

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

DRAFT SUMMARY REPORT

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5. Regional reports		
5.1-5.6 Regional reports Reports noted, no further action required. Solomon Islands (Oceania) to be encouraged to join the Convention.	– Secretariat	7
5.7 Improving regional communication and the regional representation Verify whether RoP of CoP meetings allow AC members not part of a Party's delegation to attend CoP meetings. Draft amendment to Resolution Conf. 11.1 (Rev. CoP12) and decisions (in document AC20 WG9 Doc. 1, as amended) to be submitted at CoP13, with possible help from Secretariat to reword the latter. Joint AC and PC document to be submitted at CoP13.	Secretariat Animals and Plants Committees, Secretariat	7

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<p>8. Review of Significant Trade in specimens of Appendix-II species</p> <p>8.1 Progress on the implementation of the Review of Significant Trade (Phases V and VI) Input from European region to be sought for <i>Falco cherrug</i>. Data to be reviewed and import data to be sought for <i>F. cherrug</i>. United Arab Emirates deleted from list of range States of <i>Falco cherrug</i> under review. Other range States remain in review.</p> <p>8.2 Review of the implementation of recommendations Demo version of database to be tested.</p> <p>8.3 Progress on the first country-based Review of Significant Trade Progress with implementation to be reported on at each AC meeting. Series of short-, medium- and long-term actions to be taken. Deadlines to be communicated to Madagascar and Plants Committee. Time-frames for medium- and long-term actions to be provided for AC21. Request for clarification as to whether Madagascar allows the export of CITES-listed species to be sent to Madagascar.</p> <p>8.4 Evaluation of the Review of Significant Trade Draft ToR for the evaluation outlined in document AC20 Inf. 17, as amended, to be submitted at CoP13. Financial implications to be taken into account.</p> <p>8.5 Selection of species for review Phase VI to proceed with list of species established at AC20.</p>	<p>European representative Secretariat, UNEP-WCMC Animals Committee</p> <p>Parties, Secretariat</p> <p>Madagascar Madagascar Secretariat Madagascar Secretariat</p> <p>AC Chairman</p> <p>Animals Committee</p>	<p>10</p> <p>10</p> <p>11</p> <p>11</p> <p>12</p>

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1. Opening of the meeting.....(No document)

The Chairman welcomed all participants to the meeting. He reminded participants that it had not been possible this time to organize a meeting back-to-back with the Plants Committee, as previously envisaged. He thanked South Africa for hosting the meeting and the Secretariat for assisting in organizing it. He introduced David Morgan as the new Chief of the CITES Secretariat's Scientific Unit. Mr Morgan also welcomed the participants. He clarified that all positions in the Unit were now filled and thanked his colleague Mr Tom De Meulenaer for managing the whole Unit in the interim period.

2. Adoption of the Rules of Procedures.....(AC20 Doc. 2)

The Secretariat introduced document AC20 Doc. 2 explaining that the amendment to Rule 19 that was proposed had been recently adopted by the Plants Committee at its 14th meeting (PC14, Windhoek, February 2004).

The proposed revision of Rule 19 met with little support and discussions focussed more on the importance of making pre-session documents available in a timely manner, as documents, particularly information documents, had been posted notably late for the present meeting. One representative suggested reverting in the Rules of Procedure to a time-limit of three months for submitting working documents and to specify that documents should be posted on the CITES website no later than two weeks before the start of a meeting. The Secretariat stressed that documents from outside also needed to meet the deadline. Several Parties reported they experienced difficulties in accessing the Internet and stressed that they needed to receive print-outs.

The Rules of Procedures were therefore adopted with the following amendments:

- a) Rule 18: change "60 days" to "90 days";
- b) Rule 19: insert "All available documents shall be posted on the website no later than two weeks before the start of a meeting." after the first sentence; and change "..., to all Parties that may be directly affected by any discussion of the documents and to all Parties that have informed the Secretariat of their intention to be represented at meetings." to "... and to Parties on request."; and
- c) Rule 24: addition at the end of the sentence of "that will include reports of the working groups in the language in which they were produced."

Following a request, it was also agreed to make reports of working groups quickly available on the CITES website, in the language in which they were produced.

During discussion of this item, interventions were made by the regional representatives of Africa, Asia, North America and Oceania, and the observers from Chile, China, Mexico, the Netherlands and the Humane Society of the United States.

3. Adoption of the agenda and working programme

The Chairman introduced documents AC20 Doc. 3.1 and AC20 Doc. 3.2. He explained his intention to create a number of working groups, earmark one day and a half of the meeting to allow them to convene and then consider their reports in plenary. He also recalled the deadline of 5 May 2004 for submitting documents for the 13th meeting of the Conference of the Parties (CoP13, Bangkok, 2-14 October 2004).

The observer from Mexico asked why a draft amendment proposal to transfer *Amazona finschi* from Appendix II to Appendix I that his country had submitted well in advance of the document submission deadline was not on the agenda, when proposals on sharks were. The Chairman explained that the proposal had been circulated to the whole Committee by email and that its comments had been forwarded to Mexico and to the Secretariat, thereby complying with Resolution Conf. 11.1 (Rev. CoP12). The reason why amendment proposals on sharks had been provided as information documents was that the AC20 agenda included an item on sharks and that Resolution

Conf. 12.6 directs the Animals Committee to make species-specific recommendations regarding sharks, to identify key species and examine information for consideration and possible listing under CITES. He nevertheless agreed to circulate the Mexican proposal as an information document, clarifying that whilst the Animals Committee was mandated to give scientific advice on amendment proposals it was not to propose acceptance or refusal of a proposal. Discussions on these amendments were held at meetings of the Conference of the Parties. One representative echoed this statement.

Following further complaints regarding the lateness with which documents had been posted on the CITES website, the Secretariat explained that most external documents had been received late and that it had had to go back to the authors for clarifications in many cases before producing final versions. It advised the floor that information documents would not be distributed in plenary but that all necessary documents would be made available to the working groups. The Chairman of the Plants Committee concurred with the Secretariat, explaining that her Committee had had to face similar problems at its previous meeting and that was due to how close together the permanent committees' meetings were held and to the exceptionally short time between the 12th and 13th meetings of the Conference of the Parties. She added that everything should be endeavoured to avoid this situation from reoccurring in future.

The zoologist of the Nomenclature Committee reminded participants that his Committee would meet on 31 March, in the evening, and that all documents for that meeting were available on the CITES website.

3.1 Agenda.....(AC20 Doc. 3.1)

The Committee adopted the agenda with the addition of an item on the Master's course in Baeza, Spain, under *Any other business* as agenda item 22.2, at the request of the observer from Spain.

3.2 Working programme.....(AC20 Doc. 3.2)

The Committee agreed to the working programme with items 9 and 10 swapped.

The Chairman advised the Committee that items 15 and 20 had been left out of the working programme by mistake and explained when he intended to table them. He also suggested discussing item 5.7 after item 19. This was agreed.

During discussion of these items, interventions were made by the regional representatives of Asia and Oceania, the observers from Japan, Mexico, Spain and the United States, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

4. Admission of observers.....(AC20 Doc. 4)

The Secretariat introduced document AC20 Doc. 4. It reminded participants that only those whose letters of accreditation had been accepted could make interventions and urged them to submit their accreditation as soon as possible. The Chairman reminded observers from intergovernmental and non-governmental organizations of the procedure to receive an invitation to attend meetings of the Committee. He also specified that priority was given to interventions from representatives and then to observers, and that decisions by the Committee could not be challenged by observers.

The Committee agreed to admit the observers listed in the report from the Secretariat.

The observer from UNEP World Conservation Monitoring Centre (UNEP-WCMC) made an intervention during discussion of this item.

5. Regional reports

5.1 Africa.....(No document)

No report was available at the onset of the meeting but the regional representative managed to meet with delegates from his region and to produce a report in the course of the meeting. The Committee noted this report.

5.2 Asia.....(AC20 Doc. 5.2)

The regional representative pointed out that he had not received any input from Parties in the region for producing this report. The Committee noted the report.

5.3 Central and South America and the Caribbean.....(No document)

No representative of this region was present at the meeting. The Committee echoed the concerns of the observer from Chile about this lack of representation, the fact that no report had been submitted and that it was not the first time this happened. The observer from Chile added that there had been many activities in the region in spite of this lack of reporting.

5.4 Europe.....(AC20 Doc. 5.4)

The Chairman, as one of the European representatives, introduced document AC20 Doc. 5.4 and drew the attention of the Committee to the problem caused by the double function a Chairman had to assume. He suggested amendments be made to the relevant Rule and Resolution to allow, for instance, the alternate representative to take up the regional representative part. With regard to paragraph 37 of the report, the other European representative explained that she had not received enough responses from Parties in the region to produce a directory of experts. The Committee noted the report with the following corrections:

- a) paragraph 28: replace in the last sentence "... but also represented..." with "but also was a member of..."; and
- b) paragraph 32: replace "600 animal species" with "600 animal and plant species".

During discussion of this item, interventions were also made by the observers from Spain and IWMC.

5.5 North America.....(AC20 Doc. 5.5)

The regional representative introduced document AC20 Doc. 5.5 and asked for the draft amendment proposal from Mexico on *Amazona finschi* to be distributed as an information document. The Committee noted the report.

During discussion of this item, interventions were made by the observers from Mexico and the Netherlands.

5.6 Oceania.....(AC20 Doc. 5.6)

The regional representative introduced document AC20 Doc. 5.6, reporting *inter alia* increased trade from the Solomon Islands and that this non-Party was being encouraged to join the Convention. The Committee commended the quality of the report and noted it. Regarding the preparation of a directory of experts, the Chairman of the Plants Committee explained that her Committee had had to be extremely persistent to complete its own and encouraged the representatives on the Animals Committee to carry on contacting Management Authorities.

During discussion of this item, interventions were also made by the representatives of Asia and North America, and the observer from the Netherlands.

5.7 Improving regional communication and the regional representation.....(AC20 Doc. 5.7)

The observer from the Netherlands, as Chairman of the intersessional working group, introduced document AC20 Doc. 5.7, and also referred to document AC20 Inf. 16. He requested the help of two representatives of the Animals Committee to finalize the recommendations. They would join two representatives of the Plants Committee and also be assisted by the Secretariat.

The Committee congratulated the intersessional working group on its work and unanimously acknowledged the problems faced by representatives in fulfilling their tasks, particularly the lack of governmental support. This meant that very often representatives worked in their personal capacity, having to absorb this extra work without any arrangement made in their workload or timetable and without receiving financial support. However it was also noted that the problems were different in each region. Some regions were faced with major communication problems and representatives got very little response from Parties. On the other hand the observer from Chile regretted that his region had been poorly represented for a long time, taking as a blatant example the fact that his region was not represented at all at the present meeting and that regional reports of Central and South America and the Caribbean were never ready on time.

The idea that the Committee should assess the work of its own members was not endorsed as it was suggested that it should be up to the region to evaluate how it was being represented. The number of representatives was also discussed. The observer from Chile stated that his country would propose to raise the number to three at the following meeting of the Conference of the Parties for regions with more than 30 Parties. The Chairman also reiterated that he could not fulfil his role as a representative whilst chairing the meeting and that this problem needed to be tackled.

The Committee referred further discussion on this issue to a working group (Working Group 9) with the following terms of reference:

- a) Review document AC20 Doc. 5.7 and formulate recommendations, taking into consideration the discussions held at PC14 as outlined in document AC20 Inf. 16; and
- b) Suggest amendments to Resolution Conf. 11.1 (Rev. CoP12) as necessary.

Working Group 9 comprised:

- a) Regional representatives: Asia (Mr Tunhikorn and Mr Giam, alternate), Europe (Ms Rodics), Oceania (Mr Hay) and North America (Mr Medellin);
- b) Observers from Parties: Chile and the Netherlands (Chairman);
- c) Observers from United Nations bodies: UNEP-WCMC;
- d) The Chairman of the Plants Committee; and
- e) The CITES Secretariat.

Later in the meeting, the Chairman of Working Group 9 presented document AC20 WG9 Doc. 1. The Chairman of the Animals Committee remarked that some recommendations had financial implications. Regarding participation in CoP13, it was suggested that a formal invitation from the Secretariat, free of any pledge of financial support, could be extended to the members of the scientific committees. This invitation may help regional representatives secure funding. However it was not clear in what quality these people may be invited. The Secretariat stated it would verify whether the Rules of Procedures of meetings of the Conference of the Parties allowed for committee members not already part of a Party's delegation to attend as observers. The recommendation of Working Group 9 that the Committee "discuss at every meeting the follow up of representatives to ensure continuity in an effective regional representation" met with a series of objections as to what those discussions would focus on and the incompatible of this idea with the existing election process. The Committee therefore noted document AC20 WG9 Doc. 1 and adopted Annexes 2 and 3 therein, with the deletion of the first paragraph in the latter Annex and with the understanding that the Chairman may call upon the Secretariat to help him reword the draft decisions therein.

During discussion of this item, interventions were made by the regional representatives of Africa, Asia, Europe, North America and Oceania, the alternate representative of Asia, the observers from Chile, Spain and IWMC, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

6. Report of the Chairman

The Chairman introduced the following three items.

6.1 Liaison with the Standing Committee.....(No document)

The Chairman reported that the Standing Committee, which had held its 50th meeting two weeks earlier (SC50), had expressed satisfaction with the work as reported by the chairmen of the scientific committees and this was echoed by the Chairman of the Plants Committee.

6.2 Working group on technical implementation issues.....(No document)

The Chairman reminded participants that even though the proposal to create one single scientific committee and a technical implementation committee had been rejected at CoP12, ways of addressing technical implementation issues were still being debated and that an intersessional working group had produced a report for SC50. He referred participants to documents SC50 Doc. 10, particularly to Annex 3 (Rev. 1), and to the Summary Report of that meeting.

6.3 Export quota working group.....(No document)

The Chairman explained that the export quota working group established at SC49 (Geneva, April 2003) had not been able to meet intersessionally owing to communication problems but had convened at SC50. He referred participants to item 22 in the Summary Report of that meeting. Following a query, he also confirmed that the issue of export quotas would be discussed at CoP13.

6.4 Reporting to the 13th meeting of the Conference of the Parties.....(No document)

The Chairman explained that he and the Chairman of the Plants Committee intended to collaborate in the preparation of their reports for CoP13, even though these would be separate. He was planning to list all the tasks mandated to the Animals Committee and report on progress for each one of them.

The Committee noted the report of the Chairman.

During discussion of these items, interventions were made by the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

7. Budget of the Animals Committee

The Chairman introduced this item and explained that, at its 50th meeting, the Standing Committee had stressed that the scientific committees had no mandate to discuss budget issues. Consequently document AC20 Doc. 7 had been withdrawn. The Chairman read out a letter from the CITES Secretary-General clarifying the budgetary issue after SC50 and the question of the venue of meetings of the Animals and Plants Committees, which are budgeted to be held back-to-back and in Geneva every other year. The Chairman explained he intended to put forward a proposal at CoP13 to amend Resolution Conf. 11.1 (Rev. CoP12) in order to allow the Committee to be in a position to discuss its own budget. The Committee concurred with this idea, expressing strong concern at this limitation in its mandate and stressing that it was essential for it to be in position to discuss its own budget. It also reiterated the importance of holding meetings in various parts of the world in order to ensure balanced regional participation and avoid that meetings be only attended by the 'wealthy few'. The Chairman of the Plants Committee advised that her Committee held similar views and regretted the small amount of funding made available to the scientific committees. In particular funds should be earmarked for the chairmen of the committees to ensure chairmanship by individuals from developing countries. The Chairman of the Animals Committee urged participants to liaise with their

CoP delegations to ensure their support of the AC proposal at CoP13. In response to a proposal to provide financial support to members of the Committee in order to allow them to attend meetings of the Conference of the Parties, the Chairman underlined that this was a matter to be dealt with at the national level through the inclusion of Committee members in their national delegations. He added that he would include a proposal in his report to support the scientific committee chairmen financially, but cautioned the Committee that some Parties had clearly indicated at SC50 that they would not support any increase in their contributions in the forthcoming triennium.

The Committee agreed to include in the report of the Chairman for CoP13 a proposal to extend the mandate of the Committee to allow it to discuss and manage its own budget.

During discussion of this item, interventions were made by the regional representative of Asia, the observers from Chile, Mexico, the Netherlands, Spain and IWC, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

8. Review of Significant Trade in specimens of Appendix-II species

The Chairman reminded participants that part of this item would be referred to a working group.

8.1 Progress on the implementation of the Review of Significant Trade.....(AC20 Doc. 8.1)

The Secretariat gave an oral update of discussions that had taken place at SC50 regarding Phases IV and V of the review, specifically Acipenseriformes from the Caspian Sea, *Naja naja* from the Lao People's Democratic Republic, Malaysia and Thailand, and the saiga antelope (*Saiga tatarica*) (see item 23 of the SC50 Summary Report). The Secretariat gave a verbal update on progress in implementing recommendations for Phase V (queen conch, *Strombus gigas*). In keeping with the Phase V recommendations and Res. Conf. 12.8, a Notification was sent to the Parties in September 2003 recommending cessation of queen conch imports from Haiti, the Dominican Republic, and Honduras. In addition, a Phase V six-month deadline had passed for these 3 countries. Honduras and the Dominican Republic had submitted comprehensive reports by the deadline. The Secretariat was still reviewing these reports, and is to report to the Animals committee at its next meeting. The Committee noted the oral report from the Secretariat on Phases IV and V of the review.

The Secretariat then introduced document AC20 Doc. 8.1. The European representative stated she would contact her region to seek input. Furthermore some data in the report seemed to be inconsistent. The Secretariat said it would review the data with UNEP-WCMC and would seek import data. The observer from UNEP-WCMC entreated participants to inform it before a meeting when they found datum inconsistencies in reports prepared by UNEP-WCMC, so that those could be double-checked, and corrected if necessary, on time.

Consideration of Phase VI, as outlined in document AC20 Doc. 8.1, was referred to a working group on significant trade (Working Group 1).

During discussion of this item, interventions were made by the regional representative of Europe and the observers from Germany, Israel and UNEP-WCMC.

8.2 Review of the implementation of recommendations.....(AC20 Doc. 8.2)

The observer from TRAFFIC International introduced document AC20 Doc. 8.2 explaining that the database would soon be available. Following queries, the Secretariat explained that the database was designed to include both animals and plants; that it was planned to make it available to all, but that access to confidential data could be restricted; and that a demo version would be made available to a few Parties that had volunteered to test it in order to improve its interface. The Secretariat embraced the idea of making it available both through the Web and on CD-ROM. Finally it advised participants that a Notification to the Parties would be sent shortly with an update on all current recommendations with regard to trade bans or restrictions, in compliance with Resolution Conf. 12.8.

The Committee noted the report and congratulated TRAFFIC and the Secretariat on the work done. It agreed that a demo version of the database should be tested and recommended that, once operational, it be made available both on the Internet and on CD-ROM.

During discussion of this item, interventions were made by the observers from Israel, Mexico, the Netherlands, Spain, the United Kingdom, the United States and IWC.

8.3 Progress on the first country-based Review of Significant Trade.....(AC20 Doc. 8.3)

The Secretariat introduced document AC20 Doc. 8.3, referring also the Committee to documents AC20 Inf. 10, prepared by the Secretariat, and AC20 Inf. 11, prepared by the Malagasy Management Authority. It regretted the absence of Madagascar at the present meeting and recalled the Committee that Madagascar had requested time-frames to implement the action plan detailed in document AC20 Inf. 10. The Chairman explained that the Committee should decide now how it wished to be kept informed of progress by Madagascar, whilst the time-frame issue would be considered by Working Group 1.

The Committee deeply regretted the absence of Madagascar at the present meeting. It agreed to be kept informed of progress at each of its meetings, in line with the decision of the Plants Committee, and that Madagascar itself do this reporting.

The slowness of the review was a source of concern, even though the delay caused by the recent political turmoil in Madagascar was acknowledged. The Committee recognized that flexibility was important but that tighter deadlines than those suggested in the action plan could still be set. This pressure might even help the Malagasy Management Authority push matters through at the governmental level. It was also pointed out that there were indicators that detrimental trade was going on whilst the country-based review was pending.

The Committee agreed further that a country-based review should not preclude species-specific reviews. Further discussion of this issue was referred to Working Group 1, with the request to address the following points in particular:

- a) Setting deadlines for actions to be taken under the action plan; and
- b) Possible actions to be taken by the Animals Committee in the absence of reporting from Madagascar.

During discussion of this item, interventions were made by the regional representatives of Africa and Oceania, the observers from Spain, the United States, IWC, Pro Wildlife and WWF-US, and the zoologist of the Nomenclature Committee.

8.4 Evaluation of the Review of Significant Trade.....(AC20 Doc. 8.4)

The observer from the European Commission, as Chairman of the intersessional working group introduced document AC20 Doc. 8.1. He explained that the same document had also been submitted at PC14. The Plants Committee had adopted the Annex with amendments and this revised version was reproduced in document AC20 Inf. 17. He also added it would be more practical for both committees to adopt the same Terms of Reference. The Chairman of the Animals Committee expressed his wish that the Committee could adopt Terms of Reference for an evaluation without referring it to Working Group 1.

The Animals Committee concurred with the Plants Committee that it would be better to start the evaluation after CoP14, as certain phases of the Review of Significant Trade needed to be completed before the evaluation could be considered worthwhile. The difficulty of assessing whether changes in conservation policies were "a result of the process" [see document AC20 Inf. 17, paragraph 7) b) viii)] was also discussed and alternative wording was suggested. Finally it was felt the Secretariat needed not be involved in the submission of a report to the Conference of the Parties (paragraph 6). Given the financial implications of this evaluation, it was felt necessary to take these costs fully into account when discussing budgetary issues at CoP13.

The Committee adopted document AC20 Inf. 17 with the following amendments to the Annex:

- a) Paragraph 2: change of “will commence after the 13th meeting” to “will commence immediately after the 14th meeting” and deletion of the second sentence;
- b) Paragraph 6: deletion of “[or by the Secretariat on their behalf]”;
- c) Paragraph 7. b): addition of “, and whether these could be attributed to the process,” after “short- and long-term changes”; and
- d) Paragraph 7. b) viii): deletion of “as a result of the process”.

During discussion of this item, interventions were made by the regional representative of Oceania, the observers from the Netherlands, Spain, the United Kingdom, the United States, the Humane Society of the United States and IWC, the Chairman of the Plants Committee and the Chairman of the Nomenclature Committee.

8.5 Selection of species for review.....(AC20 Doc. 8.5)

The observer from UNEP-WCMC introduced document AC20 Doc. 8.5 with the help of a PowerPoint presentation. An erratum had also been produced (document AC20 Doc. 8.5 Erratum) to correct a reference to Taiwan, Province of China. The observer from UNEP-WCMC stressed the importance of providing up-to-date data to make the results provided by the database reliable. Participants asked a series of technical questions on the methodology and statistical tools used to select species. The Chairman stressed that the final list of 100 species was not manageable given the resources of the Committee and that Working Group 1 should reduce it further. The same process had been followed at PC14.

The Committee congratulated UNEP-WCMC on the work done. Further discussion of this issue was referred to Working Group 1, with the request in particular to reduce the list of selected taxa to perhaps 10 species and to report in plenary, explaining how the selection was made.

