

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



Seventy-third meeting of the Standing Committee
Online, 5-7 May 2021

Species specific matters

Tortoises and freshwater turtles (Testudines spp.)

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.
2. At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted *inter alia* Decisions 18.286 and 18.287 on *Tortoises and freshwater turtles (Testudines spp.)*, as follows:

18.286 Directed to Madagascar

Madagascar should:

- a) *review its implementation of Resolution Conf. 11.9 (Rev. CoP18) on Conservation of and trade in tortoises and freshwater turtles; and*
- b) *report to the 73rd meeting of the Standing Committee on its implementation of Resolution Conf. 11.9 (Rev. CoP18), including in its report, information on any seizures, arrests, prosecutions and convictions secured as a result of activities implemented to address illegal trade in tortoises from Madagascar.*

18.287 Directed to the Standing Committee

The Standing Committee shall review the report from Madagascar in accordance with Decision 18.286, and any recommendations from the Secretariat, and consider if any further measures need to be implemented by Madagascar to address illegal trade in tortoises as it affects the Party.

3. Pursuant to Decision 18.286, Madagascar submitted a report on its implementation of Resolution Conf. 11.9 (Rev. CoP18) on *Conservation of and trade in tortoises and freshwater turtles* to the Secretariat on 30 June 2020. The report, available as document SC73 Doc. 24.2, includes as an Annex the *Regional strategy to combat trafficking in radiated tortoises (Astrochelys radiata) in the Atsimo-Andrefana region of Madagascar (Stratégie régionale de lutte contre le trafic de tortues radiées « Astrochelys radiata » dans la région Atsimo Andrefana – in French only)*.
4. The present document summarizes the report submitted by Madagascar and contains the observations and recommendations of the Secretariat on that report.
5. Madagascar states that the five endemic tortoise and freshwater turtle species in the country are classified as “protected species” in its national legislation and therefore trade in them is strictly prohibited, with the exception of the Madagascar big-headed turtle (*Erymnochelys madagascariensis*), for which use is regulated through a quota system. Madagascar developed a Global Action Plan (PAG) in 2011 for the

conservation of endemic tortoises in Madagascar, which is based on three management principles, namely that tortoises should be prevented from being removed from their natural habitats, tortoises in captivity should contribute to the survival of the species in the wild, and the release of tortoises into the wild should be done in accordance with agreed standards.

