

Consideration of Proposals for Amendment of Appendices I and II

Other proposals

RECOMMENDATIONS FROM THE SECRETARIAT

INTRODUCTION

In preparing these recommendations, the Secretariat has taken into consideration the comments, advice and information received from a variety of sources, such as IUCN/SSC, WCMC/WTMU, TRAFFIC Offices and, of course, the Parties. The Secretariat has also made every effort to follow the guidelines established in Resolution Conf. 5.20.

It must be emphasized that the "Berne criteria" are guidelines and, as evidenced by many decisions of the Conference of the Parties, may be overridden for a variety of reasons. However, the Secretariat has attempted to assess the proposals in relation to the recommendations of those guidelines, bearing in mind that they are necessarily imprecise. Where a proposal appears to meet the criteria and yet the Secretariat has recommended against acceptance, or vice versa, the reasons for this are clearly stated.

There are many proposals which might be considered "borderline" and, in such cases, the Secretariat feels that the opinion of the range states is essential for full consideration of the proposals. These instances are also clearly indicated in the Secretariat's recommendations. The Secretariat wishes to express its surprise and disappointment that many proposals appear to have been made with no (or minimal) consultation with the range states.

1-11 Acerodon spp. and Pteropus spp.

Many Pteropus species enter into trade, especially those which are already included in Appendix II and some species are being depleted by trade. The main causes of the decline of Pteropus populations is the loss of its natural habitat and overhunting. The data seem to indicate that the species involved in trade change according to availability. Almost all trade in Pteropus is between non-CITES countries and/or territories under the jurisdiction of the United States of America. The inclusion of these bats in the CITES appendices is therefore unlikely to have any effect on the situation if the US does not enforce CITES in Guam. However, international trade could become a problem if the trade, as is apparently happening, starts to move to other CITES countries. There is evidently a look-alike problem between listed and unlisted species of Pteropus.

Regarding the inclusion of P. tonganus in Appendix I, the proposal seems to be based on the situation of the species in the Samoan Islands, but the species is widely distributed and this inclusion is not justified.

The Secretariat would like to point out that the inclusion of only dead specimens in the appendices is contrary to the Convention, and the decision taken in Ottawa in 1987 must be corrected.

Secretariat recommendations: 1) accept the inclusion of all Acerodon spp. and Pteropus spp. in Appendix II; 2) accept the transfer of P. insularis, P. molossinus, P. phaeocephalus, P. pilosus, P. samoensis and P. tokudae to Appendix I, but designate them as geographically isolated populations of Pteropus spp. in order to avoid the unresolvable problem of identification of live specimens; 3) reject transfer of P. tonganus to Appendix I.

12 Melursus ursinus

Neither the Indian nor the Federal Republic of Germany's proposal provides sufficient biological information. As stated by both states, it is clear that the main reason for population decline is habitat destruction. Throughout most of its range, hunting for the species is totally prohibited. Although illegal trade in bear gall bladders, which are declared by traders as Indian origin, may have occurred, there is no evidence that those were in fact from Melursus ursinus because those gall bladders were exported indirectly to their destination and the gall bladder of the species cannot be distinguished from that of other species. In addition, the Secretariat believes that this species has been negatively affected, not because the species is not listed in Appendix I, but because the species had not been listed in any CITES appendix before its inclusion in Appendix III in September 1988. Since there is not sufficient information on biological and trade status, it would be more appropriate to list Melursus ursinus in Appendix II.

Secretariat recommendation: Reject, but include the species in Appendix II.

13 Ursus americanus

No supporting statement has been submitted for this proposal and, therefore, the Secretariat feels that it does not qualify for further consideration by the Conference of the Parties.

Secretariat recommendation: Reject or withdraw.

14-18 Ursus arctos

There is insufficient information indicating that the species might become extinct in the future. Nevertheless, it seems likely that some populations are decreasing in number. Currently, three subspecies are listed in Appendix I and European populations, except that of the USSR, are listed in Appendix II. Apparently, the non-listing of some populations in CITES appendices is being used by unscrupulous traders to circumvent the controls on other CITES-listed populations and other bear species. Therefore, under provisions of Article II, paragraph 2(b), there is sufficient justification for including non-listed Ursus arctos populations in Appendix II. In addition, the Secretariat believes that suggested amendments by Denmark to transfer some populations from Appendix I to Appendix II would make enforcement easier and more effective, even if some populations might deserve listing in Appendix I. Listing of isolated populations instead of questionable subspecies would also improve CITES implementation.