During discussion of this item, interventions were made by the regional representative of Africa, the observers from Germany, the Netherlands, South Africa, the United States, the European Commission, the Humane Society of the United States and IWC, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

The Committee established Working Group 1 to look at items 8.1, 8.3 and 8.5 with the following terms of reference:

1. Examine the information on *Falco cherrug* and formulate recommendations in compliance with Resolution Conf. 12.8, paragraph f);
2. Identify reporting requirements and time-frames for the implementation of the Action Plan for Madagascar; and
3. Select a limited number of species for Phase VI of the Review of Significant Trade.

Working Group 1 comprised:

- a) Regional representatives: Africa (Mr Griffin) and Europe (Ms Rodics);
- b) Observers from Parties: Canada, China, the Democratic Republic of the Congo, Denmark, Italy, Namibia, the Netherlands, Spain, South Africa, the United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and the United States of America;
- c) Observers from United Nations bodies: UNEP-WCMC;
- d) Observers from intergovernmental and non-governmental organizations: the European Commission, IUCN – The World Conservation Union, Conservation Force, Humane Society of the United States, IWMC-World Conservation Trust, Pet Care Trust, Species Survival Network, TRAFFIC, Whale and Dolphin Conservation Society, World Wildlife Fund USA;
- e) The Chairman of the Animals Committee (Chairman) and the zoologist of the Nomenclature Committee; and

f) The CITES Secretariat.

Later in the meeting, the Chairman of the Animals Committee, as Chairman of Working Group 1, presented document AC20 WG1 Doc. 1.

Regarding item 8.1, information was given on the workshop on *Falco cherrug* to be held in Abu Dhabi shortly after AC20. Over 45 countries were expected to participate in this CITES workshop. One delegate commented that the first paragraph of that section would be more appropriate under section 8.5. The Committee adopted the recommendations regarding item 8.1 with the transfer of paragraph 1 in that section to the beginning of section "Doc. 8.5: Selection of Species for Review of Significant Trade".

Regarding item 8.3, the Secretariat stated it would seek clarification with Madagascar as to whether it had put in place an export ban on CITES-listed species. The Committee concurred that timelines for actions to be implemented and reported on by Madagascar needed to be included in the work plan. However, and in spite of the long time this first country-based review was taking, some delegates stressed that the Committee should still acknowledge Madagascar's efforts and encourage them. The Chairman of the Plants Committee in particular explained that her Committee had congratulated Madagascar for its progress in implementing the review. She and the Chairman of the Animals Committee agreed for their recommendations to be conveyed in a joint format. The Committee adopted the recommendations regarding item 8.3 and agreed to include the following deadlines for actions: Madagascar was asked to report on the implementation of urgent short-term activities a) to e) by 31 July 2004 at the latest, and before PC15 and AC21 for the rest. Madagascar was also asked to provide a time-frame for the implementation of mid- and long-term actions before PC15 and AC21. The Secretariat was asked to communicate these deadlines to the Plants Committee.

Regarding item 8.5, one delegate stated that his country had arrived at a similar list and general satisfaction was expressed with the selection of species for review. Another observer underlined that there were taxonomical problems associated with the genus *Uromastix*. The zoologist of the Nomenclature Committee stated that these worries would be addressed, *inter alia* through the use of a new taxonomical reference. It was also pointed out that financial restrictions had obliged the working group to reduce the selection in that genus. The observer from Kenya suggested the inclusion of the lion (*Panthera leo*) in the review, however the Chairman was reluctant to add it in the absence of any supporting document. The observer from Kenya agreed to his suggestion that Kenya and other range States provide information on this species at AC21 for consideration by the Committee. The Committee adopted the recommendations regarding item 8.5.

During discussion of document AC20 WG1 Doc. 1, interventions were made by the regional representatives of Asia, Europe and Oceania, the observers from the Czech Republic, Israel, Kenya, the Netherlands, Spain, the United States, the Humane Society of the United States, IWC, IWMC and Pro Wildlife, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

9. Review of the criteria for amendment of Appendices I and II

The Chairman introduced documents AC20 Doc. 9.1 and AC20 Doc. 9.2 (Rev. 1). He explained that some reviewers had focussed on carrying out reviews of whether species were included in the correct Appendix instead of assessing the value of the criteria, and that those reviews had not been considered. The comments of the reviewers of animal taxa were summed up in document AC20 Doc. 9.1 whilst the result of discussions held at PC14 was presented in document AC20 Doc. 9.2 (Rev. 1). The task before the Committee was therefore to consider whether it could adopt the latter in the light of the former. One delegate expressed regret that new criteria could not have been adopted at CoP12 and its wish that this could be done at CoP13. It was pointed out that Parties from Central and South America and the Caribbean had objected to the adoption of new criteria at CoP12 because they felt that they had not been sufficiently involved in the process at the time. However this had not been the case this time and it would therefore no longer be a hurdle.

The Committee established a drafting group (Drafting Group 1) to look at this issue. Many participants expressed interest in joining this group but the Committee decided to keep the

membership within a certain limit as it was only supposed to draft a revised resolution and not to address substantial issues. The following membership was therefore agreed:

- a) Observers from Parties: Chile, China, Japan, Mexico, Namibia, New Zealand, South Africa, the United Kingdom of Great Britain and Northern Ireland and the United States of America (Co-Chairman);
- b) Observer from United Nations bodies: Food and Agriculture Organization of the United Nations;
- c) Observers from intergovernmental and non-governmental organizations: European Commission (Co-Chairman), IUCN – The World Conservation Union, Defenders of Wildlife, International Wildlife Coalition, IWMC-World Conservation Trust and WWF International; and
- d) The Chairman of the Plants Committee.

Later in the meeting, the co-chairmen of Drafting Group 1 presented document AC20 DG1 Doc. 1. They explained that the preamble of the Resolution and Annex 4 had not been amended. Most changes aimed at making the definitions less difficult to understand. They started going over the changes that had been made with the help of a projector. However the members of the drafting group disagreed about the changes made and the Chairman of the Animals Committee asked the drafting group to come to an agreement between themselves and postpone further discussion on this issue until then.

Later in the meeting, the Animals Committee took note that there was a formatting error on the cover page of document AC20 DG1 Doc. 1, as the marked-up changes should have been accepted. It adopted Annexes 1, 2a, 2b and 6 in that document. The Committee did not discuss the amendment to Annex 3 as this only concerned plants. Discussions of Annexes 4 and 5 were left until the morrow.

When the document was discussed again, the Chairman of the Animals Committee reminded the Committee that a working group on this issue would most probably be established at CoP13 and that consequently refinements could always be made there.

Regarding Annex 5, one observer queried the percentages indicated and how these levels had been reached, and stated that the scope indicated in the footnote on page 14 did not apply to marine mammals. It was explained that, deeming the numerical thresholds currently used of little value, the working group had opted for percentages it thought were more reliable. As for the five per cent baseline, it had stemmed from a value already in use in fishery management. One of the co-chairmen added that it was understood that the footnote on page 14 applied to fish and invertebrates. With this, the Animals Committee adopted Annex 5 and asked the Chairman of the Plants Committee to inform her Committee of these decisions.

Regarding Annex 4, one observer asked whether the Committee could adopt this Annex as it had not been amended by Drafting Group 1 or examined by the Committee. The Secretariat confirmed that it was possible. Furthermore the Chairman of the Plants Committee interjected that the Committees had not started from scratch and that if the reviewers who had tested the criteria had not suggested any changes to that Annex, it meant that they had encountered no problem with it. Consequently the whole document should be adopted. With this, the Animals Committee adopted Annex 4 and applauded the accomplishment of a very challenging task in such a short time, congratulating in particular both co-chairmen of the drafting group.

The co-chairmen thanked all people who had participated in this work, stressing that it had been indeed a great challenge. The Chairman of the Animals Committee stated he would report the names of the reviewers to the Conference of the Parties. He remarked that very few changes had needed to be made to the Chair's text and that this was proof that it worked well. He expressed his wish that the revision of the criteria be concluded at CoP13. The Chairman of the Plants Committee also expressed her gratitude to all those involved in the revision. It was agreed that the Secretariat should expedite the translations of document AC20 DG1 Doc. 1 and send them to the French and Spanish Management Authorities. These would in turn circulate the translations amongst French and Spanish-speaking Parties for accuracy and terminology standardization and provide feedback to the Secretariat.

During discussion of this item, interventions were made by the regional representative of Asia, the observers from China, France, Japan, the United Kingdom, FAO, Fund For Animals, IWC, IWMC, TRAFFIC and WWF, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

**10. Periodic review of animal and plant taxa in the Appendices –
Report of the working group.....(AC20 Doc. 10 Rev. 1)**

The observer from the United States, as Chairman of the intersessional working group, introduced document AC20 Doc. 10 (Rev. 1) and advised against proposing this document as a draft resolution or decision. The Committee congratulated the intersessional working group on the work done. However it soon became apparent that the document was not the same in all languages. It was agreed to postpone discussion on this item until everyone had received the correct version of document AC20 Doc. 10 (Rev. 1) and had had the opportunity to pass on comments to the Chairman of the working group.

Later in the meeting a new document was distributed to the participants. The Chairman of the working group indicated the minor comments he had received, providing explanations where needed. Further comments were made regarding the chart on Annex 2. The Chairman of the working group reminded participants that this process was for a rapid assessment only and not to make a full proposal, and simply served as a basis to group species. He nevertheless acknowledged the comments made and said he would revise the document accordingly for submission at SC51. The Chairman of the Animals Committee however was reluctant to close this item without the Committee having approved a final document. Consequently he requested the Chairman of the working group to produce a revised document for adoption at the present meeting. After some technical glitches, document AC20 Doc. 10 (Rev. 2) was introduced. Some clarifications were provided on minor points and it was pointed out that the note under *Process for future reviews*, paragraph 1. c), Annex 1, was unnecessary. The Chairman of the Plants Committee congratulated the joint working group, emphasizing that this mechanism was badly needed and could always be refined if found wanting.

The Committee adopted the recommendations of the joint working group, as outlined in Annexes 1 and 2 of document AC20 Doc. 10 (Rev. 2), with the deletion of the note under *Process for future reviews*, paragraph 1. c), Annex 1, and the rewording of the far right box, third tier from top to bottom, Annex 2, from "Retain species in its current Appendix" to "Recommend to Committee that species remain in its current Appendix", this to standardize the text in the chart.

During discussion of this item, interventions were made by the regional representatives of Asia and North America, the observers from Japan, Mexico, Spain, the United Kingdom, Defenders of Wildlife, the European Commission and IWC, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee and the zoologist of the Nomenclature Committee.

**11. Process for registering operations that breed Appendix-I animal
species for commercial purposes – Report of the working group.....(AC20 Doc. 11)**

The observer from Chile, as Chairman of the intersessional working group, introduced document AC20 Doc. 11. The Committee commended the work of the intersessional working group, stressing that this was a long-standing issue. The zoologist of the Nomenclature Committee observed that the 'commercial purposes' was interpreted in too broad a sense and that small-scale hobbyist breeders would never register. The complexity of the registration process and difficulty to prove that the founding stock was pre-Convention were also put forward in many cases as a deterrent to registration. However some delegates disagreed with the idea of restricting the capacity to object to registrations to range States only, arguing that any Party might have valid reasons for objecting, such as intelligence on the illegal origin of stocks. The question was asked whether this was not more of an implementation issue and therefore for the Standing Committee to consider. The Chairman of the Plants Committee remarked that the issue did not raise such debate in her Committee and viewed it primarily as a way to help producer countries manage their resources. Pointing out that Resolution Conf. 12.10 was not being implemented consistently, one observer appealed for a more practical resolution. One of the disincentives for registration seemed to be the wide-spread use of invalid

codes to export specimens in order to bypass trade restrictions. The Chairman reminded the Committee of the clear mandate it had received from the Conference of the Parties in Decision 12.78. This did not include a revision of Resolution Conf. 12.10 but if deemed necessary the Committee could make such a recommendation.

The Committee referred further discussion on this issue to a working group (Working Group 3) with the following terms of reference:

- a) Examine all responses to the Notification to the Parties No. 2003/071 of 12 November 2003; and
- b) Formulate concluding findings and recommendations as requested under Decision 12.78, paragraphs a) and b), for inclusion in the report for CoP13, including proposed amendments to Resolution Conf. 12.10 where appropriate.

Working Group 3 comprised:

- a) Regional representatives: representatives of North America (Mr Medellin), Europe (Ms Rodics), Africa (Mr Chidziya) and Asia (Mr Tunhikorn);
- b) Observers from Parties: Canada, Chile (Chairman), the Czech Republic, Denmark, France, India, Israel, Italy, Japan, Mexico, Namibia, the Netherlands, South Africa, Spain, the United Kingdom and the United States; and
- c) Observers from international and non-governmental organizations: Birds International Avicultural Park Breeding and Research Centre, Environmental Investigation Agency, IWMC-World Conservation Trust, Species Survival Network, TRAFFIC, World Society for the Protection of Animals, Deutsche Gesellschaft für Herpetologie und Terrarienkunde E.V. and Animal Exhibitors Alliance.

Later in the meeting, the Chairman of Working Group 3 presented document AC20 WG3 Doc. 1. However it appeared that members of the working group had not seen this document beforehand and did not agree with its content. The Committee therefore asked the Chairman of Working Group 3 to revise the document, taking into account the many comments made in plenary, and to submit a revised version the following day.

After re-submission, the Committee took note that Denmark should be deleted from the list of members of Working Group 3 in document AC20 WG3 Doc. 1 (Rev. 1) and adopted the *Suggested Summary for Chairman's Report to the CoP* on page 3 of that document.

During discussion of this item, interventions were made by the representative of North America, the observers from Chile, China, Israel, Mexico, the Netherlands, Spain, the United States, the European Commission, the Humane Society of the United States, IWMC and SSN, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

12. Relationship between *ex situ* production and *in situ* conservation – Report of the working group.....(AC20 Doc. 12)

The regional representative of North America, as Chairman of the intersessional working group, introduced document AC20 Doc. 12. He invited China and India to join the working group to be convened at AC20 in order to ensure representation of mega-biodiversity countries. He added that if this document was a digest of some of the case studies, the full compilation and further case studies would be made available to the working group.

The Committee congratulated the working group on the progress made. However there seemed to be confusion as to the interpretation of Decision 11.102 (Rev. CoP12) and the Chairman of the Plants Committee explained that her Committee had looked at this issue in conjunction with production systems. It was pointed out that the Standing Committee was also discussing the issue of economic incentives and that work should not be duplicated. Strong concerns were expressed that the working group and the Committee were straying from the topic under consideration and expanding its scope instead of focusing on "identifying possible strategies". The working group was therefore urged to bear in mind the original intention of the Decision whilst concentrating on trade and scientific issues, and not on issues related to access and benefit sharing as this was not a CBD forum.

The Committee referred further discussion on this issue to a working group (Working Group 2) with the following terms of reference:

- a) Examine all information received in response to Notification No. 2003/072 of 12 November 2003 as well as the results of the case studies;
- b) identify possible strategies and other mechanisms by which registered *ex situ* breeding operations may contribute to enhancing the recovery and/or conservation of the species within the countries of origin;
- c) Formulate clear conclusions on the basis of the compiled information; and
- d) Report its findings in a document for CoP13, as mandated in Decision 11.102 (Rev. CoP12).

Working Group 2 comprised:

- a) Regional representative: representative of North America (Mr Medellín, Chairman);
- b) Observers from Parties: Canada, Chile, China, India, France, Mexico, the Netherlands, South Africa, the United Kingdom, the United States and Zimbabwe; and
- c) Observers from international and non-governmental organizations: Pet Industry Joint Advisory Council, TRAFFIC, World Association of Zoos and Aquariums, American Zoo and Aquarium Association, Animal Welfare Institute, Defenders of Wildlife, Deutsche Gesellschaft für Herpetologie und Terrarienkunde E.V., Fund for Animals, International Elephant Foundation, Royal Society for the Prevention of Cruelty to Animals and World Wildlife Fund USA.

Later in the meeting, the Chairman of Working Group 2 presented document AC20 WG2 Doc. 1. The Chairman of the Animals Committee noted that there were a large number of recommendations, some of which required funding. The observer from the United States expressed its deep concern about the document. He opined that Working Group 2 had gone beyond its remit and had turned the issue into a philosophical debate on access and benefit sharing cut out from any consideration of implementation. He explained that his country would never be in a position to support or implement a resolution that would follow the lines drawn by Working Group 2 and underlined that the Standing Committee was also looking at economic incentives. The Chairman of Working Group 2 expressed his surprise that the United States had not raised such concerns as a member of the working group and reminded the meeting participants of the mandate given to the Animals Committee in Decisions 11.102 (REV. CoP12) and 12.78. The Chairman of the Animals Committee acknowledged that other countries would certainly share the same view as that of the observer from the United States but also reminded the floor of the Decisions directed to the Committee. He therefore recommended outlining these questions in his report for CoP13 and asking the Conference for a clear direction. The Committee noted document AC20 WG2 Doc. 1 and agreed to take it into consideration in the report of the Chairman for CoP13, stressing however that it would be impossible for some Parties to implement the recommendations made by Working Group 2.

During discussion of this item interventions were made by the regional representatives of Africa and North America, the observers from Chile, China, Mexico, the Netherlands, the United States, the Animal Welfare Institute, the Defenders of Wildlife, IWC, the Species Survival Network, WAZA and WWF-US, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

13. Transport of live animals – Report of the working group.....(AC20 Doc. 13)

The observer from Austria, as Chairman of the intersessional working group, introduced document AC20 Doc. 13. The Committee congratulated the working group on the progress made. The difficulty with this issue was that most of the problems related to transport and storage of live animals occurred at the national level and were therefore outside the remit of the working group. The Chairman of the working group stated he would check whether these problems could be addressed within the current mandate of his group.

The Committee referred further discussion on this issue to the Transport Working Group (TWG, Working Group 4 at the present meeting) with the following terms of reference:

- a) Review document AC20 Doc. 13 and produce an update on the work accomplished in compliance with Resolution Conf. 10.21, for reporting by the Secretariat at CoP13.

- b) Draft a report on progress with the implementation of Decision 12.85, for reporting by the Animals Committee at CoP13.

Working Group 4 comprised:

- a) Regional representative: Europe (Ms Rodics);
- b) Observers from Parties: Austria (Chairman), the Czech Republic, Israel, South Africa, the United Republic of Tanzania and the United States; and
- c) Observers from international and non-governmental organizations: Pet Industry Joint Advisory Council, Whale and Dolphin Conservation Society, World Association of Zoos and Aquariums, American Zoo and Aquarium Association, Animal Exhibitors Alliance, Animal Welfare Institute, Humane Society of the United States, Pet Care Trust, Pro Wildlife and Royal Society for the Prevention of Cruelty to Animals.

Later in the meeting, the Chairman of Working Group 4 presented document AC20 WG4 Doc. 1. The Committee noted this report with some minor amendments, and adopted the recommendations therein. Following a request, the Chairman agreed to provide the Committee members with a copy the Memorandum of Understanding between CITES, IATA and WAZA.

During discussion of this item interventions were made by the regional representatives of Europe and North America and the observers from Israel, Mexico, the Netherlands, the Humane Society of the United States, IWC, WAZA and Whale and Dolphin Conservation Society.

14. Trade in hard corals – Report of the working group.....(AC20 Doc. 14)

The observer from the United Kingdom of Great Britain and Northern Ireland, as Chairman of the intersessional working group, introduced document AC20 Doc. 14. A participant noted that this issue created problems for Customs and asked whether a solution could be envisaged soon, perhaps in the form of a revision of Resolution Conf. 11.10 (Rev. CoP12).

The Committee referred further discussion on this issue to a working group (Working Group 5) with the following terms of reference:

- a) Consider and recommend a practical means of distinguishing fossilized corals from non-fossilized corals in international trade; and
- b) Formulate conclusions for reporting at CoP13.

Working Group 5 comprised:

- a) Regional representative: Oceania (Mr Hay);
- b) Observers from Parties: Belgium, the United Kingdom (Chairman) and the United States; and
- c) Observers from international and non-governmental organizations: Ornamental Fish International, Pet Industry Joint Advisory Council, TRAFFIC, and Ornamental Aquatic Trade Association Ltd.

Later in the meeting, the regional representative of Oceania (Mr Hay) presented document AC20 WG5 Doc. 1 and pointed out two errors in that document: first he had not chaired the working group, and second there was a formatting error in the Annex and that instead of “coral live rock” one should read “~~coral~~ live rock” throughout. It was clarified that the removal of substrate had no ecological impact and therefore did not need to be regulated. The Secretariat pointed out that in case the proposal was adopted, the text of Resolution 11.10 (Rev. CoP12) may have to be spelt out in the Appendices rather than simply referred to, but that this was simply a matter of presentation. The Committee noted the document and adopted the recommendations therein with the corrections above.

During discussion of this item interventions were made by the observers from the Netherlands, the United Kingdom, the United States, IWC and Ornamental Aquatic Trade Association.

15. Control of captive breeding, ranching and wild harvest production systems for Appendix-II species – Report of the working group.....(No document)

The African representative (Mr Chidziya), as Chairman of the working group, explained that the working group established at AC19 had not been able to work intersessionally owing to communication problems. He suggested using document AC20 Inf. 15 as a basis for discussion. This document had been produced by IUCN and incorporated comments made at AC19 and by the United States. However the Chairman of the Animals Committee declined to follow that suggestion, reminding participants that information documents were not for discussion and that, in any case, this one was not available in the three working languages of the Convention. The working group therefore needed to be reconvened and a document produced for the Committee to be able to move forward. There was a general feeling that this long-standing issue had somewhat got out of hand with discussions now extending to topics such as *ex situ* and *in situ* conservation. A decision needed to be reached and guidance given urgently. Indeed the confusion was such that some authorities seemed not to authorize trade every time source code W was used on a permit.

The Committee referred further discussion on this issue to a working group (Working Group 6) with the following terms of reference:

- a) Review documents AC20 Infs. 15 and 18; and
- b) Determine whether the Animals Committee should continue working on this issue and formulate final recommendations for consideration by the Committee.

Working Group 6 comprised:

- a) Regional representatives: Africa (Mr Chidziya, Chairman) and North America (Mr Medellin);
- b) Observers from Parties: Germany, Israel, South Africa and the United States; and
- c) Observers from international and non-governmental organizations: IUCN – The World Conservation Union, IFAW – International Fund for Animal Welfare, IWMC-World Conservation Trust, Species Survival Network, TRAFFIC, Humane Society of the United States and Pro Wildlife.

It was agreed that a new Chairman may have to be chosen should the working group need to work beyond AC20.

Later in the meeting, the Chairman of Working Group 6 presented document AC20 WG6 Doc. 1. The Chairman of the Animals Committee pointed out that this was a difficult issue. Given that there had not been consensus on all recommendations and that exact wording was still needed for some recommendations, he thought further work was still required. The recommendation to establish a joint working group with the Plants Committee at CoP13 was welcomed and the observer from the United States suggested that documents AC20 WG6 Doc. 1 and AC20 Inf. 15 could be used by this working group as a basis for its work. He also advised the Committee that his country would put forward a proposal at CoP13 regarding the issue of ranching and this proposal was in agreement with the report of Working Group 6. The Chairman of the Plants Committee was asked to inform her Committee of the decisions taken at AC20. The Chairman of the Animals Committee acknowledged that this issue may not be concluded at CoP13. The Committee noted this report and agreed to take it into consideration in the report of the Chairman of the Animals Committee for CoP13.

