

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

Twelfth meeting of the Conference of the Parties
Santiago (Chile), 3-15 November 2002

Interpretation and implementation of the Convention

Species trade and conservation issues

CONSERVATION OF AND TRADE IN THE PANCAKE TORTOISE *MALACOCHERSUS TORNIERI*

The attached document has been submitted by Kenya.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat draws attention to Agenda item 39 on conservation of and trade in tortoises and freshwater turtles, under which the adoption of a comprehensive resolution on this subject will be discussed (see document CoP12 Doc. 39) which could accommodate many of Kenya's concerns. Similarly, the proposed measures regarding the management of export quotas for this Appendix-II listed species can be dealt with under Agenda item 48 (see documents CoP12 Doc. 50.1 and CoP12 Doc. 50.2). The Secretariat is therefore of the opinion that it is neither appropriate nor necessary to adopt a separate resolution on the conservation of and trade in the pancake tortoise *Malacochersus tornieri* as proposed by Kenya. Furthermore, the Animals Committee has recommended that its existing tortoises and freshwater turtles working group be continued after CoP12, *inter alia* to follow up on the implementation of the draft resolution on tortoises and freshwater turtles, which may include a review of the scientific aspects of captive breeding of tortoises and freshwater turtles and the distribution of wild populations. There is therefore no need for a separate resolution directing the Animals Committee to establish a Pancake Tortoise Working Group.
- B. The Secretariat is not aware that the system which is currently in place in the United Republic of Tanzania and that was agreed between the Management Authority and the Secretariat pursuant to a recommendation of the Standing Committee, only allowing for the exportation of live specimens of *Malacochersus tornieri* with a carapace length of 8 cm or less from commercial breeding operations, is posing implementation problems. It advises however that concerns regarding the controls over existing breeding operations of *Malacochersus tornieri*, export quotas for such operations, and marking issues be best brought up, through the Secretariat, with the United Republic of Tanzania. This would also offer an opportunity to discuss the very specific monitoring and control measures for breeding operations of *Malacochersus tornieri* suggested by Kenya.
- C. Available trade data indicate that during recent years, live specimens of *Malacochersus tornieri* of wild origins have been exported from countries neighbouring the known range States without it being clear that these specimens had been legally imported into those countries. This illustrates the continuous need to improve border controls in eastern and central Africa, and for Management Authorities to be vigilant in issuing export permits or re-export certificates only for specimens of legal and known origins.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Conservation of and trade in the pancake tortoise *Malacochersus tornieri*

RECOGNIZING that *Malacochersus tornieri* was included in Appendix II in 1975;

AWARE that the species has a restricted range of distribution with no records of its natural occurrence outside of Kenya and the United Republic of Tanzania;

NOTING that in 1981, Kenya banned the export of the species except with written permission of the Minister for the Environment and Natural Resources;

NOTING that concern about the detrimental effect of the trade in wild-caught specimens on the survival of the species led the Standing Committee, in 1993, to recommend to Parties that they not accept the import of specimens of the species from the United Republic of Tanzania under the terms of Resolution Conf. 8.9;

RECOGNIZING that in 1998, the Secretariat organized a workshop in the United Republic of Tanzania to address the breeding of this species and, as a result, the United Republic of Tanzania was allowed to export existing stocks of captive-born (ranched) specimens in 1999 and, beginning in 2000, the export of ranched specimens of a specific size class (carapace length not to exceed 5 cm);

CONSIDERING that females may produce only a maximum of two eggs a year in captivity, and the ratio of hatchlings to adult females at breeding operations should not exceed 2:1 in any given year;

CONCERNED that, in most cases, the ratio of hatchlings to adult females in captive operations exceeds 2:1 and that the extra hatchlings in captive operations could have originated in the wild, which could be detrimental to the survival of the wild population;

FURTHER CONCERNED that there are trade records indicating that specimens of the species have been exported from States that are not known to be range States;

RECOGNIZING that the natural habitat of the species is very special and difficult to replicate in captive operations, a factor that compromises the welfare of the individuals;

ACKNOWLEDGING also that Article VI, paragraph 7, of the Convention provides that specimens of species listed in the Appendices may be marked to assist in identifying them;

NOTING that use of transponders has been recommended as a global standard for permanent identification of animal specimens and that the skin fold on the left side of the neck is recommended as the optimal site for subcutaneous transponder implantation in chelonians;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DIRECTS the Animals Committee to establish a Pancake Tortoise Working Group to develop recommendations for consideration at the 13th meeting of the Conference of the Parties on measures to improve conservation of and control of trade in live specimens of the species, including an analysis of whether existing breeding operations for the species conform to the following:

- a) the ratio of hatchlings to adult females is maintained at a maximum of 2:1, unless the maximum annual reproductive rate of adult females in captivity is scientifically demonstrated to exceed two eggs per year;

- b) the natural habitat of the species is replicated as much as possible in order to ensure the welfare of the specimens;
- c) the export quotas requested by breeding operations have been confirmed by the Management Authority of the exporting State not to exceed the reproductive capacity of the captive population at that breeding operation and the ratio of hatchlings to adult females does not exceed that described in paragraph a) above; and
- d) the specimens produced at breeding operations for export trade are marked with transponders that can be traced to the breeding operation.