

AMENDMENTS TO APPENDICES I AND II OF THE CONVENTION

Quota Proposals

A. PROPOSAL

Maintenance of the Sudanese population of Crocodylus niloticus in Appendix II subject to an export quota of 8,000 for 1992 and zero for both 1993 and 1994.

B. PROPONENT

Sudan.

C. SUPPORTING STATEMENT

1. Taxonomy

11. Class: Reptilia
12. Order: Crocodylia
13. Family: Crocodylidae
14. Species: Crocodylus niloticus Laurenti, 1768
15. Common Names: English: Nile crocodile
French: crocodile du Nil
Spanish: Cocodrilo del Nilo
16. Code Numbers:

2. Biological Data

Sudan is the largest country in Africa with a surface of 2,505,815 km², of which an estimated 100,000 km² is Nile floodplain and within that about 30,000 km² the Sudd swamps, the largest wetland area in Africa (an area the size of Belgium). While the size of this wetland has varied enormously in the last 50 years, the Nile has been discharging at a high level since the 1970's and even if the Jonglei canal is ever completed, at this rate of discharge the remaining area will still exceed that of pre-1960 (IUCN, 1990).

Nile crocodiles occur throughout the Sudd and in the rivers throughout southern Sudan. Information relating to populations extralimital to Sudan is excluded from this proposal, however, considerable scientific information is available on virtually all aspects of Nile crocodile biology and ecology, and their status and distribution in many East and Central African countries. Interested Parties should, in the first instance, refer to Cott (1961), Graham (1968), Pooley (1976) and Hutton (1984).

21. Distribution: Historically, the Nile crocodile was found throughout the Nile and its tributaries, but hunting and other human pressures (irrigation and fishing especially) saw the crocodile of these northern regions largely restricted to its more inaccessible strongholds (of which the Sudd is predominant) by the 1950's (Cott and Pooley, 1972). Today the crocodile is found throughout the Sudd and all the Nile tributaries in the Nile floodplain and the wooded savanna of southeastern Sudan.
22. Population: The crocodile population of Sudan is indeterminate. There has never been a systematic survey of the population, and such a survey is presently impossible due to civil disturbance in the south of the country.

Cott and Pooley (1972) suggested, with only anecdotal evidence, that the population was much reduced by the 1950's, and this was probably the case, but huge areas of the Sudd were not readily accessible to hunters. Tello (1985) considered the species to be abundant and stable in most of its habitat in Sudan, though a marked decline was reported in the upper Nile north of Kosti. South of Juba, crocodiles were considered common, but declining, partly as a result of droughts.

When the quota system was first introduced in 1985, and the Nile crocodile transferred to Appendix II under quotas in some countries, Sudan was considered to have the largest crocodile population in Africa. Certainly, the population has supported a harvest of skins for decades - Dixon and Luxmoore (1986) indicate that an annual harvest of over 20,000 skins was probably taken (legally and illegally) in Sudan in the 1970's and early 1980's.

23. Habitat: As noted above, the Nile crocodile is, not surprisingly, restricted to the wetland habitats of Sudan. Extensive areas of the Sudd and associated floodplains are legally conserved in the Zeraf, Fanyikang, Shambe, Mongalla and Badingeru Game Reserves, though management is at present impossible. Major development programmes in the region are currently unable to develop, but the Jonglei canal has been started and this will alter the hydrology of the region somewhat, though the IUCN (1990) considers it unlikely that the wetland will be reduced to below its 1960 area.

The Sudd remains the largest and most inaccessible wetland in Africa.

3. Trade Data

31. National Utilization: The Sudan has long been a major producer of Nile crocodile skins, the rich Sudd having supported a wild harvest since the 1940's when commercial hunting became important.

Tello (1985) reported a high level of national utilization, estimating that 20,000 - 30,000 animals were hunted annually, usually in an uncontrolled manner. This hunting was brought under control in the early 1980's after the Sudan joined CITES. Permits from the Director General of the Wildlife and National Parks Forces apparently did not exceed the CITES export quotas from this time (see next section). The withdrawal of the French and Italian reservations on the species in 1984 had a marked effect on exports and therefore local utilization.

Some crocodile skins are made into local products in Sudan, but this has always been small in comparison to the export market. Further details of utilization are given in the next section, but it must be noted that wild hunting ended in 1990. The present quota request is simply to clear a stockpile. There will be no further exports of wild skins from the Sudan.

