

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

Fiftieth meeting of the Standing Committee
Geneva (Switzerland), 15-19 March 2004

Interpretation and implementation of the Convention

SIGNIFICANT TRADE IN SPECIMENS OF APPENDIX-II SPECIES

1. This document has been prepared by the CITES Secretariat.
2. The Review of Significant Trade in *Naja naja* spp. was initiated by the Animals Committee between the 11th and 12th meetings of the Conference of the Parties (Gigiri, 2000, and Santiago, 2002). The Animals Committee had categorized the species and formulated recommendations in compliance with Resolution Conf. 8.9 (Rev.) and Decision 11.106. This Resolution and Decision have now been replaced by Resolution Conf. 12.8 on Review of Significant Trade in specimens of Appendix II species.
3. At its 19th meeting (Geneva, August 2003), the Animals Committee examined the responses of range States to its recommendations in accordance with Resolution Conf. 12.8 (see documents AC19 Doc. 8.3 and AC19 WG8 Doc. 1). The Secretariat had in several cases corresponded with range States, sent reminders or urged at various meetings with representatives of Management or Scientific Authorities that responses be submitted.
4. *Naja naja* spp. was categorized as 'of urgent concern'. The deadlines for the relevant range States to respond to the recommendations established by the Animals Committee have expired.
5. In accordance with paragraph q) of Resolution Conf. 12.8, the Secretariat, in consultation with the Chairman of the Animals Committee, has determined whether the recommendations referred to in paragraph 2 have been implemented.
6. Paragraph s) of Resolution Conf. 12.8 states that:

when the Secretariat, having consulted with the Chairman of the Animals or Plants Committee, is not satisfied that a range State has implemented the recommendations made by the Animals or Plants Committee in accordance with paragraphs n) or o), it should recommend to the Standing Committee appropriate action, which may include, as a last resort, a suspension of trade in the affected species with that State. On the basis of the report of the Secretariat, the Standing Committee shall decide on appropriate action and make recommendations to the State concerned, or to all Parties

7. Paragraph u) further states that:

a recommendation to suspend trade in the affected species with the State concerned should be withdrawn only when that State demonstrates to the satisfaction of the Standing Committee, through the Secretariat, compliance with Article IV, paragraph 2 (a), 3 or 6 (a)

8. The Secretariat's recommendations for *Naja naja* spp. have been formulated in consultation with the Chairman of the Animals Committee. They are presented in the Annex to this document for consideration by the Standing Committee, which has to decide on appropriate action and make recommendations to the State concerned, or to all Parties. The Secretariat will notify the Parties of any decisions made by the Standing Committee.

Acipenseriformes from the Caspian Sea

9. At its 45th meeting (Paris, June 2001), the Standing Committee agreed on a comprehensive range of actions concerning the conservation and management of and trade in specimens of sturgeons from the Caspian Sea (document SC45 Doc. 12.2). Three deadlines were set for the implementation of these actions by Azerbaijan, Kazakhstan, the Russian Federation and Turkmenistan.
10. The Secretariat informed the Committee at its 46th meeting (Geneva, March 2002), that the relevant Parties had satisfactorily implemented the actions specified by the first two deadlines. The Secretariat provided its assessment of compliance with the remaining deadline at the 47th meeting of the Committee (Santiago, November 2002) (document SC47 Doc. 11). The Secretariat concluded that all four countries had substantially complied with the recommendations by the last deadline. Nevertheless, as further improvements in a number of fields were required, the Standing Committee agreed to extend the deadline for the implementation of certain actions that were dependent on support from external agencies by a further 12 months, i.e. until 31 December 2003, to allow for technical inputs from experts and to provide further incentives for the implementation of the priority actions concerning stock assessments and quotas.
11. The Secretariat has received and is analysing information from Azerbaijan, Kazakhstan, the Russian Federation and Turkmenistan regarding actions undertaken to comply with the recommendations. The Secretariat will determine, in consultation with the Chairman of the Animals Committee, whether the recommendations have been met by the four range States. It will report its determination to the Standing Committee at the present meeting and will recommend appropriate actions.

