop. The Secretariat added that this would include addressing the issue of listing proposals.

The group went on to discuss the specific format of the workshop. The Chair reminded the WG of their agreement at AC17 to hold one day of presentations, one day of breakout discussions, and one day to draw conclusions and make recommendations. The group expressed a wish that the workshop include analysis of possible strategic approaches to syngnathid conservation and that it include awareness of uncertainty.

The group suggested a number of presentation topics. These included:

1. A briefing on CITES and how it functions
2. A synopsis of management practices applicable to Syngnathids, including:
  - a) An account of the Australian management plan
  - b) Restoration plans, options, and protocols

- c) Monitoring protocols (fishery independent and fishery dependent)
- 3. General syngnathid biology, with specific considerations of taxonomy and ranges
- 4. Syngnathid conservation status and threats:
  - a) Global trade
  - b) Conservation assessments
  - c) Case study for one well-known species, probably *H. comes*
- 5. Aquaculture requirements, husbandry requirements, and potential impacts of Syngnathid aquaculture
- 6. Socioeconomics and alternatives to current use

The group then went on to discuss the second day of breakout sessions. Ideas for breakout sessions included:

- a) CITES options, including comment on listing proposals.
- b) Implementation issues. The Secretariat had previously requested, with later support from IFAW, that the workshop explicitly consider the issue of non-detriment findings, trade management, and other operational procedures.
- c) Current understanding of Syngnathid conservation status
- d) Trade control issues, including the impact of illegal, unreported, and unregulated fishing
- e) Threats to Syngnathid populations

The group then discussed how to deal with the lead-up to the workshop. It was agreed that the Chair would distribute a draft agenda ASAP after AC18, and that a participant's list could be provided now. The previously mentioned background documents on biology, trade, and management guidelines would be delivered to participants in mid-May. The Chair also offered to circulate a collection of papers and reports on *H. comes* in particular, and the draft syngnathid section of the 2002 IUCN Red List.

China also suggested that national reports from workshop participants were extremely useful at the turtle/tortoise workshop, and that similar documents should be prepared for this forum. It was agreed that Project Seahorse would provide their most recent draft national synopses of trade for the attending Parties, and attendees could edit/add to these prior to arriving in the Philippines. This would relieve the attending Parties of the burden of writing national reports, and help ensure that some national data were available prior to the meeting.

It was agreed that the Chair will assign speakers to particular presentation topics, based on her working knowledge of their expertise.

The group then discussed the post-workshop logistics. The workshop report will be attached to the draft AC discussion paper, which will be written by the working group chair at the request of the AC chair. Working Group members will have about 2 days to comment on the draft documents in late June, after which they will be submitted to the AC for review and approval. China recommended that the workshop report be drafted at the workshop for the sake of expediency.



### **Report of the Working Group on the implementation of Decision 11.94 regarding the biological and trade status of sharks**

**Chair:** Regional representative of Europe (Chairman of AC).

**Participants:** China, Denmark, Japan, United Kingdom, United States of America, IUCN, IWMC-CH, Project Seahorse, IFAW, regional representative of Oceania (Secretariat attended briefly.)

The WG's Terms of Reference were to advise about further progress under Decision 11.94 and on the recommendations set out in Doc. AC18 19.2 and Information papers 1, 7, 10 and 15.

Japan stated their concern over the process of the group and that they would probably not be able to join any possible WG consensus.

The Chairman noted that the papers from IUCN/TRAFFIC and Australia agreed that very few Parties have made much progress with the FAO IPOA-Sharks, despite significant fisheries for sharks and international trade in their products, and that this was cause for concern. The majority of the group agreed. He suggested that it may be possible for CITES to provide an incentive for Parties to work harder to get their NPOAs in place, using the recommendations presented in these documents.

There was general agreement within the WG that the liaison and cooperation taking place between FAO and CITES on marine fish issues was excellent. The Memorandum of Understanding between FAO and CITES currently under discussion should help to clarify how this relationship would operate. Improved progress with IPOA-Shark implementation, which was certainly required, could take place within that spirit of cooperation and CITES should ask FAO to make better progress with IPOA implementation. FAO, however, advises, it does not implement, the Parties implement. The IPOA-Sharks is also a low priority within FAO.

