

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



Sixty-second meeting of the Standing Committee
Geneva (Switzerland), 23-27 July 2012

Interpretation and implementation of the Convention

Species trade and conservation

TORTOISES AND FRESHWATER TURTLES

1. This document has been submitted by the United States as Chair of the Standing Committee Working Group on Tortoises and Freshwater Turtles (WGTF) on behalf of the members of the working group¹.
2. Members: United States of America (Chair), China, Democratic Republic of the Congo, France, India, Indonesia, Islamic Republic of Iran, Japan, Kenya, Netherlands, Pakistan, Seychelles, Switzerland, Thailand, Ukraine, United Kingdom, Animal Welfare Institute, Chelonian Research Foundation, Conservation International, Eurogroup for Animals, Humane Society International, IUCN Tortoise and Freshwater Turtle Specialist Group (technical advisor), Pro Wildlife, Species Survival Network, SWAN International, TRAFFIC, and Wildlife Conservation Society. Secretariat: Chief, Scientific Services.
3. The WGTF conducted its discussions electronically after an initial organizational meeting during the 61st meeting of the Standing Committee (SC61, Geneva, August 2011). During the course of the group's deliberations, a number of Parties, non-governmental organizations, and students requested to join the group. The Chair welcomed all Parties and non-governmental organizations. The Secretariat efficiently established a forum for the working group, although the WGTF decided to conduct its discussions via traditional e-mail.
4. The WGTF acknowledged and took its mandate from Decision 15.80, directed to the Standing Committee as follows:

The Standing Committee, taking into account the recommendations of the Animals Committee, shall review the pertinent sections, conclusions, and recommendations of the final study mentioned in Decision 14.128² and make its own recommendations at the 16th meeting of the Conference of the Parties.
5. Therefore, the WGTF considered the recommendations of the Animals Committee outlined in document SC61 Doc. 47 (Rev. 2), Annex 1, as well as those in document AC26 WG6 Doc. 1, as amended in document AC26 Sum. 4. The WGTF also discussed the IUCN study referenced in Decision 14.128 ("Implementation of Decision 14.128: A study of progress on conservation of and trade in CITES-listed tortoises and freshwater turtles in Asia"), which was presented to the Conference of the Parties as Document CoP15 Inf. 22 and later to the Standing Committee as Document SC62 Doc. 47 (Rev. 2), Annex 2. The study was prepared by the Deputy Chair of the IUCN/SSC Tortoise and Freshwater Turtle Specialist Group who also served on the WGTF as its technical advisor.

¹ The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

² Decision 14.128 was deleted at the 15th meeting of the Conference of the Parties. It read as follows: *The Secretariat shall, subject to external funding, contract the Tortoise and Freshwater Turtle Specialist Group of the IUCN Species Survival Commission to undertake a study which would assist in the implementation of Resolution Conf. 11.9 (Rev. CoP13).*

Recommendations of the Animals Committee from its 25th and 26th meetings

6. The Animals Committee originally made a series of recommendations at its 25th meeting (AC25, Geneva, July 2011) and revised some of those at its 26th meeting (AC26, Geneva, March 2012). The WGTFT first considered the original recommendations from AC25, and then reopened its deliberations to discuss revisions to the Animals Committee's recommendations, adopted at its 26th meeting. Therefore, the WGTFT has considered both the final recommendations from AC26, as well as the recommendations of AC25 which were not revised.
7. The WGTFT originally discussed recommendations #1 and #2 from AC25, contained in document SC61 Doc. 47 (Rev. 2), Annex 1. Recommendation #1 covered the study of the making of non-detriment findings. Recommendation #2 called for a review of the findings of two workshops. The WGTFT took note of the AC's revisions to these two recommendations as presented in document AC26 WG6 Doc. 1, and amended in document AC26 Sum. 4. The Animals Committee also adopted several draft Decisions for consideration at the 16th meeting of the Conference of the Parties, and this report reflects the WGTFT's deliberations on those draft Decisions.
8. The WGTFT recommends that the Standing Committee endorse the submission by the AC of these draft Decisions (Recommendation #1 in document AC26 WG6 Doc. 1, as amended in document AC26 Sum. 4) to CoP16.
9. The WGTFT also considered recommendations #2 and #3 in document AC26 WG6 Doc. 1, as amended in document AC26 Sum. 4. The WGTFT concluded that these recommendations are appropriate likely to further address implementation and enforcement challenges related to the trade in tortoises and freshwater turtles in Asia. Since recommendation #3 calls for additional work by the Standing Committee, the WGTFT recommends that the Standing Committee extend the mandate of the WGTFT in order to enact the recommendation (which calls on the SC to review the proceedings of turtle conservation workshops in St. Louis and Singapore) to provide guidance to the Standing Committee.
10. The WGTFT recognized that the specific recommendation of the AC regarding the disposal and placement of confiscated live animals [Recommendation #3 in document SC61 Doc. 47 (Rev. 2)] was fulfilled by the timely action of the Secretariat in Notification to the Parties No. 2011/029. However, in considering this recommendation, the WGTFT took note of the serious problems related to the continuing illegal trade in tortoises and freshwater turtles, and the challenges in the confiscation and disposal of live specimens, irrespective of the guidance provided in Resolution Conf. 10.7 (Rev. CoP15). Members of the working group noted that the conservation implications of the illegal trade (and the subsequent proper disposal and placement of live specimens) are significant. The WGTFT considered what additional steps could be taken by the Parties and the Secretariat to improve our understanding of, and efforts to combat, the continuing illegal trade in tortoises and freshwater turtles. As a result of these discussions the WGTFT recommends that the Standing Committee submit the following draft Decisions to CoP16:

