

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

Forty-sixth meeting of the Standing Committee
Geneva (Switzerland), 12-15 March 2002

Reports

Reports of regional representatives

OCEANIA

1. The attached report has been submitted by Australia.
2. As it was received by the Secretariat some time after the deadline for submission of documents, it is provided herewith only in English.

OCEANIA REGIONAL REPORT

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General Information

Parties in the Oceania region:

- Australia (regional representative)
- Fiji
- New Zealand
- Papua New Guinea
- Vanuatu

Communication between Parties in the region

Introduction

Australia, the regional representative for Oceania, has prepared this report. It covers the period between the 45th Standing Committee Meeting held in Paris in June 2001, and the 46th Meeting of the Standing Committee.

Communications in the Pacific are expensive, limited and not particularly reliable. Attempts to improve communication within the region have had some success. Three countries have provided information for this report including Australia, New Zealand and Fiji. Information on Papua New Guinea's and Vanuatu's CITES activities has been provided by the Australian Management Authority.

Wildlife law enforcement conference in Australia

In November 2001 Australia hosted a conference (Combating Wildlife Crime in the 21st Century) for the purpose of promoting inter-agency cooperation and issues of mutual interest and concern in the area of wildlife enforcement. Wildlife enforcement officers and others from government and non-government organisations from the Australasian region shared information and views on ways to achieve better wildlife protection outcomes. Approximately 30 government and international agencies were represented, including senior enforcement officers from New Zealand and Papua New Guinea.

The conference:

- provided a forum for discussion of the enforcement of Australasian wildlife legislation;
- provided a forum for identifying and prioritising relevant issues and discussing approaches to them;
- enabled discussion on current methods of gathering, analysing and disseminating information on breaches of wildlife legislation; and
- enabled discussion on current procedures for investigating and prosecuting breaches of wildlife legislation.

Conference sessions provided information to wildlife officers regarding:

- current trends in wildlife trade in Australia, New Zealand and PNG;

- customs operations in Australia and security issues for Australian Postal Services;
- the role of TRAFFIC Oceania in effective regulation of international wildlife trade;
- the role of the Australian Federal Police and trends in wildlife crime in the 21st Century; and
- new Australian Commonwealth wildlife trade legislation.

Oceania Capacity Building Workshop

CITES Parties and Non-Parties in the Oceania region have been invited to a Capacity Building Workshop to be held in Fiji from 29 April to 1 May 2002. Whilst TRAFFIC Oceania are organising the logistics of the workshop, and the Secretariat is conducting the workshop, Australia, as the Oceania representative on the Standing Committee has been providing support and guidance.

Individual party initiatives

New Zealand

New Zealand national meeting

In June 2001 a national meeting was held with key CITES staff to discuss implementation of CITES and to discuss issues New Zealand would like to focus on in future/ national direction and consistency. The meeting focused on training, new legislation, standardisation, information sharing and the establishment of a national electronic database.

Implementation working group

New Zealand provided comments to Australia on the draft proposal for CoP12, prepared by the United States, on the establishment of a committee to deal with practical CITES implementation issues.

New Zealand gecko in the genera *Hoplodactylus* and *Naultinus*

New Zealand will be submitting a proposal to list all species of New Zealand Gecko in the genera *Hoplodactylus* and *Naultinus*. Recent evidence has shown New Zealand geckos increasingly turning up on the international market at numbers far exceeding the breeding capacity of the captive population. Illegal trade has also been detected. Some wild populations have also declined, at least in part from illegal collection of animals for trade. One species that has no legal captive population is now available on the market, while trade in several other species is increasing. Although fully protected in their range state, animals are fetching high market values outside New Zealand.

New Zealand review of *Anas aucklandica*

NZ Scientific Committee has prepared a review of *Anas aucklandica* as a contribution to the periodic reviews of the appendices. The three species covered by this listing clearly meet the biological criteria for Appendix I listing but there has been very little trade.

Fiji

Implementation difficulties - National legislation project

The environment legislation which Fiji planned to have enacted by April 2001 and which included provisions relating to subsidiary legislation on CITES, has been deferred due to reasons beyond the Government's control. Fiji had however envisaged early in 2001 extracting provisions relating to CITES from an earlier Bill and enacting these separately.

