

REPORT FOR THE CARIBBEAN SUB-REGION
FOR THE PERIOD MARCH 2002 – FEBRUARY 2003

1. Legislative, regulatory and administrative measures during the period

a) CITES enabling legislation

Parties within the Caribbean are at varying stages of response to Decision 11.132 with regard progress by countries under the National Legislation Project. This initiative requires certain countries to strengthen national legislation by amending existing provisions to include CITES provisions or to enact CITES-specific legislation to fulfil the four minimum requirements of the Convention (designation of national CITES authorities, prohibition of trade in violation of the Convention, penalisation of illegal trade, and authorisation to confiscate specimens illegally traded or possessed).

Caribbean Parties fell into three categories:

- those affected by Decision 11.17 (Antigua and Barbuda, Dominica, and Jamaica): as countries not engaging in high levels of international trade in CITES-listed species but lacking legislation to meet the above-mentioned requirements;
- those affected by Decision 11.18 (Dominican Republic): as high trade countries which lacked the necessary legislation; and
- those affected by Decision 11.19 (Bahamas, Barbados, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago): as countries not engaging in high levels of international trade in CITES-listed species but lacking one or more of the CITES legislative requirements mentioned above.

In addition, Grenada became a new party to the Convention, after CoP11. Cuba already had adequate legislation in place.

At this point in time, countries are in the following positions:

- Jamaica has been able to enact CITES legislation.
- Dominican Republic, Barbados, Saint Lucia and Trinidad and Tobago indicated that they had prepared and submitted various forms of draft CITES legislation to the Secretariat (Trinidad is of the opinion that they may still need more comprehensive legislation).
- The CITES Legislative Plan required of Parties by SC46 had been submitted to the CITES Secretariat by May 2002, by Barbados, Dominican Republic, and Saint Lucia.
- St Kitts and Nevis has submitted the CITES model law for consideration by their Legal Department and awaits Saint Lucia's draft law as further guidance. Several regional countries have indicated their interest in reviewing Saint Lucia's draft, once finalised in consultation with the CITES Secretariat.

- Dominican Republic is in the process of enacting their CITES legislation. Jamaica has submitted a revised legislative analysis to the Secretariat for technical feedback.
- Cuba has recently conducted a review of its existing CITES legislation with the aim to improve the effectiveness of enforcement and control through better operational systems for environmental inspectors.

At a meeting of the Caribbean sub-region, held along with Marceil Yeater of the Secretariat during CoP12, Parties identified an *urgent* need for assistance from the Secretariat in facilitating legislative progress. Barbados also noted their concern over a lack of response at that point to their draft legislation. As a consequence, Saint Lucia recently requested urgent technical assistance from the CITES Secretariat for affected countries of the sub-region to ensure that they meet the December 31st deadline for having necessary legislation in place. The Saint Lucia draft law was at that time being scrutinized by the legislative team at the CITES Secretariat as a possible model for other Caribbean Parties to use. It is hoped that a technical mission can be conducted by the Secretariat to relevant Caribbean Parties, providing the sort of assistance that Saint Lucia was able to benefit from during early 2002.

Parties of the region represent some of the smallest independent economies within the Convention, and as such, are particularly constrained in terms of technical manpower and finance to undertake activities such as legislative drafting and technical review. Special attention should therefore be paid to facilitating and accommodating progress in this matter for the Caribbean sub-region.

b) CITES administration and enforcement

CITES enforcement remains an area of particular concern to the sub-region. As SIDS with significant areas of marine jurisdiction and some of the rarest types of fauna and flora, enforcement continues to present particularly high levels of burden and challenge for countries. Caribbean Parties are continually challenged by the administrative and enforcement demands of environmental conventions. CITES must also continue to identify means for facilitating special consideration towards SIDS for effective implementation and enforcement, as technical and financial assistance though the Secretariat and Parties to the Convention remain integral components in enhancing national capacities for Caribbean countries. Many Parties such as Dominica, Grenada and Antigua and Barbuda recognise the need to put in place improved collaborative systems for CITES administration and enforcement, and remain constrained by financial and human resource limitations.

National administration of CITES has been strengthened in some regional Parties, with the establishment of inter-agency coordinating bodies, and the strengthening of national management and scientific authorities. In the case of Saint Lucia, the CITES coordinating committee continues to operate to maximise consultation and pool resources for CITES activities. St Vincent and the Grenadines have established formal scientific and management committees, the former under the Chair of the Chief Agricultural Officer, the latter under the Permanent Secretary of the Ministry of Agriculture and Fisheries. Barbados has taken several steps to achieve more efficient review of permits via computerisation of application and permit forms. Additionally, a database has been created to allow for easier preparation of annual reports and facilitate monitoring particulars pertaining to trade in listed species. Green monkeys (*Cercopithecus aethiops sabeus*) and red-footed tortoises (*Geochelone carbonaria*) comprised the main CITES exports in Barbados during 2001. An active and competent

CITES scientific authority continued to operate. Inspections and careful monitoring of breeding and other facilities housing CITES-listed species continue to be undertaken in Barbados.