6. Madagascar outlines a variety of measures implemented and activities conducted to support the conservation of tortoises and freshwater turtles and to combat poaching and illegal trade affecting them. The Secretariat notes however that the report includes information concerning measures and activities dating back several years, together with information on measures and activities implemented in more recent years. For some of the measures and activities, it is not clear if they were recent or perhaps of a more historic nature. The information provided on some activities and initiatives is also limited and it is difficult to fully understand the extent of more recent and currently ongoing activities, as well as their results and impacts.
7. The report itself suggests some shortcomings and areas for improvement. Regarding the development and dissemination of identification materials, posters were developed before 2008, to inform and educate the public about Madagascar's endemic tortoise species. The report notes that these materials are now outdated and require updating, including regarding local name translation and range, and by adding illustrative photos. The *Regional strategy to combat trafficking in radiated tortoises (Astrochelys radiata) in the Atsimo-Andrefana region (Stratégie régionale de lutte contre le trafic de tortues radiées « Astrochelys radiata » dans la région Atsimo Andrefana – in French only)* emphasizes that poachers in Madagascar seek out radiated tortoises both because they are valuable on the illegal pet market abroad, and because their meat is highly prized in Madagascar. In the light of this Madagascar is encouraged to revise and update existing materials and posters as a matter of priority. Raising awareness amongst the general public about the protected status of these animals, the importance of their conservation, and the importance of addressing illegal trade, as well as raising awareness amongst relevant national law enforcement agencies about these matters seems essential. A strong and vigilant response to the poaching and illegal trade affecting the species, both within Madagascar and at the international level, is required.
8. Madagascar also states that a Population Viability Analysis (PVA) was carried out in 2017. This analysis suggested that ploughshare tortoise (*Astrochelys yniphora*) populations in Madagascar were likely to decrease due to various pressures on them. A key finding from the PVA was that activities to facilitate to the extent possible the survival of juvenile tortoises should be initiated as a matter of priority, in support of sustaining populations. The report however suggests that this matter has to date not yet been taken into consideration as part of the measures and activities being implemented.
9. The report submitted by Madagascar contains a comprehensive table outlining seizures of tortoises and freshwater turtles that occurred in the period 2017 to 2019, reporting on arrests, prosecutions and convictions as anticipated by Decision 18.286, paragraph b), but it is limited. Based on the information provided, the Secretariat concludes that room for further scaled up efforts exists. In particular, Madagascar is encouraged to scale up efforts to gather information and intelligence concerning the criminal networks operating within and from the country. This will improve the targeting of the actors managing and organizing the illegal activities and enable investigations that go beyond the frontline offenders, i.e. the local poachers, who are often at the lowest end of the illegal trade chain and can easily be recruited and replaced.
10. In terms of the number of reported incidents of poaching and trafficking, there seems to be a significant decrease in more recent years, with 11 incidents being detected by authorities in Madagascar in 2017 and 22 in 2018, but only 3 in 2019 and for 2020 the report highlights only one incident that occurred in July 2020, when authorities in Madagascar arrested three individuals and seized 144 radiated tortoises. The Secretariat notes, however, that it seems that some of the more recent cases might have been omitted from the report, since open source information suggests that on 5 February 2020 three suspects were arrested after 250 kg of dried radiated tortoise (*Astrochelys radiata*) meat and seven live animals were found in their possession.¹ Information shared by Madagascar through SADC-TWIX² in March 2020 also provided information on traffickers (number unknown) that were arrested in Madagascar in relation to the selling of 18 illegally acquired turtles, and indicated that the offenders involved were subsequently sentenced to one year imprisonment each. It is encouraging to note that of these most recent cases, all of them resulted in arrests and, where information was available, successful prosecution. Madagascar is commended for this. These

¹ <https://lexpress.mg/12/02/2020/ampanihy-des-viandes-sechees-de-tortue-saisies/>

² Madagascar in its report highlights that it operationalized the use of SADC-TWIX in the country and that 70 representatives from different national agencies in Madagascar are currently registered to use this tool designed to facilitate information exchange on illegal wildlife trade in the Southern African Development Community (SADC) region. It is encouraging to note that authorities in Madagascar are drawing upon tools such as SADC-TWIX to engage and share information with their counterparts in other countries throughout the region. More information on SADC-TWIX is available at the following URL: <https://www.sadc-twix.org/>

cases however also indicate that poaching and illegal trade as it affects Madagascar continues to persist. Madagascar is therefore encouraged to build upon these successes and to further scale up efforts to prevent and detect illegal trade, bringing the offenders involved to justice.

