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* on behalf of the European Union member States acting in the interest of the European Union

Proposal 1

***Rupicapra pyrenaica ornata* (Abruzzo chamois) - Transfer from Appendix I to Appendix II**

Proponent: Denmark (on behalf of the Member States of the European Union)

Provisional assessment by the Secretariat

CITES background

Rupicapra pyrenaica ornata was included in Appendix I when CITES entered in force on 1 July 1975 (it was initially listed under the name *Rupicapra rupicapra ornata*).

Purpose and impact of the proposal

The proponent seeks to transfer *Rupicapra pyrenaica* from Appendix I to Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

The subspecies is found only in central Italy, where it occurs in the Abruzzo, Lazio and Molise National Park (c. 530 animals) and has been re-introduced into three other national parks: Gran Sasso-Monti della Laga, (c. 460 animals) Majella (c. 450-500 animals) and Sibillini Mountains (c. 25 animals). The total population is estimated at almost 1,500 specimens, having increased steadily from a low point of less than 50 animals in the late 1940s.

International trade has been reported in the past, mostly before 2001, but much of this is considered to be reporting error or misidentification of other chamois species and subspecies. Although grazing competition is considered to be the main factor limiting the spread of the subspecies, poaching is also considered to be one of the threats, but not to the extent that it impairs the viability of the subspecies. The species is fully protected by law in Italy.

The supporting statement presents quite a clear picture of the status of the *R. p. ornata*.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 on *Periodic Review of the Appendices*, having been agreed by the Animals Committee by postal procedure in August-September 2012.

The proponents state that the subspecies does meet paragraphs A (small wild population) and B (restricted area of distribution) of the biological criteria for inclusion in Appendix I in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15). However, they go on to state that the precautionary measures in paragraph A. 2 b in Annex 4 of that Resolution are met, that is to say:

the species is likely to be in demand for trade, but its management is such that the Conference of the Parties is satisfied with:

- i) implementation by the range States of the requirements of the Convention, in particular Article IV; and*
- ii) appropriate enforcement controls and compliance with the requirements of the Convention;*

The proponent also correctly points out that the current listing is not in keeping with Annex 3 of the Resolution as it relates to split-listing, because:

When split-listing does occur, this should generally be on the basis of national or regional populations, rather than subspecies. Split-listings that place some populations of a species in the Appendices, and the rest outside the Appendices, should normally not be permitted.

Final comments

It does not appear that international trade is a major factor affecting the status of this subspecies, but the conclusion of the supporting statement, that the subspecies is likely to be in demand for trade and that it still meets the biological criteria for inclusion in Appendix I, does not support the intention of the proposal.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

The facts indicate that the species does not meet the biological criteria for inclusion in Appendix I and is not in demand for international trade.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 2

***Vicugna vicugna* (Vicuña) – Transfer of populations of Ecuador from Appendix I to Appendix II with the following annotation: "The transfer from Appendix I to Appendix II of the vicuña populations of Ecuador is for the exclusive purpose of allowing international trade in wool and products made from wool sheared from live vicuñas, under the brand VICUÑA-ECUADOR"**

Proponent: Ecuador

Provisional assessment by the Secretariat

CITES background

Vicugna vicugna was included in Appendix I when CITES entered in force on 1 July 1975. Since the multilateral Convention for the Conservation and Management of Vicuña was adopted in 1979, some or all of the vicuña populations of four range States (Argentina, Chile, Peru and the Plurinational State of Bolivia) have been transferred from Appendix I to Appendix II.

Purpose and impact of the proposal

The proponent seeks to transfer its population of *Vicugna vicugna* from Appendix I to Appendix II. Ecuador ratified the Vicuña Convention in 1982 and is the only range State whose entire vicuña population remains listed in Appendix I. It now wishes to transfer its vicuña population to Appendix II in recognition of the improved conservation status of that population and in order to provide economic benefits to local communities from the commercialization of sheared vicuña wool and related manufactured products. Unlike other populations that have been transferred from Appendix I to Appendix II, the present proposal does not contain a proposed annotation. Consequently, if the proposal is adopted, any animal, whether alive or dead, or any readily recognizable part or derivative thereof, of the Ecuadorian population will be traded in accordance with Article IV.

