

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



Fifteenth meeting of the Conference of the Parties
Doha (Qatar), 13-25 March 2010

Interpretation and Implementation of the Convention

Species trade and conservation issues

CONSERVATION OF AND TRADE IN CORALLIIDAE SPECIES

1. This document has been submitted by the United States of America*.

Background

2. The United States has submitted a proposal for the 15th meeting of the Conference of the Parties to CITES (CoP15) to include all species of corals in the family Coralliidae in Appendix II. This document is intended as a companion to that proposal and is intended to be discussed along with it.
3. The United States submitted a proposal to CoP14, to include all species of corals in the genus *Corallium* in Appendix II of CITES. In addition, the United States proposed at CoP14 that Resolution Conf. 13.7 (*Control of trade in personal and household effects*) be amended to include an exemption from CITES permit requirements for personal or household effects of *Corallium* spp. in shipments containing up to seven items of finished specimens where the total weight of the finished specimens does not exceed 2 kilograms per person. Although the U.S. proposal received a majority of the vote of the Parties at CoP14, it did not receive the two-thirds majority necessary for adoption.
4. In response to issues raised at CoP14 in relation to the U.S. listing proposal, the United States provided partial funding for and participated in two workshops on the science and management of, and trade in species in the family Coralliidae. The first workshop was held in March 2009 in Hong Kong and the second in September 2009 in Naples, Italy. International experts from governments, academia, NGOs, FAO, industry, and the CITES Secretariat shared information on biological, fisheries, and trade data. Based on the information gathered and the discussions held during these workshops, we have identified several measures that would assist in ensuring the effectiveness of a CITES Appendix-II listing for species in the family Coralliidae.

Proposed revisions to Resolutions Conf. 12.3 (Rev. CoP14) and Conf. 13.7 (Rev. CoP14)

5. In the event that the U.S. proposal to include the family Coralliidae in Appendix II is adopted, to address issues related to identification of worked Coralliidae specimens in trade and trade in personal effects of finished Coralliidae specimens, the United States proposes: 1) revisions to Section X of Resolution Conf. 12.3 (Rev. CoP14) (*Permits and certificates*) to allow worked specimens of Coralliidae to be identified on CITES permits and certificates at the genus or family level; and 2) revisions to the "AGREES" section of Resolution Conf. 13.7 (Rev. CoP14) (*Control of trade in personal and household effects*) to include an exemption from CITES permit requirements for personal or household effects of Coralliidae in shipments containing up to seven items of finished specimens where the total weight of the finished specimens does not exceed 2 kilograms per person.

* The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

6. The revisions to Resolution Conf. 12.3 (Rev. CoP14) proposed by the United States are provided in Annex 1 to this document. The revisions to Resolution Conf. 13.7 (Rev. CoP14) proposed by the United States are provided in Annex 2 to this document.

COMMENTS OF THE SECRETARIAT

- A. These comments will only be relevant if the Conference of the Parties decides to include Coralliidae spp. in Appendix II to the Convention.
- B. The Secretariat generally supports the draft revision of Resolution Conf. 12.3 (Rev. CoP14), contained in Annex 1 to the present document. It is important to ensure that Parties have a common understanding of the term 'worked specimens'.
- C. The Secretariat has some reservations about the proposed draft revision of Resolution Conf. 13.7 (Rev. CoP14), contained in Annex 2. Under the *Guidelines for amending the list of personal and household effects of Appendix-II species with quantitative limits*, contained in the Annex to Resolution Conf. 13.7 (Rev. CoP14), it is recommended that certain supporting information be provided as justification for a proposed quantitative limit. The present document, however, does not appear to give any justification for the proposed quantitative limit for red and pink coral finished specimens, i.e. "up to seven items where the total weight does not exceed 2 kilograms per person". Moreover, a different quantitative limit was accepted by consensus in Committee I at the 14th meeting of the Conference of the Parties (CoP14, The Hague, 2007), i.e. "up to a maximum of seven specimens of finished items or 1 kg, including any ancillary mounting, per person, whichever is the lesser. Where a specimen, such as jewellery, comprises multiple pieces of *Corallium* and other items, it should be treated as one specimen" [see document CoP14 Com. I Rep. 14 (Rev. 1)]. In the absence of any supporting information for the quantitative limit proposed in the present document, the Secretariat would support the quantitative limit that was accepted by consensus in Committee I at CoP14.