Secretariat recommendation: Accept.

19-20 Aonyx cynerea and Lutra perspicillata

Both species are reported to exist in at least 15 Asian countries including India. Even if these species enter the international trade, the main problem they are facing is the degradation of their habitat. What is more, the inclusion of the species in Appendix I will not solve the problem of illegal trading. During the First International Asian Otter Symposium held in 1988 it was recommended that range states of these species should co-operate in programmes involving protection and prevention of illegal trade, including smuggling. The CITES Secretariat thinks that countries involved should increase, in accordance with the existing laws, internal controls of these species .

Secretariat recommendations: Reject, unless the other range states feel that inclusion in Appendix I is both necessary and beneficial.

21-23 Felis pardalis, Felis tigrina and Felis wiedii

Until very recently these three species figured in the international trade, which has since decreased to a very low level. Currently, all range states have implemented stricter measures than CITES regarding these spotted cats. Furthermore, the inclusion of such species in Appendix I will resolve the problem of the five subspecies now included in this appendix, which are causing serious problems of identification.

On the other hand however, it is necessary to point out that the Berne criteria allow the inclusion of taxa in Appendix I when most of their subtaxa are threatened with extinction. In several range countries of Latin America none of these species are considered endangered, but the inclusion in Appendix I should not prevent range Parties from transferring their population to Appendix II, if a good management programme is established. This proposal was supported by the Animals Committee.

Secretariat recommendation: Accept.

24 Lynx pardinus

Even if the species is undoubtedly endangered it does not seem to be because it is sought after by the trade. Moreover, the EEC has not listed the species in its Annex C1 of the regulation implementing CITES. As the species is present in only two Party states, those states can decide whether or not to issue permits for its export.

In addition, the inclusion of Lynx pardinus in Appendix I would cause look-alike problems with Lynx lynx, which is listed in Appendix II.

Secretariat recommendation: Reject.

25 Callorhinus ursinus

The supporting statement does not fulfil the Berne criteria. Even if the US population of this species has declined very seriously in the last 30 years, the commercial harvest pressure, which was one of the causes of that decline, has disappeared. There is no important evidence that C. ursinus taken incidentally in high seas fisheries enter, in a significant number, in the international trade or that these fortituous captures have a negative impact on the breeding population.

Secretariat recommendation: Reject.

In making its recommendations on this proposal, the Secretariat wishes to draw attention to the IUCN/TRAFFIC/WCMC Analyses of Proposals to Amend the CITES Appendices, which provides a good overview of the elements that need to be considered. The Secretariat agrees with their assessment that, of the seven proposals for the transfer of Loxodonta africana from Appendix II to Appendix I, the one submitted by the United Republic of Tanzania is the most thorough. Its supporting statements are comprehensive, although it should be noted that many of the population, trend and trade data (where they are available) are from 1987 or earlier. As well-documented as this proposal is, it is regrettable that comments from countries of origin are not available.

The present proposal does not appear to meet the Berne criteria for inclusion, on biological grounds, of the entire species in Appendix I. Several populations are stable or increasing and others, while having experienced marked reductions, cannot be categorized as "currently threatened with extinction". Moreover, historical evidence indicates that the capacity of elephants to recover from heavy exploitation is considerable. On the other hand, some populations have declined sharply due to harvesting at unsustainable levels, and have had their social structure so seriously disrupted that inclusion in Appendix I is warranted.

Poaching has taken its toll on elephant populations over the past decade and continues to be a serious problem in many range states. The impact of global trade must, however, be viewed in the present context. Data from several sources suggest that prior to the introduction of the Ivory Trade Control System in 1986, the global ivory trade fluctuated between 600 and 1,000 tonnes per annum. According to the IUCN/TRAFFIC/WCMC analysis, the best estimate of legal and illegal exports of raw ivory from Africa (derived from customs statistics, CITES data and other sources) for 1987 and 1988 are 319 and 176 tonnes, respectively. There is certain to be additional unreported trade, but these figures suggest that the actual volume of trade has declined significantly since the system became operational.