During discussion of this item interventions were made by the regional representatives of Africa and North America, the observers from the United States and IWC, the Chairman of the Plants Committee and the zoologist of the Nomenclature Committee.

16. Conservation of and trade in tortoises and freshwater turtles.....(No document)

The regional representative of Africa (Mr Griffin), as Chairman of the intersessional working group, introduced this agenda item, retracing the history of this issue and the focus on Asian species. Owing to a general lack of response, possibly due to communication problems, the intersessional working group established at AC19 had only been able to produce a report in the course of the

present meeting (document AC20 Inf. 25). This report had been distributed to the working group only. The Chairman of the working group encouraged NGOs to provide assistance given the economical problems faced by many Parties concerned by this issue. The observer from IUCN reported limited progress with the implementation of Decision 12.43 on the African pancake tortoise but added that desktop surveys were under way.

The Committee referred further discussion on this item to the working group established at AC19 (Working Group 10 at the present meeting), instructing it to report later in the meeting on the two issues of the African pancake tortoise and of Asian tortoise and freshwater turtle trade.

Working Group 10 comprised:

- a) Representatives: Africa (Mr Griffin, Chairman) and Asia (Mr Tunhikorn);
- b) Observers from Parties: China, France, Germany, Japan, Kenya, Malaysia, the Netherlands, the Republic of Korea, the United Republic of Tanzania and the United States of America;
- c) Observers from intergovernmental and non-governmental organizations: IUCN – The World Conservation Union, International Wildlife Coalition, IWMC-World Conservation Trust, TRAFFIC, Wildcare Africa Trust, Association of Midwestern State Fish and Wildlife Agencies, Deutsche Gesellschaft für Herpetologie und Terrarienkunde E.V., Humane Society of the United States and Pro Wildlife; and
- d) The zoologist of the Nomenclature Committee.

Later in the meeting, the Chairman of Working Group 10 presented document AC20 WG10 Doc. 1. An objection to the first draft recommendation directed to the Parties on page 2 was raised, on the basis that decisions should only contain short-term actions. The Chairman of the Animals Committee agreed with deleting this recommendation as it was already included in Resolution Conf. 11.9 (Rev. CoP12). Furthermore Parties had no need to be recommended to develop proposals. The Secretariat stated that some recommendations were controversial. It added that most draft decisions directed to the Secretariat were already in Resolution Conf. 11.9 (Rev. CoP12), and that some of them were beyond the Secretariat's capacities and should be directed to Parties. One observer expressed its surprise at these comments from the Secretariat as it had not raised them when attending the meeting of Working Group 10. Another delegate said that the Committee should be careful in how it reported the recommendations to the Conference of the Parties, suggesting phrasing them as "the working group recommends to Parties that ...".

The Committee noted document AC20 WG10 Doc. 1 with the deletion of the first recommendation to the Parties on page 2. It agreed to take it into consideration in the report of the Chairman for CoP13, with the understanding that some draft decisions may need to be redirected from the Secretariat to the Parties.

During discussion of this item, interventions were made by the regional representative of North America and the observers from the United States, IUCN and IWC.

**17. Seahorses and other members of the family Syngnathidae –
Report of the working group.....(AC20 Doc. 17)**

The observer from Project Seahorse, as Chairman of the intersessional working group, introduced document AC20 Doc. 17, explaining that no new findings had been made since AC19 when a minimum size of 10 cm had been recommended for wild-taken specimens. She also added that Project Seahorse had just completed the production of an identification guide for seahorses which would be ready on time for the date the inclusion in Appendix II came into force. A couple of delegates made a series of interventions on seahorses that the Chairman of the Animals Committee considered irrelevant to the precise instruction given by the Conference of the Parties in Decision 12.54, namely to "identify a minimum size limit".

The Committee agreed to the minimum size of 10 cm for wild-taken specimens recommended in document AC20 Doc. 17, with the proviso that this limit could always be reviewed in future in the

light of new research and that this would be a voluntary measure. The Committee requested the Secretariat to inform Parties of this decision through a Notification to the Parties. Mexico agreed to distribute the results of the workshop held in Mazatlán, from 3 to 5 February 2004, with a view to assisting in the implementation and the making of non-detriment findings at AC21.

During discussion of this item, interventions were made by the regional representative of Oceania, the alternate regional representative of Asia, and the observers from China, Japan, Mexico, the United States, IWC and Ornamental Aquatic Trade Association.

**18. Conservation of and trade in sea cucumbers in the families
Holothuridae and Stichopodidae.....(AC20 Doc. 18)**

The Secretariat introduced document AC20 Doc. 18 and explained that it should be considered in conjunction with document AC20 Inf. 14. This was because the workshop referred to in the latter document had only been held two weeks previously. The representative of Asia, as Co-Chairman of that workshop, reported that the workshop has been very fruitful. This was echoed by one observer but challenged by another who stated that no conclusions had been reached and no direction given as to future progress at that workshop. The latter also stated its view that CITES listing would not be an appropriate tool for conservation and management of sea cucumbers, but the Chairman reminded him of the requirement for the Animals Committee to produce a discussion paper for CoP13 on the status of these species under Decision 12.60. The Secretariat added that some comments on the workshop had not been received yet but would be included in the final proceedings. As for the recommendations from FAO, they would be published by FAO itself. Following a request, the Secretariat also agreed to make the national reports presented at the workshop available, provided financial support would be forthcoming to help with the publication of these documents.

The Committee referred further discussion on this issue to a working group (Working Group 7) with the following terms of reference:

- a) Examine the outcomes of the technical workshop as outlined in document AC20 Inf. 14;
- b) Draft findings and recommendations to be included in a discussion paper on the biological and trade status of sea cucumbers for CoP13, and provide guidance on actions needed to secure their conservation status; and
- c) Determine how the report for CoP13 required in Decision 12.60 may be ready on time.

Working Group 7 comprised:

- a) Regional representatives: Asia (Mr Pourkazemi, Chairman, and Mr Giam, alternate);
- b) Observers from Parties: Belgium, China, France, Mexico, Japan, the Republic of Korea, the United Republic of Tanzania and the United States;
- c) United Nations bodies: Food and Agriculture Organization of the United Nations; and
- d) Observers from international and non-governmental organizations: Ornamental Fish International, Project Seahorse, TRAFFIC and Ornamental Aquatic Trade Association Ltd.

Later in the meeting, the Chairman of Working Group 7 presented document AC20 WG7 Doc. 1. The Chairman of the Animals Committee pointed out it was becoming increasingly difficult to obtain financial support for non-listed taxa such as these (bar one species in Appendix III) and that funding would have to come from external sources. The Chairman of the Animals Committee suggested that the Committee note the report and take into consideration Annex 2 only, but it was pointed out that this was not possible as item 18 of Annex 1 referred to the recommendations in Annex 2. The Chairman of Working Group 7 advised he had no time to write up the discussion document for CoP13 stemming from the outline given in Annex 1.

The Committee therefore noted document AC20 WG7 Doc. 1 and agreed to inform the Conference of the Parties, through the report of the Chairman for CoP13, that a lack of time and funds had prevented it from carrying out the studies necessary to address this issue properly, and thereby from making final recommendations. The Chairman of the Animals Committee stipulated that he would also include the working group's request for further work on this issue in his report for CoP13. The observer from the United States offered assistance in compiling the CITES workshop proceedings, in consultation with the chairman of the workshop and the Secretariat.

During discussion of this item interventions were made by the regional representative of Asia and the observers from Japan, the United States, IWC, Ornamental Fish International and Project Seahorse.

19. Biological and trade status of sharks – Report of the working group.....(AC20 Doc. 19)

The regional representative from Oceania, as Chairman of the intersessional working group, introduced document AC20 Doc. 19 and also referred the Committee to documents AC20 Infs. 1-8. He thanked the IUCN Shark Specialist Group (SSG) for its support. One delegation expressed its concern about the status of sharks. The observer from the Wildlife Conservation Society, which had prepared document AC20 Inf. 1, shared this concern and stressed the management challenges regarding these species. The observer from IUCN SSG gave a brief presentation of document AC20 Inf. 5 and the observer from FAO commended this very comprehensive report. The latter also explained that his organization was monitoring progress with the IPOA-Sharks closely and encouraged more countries to implement it.

The Committee referred further discussion on this issue to a working group (Working Group 8) with the following terms of reference:

- a) Review documents AC20 Doc. 19 and Infs. 1-8 to assess progress with the implementation of Resolution Conf. 12.6 and Decision 12.47.
- b) Consider the adoption of standard names and codes for shark species in trade.
- c) Review progress with the implementation of IPOA-Sharks.
- d) Provide comments to proposals to include shark species in the Appendices of the Convention.
- e) Formulate concluding statements on the relevant Decision and the Resolution for consideration at CoP13, and suggest amendments or modifications as appropriate.

Working Group 8 comprised:

- a) Regional representative: Oceania (Mr Hay, Chairman);
- b) Observers from Parties: Belgium, Canada, China, Ireland, Mexico, Namibia, Germany, New Zealand, the Netherlands, the Republic of Korea, South Africa, the United Republic of Tanzania and the United States;
- c) United Nations bodies: Food and Agriculture Organization of the United Nations;
- d) Observers from international and non-governmental organizations: European Commission, IUCN–The World Conservation Union, IFAW – International Fund for Animal Welfare, Project Seahorse, World Conservation Society, WWF International, Defenders of Wildlife and The Ocean Conservancy.

Later in the meeting, the Chairman of Working Group 8 presented document AC20 WG8 Doc. 1. A mistake was pointed out in the paragraph on *Freshwater stingrays family Potamotrygoniae* on page 4, which should read "the observer from Wildlife Conservation Society" and not "the observer from OATA". The observer from Japan expressed his objection to the conclusions in the report and asked for the report to be noted and not adopted as he deemed it contentious. The Chairman also favoured simply taking note of the recommendations in the report given that the Committee had had very little time to review it. Several observers commended the report, but the alternate representative of Asia criticized it for what he thought were a biased approach and unfounded conclusions from a group that lacked expertise. The Chairman of Working Group 8 strongly refuted all these criticisms. He denied that the report was subjective and stated that, on the contrary, Working Group 8 had been very careful in phrasing its recommendations. He also stated that it was incorrect to suggest

that “many members of the working group did not agree” and indicated that they had considerable expertise in sharks. Following a query on how the recommendations would be conveyed in the report for CoP13, the Chairman of the Committee explained that he would report them in the light of the requirements in Decision 12.47. One observer also pointed out that, as only one member of the Committee had been able to join Working Group 8, the Committee should be cautious in how it reported the recommendations to the Conference of the Parties.

The Committee noted document AC20 WG8 Doc. 1 and agreed to take it into consideration when reporting at CoP13.

During discussion of this item interventions were made by the alternate representative of Asia, the observers from China, Japan, Mexico, the United States, the European Commission, FAO, IUCN, IWC, the Wildlife Conservation Society, WCMC and WWF, and the zoologist of the Nomenclature Committee.

The observer from Japan made the following statement:

Japan has persistently expressed its strong objection to attempts to list shark species in the Appendices of CITES. This is because we do not believe that such listings complement or aid in the conservation and management of sharks that is the responsibility of specialized fisheries organizations such as FAO and regional fisheries management organizations.

As you know, this is a particularly controversial subject and we obviously have not yet had sufficient time to study the report of the working group. Rather than having the Animals Committee adopt this report of the working group, we would request that you deal with this report in the same manner that you dealt with other controversial reports, that is by simply noting the report.

20. Trade in alien species.....(AC20 Doc. 20)

The regional representative of Oceania, as Chairman of the intersessional working group, introduced document AC20 Doc. 20. He explained that the compilation of a list of invasive CITES species, which was carried out through the IUCN/SSC Invasive Species Specialist Group, was not completed yet and would not be ready for CoP13, but that Decision 10.76 could be considered to have been complied with. The benefit to liaise with CBD regarding that issue was stressed and it was suggested that CBD and IUCN collaborate to complete the list. It was also suggested that the CITES working group review the work done by CBD to avoid duplicating efforts. The creation of a spreadsheet of invasive CITES species could also be envisaged in collaboration with other organizations. The Chairman of the Plants Committee reported that her Committee had considered this issue a low priority. The Chairman of the Animals Committee concurred with this opinion and stated that the Conference would need to adopt a new decision if Parties wanted further work on this issue. It was pointed out that even though it was not the purpose of the Convention, CITES may provide one of the few effective tools to prevent certain species from being exported and spreading out of control outside their original area of distribution.

The Committee agreed that Decision 10.76 had been complied with and that no further work was required.

During discussion of this item, interventions were made by the representatives of North America and Oceania, the observer from Chile and the Chairman of the Plants Committee.

21. Standard taxonomy and nomenclature.....(No document)

The zoologist of the Nomenclature Committee (NC) gave an oral report of the NC meeting that had taken place on 31 March (NC4), after the AC plenary meeting. He explained *inter alia* that about 60 delegates had attended the meeting and that a written report would be made available at a later date. Document NC4 Doc. 2 had been produced because it had emerged at PC13 and AC19 that the working practices of the Nomenclature Committee were not familiar to all. The zoologist of the Nomenclature Committee suggested distributing a copy of this document to all Parties. He also noted that he would take into account comments made at NC4 in the NC report for CoP13. He suggested

that nomenclatural matters be discussed in Committee I of the Conference of the Parties before they reached plenary. Some delegates stressed the need to make documents discussed at meetings of the Nomenclature Committee systematically available, also regretting the lack of a written report at PC14. However it was recalled that the Nomenclature Committee was not a working group of either scientific committees and that its Terms of Reference instructed it to report to the Conference of the Parties only. Discussions also centred on the choice made at CoP12 to refer exclusively to the *Checklist of CITES Species* in the Resolution on Standard nomenclature as the standard nomenclatural reference. In particular the Chairman of the Plants Committee stated that her Committee wished other standard nomenclature references, such as the orchid checklists produced by the Royal Botanic Gardens, Kew, to be mentioned in that Resolution, as was previously the case.

The Committee noted the oral report of the zoologist of the Nomenclature Committee.

During discussion of this item, interventions were made by the representative of North America, the observers from Israel, IWC and IWMC, and the Chairman of the Plants Committee.

22. Any other business

The observer from the United States of America explained that a wrong version of document AC20 Inf. 24 had been circulated and that the correct version would be provided shortly.

22.1 Identification Manual.....(AC20 Doc. 22.1)

The Secretariat introduced document AC20 Doc. 22.1.

The Committee noted the report from the Secretariat.

22.2 Master's course in Baeza, Spain

The Observer from Spain and the Chairman of the Plants Committee introduced this item, and referred the Committee to document AC20 Inf. 30. The latter explained that this course had been taught for four years and that 113 students had attended it, many of whom were now working in Management Authorities, non-governmental organizations or even the CITES Secretariat. The first three courses had been run in consecutive years, but the fourth one had only been held after a year had elapsed owing to lack of resources. She pointed out that the course, which won praises from the floor, was of benefit to all Parties, but that Spain was mostly paying for it. She therefore invited the Animals Committee to follow the example of the Plants Committee by inviting Parties to support the course financially and asking that the Secretariat play a role in seeking funding.

The Committee agreed that, in his report for CoP13, the Chairman of the Animals Committee should urge Parties to support the Master's course financially given its benefit to all Parties and that he should recommend that the Secretariat be directed to seek external funding for it.

During discussion of this item, interventions were made by the regional representative of North America and the observers from the United States, South Africa and the European Commission.

23. Closing remarks.....(No document)

The Chairman stressed that the extra working day the Committee had enjoyed at the present meeting had been far from superfluous to cover the agenda. He thanked the Committee, the observers, the interpreters and the Secretariat for their dedication and for the work accomplished. He also expressed his deep gratitude, on behalf of the whole Committee, to South Africa and to its Management Authority for organizing the meeting. This was echoed by many participants. The representative of Oceania also thanked the Chairman on behalf of the whole Committee.

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

REVIEW OF SIGNIFICANT TRADE IN SPECIMENS OF APPENDIX-II SPECIES
(RESOLUTION CONF. 12.8 AND DECISION 12.75)

Members of the working group

The Chairman of the Animals Committee (Chair);

Regional representatives: Europe and Africa;

Observers from Parties: Canada, China, the Democratic Republic of the Congo, Denmark, Italy, Malaysia, Namibia, the Netherlands, South Africa, Spain, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America;

Observers from inter-governmental and non-governmental organizations: European Commission, IUCN – The World Conservation Union, Conservation Force, Fauna and Flora International (rapporteur), Humane Society of the United States, IWMC-World Conservation Trust, Pet Care Trust, Species Survival Network, TRAFFIC (rapporteur), UNEP-WCMC, Whale and Dolphin Conservation Society, World Wildlife Fund USA;

The zoologist of the Nomenclature Committee; and

The CITES Secretariat.

Terms of reference

1. Examine the information on *Falco cherrug* and formulate recommendations in compliance with Resolution Conf. 12.8, paragraph f);
2. Identify reporting requirements and time-frames for the implementation of the Action Plan for Madagascar; and
3. Select a limited number of species for Phase VI of the Review of Significant Trade.

Summary of the discussions and recommendations

Doc. 8.1 Review of Significant Trade in *Falco cherrug*

Secretariat reported that the joint budget for 2004 for the Animals and Plants Committees for Significant trade process was USD 73,000 while experience shows that each review costs approximately USD 10,000. These financial constraints suggested to the Secretariat that the Committee should consider prioritising just one species per taxonomic group.

Falco cherrug came into the Review of Significant Trade at AC19 as an 'exceptional' case according to Resolution Conf. 12.8. The range States were contacted by the Secretariat regarding possible problems of implementing Article IV for trade in this species, and to comment upon the report of the United Arab Emirates that had been the basis for the selection of the species by AC (the report is presented in Doc. AC20 Doc. 8.2, Annex 2). Range States had 60 days to reply. These responses were available to the Working Group in Doc AC20 Doc. 8.1 Annex 1. It was agreed that the Working Group should select from the listed range States to eliminate those which are clearly implementing Article IV and identifying those which require further attention.

Considerable discussion followed about information available from importing Parties.

It was agreed that the Animals Committee should refer all the range States that have not responded to the initial information request for further action by the Secretariat in accordance with paragraph g) of Resolution Conf. 12.8. The working group also agreed that none of the Parties that sent in responses should be kept in the process. Some discussion resulted as to whether the United Arab Emirates should be kept in the process. However, it was noted that the United Arab Emirates had responded to Resolution Conf. 12.8 in a very positive way, detailing the way it is now dealing with the non-detriment findings required under Article IV and as such it is an example to the Parties. It was therefore not included in the further review process.

The European representative on the Animals Committee stressed that it was important to focus on the key range States where implementation of Article IV seemed problematic, and the Working Group identified the following countries in this regard: Iran, Kazakhstan, Mongolia, Pakistan, Russian Federation, Saudi Arabia, Turkmenistan and Uzbekistan.

After further discussion regarding the situation in China, it was determined that it be left in the category of other countries that had not yet reported.

In response to concerns raised about lack of sufficient controls of captive breeding operations and illegal trade in some countries, it was noted that there will be a workshop in Abu Dhabi in May 2004 involving both falconry countries and countries with captive breeding operations in an effort to address these issues.

Doc. 8.3 Progress on the first country-based Review of Significant Trade (Madagascar)

After some discussion about how best to proceed in developing milestones and timeframes for the Action Plan, it was determined that the working group would focus its efforts on identifying timeframes for short term activities only, and that these actions would be separated into Urgent Short Term Actions and other Short Term Actions.

Urgent Short Term Actions must be reported on by Madagascar to the Secretariat prior to SC51, while all other Short Term Actions must be reported on by Madagascar to the Secretariat prior to AC21. These categories are based on all activities labeled as 'Short Term' in AC20 Inf. 10. The Secretariat, in consultation with the Chairman of AC, should report on the compliance by Madagascar with Urgent Short Term Actions at SC51.

Urgent Short Term Activities are:

- a. Draw up a set of terms of reference for the Scientific Authority to be agreed by the SA and MA (p. 5);
- b. Identify and provide background information on the conservation status of Malagasy species (p. 5);

- c. Establish a mechanism, to be agreed by the SA and MA, to ensure that advice from the SA is acted on in a timely fashion (p. 6);
- d. Design and implement an agreed, transparent quota setting system (p. 7);
- e. Design and implement a system to allow MA to track actual exports against quotas allocated (p. 8);

Other Short Term Actions [to be reported on by AC21] include:

- a. Undertake a cost-benefit analysis of wildlife trade and use the results of this analysis to inform the policy framework (p. 3);
- b. Draw up revised legislation and submit this to the national legislature for adoption (p. 4);
- c. Identify and provide background resources concerning the different roles of the SA (p. 5);
- d. Design and implement a mechanism for monitoring implementation of the action plan (p. 7);
- e. Implement a coordination and communications strategy (p. 7);
- f. Formalize exporters' association (p. 8);
- g. Design a training programme (p. 9);
- h. Implement a coordination and communication strategy (p. 9);
- i. Produce and distribute identification manuals (p. 10);
- j. Produce and distribute manuals of procedure (p. 10);
- k. Procure other resources as needed (p. 10);

The working group recommends that the Secretariat contact Madagascar to express its concern about Madagascar's failure to adequately explain its current export policy for CITES-listed species, and to clarify urgently whether there is a moratorium in place for trade in CITES-listed species.

It was noted that funding is critically needed to ensure that the Action Plan is fully implemented. The working group also recommended that funding be made available to ensure that Madagascar can attend the AC, PC and SC meetings to report on progress with the implementation of the Action Plan.

The working group also recommended that Madagascar be requested to identify timeframes for accomplishing medium and long term actions, and that these timeframes be reported to the Secretariat prior to AC21.

The Secretariat advised that it was important to establish a position for a technical adviser in Madagascar to oversee the implementation of the Action Plan. The working group recommended that efforts to establish such a position should proceed.

Doc. 8.5 Selection of Species for Review of Significant Trade

The working group determined species for review of significant trade by analyzing species that appeared as candidates both in Doc. 8.5 prepared by UNEP-WCMC and AC20 Inf. 12.

- a. *Monodon monoceros*: Narwhal was not selected for review in Phase VI. The working group noted that the species remained in Phase III because secondary recommendations for Denmark (Greenland) and Canada, formulated in 1996, had not been complied with. That secondary recommendation reads: "The responsible authorities of Canada and Greenland should initiate a scientifically based survey programme for the Baffin Bay stock. If one is not already in operation, to form the basis of an improved population monitoring programme." It was agreed by the working group, including Canada and Denmark (Greenland), that this secondary recommendation should be addressed by Canada and Denmark (Greenland) by 31 July 2004. The Secretariat, in consultation with the Chairman of the

Animals Committee, will determine whether the recommendation has been implemented, and report to the Standing Committee accordingly.