Enactment of CITES legislation has been included in the Fiji Department of Environment's corporate plan for 2002. The Management Authority of Fiji has advised the Secretariat that they are moving forward and assured that, by December 2002 or even before CoP12, they will have new National CITES legislation.

Fiji requests the CITES Standing Committee to consider the efforts of the new elected Government, and to remain mindful of the difficulties associated with the passage of the revised Fiji Sustainable Development Bill (FSDB), in light of political events in 2000 and 2001.

Capacity Building Workshop

Fiji has been liaising with the South Pacific Regional Environment Programme (SPREP), TRAFFIC Oceania, the CITES Secretariat and the Australian Embassy in Suva on the CITES Capacity Building Workshop for Regional Pacific Countries. Fiji has accepted an invitation to host the Workshop from 29 April to 1 May 2002.

Coral

Since the 11th CITES COP, Fiji has undertaken the following activities in relation to the global coral trade:

- The Department of Environment has conducted investigations of resource owners, coral harvesters, traders and others.
- The Department has expressed concern over the Fiji Fishery Division (which is the Department of Environment's scientific partner) authorising the issue of CITES permits for coral and *Tridacna* clams, but recording estimate figures rather than actual figures on the permit. The Fishery Division is experiencing human resource capacity problems. The Customs Department at Nadi International Airport does not verify the volume of commodity exported. Customs officials rely on permits issued by relevant authorities. In these cases, any coral or clam sent out of the country is not independently verified. Since mid-2000, Fiji Fishery Division has been able to provide actual volumes of corals and clams exported by each trader/company, but the figures recorded in the permits still need to be addressed.
- A paper on the subject was prepared for Cabinet's information. In April 2001 Fiji's caretaker government authorised the Department of the Environment to look for independent consultants, preferably from outside Fiji, to conduct an independent investigation into coral trade in Fiji. This will include, where required, scientific assessment and analysis of the impact of coral trade on coral reef ecosystems.
- In February 2001, the South Pacific Regional Environment Programme (SPREP) and the Marine Aquarium Council (MAC) conducted a regional workshop in Nadi to:
 - i) assess the status of coral trade in the region; and
 - ii) introduce certification to representatives, which MAC is working on.

As a result, a new Fiji MAC has been formed, with the Department of Environment represented on it. The intention is to certify that all aspects/phases of the trade are being conducted in a sustainable manner.

Fiji's new Parliamentary Cabinet on 6th November 2001 recommended the Department of the Environment pursue within a 10 month period, a thorough scientific assessment of the whole industry in Fiji, so that a new policy for the industry can be formalised and adhered to. Meanwhile, the industry will be scaled down. Fiji is in the process of finalizing terms of reference for the study and have approached International Marinelife Alliance (IMA) for funding as they indicated to Fiji.

In February 2002, SPREP plans to conduct a workshop on CITES and the Coral trade in Fiji. The intention of the workshop is to provide training to Fisheries, Conservation and Customs Officers in CITES requirements and the identification of Corals in trade.

Sea turtles

Fiji has extended its moratorium on the taking and sale of any turtle product, for a further five years. The moratorium was first declared for the period January 1995 to December 2000.

Whales

Fiji supported the establishment of the a South Pacific Whale Sanctuary because establishment of the Sanctuary:

- would be consistent with the Precautionary Principle enshrined in Principle 15 of the Rio Declaration; and
- would provide economic benefits to the region by supporting whale-watching businesses.

In a meeting in Apia, Samoa in April 2001, Fiji supported NZ and Australia in raising this issue once again at the next International Whaling Commission meeting in July 2001.

Other species

The Fiji Department of Environment has approached some academic staff at the University in Suva and others, regarding the identification of CITES-protected species present in Fiji. Their purpose is to find out more about the local status of some species, particularly in relation to trade.

Papua New Guinea

Papua New Guinea organisation restructuring/program implementation

Following restructuring of the Office of Environmental Protection in 1999, two new positions have been created within the new organisational structure to ensure that planned national programs and activities for both CITES Management and Scientific Authorities are implemented. Officers were appointed in June/July of 2001.

The CITES Management Authority Technical Officer is responsible for coordinating CITES related programs and activities within the implementing agency, other government agencies and institutions.

