

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

Eighth Meeting of the Conference of the Parties

Kyoto (Japan), 2 March to 13 March 1992

Consideration of Proposals for Amendment of Appendices I and II

PROPOSALS CONCERNING EXPORT QUOTAS

Submitted Proposals

1. In accordance with the recommendation of Resolution Conf. 7.14 "Special Criteria for the Transfer of Taxa from Appendix I to Appendix II", 7 Parties - Botswana, Malawi, Namibia, the Sudan, Uganda, Zambia and Zimbabwe - each submitted one proposal for the maintenance of its population of a species in Appendix II subject to an annual export quota or for the transfer of its population of a species from Appendix I to Appendix II subject to such a quota. It is worthwhile to note that Botswana, Malawi, Namibia, Zambia and Zimbabwe submitted identical proposals.

In addition, Zimbabwe co-submitted the proposal of Uganda to make it receivable. In accordance with the text of the Convention, only a Party may propose an amendment to Appendix I or II, and a Party is a State for which the Convention has entered into force (Article XV, paragraphs 1 and 2, and Article I, paragraph h). As the Convention entered into force in Uganda on 16 October 1991, this State was not entitled to submit a proposal before 4 October 1991, the deadline for the submission of such proposals. The co-submission by Zimbabwe makes the proposal receivable and avoids its submission for consideration under the postal vote procedure shortly after the eighth meeting of the Parties.

The proposals concerning export quotas are the following:

- Botswana, Malawi, Namibia, Zambia and Zimbabwe

Transfer of the sub-Saharan population of Panthera pardus from Appendix I to Appendix II subject to the following annual export quotas:

<u>State</u>	<u>Quota</u>
Botswana	100
* Central African Republic	40
* Ethiopia	500
* Kenya	80
Malawi	50
Namibia	100
* Mozambique	60
* South Africa	50
United Republic of Tanzania	250
Zambia	300
Zimbabwe	500

- * Party which is not one of the proponents of this proposal; quota listed is as approved in Resolution Conf. 7.7

- Sudan

Maintenance of its population of Crocodylus niloticus in Appendix II subject to an annual export quota of 8,000 specimens for 1992.

- Uganda, Zimbabwe

Transfer of the Ugandan population of Crocodylus niloticus from Appendix I to Appendix II subject to annual export quotas of 2,500 ranched skins in 1992, 1993 and 1994.

2. On 6 November 1991, the Secretariat received a letter dated 24 October from the Management Authority of the Congo indicating that that country wanted a quota of 800 skins of Crocodylus cataphractus and 200 skins of Osteolaemus tetraspis for 1992. No supporting statement was attached to the letter.

At the Lausanne meeting, the Congo was granted a quota of 600 specimens of Crocodylus cataphractus for 1992, but a zero quota for Osteolaemus tetraspis.

Consequently, and in accordance with Resolution Conf. 7.14, such changes should have been subject to proposals following the procedures of Article XV of the Convention and, in particular, should have been submitted on 4 October 1991 at the latest. It is worthwhile to note also, that the Secretariat reminded all the Parties concerned regarding the deadlines and provisions of Resolution Conf. 7.14 (see paragraph 3 below).

The Secretariat considers, therefore, that the request from the Congo should not be accepted.

There remains the question of the quota of 600 specimens of C. cataphractus for 1992 in case of adoption of the amendment proposal submitted by Switzerland (see paragraph 3 below). It is the understanding of the Secretariat that in such case the quota specimens should be exported before the entry into force of the listing in Appendix I, i.e. before 11 June 1992 in this particular case.

The situation would be similar for the other countries the populations of which might be transferred back to Appendix I in case their ranching proposals are not approved (see also the case of the Sudan in Annex 1 of this document, paragraph 3).

3. At the seventh meeting (Lausanne, 1989) the Conference of the Parties adopted Resolution Conf. 7.14 on Special Criteria for the Transfer of Taxa from Appendix I to Appendix II, under which it was recommended that "for those species for which an export quota under Resolution Conf. 5.21 was approved prior to the seventh meeting, such transfer should be for a maximum period of two intervals between regular meetings of the Conference of the Parties or one interval, should the usual interval become three years, ... after which the population should be transferred to Appendix I if it is not retained in Appendix II under the provisions of either Resolution Conf. 1.2, where applicable, or Resolution Conf. 3.15 adopted at the third meeting of the Conference of the Parties (New Delhi, 1981)".