Main points made in the supporting statement and general comments

During the 1970s, the vicuña was threatened with extinction in Ecuador and other range States. During the 1980s and 1990s, Ecuador succeeded in re-establishing its vicuña population with live vicuña specimens from Chile, Peru and the Plurinational State of Bolivia, and related management efforts.

Information on the distribution of the species in Ecuador indicates that it is found in three protected areas and one local community area, which are located in the Andean centre of Ecuador in the arid steppe and alpine tundra ecosystems. The role of the species in the ecosystems in which it occurs is presented in a general manner. Information on the biological and morphological characteristics is complete. Information on the status and trends of the populations of the species in Ecuador is also complete, showing a total number of 4,824 vicuñas at present, of which 90 % is found in family groups. The size of the population seems to be increasing.

Regarding potential pressures on the population, the proponent claims that there are no records of poaching of this species in the country. A decree on the conservation and management of vicuña was adopted in September 2004 and a related national action plan was approved in March 2011. Species management measures seem to be in place in the Fauna Production Reserve of Chimborazo. In addition, control enhancement measures have resulted in increasing the number of staff members working in the Chimborazo reserve from eight to 18.

Compliance with listing criteria and other CoP recommendations

The supporting statement asserts that the population of *V. vicugna* in Ecuador no longer meet the criteria in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) and that the precautionary measure contained in Annex 4 paragraph A 2. c) to Resolution Conf. 9.24. (Rev. CoP15) applies. Although an export quota is not an integral part of this proposal, as required in Annex 4 paragraph A 2. c), the proposal is presented within the framework of the Vicuña Convention and the four other range States have shown their support for the proposal by adopting a related resolution (see the reference in the supporting statement to the Ordinary Meeting of the Technical-Administrative Commission of the Vicuña Convention, 1-2 August 2012). From the Vicuña Convention and related meetings or activities, as well as relevant legislation and policies, it could be inferred that effective enforcement controls are in place.

Final comments

The proponent could helpfully clarify whether the species occurs outside protected areas and explain how the precautionary measure contained in Annex 4 paragraph A 2. c) is to be applied.

The proponent does not elaborate on how it would ensure sound control of the conservation and management of the species, and use of vicuña wool and products, if its proposal were successful. In particular, Ecuador might clarify those management measures that are envisaged after the anticipated transfer of the species to Appendix II, which would ensure that trade in vicuña specimens is legal, sustainable and traceable.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

The populations of *Vicugna vicugna* from Ecuador do not seem to meet the criteria for inclusion in Appendix I. Since the proposing statement claims that precautionary measures in Annex 4 A 2c are met, an export quota or other special measure should have been an integral part of this proposal. The proponents have amended their proposal to include an annotation, although the Secretariat notes that it is slightly different than that for populations of this species from other range States.

On the basis of the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal, as amended, be adopted.

Proposal 3

***Ursus maritimus* (Polar bear) - Transfer from Appendix II to Appendix I**

Proponent: United States of America

Provisional assessment by the Secretariat

CITES background

Ursus maritimus was included in Appendix II when CITES entered in force on 1 July 1975 under the higher-taxonomic listing of Ursidae spp. It was proposed for transfer to Appendix I at CoP15 in 2010, but this was rejected after a vote in Committee I with 48 votes in favour, 62 against and 11 abstentions.

Purpose and impact of the proposal

The proponent seeks to prohibit international trade in specimens of *Ursus maritimus*. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article III of the Convention.

Main points made in the supporting statement and general comments

The species has a circumpolar distribution on Arctic sea-ice in five range States: Canada, Denmark (Greenland), Norway, the Russian Federation and the United States. The supporting statement explains that the species is completely dependent on sea-ice which, according to references from 2004 and 2008, has been reduced by 8 % in the past 30 years, with summer sea-ice reduced by 15-20 %. Additional declines in sea-ice coverage of 10-50 % by 2010 were predicted, but there is no information about whether these predictions were confirmed. Lack of sea-ice causes the species to move on land where it is less able to feed and more likely to be killed by human hunters. The current population is thought to be 20-25,000 specimens, compared with 21,470-28,370 in 1993. These are divided in 19 or 20 subpopulations. Population trends are poorly known because of lack of recent survey data, but the latest information suggests that one subpopulation is increasing or possibly increasing, three are stable and eight decreasing or possibly decreasing, while the trend is unknown in seven subpopulations. Overall, the population is thought to have increased after the late 1960s and early 1970s, but is now probably decreasing throughout its range.

