

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



Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

Interpretation and implementation of the Convention

Species trade and conservation

HUMPHEAD WRASSE

1. This document has been prepared by the Chair of the Standing Committee Working Group on Humphead Wrasse (China, HKSAR), in consultation with the Secretariat, and approved by the Chair of the Standing Committee for submission to the present meeting for consideration by the Conference of the Parties.

Background

2. At its 15th meeting (Doha, 2010), the Conference of the Parties adopted the following Decisions which read:

Directed to Parties

15.86 *All Parties are urged to:*

- a) *consider adopting appropriate stricter domestic measures under the remit of the legislation of the Party, including limiting the international trade in humphead wrasse to be conducted by air only, to strengthen the control and enforcement of the Appendix-II listing for the species;*
- b) *improve monitoring of trade in humphead wrasse, especially through inspections of boxes of mixed live reef fish by exporting, re-exporting and importing countries;*
- c) *exchange law enforcement information of relevance to humphead wrasse with other relevant Parties, and regularly compile and forward to the Secretariat for distribution a comprehensive summary of Convention violations for the species;*
- d) *increase awareness of the CITES listing for humphead wrasse, including by improving identification capacity among law enforcement officers through the use of training and educational materials;*
- e) *facilitate discussion on practicable and acceptable options for action to be taken in case of illegally imported/confiscated live fish; and*
- f) *provide information to the Secretariat on actions taken to implement this Decision, in order to inform the work of the Humphead Wrasse Working Group to be established by the Standing Committee pursuant to Decision 15.87.*

* *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.*

Directed to the Standing Committee

15.87 *The Standing Committee shall, contingent on the availability of external funding, establish a Humphead Wrasse Working Group, which is to:*

- a) *review the actions taken by relevant Parties to implement this decision;*
- b) *develop and recommend to the Standing Committee further options for improving control and enforcement in relation to the international trade in humphead wrasse, and ensuring the effectiveness of the Appendix-II listing of the species; and*
- c) *report back and recommend appropriate follow-up actions at the 16th meeting of the Conference of the Parties to support this initiative.*

Directed to the Secretariat

15.88 *The Secretariat is requested:*

- a) *to assist Parties in the capacity-building activities outlined in paragraph d) of Decision 15.86; and*
- b) *where necessary, to provide assistance or advice to Parties to address the handling of confiscated live humphead wrasse.*

3. On 10 February 2011, the Secretariat issued Notification to the Parties No. 2011/015 inviting Parties to submit information in respect of Decision 15.86. In response, the United States of America submitted the "Workshop Report on the Trade of *Cheilunus undulatus* & CITES implementation", which was provided at the 61st meeting of the Standing Committee (Geneva, August 2011) as an Annex to document SC61 Doc 49. At the same meeting, China (HKSAR) also provided information about its actions taken to implement CITES Decision 15.86, in document SC61 Inf. 3.
4. The Chair of the Working Group communicated electronically to members of the working group about his observations on the mandates under Decision 15.86 and invited members to review the two documents received in response to the above Notification.
5. As the Chair of the Working Group was appointed only in March 2012, this Working Group started its work very late, and so was unable to give a substantial report at the 62nd meeting of the Standing Committee (SC62, Geneva July 2012). Nonetheless, Working Group members took the opportunity to meet in the margins of SC62 and discussed how to progress the work.
6. As reflected in document SC62 Sum. 9 (Rev. 1), it was agreed at SC62 that the Working Group would "continue its work and prepare a document for the approval by the Chair of the Standing Committee before 4 October 2012 to be forwarded for consideration at the 16th meeting of the Conference of the Parties (CoP16)".
7. The Working Group continued its discussion electronically after SC62. Some Party members and an observer organization provided valuable information in response to the Chair's observations.

Discussion of the Working Group's terms of reference

8. The Working Group reviewed the documents submitted in response to Decision 15.86 and noted the stricter domestic measures taken in the range and trading Parties, including export quotas, import permit requirements, limiting the mode of transport, and other administrative measures may help ensure the legality and traceability of fish in trade.
9. To strengthen the detection of humphead wrasse in mixed consignments, inspections should be conducted by following a well coordinated multi-disciplinary approach. Intelligence about illicit activities could be incorporated for profiling of high risk consignments for inspection.
10. In respect of the exchange of law enforcement information, the Chair reminded the Working Group that the reporting of violations on a regular basis was not required by CITES, except through ETIS for ivory, and that excessive reporting requirements would inevitably create administrative burdens for Management

Authorities. Nevertheless, Parties may choose to share enforcement information with their counterparts and to report significant violations to the Secretariat.