Alternative explanations have been proposed to account for at least part of the reduction: increased incidence of undetected smuggling, ivory being stockpiled on the continent, and/or increased consumption of ivory within Africa. While it is true that some illegal trade persists, there is no evidence to suggest that the control system is currently being circumvented on a massive scale. On the other hand, reports confirm that ivory carving industries in major consuming nations are in a state of decline, that demand for ivory has decreased, and that import controls in key consuming countries have been strengthened.

When considering options for improving the present situation, it is important to recognize that the transfer of the species to Appendix I will not result in a complete prohibition of trade in ivory. A considerable volume of pre-Convention (i.e., pre-1976) ivory and hunting trophies would still be eligible for trade. Large stocks of ivory acquired legally after 1976 will continue to be held, and they may or may not remain eligible for international trade, depending on how the Conference of the Parties deals with Resolution Conf. 5.11 (see also document Doc. 7.43.2). Ivory will continue to be accumulated through natural mortality, control operations, confiscations etc., which some countries might not wish to destroy. Several states have expressed

opposition to an Appendix I listing for their populations, some having stated their intention to continue to trade ivory regardless of the decision of the Conference of the Parties. Finally, non-Party states which in the past have posed the greatest obstacle to effective controls would continue to trade freely outside the CITES system.

It is not clear that an attempt to shut down the illegal trade through an Appendix I listing would be successful. Economists argue that bans do little to reduce the illegal component of trade unless there is virtually complete compliance among all countries. As well, some of the trade that is currently legal is likely to move underground. Therefore, while overall demand will fall, the proportion of illegal trade will increase, perhaps triggering price rises and other consequences which would ultimately work against conservation objectives. Enforcement of a total ban would require countries to continue to commit considerable resources without having an inherent self-interest to do so. It is argued that without incentives to justify expenditures on trade regulation, overall enforcement will be more difficult<sup>d</sup> and expensive, especially as new, previously unexploited routes for illegal trade are developed.

An alternative to attempting to shut down the trade completely would be to permit a strictly controlled trade on a limited scale, perhaps after a moratorium of fixed duration to allow for a review of necessary controls. It is recognized that the transfer to Appendix I is not being advocated without due consideration given to complementary enforcement measures. However, the Secretariat believes these additional measures would work equally well within the framework of an Appendix II listing, with zero export quotas for range states with populations that cannot sustain commercial trade. In addition to reinforcing existing controls, the Conference of the Parties might recommend bans for an indefinite period of time on the importation of all ivory and the exportation of worked ivory in states where a zero quota for raw ivory was in effect (in order to facilitate enforcement in those countries). This alternative approach would be comparable to transferring some populations to Appendix I while retaining others in Appendix II. (It would, of course, be the prerogative of individual range states to implement such a resolution of the Conference of the Parties through domestic legislation.) It would allow countries with sound management programmes and healthy elephant populations to continue to use their resources wisely, and could be expanded to include additional countries at a later date should their populations be capable of sustaining limited trade under reinforced domestic controls. Given the obvious practical problems of enforcement under a 'split' listing, if a legal trade in ivory is to continue, even among a limited number of states, control measures must be strengthened to eliminate the possibility of illegal tusks being laundered under the guise of legal ivory.

The decision of the Conference of the Parties with respect to the present proposal has important implications not only for the conservation of the African elephant but also for the Convention itself. The Secretariat believes that the worst case scenario is one in which the species is transferred to Appendix I and Parties exercise their right to enter reservations in accordance with Article XV of the Convention. A compromise that reflects the genuine interests of the range states and, above all, promotes the conservation of the species must be reached if this situation is to be avoided.