In 1991, 96 crocodiles captured as problem animals were moved into captivity, rather than being killed, to form the basis for captive breeding according to Resolution Conf. 2.12 and its successors. Eventually, once the security situation improves, it is intended that the farm should start ranching, but this is impossible at present. The CITES Secretariat has been approached to register this captive-breeding operation, known as the EL FAKI Crocodile Farm.

32. Legal International Trade: In 1987 a major review of the Sudanese trade in crocodile skins was undertaken by the International Alligator and Crocodile Trade Study (IACTS). Sudan was used as an example of a major producer since it accounted for over half the total production of the species in 1983 and also because it was considered to have the largest crocodile population in Africa. This report is included in full as Annex A.

Sudan did not effectively become a CITES Party until 1983 and did not submit an annual report until 1985, so trade in previous years was inferred from the imports and re-exports of other reporting Parties (Dixon and Luxmoore, 1986). A minimum of 9,500 skins entered legal trade from the Sudan in 1978, 11,700 in 1979, 16,500 in 1980 and 11,900 in 1981. In 1982 the Government introduced a tariff on each exported skin and, probably as a result, exports fell to about 4,000. In 1983 they climbed again to 15,800 and it is probable that they stayed at this level in 1984. All these exports were legal in terms of CITES since they were either before Sudan was a Party, or while Sudan held a reservation.

In 1985, Sudan was considered to have the largest crocodile population in Africa and was given a commensurate quota. In 1985, 2,931 skins were exported, 4,501 in 1986, and 4,066 in 1987. Quotas were renewed at the level of 5,000 skins a year for 1988, 1989 and 1990 and roughly the whole quota was exported each year.

In 1989, in Lausanne, Sudan reported that a hunting ban had been imposed in the country from 1st January 1989 until the end of January 1992. It was reported that a stock of 10,040 legally hunted skins were being held by Sudan - 5,000 of these were to be exported under the 1989 quota so Sudan asked for a quota for 1990 of 5,040 to export the balance, and nothing for 1991 and 1992.

While the information presented at the Lausanne meeting was correct, it should have been noted that crocodiles were specifically excluded from the hunting ban, which was primarily to protect terrestrial animals badly affected by drought. In fact, crocodile hunting only ended in 1990, after which no new permits were issued. In 1989 and 1990 over 11,000 crocodiles were legally hunted under licences issued by the Regional Offices of the Wildlife Forces (each licence good for 40 animals) and these animals were taken.

As a result, a steady stream of crocodile hides made its way to Khartoum in 1990 and 1991 and 11,960 are held in a stockpile. It should be noted that the security situation in the south of Sudan has made communications difficult and transport hazardous and the skins have been carried in parcels of up to 300 both on foot and by donkey over distances exceeding 1,000 km - small wonder that they were slow arriving in the capital city.

On the skins in stock, many are now over 2 years old and of no value. However, 8,000 skins are well preserved and of value to Sudan. No further permits for crocodile hunting have been issued, and it is simply to dispose of the remaining 8,000 good skins in the stockpile that a quota is being requested for 1992.

33. Illegal Trade: Tello (1985) suggested that there was considerable traffic in illegal crocodile skins, of all three African species, through Sudan. This may have been the case, but it is believed that there is little or no illegal trade today. Perhaps the best evidence of this is the present request for a quota to export 8,000 skins and the fact that over 3,000 skins have deteriorated to a condition beyond that suitable for sale. Illegal trade in Nile crocodile has been virtually extirpated in recent years.
34. Potential Trade Threats: There are no potential trade threats to the Nile crocodile as a species, though some sub-population would quickly be adversely affected by over-hunting.

341. Live Specimens:

342. Parts and Derivatives: Since the quota requested for Sudan in 1992 is only for animals which are already dead, there will be no further effect on the wild population by approval of this export. In order to ensure that the skins in the stockpile are genuine in their origin, as stated above, Sudan has invited CITES to send a specialist to Khartoum to inspect, measure and grade all the skins in the stockpile before the Kyoto meeting of the Conference of the Parties. This will be sponsored by Sudan.

4. Protection Status

41. National: In Sudan there was no legal protection of crocodiles, which were considered vermin, prior to 1970. In September 1970, the crocodile was listed under Schedule III of protected wild animals in the Ordinance, where its killing is subject to permission from the Director General of the Wildlife Conservation and National Parks Forces.
42. International: In 1991, the Nile crocodile is listed in Appendix II of CITES under Resolution Conf. 3.15 in Botswana, Malawi, Mozambique, Zambia and Zimbabwe; and under Resolution Conf. 5.21 in Ethiopia, Kenya, Madagascar, Somalia, Sudan and United Republic of Tanzania. Elsewhere the species in Appendix I, though there are current proposals to downlist the species in South Africa and Uganda.