11. Given the fact that the humphead wrasse is mostly traded in live form and that the fish have distinctive external features, the Working Group agreed that identification should not be a problem if appropriate training and materials are provided to enforcement officers.
12. The Working Group was also aware that the disposal guidelines in Resolution Conf. 10.7 (Rev. CoP15) may be useful in dealing with confiscated live humphead wrasse.
13. Apart from the above, one Party member compiled a list of existing documents that contain useful information for Parties to consider their efforts to combat IUU fishing and ensure the effective implementation of the Appendix II listing of humphead wrasse. These documents include but are not limited to:
 - a) Development of fisheries management tools for trade in humphead wrasse, *Cheilinus undulatus*, in compliance with Article IV of CITES (AC22 Inf. 5);
 - b) Humphead Wrasse, additional management measures needed to combat IUU fishing (CoP15 Doc. 51);
 - c) Decision 15.86;
 - d) Workshop Report on the Trade of *Cheilinus undulatus* (Humphead Wrasse / Napoleon Wrasse) & CITES implementation (Annex to SC61 Doc. 49);
 - e) Monitoring and management of the humphead wrasse, *Cheilinus undulatus* (FAO Fisheries and Aquaculture Circular No. 1048);
 - f) Final Report of the Western Pacific Workshop on Policy, Enforcement and Sustainable Trade for the CITES Appendix II – listed Humphead/Napoleon Wrasse, *Cheilinus undulatus* (5 - 7 June 2006) published by TRAFFIC;
 - g) FAO Code of Conduct for Responsible Fisheries; and
 - h) Disposal of confiscated live specimens of species included in the Appendices [Resolution Conf. 10.7 (Rev. CoP15)].
14. The same Party member also recognized that the work of the Working Group had concluded and recommended the continuation of the efforts of the IUCN Groupers and Wrasse Specialist Group to help Parties ensure the effectiveness of the Appendix II listing of humphead wrasse.
15. The Chair then drew up a list of recommendations according to the discussion held so far.
16. While the Working Group generally completed its work, one observer member shared with the Working Group the report of a meeting held in Jakarta, Indonesia, in September 2012 with range Parties of humphead wrasse. This report suggested that illegal trade in humphead wrasse existed and stimulated a further exchange of views among Working Group members.
17. Unfortunately, the meeting report was made available to the Working Group very late and Parties concerned may not be able to verify the information contained in the report. There was also call for bilateral/regional cooperation to effectively address enforcement concerns. Notwithstanding the new information, several members maintained that the work of the Working Group had concluded. One organization disagreed.
18. It was further suggested that the continuation of activities on this matter could be delegated to the Standing Committee by extending and revising Decision 15.86 and 15.87. This view was supported by two other members. Unfortunately, due to the limited time for discussion, this suggested way forward did not appear to have been discussed thoroughly.
19. Recognizing that Parties might still wish to look into Parties' implementation of the Appendix II listing of the humphead wrasse, it is therefore recommended that the Conference of the Parties direct the Standing

Committee to consider whether it is necessary to ask Parties involved in the trade in humphead wrasse to report at its meetings, so as to decide any necessary actions.

Recommendations

20. To assist Parties to effectively implement the Appendix II listing of the humphead wrasse, the Working Group recommends that:
 - a) Parties use existing documents (in paragraph 13 above) in their implementation of the Appendix II listing of the humphead wrasse;
 - b) the IUCN Groupers and Wrasses Specialist Group continue its support to Parties in achieving sustainable fisheries of HHW and ensuring compliance with the requirement to make non-detriment findings in accordance with CITES;
 - c) Parties look into reported violations of the Convention in relation to trade in specimens of humphead wrasse and take appropriate enforcement actions under the remits of their national legislation; and
 - d) range Parties and importing Parties strengthen bilateral/regional cooperation including intelligence exchange and enforcement actions.
21. To allow for the Standing Committee to consider the appropriate actions to be taken, the working group recommended that the Conference of the Parties adopt the proposed amendments to Decision 15.87 contained in the Annex to this document.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat supports in principle the recommendations of the Working Group in paragraphs 20 and 21, but recommends the following changes in paragraph 20 (text to be deleted is ~~crossed out~~; proposed new text is underlined; the Secretariat's suggestions are highlighted):
 - b) *the IUCN Groupers and Wrasses Specialist Group continue its support to interested Parties in achieving sustainable fisheries of humphead wrasse HHW and ~~ensuring compliance with the requirement to make~~ in making non-detriment findings in accordance with CITES.*
 - c) *Parties investigate ~~look into~~ reported violations of the Convention and related national law in relation to trade in specimens of humphead wrasse and take appropriate enforcement actions in accordance with ~~under the remits of~~ their national legislation;*
- B. The Secretariat supports in principle the proposed amendments to Decision 15.87 contained in the Annex to the present document, but recommends the following minor changes (text to be deleted is ~~crossed out~~; proposed new text is underlined; the Secretariat's suggestions are highlighted):

Directed to the Standing Committee

- 15.87 The Standing Committee shall, ~~contingent on the availability of external funding, establish a Humphead Wrasse Working Group, which is to:~~
- a) review the actions taken by relevant ~~Parties~~ **Parties** to implement ~~this decision;~~ the Appendix II listing of humphead wrasse;
 - b) consider whether it is necessary to ask range **parties States** and importing **parties States** to provide further information on their actions taken to ensure the effective implementation of the Convention regarding trade in this Appendix II listing of the species;
 - ~~b-c)~~ **b-c)** develop, as appropriate, and ~~recommend to the Standing Committee further options~~ recommendations for improving the regulation of control and enforcement in relation to the international trade in humphead wrasse, and the enforcement of controls, to ensure and ensuring the effectiveness of the Appendix-II listing of the species; and

e_d) report back its conclusions and recommendations for any appropriate follow-up actions at the 46th-17th meeting of the Conference of the Parties to support this initiative.

DRAFT DECISION OF THE CONFERENCE OF THE PARTIES

Proposed amendments to Decision 15.87 on *Humphead wrasse*

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

Directed to the Standing Committee

- 15.87 The Standing Committee shall, ~~contingent on the availability of external funding, establish a Humphead Wrasse Working Group, which is to:~~
- a) review the actions taken by relevant parties to implement ~~this decision~~ the Appendix II listing of humphead wrasse;
 - b) consider whether it is necessary to ask range parties and importing parties to provide further information on their actions taken to ensure the effective Appendix II listing of the species;
 - b c) ~~develop and recommend to the Standing Committee further options~~ recommendations for improving control and enforcement in relation to the international trade in humphead wrasse, and ensuring the effectiveness of the Appendix-II listing of the species; and
 - e d) report back and recommend appropriate follow-up actions at the ~~46th~~ 17th meeting of the Conference of the Parties to support this initiative.