Secretariat recommendation: Subject to a consensus among range states, withdraw the proposal and allow trade under a reinforced control system for a limited number of populations with non-zero quotas, all others being subject to zero quotas for an indefinite period of time. (Documents Doc. 7.21, 7.23, 7.43.1 and 7.43.4 give the rationale for this recommendation.) If this is not acceptable, amend the proposal to allow for the retention of certain populations in Appendix II. In either case, criteria for determining which populations shall be eligible for trade or excluded from Appendix I must be developed.

27 Cephalophus jentinki

The species is threatened, but the international trade is insignificant. It meets the Berne criteria from a biological point of view, but not with respect to trade.

Secretariat recommendation: Reject.

28 Rhea americana

No supporting statement has been submitted for this proposal and, therefore, the Secretariat feels that it does not qualify for further consideration by the Conference of the Parties.

Nevertheless, the CITES Secretariat regrets that a proposal to include this species in Appendix II has not been presented under the appropriate format because, according to different sources, quite an important international trade exists, including an illegal component.

Secretariat recommendation: Reject. A well-documented proposal should be presented as soon as possible.

29 Ciconia ciconia

The species is widespread and its decline is the result of many factors, including habitat destruction, pollution, power lines, and hunting, but not including the impact of international trade. It seems from the proposal that most recorded trade is from captive-bred populations. Trade does not therefore seem to be a problem.

Secretariat recommendation: Reject

30 Agapornis cana

All the Psittaciformes (except 3 species commonly bred in captivity) have been listed in Appendix I or II either due to existing threats or as look-alikes. The Secretariat does not understand the interest in moving one species of this order from Appendix II to Appendix III.

Secretariat recommendation: Reject.

31 Amazona tucumana

This species is restricted and endemic to the area from the South of Bolivia to northern Argentina. As Bolivia has a ban on export of live animals, it is supposed that the only country exporting this species is Argentina. This is in spite of the fact that A. tucumana is apparently not included in the list of harmful species from Argentina, and the export of live animals from Argentina is forbidden with the exception of

harmful species. The Secretariat has been informed, from a reliable source, that an important quantity of parrots exported from Argentina do, in fact, originate from Bolivia and other countries of the region. The status of the population of the species is almost unknown (in 1987 Argentina exported 2,852 specimens). The CITES Secretariat has learned that the University of Salta intends to initiate a survey of the main parrot species including A. tucumana. The species is certainly rare today and its inclusion in Appendix I seems justified.

Secretariat recommendation: Accept, unless the two range states feel that inclusion in Appendix I is not necessary.

32 Ara maracana

This proposal does not meet the Berne criteria. Even though the Paraguayan population seems to be decreasing, there is no conclusive evidence to indicate that this species is endangered or detrimentally affected by international trade. Therefore, the proposal is inconsistent to the requirements needed to include a species in Appendix I.

Secretariat recommendation: Reject.

33 Cacatua moluccensis

The supporting statement clearly demonstrates that the Berne Criteria are met and that trade is an important threat to this species.

Secretariat recommendation: Accept.

34-36 Buceros spp.

If the proposals from Switzerland are accepted that from Belgium will be redundant.

As noted in the Swiss proposals, the maintenance of one subspecies of Buceros in Appendix I will be of questionable use, given the problems of Identification. The situation is complicated by the resemblance of different subspecies of the genus if certain are listed in one appendix and others are not. Only the listing of the entire genus in one appendix will permit effective control of the international trade in endangered subspecies of this taxon. The delisting of the one subspecies which is in any case difficult to identify is desirable.

The Animals Committee has expressed its support of the Swiss proposals.

Secretariat recommendation: Accept the Swiss proposals.

37 Pitta guajana

The supporting statement does not provide any indication that the species is endangered or likely to become so, especially as it is common over much of its extensive range. There is no indication that trade is, or is likely to become, a threat. The Animals Committee does not support adoption of this proposal.

Secretariat recommendation: Reject (but this species may remain listed in Appendix III).

38 Pitta gurneyi

The population of this species is limited and the threat of commercial utilization seems to exist. The Berne criteria are met. The Animals Committee has recommended support of this proposal.

Secretariat recommendation: Accept.