Directed to the Parties

- a) *The Parties, particularly those of the Asia region should collect data on seizures of CITES-listed live tortoises and freshwater turtles, and report that data, along with the disposition of the specimens, to the Secretariat on an annual basis. The Parties are directed to provide the data, in conjunction with the Annual Report submission. This data should be reported for confiscations through the end of 2019.*

The Parties should report on the following parameters: species, numbers of specimens, destination (for exports) or source/re-exporting country (for imports), and disposition of the animals as per Resolution Conf. 10.7 (Rev. CoP15).

- b) *The Parties are encouraged to voluntarily collect and report data, in the same manner, on confiscations of international shipments of non-CITES freshwater turtle species so that such data can help illuminate illegal trade methods and provide useful information to enforcement and management authorities.*
- c) *Parties are encouraged to voluntarily collect and report comparable data on domestic trade confiscations of CITES and non-CITES species of tortoises and freshwater turtles. Parties are encouraged to provide the data annually in response to the invitation by the Secretariat.*

Directed to the Secretariat

The Secretariat should invite the Parties to provide the information specified in decision 16.XX paragraphs b) and c), consider the information submitted under paragraph a) above and report on its evaluation of the data received to the Standing Committee for its next regular meeting, and make recommendations for the implementation and enforcement of the Convention accordingly.

Directed to the Standing Committee

The Standing Committee shall consider the reports submitted by the Secretariat and its recommendations, and make recommendations as it deems appropriate.

Use of C, F, and R source codes

11. The fourth recommendation of the AC, from document SC61 Doc. 47 (Rev. 2), concerned the undocumented trade in tortoise and freshwater turtle parts and derivatives, as well as the questionable use of the C, F, and R source codes on CITES exports permits. Since questions about the use of source codes is being handled by another Standing Committee working group, the WGTFT deferred discussion to that working group in order to avoid confusion.

Undocumented trade in parts and derivatives

12. The WGTFT considered the problem of large-scale undocumented international trade in parts and derivatives (including manufactured products), which was addressed in the IUCN/SSC-TFTSG study.
13. The WGTFT dealt with the complexity of this issue with significant discussion, and a number of points were made concerning the identification of turtle material in manufactured medicinal products in particular. The WGTFT Chair sought guidance from the U.S. Fish and Wildlife Service Forensic Laboratory in Ashland, Oregon, particularly whether species-specific identifications could be made from manufactured medicinal products. Wildlife forensics specialists in the laboratory noted that while the scientific literature on this issue was limited, current technology does not appear adequate to make species-specific identification of turtles in commercially manufactured medicinal products.
14. The WGTFT also engaged in significant discussion of the trade in turtle shell parts which are used in the manufacture of medicinal products (i.e. "turtle jelly"). The WGTFT sought to develop recommendations to better improve the implementation and enforcement of the Convention in a manner which is practical and affordable. Therefore, the WGTFT focused its discussion on encouraging Parties to increase their efforts to ensure that permits are issued for cross-border trade in turtle parts and derivatives, improve education and outreach efforts to stakeholder communities, and report on progress in these areas to the Standing Committee at its 65th meeting.
15. The WGTFT also considered the technical challenges faced by wildlife and Customs authorities in identifying parts and derivatives in trade - particularly shell material - by species. The WGTFT considered that current identification materials are focused almost exclusively on live/whole animals, although much of the international trade is driven by and consists of shell material for the production of traditional medicine products. Therefore, in order to address shortcomings in the implementation and enforcement of the Convention as it relates to the international trade in parts and derivatives in Asia, the WGTFT recommends that the Standing Committee submit the following language and draft Decisions to CoP16:

Directed to the Parties

Considering the large-scale illegal and undocumented trade in parts, and derivatives from CITES-listed tortoises and freshwater turtles, the Parties, particularly those of the Asia region, should:

- a) *take note of this problem and take steps to address it within their national systems to ensure that CITES permits are properly issued and the Convention is fully implemented and enforced;*
- b) *examine their enforcement efforts regarding the trade of these parts, and derivatives, to ensure that adequate steps are taken to deter and detect illegal and undocumented trade;*
- c) *conduct education and outreach efforts directed towards turtle farms, buyers and sellers of turtle shell, bones, cartilage (calipee), and other parts, medicinal product manufacturers, shippers,*

brokers, and other key stakeholders to better ensure that turtle parts, and derivatives are traded in compliance with national laws and CITES requirements; and