DRAFT REVISION OF RESOLUTION CONF. 12.3 (REV. COP14)

Permits and certificates

NB: Text to be deleted is ~~crossed-out~~. Proposed new text is underlined.

The United States proposes the following changes to Section X of Resolution Conf. 12.3 (CoP14):

X. *Regarding permits and certificates for coral specimens*

RECOMMENDS that:

- a) on permits and certificates for trade in worked specimens of red and pink coral (Coralliidae spp.) where the species cannot be readily determined, the specimens may be recorded at the genus level, and where the genus cannot be readily determined, the scientific name for the given specimens should be "Coralliidae";
- a b) on permits and certificates for trade in specimens that are readily recognizable as coral rock [as defined in Resolution Conf. 11.10 (Rev. CoP14) Annex], where the genus cannot be readily determined, the scientific name for the specimens should be 'Scleractinia';
- b c) any Party wishing to authorize export of coral rock identified to ordinate level only should, in view of the inability to make a non-detriment finding for coral rock pursuant to Article IV, paragraph 2 (a), apply the provisions of Article IV, paragraph 3; and
- e d) Parties that authorize export of coral rock should:
 - i) establish an annual quota for exports and communicate this quota to the Secretariat for distribution to the Parties; and
 - ii) through their Scientific Authorities, make an assessment (which would be available to the Secretariat on request), based on a monitoring programme, that such export will not affect the role that coral rock has in ecosystems affected by the extraction of such specimens;

DRAFT REVISION OF RESOLUTION CONF. 13.7 (REV. CoP14)

Control of trade in personal and household effects

NB: Text to be deleted is ~~crossed out~~. Proposed new text is underlined.

The United States proposes the following changes to the "AGREES" section of Resolution Conf. 13.7 (Rev. CoP14):

AGREES that Parties shall:

- a) regulate the cross-border movements of legally acquired, personally owned live animals of species listed in the Appendices of CITES in accordance with Resolution Conf. 10.20;
- b) not require export permits or re-export certificates, for personal or household effects which are dead specimens, parts or derivatives of Appendix-II species except:
 - i) where they have been advised through a Notification from the Secretariat or on the CITES website that the other Party involved in the trade requires such documents; or
 - ii) for the following, where the quantity exceeds the specified limits:
 - caviar of sturgeon species (*Acipenseriformes* spp.) – up to a maximum of 125 grams per person whereby the container has to be labelled in accordance with Resolution Conf. 12.7 (Rev. CoP14);
 - rainsticks of *Cactaceae* spp. – up to three specimens per person;
 - specimens of crocodylian species – up to four specimens per person;
 - queen conch (*Strombus gigas*) shells – up to three specimens per person;
 - seahorses (*Hippocampus* spp.) – up to four specimens per person; ~~and~~
 - giant clam (*Tridacnidae* spp.) shells – up to three specimens, each of which may be one intact shell or two matching halves, not exceeding 3 kg per person; and
 - red and pink coral (*Coralliidae* spp.) finished specimens – up to seven items where the total weight does not exceed 2 kilograms per person;
- c) advise their Customs administrations of the treatment of personal or household effects under CITES;
- d) take all necessary steps, including inspection and provision of information to merchants, to prohibit the sale of tourist souvenir specimens of Appendix-I species in places of international departure, such as international airports, seaports and border crossings and particularly in duty-free areas beyond Customs control points;
- e) provide information through displays and by other means, in all relevant languages, in places of international departure and arrival, informing travellers about the purpose and requirements of the Convention, and of their responsibilities with respect to international and domestic laws relating to the export and import of specimens of wild fauna and flora; and
- f) in collaboration with national and international tourist agencies, carriers, hotels and other relevant bodies, take all possible steps to ensure that tourists and persons with diplomatic privileges travelling abroad are made aware of the import and export controls that are or may be in force with respect to items derived from CITES species;