39 Pseudochelidon sirintarae

This species was only recently discovered (1968) and little is known of its population or life cycle. The species has been listed in Appendix II since 1973 and no trade has been recorded. The Berne criteria are not met for inclusion in Appendix I and the listing in Appendix II seems to be sufficient at present.

Secretariat recommendation: Reject.

40 Dracaena paraguayensis

The proposal is well documented and it is possible that D. paraguayensis enters the international trade under the name of D. guianensis, which is already included in Appendix II. Both Dracaena species are very difficult to identify. It is therefore, probable that no distinction between them is made in trade. Indeed, the specimens from Paraguay and from the North of Brazil did not show significant differences. In addition, due to this look-alike problem, a risk exists that D. guianensis could enter international trade as D. paraguayensis to avoid CITES controls. Should this proposal be accepted, the whole genus Dracaena spp. (two species) will be included in Appendix II. The Animals Committee supports the inclusion in Appendix II.

Secretariat recommendation: Accept.

41 Shinisaurus crocodilurus

This species is endemic in China, where it is fully protected. The species is confined to the Guangxi region in China, where its habitat is being destroyed and the animal is killed for medicinal purposes. The species enters international trade as live animals and thus, illegal trade does exist. The inclusion of the species in Appendix II will help China to implement its Wildlife Protection Law which came into force on 1st March 1989. This Law protects the species, which has quite a restricted population.

Secretariat recommendation: Accept.

42 Varanus bengalensis

At the request of the Technical Committee, the Secretariat carried out a survey on the biological and trade status of four Varanus species, including V. bengalensis. According to the report, which was made available recently, there seems to be no justification for listing the species in Appendix I. From the biological point of view, the Secretariat strongly believes that the species should be transferred to Appendix II. However, the authors of the report suggested that the species should be retained in Appendix I, until such a time as appropriate management plans and mechanisms are formulated for populations exploited for



international trade. It is clear that Japan's reservation is the major reason why trade control has been poor. Japan has stated that the transfer of the species to Appendix II would help eliminate illegal trade.

Secretariat recommendation: Accept, including a quota established under the terms of Resolution Conf. 5.21, but on condition that Japan undertakes to withdraw the reservation on the species and, range states, in particular Bangladesh, undertake to establish management programmes.

43 Varanus grayi

The CITES Secretariat does not believe that this proposal meets the requirements for inclusion in Appendix I. The main problem which the species is facing is the destruction of its natural habitat. While this lizard is killed for food, medicinal purposes and occasionally for leather, there is no evidence of a significant international trade and not enough data exist on the skin trade.

Secretariat recommendation: Reject. However, the Animals Committee should monitor the trade levels of this species.

44 Varanus griseus

No supporting statement has been submitted for this proposal and, therefore, the Secretariat feels that it does not qualify for further consideration by the Conference of the Parties.

Secretariat recommendation: Reject.

45 Ptyas mucosus

There are few comprehensive population and biological data to determine the effect of trade on this species. However, the international trade is quite important even if the species is widely distributed. According to the 1987 annual reports, more than one million skins entered the international trade. It is likely that this figure is lower than the real one, because many Parties do not implement the Appendix III requirements. Despite the lack of biological data, the high level of trade, which has increased when compared with the 1984 annual reports, indicates a potential threat.

Secretariat recommendation: Accept.

46-47 Naja naja and Ophiophagus hannah

There are few biological and population data for both species and trade does not appear to be important. The supporting statement does not meet the Berne criteria for inclusion of these species in Appendix II. However, comments on the proposal should be sought from the range states.

Secretariat recommendation: Reject (unless other range states are in favour).

48 Latimeria chalumnae

The characteristics of the species, its geographical range and the potential international market existing for this living fossil, which occupies a key position in the evolution of land-living vertebrates, has made the species very sought after by collectors, tourists and

scientists. Only a single population of the species is known and nothing is known about the size of the reproductive population. Furthermore, apparently the fishermen of Comores have changed their fishing techniques to increase the probability of catching coelacanths, when they learned about the interest of the international market in this species.

The Coelacanth Conservation Council has made several recommendations to the Comoran authorities and other relevant organizations, in order to save the species and, especially to remove the incentive to catch or trade in this species which, ironically enough, is very much sought after for museums, universities and research institutes which may now threaten its survival.