Some WG participants noted that, while some shark species may readily qualify for uplisting and future listing proposals should be considered openly and on their individual merits, the issue is much broader and more challenging. Recommendations presented to the AC should aim to make further progress with IPOA implementation if the subject was not to continue to occupy CITES for several years. CITES action to support improved shark fisheries management under the IPOA would reduce the future workload on CITES by lessening the number of species qualifying and being proposed for listing in future. CITES should think about adjusting its role so that there is no need to wait until a species is listed, with the threat of trade bans (where enforcement is difficult), before taking action to improve the sustainable management of species.

An agenda point at CoP12 would raise awareness of the relationship between CITES and Fisheries and provide an opportunity to make real progress with shark fisheries management. The IPOA-Sharks is voluntary and cannot be delivered by FAO alone. CITES can and should help FAO and FAO member States (which are largely also CITES Parties) to make progress by making shark fishery management a higher priority. CITES initiated development of the IPOA-Sharks and should ensure that IPOA implementation continue to progress.

An alternative view expressed was that future CITES action should extend beyond consideration of possible species listings, which was the only way in which CITES can operate. A number of states oppose commercial marine species listings. The AC Chair should simply report on progress with the IPOA, the mandate of Decision 11.94, not the recommendations presented in the papers, which are beyond this mandate. CITES has inadequate resources to deal with its existing responsibilities without covering species not already listed on the Appendices, and no shark species are listed. The liaison and cooperation taking place between FAO and CITES has been excellent and it would be appropriate for the AC to suggest that COP12 ask FAO to make progress on the IPOA-Sharks.

## Conclusions

The Shark Working Group agreed by consensus to suggest to the AC the adoption of points a, c and d in AC18 Doc. 19.2, paragraph 19. These state that CITES should:

- a) Raise with FAO concerns over the significant lack of progress in implementing the IPOA-Sharks and urge FAO to take steps to encourage the implementation of the IPOA by States and RFMOs.
- c) Instruct the Chair of the AC to continue activities specified under Decision 11.94 beyond CoP12.
- d) Encourage Parties' CITES authorities to obtain information on IPOA implementation from their fisheries departments and report directly on progress to future meetings of the AC.

With regard to (d): A member of the WG suggested that the AC should encourage Parties to include Fisheries Officers on their delegations to CITES meetings.

The majority of the Working Group agreed that a revised version of subparagraph (b) should be adopted by the AC:

- b) [CITES should] Discuss the potential role for CITES in assisting FAO Parties in the implementation of the IPOA-Sharks, especially in respect of international trade in sharks and their parts and derivatives.

Japan reiterated that it could not agree with the reference to a "potential role for CITES".

With regards the other part of original paragraph b: The majority of the Shark Working Group felt that the reporting of the Chair on the implementation of the International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks) and the development of National Plans of Action (NPOA for the conservation and management of shark stocks) deserves special attention at COP12 and should not only form part of the Chair's report, but should be dealt with as a separate point on the COP Agenda. Should no working document be submitted by a Party, then the AC requests the Secretariat to prepare one before the 6 June deadline for submission of documents for COP12.

**Statement made by the Japanese delegation on the implementation of  
Decision 11.94 regarding the biological and trade status of sharks**

1. Regarding procedural matters

We must express our concern about the way item 19 of the agenda of the Animals Committee is dealt with, for the following reasons:

Annex 2 of Resolution Conf. 11.1 on the establishment of the Animals Committee provides Terms of Reference for the Committee and states that it shall act within the policy agreed by the Conference of the Parties (CoP).

Regarding sharks, the policy agreed by the CoP is reflected exclusively in Decision 11.94, which only directs the Chairman of the Animals Committee to maintain liaison with the Secretary of the Committee on Fisheries (COFI) of FAO to monitor the implementation of the International Plan of Action for the Conservation and Management of Sharks, and to report to CoP12 on progress made with this.

