

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



Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

Interpretation and implementation of the Convention

Species trade and conservation issues

TORTOISES AND FRESHWATER TURTLES

1. This document has been prepared by the Secretariat.
2. At its 11th meeting (CoP11, Gigiri, 2000), the Conference of the Parties adopted Resolution Conf. 11.9 on the Conservation of and trade in tortoises and freshwater turtles, which was amended at the 12th and 13th meetings of the Conference of the Parties (CoP12, Chile, 2002; CoP13, Bangkok, 2004).
3. In paragraph m) of Resolution Conf. 11.9 (Rev. CoP13) the Conference of the Parties urges *range States of tortoises and freshwater turtles that authorize trade in these species to include in their periodic reporting under Article VIII, paragraph 7 (b), information on progress in implementing this Resolution.*
4. At CoP13, the Parties adopted Decisions 13.36 and 13.37 on tortoises and freshwater turtles, directing the Secretariat as follows:
 - 13.36 *The Secretariat shall submit a written summary of the information on the implementation of Resolution Conf. 11.9 (Rev. CoP13) that is contained in biennial reports from Parties for consideration at the 14th meeting of the Conference of the Parties.*
 - 13.37 *The Secretariat shall:*
 - a) *liaise with the World Customs Organization to promote the establishment and use of specific headings within the standard tariff classifications of the Harmonized System for tortoises and freshwater turtles and for products thereof;*
 - b) *ensure that the proceedings of the technical workshop on conservation of and trade in tortoises and freshwater turtles (Kunming, March 2002) are made available to the general public via the CITES website; and*
 - c) *report on these activities at the 14th meeting of the Conference of the Parties.*
5. Resolution Conf. 11.9 (Rev. CoP13) and Decisions 13.36 and 13.37 came into effect 90 days after CoP13, in January 2005. The deadline for the submission by Parties of their biennial reports for the period 2005-2006 is 31 October 2007. At the time of writing of this document (January 2007), the Secretariat had received only one biennial report covering the period from 1 January 2005 to 31 December 2006. It was submitted by the Republic of Moldova, a Party not directly concerned with the implementation of Resolution Conf. 11.9 (Rev. CoP13). Therefore, the Secretariat is unable to submit a written summary of the information referred to in Decision 13.36.

6. The Secretariat notes that a format for the biennial report was adopted at CoP13. It was circulated with Notification to the Parties No. 2005/035 of 6 July 2005 and should be used for the periods 2003-2004 and 2005-2006. However, the format does not provide for specific reporting on the implementation of Resolution Conf. 11.9 (Rev. CoP13) or other forms of reporting on species management issues that might be requested through Resolutions or Decisions. This makes compliance by the Parties with such reporting obligations difficult, and so hampers compilation of such information by the Secretariat. The Secretariat has suggested that this issue be addressed in the context of an overall review of special reporting required from Parties (see agenda item 29 and document CoP14 Doc. 29).
7. Concerning Decision 13.37, paragraph a), the Secretariat liaised regularly with the World Customs Organization (WCO). The Conference of the Parties has previously called for WCO to create specific headings for certain CITES-listed or non-listed taxa in the standard tariff classifications of the Harmonized System. Those requests that were channelled through the CITES Secretariat, including the one referred to in Decision 13.37, have not achieved this to date. This might be because WCO normally deals with the Customs authorities of its member countries on these matters, and not with CITES authorities. It should in any case be noted that the process for creating new codes within the standard tariff classifications of the Harmonized System takes about seven years from the time of proposal to its coming into effect.
8. Concerning Decision 13.37, paragraph b), the proceedings of the technical workshop on conservation of and trade in tortoises and freshwater turtles (Kunming, March 2002) have been available on the CITES website since April 2002 in document AC18 Inf. 12. The establishment on the CITES website of a separate section on tortoises and freshwater turtles under the section 'species programmes' is envisaged.

Conclusions

9. The timing of the submission of biennial reports by the Parties between the 13th and 14th meeting of the Conference of the Parties, with deadlines for reporting on the period 2005-2006 being 31 October 2007, prevented the Secretariat from complying with Decision 13.36 as no relevant biannual reports had been received. The Secretariat complied with Decision 13.37.

Recommendations

10. The Secretariat recommends that the range States of Asian tortoises and freshwater turtles assess the need to maintain the reporting obligations specified in Resolution Conf. 11.9 (Rev. CoP13) and the need to prolong Decision 13.36 until the 15th meeting of the Conference of the Parties. These countries may regard it as a useful tool to exchange experiences on the implementation of Resolution Conf. 11.9 (Rev. CoP13) and collect updated information on regional progress on this issue. However, the Secretariat would suggest the deletion of any recommendation to provide reports that would not be of interest or helpful to these range States.
11. If felt necessary, the Parties may consider renewing paragraph a) of Decision 13.37, but the Secretariat would recommend that it be directed specifically to Parties in the Asian region.
12. The Parties should consider amending the biennial report format to allow for specific reporting on species management issues that might be called for in Resolutions or Decisions.