The Secretariat sought, but did not receive, comments from the Government of the Comores.

Secretariat recommendation: Accept.

49-52 Scleractinia spp., Athecata spp., Coenothecalia spp. and Stolonifera spp.

The proposal is very well documented. Although in most countries, collection of corals is prohibited, a significant international illegal trade exists and the inclusion of 17 genera in Appendix II in 1985 did nothing to improve the situation, due to the difficulty in identifying corals at a generic or species level. In fact, this proposal covers a large number of species which should be listed for look-alike reasons.

By the inclusion of black coral (*Antipatharia*) and 17 genera of hard corals the Conference of the Parties accepted that corals can meet the Berne criteria.

Secretariat recommendation: Accept, but it is necessary to define the exact range covered by these inclusions.

53 Flora spp. in Appendix I

The Secretariat concurs with the intent of this proposal but would appreciate receiving further clarification from the Plants Committee on the implementation of the proposal.

Secretariat recommendation: Accept, pending the advice of the Plants Committee.

54 Galanthus spp.

Taking into account that a great quantity of bulbs is still present in nature (hundreds of millions of *G. elwessi*, thousands of millions of *G. nivalis*) the trade is not detrimental at the moment. Turkey exported 37,000,000 bulbs in 1987 (less than prior years), around 10% of these coming from wild populations. According to different sources *G. nivalis* does not need protection at the moment. Some rare species are suffering threats but the problem will not be solved with the inclusion of the family in Appendix II.

The CITES Secretariat has approached Turkey and urged it to become a Party. Turkey should, meanwhile, limit itself to a reasonable export quota. The amount of paperwork caused by the inclusion of the family in Appendix II will not diminish the threat to some species.

Secretariat recommendation: Reject.

55 Sternbergia spp.

The proposal covers a number of species which are not common and which may be endangered if the present trade pressure continues. The genus is quite well protected in its entire range, but the situation in Turkey is worrying because wild species are exported as artificially propagated. In this respect, according to Turkish Legislation, a great part of the exports are illegal. The proposal meets the Berne criteria and the inclusion in Appendix II is justified.

Secretariat recommendation: Accept.

56-58 Pachypodium baronii, Pachypodium brevicaule and Pachypodium decaryi

These species are endemic to Madagascar. The IUCN considers P. decaryi as endangered as well as P. baronii var. windsorii, while P. brevicaule is considered as vulnerable, and P. baronii var. baronii is in the Indeterminate category. Trade has increased in Pachypodium and, in spite of the law prohibiting the export of wild-collected plants from Madagascar, many wild plants continue apparently to be exported. Considering the great level of trade in these species and the endangered status of those plants in the wild, their inclusion in Appendix I appears to be justified. Furthermore, these plants can be recognized by their shape.

Secretariat recommendation: Accept.

59 Rauvolfia serpentina

This genus includes 100 species. The proposal however, does not provide trade data from any of the other range states. Despite the numerous illegal shipments of this species recently uncovered, there is not much evidence to suggest that the present level of trade represents a threat to the species.

Secretariat recommendation: Reject, except if other range states support it.

60 Aristolochia indica

No recent international trade is reported with regard to this species. The species seems to be valuable as medicinal plant, but it does not appear as threatened in all its extended range in India.

Secretariat recommendation: Reject.

61 Cycadaceae spp. (deletion of seeds from Appendix II)

Secretariat recommendation: Accept, for the reasons mentioned in the proposal.

62-64 Drosera burmanni, Drosera indica and Drosera peltata

The proposal does not offer any trade data and does not take into account that this genus also exists in Africa and Australia. Decline is due to the loss of its natural habitat. The control of the trade is not really possible. It is probably more in trade as seeds (allowed under Appendix II) than as plants.

Secretariat recommendation: Reject.

- 65-73 Euphorbia ambovombensis, E. cylindrifolia, E. decaryi, E. francoisii, E. moratii, E. parvicyathophora, E. primulifolia, E. quartziticola and E. tulearensis.