The proponent says that about 800 bears are harvested annually, primarily for subsistence purposes. However, it goes on to state that it is estimated that 400-500 specimens (mostly small parts and derivatives) were subsequently exported or re-exported annually between 2001 and 2010. Gross exports of polar bear products were steady between 2001 and 2006, but are said to have declined between 2007 and 2010. Most (79.2 %) exports originate from Canada.

Compliance with listing criteria and other CoP recommendations

The proponent asserts that the available information indicates that polar bears are threatened with extinction in accordance with some of the biological criteria in Annex 1, paragraph C. ii) of Resolution Conf. 9.24 (Rev. CoP15), that is to say a marked decline in the population size in the wild, which has been inferred or projected on the basis of a decrease in area of habitat or a decrease in quality of habitat.

The proponent consulted other range States in accordance with Resolution Conf. 8.21 (*Consultation with range States on proposals to amend Appendices I and II*). One was in favour of the transfer to Appendix I, and three against.

Final comments

The supporting statement has been updated since CoP15 with many new references added. Section 6 on utilization and trade in particular has been substantially re-written and gives a much clearer impression of international trade, which appears to be slightly larger than was understood at CoP15.

According to the guidelines provided in Annex 5 of Resolution Conf. 9.24 (Rev. CoP15), in order to meet the criterion in paragraph C of Annex 1 of that resolution, a species should exhibit a marked historical decline to around 5 %-30 % of its population baseline or a recent decline of 50 % or more in its population size during the

last three generations. However, the supporting statement speaks more of potential population declines in the future, rather than declines which have already occurred.

Comments from Parties and intergovernmental bodies

United States of America

The Secretariat notes that, according to the guidelines provided in Annex 5 of Resolution Conf. 9.24 (Rev. CoP15), in order to meet the criterion [ii] in paragraph C of Annex 1 of that resolution, a species should exhibit a marked historical extent of decline to around 5–30 % of its population baseline or a recent decline of 50% in its population size during the last three generations. The Secretariat indicates that the supporting statement speaks more of potential population declines in the future, rather than declines that have already occurred.

The United States acknowledges that our supporting statement speaks more of potential population declines in the future, rather than declines that have already occurred. The U.S. proposal is based on a marked decline in the population size in the wild that has been inferred or projected on the basis of a decrease in area and quality of habitat, which comports with Resolution Conf. 9.24 (Rev. CoP15), Annex 1, paragraph A.i). According to Amstrup *et al.* (2007) and Amstrup *et al.* (2008), modeling suggests the loss of approximately 2/3 of the world's current polar bear population by mid-century (2050). Decline in ice habitat is the overriding factor driving the model outcomes (Hunter *et al.* 2007).

We project that a “marked decline” in population size in the wild will occur due to the loss of approximately 2/3 (ca. 67%) of the sea ice that the world's current polar bear population relies upon as a platform from which to hunt seals or to use as den sites. The modeling indicates that this loss of habitat will occur by “mid-century,” which is 37 years into the future (less than 3 generations for polar bears).

Our proposal is based on peer-reviewed technical publications by species experts. In 2008, the polar bear was assessed by the IUCN Red List of Threatened Species as Vulnerable (Schliebe *et al.* 2008). The assessment was based on a suspected population reduction of >30% within three generations (45 years) due to decline in area of occupancy (AOO), extent of occurrence (EEO), and habitat quality. Therefore, according to the IUCN Red List assessment, the overall population trend of the polar bear is declining. In addition, according to the Polar Bear Specialist Group (2010), the current trend of 15 of 19 of polar bear subpopulations is declining or data deficient. These data indicate reason for serious concern about the status of the polar bear, particularly in light of the inferred and projected extreme loss of habitat.

A careful approach to the conservation of the polar bear is needed to ensure that primarily commercial trade does not compound the threat posed to the species by the loss of habitat. Transfer of the polar bears to Appendix I is a keystone of this careful approach, given the scientific uncertainty in total population size and current trends of several subpopulations, the reduction in summer sea-ice extent, the inherent vulnerability of the species due to its low reproductive rate, and the influence that commercialization of an increasingly rare species can have.