The CITES Scientific Authority Scientific Officer is responsible for coordinating CITES Scientific Authority related programs in Papua New Guinea.

Legislation (Papua New Guinea)

A legislative review of Papua New Guinea's national legislation was completed, with appropriate instruments submitted to legislators in 1998. It is anticipated that the national legislation will be debated in the Parliamentary Council in March 2002.

Gaharu wood or Agarwood trade

Trade in Gaharu wood has emerged as a relatively recent problem in Papua New Guinea and the 'minor forest product sector' is not organised to deal with this type of trade. The bulk of this trade is illegal movement across the border with Indonesia. A particular enforcement difficulty is lack of scientific information for identification purposes.

Visits by Gaharu wood traders from neighbouring Malaysia and Indonesia into Papua New Guinea are having an impact on the trade, creating concerns about the sustainability of this resource and negative effects on the lives of some rural village communities.

The Papua New Guinea CITES Management Authority has raised concerns about the sustainability of this trade, with the Papua New Guinea Forest Service and has had consultation with the Papua New Guinea Forest Service, the Internal Revenue Commission and other government agencies to look at control measures for this trade. At a recent meeting, an interim interdepartmental committee decided to place a temporary ban on this trade until it has been established whether the species in use in Papua New Guinea is the CITES-listed *Aquilaria malacensis*.

In conjunction with WWF South Pacific Programme, TRAFFIC Oceania have published a report "*Towards sustainable management of Papua New Guinea's Agarwood resource*" with recommendations for further action including:

- raise awareness amongst stakeholders to ensure best practice sustainable harvest guidelines;
- conduct CITES assessment with specific reference to Decisions 11.112 and 11.113 an analysis on whether to include additional species in the Genus *Aquilaria* in CITES Appendix II;
- develop conservation and management strategy in PNG;
- conduct further field research on gaharu trade in New Guinea;
- develop legislative mechanisms and enforcement /management capacity in PNG;
- taxonomic research, noting that the systematic relationship between *Aquilaria* and *Gyrinops* requires further study; and
- further cooperation between stakeholders in PNG.

Papua New Guinea will require further scientific work and investigation to be done on this trade:

- to determine whether a proposal to list the entire genus *Aquilaria* on Appendix II is appropriate; and
- as very little is known about grading of the products, to support development of standard trade controls and guidelines for this trade.

Swallow nest trade

Significant numbers of swallow nest traders are visiting Papua New Guinea's border areas and conducting illegal trade across the border. The Management Authority is looking at possible options for establishing this trade legally in Papua New Guinea to control illegal activities across the border. They will require some technical assistance for this.

Vanuatu

Late or Non-Submission of annual reports

Vanuatu has already responded to the CITES Secretariat in 2001 regarding non-submission of its annual reports. Vanuatu have provided reasons to justify their case however, have not heard whether Vanuatu's justification of non-submission of reports has been considered positively.

They are currently compiling the report for the periods 1997-2001 which should be submitted to the CITES Secretariat before COP12.

Australia

Australian legislative reform

Legislation to replace Australia's *Wildlife Protection (Regulation of Exports and Imports) Act 1982* was passed by the Australian Parliament on 29 June 2001. Provisions relating to CITES and wildlife trade now form a new Part, Part 13A, within the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The provisions of the new legislation came into force on 11 January 2002.

The new legislation introduces a number of new or changed provisions in relation to the import and export of CITES listed species and their products. These changes are designed to enhance Australia's ability to comply with CITES obligations and to streamline permitting and administrative processes. For example, the new legislation has provisions for Australia to issue a pre-CITES Certificate. This was previously not possible. Additionally, the presentation of a pre-CITES Certificate will be sufficient to import a specimen into Australia, thereby removing the extra administrative step of issuing an import permit as previously required.

The new legislation provides a more efficient and effective regulatory framework. There is no weakening of the strict controls that Australia has traditionally maintained on the export of native wildlife, import of exotic species or the movement of CITES-listed species.

The new legislation maintains Australia's strong commitment to CITES.