Smuggling of the endemic parrots of the sub-region remains an area of concern. Enforcement limitations within islands such as Saint Vincent and the Grenadines, and Saint Lucia make it difficult to prevent the sale of eggs and young parrots to foreigners in many secluded parts of these islands. The sub-regional meeting of the Caribbean during CoP12 highlighted the need for improved communication among Parties with regard to enforcement issues, and the need for Parties to seek assistance from the Secretariat via relevant notifications to alert other Parties to possible illegal trade in CITES-listed species of the sub-region. The Secretariat agreed to pursue this issue with the affected Parties and to assist in investigations, as the need arises.

Parties of the region remain concerned over the procedures which led to the application of Resolution Conf. 8.9 (Rev.) regarding significant trade in conch, which appears discriminatory as it particularly targeted small island Caribbean Parties, whereas the more significant harvesters and traders of conch within the broader region remained unconstrained by this particular notification. Jamaica arrested three Honduran vessels in 2002 and this year members of a Honduran crew for illegal fishing of Queen Conch. Jamaica has requested the Secretariat to review the situation, as significant traders in conch continue to operate without the level of responsible resource use, monitoring and regulation required of those Parties that remain affected by Resolution Conf. 8.9 (Rev.).

c) Submission of annual and biennial reports

Parties are required to submit annual reports to reflect importation, exportation and re-exportation of CITES-listed species. Sub-regional Parties, with the exception of Dominica, have met the requirements for reports up to 1999. Additionally, Antigua and Barbuda, Bahamas, Barbados, Cuba, Dominica, Dominican Republic, Jamaica, Saint Lucia, and Saint Vincent and the Grenadines have submitted their annual report for 2001. The Secretariat has been assisting Dominica in fulfilling their requirements for annual reports so as to be able to withdraw the recommendation of suspension of trade currently in place. Grenada, as a new Party to the Convention, also should be assisted in the preparation and submission of annual reports for 1999 and 2000.

Biennial reports on legislative, regulatory and administrative measures are also required. A review undertaken by the Secretariat and considered at CoP12 showed that, for the 1990-2001 period, Barbados, Jamaica, Saint Lucia, and Trinidad and Tobago had occasionally included information on such measures within their annual reports, but generally Parties of the sub-region have not been submitting individual biennial reports. Information on legislative, regulatory and administrative measures however, has been included within recent sub-regional reports to the Standing Committee. It is recommended that the Secretariat and Standing Committee endeavour to find the most efficient means for countries to report on aspects of national implementation of the Convention without imposing excessive demands on limited manpower within many countries. Reporting measures will need to be achievable by the more constrained Parties (such as SIDS). The development of a questionnaire/template type format may allow countries to quickly and consistently provide key information in a standard format.

d) National registries and sub-regional communication

At a sub-regional meeting of the Caribbean held during CoP12, many Parties expressed concern over continued problems of poor communication with the Secretariat. A commitment was made to take the necessary steps to improve communication among Parties and also with key contacts at the Secretariat. Consequently, Saint Lucia has produced an updated e-mail list as a means of better facilitating efficient communication among CITES coordinators. A list serve is soon to be created. Effective communication is fundamental to timely implementation of CITES obligations consequent to Resolutions, Decisions and Notifications. The Secretariat should continue to provide assistance to regional representatives for improving the means and degree of communication within their respective regions.

Responses to Notification to the Parties No. 2002/033 should have resulted in current contact information for some country CITES authorities, enforcement agencies and relevant technical experts.

2. Preparation for CoP12

Despite efforts to secure funding for a distinct regional meeting for South and Central America and the Caribbean prior to CoP12, Parties of the region had to settle for a one-day meeting held just prior to CoP12. Although this allowed for some level of presentation and discussion of some of the proposals before CoP12, it did not enable adequate preparation and consensus building by the region. The region also was able to meet for short periods during the Conference.

The Government of Antigua and Barbuda was able to host a pre-CITES meeting in October 2002 where representatives from Antigua, Barbados, Cuba, Dominica, Grenada, Jamaica, Saint Kitts and Nevis, Saint Lucia, Surinam, and Trinidad and Tobago were present, along with others from Benin, Botswana, El Salvador, Japan, Namibia, South Africa and Zimbabwe, and from organisations such as ECCO and IWMC. This meeting provided a valuable opportunity for discussion on a number of proposals for amendments to the Appendices, and other items for consideration at CP12 and SC47.

The importance of broader regional meetings cannot be over-emphasised. Only through regular and effective meetings, can a region as geographically, culturally and economically heterogeneous as the South and Central America and the Caribbean region of CITES, forge important collective progress and understanding. Such opportunities are also important to enhance the ability of smaller Parties to best contribute to meetings of the CoP. The Secretariat must find means to the region in holding the necessary meetings during intersessional periods.