Amstrup, S. C., B. G. Marcot, and D. C. Douglas. 2008. A Bayesian Network Modelling Approach to Forecasting the 21st Century Worldwide Status of Polar Bears. Pages 213–268 In Eric T. DeWeaver, Cecilia M. Bitz, and L.-Bruno Tremblay Eds. Arctic Sea Ice Decline: Observations, Projections, Mechanisms, and Implications. Geophysical Monograph 180. American Geophysical Union. Washington DC.

Armstrong, J. S., K. C. Green, and W. Soon. 2008. Polar bear population forecasts: A public-policy forecasting audit. *Interfaces* 38(5):382–405.

For all other references please refer to CoP16 Doc.3.

Recommendation by the Secretariat

In accordance with the criteria in Annex 1 and the guidelines in Annex 5 of Resolution Conf. 9.24 (Rev. CoP15), the global population of *Ursus maritimus* does not appear to be small, the area of distribution of this species extends over several million square kilometres and is not restricted and there is insufficient evidence to show that the species has undergone a marked decline in the population size in the wild (when applying the definitions, explanations and guidelines in Annex 5). Whilst the guidelines provide for population declines to be projected by extrapolation to infer likely future values, in this instance such a projection is heavily dependent on estimations of future sea ice coverage which vary widely. An Appendix I listing would not appear to be a measure proportionate to the anticipated risk to the species at this time.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be rejected.

Proposal 4

***Pteropus brunneus* (Dusky flying-fox) - Deletion from Appendix II**

Proponent: Australia

Provisional assessment by the Secretariat

CITES background

The supporting statement says that *Pteropus brunneus* was nominated for inclusion in the Appendices by Australia when CITES entered in force on 1 July 1975, but in fact it was included in Appendix II (along with most other species of the genus *Pteropus*) at the request of Sweden and the United States at CoP7 and the listing became effective on 18 January 1990.

Purpose and impact of the proposal

The proponent seeks to remove *Pteropus brunneus* from CITES controls. This would require the present listing of *Pteropus* spp. in Appendix II to be adjusted to make clear that it no longer includes *P. brunneus*. However, it does so on the grounds that the species is not a valid one, even though such judgements are currently made under Resolution Conf. 12.11 (Rev. CoP15) on *Standard nomenclature* and no changes to this Resolution are proposed.

Main points made in the supporting statement and general comments

The species is known only from the type specimen whose provenance is in some doubt, but which is thought to be from the Northumberland Group of islands off the coast of Queensland, Australia. Consequently virtually nothing is known of its biology or former status. Because of the taxonomic uncertainty of the species, legal protection of the species under Australian national legislation was removed in 2001. The supporting statement seems to present a good account of all that is known about this species, although the IUCN Red List, while considering the species extinct, nevertheless notes there that further field studies on the Percy Islands and other islands in the region are needed to determine if any remnant populations of the species persist and that additional taxonomic work is needed to resolve the status of the species.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed by the Animals Committee at its 26th meeting (AC26, Geneva and Dublin, March 2012), even though the review (in the standard format of a proposal to amend the Appendices) was not submitted as a working document to the Animals Committee for evaluation in accordance with paragraph i) of that Resolution.

In paragraph A of the supporting statement, the proposal is said to be justified on the grounds that *P. brunneus* is no longer considered to be a valid species. Even if it were a distinct species, the proponent mentions that trade would still not be considered to have been a factor in its extinction, or that it could become one in the unlikely event that it should be rediscovered.

Paragraph 9 of the supporting statement notes that the species is very similar in appearance to *P. scapulatus* which is included in Appendix II, but the implications of this resemblance are not further commented upon.

Final comments

Through the adoption of the standard nomenclatural reference Wilson, D. E. & Reeder, D. M. (ed.) (2005): *Mammal Species of the World. A Taxonomic and Geographic Reference*. Third edition, Baltimore (John Hopkins University Press) in Resolution Conf. 12.11 (Rev. CoP15), CITES Parties have agreed to recognize the name *P. brunneus*. The nomenclature report of the Animals Committee for CoP16 (document CoP16 Doc. 43.1) does not propose any change in this regard.