43. Additional Protection Needs: There appears to be no additional protection needs required for the Nile crocodile which has been a species for which CITES has been singularly effective, though by regulating rather than prohibiting trade. Within Sudan, as in most countries, the survival of the crocodile will eventually depend on the survival of its habitat. In Sudan, the IUCN (1990) has identified that additional conservation areas are needed in the Sudd, suggesting extension of the Shambe Game Reserve and consolidation of the Mongalla and Badingelu Reserves.

5. Information on Similar Species

The Nile crocodile is the only crocodile species in Sudan.

6. Comments from Countries of Origin

It should be noted that in 1984, at a workshop on the implementation of CITES in Africa, 25 African countries agreed that the Nile crocodile was not endangered and did not merit inclusion in Appendix I. The SADCC political grouping of southern African countries have stated that the Nile crocodile is not currently threatened with extinction and should be moved off Appendix I (SADCC, 1988).

7. Additional Remarks

71. The Quota Request: As detailed in section 31. above, the quota of 8,000 skins requested by Sudan for 1992 is specifically for the export of stockpiled skins from animals already dead. A zero quota is requested for 1993 and 1994 since all legal crocodile hunting ended in 1990. By 1995, the first skins should be ready for export from the EL FAKI captive-breeding farm.

72. Justification of the Quota: There will doubtless be opposition to the proposed quota on two principal ground: i) it is likely to be suggested that the quota will have adverse conservation effects, and ii) it may be suggested that Sudan is no longer entitled to a quota according to the terms of Resolution Conf. 7.14.

i) It should be noted that, had Sudan asked for a quota of this magnitude at the Lausanne meeting of the Conference of the Parties in 1989, it almost certainly would have been granted. That a zero quota was requested for 1991 was a mistake. The animals in question were legally hunted according to the laws of Sudan, and are already dead. Since specialists are to inspect, measure, tag and grade the skins so that the stockpile cannot be added to, and since no further killing has or will take place, the stock and hence the quota is therefore unable to affect the conservation status of wild crocodiles.

ii) Resolution Conf. 5.21, the "Special Criteria" under which quotas were originally given in 1985, was temporary and included the requirement that it would be reviewed at the 7th meeting of the Conference of the Parties. Its replacement, Resolution Conf. 7.14 only came into force 90 days after the 7th meeting of the Conference of the Parties [Article XV 1(c)] and thus the quotas given at the 7th meeting of the Conference of the Parties were given in terms of Resolution Conf. 5.21.

Resolution Conf. 7.14 states

"..... the following general rules apply:

- a) 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.....".

However, Sudan has already had quotas for a minimum of three intervals between regular meetings, which makes compliance with this general rule impossible. Therefore, if the Conference of the Parties is not to produce an unworkable rule, the only reasonable way to interpret the general rules as laid down in Resolution Conf. 7.14 is to assume that the statement: "such transfer should be for a maximum of two intervals between regular meetings of the Conference of the Parties" means two intervals from the time of entry into force of Resolution Conf. 7.14, or perhaps more rigourously, from the time of acceptance of Resolution Conf. 7.14 by the Conference of the Parties.

If this view is accepted, then Sudan is clearly entitled to a quota, under Resolution Conf. 7.14 for the period between the eighth and ninth meetings of the Conference of the Parties, provisionally the years 1992, 1993 and 1994.

73. Compliance with Resolution Conf. 7.14

- a) It is impossible to undertake a new survey of the crocodile population of Sudan. However, Tello (1985) found that the crocodile population of Sudan was the largest in Africa and did not merit inclusion in Appendix I.
- b) The species is non-migratory.
- c) Sudan has a well documented, scientific management plan for crocodiles (see Annex B).
- d) Entry into trade will be strictly controlled through a system of tagging and will not result in any reduction in CITES controls on other species.
- e) All skins will be tagged with tags satisfying the uniform marking criteria.
- f) All permitting and other obligations under Article IV can be fulfilled by Sudan.
- g) Sudan has submitted annual reports on crocodile trade.
- h) Sudan no longer has a reservation on the Nile crocodile.

8. References

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