11. The Secretariat notes from the report the collaboration with civil society which in 2019 resulted in the detection of two cases of illegal online trade and the arrest of the individuals involved. The Party also highlights that a regional network has been created in the region of Atsimo-Andrefana and resulted in the detection of a number of cases of trafficking in the region, including a seizure in 2018 of more than 10,000 radiated tortoises. This undertaking is commendable, and Madagascar is encouraged to build upon this success. The Secretariat notes however that the report submitted by Madagascar touches on only some of the aspects of the implementation of the *Regional strategy to combat trafficking in radiated tortoises (Astrochelys radiata) in the Atsimo-Andrefana region (Stratégie régionale de lutte contre le trafic de tortues radiées « Astrochelys radiata » dans la région Atsimo Andrefana – in French only)* and overall information provided on progress with its full implementation is limited. The objectives, actions and activities outlined in the regional strategy align well with the provisions of Resolution Conf. 11.9 (Rev. CoP18) and active progress on the full implementation of the strategy could make an important further contribution to Madagascar's achievement of the different aims of the Resolution.
12. The Secretariat further notes that there are a number of very promising recent developments regarding Madagascar that could, amongst other things, support the Party in significantly scaling up current efforts concerning the conservation of tortoises and freshwater turtles in the country and to combat poaching and illegal trade. The United Nations Environment Programme (UNEP) is leading the implementation of a project funded through the Global Environment Facility GEF-7 investment cycle, focusing *inter alia* on enhancing capacity for the management of priority sites and the fight against poaching and illegal trade, including as it affects tortoises. The Secretariat has been in consultation with UNEP regarding this project and believes that it has considerable potential in contributing to addressing key matters affecting Madagascar in the context of CITES. The Secretariat will continue its engagement with UNEP in this regard.
13. The Party also reports on a project by the United States Agency for International Development (USAID) to be implemented in Madagascar and which will seek *inter alia* to strengthen wildlife law enforcement capacity and anti-corruption efforts, to enhance prosecution capacity in the context of wildlife crime in support of more significant and deterrent penalties, and to increase international collaboration to combat wildlife crime.
14. Madagascar has also been identified by the International Consortium on Combating Wildlife Crime (ICWC) as a target country for support. Implementation of the *ICWC Wildlife and Forest Crime Analytic Toolkit* was completed in Madagascar and the United Nations Office on Drugs and Crime (UNODC) continues to engage with the Ministry of Environment to support the implementation of the ICWC Toolkit recommendations. UNODC is also closely collaborating with national counterparts to organize an *ICWC Indicator Framework for Wildlife and Forest Crime* workshop and is liaising remotely with key stakeholders to prepare for the workshop to be held in person as soon as travel resumes.
15. Madagascar reports that its Ministry of Environment and Sustainable Development is in the process of setting up of a toll-free number for the general public to report cases of wildlife trafficking. The Secretariat notes that open source information suggests that a hotline for people to report environmental crimes already exists in Madagascar.³ It is not evident if these initiatives are complimentary, but this development is nevertheless welcomed. Many governments around the world use such toll-free numbers and other online tools with great success, enabling the general public to report potential illegal activities to the relevant authorities for further follow-up and investigation. If not related, Madagascar is encouraged to seek opportunities to align the different initiatives within the country to ensure that they are complementary and not duplicative.

Recommendations

16. The Secretariat recommends that the Standing Committee:
 - a) encourage Madagascar to:
 - i) scale up efforts to gather information and intelligence concerning the criminal networks operating within and from the country, to facilitate investigations that will go beyond frontline offenders such

³ <https://news.mongabay.com/2020/04/in-madagascar-revived-environmental-crime-hotline-leads-to-tortoise-bust/>

- as the local poachers who are often at the lowest end of the illegal trade chain, targeting those individuals managing and organizing the illegal activities;
- ii) actively pursue the continued implementation of the different aspects of Resolution Conf. 11.9 (Rev. CoP18) on *Conservation of and trade in tortoises and freshwater turtles*, including through the active implementation of its *Regional strategy to combat trafficking in radiated tortoises (Astrochelys radiata) in the Atsimo-Andrefana region (Stratégie régionale de lutte contre le trafic de tortues radiées « Astrochelys radiata » dans la région Atsimo Andrefana – in French only)*; and
 - iii) revise and update its existing endemic tortoise and freshwater turtle species identification materials and posters to inform the general public about these species and the importance of their conservation and protection, as well as to raise awareness amongst relevant national law enforcement agencies about the way these species are affected by wildlife crime and the importance of the fight against trafficking in these species;
- b) encourage Parties, intergovernmental and non-governmental organizations implementing programmes in Madagascar or planning to do so, to take into consideration in their work programmes and activities, as appropriate and applicable, recommendations a) i) to iii) above, the provisions of Resolution Conf. 11.9 (Rev. CoP18), and the *Regional strategy to combat trafficking in radiated tortoises (Astrochelys radiata) in the Atsimo-Andrefana region (Stratégie régionale de lutte contre le trafic de tortues radiées « Astrochelys radiata » dans la région Atsimo Andrefana – in French only)*; and
 - c) request the Secretariat to continue to monitor illegal trade in tortoise and freshwater turtle species as it affects Madagascar, and the measures being implemented to address it, and to bring any matters of concern that may arise to the attention of the Standing Committee.