As this species is presently included in Appendix II under the generic listing of *Pteropus* spp., its exclusion from that Appendix may have the effect of complicating the Appendices rather than simplifying them. Additionally, as pointed out in paragraph 9 of the supporting statement, the species is very similar in appearance to *P. scapulatus*, which is included in Appendix II.

Comments from Parties and intergovernmental bodies

Australia

I refer to the Secretariat's comments regarding Australia's *Pteropus brunneus* in Notification No 2012/063. I note the error identified by the Secretariat that the species was not nominated by Australia but that genus *Pteropus* was listed at the request of Sweden and the United States of America at CoP7.

I also note the Secretariat's comment that under the generic listing of *Pteropus* spp., the exclusion of *P. brunneus* from Appendix II may have the effect of complicating Appendix II rather than simplifying it. As you may be aware, Australia has raised this matter with the Oceania representative and the Chair of the Animals Committee.

Given the drawback associated with delisting the species from Appendix II and the fact that it would reap no regulatory benefits, Australia is considering withdrawing the proposal. If we do decide to withdraw it, we will make a statement to that effect at the Conference of the Parties in March.

Recommendation by the Secretariat

If this species is not a valid one as the proponent claims, then the recognition of this fact should be accomplished by amending the adopted standard nomenclatural reference for mammals in Resolution Conf. 12.11 (Rev. CoP15) which is being discussed under agenda item 43, rather than by amending the Appendices. The exclusion of one species from a higher taxonomic listing such as *Pteropus* spp. would have the effect of complicating the Appendices rather than simplifying them.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be rejected.

Proposal 5

Thylacinus cynocephalus (Tasmanian tiger) - Deletion from Appendix I

Proponent: Australia

Provisional assessment by the Secretariat

CITES background

Thylacinus cynocephalus was included in Appendix I when CITES entered in force on 1 July 1975. Australia proposed deletion of this species from Appendix I at CoP2 in 1979, but withdrew the proposal after some discussion and co-proposed instead the adoption of a resolution on *Species thought to be extinct*, which became Resolution Conf. 2.21. This Resolution recommended that “no action be taken to remove such species from the Appendices and that species not observed for at least 50 years despite repeated surveys be annotated in the Appendices as p.e. (possibly extinct)”. This provision was subsequently incorporated as paragraph E in Annex 4 of Resolution Conf. 9.24 in a slightly amended form. The current entry for this species in the Appendices is so annotated.

Purpose and impact of the proposal

The proponent seeks to remove *Thylacinus cynocephalus* from CITES controls.

Main points made in the supporting statement and general comments

This species is, or was found only in Australia. It became severely depleted largely as a result of bounties offered for the killing of specimens of the species, and its rarefaction may have been exacerbated by disease. The last confirmed record was of a specimen captured in 1933, which died in captivity in 1936. Although there have been numerous unverified sightings of Tasmanian tigers since then, no authenticated records of the species have been recorded. The proponent states that it is “unlikely” that the species will be rediscovered. In view of its celebrity, should it ever be discovered again, the proponent says that there would be considerable interest. Indeed, specimens used to be exported to zoos and museums outside Australia before its presumed extinction. Nevertheless, it is said that strict legal protection in Australia would prevent any threat to the species from international trade. The IUCN Red List has listed the species as extinct since 1982, meaning that there is no reasonable doubt that the last individual has died, exhaustive surveys in known or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historical range having failed to record an individual. Given the celebrity of this species, its biology and its area of former distribution, there seems little room to doubt the proponent’s claim in this regard.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012, even though the review (in the standard format of a proposal to amend the Appendices) was not submitted as a working document to the Animals Committee for evaluation in accordance with paragraph i) of that Resolution.

The proponent states that paragraphs A. 1 and D in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) are not considered to apply to this proposal because, in the case of paragraph A. 1, the species is extinct, has not been in trade and is never likely to be in trade; and in the case of paragraph D, in the unlikely event of its rediscovery, the species would not be affected by trade and the action is therefore not warranted.

Final comments

The supporting statement appears to be comprehensive.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

There seems little doubt that this species is extinct. Its inclusion in the CITES Appendices is therefore no longer pertinent and its removal would simplify the Appendices.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 6

***Onychogalea lunata* (Crescent naittail wallaby) - Deletion from Appendix I**

Proponent: Australia

Provisional assessment by the Secretariat

CITES background

Onychogalea lunata was included in Appendix I when CITES entered in force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to remove *Onychogalea lunata* from CITES controls.