Over a number of years, Cuba's national CITES group has been able to prepare clear and precise national positions for meetings of the Conference of the Parties, and CoP12 was no exception. Cuba was then able to share its positions at meetings of the Caribbean sub-region and the broader regional pre-CITES meetings.

Barbados also engaged in early preparation for CoP12, as both the management authority and scientific authority reviewed and met to discuss the various documents and proposals, as they became available. Thus a clear national position was generated in advance of CoP, sanctioned by the Cabinet of Ministers. Lateness in some of the documentation and the lack of a CITES-facilitated regional meeting well in advance of the CoP were cited as placing considerable constraint on generating a level of regional or sub-regional consensus.

3. CITES training activities

The majority of Caribbean Parties were unable to attend a regional CITES workshop held in 2002 in Nicaragua, as they did not qualify for financial assistance, which was provided to countries with high levels of trade in CITES-listed species. Saint Lucia had requested the Secretariat seek to hold a similar technical workshop for the Caribbean, as despite low CITES trade levels, there are high number of endemic and rare species within the Caribbean sub-region, many of which are listed under the Convention. Additionally, because of small size and limited economies, such Parties suffer some of the most severe constraints in meeting national obligations under the Convention. The urgent need for such a workshop was reiterated during a meeting of the Caribbean sub-region which took place at CoP12. Here it was noted that training was needed in the role of scientific and management authorities, CITES enforcement, forensic science, customs controls, non-detriment findings, verification of certificates, reporting, and development of CITES legislation.

A training CD ROM created and circulated by the Secretariat at CoP12 will provide a useful training tool for countries. The continued development and distribution of such tools is encouraged. Cuba was able to make use of the CITES CD during ongoing training activities for environmental and customs officials. Cuba, however, reiterates the importance of CITES workshops and seminars using expertise from the CITES Secretariat and other international experts, as this is the most effective means of ensuring local enforcement officers and others are kept abreast with new issues and methods for CITES enforcement and implementation.

4. Public education efforts

As small island developing states, Parties of the region remain constrained in the degree to which they can undertake adequate public awareness activities to keep CITES at the forefront of national environmental awareness. Generic CITES posters, presentations, and brochures are always useful, and developed Parties are encouraged to consider donating such resources to management authorities within the Caribbean region. Barbados and Saint Lucia plan to implement a campaign once national CITES laws have been established. Additionally, Barbados will be placing CITES material on the website maintained by the Ministry of the Environment.

5. Participation in meetings of the SC

During the period under review, Saint Lucia participated in the 46th, 47th and 48th meetings of the Standing Committee, having received some relevant input from countries prior to participation. A report of the 46th SC meeting was prepared and circulated electronically to in-country CITES coordinators. There is still need for greater levels of input from countries to ensure appropriate sub-regional representation at meetings of the SC. The Secretariat should continue to assist regional representatives in facilitating improved levels of communication among Parties.

6. Participation in the Second Hawksbill Turtle Dialogue

The above-mentioned meeting was held in Grand Cayman, Cayman Islands, from May 21 to 23, 2002 and was attended by the following Caribbean Parties: Bahamas, Barbados, Cuba, Dominica, Dominican Republic, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines and Trinidad and Tobago. The Dialogue provided a useful forum for improved communication and sharing of information on the conservation and sustainable use of hawksbill and other marine turtles in the region. The protocol for

monitoring of nesting and foraging areas was adopted, with considerable technical inputs from regional Parties on that working group, including Cuba and Barbados.

However, countries that practice sustainable extractive use of sea turtles resources remained concerned that this aspect was not reflected in the communiqué and draft resolution prepared at the Dialogue meeting for the consideration of CoP12. Deliberations at the CoP resulted in the specific inclusion of sustainable use of this regional resource within the agreed decision. It is important that meetings of CITES Parties are sensitive to and reflective of the range of uses of living resources within the region, and are committed to the promotion of sustainability of such resources through all aspects of responsible use and effective conservation.

During the period, a number of Parties completed and submitted a Traffic questionnaire for a CITES review of exploitation, trade and management of marine turtles in the Lesser Antilles, Central America, Colombia and Venezuela.

7. Priority needs for the sub-region

- Technical assistance is needed for Parties of the sub-region to ensure that they meet the December 31st deadline for CITES-enabling legislation. It is hoped that a technical mission to relevant Caribbean Parties can be conducted by the Secretariat as a matter of urgency.
- CITES Secretariat should continue to identify means for giving special consideration to SIDS so as to better facilitate their effective implementation and enforcement of CITES.
- The Secretariat and Standing Committee should determine an efficient means for countries to submit biennial reports so as not to impose excessive demands on the limited manpower within SIDS (reporting measures must be achievable by even the most constrained Parties).
- The Secretariat should continue to provide assistance to regional representatives for improving the degree of communication within the region.
- The Secretariat should work with Parties to ensure that adequate opportunity is given for regional meetings within the intersessional period.
- The Secretariat should assist Caribbean Parties in identifying the means to hold a technical training workshop for the Caribbean region, preferably during 2003.