More information on Australia's new wildlife trade legislation can be found at the following web site <http://scaleplus.law.gov.au/html/comact/11/6370/top.htm>

Australian Wildlife Trade Management Database

The last 6 months has seen the development of a new Wildlife Management Database for Australia. The database came on line on 11 January 2002, coinciding with Australia's new wildlife trade legislation. The primary objectives of the new database project were to develop a system for processing applications, distribution of information, and report generation that:

- Increases administrative and business efficiencies;
- Establishes and provides innovative or best practice solutions for business functions;
- Eliminates duplication of data entry;
- Ensures data integrity;
- Increases reporting capacity and timeliness; and
- Integrates the permitting, registry and financial systems.

The primary functions of the database enable Australia to improve management and accountability and to improve our capacity to assess and analyse all of the information associated with wildlife management. This includes capturing details about all approved categories of non-commercial and commercial wildlife trade and CITES certificates. The database provides for administrative and business efficiencies, reduced data entry and ensures data integrity. It also allows for more advanced interrogation and increased reporting.

New Australian CITES Permits

Australia has new permits that reflect the CITES recommendation for standardisation of these documents in Resolution Conf 10.2 (Rev). They are being printed on high standard security paper that will render permits void if photocopied. Specimen permits have been sent to the Secretariat for distribution to the Parties.

Carcharodon carcharias (Great White Shark)

Australia has listed the Great White Shark on Appendix III of CITES. This came into effect on 29 October 2001. To date only one country (Japan) has placed a reservation on this listing.

The proposal to list the Great White Shark on Appendix III can be found at the following web site <http://www.ea.gov.au/coasts/species/index.html>. The proposal also includes a CITES Identification Manual for the White Shark for use by CITES Parties.

Shark Protection

CITES has sought to increase protection afforded to sharks by seeking to cooperate with the United Nations Food and Agriculture Organisation (FAO) and other international fisheries management organisations to establish programs to collect and assemble the necessary biological and trade data on shark species and work towards better management of shark fisheries.

On 24 January 2002 a comprehensive National Shark Assessment Report (SAR), prepared by the Australian Shark Advisory Group comprising key stakeholders was released. The SAR contains information about catch effort in Australia's shark fisheries, the status of stocks and management measures in place.

Key issues identified in the SAR include: the need for the improved recording of all shark catches; the need for greater consistency between jurisdictions in the management of shark stocks; enhanced cross-jurisdictional management of stocks; and national controls on shark finning. It also examines the impact of recreational and game fishing, markets for shark products and beach protection programs on sharks.

The SAR provides a basis for the development of Australia's National Plan Of Action (NPOA)-Sharks. The development of an NPOA-Sharks is part of Australia's commitment to the International Plan of Action for the Conservation and Management of Sharks, which was adopted by the FAO.

Species Management Workshop – Indonesia

Australia is funding and facilitating a workshop to be held in Bogor, Indonesia from 15 to 17 April 2002. The aim of the workshop is to enhance the administrative and technical capacity of the CITES Scientific Authority and Management Authority of Indonesia to implement the provisions of CITES that relate to sustainable use of Appendix-II species of wild fauna and flora. Participants are to include representatives of the Indonesian CITES Management and Scientific Authorities, Directorate General of Fisheries and Non-Government Organisations.

Standing Committee

Ms Anne-Marie Delahunt in her capacity as the representative for Australia and Oceania on the CITES Standing Committee attended the 45th meeting of the Standing Committee in Paris, France in June 2001. At this meeting Australia was nominated to a position on the Implementation Committee Working Group and the Strategic Plan Working Group.

Implementation Working Group

Australia has provided comments on the draft proposal for CoP12, prepared by the United States, on the establishment of a committee to deal with practical CITES implementation issues.

Criteria Review

Australia has remained actively engaged in the implementation of Decision 11.2 regarding the review of the criteria for amendment of Appendices I and II. Australia provided its comments to the Secretariat in October 2001 as requested in CITES Notification 2001/037.

Animals Committee

Australian representative Tom Kaveney participated in the 17th meeting of the Animals Committee in Hanoi, Vietnam in August 2001 and Australia continues to participate in the Syngnathid working group and an inter-sessional contact group on trade in Hard Corals.

Australia submitted a report to the Secretariat on the status, catches and by-catches of, and trade in, seahorses and other syngnathids as requested in Notification 2001/034.