Therefore and taking into account the last paragraph of Resolution Conf. 7.14, the Secretariat asked the Depositary Government (Switzerland) to submit appropriate proposals for all species falling under the above recommendations. Consequently, Switzerland submitted the following proposals:

- Transfer of the Congolese population of Crocodylus cataphractus from Appendix II to Appendix I
- Transfer of the Cameroonian, Congolese, Kenyan, Malagasy, Sudanese and Tanzanian populations of Crocodylus niloticus from Appendix II to Appendix I
- Transfer to the Indonesian population of Crocodylus porosus from Appendix II to Appendix I
- Transfer of the Congolese population of Osteolaemus tetraspis from Appendix II to Appendix I

It is understood that the proposals concerning the populations of Kenya, Madagascar and the United Republic of Tanzania of Crocodylus niloticus and the population of Indonesia of Crocodylus porosus will be withdrawn if the ranching proposals submitted by those Parties are accepted by the Conference of the Parties (see document Doc. 8.43).

4. At the seventh meeting of the Conference of the Parties (Lausanne, 1989), the population of Ethiopia of Crocodylus niloticus was transferred to Appendix II subject to annual export quotas. This Party has submitted a proposal for the maintenance of its population of Crocodylus niloticus in Appendix II pursuant to Resolution Conf. 3.15 on Ranching (see document Doc. 8.43).
5. At the seventh meeting of the Conference of the Parties, the following populations were also transferred to Appendix II subject to annual export quotas:
 - Indonesia: Scleropages formosus (1250 in 1990, 1500 in 1991 and 2500, including 50% ranched specimens, in 1992)
 - Somalia: Crocodylus niloticus (500 in 1990, 1991, 1992)

Neither of these Parties has submitted a proposal for renewal of its quota or other proposals. However, according to Resolution Conf. 7.14, "if a Party with a quota approved at a regular meeting of the Conference of the Parties intends to keep its quota unchanged for the interval between the next two regular meetings this should be agreed to by the Conference of the Parties, but no supporting statement is required if the Party has fulfilled its reporting requirements in terms of this Resolution."

Regarding Scleropages formosus, it appeared from consultation between the Indonesian Management Authority and the Secretariat that Indonesia intended to trade exclusively in captive-bred specimens and, therefore, would not require renewed quotas. In addition, it was planned to have the Indonesian population of the species retransferred to Appendix I and to have a captive-breeding operation registered. The CITES project planned several years ago was finally conducted in 1991 in the light of such intention and planning.

By 4 October 1991, no proposal from Indonesia had been submitted for retransfer to Appendix I and registration of a captive-breeding operation. However, on 17 October, the Secretariat received a request for registration of a farm, dated 11 October, which is not required for a species included in Appendix II as the Indonesian population of S. formosus is.

In such circumstances, the Secretariat recommends that the Indonesian population of S. formosus be maintained in Appendix II with a zero quota until the next meeting of the Conference of the Parties, when a proposal for retransfer to Appendix I will be submitted, with the understanding that Indonesia will be authorized to trade in captive-bred specimens from the operation registered by the Indonesian Management Authority, and subsequently by the Secretariat when the species is listed in Appendix I again.

Regarding Somalia, the Secretariat does not know what is the intention of this country with which it has had no contacts for a long time presumably because of the political situation in the country. The Secretariat might recommend the maintenance of the quota of 500 specimens for each of the years 1993 to 1995.

6. The amendment proposals and supporting statement received were sent by the Secretariat to all Parties, in accordance with Resolution Conf. 7.14, through the Notification to contracting or signatory States of 28 October 1991 [see document Doc. 8.46 (Rev.) Annex 1]. The supporting statements for the proposal from Uganda, the Sudan and Zimbabwe were sent at a later date. These supporting statements are attached to this document.*

Recommendations from the Secretariat and Comments from the Parties

7. The recommendations from the Secretariat are included in Annex 1 to this document.
8. The comments received from Parties are included in Annex 2 to this document.

* As indicated in the "Foreword", these supporting statements are not reproduced in these Proceedings. (Note from the Secretariat).

Consideration of Proposals for Amendment of Appendices I and II

Proposals Concerning Export Quotas

RECOMMENDATIONS FROM THE SECRETARIAT

1. The Secretariat's recommendations given below are provisional and may be changed on the basis of information that the Secretariat is expecting to receive from various sources, including Parties (range States in particular) and others.