- b. *Poicephalus senegalus*: Accepted for Phase VI. Particular concerns were raised for Guinea, Mali, Senegal and Togo.
- c. *Psittacus erithacus*: Accepted for Phase VI. Particular concerns were raised for the Democratic Republic of Congo, Cameroon, Congo, Sierra Leone, Guinea, Liberia, and Cote d'Ivoire.
- d. *Gracula religiosa*: Accepted for Phase VI.
- e. *Callagur borneoensis*: Accepted for Phase VI.
- f. *Phelsuma comoroensis*: Accepted for Phase VI.
- g. *Phelsuma dubia*: Accepted for Phase VI.
- h. *Phelsuma v-nigra*: Accepted for Phase VI.
- i. *Uromastix spp.*: Though there are 16 recognised species in the genus, based on trade figures and other information, the working group selected five species for review in Phase VI, including: *U. acanthinura*, *U. benti*, *U. dispar*, *U. geyri*, and *U. ocellatus*. It was also suggested that, in the Secretariat's letters to range States, that a specific inquiry to Mali about trade reported only at the genus level be made.
- j. *Furcifer cephalolepis*: Accepted for Phase VI.
- k. Tridacnidae: Despite the fact that there are nine recognized species of Tridacnidae, based on trade figures and other information the working group selected six species for review in Phase VI, including: *Tridacna crocea*, *T. maxima*, *T. squamosa*, *T. derasa*, *T. gigas*, and *Hippopus hippopus*.

The observer from the United Kingdom noted that the European Union Scientific Review Group had independently concluded that the international trade in these species was of concern.

There were several other species discussed for consideration of entry into Phase VI, though no further species were added.

Arctocephalus pusillus was discussed at length. Based on additional information provided by Namibia regarding quotas and export volumes, it was not selected for review.

For *Mantella* species it was noted that the working group has concerns about the status of several critically endangered species, including *M. aurantiaca*, *M. cowani*, *M. milotympanum*, and *M. viridis*. If Madagascar does not currently have an export moratorium in place, it was recommended that the AC reconsider whether these species or the entire genus be included in the significant trade process.

Pandinus imperator was also discussed as a potential candidate for review. Though it was not discussed, it was agreed that future trade be monitored for possible significant trade review in the future.

Prioritization of Species Selected for Phase VI

The working group was tasked with prioritizing the species it selected for consideration for Phase VI. The top priorities for the working group are as follows:

- a. *Psittacus erithacus*
- b. *Callagur borneoensis*
- c. *Uromastix acanthinura*, *U. benti*, *U. dispar*, *U. geyri*, *U. ocellatus*
- d. *Phelsuma dubia*, *P. comorensis*, *P. v-nigra* and *Furcifer cephalolepis* (considered together because all are at least in part traded from the Comoros).
- e. Tridacnidae [see paragraph k) above]

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

Relationship between *ex situ* production and *in situ* conservation [Decision 11.102 (Rev. CoP12)]

REPORT OF THE WORKING GROUP

Members of the working group

Rodrigo Medellín, representative of North America (Chair);

Observers from Parties: Canada, Chile, China, France, Kenya, Mexico, Netherlands, South Africa, United States of America

Observers from inter-governmental and non-governmental organizations: American Zoo and Aquarium Association, Animal Exhibitors Alliance, Animal Welfare Institute, Fund for Animals, DGHT, Defenders of Wildlife, International Elephant Foundation, Pet Industry Joint Advisory Council, TRAFFIC, Royal Society for the Prevention of Cruelty to Animals, World Association of Zoos and Aquariums and. WWF (USA),

Terms of reference

1. Examine all information received in response to the Notification 2003/072 and the results of the case studies.
2. Formulate clear conclusions on the basis of the compiled information.
3. Identify possible strategies by which registered ex-situ captive breeding operations may contribute to enhancing recovery and/or conservation of the species.
4. Compile the findings regarding the different aspects of Decision 11.102 (Rev. CoP12) and identify possible strategies and other mechanisms for inclusion in the report to CoP13.

Summary of the discussions and recommendations

Given the importance of operations that breed Appendix-I species for commercial purposes, the need to enhance cooperation with countries of origin and to create a positive impact on *in situ* conservation, the Chair suggested that the group focus on the implementation of the mandate for commercial captive breeding operations of Appendix-I species.

The Chair suggested using the existing case studies as a source of ideas as to how *ex situ* operations can have a positive impact on *in situ* conservation programmes. There was significant discussion about how to use the studies or whether the case studies provided adequate basis upon which reliable

recommendations could be made. Several members of the group noted the brevity and lack of detail in many case studies and suggested that the case studies be peer reviewed to ensure accuracy of the information. After considerable debate, the group reached consensus to use the existing case studies initially as a source of ideas to identify appropriate strategies for assessing the impact of *ex situ* captive breeding operations for commercial purposes on *in situ* conservation, and to continue to examine case studies in detail.

Despite Notification to the Parties No. 2003/072 inviting Parties and organizations to provide case studies, the working group does not have enough submissions of case studies of captive breeding operations of Appendix-I species for commercial trade to assess the effect of commercial captive breeding of CITES-listed animal species on the *in situ* conservation of those species. Therefore, the WG decided to continue with the process of compiling additional case studies prepared by Parties and organizations with an emphasis on new case studies from commercial operations on the relationship between *ex situ* breeding operations and *in situ* conservation for captive-breeding operations of Appendix-I species for commercial trade.

Recommendation:

To issue a Notification to the Parties to request the submission of more case studies on the relationship between *ex situ* breeding operations and *in situ* conservation programmes for captive-breeding operations of Appendix-I species for commercial trade. This Notification should be issued immediately after AC20 and should request such submissions to be made by 2 August 2004.

[Participants from three NGOs disagreed and interpreted the need of the consultant as referring to doing a full review of *ex-situ* breeding operations]

Furthermore, the group recognized the need to have a detailed and standardized analysis of the submitted case studies (and if necessary, promote the preparation of additional ones). The Working Group felt that, given the time required to carry out this analysis and the lack of availability of the WG members, especially parties, this should be entrusted to a consultant, subject to identification of appropriate funds.

Recommendation:

Hire a consultant that will compile, critically analyse, and synthesize the case studies and if necessary, approach Parties to encourage preparation of additional case studies. The consultant will then submit the report to the working group detailed assessments showing the effect of *ex situ* commercial captive breeding operations of CITES Appendix-I species on *in situ* conservation. The terms of reference for this work by a consultant would be modified from the original terms of reference of the working group as follows:

Using the consultant's expertise, responses to the Notification to the Parties and input from specialized organizations, the AC, and the PC, evaluate the relationship between *ex situ* production and *in situ* conservation by:

- i) requesting organizations to provide information on the *in-situ* conservation costs and benefits of different captive-production systems;
- ii) assess the effect of commercial and non-commercial captive breeding of Appendix-I animal species on the *in situ* conservation of those species; and
- iii) take into account the work of the Convention on Biological Diversity on issues of access and benefit sharing in relation to *ex situ* production.
- iv) identify factors that may facilitate or hinder effective contributions to *in-situ* conservation

Once the consultant has prepared the above, s/he will communicate his/her findings to the Working Group so that it may continue with the next phase of the Terms of Reference as follows:

Identify possible strategies and other mechanisms by which (nationally or internationally) registered or non-registered *ex situ* breeding operations may contribute to enhancing the recovery or conservation of CITES-listed species *in situ* by:

- i) identifying examples of *in situ* recovery or conservation programmes for species produced in *ex-situ* breeding operations, and examining in what form and under what conditions operations could usefully contribute to these programmes;

- ii) assessing the effect of reintroduction of ex-situ captive-bred specimens for the conservation and recovery of the species;
- iii) examining mechanisms for generating sustainable funding for in situ conservation from ex situ breeding operations and ensuring funds generated make identifiable and measurable contributions to in-situ conservation;
- iv) evaluating the capacity and need of range States to develop or manage in situ recovery and conservation programmes for species produced in ex situ breeding operations.

The Chair of the WG identified the need to synergize with the working group on the registration of operations that breed Appendix-I species for commercial purposes. This goes directly towards the main mandate of the group as stated in Resolution Conf. 11.102, namely:

“continue to examine the complex issues related to the origin of founder breeding stock and the relationship between ex situ breeding operations and in situ conservation of the species and, in collaboration with the Plants Committee, the American Zoo and Aquarium Association, the European Association of Zoos and Aquaria and the World Association of Zoos and Aquariums, **identify possible strategies and other mechanisms by which registered ex situ breeding operations may contribute to enhancing the recovery and/or conservation of the species within the countries of origin**, and report its findings at the 13th meeting of the Conference of the Parties.”

Specifically, our working group will produce text to be inserted into the document produced by the WG on registration of captive breeding operations of Appendix-I species for commercial purposes (Working Group 3):

Recommendation: insert the following text in document WG3 Doc. 1:

How will your operation contribute to the in situ recovery and/or conservation of the species?

- a) reintroduction YES? HOW? IF NOT? WHY?
- b) financial support YES? HOW? IF NOT? WHY?
- c) capacity building, YES? HOW? IF NOT? WHY?
- d) education/public awareness, YES? HOW? IF NOT? WHY?
- e) other. YES? HOW? IF NOT? WHY?

These questions will allow subsequent monitoring of the operation to assess whether or not the ex situ operation is having a positive impact on the in situ conservation programme. [One participant from Defenders of Wildlife expressed very serious concern that the questions were too ambiguous to allow the detailed analysis by Parties required to ensure positive contributions are made. One participant from the Fund for Animals took exception with the position of the WG about obtaining information on the relationship between ex situ operations and in situ conservation, both through the process of registration of facilities and through the provisions of Article III on export without having the benefit of reviewing the case studies (see below)].

Many Appendix-I species from non-registered breeding operations are not exported under article 7.4 and therefore might not be covered by the previous point. Therefore, the WG identified the need to solve this issue with the following:

Recommendation: Parties should consider asking the same questions as in the previous point when assessing whether a specimen meets the requirements for being considered “bred in captivity” as defined in Resolution Conf. 10.16.

The group recognized the need to prepare a document entitled “Guidelines for assessing contributions of ex-situ breeding operations on in-situ conservation” for Parties to use in evaluating this issue. The group will begin working on these very important guidelines immediately.

The working group appreciates that non-registered ex situ commercial breeding operations of Appendix-I species cannot be forced either by CITES to contribute to in situ conservation operations. We therefore encourage Parties with Appendix-I breeding operations outside range States to develop bilateral or multilateral projects with those range States in order to ensure effective and monitorable in situ

conservation programmes. Range States with ex situ breeding operations should enter into similar arrangements with the ex situ breeding operations in their countries.

Recommendation:

Parties with Appendix-I breeding operations outside of the range States for that species are encouraged to enter into bilateral or multilateral projects with those range states in order to establish effective and monitorable in situ conservation programmes. Range States with ex situ breeding operations should enter into similar arrangements with the ex situ breeding operations in their countries. All such arrangement should include provisions for effective implementation and monitoring.

The group identified the need to address potential adverse effects of ex situ commercial operations. Strategies for addressing the potential adverse impacts can be considered in the context of non-detriment findings made by the Parties during the course of issuing export permits for specimens of captive-bred species.

Potential adverse impacts to be considered in making non-detriment findings should include the possibility that completely closed ex situ breeding operations may create disincentives to conserve wild populations.

Recommendation:

Parties should consider the potential adverse impacts of commercial breeding operations on in situ conservation when conducting non-detriment findings in the course of issuing export permits for captive-bred Appendix-I species.

The WG will reconvene at the CoP13 to continue its work as this is an ongoing process that requires continuous updating. Several representatives of NGOs expressed serious concern that the mandate of the WG in the original terms of reference and those provided for AC 20 had not been met.

The group will establish a listserver to compile and optimize communication among the Working Group, and specifically work on the "Guidelines" document.

Members of the Working Group:

Rodrigo Medellín, Regional representative, North America (Chairman).

A) PARTIES :

Veronique Brondex, Canada
Agustin Iriarte, Chile
Meng Sha, China
Sylvie Guillaume, France
Onesmas Kahindi, Kenya
Jose Bernal, Mexico
Tine Griede, Netherlands
Deon von Wielligh, South Africa
Todd Willens, United States

B) NGOs:

Adam Roberts, Animal Welfare Institute
Deborah Olson, International Elephant Foundation
Kristin Vehrs, American Zoos and Aquarium Association (AZA)
Carroll Muffett, Defenders of Wildlife
Marshall Myers, Pet Industry Joint Advisory Council
Peter Dollinger, World Association of Zoos and Aquaria
Karen Steuer, WWF-US
Clare Patterson, TRAFFIC
Robert Atkinson, RSPCA-UK
Martin Taylor, Fund for Animals
Ingo Pauler, DGHT
Joan Galvin, AEXA

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

Process for registering operations that breed Appendix-I animal species for commercial purposes
(Resolution Conf. 12.10 and Decision 12.78)

REPORT OF THE WORKING GROUP

Members of the working group

Chile (Chair);

Regional representatives: Asia, Europe and North America;

Observers from Parties: Canada, Czech Republic, Denmark, France, Israel, Italy, Japan, the Netherlands, Mexico, South Africa, United Kingdom, United States of America;

Observers from inter-governmental and non-governmental organizations: Animal Exhibitors Alliance, Birds International Avicultural Park Breeding and Research Centre Environmental Investigation Agency, Deutsche Gesellschaft für Herpetologie und Terrarienkunde E.V., Species Survival Network, TRAFFIC, World Society for the Protection of Animals; and

The CITES Secretariat.

Terms of reference

1. Examine all responses to Notification to the Parties No. 2003/071.
2. Formulate concluding findings and recommendations as requested under Decision 12.78, paragraphs a), b) and c) for inclusion in the report to CoP13, including proposed amendments to Resolution Conf. 12.10.

Summary of the discussions and recommendations

1. Examination of the responses to the Notification indicated that most problems rest with CBO's (captive breeding operations) not submitting applications, and much less with problems of rejected applications.
2. For this reason, the WG felt that we should focus on ways to make the application process more "user-friendly" for the CBO's.

3. The consensus of the WG was not to amend Resolution Conf. 12.10 or the Annexes, which are the result of 7 years of work on this issue, especially since the amendments made at CoP 12 that made the process easier, have not had much time to be "field-tested".
4. The WG recommends that the Secretariat disseminate a Notification encouraging MA's to work with their CBO's to prepare and submit applications. The Notification should also include a copy of Canada's application form as a sample (which is available at: www.cites.ca).
5. The WG encourages Parties when preparing applications, to consult with other relevant Parties that may potentially have objections, so as to minimize possible delays. This hopefully will minimize the occasional problem where a single party may halt or delay the registration process.
6. The following table summarizes the WG's findings related to paragraphs a) and b) of Decision 12.78. The WG on *in situ* production and *ex situ* conservation, dealt with paragraph c) of Decision 12.78.

a. Perceived problems limiting the wider use of the procedure	b. Recommendations for resolving them
1. Preparing the application is too complicated or complex, especially for small operations	<ul style="list-style-type: none"> ● MA should work closely with the CBO to prepare the information required in Annex I, or establish a support group with breeders and government, in order to facilitate the procedure ● Simplify the language by using a basic application form, such as the one used by Canada..
2. It is difficult to provide proof of legal acquisition of breeding or parental stock	<ul style="list-style-type: none"> ● Where actual documentation is difficult to obtain, MA may accept signed affidavits in lieu of actual copies of old or unobtainable documents, as is provided for in Resolution Conf. 12.10.
3. Concerns over "laundered" Appendix-I specimens getting into international trade	<ul style="list-style-type: none"> ● Secretariat will disseminate, together with the notification of a new CBO being added to the registry, details of the specific marking method (and the identifying codes or prefixes used by the CBO, where possible) used by the registered CBO. ● Adequate enforcement by all Parties to eliminate illegal trade
4. Some Parties are allowing import of Appendix-I species under Article III, so registration is deemed as unnecessary	<ul style="list-style-type: none"> ● No Parties should allow trade for commercial purposes of Appendix I species, unless it conforms strictly to Resolution Conf. 5.10 and Conf. 12.10 ● The WG recommends that the Standing Committee examine the issue of international trade in Appendix I species from non-registered CBOs.
5. National legislation of some importing countries prohibits the importing MA from identifying the purpose of import of Appendix I species as commercial.	<ul style="list-style-type: none"> ● Encourage importing countries to amend legislation to facilitate import of Appendix-I species from registered CBO's.
6. Concern that commercial trade of Appendix I species may stimulate poaching of the species	<ul style="list-style-type: none"> ● Adequate enforcement by all Parties to eliminate illegal trade
7. Concern that there are not enough incentives for CBO's to apply for registration	<p>Provide incentives to CBO's such as:</p> <ul style="list-style-type: none"> ● Faster processing time of permit applications ● MA can provide the CBO with a formal certificate of approval as an internationally registered breeding facility ● Possibly reduced export permit fees

Suggested Summary for Chairman´s Report to the CoP

1. Most of the problems limiting wider use of the registration procedure rest with CBO's (captive breeding operations) not submitting applications, and much less with problems of rejected applications.
2. The AC recommends not to amend Resolution Conf. 12.10 at this time.
3. The AC recommends that the Secretariat issue a Notification to the Parties recommending that they:
 - a) work with CBO's to facilitate preparing application for registration
 - b) provide incentives to registered CBO's to encourage them to register their operation.
 - c) ensure that all trade in Appendix I species is in accordance with Resolution Conf. 12.10 and Resolution Conf. 5.10.

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

Transport of live animals

REPORT OF THE WORKING GROUP

Members of the working group

Austria (Chair);

Regional representative: Europe;

Observers from Parties: the Czech Republic, Israel, the Netherlands, South Africa and the United Republic of Tanzania;

Observers from inter-governmental and non-governmental organizations: Pet Industry Joint Advisory Council, Whale and Dolphin Conservation Society, World Association of Zoos and Aquariums, American Zoo and Aquarium Association, Animal Exhibitors Alliance, Animal Welfare Institute, Pro Wildlife and Royal Society for the Prevention of Cruelty to Animals; and

The CITES Secretariat.

Terms of reference

- a) Review document AC20 Doc. 13 and produce an update on the work accomplished in compliance with Resolution Conf. 10.21, for reporting by the Secretariat at CoP13.
- b) Draft a report on progress with the implementation of Decision 12.85, for reporting by the Animals Committee at CoP13.

Summary of the discussions and recommendations

1. At its 10th meeting (CoP10, Harare, 1997), the Conference of the Parties adopted Resolution Conf. 10.21 and DIRECTS the Animals Committee to deal with matters to the transport of live animals.
2. Resolution Conf. 10.21 RECOMMENDS the following:

A) Directed to the Animals Committee

- a) *suitable measures be taken by the Parties to promote the full and effective use by Management Authorities of the Guidelines for Transport and Preparation for Shipment of Live Wild Animals and Plants and that they be brought to the attention of carriers, freight forwarders and international organizations and conferences competent to regulate conditions of carriage by air, land and sea or inland waterways;*
- b) *Parties invite the above organizations and institutions to comment on and amplify these Guidelines, so as to promote their effectiveness;*
- c) *the regular communication of the CITES Secretariat and the Standing Committee with the Live Animals and Perishables Board of the International Air Transport Association (IATA) be continued and that a relationship with the Animals Transportation Association (AATA) be developed;*
- d) *for as long as the CITES Secretariat and the Standing Committee agree, the IATA Live Animals Regulations be deemed to meet the CITES Guidelines in respect of air transport;*
- e) *except where it is inappropriate, the IATA Live Animals Regulations should be used as a reference to indicate suitable conditions for carriage by means other than air;*
- f) *the IATA Live Animals Regulations be incorporated into the domestic legislation of the Parties;*
- g) *applicants for export permits or re-export certificates be notified that, as a condition of issuance, they are required to prepare and ship live specimens in accordance with the IATA Live Animals Regulations for transport by air and the CITES Guidelines for Transport of Live Specimens for carriage by means other than air;*
- h) *to the extent possible, shipments of live animals be examined and necessary action taken to determine the well-being of the animals by CITES-designated persons or airline personnel during extended holding periods at transfer points;*
- i) *where Parties to the Convention have designated ports of entry and exit, animal-holding facilities be provided; and*
- j) *to the extent possible, Parties ensure that animal-holding facilities are open for inspection of shipments, with the concurrence of the transport company, by CITES-designated enforcement personnel or designated observers; and that any documented information be made available to the appropriate authorities and transport companies;*

B) Directed further the Animals Committee, in consultation with the Secretariat

- a) *to establish the format for the presentation of data on mortality and injury or damage to health in transport; and*
- b) *to conduct a systematic review of the scope and causes of the mortality and injury or damage to health of animals during the shipment and transport process and of means of reducing such mortality and injury or damage to health;*
 - i) *the review should include a process for making recommendations to the Parties designed to minimize mortality, on the basis of consultation with exporting, importing, re-exporting and transit countries, IATA and AATA, and additional information from scientists, veterinarians, zoological institutions, trade representatives, carriers, freight forwarders and other experts; and*
 - ii) *these recommendations should be focused on individual species and countries of export, import, re-export or transit where appropriate, particularly those that have significant high mortality rates in transport, and should be designed to provide positive solutions to identified problems;*

C) Directed to the Secretariat

- a) to convey these recommendations to the exporting, importing or re-exporting Parties concerned, IATA and AATA after they have been approved by the Standing Committee; and
- b) in consultation with the Animals and Standing Committees, to monitor the implementation of these recommendations and of other aspects of this Resolution and report its findings and recommendations at each meeting of the Conference of the Parties;

INVITES non-governmental organizations, particularly veterinary, scientific, conservation, welfare and trade organizations with expertise in the shipment, preparation for shipment, transport, care or husbandry of live animals, to provide the necessary financial, technical and other assistance to those Parties in need of and requesting such assistance to ensure the effective implementation of the provisions of the Convention for the transport and preparation for shipment of live animals subject to international trade;

NOTES that in order to improve implementation of the IATA Live Animals Regulations by the Parties there is a need for greatly increased awareness of the Regulations through:

- a) more effective methods of training of personnel of airlines and enforcement agencies; and
 - b) improved methods of liaison and information;
3. As a consequence, the TWG was re-established at AC14 (Caracas, May 1998) and at AC19 (Geneva, August 2003) in order to support the AC for the implementation of this Resolution. The TWG's work was the subject of a report presented by the Secretariat at the 12th meeting of the Conference of the Parties (CoP12, Santiago, 2002). Parties showed interest in this subject and some, such as Ghana, Guinea, Saudi Arabia and Uganda, asked for help in improving the preparation of animals for transport, for information about bad consignments and transport and announced their interest to strengthen collaboration with CITES in order to improve transport conditions for live animals.
4. At its 12th meeting (CoP12, Santiago, 2002) the following decisions were adopted:

Directed to the Animals Committee

12.85 *The Animals Committee, in collaboration with interested non-governmental organizations and the Secretariat should:*

- a) *develop recommendations regarding transport of live animals by road, rail or ship to supplement, where necessary, the IATA Live Animal Regulations.*
- b) *investigate cost-effective options for containers and packing materials that could be recommended for adoption in the IATA Live Animals Regulations.*
- c) *assist in identifying model practices concerning the transport and preparation for shipment of live wild animals, and develop recommendations to the Parties regarding the proper handling and transportation of live animals, particularly in exporting countries.*
- d) *Report at the 13th meeting of the Conference of the Parties on progress with the implementation of paragraphs a) to c) above.*

Directed to the Secretariat

12.86 *The Secretariat shall, in consultation with the Animals Committee, liaise with the International Air Transport Association (IATA) and the World Association of Zoos and Aquariums (WAZA) with a view to concluding a Memorandum of Understanding (MOU) in order to*

- a) strengthen further collaboration in order to improve transport conditions of live animals,
- b) establish an official training program on animal transport, and
- c) facilitate the exchange of technical information relevant to animal transport, between the Secretariat, the IATA-Live Animals and Perishables Boards and the WAZA Executive Office:

Evaluation of the IATA-LAR for transport other than by air (Conf. 10.21Aa,Ab,Ad,Ae / Decision 12.85)

5. *In accordance with paragraph a) of Decision 12.85, information was submitted to the TWG from NGO's and from specialists of the European Association of Zoos and Aquaria (EAZA) and the Animal Transport Association (AATA). This was discussed during the meeting of the Transport Working Group at the AC20 meeting in Johannesburg.*
6. *The TWG recommends that the Animals Committee use the IATA Guidelines as the basic document and with the information provided in paragraph 6 prepare an addendum of the different requirements for shipment of animals by road, rail and ship. The addendum will include cost effective options for containers and packing materials for all means of shipment as required in Dec. 12.85 (b). The TWG agreed to prepare a draft version of this addendum for AC21. Once the addendum is finalized, the TWG recommends that the CITES Secretariat publish this addendum in the form of a database, hard copy and/or CD-Rom.*
7. The TWG debated Dec. 12.85 (c) and recommends to the Animals Committee that this issue is still important and should continue on the work program of the Animals Committee.