Main points made in the supporting statement and general comments

This species is or was found only in central Australia. Although there have been unconfirmed reports of the species in the 1960s, the last reliable observation of the species was in 1956. The proponent state that it is "highly unlikely" that the species will be rediscovered.

The supporting statement seems quite complete. The IUCN Red List has listed the species as extinct since 1982, meaning that there is no reasonable doubt that the last individual has died, exhaustive surveys in known or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historical range having failed to record an individual.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012, even though the review was not submitted to the Animals Committee "in the format of a proposal used to amend the Appendices", as requested in paragraph i) of that Resolution.

The proponent states that paragraphs A. 1 and D in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) are not considered to apply to this proposal because, in the case of paragraph A. 1, the species is extinct, has not been in trade and is never likely to be in trade; and in the case of paragraph D, the action is not warranted because in the unlikely event of its rediscovery, the species would not be affected by trade.

The proponent state that the species was never subject to trade before its extinction.

Final comments

There seems little doubt that this species is extinct. Although the proponent states that the species was not subject to trade before its extinction, some trade appears to have occurred as there is a specimen of the species held at the Muséum national d'histoire naturelle in Paris, France (http://bgenet.smugmug.com/Zoos-6/MNHN/13708242_qJGb3r/1001966201_A2vVj#li=1001966201&k=QvZX9F6), and perhaps elsewhere.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

There seems little doubt that this species is extinct. Its inclusion in the CITES Appendices is therefore no longer pertinent and its removal would simplify the Appendices.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 7

***Caloprymnus campestris* (Buff-nosed rat-kangaroo) - Deletion from Appendix I**

Proponent: Australia

Provisional assessment by the Secretariat

CITES background

Caloprymnus campestris was included in Appendix I when CITES entered in force on 1 July 1975. Australia proposed deletion of this species from Appendix I at CoP2 in 1979, but withdrew the proposal after some discussion and co-proposed instead the adoption of a resolution on *Species thought to be extinct*, which became Resolution Conf. 2.21. This Resolution recommended that “no action be taken to remove such species from the Appendices and that species not observed for at least 50 years despite repeated surveys be annotated in the Appendices as p.e. (possibly extinct)”. This provision was subsequently incorporated as paragraph E in Annex 4 of Resolution Conf. 9.24 in a slightly amended form. The current entry for this species in the Appendices Is so annotated.

Purpose and impact of the proposal

The proponent seeks to remove *Caloprymnus campestris* from CITES controls.

Main points made in the supporting statement and general comments

This species is or was found only in central Australia. In document AC26 Inf. 20, the Animals Committee was advised that the species had been considered extinct since 1935, but the supporting statement also mentions several unconfirmed sightings up to 1988. The proponent states that it is “highly unlikely” that the species will be rediscovered. The supporting statement seems quite complete. The IUCN Red List has listed the species as extinct since 1994, meaning that there is no reasonable doubt that the last individual has died, exhaustive surveys in known or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historical range having failed to record an individual.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012, even though the review (in the standard format of a proposal amend the Appendices) was not submitted to the Animals Committee as a working document, as requested in paragraph i) of that Resolution.

The proponent states that paragraph A. 1 and D in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) are not considered to apply to this proposal because, in the case of paragraph A. 1, the species is extinct, has not been in trade and is never likely to be in trade; and in the case of paragraph D, in the unlikely event of its rediscovery, the species would not be affected by trade and the action is therefore not warranted.

The proponent states that the species was never subject to trade before its extinction.

Final comments

There seems little doubt that this species is extinct. Although the proponent states that the species was not subject to trade before its extinction, some does appear to have occurred as there are specimens of the species held at the Natural History Museum in the United Kingdom of Great Britain and Northern Ireland (<http://piclib.nhm.ac.uk/results.asp?image=056947>), the American Museum of Natural History in the United States (<http://creo.amnh.org/example2.html>), and perhaps elsewhere.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

There seems little doubt that this species is extinct. Its inclusion in the CITES Appendices is therefore no longer pertinent and its removal would simplify the Appendices.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 8