These succulents are endemic to Madagascar. The trade appears to have increased in recent years. Even if these proposals seem to meet the Berne criteria control could be a problem because it is not known how easily they can be recognized by authorities.

Secretariat recommendation: Reject, but the Plants Committee should discuss this issue more thoroughly.

- 74 Gentiana kurroo

The supporting statement does not demonstrate that this species is widely threatened. The species is used for medicinal purposes in India, although there is not much evidence that international trade puts the species in danger.

Secretariat recommendation: Reject.

- 75 Gloriosa superba

This genus has five species in the Tropics of Africa and Asia, G. superba being the most commonly cultivated, and also widely introduced in all Tropics. Its inclusion in Appendix II will cause implementation problems. It should be considered, in the western world, that the drug colchicine is extracted from this species. As colchicine is widely traded this could cause implementation problems.

Secretariat recommendation: Reject.

- 76 Eriopsis biloba

This species occurs in Guatemala, Belize and from Costa Rica to Brazil and Bolivia. Moreover, the species is rare in Central America but quite common in other parts of the range. This proposal does not meet the criteria for transfer from Appendix II to Appendix I. The trade data apparently come from the region where the species is more widely spread.

Secretariat recommendation: Reject.

- 77-78 Lemboglossum majale and Lemboglossum uroskinneri

Both proposals meet the criteria for transfer from Appendix II to I. What is more, both are rare in cultivation. Nevertheless, the inclusion of those species in Appendix I presents a major problem as their identification is almost impossible.

Secretariat recommendation: Reject.

- 79 Paphiopedilum spp.

For several of these species, the proposal meets the Berne criteria, whereas for others the problem of look-alikes is outstanding. The data on trade is quite convincing. Most of the species of Paphiopedilum are classified as endangered, several of them are extremely rare or even extinct in the wild. The inclusion in Appendix I will reduce the threat of the trade.

Secretariat recommendation: Accept.

80 Phragmipedium spp.

All species are becoming rare due to overcollection and natural habitat destruction. Since the controls are, at the moment, very difficult to carry out, the transfer of these species to Appendix I definitely would help to prevent illegal trade even if the trade data are not so accurate. Furthermore, if Paphiopedilum is accepted the interest will be switched to this group and it is important to take into account that there is a look-alike problem between several species of these two groups.

Secretariat recommendation: Accept.

81 Rossioglossum williamsianum

The proposal meets the criteria for transfer from Appendix II to I. The species is rare in cultivation, but the inclusion of this species in Appendix I presents a major problem as identification is almost impossible.

Secretariat recommendation: Reject.

82-99 Chamaedorea: 1) Inclusion of nine species in Appendix I and  
2) Inclusion of nine species in Appendix II

The genus Chamaedorea has a total of approximately 100 species of which 18 will be included. It is very difficult to differentiate between them. The exclusion of artificially propagated plants of two species is not acceptable as it is contrary to the text of the Convention. The proposal presents so many complexities that it would be difficult to implement properly and the threat to those species does not seem to be so immediate.

Secretariat recommendation: Reject, unless the Plants Committee recommends otherwise.

100 Podophyllum hexandrum

The genus has 10 species. The major threat is caused by trade inside India. Since 1984 export has been banned and there is no evidence for illegal trade. However, the status of the species in other countries needs to be clarified.

Secretariat recommendation: Reject.

101 Aconitum deinorrhizum

The genus has 300 species. The proposal does not show any evidence of substantial trade (legal or illegal) and does not meet any criteria.

Secretariat recommendation: Reject.

102 Nardostachys grandiflora

The proposal does not offer information on the status of the species in Bhutan, Nepal or China. It is necessary to know if the populations outside India enter international trade and if that constitutes a threat.

Secretariat recommendation: Reject.

103 Zamiaceae spp. (deletion of seeds from Appendix II)

Secretariat recommendation: Accept, for the reasons mentioned in the proposal.

104 Chigua spp.

The populations are very small, and even if a few new locations can be found, the total number may only double to 150 specimens, in the future. The interest in this sort of plant is important and there is no doubt that for those rarities, high prices can be paid.

Secretariat recommendation: Accept.