Collaboration with IATA, AATA, EAZA (Conf: 10.21 A, Bb)

Collaboration with IATA

8. The TWG contacted the IATA Live Animals and Perishables Board. The TWG Chairman attended the 14th Board meeting in Montreal in October 2003. Proposals for amendments to the IATA Live Animals Regulations (LAR) were submitted in advance for the (then cancelled) 13th IATA-LAPB meeting by the CITES-AC-TWG; these proposals were amended during the 14th IATA-LAPB.

Collaboration with AATA

9. The TWG Chairman will attend the 30th AATA annual conference to be held in Vienna from April 19th – 21st, 2004 and will be on the AATA-board for a period of three years. He will be there the moderator at the session "*International Cooperation between – CITES, IATA, WAZA, OIE, AATA*"
10. The main focus of this conference will be the upcoming new membership to the EU and all the problems with this new situation. The main agenda items of the conference were further focused on the transport of exotics.

Collaboration with EAZA

11. The chairman of the TWG attended the 20th EAZA Annual Conference Leipzig (Germany); 17th September 2003. He asked the EAZA-TWG for assistance on the subject of developing recommendations for rail, road and sea transport.

Preparation of a Memorandum of Understanding (MOU) between the CITES Secretariat, IATA and WAZA (Decision 12.86)

12. As a result of the recent reorganization of the IATA management, the IATA- Live Animals and Perishables Board (IATA-LAB) discussed the draft MoU during the 14th Meeting and submitted their result to the CITES-AC-TWG chairman as follows:

"I herewith would like to inform you that the MoU. initiative did not come to fruition during this meeting, as I failed to obtain support towards it. The LAPB still wishes however to continue our collaboration and has asked the training department in IATA to make contact as required. Perhaps the difficult situation many of our members and our industry face have complicated the picture even further. I nevertheless wish to thank all of you for the time and efforts spent towards this and assure you of my continued interest in working together to the benefit of the animals in our care".

13. The TWG recommends that the Animals Committee request the Secretariat to contact IATA to finalize the text of the MoU and respectfully requests the opportunity to see the draft.

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

Trade in hard corals [Resolution Conf. 11.10 (Rev. CoP12) and Decision 12.62

REPORT OF THE WORKING GROUP

Members of the working group

Regional representative: Oceania (Mr Hay) (Chair);

Observers from Parties: Belgium, the United Kingdom (Chairman) and the United States; and

Observers from inter-governmental and non-governmental organizations: Ornamental Aquatic Trade Association Ltd., Ornamental Fish International, Pet Industry Joint Advisory Council, TRAFFIC, and

The CITES Secretariat.

Terms of reference

- a) Consider and recommend a practical means of distinguishing fossilized corals from non-fossilized corals in international trade; and
- b) Formulate conclusions for reporting at CoP13.

Summary of the discussions and recommendations

The group consisted of the representative on the Animals Committee for Oceania, the observer Parties of Belgium, the United Kingdom (Chair) and the United States, and the observers of the Ornamental Aquatic Trade Association Ltd., Ornamental Fish International, PJAC and TRAFFIC. Other members of the group were not present at the meeting and their comments had been invited by email prior to the 20th meeting of the Animals Committee.

The group had the following terms of reference, namely to '*consider and recommend a practical means of distinguishing fossilised corals from non-fossilised corals in international trade*' and '*to formulate conclusions re Decision 12.62 for reporting to CoP13*'.

The group considered the approaches suggested to defining and distinguishing fossilised corals in trade suggested by Australia, Mexico, an independent consultant, the United Kingdom and the United States. The group also considered comments submitted by Belgium, Indonesia, OATA and the Fiji Aquarium

Trade. These approaches typically, but not exclusively, focused on an approach to considering fossils as being dead, permanently buried and which may, or may not, be mineralogically altered / lithified.

Despite the variety of approaches suggested to the group, no consensus was possible on a definition of fossil corals that satisfied the range of interests represented on the group. Moreover, the group considered that none of the suggested approaches offered a solution that would provide unambiguous guidance to CITES authorities, Custom officials, traders and others on what did, or did not, constitute a fossil coral and so what would, or would not, be exempt from the provisions of the Convention. In particular, the definitions suggested did not enable unequivocal identification of fossil corals and left greater scope for interpretation than was desirable from an enforcement point of view. Without such unambiguous guidance, the group could not recommend adoption of any of the approaches suggested. Regardless of this outcome, the group noted with gratitude the considerable effort that had gone into the approaches offered for their consideration.

In the absence of consensus, the group looked to alternative approaches to providing the Convention with a pragmatic approach to determining what constituted a fossil coral, based on the definitions contained in Resolution Conf. 11.10 (Rev. Cop12) and the annotations in the CITES Appendices. Ultimately, the group considered that an amendment to the annotation which exempts fossil corals from the provisions of the Convention offered the best approach to achieving a workable conclusion. Accordingly, the amendments proposed in Annex 1 to this document offer a solution that all working group participants felt able to recommend to the Committee. This amendment would have the practical result of exempting from the provisions of CITES all coral rock (other than live rock) and all coral substrate, but would retain live rock under the purview of the Convention. In other words, those examples of coral rock in trade that had no impact on coral reefs (namely coral rock taken from land) or had minimal impact (coral substrate), would be exempt from CITES controls. However, live rock, whose removal may potentially have the greatest impact on coral reefs, would be retained under the regulation of the Convention and its export would be governed by the provisions of Part X of Resolution Conf. 12.3.

The group considered the implications of this approach and its practicality of implementation. It was considered that this approach would enable all those involved in the trade and its regulation to be clear about which specimens in trade were, or were not, exempt from CITES controls. This approach could also be supported by a contribution to the identification manual describing the various types of specimens likely to be encountered by enforcement officials. It was felt that the risk of traders attempting to transport live rock as coral substrate in order to evade CITES controls were low and any such attempts at evasion would be prohibitively expensive and uneconomic. However, the group noted that inevitably cultured live rock, namely live rock derived from coral deposits on land and moved to the seabed to enable their colonisation by non-CITES invertebrates, would be subject to CITES control. The group noted that such cultured live rock could be marked to identify it in trade and that the export of such material could readily be permitted by CITES authorities without affecting the role that coral rock has in the ecosystem. Artificial live rock, made of moulded cement and then placed on the seabed, would clearly not be covered by the Convention even though it may contain ground up coral fragments, and is readily distinguished from genuine live rock by enforcement officials. Finally, the group considered the implications of this approach for the movement of geological specimens containing coral for either scientific study or for the fossil trade. The group felt that such specimens would generally fall under the categories of coral rock exempted as fossils.

The group recommends this approach to the Animals Committee. It notes that if a proposal is made by the Depositary Government to exempt all fossils from the provisions of the Convention, the wording offered in Annex 1 to amend the appendices would have to be modified to incorporate the proposed amendment.

Proposed amendment to the appendices.

Amend the annotation for Helioporidae spp., Tubiporidae spp., Scleractinia spp., Milleporidae spp. and Stylasteridae spp. to read:

'Fossils, **namely all categories of coral rock, except live rock, as defined in Resolution Conf. 11.10 (Rev. CoP12)**, are not subject to the provisions of the Convention.'

Proposed amendment to Resolution Conf. 12.3. Permits and Certificates

X. Regarding permits and certificates for coral specimens

RECOMMENDS that:

- a) on permits and certificates for trade in specimens that are readily recognizable as coral live rock, where the genus cannot readily be determined, the scientific name for the specimens should be 'Scleractinia';
- b) any Party wishing to authorise export of coral live rock [as defined in Resolution Conf. 11.10 (Rev. CoP12) Annex] identified to ordinate level only should, in view of the inability to make a non-detriment finding for coral live rock pursuant to Article IV, paragraph 2(a), apply the provisions of Article IV, paragraph 3; and
- c) Parties that authorise export of ~~coral~~ live rock should:
 - i) establish an annual quota for exports and communicate this quota to the Secretariat for distribution to the Parties; and
 - ii) through their Scientific Authorities, make an assessment (which would be available to the Secretariat on request), based on a monitoring programme, that such export will not affect the role that coral live rock has in ecosystems affected by the extraction of such specimens;

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

Report of the Working Group

CONTROL OF CAPTIVE BREEDING, RANCHING AND WILD
HARVEST PRODUCTION SYSTEMS FOR APPENDIX-II SPECIES

Members of the working group

Regional representatives: Africa (Mr Chidziya, Chair) and Europe (Ms Rodics);

Observers from Parties: Czech Republic, Germany, Israel, South Africa and the United States; and

Observers from international and non-governmental organizations: IUCN – The World Conservation Union, Species Survival Network and Pro Wildlife; and

The CITES Secretariat.

Terms of Reference

- a) Review the suggestions made in document AC20 Inf. 15 and 18; and
- b) Determine whether the Working Group should proceed working on this issue and formulate final recommendations for consideration by the Committee.

Summary of the discussions and recommendations

1. The WG upholds the major recommendations that it reached in AC19, that the existing source codes (C, F, D, R, W) should be maintained in order to remain simple, practical and clear.
2. The WG notes that source codes are often not used correctly or consistently. The WG recommends the following uses for the source codes:
 - a) The code C should be used only for: *Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5 (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III).*

- b) With regard to the code R, the WG recommends that Resolution Conf. 11.16 be amended to include operations other than those linked to a down-listing from Appendix I to Appendix II. The WG recommends the following definition of "Ranching" be included in the amended Resolution Conf. 11.16, and also in Resolution Conf. 12.3: Ranching is defined as the rearing in a controlled environment of specimens, such as eggs or hatchlings, of life stages which suffer high mortality rates in the wild, that are taken from the wild through controlled collection under a management plan that provides for sustainable use of the species. There was not full consensus in the WG on this issue, as some felt that the R code should be used only for those species down-listed from Appendix-I to Appendix II
 - c) The code F should be defined in Resolution Conf. 12.3 and used for animal specimens resulting from the exchange of gametes under captive conditions or propagated asexually in captivity (F1 or subsequent generations) that do not fulfill the definition of 'bred in captivity' in Resolution Conf. 10.16 (Rev.).
 - d) The code D should be used as defined in Resolution Conf. 12.3 i.e: *Appendix-I animals bred in captivity for commercial purposes and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4.*
 - e) The WG recommends that source code I be renamed to Y, because there is a large potential for confusion when code I is used, since both source code and Appendix appear together in one box on the permits. In this case the I source code can be mistook for I for Appendix I. Some participants expressed concerns to the suggested changes because of the cost implications.
 - f) By default, W will be used for wild specimens of animals, and should refer to those from any source other than those mentioned above (source codes O and U have not yet been discussed).
3. The WG was made aware that the Plants Committee has looked at the issue of source codes too. The WG recommends that although animal and plant production systems are often quite different, they can also have similarities and overlaps. The WG recommends the formation of a joint working group at CoP 13 tasked with examining the documents that have been developed, that list and define different production systems for animals and plants and determine the appropriate source codes for each.
 4. In order to improve implementation of source codes by both importing and exporting Parties, this information should eventually be disseminated as guidelines for production systems and the appropriate source code for each. These materials should also include a description of elements that should be considered in making non-detriment findings within each production system. In addition, the information must stress that Parties be reminded that source codes are not a substitute for non-detriment findings.

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

Conservation of and trade in sea cucumbers in the families Holothuridae and Stichopodidae
(Decisions 12.60 and 12.61)

REPORT OF THE WORKING GROUP

Members of the working group

Regional representative for Asia, Mohamad Pourkazemi (Chair);

Regional representatives: Schwann Tunhikhorn, regional representative of Asia, Choo-Hoo Giam (Alternate representative of Asia);

Observers from Parties: Belgium, China, France, Japan, Mexico, the Republic of Korea, the United Republic of Tanzania and the United States of America;

Observers from inter-governmental and non-governmental organizations: Observers from Ornamental Aquatic Trade Association Ltd., Ornamental Fish International, Project Seahorse and TRAFFIC; and

The CITES Secretariat.

Terms of reference

1. examine the outcomes of the Technical Workshop;
2. draft findings and recommendations to be included in a discussion paper on the biological and trade status of sea cucumbers for CoP13; provide guidance on actions needed to secure their conservation status; and
3. determine how the reporting requirements in accordance with Decision 12.60 will be implemented.

Summary of the discussions and recommendations

The Chairman presented an overview of the objectives of the technical workshop and the findings and recommendations identified by the workshop participants on national fisheries management, priorities for international conservation, and potential CITES issues.

Several members of the WG concluded that the findings and recommendations identified a number of critical issues regarding the conservation, management and trade in sea cucumbers. The participants that

attended the workshop reminded the WG that there was no consensus on certain aspects of the KL workshop. They also suggested that a thorough evaluation of the document was premature, because not all range states present at the workshop had provided comments and WG members had an insufficient amount of time to evaluate the report.

The Secretariat reminded the WG that its main tasks were to consider the KL workshop and FAO workshop outputs when formulating the priority actions that could be included in a discussion document for CoP13.

The group initiated discussions on several of the proposed national management options, adaptive management strategies, the importance of stakeholder involvement in the management process, and the role the Animals Committee should play in the future.

The WG then discussed the format, outline and content for the discussion document (Annex I) and began identifying possible recommendations and conservation actions for sea cucumbers (Annex II). The WG was unable to identify members that were able to draft the discussion document due to the short available time and the detailed review that is necessary, and recommends that the Secretariat contract this out to an appropriate organization or individual.

CONSERVATION OF AND TRADE IN SEA CUCUMBERS IN THE FAMILIES
HOLOTHURIDAE AND STICHOPODIDAE

Outline of the discussion document to be submitted by the Animals Committee pursuant to Decision 12.60 regarding priority actions to secure the conservation status of sea cucumbers

The WG agreed that these sections maybe re-organized as necessary.

1. Summary of recommendations and actions
2. Background
3. Decision 12.61
4. Species in trade (scale and routes)
5. Biology
6. Taxonomy and Identification
7. Distribution and Movement
8. Morphology
9. Survival
10. Feeding
11. Reproduction
12. Current Fisheries Management Arrangements
13. Trade Volumes, Uses and Controls
14. Aquaculture and Restocking
15. Conservation Initiatives (national policy and user initiatives)
16. Decision to Secretariat
17. Outcomes of Technical Workshop
18. Animals Committee Recommendations
19. References

Maximum Length: 12 pages

Animals Committee Recommendations

The WG does not feel that it is appropriate to comment on the value of a CITES listing because there is insufficient information and evaluation at this stage to determine whether this is appropriate. The WG feels that conservation and sustainable use of sea cucumbers may be achieved through CITES coordination with FAO and other regional bodies, but recommends that further CITES considerations for certain countries or species should be examined in the future and the effects assessed.

The Animals Committee makes the following recommendation to the Conference of the Parties:

Request the CITES Secretariat

1. In coordination with the Animals Committee, to encourage FAO to continue and, as far as possible, increase its efforts to address the challenges of managing sea cucumber fisheries for sustainability, as identified in the FAO Advances in Sea Cucumber Aquaculture and Management Workshop in Dalian (ASCAM) and the CITES Technical Workshop on the Conservation of Sea Cucumbers in the Families Holothuridae and Stichopodidae (KL Workshop).
2. In consultation with the FAO Secretariat, and possibly at the meeting of the FAO Subcommittee on Fish Trade and COFI, to evaluate and recommend voluntary measures for trade monitoring and, where appropriate, export controls.
3. To seek financial support to continue activities relating to sea cucumber trade inter-sessionally, as outlined below.
4. In consultation with the FAO Secretariat, to contract a detailed review of data not available at the KL workshop, including the status of sea cucumber biology, fisheries, trades, management and conservation actions.
5. In consultation with the FAO Secretariat, and in evaluating actions taken by the Parties to manage and conserve sea cucumber populations, to consider the necessity of a follow-up workshop on sea cucumber biology, fisheries, trades, management and conservation in the next two years, and take action accordingly.
6. In consultation with the FAO Secretariat where appropriate, work with the World Customs Organization (WCO) to develop harmonized codes useful for sea cucumber trade monitoring and management.

Request the Animals Committee

8. In dialogue with the FAO Secretariat, and mindful of FAO action, to review the outputs of the KL and FAO ASCAM workshops, and give opinions on the feasibility and priorities of proposed recommendations. Should a further CITES workshop on sea cucumbers be held (as per 5 above), then those outcomes should also be considered.

Request the Parties

9. To endorse the recommendations of the FAO ASCAM workshop, and urge their Fisheries Agencies to act accordingly, with actions including:
 - research on biology, fisheries and trade;
 - research to resolve taxonomy and identification difficulties;
 - monitoring the status and trends of stocks;
 - consultation with the fishing industry and other stakeholders in the development and adoption of voluntary conservation guidelines;
 - establishment of national management plans; and
 - regional co-operation in management and conservation, particularly for acquisition and sharing of fisheries and trade data.

10. To urge their CITES Scientific and Management Authorities to improve coordination with their fisheries management agencies on monitoring, assessment, and management of sea cucumber fisheries and trades.
11. To explore the benefits of trade certification for sea cucumbers, through appropriate organiza

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

Biological and trade status of sharks (Resolution Conf. 12.6 and Decision 12.47)

REPORT OF THE WORKING GROUP

Members of the working group

Oceania (Chair);

Observers from Parties: Belgium, HKSAR-China, Germany, Ireland, Mexico, Netherlands, New Zealand, Republic of Korea, South Africa, United Republic of Tanzania, United States

Observers from inter-governmental and non-governmental organizations: European Commission, IUCN Shark Specialist Group, IFAW, The Ocean Conservancy (rapporteur), Defenders of Wildlife, OATA, Project Seahorse, Wildlife Conservation Society, Ornamental Fish International

The CITES Secretariat.

FAO attended the meeting as an observer only.

Terms of reference

- a) Review documents AC20 Doc. 19 and Infs. 1-8 to assess progress with the implementation of Resolution Conf. 12.6 and Decision 12.47.
- b) Consider the adoption of standard names and codes for shark species in trade.
- c) Review progress with the implementation of IPOA-Sharks.
- d) Provide comments to proposals to include shark species in the Appendices of the Convention.
- e) Formulate concluding statements on the relevant Decision and the Resolution for consideration at CoP13, and suggest amendments or modifications as appropriate.

Summary of discussions and recommendations

Shark Species Codes

Introducing AC20 Inf. 2, 3 & 4, Defenders of Wildlife noted that these sought to provide a system compatible with the World Customs Organization (WCO) six digit code system, were flexible and adaptable for species and products, and could be expanded to provide information at any taxonomic level. Working Group members expressed appreciation for the progress on the codes, but cautioned against too complex a system and noted the need to liaise with FAO.

The following work plan was recommended to assist the Secretariat in implementation of Decision 11.151:

- 1) Liaison with the FAO Secretariat (April – May 2004)
 - a) One or more members of the Working Group will brief FAO staff on Decision 11.151 and discuss any parallel work within the FAO Committee on Fisheries Sub-Committee on Fish Trade; and
 - b) On behalf of the Secretariat, Working Group members will revise AC20 Inf. Docs. 2, 3 and 4 as necessary to match, if possible, trade and species code recommendations from FAO.
- 2) Consultation with WCO on process (June – July 2004)
 - a) On behalf of the Secretariat, WG members will contact appropriate staff at WCO to discuss Decision 11.151 and current revision of harmonized trade codes.
 - b) After consultation on timelines, submission protocol and desired input, WG members will further revise AC20 Inf. Docs. 2, 3 and 4 to match WCO needs. This may or may not involve proposing all species codes to WCO.
- 3) Secretariat liaison (August – September 2004)
 - a) It was recommended that the Secretariat should formally respond to WCO's letter of 2003, submitting new versions of Inf. 2, 3 and 4 on behalf of CITES Parties. Further contact between the CITES Secretariat and WCO would be possible after this point.
 - b) The Secretariat should update Parties at CoP13 and perhaps rescind Dec. 11.151 as complete.

FAO IPOA-Sharks implementation

IUCN introduced AC20 Inf. 5. Although twice as many states had reported progress towards implementation of the IPOA-Sharks than was the case two years ago, with particularly good progress by some African States noted, there was not much evidence of improved shark fisheries management. It was suggested that it was important for the Animals Committee to continue the review by determining whether species-specific catch and landings data collection activity and the monitoring and management of shark fisheries had improved. TRAFFIC (which had not been able to attend the Working Group) had suggested that the CITES Animals Committee focus its attention in future upon the 20 shark fishing States that are responsible for over 80% of world shark landings reported to FAO.

The Group recommended that the Animals Committee should submit AC20 Inf.5 on FAO IPOA-Sharks implementation to CoP13, following the incorporation of a few late responses to Notification 2003/068 requesting information from Parties, and continue to monitor implementation of the IPOA-Sharks. The Working Group expressed appreciation for the voluntary efforts of the IUCN Shark Specialist Group and urged consideration of financial support for future shark projects.

The Group highlighted the need for capacity building efforts in developing countries and high seas fisheries for implementation of the IPOA-Sharks, as addressed in Res. Conf. 12.6. Further support from FAO for initiatives such as training workshops and species identification manuals was urgently needed. It was noted that requests for support from FAO would normally carry greater weight if made directly by

FAO Members. The observer from FAO informed the meeting that the Organization would continue in its efforts to encourage implementation of the IPOA-Sharks with the resources available to it, and to cooperate with CITES as appropriate.

Species Specific Recommendations

Pursuant to Res. Conf. 12.6, the Shark Working Group of the Animals Committee considered AC20 Inf. 1, 6, 7, 8, 19, 21, 22 & 23. The Working Group offers the following species-specific recommendations aimed at improving the conservation and management status of sharks and regulation of international trade in these species. These recommendations are offered separately and distinct from the CITES listing process, regardless of the outcome of pending and future listing proposals. The members of the Working Group are not in a position to provide endorsement or rejection of shark listing proposals; range States will respond separately to the proposals.