***Chaeropus ecaudatus* (Pig-footed bandicoot) - Deletion from Appendix I**

Proponent: Australia

Provisional assessment by the Secretariat

CITES background

Chaeropus ecaudatus was included in Appendix I when CITES entered in force on 1 July 1975. Australia proposed deletion of this species from Appendix I at CoP2 in 1979, but withdrew the proposal after some discussion and co-proposed instead the adoption of a Resolution on *Species thought to be extinct*, which became Resolution Conf. 2.21. This Resolution recommended that “no action be taken to remove such species from the Appendices and that species not observed for at least 50 years despite repeated surveys be annotated in the Appendices as p.e. (possibly extinct)”. This provision was subsequently incorporated as paragraph E in Annex 4 of Resolution Conf. 9.24 in a slightly amended form. The current entry for this species in the Appendices Is so annotated.

Purpose and impact of the proposal

The proponent seeks to remove *Chaeropus ecaudatus* from CITES controls.

Main points made in the supporting statement and general comments

This species is or was found only in Australia. In document AC26 Inf. 20, the Animals Committee was advised that the species had been considered extinct since 1901, but the supporting statement refers to several sightings after this date and up to the 1960s. The proponent states that it is “unlikely” that the species will be rediscovered. The supporting statement seems quite complete. The IUCN Red List has listed the species as extinct since 1982, meaning that there is no reasonable doubt that the last individual has died, exhaustive surveys in known or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historical range having failed to record an individual.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012, even though the review was not submitted to the Animals Committee “in the format of a proposal used to amend the Appendices”, as requested in paragraph i) of that Resolution.

The proponent states that paragraphs A. 1 and D in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) are not considered to apply to this proposal because, in the case of paragraph A. 1, the species is extinct, has not been in trade and is never likely to be in trade; and in the case of paragraph D, in the unlikely event of its rediscovery, the species would not be affected by trade and the action is therefore not warranted.

The proponent states that the species was never subject to trade before its extinction.

Final comments

There seems little doubt that this species is extinct. Although the proponent states that the species was not subject to trade before its extinction, some appears to have occurred, as a literature search reveals that there are specimens of the species held in London in the United Kingdom, and perhaps elsewhere.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

There seems little doubt that this species is extinct. Its inclusion in the CITES Appendices is therefore no longer pertinent and its removal would simplify the Appendices.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 9

***Macrotis leucura* (Lesser rabbit-eared bandicoot) - Deletion from Appendix I**

Proponent: Australia

Provisional assessment by the Secretariat

CITES background

Macrotis leucura was included in Appendix I when CITES entered in force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to remove *Macrotis leucura* from CITES controls.

Main points made in the supporting statement and general comments

According to the supporting statement, the species was found only in central areas of Australia. It is said that the species became extinct between the 1920s and 1960s.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012, even though the review was not submitted to the Animals Committee "in the format of a proposal used to amend the Appendices", as requested in paragraph i) of that Resolution.

The proponent states that paragraphs A. 1 and D in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) are not considered to apply to this proposal because, in the case of paragraph A. 1, the species is extinct, has not been in trade and is never likely to be in trade; and in the case of paragraph D, in the unlikely event of its rediscovery, the species would not be affected by trade and the action is therefore not warranted.

The proponent states that the species was never subject to trade before its extinction.

Final comments

Although the proponent states that the species was never subject to trade before its extinction, some appears to have occurred as there are specimens of the species held at the Natural History Museum at Tring in the United Kingdom (<http://eol.org/pages/323883/details>), the Museum of Comparative Zoology, in Harvard, United States (<http://www.biodiversitylibrary.org/page/8795316>), and perhaps elsewhere.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

There seems little doubt that this species is extinct. Its inclusion in the CITES Appendices is therefore no longer pertinent and its removal would simplify the Appendices.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 10

***Ceratotherium simum simum* (white rhinoceros) – Amendment of the annotation for *Ceratotherium simum simum* as follows (added text underlined):**

“*Ceratotherium simum simum* (Only the populations of South Africa and Swaziland; all other populations are included in Appendix I. For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies. Hunting trophies from South Africa and Swaziland shall be subject to a zero export quota until at least CoP18. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.)”