2. Proposal from Botswana, Malawi, Namibia, Zambia and Zimbabwe

The objective of this proposal appears to be to allow the sale of leopard specimens which could be imported for commercial purposes, not only as personal objects as is currently the case under Resolution Conf. 7.7. The required quotas are exactly the same as those granted by the Conference of the Parties under that Resolution except for that of Malawi (50 instead of 20) and Namibia (new State) and, therefore, the impact on the wild population would not be increased. In addition, the number of specimens involved is not sufficient to generate the risk of re-opening the fur trade.

Consequently, and as the Conference of the Parties has recognized "that in some sub-Saharan countries the population of the leopard is not endangered", the Secretariat recommends that this proposal be approved.

3. Proposal from the Sudan

At the seventh meeting of the Conference of the Parties (Lausanne, 1989), the Sudan was granted a quota for 1990 only, on the understanding that the quota was to allow the export of Crocodylus niloticus skins accumulated before 1 January 1989, the date on which started a three-year total ban on hunting of mammals, birds and reptiles.

In its telex of 1 October 1991, asking for a quota of 8000 skins for 1992, as well as in the full supporting statement received later, the Management Authority of the Sudan declared that there were 11,860 crocodiles skins in stock, all legally hunted in 1990, the hunting of wild crocodiles not having ended until 1991. In earlier correspondence with the Secretariat, the Management Authority declared that the announcement made in Lausanne had not been totally correct as the crocodile had been excluded from the ban.

As the requested quota is for 1992, i.e. a year which was open to quotas granted at the Lausanne meeting, the Secretariat, with some reluctance, recommends that the proposal from the Sudan be approved but, at the same time, recommend that the proposal from Switzerland to transfer the Sudanese population of the Nile crocodile back to Appendix I also be approved. This would mean that the 8000 skins must be exported (and imported) within the 90-day period between the end of the eighth meeting of the Parties and the date of entry into force of the amendments to Appendices I and II adopted at that meeting, i.e. before 11 June 1992.

4. Proposal from Uganda and Zimbabwe

If Uganda would have been able to join CITES at an earlier date, it might have submitted a proposal pursuant to Resolution Conf. 3.15 on Ranching as it has developed a crocodile ranch. The supporting statement is well prepared and provides the information required.

Consequently, and in particular because the quotas will concern ranched specimens only, the Secretariat recommends that the proposal be approved.

Consideration of Proposals for Amendment of Appendices I and II

Proposals Concerning the Export Quotas

COMMENTS FROM THE PARTIES

The Secretariat has received no comments from Parties concerning the quota proposals.

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Proposals Concerning Export Quotas

AMENDMENTS TO THE PROPOSAL SUBMITTED BY BOTSWANA, MALAWI,
NAMIBIA, ZAMBIA AND ZIMBABWE FOR THE TRANSFER OF THE SUB-SAHARAN
POPULATION OF *PANTHERA PARDUS* FROM APPENDIX I TO APPENDIX II,
SUBJECT TO AN ANNUAL EXPORT QUOTA

The above proposal is amended to read as follows:

Transfer of *Panthera pardus* (populations of Botswana, Malawi, Mozambique, Namibia, South Africa, Zambia and Zimbabwe) from Appendix I to Appendix II, subject to an annual export quota.

An annotation should be made to the listing of *Panthera pardus* in Appendix II of the Convention as follows:

"Temporary inclusion in Appendix II, under the terms of Resolution Conf. 7.14, of the populations of Botswana, Malawi, Mozambique, Namibia, South Africa, Zambia and Zimbabwe, subject to the following conditions:

1. That annual exports of leopard skins from the following States may not exceed the number shown under "quota" opposite the name of the State in any one calendar year:

<u>State</u>	<u>Quota</u>
Botswana	100
Malawi	50
Mozambique	60
Namibia	100
South Africa	75
Zambia	300
Zimbabwe	500

2. That the skins are acquired by the owner in the country of export and are being imported as personal items that will not be sold in the country of import;
3. That no more than two skins or nearly whole skins (including hunting trophies) may be exported by any one owner during a calendar year;
4. The skins must be tagged in accordance with Resolution Conf. 7.7."

The following amendments to supporting statements of the proposal should be noted.

The second and third paragraphs of Section 3.32 should be deleted, and the following sentences appended to the end of the first paragraph;

"This proposal seeks to retain the fundamental elements of the Appendix-I quota system, chiefly the limit of two skins and the tagging system set forth in Resolution Conf. 7.7. The proponents recognize

'the desire of the Parties that commercial trade in leopard skins not be re-opened but seek transfer of certain leopard populations to Appendix II in recognition that in certain sub-Saharan African countries, the leopard is not endangered.'"