Spiny Dogfish Shark *Squalus acanthias*

Germany introduced AC20 Inf. 7, the draft spiny dogfish listing proposal, annotation and decision, requesting and receiving feedback from participants. The problem of identification of fins of this species in trade was noted. These are a by-product of the fisheries that are driven by international trade demand for meat (which is traded under the species name). It was suggested that because the fins are not readily recognisable as a spiny dogfish product, they might not need to be covered by a CITES listing. The Secretariat advised that this should not be an impediment to listing. It was suggested that an annotation might exclude the fins. The Shark Working Group reviewed the technical merits of Germany's draft proposal, and most members agreed that spiny dogfish appeared to meet the criteria for listing in CITES Appendix II. The Working Group concluded that the conservation and management status of the species is unfavourable in most regions, with many Northern Hemisphere populations severely depleted, and recommends the following:

- *Range States and Regional Fishery Management Organizations should take steps to improve data collection and management for spiny dogfish. In particular, the U.S. and Canada are encouraged with urgency to work together to link existing assessment programs and establish bilateral, science-based management measures for spiny dogfish.*
- *Parties that are Member States of the European Union are encouraged with urgency to seek and implement, via national and EU level measures, scientific advice on developing a conservation plan that allows the rebuilding of the relevant stocks.*
- *In regions where information on stock status is poor, Range States are encouraged to develop precautionary and adaptive management measures to ensure that spiny dogfish catches are sustainable.*
- *Parties are encouraged to report dogfish catches, landings and trade data to FAO and to train customs officials in using existing spiny dogfish codes.*

*The Shark Working Group noted AC20 Inf. 22, Conservation and Management Status of Spiny Dogfish Shark (*Squalus acanthias*). The Group encouraged cross-reference with Germany's listing proposal and submission of an updated version of Inf. 22 to CoP13 by the IUCN.*

Porbeagle Shark *Lamna nasus*

Germany introduced AC20 Inf. 6, the draft porbeagle listing proposal and resolution, requesting feedback from participants. In response to a question on whether the species was caught in target or bycatch fisheries, it was noted that it is both a target species and a highly valuable retained component of multispecies fisheries that may primarily target other species. The term bycatch is inappropriate for such a valuable species that may make the fishery of other target species economically viable. It was also noted that porbeagle can be released alive from longlines. The Shark Working Group reviewed the technical merits of Germany's proposal and most members agreed that the porbeagle shark appears to meet the criteria for listing in CITES Appendix II.

The Working Group concluded that North Atlantic populations have been severely depleted and noted that quotas in European Community waters apply only to non-EU fleets through access agreements. As these quotas greatly exceed total landings by these states, they are not considered to be an effective management measure in this case. The Working Group recommended the following:

- *ICCAT members are encouraged to collect and report data on catches and discards of porbeagle sharks, as per ICCAT Resolution 95-2, which has yet to be fulfilled, and undertake stock assessments in order to develop management recommendations. Other relevant Regional Fishery Management Organizations are encouraged to establish and implement similar programs. (Mexico advised that the ICCAT resolution may have been implemented).*
- *The US and Canada are encouraged to enhance existing management for their shared porbeagle stock by establishing a cooperative, bilateral research and fisheries management program.*
- *The World Customs Organization (WCO) is encouraged with urgency to establish a harmonized international code for porbeagle sharks.*

White Shark *Carcharodon carcharias*

The Wildlife Conservation Society introduced AC20 Inf. 1, 19 and 23, noting evidence of population declines in this low abundance, high value species that is sought after for trophies and enters trade as curios and fins. The constraints of the current Appendix III listing regarding controlling trade were noted and the Working Group suggested that the draft listing proposal be amended to explain how uplisting would improve trade monitoring. The Shark Working Group concluded that conservation and management status of white sharks is unfavourable in some regions and that some of the international agreements listed in AC20 Inf.1 aimed at improving the conservation of this species are not being sufficiently implemented.

The Working Group recognized that AC20 Inf. 1 included information additional to that presented in Australia's proposal that might be of value to Parties and to the FAO assessment process. The Working Group encourages Australia to consider incorporating it into their proposal. The representative of Oceania agreed to transmit these comments to Australia.

The group reviewed the technical merits of Australia's white shark proposal and most members agreed that the species appears to meet the listing criteria for inclusion in Appendix II.

Freshwater Stingrays Family *Potamotrygonidae*

IUCN introduced AC 20 Inf. 8 on South American freshwater stingrays, submitted by the Management Authority of Brazil. These species are very valuable in the international aquarium trade as well as being used for food locally. There is concern that illegal trade is underway. Aquarium trade exports are regulated by Brazil through quotas, but apparently not in neighbouring states, creating management challenges for shared stocks. The Chair advised that CITES listing of species is difficult if there is not adequate protection within the proponent range State. The observer from Ornamental Fish International offered assistance with reviewing species in trade outside Brazil. The observer from OATA suggested that a study of the real economic benefits to local communities of trade in specimens for aquaria be undertaken, adjusted for purchasing power parity at all stages in the marketing chain. The Working Group noted that the document would benefit from the inclusion of more species abundance, distribution and trend data once the updated Red List Assessments are available.

The Working Group recommended that:

- Range States for these species jointly examine cross border trade that may be facilitating illegal trade and consider an Appendix III listings, where appropriate, to control illegal exports.
- The document be revised, with the addition of more species abundance, distribution and trend data, and submitted to COP13 or AC21.

Identification of other key species

IUCN introduced AC 20 Inf. 21, a review of the Shark Specialist Group's (SSG) progress with assessing the threatened status of sharks. The SSG has so far assessed ~ 25% of taxa. AC 20 Inf. 21 identifies taxa that are threatened globally or regionally, usually as a result of unsustainable fishing. Many of these species enter international trade. The Shark Working Group noted that there is considerable overlap between these species and the ~ 70 species listed in Paragraph 16, Oceanic Sharks, of Annex 1, Highly Migratory Species, of the United Nations Convention on the Law of the Sea (UNCLOS), as requiring international cooperation to ensure the conservation and optimum utilization of such species. These are: *Hexanchus griseus*, *Cetorhinus maximus*, Family Alopiidae, *Rhincodon typus*, Family Carcharhinidae, Family Sphyrnidae, and Family Isurida [an old name for Family Lamnidae].

A selection of taxa from these two sources is listed in Table 1: a provisional list of some key species and higher taxa of sharks. These represent a small proportion of the approximately 1,100 living species of chondrichthyan fishes (sharks, skates, rays and chimaeras) and the species in UNCLOS Annex 1. Additional columns in the table indicate why these taxa were selected by the SSG; a combination of factors including:

- listed on UNCLOS,
- listed or proposed for listing on Appendices of CITES or the Convention on Migratory Species (CMS),
- shared or high seas stocks (thus requiring joint management by fishing States for successful sustainable management),
- declining as a result of unsustainable levels of exploitation,
- included on the IUCN Red List of Threatened Species,
- effectiveness of management, and/or
- entering international trade.

The Shark Working Group discussed the list of taxa in Table 1. Views were expressed that it was either too long (including some taxa that may be of relatively low priority for the development of recommendations by the Animals Committee under Res. Conf. 12.6 or are already listed on the Appendices), or too short (excluding additional key species that required recommendations for improving their conservation status and the regulation of international trade in their products). Inclusion of Table 1 was eventually agreed to, provided that its purpose was made clear. Despite the wording of Res. Conf. 12.6 directing the Animals Committee to examine key species 'for consideration and possible listing under CITES', Table 1 was not intended to provide a comprehensive species list for this purpose. The list and the recommendations below were offered separately and distinct from the CITES listing process, regardless of the outcome of any pending or future listing proposals. It was noted that the Shark Specialist Group's initial review of the threatened status of sharks would not be completed until 2005 at the earliest and would be followed by further reviews as additional data became available. The Table should, therefore, be considered as a provisional first list of key species requiring special attention from Parties (additional lists of key species and recommendations should be produced for future meetings of the Animals Committee). Effective management of these species could preclude the need for future CITES listings.

The Shark Working Group had insufficient time to develop recommendations for all key taxa in Table 1, but focused on some of those considered to be of particularly high conservation priority by some Group members (lack of recommendations for other species does not mean that they are not also in need of conservation or management measures). The following are listed in taxonomic order, excluding those species already reviewed above.

Sawfishes Family Pristidae

This entire family is being classified by IUCN as Critically Endangered. Records are now extremely rare, but products (particularly fins and rostra) are valuable and still enter trade in small quantities. The Working Group recommended that Parties that are or have been range states for Pristidae undertake, as a matter of urgency, a review of the status of these species in their coastal waters, rivers and lakes, and, if

necessary, introduce conservation and trade measures to reduce extinction risk. (The US has already listed smalltooth sawfish as Endangered and prohibited all take of the species within its 200 mile EEZ).

Gulper sharks Genus *Centrophorus*

These species live in low productivity deep ocean environments. They have low growth, reproductive and metabolic rates and are long-lived, even more so than other deepwater sharks. Fisheries are driven by international demand for liver oil and meat and result in extremely rapid stock depletion. An FAO Deep Sea Workshop in December 2003 had recommended that “a precautionary approach to the management of these and other deepsea species is absolutely essential” (including monitoring of catches, landings and trade at species level, preparation of good identification guides, improved use of observers, and development of standard carcass forms to improve reporting, which should include both species and their products). The Working Group recommended that Parties support this approach.

School, tope, or soupfin shark *Galeorhinus galeus*

These sharks, valued for their meat and fins, are (or have been) important in target and multispecies fisheries in temperate waters world-wide. Most stocks are shared between several Range States, and in most regions are seriously depleted. Only a small number of States have achieved successful management of this biologically-vulnerable species. The Working Group recommended that Range States request FAO’s assistance with developing a capacity building workshop for this species in order to train managers from developing States and other States where coastal shark fisheries are not being managed. This would also serve as a case study for the management of other coastal shark fisheries. This was drawn to the attention of the FAO observer.

The Shark Working Group identified the following three taxonomic groups that contain a significant proportion of species subjected to unregulated unsustainable fishing pressures, leading to severe stock depletion, and whose high value products enter international trade in large numbers:

- *Requiem sharks Genus *Carcharhinus**
- *Guitarfishes, Shovelnose rays Order *Rhinobatiformes**
- *Devil rays Family *Mobulidae**

They recommended that Range States pay particular attention to the management of fisheries and trade in these taxa, including undertaking reviews of their conservation and trade status. It was noted that many of the Carcharhinid sharks were high seas pelagic species that could only be managed through the joint efforts of States, Regional Fisheries Management Organisations and other international bodies.

Additional Recommendations

In addition to the above species-specific recommendations, the Shark Working Group urges:

- *The development, adoption and implementation of new international instruments, regional agreements and regional fishery management organizations (RFMOs) for the conservation and management of sharks, particularly on the high seas where the provisions of the Fish Stocks Agreement need to be implemented for sharks.*
- *The adoption of science-based shark conservation standards as a prerequisite for EU partnership agreements for fishing outside EU waters.*
- *FAO and RMFOs be requested to consider recommendations for activities and guidelines to reduce mortality of listed and endangered species of sharks in bycatch and target fisheries, and to develop waterproof shark identification guides for fishermen, to improve shark species identification and data collection.*
- *CITES consider the development of a waterproof field identification guide for CITES-listed species of shark.*

Work Program for Sharks Under CITES (Resolutions, Decisions)

The Chair reviewed the related mandate under Res. Conf. 12.6 and Decision 12.47, and asked the Secretariat whether new language was needed for the consideration of COP13. The Secretariat suggested that the Resolution might not need revision, but that if the text requires updating, this could be taken up by the AC or CoP 13. The Working Group agreed to report back to the Animals Committee that the actions directed to the Animals Committee and Secretariat in Decisions 12.47, 12.48 and 12.49 have now been completed and that Parties should be informed accordingly.

The Working Group recognised that Res. Conf. 12.6 directs the Animals Committee to make species-specific recommendations at the 13th meeting and subsequent meetings of the Conference of the Parties if necessary on improving the conservation status of sharks and the regulation of international trade in the key species that it has identified. It therefore suggested that the list of taxa in Table 1 and associated recommendations would benefit from further work, possibly including the identification and prioritisation of additional key species. The Working Group recommended that this could be achieved during an intersessional shark workshop and asked the Animals Committee to recommend this and other appropriate means to fulfil the requirements of Res. Conf. 12.6 up to and beyond COP13.

Table 1. Provisional list of some key shark species identified under Res. Conf. 12.6 by the 20th Meeting of the Animals Committee.

This Table is not intended to provide a comprehensive species list for consideration and possible listing under CITES. It is offered separately and distinct from the CITES listing process, regardless of the outcome of any pending or future listing proposals and represents a provisional first list of key species requiring special management attention from Parties. Effective management of these species could preclude the need for future CITES listings.

Species name	UNCLOS	CITES/CMS	Shared stocks	Declining	IUCN Red List *	Management **	International trade
<i>Hexanchus griseus</i> Bluntnose sixgill shark	Yes		?	Yes	NT	No	?
<i>Squalus acanthias</i> Spiny dogfish		Consultation for CITES II	Yes	Yes	NT (VU/EN)	Some	Yes
Genus <i>Centrophorus</i> , Gulper Sharks (~ 10 species)			Yes	Yes	DD–CR	Mostly none	Liver oil (meat?)
Family Squatinidae Angel Sharks (~ 20 species)			Some	Yes (some)	LC–EN	Mostly none	?
<i>Rhincodon typus</i> Whale shark	Yes	CITES II CMS II	Yes	Yes	VU	Mostly none	Yes
Family Odontaspidae, Sand tigers (3 species)			Yes	Yes	DD–VU, (NT–CR)	Mostly none	Fins, aquaria
Genus <i>Alopias</i> , Thresher sharks (3 species)	Yes		Yes	Yes	DD under review (NT)	Mostly none	Meat and fins
<i>Cetorhinus maximus</i> Basking shark	Yes	CITES II	Yes	Yes	VU (EN)	Mostly none	Fins
<i>Carcharodon carcharias</i> Great white shark	Yes	CITES III & consultation I, CMS I & II	Yes	Yes	VU	Some	Jaws and fins
Genus <i>Isurus</i> Mako sharks (2 species)	Yes		Yes	Yes	DD under review (NT)	Mostly none	Meat and fins
<i>Lamna ditropis</i> Salmon shark	Yes		Yes	In NW Pac?	DD	Mostly none	Meat and fins
<i>Lamna nasus</i> Porbeagle shark	Yes	Consultation for CITES II	Yes	Yes	NT (VU–EN)	Mostly none	Meat and fins
<i>Galeorhinus galeus</i> School/tope/soupfin shark			Yes	Yes	VU (NT–EN)	Mostly none	Meat and fins
Genus <i>Mustelus</i> Smoothhound sharks (25 species)			Yes	Some	LC–VU	Mostly none	Meat
Family Carcharinidae (12 genera, 54 species)	Yes						
Genus <i>Carcharinus</i> (31 species, including:)	Yes						
<i>Carcharhinus albimarginatus</i> Silvertip shark	Yes		Yes	Yes	DD (under review)	None	Fins

<i>Carcharhinus amblyrhynchoides</i> Graceful shark	Yes		?	Yes	NT	None	Fins
<i>Carcharhinus amblyrhynchos</i> Gray reef shark	Yes		?	Yes	NT	Mostly none	Fins
<i>Carcharhinus amboinensis</i> Pigeye or Java shark	Yes		Yes	Yes	DD (NT)	None	Fins
<i>Carcharhinus brachyurus</i> Bronze whaler	Yes		Yes	Yes	NT (LC,DD,VU)	Mostly none	Fins
<i>Carcharhinus brevipinna</i> Spinner shark	Yes		Yes	Yes	NT (VU)	Mostly none	Fins and meat

* Where a range of Red List assessments are given for species groups, these refer to different taxa within these groups. Where a range is provided for a single species, these refer to the global assessment (with regional assessments in brackets). See key on next page.

** Effective shark management or conservation activity is limited to only a few states (there is no space to provide details here) and there is no dedicated or effective shark fisheries management on the high seas.

Table 1 continued.

<i>Species name</i>	UNCLOS	CITES/CMS	Shared stocks	<u>Declining</u>	IUCN Red List *	Management **	International trade
<i>Carcharhinus falciformis</i> Silky shark	Yes		Yes	1 stock > 90%	LC (under review)	None	Fins
<i>Carcharhinus galapagensis</i> Galapagos shark	Yes		Yes	Yes	NT (DD)	None	Fins
<i>Carcharhinus leucas</i> Bull shark	Yes		Yes	Yes	NT	Mostly none	Fins
<i>Carcharhinus limbatus</i> Blacktip shark	Yes		Yes	Yes	NT (VU)	Mostly none	Fins and meat
<i>Carcharhinus longimanus</i> Oceanic whitetip shark	Yes		Yes	1 stock > 99%	NT (under review)	None	Fins
<i>Carcharhinus melanopterus</i> Blacktip reef shark	Yes		?	Yes	NT	Mostly none	Fins
<i>Carcharhinus obscurus</i> Dusky shark	Yes		Yes	1 stock > 80%	NT (VU)	Mostly none	Fins
<i>Carcharhinus perezii</i> Caribbean reef shark	Yes		?	?	NE	Mostly none	Fins
<i>Carcharhinus plumbeus</i> Sandbar shark	Yes		Yes	Yes	NT	Mostly none	Fins
<i>Galeocerdo cuvier</i> Tiger shark	Yes		Yes	Yes	NT	Mostly none	Fins
Genus <i>Glyphis</i> River sharks (6 species)	Yes		?	Yes	EN–CR	Mostly none	Jaws, fins
Genus <i>Negaprion</i> Lemon sharks (2 species)	Yes		Yes	Yes	NT, VU (EN)	Mostly none	Fins
<i>Prionace glauca</i> Blue shark	Yes		Yes	Yes	NT (under review)	None	Fins
Family Sphyrnidae. Hammerheads (8 species)	Yes		Most	Most	LC, DD, NT (3) NE (3)	Mostly none	Fins
Batoid fishes (skates and rays)							
Family Pristidae, Sawfishes (7 species)			Some	Yes	All CR	Mostly none	Fins and rostra
Order Rhinobatiformes: Guitarfishes, Shovelnose rays (~ 57 species)			Some?	Yes	Most NE, some threatened	Mostly none	Fins are top quality
<i>Dipturus batis</i> Common Skate			Some	Yes	EN (CR) under review	Unmanaged	?
Family Potamotrygonidae Freshwater Stingrays (16-18 species)			Some	Yes	DD, under review	Partial	Ornamental
Genus <i>Mobula</i>, Devil rays (9 species)			Some	Yes	NT (2), VU (1), NE (6)	Unmanaged	Gill rakers
<i>Manta birostris</i> Manta Ray			Yes	Yes	DD/VU	Unmanaged	Gill rakers

** Where a range of Red List assessments are given for species groups, these refer to different taxa within these groups. Where a range is provided for a single species, these refer to the global assessment (with regional assessments in brackets).*

** Effective shark management or conservation activity is limited to only a few states (there is no space to provide details here) and there is no dedicated or effective shark fisheries management on the high seas.

Key to Red List Assessments

NE :Not Evaluated

LC :Least Concern

DD : Data Deficient (many of these will be reviewed in 2004)

NT :Near Threatened

VU :Vulnerable)

EN :Endangered) Threatened

CR :Critically Endangered)

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

Improving regional communication and the regional representation

WORKING GROUP REPORT

Members of the working group

Netherlands (Chair);

Regional representatives: Schwann Tunhikorn (Asia), Katalin Rodics (Europe), Rodrigo Medellín (North America), Chair and regional representative for Europe in the Plants Committee, Margarita Clemente

Observers from Parties: Chile, the Netherlands,

Observers from UN bodies: UNEP World Conservation Monitoring Centre; and

The CITES Secretariat.

Summary of the discussions and recommendations

1. The working group discussed the issues in Document 5.7 and the result of the working group of the Plants Committee in Doc. AC 20 Inf. 16 and produced the draft proposal to the Conference of the Parties presented in the Annex.
2. The working group discussed the issue of the double role of the Chairman as Regional Representative. The working group felt that this problem could be solved by collaboration between the Chairman and his/her alternate. The working group therefore considered that no further action is needed.
3. The working group discussed the number of Representatives from Central and South America and the Caribbean. Due to different opinions and lack of time, the working group did not reach a conclusion.

Introduction

Concerns have been raised in the Plants and Animals Committees about a lack of adequate regional representation and regional communication. Complaints have been expressed regularly by representatives. Good regional representation and a regular regional communication are essential requirements for the effective operation of the Committees, in order to fulfil their tasks as resolved in Resolution Conf. 11.1 (Rev. CoP12). The Plants and Animals Committees see a need to improve regional representation and regional communication and have discussed these issues at PC13, PC14 and AC20.

The principal problems appear to be:

- a) Lack of time and means for the Regional Representatives to communicate;
- b) Lack of response from the Parties in the region;
- c) Lack of guidance.

The Plants and Animals Committees consider it urgent to solve these problems because they hamper the proper functioning of the Committees and thus their task to facilitate the work of the Conference of the Parties and to carry out work in between meetings of the Conference of the Parties.

Regional representatives

Regional Representatives should maintain a regular communication with the Parties in their region to be able to represent the region. Regional representatives find it difficult to carry out this task because they do not have, or are not allowed sufficient time, and/or they do not have the necessary facilities, and/or they do not get adequate support from their government and/or employer. Regional Representatives need full support of their government and their employer, in order to be provided with the necessary means (time, finances, office, equipment, communication facilities, email and internet). A formal commitment of their government and employer is required.

The Plants and Animals Committee recommend amendment of Resolution Conf. 11.1 (Rev. CoP12) on the Establishment of Committees, as follows:

- "a) The proposals for candidates as representatives should be supported by the relevant governments and institutions in a formal commitment in order to ensure ~~as far as possible~~ that they will obtain the necessary means to undertake their activities;"

A Regional Representative should be prepared, and be able and willing to spend a certain amount of time on his tasks for the Committee. It is not sufficient to have only a curriculum vitae of the candidate; a formal commitment is required.

The Plants and Animals Committees recommend amendment of Resolution Conf. 11.1 (Rev. CoP12) on the Establishment of Committees, as follows:

- "b) The names of the proposed candidates, their formal commitment to fulfill the duties of regional representatives as specified in Annex 2, and their curricula vitae, should be circulated to the Parties of the region concerned at least 120 days before the meeting of the Conference of the Parties at which the representatives will be elected;"

Many good reasons may necessitate the replacement of a Regional Representative, such as: end of term; personnel or private matters; non-functioning etc.

"Directs the Plants Committee and the Animals Committee to discuss at every meeting the follow up of representatives to ensure continuity in an effective regional representation. directs the Secretariat to assist the Chairman in consulting regions, if needed."

A particular problem exists for the Chairmen of the Committees. The Plants and Animals Committees are concerned that it will be impossible or at least very difficult to find a Chairman from a developing country, because of lack of means. To enable proper functioning of Chairmen from developing countries as well as from developed countries, the Conference of the Parties needs to develop another mechanism, including a budget line.