No role is assigned to the Animals Committee, although we accept that the Chairman may report to it about the above-mentioned liaison.

Mr Chairman, you have actually contacted COFI and you have received an answer on 15 March 2002, which was, surprisingly, distributed at the meeting of the Animals Committee as an information document when, in the absence of a written report from the Chairman, the COFI letter should be the only working document to be considered by the Committee.

Nevertheless, the only working document available here is a document prepared by an IUCN Specialist Group and TRAFFIC. We would like to know whether this document was requested by you, Mr Chairman, or by the Secretariat. In our opinion, this document should be, at best, an information document only.

Although we recognize that this document contains some useful information, which may complement the FAO/COFI letter, we have to express our concern about comments on our National Plan of Action.

Finally, Mr Chairman, it is with serious concern that we have received, yesterday, as an additional information document, a letter from WWF which goes totally beyond the scope of Decision 11.94 and which, therefore, should have been rejected by the Secretariat, in consultation with you, Mr Chairman, in accordance with Rule 17 of the Rules of Procedure of the Animals Committee, as not relevant to any agenda item.

In conclusion, Mr Chairman, the delegation of Japan respectfully ask you to maintain the debate of item 19 within the policy agreed by the CoP with regard to species which are not covered by CITES, except two species included in Appendix III.

2. Regarding Japan's position on the shark issue

Japan is one of the main players, together with the United States of America, who promoted FAO's International Plan of Action for the Conservation and Management of Sharks. Japan chose FAO, rather than CITES, because it believes that FAO is the most appropriate organization to deal with sharks. Our belief remains unchanged. Japan has, in the past,

opposed CITES listing proposals on commercially exploited marine fish species for the following reasons.

First, listing such species in the CITES Appendices would require an enormous amount of paper work and subsequently require human and financial resources. If such resources are available, they should be used for other species having high priority.

Secondly, we strongly believe that FAO is the most appropriate organization to deal with commercially exploited marine fish species including sharks. Listing such marine species would have a great impact on local communities from a socio-economic point of view. Unlike FAO, however, CITES has not paid much attention to this aspect.

Thirdly, there are many questions that have not yet been answered, such as 'look-alike' provision.

Accordingly, Japan entered reservations when the United Kingdom and Australia listed the basking shark and great white shark in Appendix III of CITES. The listing proposals of these two species were rejected by the CoP in Gijiri in 2000. Contrary to the decision made by the CoP, these species were listed in Appendix III. We feel that this is an abuse of Appendix-III provisions. We hope that these will not be used as precedence for other species.

Mr Chairman, Japan is not convinced by your explanation. As my delegation said, two species are listed in Appendix III. But other shark species are not covered by CITES. We need a clear mandate from the CoP when we deal with those species that are not listed in the Appendices. I remind you that Resolution Conf. 9.17 has been repealed. The only valid decision or resolution is Decision 11.94.

Having said that, I would like to make comments on the contents of the IUCN document. IUCN made general comments on Japan's National Plan of Action. Japan is not at all happy with the IUCN comments. They indicate that Japan's National Plan of Action is very brief, only 6 pages. Mentioning the number of pages is not relevant. We prepared our Plan of Action, which is a summary of the detailed documents.

A Japanese member of the Shark Specialist Group has raised concern with us that the document prepared by the Shark Specialist Group was sent to him only after the document was submitted to the Animals Committee, although they knew that he was one of the stakeholders in preparing our Plan of Action.

Japan urges the Parties present here to contact their fisheries departments. Almost all of the Parties to CITES are also members of FAO. They unanimously supported FAO's International Plan of Action. Therefore, they must support the initiative of FAO. We believe that before discussing this issue at a CITES forum, consultation should be made within each Government. Japan has contributed financially to FAO in developing its International Plan of Action. We urge other Parties to make a financial contribution to FAO.

Under the circumstances, Japan is opposed to the inclusion of this particular issue in the agenda of CoP12.

Thank you Mr Chairman.