RECOMMENDATIONS OF THE ANIMALS COMMITTEE FOR
 SPECIES SELECTED BETWEEN THE 11TH AND 12TH MEETINGS OF THE CONFERENCE OF THE PARTIES
 AND RECOMMENDATIONS OF THE SECRETARIAT, AFTER CONSULTATION WITH THE CHAIRMAN OF THE ANIMALS COMMITTEE, TO THE
 STANDING COMMITTEE

Recommendations	Responses received from range State and recommendations to the Standing Committee (in bold)
<p style="text-align: center;"><i>Naja naja</i> spp.</p> <p><u>Lao People's Democratic Republic</u></p> <p>The competent authority of Lao PDR should not issue export permits until it has established a cautious export quota and provided a satisfactory scientific basis for this quota to the Secretariat.</p> <p>(The competent authority has six weeks to advise the Secretariat that it accepts the recommendations, and a further 90 days to comply with the recommendation.)</p>	<p>The Secretariat wrote to the authorities of Lao PDR in March 2001, requesting information on the scientific basis on which they had established that the quantities of specimens of <i>N. naja</i> spp. exported from 1995 to 2000 were not detrimental to the survival of the species; on population distribution and trends, harvest rates, outcomes of population monitoring programmes, management programmes, etc.; and on the determination under Article IV that <i>N. naja</i> spp. specimens exported during this period were legally acquired.</p> <p>No response has been received by the Secretariat.</p> <p>The Secretariat proposes that the Standing Committee recommend to all Parties that, until the actions recommended have been implemented, no imports of specimens of <i>Naja naja</i> spp. be accepted from Lao PDR, no matter where they originate.</p>

Malaysia

The Management Authority of Malaysia should not issue export permits until it has established a cautious export quota and provided a satisfactory scientific basis for this quota to the Secretariat.

(The Management Authority has six weeks to advise the Secretariat that it accepts the recommendations, and a further 90 days to comply with the recommendation.)

The Secretariat wrote to the Management Authority of Malaysia in March 2001, requesting information on the scientific basis on which it had established that the quantities of specimens of *N. naja* spp. exported from 1995 to 2000 were not detrimental to the survival of the species; on population distribution and trends, harvest rates, outcomes of population monitoring programmes, management programmes, etc.; and on the determination under Article IV that *N. naja* spp. specimens exported during this period were legally acquired.

In April 2001, the Management Authority of Peninsular Malaysia responded. It clarified the legal origin of the specimens of *N. naja* spp. that had been exported and the legal status of the species in this part of the country. It explained that inventories in designated protected areas of Peninsular Malaysia had been initiated in January and would be completed by December 2001. These would provide information for future management of the species. The Management Authority of Peninsular Malaysia was seeking funding to expand this survey effort, which would be the basis for establishing an export quota. Concerns were expressed about illegal trade of specimens of *N. naja* spp. into Peninsular Malaysia from neighboring countries.

No response was received regarding trade in or management of *N. naja* spp. in Sabah and in Sarawak, and no national export quota was established. Malaysia continued to export specimens of *N. naja* spp. in 2001 and 2002.

The Secretariat proposes that the Standing Committee recommend to all Parties that no imports of specimens of *Naja naja* spp. be accepted from Malaysia from 15 May 2004, no matter where they originate, if by this date it has not done the following:

	<ul style="list-style-type: none">a) adequately informed the Secretariat of its implementation of Article IV for trade in <i>N. naja</i> spp. in Peninsular Malaysia, Sabah and Sarawak; andb) established a cautious national export quota for the species.
<u>Thailand</u> The Management Authority of Thailand should not issue export permits until it has established a cautious export quota and provided a satisfactory scientific basis for this quota to the Secretariat. (The Management Authority has six weeks to advise the Secretariat that it accepts the recommendations, and a further 90 days to comply with the recommendation.)	<p>The Secretariat wrote to the Management Authority of Thailand in March 2001, requesting information on the scientific basis on which it had established that the quantities of specimens of <i>N. naja</i> spp. exported from 1995 to 2000 were not detrimental to the survival of the species; on population distribution and trends, harvest rates, outcomes of population monitoring programmes, management programmes, etc.; and on the determination under Article IV that <i>N. naja</i> spp. specimens exported during this period were legally acquired.</p> <p>No response has been received by the Secretariat. Thailand has not established export quotas. It continued to export specimens of <i>N. naja</i> spp. in 2001 and 2002.</p> <p>The Secretariat proposes that the Standing Committee recommend to all Parties that, until the actions recommended have been implemented, no imports of specimens of <i>Naja naja</i> spp. be accepted from Thailand, no matter where they originate.</p>