To fulfill the advisory function to the Conference of the Parties as specified in RESOLVES a), or Annex 2 of Resolution Conf. 11.1 (Rev. CoP12), Animals and Plants Committees Representatives should be enabled to participate in the Conference of the Parties.

The Plants and Animals Committee recommend amendment of Resolution Conf. 11.1 (Rev. CoP12) on the Establishment of Committees, as follows:

- g) to the extent possible, the Secretariat shall make provision for the payment, if requested, of reasonable and justifiable travel expenses, including attendance to the relevant Committee meetings and to the Conference of the Parties, of members, and other expenses of the chairmen of the Standing Committee, the Animals Committee and the Plants Committee; in particular for representatives from developing countries and countries with economies in transition.

Response from the Parties

When Regional Representatives initiate communication with Parties, they frequently do not get a response. In 2003, it appeared that only 31 Parties out of 162 responded to requests for information for the regional reports. Parties should be obliged to respond to communications of the Regional Representatives. When a regional representative sends a message to a Party, there should be a person assigned with the task of responding. The contact-person, preferably in the Scientific Authority, should be relatively free to communicate. They should be allowed to give a provisional or less formal answer, without asking approval of his or her supervisors or the Management Authority. They should also provide the regional representatives with relevant information on their own initiative.

Resolution Conf. 11.1 (Rev. CoP12), Annex 2, under the second RESOLVES, c) requires that contact persons should be identified in the countries of a region. This requirement is probably overlooked or misunderstood by the Parties. Implementation of this requirement could greatly improve communications in the region.

Directs the Secretariat to issue a notification in 2005 that all Parties must inform the Secretariat of the name and address of the contact persons for the Plants Committee and for the Animals Committee before 1 April 2005.

“Directs the Secretariat shall compile a register of contact persons and publish this on the website.”

Guidance

Resolution Conf. 11.1 (Rev. CoP12) describes several duties of the regional representatives. Their tasks could be worked out in more detail in a manual for representatives. This manual should contain chapters for the Management Authorities of Parties and governments to explain the role and duties of regional representatives.

“Directs the Plants and Animals Committees to form a joint drafting group comprising two representatives from each Committee, the Secretariat and Chris Schürmann to develop such a manual in 2005.”

The Secretariat could further guide the regional representatives by producing an annual agenda, specifying what actions are required and when.

“Directs the Secretariat to produce an annual agenda for regional representatives.”

“Directs the Secretariat to verify whether the level of communication of information from the Secretariat to the Regional Representatives is sufficient for every Representative. The Secretariat will ensure that all relevant information on CITES issues, including all documents, will be send directly to all Representatives, either in hard copy or by email, as requested by the specific Representative.”

Draft amendment to Resolution Conf. 11.1 (Rev. CoP12)

Regarding regional representation in the Animals and Plants Committees

RECOMMENDS that the following guidelines be implemented:

A. Election of the candidates

- "a) The proposals for candidates as representatives should be supported by the relevant governments and institutions in a formal commitment in order to ensure ~~as far as possible~~ that they will obtain the necessary means to undertake their activities;"
- "b) The names of the proposed candidates, their formal commitment to fulfill the duties of regional representatives as specified in Annex 2, and their curricula vitae, should be circulated to the Parties of the region concerned at least 120 days before the meeting of the Conference of the Parties at which the representatives will be elected;"

Regarding the establishment of committees

AGREES to formalize a system for the appointment of committees of the Conference of the Parties and to establish procedures to be followed when committees are created;

RESOLVES that:

- g) to the extent possible, the Secretariat shall make provision for the payment, if requested, of reasonable and justifiable travel expenses, including attendance to the relevant Committee meetings and to the Conference of the Parties, of members, and other expenses of the chairmen of the Standing Committee, the Animals Committee and the Plants Committee; in particular for representatives from developing countries and countries with economies in transition.

Draft Decisions

"Directs the Plants Committee and the Animals Committee to discuss at every meeting the follow up of representatives to ensure continuity in an effective regional representation."

"Directs the Secretariat to assist the Chairman in consulting regions, if needed."

Directs the Secretariat to issue a notification in 2005 that all Parties must inform the Secretariat of the name and address of the contact persons for the Plants Committee and for the Animals Committee before 1 April 2005.

"Directs the Secretariat shall compile a register of contact persons and publish this on the website."

"Directs the Plants and Animals Committees to form a joint drafting group comprising two representatives from each Committee, the Secretariat and Chris Schürmann to develop such a manual in 2005."

"Directs the Secretariat to produce an annual agenda for regional representatives."

"Directs the Secretariat to verify whether the level of communication of information from the Secretariat to the Regional Representatives is sufficient for every Representative. The Secretariat will ensure that all relevant information on CITES issues, including all documents, will be send directly to all Representatives, either in hard copy or by email, as requested by the specific Representative."

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



Twentieth meeting of the Animals Committee

Johannesburg (South Africa), 29 March-2 April 2004

Conservation of and [trade in tortoises and freshwater turtles](#) [Resolution Conf. 11.9 (Rev. CoP12) and Decisions 12.41, 12.42 and 12.43]

REPORT OF THE WORKING GROUP

Members of the working group

Regional representative of Africa, Michael Griffin (Chair);

Observers from Parties: China, France, Germany, Italy, Japan, Kenya, Korea, Malaysia, United Republic of Tanzania, United States of America;

Observers from inter-governmental and non-governmental organizations: Deutsche Gesellschaft für Herpetologie und Terrarienkunde, Humane Society of the United States, International Wildlife Coalition, IUCN – the World Conservation Union, IWMC – World Conservation Trust, Midwest States Fish and Wildlife Association, Pro Wildlife, TRAFFIC, Wildcare Africa Trust.

The zoologist of the Nomenclature Committee; and

The CITES Secretariat.

Summary of the discussions and recommendations

The CITES Animals Committee Working Group on Tortoises and Freshwater Turtles met on the afternoon and evening of 1 April 2004.

Asian Turtle Trade [Resolution Conf. 11.9 (Rev. CoP12)]

The Working Group considered AC20 Inf. 25, which resulted from deliberations at AC19 and intersessional work. Inf. 25 contains a wide variety of topics and views, which were not universally shared by all participants in the Working Group.

After extensive consideration, the Working Group felt that, while essential for turtle conservation, formulating general recommendations for the functioning of CITES would be beyond the focus of the Working Group. Consequently, the Working Group drafted 8 recommendations which could be forwarded as Decisions to be proposed for CoP13:

Recommendations directed to the Secretariat:

- To facilitate, where necessary, the compilation and provision of information on Tortoises and Freshwater Turtles for the use by enforcement officers, including facilitation of translation of the information in local languages. This information primarily concerns identification, local names, distribution and illustrations, and compilation can draw on existing identification guides;
- To contact the World Customs Organisation in order to be informed about the possibility of obtaining specific Harmonised Codes for turtles and turtle products in trade; if such is possible, then to facilitate development and adoption of such codes;
- To facilitate the development of Non-Detriment Finding Guidelines specific to Tortoises and Freshwater Turtles, building on the existing IUCN guidelines, in consultation with IUCN, Scientific and Management Authorities, and others;
- To facilitate development of partnerships between interested organisations or other bodies to, in co-operation with range States, develop and operate rescue centres for confiscated Tortoises and Freshwater Turtles;
- To encourage Non-Governmental Organisations to develop, produce and distribute appropriate posters and other materials for public education and awareness of Tortoise and Freshwater Turtle Conservation;
- To make available the Proceedings of the Kunming Workshop.

Recommendations directed to Parties:

- To develop proposals to include threatened species of Tortoises and Freshwater Turtles in the appropriate CITES Appendices, with reference to Res. Conf. 9.24 and 9.25 (rev) and the recommendations contained in the results of the Kunming Workshop (AC19 Doc15.3) and AC19 Doc.15.1 Annex 1. Non-Governmental Organisations are strongly encouraged to assist Parties in these endeavours, where appropriate;
- To ensure that transport of live Tortoises and Freshwater Turtles is in compliance with IATA guidelines.

Pancake Tortoises (Decision 12.43)

A subgroup of the Working Group then considered progress on Decision 12.43 regarding Pancake Tortoises (*Malacochersus tornieri*). The group considered available and new information and identified 4 priority actions:

- An investigation of genetic variability among wild populations and farm stock;
- Verification of occurrence in States that are not currently understood as Range States;
- Inspections of farms with regard to captive management conditions;
- Completion of the desktop review of the species.

The Secretariat will work with Management and Scientific Authorities of all known and unconfirmed Range States, as well as with technical specialists, to implement these actions as soon as possible within the available resources.

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



Twentieth meeting of the Animals Committee
Johannesburg (South Africa), 29 March-2 April 2004

Review of the criteria for amendment of Appendices I and II

REPORT OF THE DRAFTING GROUP

Participants in the drafting group

The United States of America and the European Commission (Co-Chairs);

Observers from Parties: Chile, China, Japan, Mexico, New Zealand, South Africa, Spain, the United Kingdom, Zimbabwe;

Observer from United Nations bodies: Food and Agriculture Organization of the United Nations;

Observers from inter-governmental and non-governmental organizations: IUCN – The World Conservation Union, Defenders of Wildlife, International Wildlife Coalition, IWMC-World Conservation Trust, WWF International; and

The Chairman of the Plants Committee

Terms of reference

Summary of the discussions and recommendations

The drafting group used as a base document, AC20 Doc. 9.2 (Rev. 1) and amended the Annex of that document as shown below.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Proposed revision of Resolution Conf. 9.24 (Rev. CoP12)

Criteria for amendment of Appendices I and II

RECALLING that Resolution Conf. 9.24, adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994) recommended that the text and the annexes of this Resolution be fully reviewed before the 12th meeting of the Conference of the Parties with regard to the scientific validity of the criteria, definitions, notes and guidelines and their applicability to different groups of organisms;

RECALLING that the Conference of the Parties at its 12th meeting (Santiago, 2002), approved procedures for this review, laid down in Decision 12.97;

CONSIDERING the fundamental principles in paragraphs 1 and 2 of Article II of the Convention, which specify the species to be included in Appendices I and II;

RECOGNIZING that to qualify for inclusion in Appendix I a species must meet biological and trade criteria;

RECALLING that Article II, paragraph 2(a), provides for the inclusion of species which may become threatened with extinction in Appendix II, in order to avoid utilization incompatible with their survival;

RECOGNIZING that for the proper implementation of this provision it is necessary to adopt appropriate criteria, considering both biological and trade factors;

RECALLING that paragraph 2(b) of Article II provides only for the inclusion in Appendix II of species which must be subject to regulation in order that trade in specimens of certain species included in Appendix II in accordance with Article II, paragraph 2(a), may be brought under effective control;

CONSIDERING, however, that this provision should also apply where there is a need to bring under effective control trade in specimens of species included in Appendix I;

RECOGNIZING that the range States of a species subject to an amendment proposal should be consulted by the proponent, or on its behalf by the Secretariat, in accordance with the relevant Resolutions of the Conference of the Parties, and that all Parties shall be consulted by the Secretariat in accordance with Article XV, paragraph 1(a), of the Convention;

RECOGNIZING further that the Secretariat, in accordance with the same Article, shall consult intergovernmental bodies having a function in relation to marine species;

CONSIDERING the Secretariat should also consult other intergovernmental bodies having a function in relation to any species subject to a proposal for amendment;

RECALLING that the international trade in all wild fauna and flora is under the purview of the Convention;

EMPHASIZING the importance of Resolution Conf. 3.4, adopted at the third meeting of the Conference of the Parties (New Delhi, 1981), regarding the need to provide to developing countries technical assistance in matters relating to the Convention, and specifically in the application of the criteria for amendment of Appendices I and II;

NOTING the objective to ensure that decisions to amend the Convention's Appendices are founded on sound and relevant scientific information, take into account socio-economic factors, and meet agreed biological and trade criteria for such amendments;

RECOGNIZING the importance of the application of Rio Principle 15, the Precautionary Approach, in cases of uncertainty;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ADOPTS the following Annexes as an integral part of this Resolution:

- Annex 1: Biological criteria for Appendix I;
- Annex 2a: Criteria for the inclusion of species in Appendix II in accordance with Article II, paragraph 2(a), of the Convention;
- Annex 2b: Criteria for the inclusion of species in Appendix II in accordance with Article II, paragraph 2(b), of the Convention;
- Annex 3: Special cases;
- Annex 4: Precautionary measures;
- Annex 5: Definitions, explanations and guidelines; and
- Annex 6: Format for proposals to amend the Appendices;

RESOLVES, that when considering proposals to amend Appendix I or II, the Parties shall, by virtue of the precautionary approach and in case of uncertainty either as regards the status of a species or the impact of trade on the conservation of a species, act in the best interest of the conservation of the species concerned and adopt measures that are proportionate to the anticipated risks to the species;

RESOLVES that, when considering proposals to amend Appendices I and II, the following applies:

- a) species that are or may be affected by trade should be included in Appendix I in accordance with Article II, paragraph 1, if they meet at least one of the biological criteria listed in Annex 1;
- b) species should be included in Appendix II under the provisions of Article II, paragraph 2 (a), if they satisfy the criteria listed in Annex 2a;
- c) species should be included in Appendix II under the provisions of Article II, paragraph 2 (b), if they satisfy the criteria listed in Annex 2b;
- d) species should be included in more than one Appendix at the same time, and higher taxa should be included in the Appendices, only if the species or higher taxa concerned satisfy the relevant criteria listed in Annex 3;
- e) *species of which all specimens in trade have been bred in captivity or artificially propagated should not be included in the Appendices if there is negligible probability of trade taking place in specimens of wild origin;*
- f) species included in Appendix I for which sufficient data are available to demonstrate that they do not meet the criteria listed in Annex 1 should be transferred to Appendix II only in accordance with the relevant precautionary measures listed in Annex 4;
- g) species included in Appendix II in accordance with Article II, paragraph 2(a), that do not meet the criteria listed in Annex 2a, should be deleted only in accordance with the relevant precautionary measures listed in Annex 4; and species included in accordance with Article II, paragraph 2(b), because they look like the species subject to the deletion, or for a related reason, should also be deleted only in accordance with the relevant precautionary measures;
- h) the views, if any, of intergovernmental bodies with competence for the management of the species concerned should be taken into account;

RESOLVES that proposals to amend Appendices I and II should be based on the best information available, and when appropriate, presented in the format in Annex 6;

ENCOURAGES proponents that submit proposals to transfer species to Appendix I or to establish zero export quotas for species under review in accordance with the provisions of the Significant Trade Review process, to take account of the applicable findings of that review.

RESOLVES that annotations to proposals to amend Appendix I or Appendix II should be made in accordance with the applicable Resolutions of the Conference of the Parties, be specific and accurate as to affected parts and derivatives and should, to the extent possible, be harmonized with existing annotations;

ENCOURAGES Parties, when sufficient relevant biological data are available, to include a quantitative evaluation in the supporting statement of the amendment proposal;

RESOLVES that, to monitor the effectiveness of protection offered by the Convention, the status of species included in Appendices I and II should be regularly reviewed by the range States and proponents, in collaboration with the Animals Committee or the Plants Committee, subject to the availability of funds;

URGES Parties and co-operating organizations to provide financial and technical assistance, when requested, in the preparation of proposals to amend the Appendices, the development of management programmes, and the review of the effectiveness of the inclusion of species in the Appendices. Parties should be open to using other available international mechanisms and instruments for these purposes in the broader context of biodiversity; and

REPEALS Resolutions Conf. 9.24 (Rev. CoP12) (Santiago, 2002) - Criteria for Amendment of Appendices I and II.

Biological criteria for Appendix I

The following criteria must be read in conjunction with the definitions, explanations and guidelines listed in Annex 5, including the footnote with respect to application of the definition of “decline” for commercially exploited aquatic species.

A species is considered to be threatened with extinction if it meets, or is likely to meet, **at least one** of the following criteria.

A. The wild population is small, and is characterized by **at least one** of the following:

- i) an observed, inferred or projected decline in the number of individuals or the area and quality of habitat; or
- ii) [a small number of sub-populations or] each sub-population being very small; or
- iii) a majority of individuals being concentrated [geographically] during one or more life-history phases ; or
- iv) large short-term fluctuations in population size; or
- v) a high vulnerability to either intrinsic or extrinsic factors .

B. The wild population has a restricted area of distribution and is characterized by **at least one** of the following:

- i) fragmentation or occurrence at very few locations; or
- ii) large fluctuations in the area of distribution or the number of sub-populations; or
- iii) a high vulnerability to either intrinsic or extrinsic factors; or
- iv) an observed, inferred or projected decrease in any one of the following:
 - the area of distribution; or
 - the area of habitat; or
 - the number of sub-populations; or
 - the number of individuals; or
 - the quality of habitat; or
 - the recruitment.

C. A marked decline in the population size in the wild, which has been **either**:

- i) observed as ongoing or as having occurred in the past (but with a potential to resume); or
- ii) inferred or projected on the basis of any one of the following:
 - a decrease in area of habitat; or
 - a decrease in quality of habitat; or
 - levels or patterns of exploitation; or
 - a high vulnerability to either intrinsic or extrinsic factors ; or
 - a decreasing recruitment.

D. The status of the species is such that if the species is not included in Appendix I, it is likely to satisfy one or more of the above criteria within a period of five years. [The working Group expressed differing views on the retention of this criterion, but it is retained here pending a final decision by the CoP]

Criteria for the inclusion of species in Appendix II
in accordance with Article II, paragraph 2(a), of the Convention

The following criteria must be read in conjunction with the definitions, explanations and guidelines listed in Annex 5, including the footnote with respect to application of the definition of “decline” for commercially exploited aquatic species.

A species should be included in Appendix II when, on the basis of available trade data and information on the status and trends of the wild population(s), **at least one** of the following criteria is met:

- A. It is known, or can be inferred or projected, that the regulation of trade in the species is necessary to avoid it becoming eligible for inclusion in Appendix I in the near future; or
- B. It is known, or can be inferred or projected, that regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival would be threatened by continued harvesting or other influences.

Criteria for the inclusion of species in Appendix II
in accordance with Article II, paragraph 2(b), of the Convention

Species may be included in Appendix II in accordance with Article II, paragraph 2(b), if **either one** of the following criteria is met:

- A. The specimens of the species in the form in which they are traded resemble specimens of a species included in Appendix II under the provisions of Article II, paragraph 2 (a), or in Appendix I, such that enforcement officers who encounter specimens of CITES-listed species , are unlikely to be able to distinguish between them; or
- B. There are compelling reasons other than those given in criterion A above to ensure that effective control of trade in currently listed species is achieved.

Special cases

Split-listing

Listing of a species in more than one Appendix should be avoided in general in view of the enforcement problems it creates.

When split-listing does occur, this should generally be on the basis of national or regional populations, rather than subspecies. Split-listings that place some populations of a species in the Appendices, and the rest outside the Appendices, should normally not be permitted.

For species outside the jurisdiction of any State, listing in the Appendices should use the terms used in other relevant international agreements, if any, to define the population. If no such international agreement exists, then the Appendices should define the population by region or by geographic coordinates.

Taxonomic names below the species level should not be used in the Appendices unless the taxon in question is highly distinctive and the use of the name would not give rise to enforcement problems.

Higher taxa

If all species of a higher taxon are included in Appendix I or II, they should be included under the name of the higher taxon. If some species in a higher taxon are included in Appendix I or II and all the rest in the other Appendix, the latter species should be included under the name of the higher taxon, with an appropriate annotation made in accordance with the provisions of the relevant resolutions on the use of annotations in the Appendices.

Parties contemplating preparing a proposal to transfer an individual plant species from a higher-taxon listing in Appendix II to a separate listing in Appendix I should consider:

- i) the ease with which it can be propagated artificially;
- ii) the extent to which it is currently available in cultivation from artificially propagated specimens; and
- iii) any practical problems in identifying the species, particularly in the form in which it may be traded.

Precautionary measures

When considering proposals to amend Appendix I or II, the Parties shall, by virtue of the precautionary approach and in case of uncertainty either as regards the status of a species or the impact of trade on the conservation of a species, act in the best interest of the conservation of the species concerned and adopt measures that are proportionate to the anticipated risks to the species.

A.

1. No species listed in Appendix I shall be removed from the Appendices unless it has been first transferred to Appendix II, with monitoring of any impact of trade on the species for at least two intervals between meetings of the Conference of the Parties.
2. Species included in Appendix I should only be transferred to Appendix II if they do not satisfy the relevant criteria in Annex 1 and only when one of the following precautionary safeguards is met:
 - a) the species is not in demand for international trade, nor is its transfer to Appendix II likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I; or
 - b) the species is likely to be in demand for trade, but its management is such that the Conference of the Parties is satisfied with:
 - i) implementation by the range States of the requirements of the Convention, in particular Article IV; and
 - ii) appropriate enforcement controls and compliance with the requirements of the Convention; or
 - c) an integral part of the amendment proposal is an export quota or other special measure approved by the Conference of the Parties, based on management measures described in the supporting statement of the amendment proposal, provided that effective enforcement controls are in place; or
 - d) a ranching proposal is submitted consistent with the applicable Resolutions of the Conference of the Parties and is approved.
3. No proposal for transfer of a species from Appendix I to Appendix II shall be considered from a Party that has entered a reservation for the species in question, unless that Party agrees to remove the reservation within 90 days of the adoption of the amendment.
4. No species should be deleted from Appendix II if such deletion would be likely to result in it qualifying for inclusion in the Appendices in the near future.
5. No species should be deleted from Appendix II if, within the last two intervals between meetings of the Conference of the Parties, it has been subject to a recommendation under the provisions of the Significant Trade Review process to improve its conservation status.

B. The following review procedures shall apply when a species is transferred to Appendix II pursuant to paragraph A.2.c) above.

1. Where the Plants Committee, the Animals Committee or a Party becomes aware of problems in compliance with the management measures and export quotas of another Party, the Secretariat shall be informed and, if the Secretariat fails to resolve the matter satisfactorily, it shall inform the Standing Committee which may, after consultation with the Party concerned, recommend to all Parties that they suspend trade with that Party in specimens of CITES-listed species, and/or request the Depositary Government to prepare a proposal to transfer the population back to Appendix I.

2. If, on review of a quota and its supporting management measures, the Animals or Plants Committee encounters any problems with compliance or potential detriment to a species, the relevant Committee shall request the Depositary Government to prepare a proposal for appropriate remedial action.
- C. With regard to quotas established pursuant to paragraph A.2.c) above.
1. If a Party wishes to renew, amend or delete such a quota it shall submit an appropriate proposal for consideration at the next meeting of the Conference of the Parties;
 2. When a quota has been established for a limited period of time, after that period the quota will become zero until a new quota has been established.
- D. Species that are regarded as possibly extinct should not be deleted from Appendix I if they may be affected by trade in the event of their rediscovery; these species should be annotated in the Appendices as "p.e." (i.e., possibly extinct).

Definitions, explanations and guidelines

NOTE: Where numerical guidelines are cited in this Annex, they are presented only as examples, since it is impossible to give numerical values that are applicable to all taxa because of differences in their biology.

Species

In Article I of the Convention the term species is defined as “any species, subspecies or geographically separate population thereof”.

Species and subspecies refer to the biological concept of a species, and do not require any further definition.