- d) *report their progress in these areas, via the Secretariat, to the 65th meeting of the Standing Committee.*

Directed to the Secretariat

The Secretariat shall:

- a) *forward the reports provided in compliance with Decision 16.XX to the Standing Committee, making any such recommendations as it deems appropriate;*
- b) *seek funding to establish and convene a CITES Tortoises and Freshwater Turtles Task Force, which should undertake an exchange of intelligence and develop strategies to combat illegal trade. The members of the Task Force could include ASEAN Wildlife Enforcement Network, the members of International Consortium on Combatting Wildlife Crimes, and those Parties in Asia that are most affected by the illegal trade in tortoises and freshwater turtles and their parts and derivatives; and*
- c) *report on the work of the Task Force at SC65 or SC66 and make recommendations as it deems appropriate.*

Directed to the Standing Committee

The Standing Committee shall consider all the information and recommendations submitted under Decision 16.XX , and make recommendations as it deems appropriate;

Illegal trade in live specimens

16. The WGTFT concluded its discussions by taking up a long-standing problem which has been discussed in a variety of CITES meetings and workshops over the past decade: the illegal trade in live specimens of tortoises and freshwater and terrestrial turtles for the food, medicinal, and pet trades. This issue was covered in the IUCN/SSC-TFTSG report referenced in Decisions:15.80 and 14.128. While this issue is acute in Asia, the illegal live trade in these species is a global phenomenon impacting populations in almost all areas of the world where these species occur.
17. While the Parties have listed and up-listed dozens of species since CoP10 (Zimbabwe; 1997), the IUCN/SSC-TFTSG study (as well as the February 2011 Singapore workshop covered in the recommendations of the Animals Committee) discusses the significant illegal trade in IUCN RedList Critically Endangered and Endangered species listed on Appendix-I or II of the Convention.³
18. The WGTFT recognized that additional attention and effort is necessary to identify existing challenges in implementing and enforcing the Convention in Parties with significant live illegal markets for tortoises and freshwater and terrestrial turtles. In order to gather information, which can be used to assist Parties and address some of these long-standing issues, the WGTFT recommends that the Standing Committee submit the following draft Decisions to CoP16:

Directed to the Parties:

- a) *Parties, particularly those in the Asia region, are encouraged to increase enforcement activities to deter, detect and address illegal and undocumented trade in CITES-listed live tortoises and freshwater turtles, and their parts and derivatives, inter alia by providing relevant training to national enforcement authorities, strengthening the enforcement and implementation of the Convention for these species, disseminating identification materials and increasing awareness amongst the judiciary; and*

³ Note of the Chair: IUCN RedList Critically Endangered or Endangered species impacted by the illegal live trade include *Heosemys depressa* (Arakan forest turtle), *Batagur baska* (Northern river terrapin), *Leucocephalon yuwonoi* (Sulawesi forest turtle), *Cuora trifasciata* (Golden coin turtle), *Siebenrockeilla leytenensis* (Philippine forest turtle), *Morenia ocellata* (Burmese eyed turtle), *Chitra chitra*, (Asian narrow-headed softshell turtle), *Nilssonina formosa* (Burmese peacock softshell turtle), *Astrochelys yniphora* (Angonoka or Ploughshare tortoise), *Geochelone platynota*, (Burmese star tortoise), *Astrochelys radiata* (Radiated tortoise), *Testudo kleinmanni* (Egyptian or Kleinman's tortoise), and others.

- b) *provide relevant information on their progress in these areas to the Secretariat for reporting at SC65.*

Directed to the Secretariat

The Secretariat shall:

- a) *recognizing the on-going prevalence of an illegal trade in live tortoises and freshwater turtles for the medicinal, food, and pet trades which is threatening the survival of some species in the wild and impacting the integrity of the Convention, seek external funding, and subject to its availability, hire a consultant to analyse reported data, identify species prevalent in illegal trade, and document illegal trade incidents, trade routes (including the Internet-based trade), methods of concealment, and other aspects relevant to enforcing CITES provisions concerning trade in tortoises and freshwater turtles;*
- b) *subject to external funding, contract a consultant to identify and evaluate tortoises and freshwater turtle identification and capacity building materials and assist with developing of additional materials as deemed necessary, including the preparation and distribution of multilingual (Bahasa Indonesia, Bahasa Malay [Melayu], Bangla [Bengali], Burmese, Chinese, English, Hindi, Khmer, Lao, Thai, Urdu, and Vietnamese) identification materials focused on the shells and shell pieces of Asian tortoises and freshwater and terrestrial turtles; and*
- c) *report on progress on Decision 16.XX paragraphs b) and paragraphs a) and b) above, including its recommendations, at the 65th and 66th meetings of the Standing Committee.*

Directed to the Standing Committee

The Standing Committee shall consider all information submitted by the Secretariat under Decision 16.XX and make recommendations as it deems appropriate.