

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

Forty-seventh meeting of the Standing Committee
Santiago (Chile), 1-2 November 2002

Interpretation and implementation of the Convention

Implementation of the Convention in individual countries

National Legislation Project

FIJI CORAL TRADE

1. This document has been prepared by the Secretariat.

Background

2. At its 46th meeting (SC46, Geneva, 12-15 March 2002) the Standing Committee:

agreed to suspend temporarily its recommendation to suspend trade, in light of the commitment of the Government of Fiji to table national legislation for the implementation of CITES at its next parliamentary session in June 2002, and to have such legislation enacted before the end of 2002.

3. Fiji submitted a draft Protected Species Act 2002 to the Secretariat on 18 July 2002 and written comments were provided by the Secretariat on 28 July 2002. The draft bill takes into account the CITES model law. It is understood that a revised legislative text was tabled during the September session of the Fiji Parliament and should be enacted by 31 December 2002.
4. At SC46 Fiji further "committed to implementing a plan of action to address the concerns over the unsustainable levels of trade in corals from Fiji that existed before the trade was suspended".
5. The Standing Committee decided that the Secretariat should "report at the next meeting of the Standing Committee on the implementation of this action plan".
6. The Secretariat organized the first regional CITES workshop for Small Island Developing States in Oceania from 30 April to 3 May 2002 in Fiji. At that time, Fiji indicated it was still gathering data on coral exports that had taken place during 2001 and 2002.

Implementation of the action plan

7. The Secretariat provides the following information in relation to the main points (in italics below) of the action plan.

- i) Fiji will voluntarily reduce its national exports of coral specimens to 50 per cent of the level of trade that occurred in 2001;*

On 18 July 2002 the Management Authority submitted to the Secretariat a table showing the 'Voluntary Coral Quota 2002' for the Fiji Islands. The table shows a list of total quantities of various coral species exported during 2001 and a list of those quantities reduced by 50 per cent as the total quantities proposed for export during 2002. The basis for calculating the total quantities exported in 2001, however, was not clear as Fiji did not submit either an annual report for 2001 or copies of the export permits issued during that year. It stated that copies of the 2001 permits could be provided and the Secretariat requested that these be sent but they have never been received. Fiji further stated it would provide within one month "copies of all CITES Permits issued in 2002, along with actual trade data for the year to date". This information also has never been received. On 5 August 2002 Fiji was notified again that it remained potentially subject to a recommendation to suspend trade for its failure to submit annual reports for three consecutive years during 1997-2000.

- ii) No exports of coral specimens shall be authorized until the voluntary reduced quota is in effect (i.e. when notified by the Secretariat and the voluntary quotas are published on the CITES website);*

Information provided to the Secretariat by Fiji and other Parties has indicated that coral shipments left Fiji after SC46 and were received by several Parties even though the trade suspension was still in place and the voluntary reduced quotas were not in effect at the time (i.e. the Secretariat had not notified Parties of the voluntary national quotas or published them on the CITES website). The Secretariat has asked Fiji on three occasions to confirm that the action plan was being followed but no response has been received. The United Kingdom recently refused to grant import permits for coral specimens from Fiji that apparently originated in the Solomon Islands and Tonga and were exported to Fiji after 1 May 2002.

- iii) All export permits issued to authorize trade under this quota shall be copied to the Secretariat; and*

As mentioned above, no export permits issued by Fiji during 2001 or 2002 have been copied to the Secretariat.

- iv) Permits to authorize exports from Fiji shall be issued only by the Management Authority authorized to issue CITES documents.*

The Secretariat has been advised by the CITES authority of one Party that exports from Fiji have been accompanied by documents that were not issued by the CITES Management Authority of Fiji.

Conclusion

8. Information received by the Secretariat suggests that the Government of Fiji may not have control over international coral trade in the absence of adequate legislation. As it has been unable either to engage the Management Authority in regular communication or to verify Fiji's full compliance with the action plan, the Secretariat has not issued a Notification to the Parties temporarily suspending the Standing Committee's recommendation to suspend trade contained in Notification to the Parties No. 2002/003.