The two terms also cover varieties.

“Geographically separate population” refers to parts of a species or a subspecies within particular geographical boundaries. This can also refer to populations or subpopulations, or, for the sake of convenience in certain cases, to ‘stocks’ as the term is understood in fisheries management.

Until now, the Conference of the Parties has interpreted ‘geographically separate populations’ as populations delimited by geopolitical boundaries, whereas they have rarely used the other option of geographical boundaries.

Affected by trade

A species “is or may be affected by trade” if:

1. it is known to be in trade (using the definition of ‘trade’ in Article I of the Convention), and that trade has or may have a detrimental impact on the status of the species; or
2. it is suspected to be in trade, or there is demonstrable potential international demand for the species, that may be detrimental to its survival in the wild.

Area of distribution

Area of distribution of a species is defined as the area contained within the shortest continuous imaginary boundary which can be drawn to encompass all the known, inferred or projected sites of occurrence, excluding cases of vagrancy and introductions outside its natural range (though inferring and projecting area of occurrence should be undertaken carefully, and in a precautionary manner). The area within the imaginary boundary should, however, exclude significant areas where the species does not occur, and so in defining an area of distribution, account should be taken of discontinuities or disjunctions in the spatial distribution of species. This encompasses the concept of area of occupancy. For migratory species, the area of distribution is the smallest area essential at any stage for the survival of that species (e.g., colonial nesting sites, feeding sites for migratory taxa, etc.). The determination that a species has a restricted area of distribution is taxon-specific and should take into account considerations such as habitat specificity, population density and endemism.

Decline

A decline is a reduction in the abundance, or area of distribution, or area of habitat of a species. The assessment of decline by reference to area of habitat may be more appropriate where there are intrinsic difficulties in measuring the number of individuals.

Decline can be expressed in two different ways: (i) the overall long-term extent of decline or (ii) the recent rate of decline. The long-term extent of decline is the total estimated or inferred percentage reduction from a baseline level of abundance or area of distribution. The recent rate of decline is the

percentage change in abundance or area of distribution over a recent time period. The data used to estimate or infer a baseline for extent of decline should extend as far back into the past as possible.

The judgement that a decline is marked is taxon-specific and can be justified by a number of considerations for example, the population dynamics of a related taxonomic group. A general guideline for a marked historical extent of decline is a percentage decline to 5%-30% of the baseline, depending on the biology and productivity of the species. Productivity is the maximum percentage growth rate of a population. It is a complex function of reproductive biology, fecundity, individual growth rates, natural mortality, age at maturity and longevity. More productive species tend to have high fecundity, rapid individual growth rates and high turnover of generations.

The extremes of 5% and 30% will be applicable to only a relatively small number of species, but some species may even fall outside of these extremes. However, both these figures are presented only as examples, since it is impossible to give numerical values that are applicable to all taxa because of differences in their biology (see footnote with respect to application of decline to commercially exploited aquatic species).

A general guideline for a marked recent rate of decline is a percentage decline of 50% or more in the last 10 years or three generations, whichever is the longer. If the population is small, a percentage decline of 20% or more in the last 5 years or 2 generations (whichever is the longer) may be more appropriate. However, these figures are presented only as examples, since it is impossible to give numerical values that are applicable to all taxa because of differences in their biology.

The historical extent of decline and the recent rate of decline should be considered in conjunction with one another. In general, the higher the historical extent of decline, and the lower the productivity of the species, the more important a given recent rate of decline is.

In estimating or inferring the historical extent of decline or the recent rate of decline, all relevant data should be taken into account. A decline need not necessarily be ongoing. If data are available only for a short period and the extent or rate of decline based on these data are cause for concern, the guidelines above (extrapolated as necessary or relevant) should still apply. However, natural fluctuations should not normally count as part of a decline, but an observed decline should not necessarily be considered part of

* Application of decline for commercially exploited aquatic species:

In marine and large freshwater bodies, a narrower range of 5-20% is deemed to be more appropriate in most cases, with a range of 5-10% being applicable for species with high productivity, 10-15% for species with medium productivity and 15-20% for species with low productivity. Nevertheless some species may fall outside this range. Low productivity is correlated with low mortality rate and high productivity with high mortality. One possible guideline for indexing productivity is the natural mortality rate, with the range 0.2 – 0.5 per year indicating medium productivity.

In general, historical extent of decline should be the primary criterion for consideration of listing in Appendix I. However, in circumstances where information to estimate extent-of-decline is limited, rate-of-decline over a recent period could itself still provide some information on extent-of-decline.

For listing in Appendix II, the historical extent of decline and the recent rate of decline should be considered in conjunction with one another. The higher the historical extent of decline, and the lower the productivity of the species, the more important a given recent rate of decline is. A general guideline for a marked recent rate of decline is the rate of decline that would drive a population down within approximately a 10-year period from the current population level to the historical extent of decline guideline (i.e. 5-20% of baseline for exploited fish species). There should rarely be a need for concern for populations that have exhibited an historical extent of decline of less than 50%, unless the recent rate of decline has been extremely high.

Even if a population is not declining appreciably, it could be considered for listing in Appendix II if it is near the extent-of-decline guidelines recommended above for consideration for Appendix I-listing. A range of between 5% and 10% above the relevant extent-of-decline might be considered as a definition of 'near', taking due account of the productivity of the species.

A recent rate-of-decline is important only if it is still occurring, or may resume, and is projected to lead to the species reaching the applicable point for that species in the Appendix I extent-of-decline guidelines within approximately a 10-year period. Otherwise the overall extent-of-decline is what is important. When sufficient data are available, the recent rate-of-decline should be calculated over approximately a 10-year period. If fewer data are available, annual rates over a shorter period could be used. If there is evidence of a change in the trend, greater weight should be given to the more recent consistent trend. In most cases, listing would only be considered if the decline is projected to continue.

In considering the percentages indicated above, account needs to be taken of taxon- and case-specific biological and other factors that are likely to affect extinction risk. Depending on the biology, patterns of exploitation and area of distribution of the taxon, vulnerability factors (as listed in this annex) may increase this risk, whereas mitigating factors (e.g. large absolute numbers or refugia) may reduce it.

a natural fluctuation unless there is evidence for this. A decline that is the result of legal activities carried out pursuant to a scientifically based harvesting programme that reduces the population to a planned level, not detrimental to the survival of the species, would not normally be covered by the term “decline”.

Fluctuations

Fluctuations in population size or area of distribution are considered large when the population size or area in question varies widely, rapidly or frequently. The judgement that there are large short-term fluctuations in the number of individuals is taxon specific. For instance, it depends on the generation length of the taxon.

Fragmentation

Fragmentation refers to the case where most individuals within a taxon are found in small and relatively isolated sub-populations, which increases the probability that these small sub-populations will become extinct and the opportunities for re-establishment are limited.

Generation length

Generation length is the average age of parents of the current cohort (i.e., newborn individuals in the population). Generation length therefore reflects the turnover rate of breeding individuals in a population. Generation length is greater than the age at first breeding and less than the age of the oldest breeding individual, except in taxa that breed only once. Where generation length varies under threat, the more natural (i.e., pre-disturbance) generation length should be used.

Inferred or projected

This refers to estimations using indirect or direct methods. Inferences may be made on the basis either of direct measurements or from indirect evidence. Projection involves extrapolation to infer likely future values.

~~Projection is a statistical concept that in scientific research connotes that measurements have been made and extrapolated in time towards the future. On the other hand inference connotes measurement using indirect evidence.~~

Near future

Refers to a time period in which it can be projected or inferred that a species would satisfy one (or more) of the criteria in Annex I unless it is included in Appendix II. This will be taxon- and case- specific but should be greater than 5 years [and less than 20 years]*.

Population issues

Population

Population refers to the total number of individuals of the species (as “species” is defined in Article 1 of the Convention and in this Annex).

Wild population

Wild population refers to the total number of free-living individuals of the species within its area of distribution, as defined in this annex.

Sub-population

Sub-populations are defined as geographically or otherwise distinct groups in the population between which there is limited genetic exchange.

* Final agreement on an outer limiting figure was not reached.

Population size

When providing details on the size of a population or sub-population, it should be made clear whether the information presented relates to an estimate of the total number of individuals or to the effective population size (i.e., individuals capable of reproduction, excluding individuals that are environmentally and behaviourally or otherwise reproductively suppressed in the wild) or to another appropriate measure, index or component of the population.

In the case of species biologically dependent on other species for all or part of their life cycles, biologically appropriate values for the host or co-dependent species should be chosen.

Small wild population

The judgement that a wild population is small is taxon-specific and can be justified by a number of considerations. For example, the population of a related taxonomic group. For some low productivity species where data exist to make an estimate, a figure of less than 5,000 individuals has been found to be an appropriate guideline (not a threshold) of what constitutes a small wild population but the number could be higher for higher productivity species. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.

Very small wild sub-population

The judgement that a wild sub-population is very small is taxon-specific. For some species where data exist to make an estimate, a figure of less than 500 individuals has been found to be an appropriate guideline (not a threshold) of what constitutes a very small wild sub-population. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.

Possibly extinct

A species is possibly extinct when exhaustive surveys in known and/or suspected habitat, and at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Before a species can be declared possibly extinct, surveys should take place over a time-frame appropriate to the species' life cycle and life form.

Recruitment

Recruitment is the total number of individuals added to any particular demographic class of a population by either sexual or asexual reproduction.

Threatened with extinction

Threatened with extinction is defined by Annex 1. The vulnerability of a species to threats of extinction depends on its population demographics, biological characteristics (such as body size, trophic level, life cycle, breeding structure or social structure requirements for successful reproduction), and vulnerability due to aggregating habits, natural fluctuations in population size, and/or residency/migratory patterns. This makes it impossible to give numerical threshold values for population size or area of distribution that are applicable to all taxa.

Vulnerability

Vulnerability can be defined as the susceptibility to intrinsic or external effects which increase the risk of extinction (even when mitigating factors are taken into account). There are a number of taxon- or case-specific biological and other factors that may affect the extinction risk associated with a given percentage decline, small population size or restricted area of distribution. These can be, but are not limited to, aspects of any of the following:

INTRINSIC FACTORS:

- Life history (e.g., low fecundity, slow growth rate of the individual, high age at first maturity, long generation time)
- Low absolute numbers or biomass or restricted area of distribution
- Population structure (age/size structure, sex ratio)
- Behavioural factors (e.g., social structure, migration, aggregating behaviour)
- Density (for sessile or semi-sessile species)
- Specialized niche requirements (e.g., diet, habitat)
- Species associations such as symbiosis and other forms of co-dependency
- Reduced genetic diversity
- Depensation (prone to continuing decline even in the absence of exploitation)
- Endemism
- Seed dispersal mechanism
- Specialized pollinators

EXTRINSIC FACTORS

- Selectivity of removals (that may compromise recruitment)
- Threats from alien invasive species (hybridisation, disease transmission, depredation, etc.)
- Habitat degradation (contamination, soil erosion, alteration by alien invasive species, etc.)
- Habitat loss/destruction
- Habitat fragmentation
- Harsh environmental conditions
- Threats from disease
- Rapid environmental change (e.g., climate regime shifts)
- **Stochastic events.**

Format for proposals to amend the Appendices

NOTE: Annex 6 needs to be made consistent with the rest of the document.

The following provides information and instructions for the submission of a proposal to amend the Appendices and the appropriate supporting statement. Proponents should be guided by the need to provide to the Conference of the Parties sufficient information, of sufficient quality and in sufficient detail, to allow it to judge the proposal against the criteria established for the proposed action. Analogy with related taxonomic groups or species that are ecologically similar may be used to guide judgements. Parties are reminded that proposals should normally be limited to 12 pages (exclusive of references cited). If the proposal is longer than 12 pages, the proponent should provide translations into the working languages of the Convention. This means that the relevant published and unpublished sources of information should be used, although for some species the amount of scientific information will be limited. Where research has been undertaken specifically to obtain information for the proposal, it should be presented in sufficient detail to be assessed by the Parties. Furthermore, this means that it may not be possible to address all elements of the proposal format.

A. Proposal

The proponent should indicate the specific amendment to the Appendices and any relevant annotations or qualifications. The proponent should justify the basis on which the species meets the relevant criteria.

- Inclusion in Appendix I or transfer from Appendix II to Appendix I. Specify which of the criteria in Annex 1 of the Resolution are satisfied
- Inclusion in Appendix II
 - in accordance with Article II 2(a)
 - specify which of the criteria in Annex 2a of the Resolution are satisfied
 - in accordance with Article II 2(b)
 - for reasons of look-alike problems (criterion A of Annex 2b). In this case, the names of the similar species already included in the Appendices should be given in section C11, "Additional remarks"
 - for other reasons (such as those referred to in Annexes 2a, paragraph B and/or 3 to this Resolution)
- Transfer from Appendix I to Appendix II in accordance with a precautionary measure specified in Annex 4 to this Resolution. Specify which of the criteria in Annex 2 of this Resolution are satisfied; specify why the criteria in Annex 1 of this Resolution are no longer satisfied; specify which of the measures in Annex 4 of this Resolution are satisfied or implemented
- Deletion from Appendix II. Specify why the criteria in Annex 2 of this Resolution are not satisfied
- Other action (provide explanation) (e.g., amendment of a quota)

Annotations

If a specific annotation to the listing in the Appendices is proposed, the proponent should:

- ensure that the proposed annotation is in compliance with the applicable Resolution;
- indicate the practical intent of the annotation;

- harmonize new annotations with existing annotations; and
- be specific and accurate as to affected parts and derivatives.

B. Proponent

The proponent may only be a Party to the Convention, in accordance with Article XV of the Convention.

C. Supporting statement

1. Taxonomy

The proponent should provide sufficient information to allow the Conference of the Parties to identify clearly the taxon that is the subject of the proposal.

1.1 Class

1.2 Order

1.3 Family

1.4 Genus, species or subspecies, including author and year

If the species concerned is included in one of the standard lists of names or taxonomic references adopted by the Conference of the Parties, the name provided by that reference should be entered here. If the species concerned is not included in one of the adopted standard references, the proponent should provide references as to the source of the name used.

1.5 Scientific synonyms

The proponent should provide information on other scientific names or synonyms under which the species concerned may be known currently, especially if these names are used in the trade in the species.

1.6 Common names (including, where appropriate, trade names)

1.7 Code numbers

If the species concerned is already included in the Appendices, refer to the code numbers in the CITES Identification Manual.

2. Overview

Provide a brief overview of key elements of the proposal. Parties should cite key sections of the supporting statement. Also explain how the species complies with the criteria in this Resolution.

3. Species characteristics

The information required in this section is a summary of surveys, literature searches, and relevant studies. The references used must be listed in section 12 of the proposal. It is understood that the quality of the information available will vary a lot, but these instructions indicate the type of information that is required. If the proposal relates to a geographically separate population or subspecies, it should consider, where relevant, the biological species in its entirety to provide the appropriate context.

3.1 Distribution

Specify the currently known range of the species. If possible, provide information to indicate whether or not the distribution of the species is continuous and, if it is not, indicate to what degree it is fragmented.

3.2 Habitat

Specify the types of habitats occupied by the species and, when relevant, the degree of habitat specificity and the extent of each habitat type over the range of the species.

3.3 Biological characteristics

Provide a summary of general biological and life history characteristics of the species (e.g., reproduction, recruitment, survival rate, migration, sex ratio, regeneration or reproductive strategies).

3.4 Morphological characteristics

Provide a general description of the morphological diagnostic characteristics of the species, including colour, and information on morphological features by which the species can be differentiated from taxonomically closely related species.

3.5 Role of the species in its ecosystem

If available, provide information about the role of this species in its ecosystem, and other relevant ecological information, as well as the potential impact of this proposal on that role.

4. Status and trends

This section includes qualitative and quantitative information that allow past and present trends to be evaluated pursuant to the criteria. The sources used must be referenced in section 12 of the proposal. It is understood that the quality of the information available will vary. The instructions below indicate the type of information that should be provided if possible. If the proposal relates to a geographically separate population or subspecies, it should consider, when relevant, the biological species in its entirety to provide the appropriate context. If available, the proposal should include any relevant quantitative analyses, stock assessments, etc. The proposal should note whether conclusions are based on observations, inferences or projections.

4.1 Habitat trends

Give information on the nature, rate and extent of habitat change (e.g., loss, degradation or modification), noting when applicable the degree of fragmentation and discernable changes in the quality of habitat. Where appropriate, the relationship between habitat and population trends should be described.

4.2 Population size

Give an estimate of the current total population or number of individuals differentiated by relevant age classes where possible, or other indices of population abundance, based on the most recently available data. Provide information on the source of the data used. Where appropriate provide the number of sub-populations, and their estimated sizes. Population size may be estimated by reference to population density, having due regard to habitat type and other methodological considerations.

4.3 Population structure

Provide basic information on the current structure of the population and any past or current changes over time in that structure (e.g., social structure, population demographics, proportion of mature individuals or sex ratio).

4.4 Population trends

Basic, quantitative and qualitative information, when available, should be provided on current and past trends in the species's abundance (provide sources). The period over which these trends, if any, have been measured should be indicated. If the species naturally undergoes marked fluctuations in population size, information should be provided to demonstrate that the

trend transcends natural fluctuations. If generation-time has been used in estimating the trend, state how the generation-time has been estimated. [NOTE: The present wording assumes that Annex 6 applies to uplisting proposals only]

4.5 Geographic trends

Provide information, when available on current and past trends in the species' distribution, indicating the period over which these trends, if any, have been measured. If relevant give data on the degree and periodicity of fluctuations in the area of distribution.

5. Threats

Specify the nature, intensity and if possible relative importance of human-induced threats (e.g., habitat loss and/or degradation; over-exploitation; effects of competition/predation by introduced species and effects of hybridization, toxins and pollutants; etc.).

6. Utilization and trade

6.1 National utilization

Specify the types and extent of all known uses of the species, indicating trends if possible. Provide details of harvest methods. Indicate the extent to which utilization is from captive-bred, artificially propagated, or wild specimens.

Provide details of any stockpiles known to exist, and the measures that might be taken to dispose of them.

6.2 Legal trade

Quantify the level of international trade, identifying the source of statistics used (e.g., Customs statistics, CITES annual report data, FAO data, industry reports, etc.). Provide justification for inferences made about trade levels. Provide information about the nature of the trade (e.g., primarily for commercial purposes, primarily live specimens, primarily parts and derivatives, primarily of captive-bred or artificially propagated specimens, etc.) and about how the proposed amendment is expected to affect the nature of the trade.

6.3 Parts and derivatives in trade

To the extent possible, list parts and derivatives, including types of products in trade, Customs tariff codes specific to those parts and derivatives, and major importing and exporting countries that trade in those parts and derivatives.

6.4 Illegal trade

To the extent possible, quantify the level of illegal trade, nationally and internationally, and describe its nature. Assess the relative importance of this trade in relation to legal offtake for national use or legal international trade. Provide information on how the proposed amendment is expected to affect the nature of the trade.

6.5 Actual or potential trade impacts

Discuss the importance of current and/or future exploitation for international trade relative to overall use (domestic included) as a threat to the species in question.

7. Legal instruments

7.1 National

Provide details of legislation relating to the conservation of the species, including its habitat, either specifically (such as endangered-species legislation) or generally (such as legislation on wildlife and accompanying regulations). Indicate the nature of legal protection (i.e. is the species

totally protected, or whether harvesting is regulated or controlled). Provide an assessment of the effectiveness of this legislation in ensuring the conservation and/or management of the species.

Provide similar information relating to legislation governing the management of trade in the species in question. Provide an assessment of the effectiveness of this legislation in controlling illegal trade in the species.

7.2 International

Provide details of international instruments relating to the species in question, including the nature of the protection afforded by such instruments. Provide an assessment of the effectiveness of these instruments in ensuring the conservation and/or management of the species.

Provide similar information on international instruments relating to the management of trade in the species in question. Provide an assessment of the effectiveness of these instruments in controlling illegal trade in the species.

8. Species management

8.1 Management measures

Provide details of programmes in place in the range States to manage populations of the species in question (e.g., controlled harvest from the wild, captive breeding or artificial propagation, reintroduction, ranching, quota systems, etc.). Include, where appropriate, details such as planned harvest rates, planned population sizes procedures for the establishment and implementation of quotas, and mechanisms for ensuring that wildlife management advice is taken into account.

Where applicable, provide details of any mechanisms used to ensure a return from utilization of the species in question to conservation and/or management programmes (e.g., pricing schemes, community ownership plans, export tariffs, etc.).

8.2 Population monitoring

Provide details of programmes in place to monitor the status of wild populations and the sustainability of offtake from the wild.

8.3 Control measures

8.3.1 International

Provide information on measures in place, in addition to CITES, to control the movement of specimens of the species in question across international borders. Include information about marking schemes in place, if any.

8.3.2 Domestic

Provide information on controls in the range States aimed at ensuring a sustainable harvest from the wild of the species in question. Include information on education, compliance and enforcement activities as appropriate and an assessment of the effectiveness of the programmes.

8.4 Captive breeding and artificial propagation

Where applicable, provide details of commercial captive-breeding or artificial propagation operations, including plantations, for the species in question within the country in question, including the size of captive stocks and the production, and the extent to which these operations are either contributing to a conservation programme or meeting a demand that would otherwise be met by specimens from the wild. Discuss any management implications of captive-breeding

or artificial propagation programmes. Also provide information on the extent of captive-breeding or artificial propagation outside the country or countries of origin to the extent possible.

8.5 Habitat conservation

Provide information, where available, regarding the number, size and type of protected areas relevant to the habitat of the species, and on habitat conservation programmes outside protected areas.

8.6 Safeguards

In the case of proposals to transfer species from Appendix I to Appendix II or deletion from Appendix II, or proposals involving substantive annotations, provide information on any relevant safeguards.

If the proposed amendment is likely to lead to an increase in trade in the species concerned, explain why this would not result in unsustainable trade in similar species.

9. Information on similar species

Give the names of species of which specimens in trade look very similar. Provide details on how they may be distinguished, including, in particular, details on those commodities or parts and derivatives most common in trade, and explain whether or not it is reasonable to expect an informed non-expert to be able to make a firm identification. Provide details on how to resolve potential difficulties in distinguishing specimens of the species proposed for listing from those of similar species, in particular those specimens most common in trade.

10. Consultations

Provide details of the consultation undertaken to secure comments on the proposal from the range States of the species, either through direct contact or via the CITES Secretariat. Comments received from each country should be provided. Where comments were sought but not received in sufficient time to enable their inclusion in the supporting statement, this should be noted, as well as the date of the request.

In cases of proposals to transfer Appendix-II species that are subject to actions pursuant to Resolution Conf. 8.9 (Rev.) to Appendix I the proponent should consult the affected range State(s) and, as appropriate, the Animals Committee or Plants Committee. The proponent should state the reasons to justify why the amendment proposal was made. In cases of consultation with Parties via the CITES Secretariat, information from range States and non-range States should be separated.

In the case of species that are also managed through other international agreements or intergovernmental bodies, provide details of the consultations undertaken to obtain the comments of those organizations or bodies, and indicate how those comments have been addressed in the supporting statement. Where comments were sought but not received in sufficient time to enable their inclusion in the supporting statement, this should be noted, as well as the date of the request.

11. Additional remarks

12. References