Proponent: Kenya

Provisional assessment by the Secretariat

CITES background

The Rhinocerotidae were included in Appendix I in 1977. The South African population of *Ceratotherium simum simum* was transferred to Appendix II at CoP9 in 1994 with an annotation that provides “For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and in hunting trophies. All other specimens shall be deemed to be specimens included in Appendix I and the trade in them shall be regulated accordingly.” At CoP13 in 2004, the population of Swaziland was transferred to Appendix II with the same annotation (the supporting statement erroneously indicates in Section 7.2 that the “southern white rhinoceros has been listed on CITES Appendix II since 1994”).

Purpose and impact of the proposal

The proposed amendment would result in South Africa and Swaziland having a zero export quota for hunting trophies of *C. s. simum* until CoP18 in 2019. Even though hunting of the species could take place in these countries, no exports of the resulting trophies would be possible (potentially leading to stockpiles and associated enforcement challenges). The other range States of the species (Angola, Botswana, Kenya, Mozambique, Namibia, Zambia and Zimbabwe), whose populations are in Appendix I and considered to be threatened with extinction, would remain able to export hunting trophies of *C. s. simum* under the provisions of Article III of the Convention [as described in Resolution Conf. 2.11 (Rev.) on *Trade in hunting trophies of species listed in Appendix I*]. This option would not be available to South Africa and Swaziland.

Main points made in the supporting statement and general comments

The supporting statement summarizes general recent information on the species status, trends, threats, utilization, trade, legal status and management, with details about the situation in South Africa only. No factual data are provided regarding *C. s. simum* in Swaziland. The information in Section 3.1 (*Distribution*) does not correspond to that provided in the UNEP-WCMC species database, which shows Angola as an additional range States.

In Section 8.3.1 (*Control measures – International*), the proponent describes South Africa's recent and comprehensive efforts to protect its rhinoceros populations and improve its controls of trophy hunting on its territory. While the proponent recognizes that “the actual and potential impact of legal trade, including trophy hunting, on rhinoceros populations is something that needs to be further established by the CITES Parties”, it is nevertheless “convinced that [a] zero quota on hunted trophy for a period of time will allow time for the above efforts to be completed more efficiently and significantly reduce the rate of entry of legal horn into illegal market.” What this assumption is based on is not clear, nor is why the proponent considers that the new, considerably expanded efforts in South Africa are insufficiently effective.

Compliance with listing criteria and other CoP recommendations

In Resolution Conf. 11.21 (Rev. CoP15), the Conference recommends that “Parties submitting proposals that contain substantive annotations ensure that the text is clear and unambiguous”. However, the proposed amendment makes the meaning of the annotation unclear or ambiguous, and internally inconsistent. Specifically, the proposed text states that the two *C. s. simum* populations are included in Appendix II “for the

exclusive purpose of allowing international trade in ... hunting trophies”, but then goes on to state that “Hunting trophies from South Africa and Swaziland shall be subject to a zero export quota” for at least 6 years.

Under Section 10 (*Consultations*) of the supporting statement, the proponent claims to have consulted in September 2012 with all range States of *C. s. simum* in accordance with Resolution Conf. 8.12 (presumably with the exception of Angola). The consultation could have been limited to South Africa and Swaziland because they are the only range States directly affected by the proposal. The responses from the range States are not contained in the supporting statement. It is however indicated that replies were received from Botswana, Namibia, South Africa, Swaziland and Zimbabwe, but only those from Namibia and South Africa, both of which are opposed to the proposal, are mentioned. In particular the response from Swaziland would be important to consider. On 3 October 2012, the Secretariat, received a letter from the Management Authority of Swaziland, copied to Kenya, expressing its opposition to the present proposal. From the paraphrase of Namibia’s reply in the supporting statement, it would seem that the proponent may not have circulated a full or complete proposal to the range States. (Resolution Conf. 8.21 recommends that the proponent should consult on the substance of the proposal).

Section 10 contains a reference to information that the IUCN/SSC Rhinoceros Specialist Group provided ‘for consideration by the Parties’, as well as a rather detailed ‘initial reaction’ by the proponent to IUCN’s information. As IUCN’s information and comments are not attached to the proposal, it is difficult to follow the proponent’s argumentation in response to them.

Final comments

The reports on rhinoceroses from the Standing Committee Working Group and the Secretariat, to be discussed under agenda item 54 of the current meeting, address the issue of rhinoceros trophy hunting in South Africa in some detail. Neither of these reports proposes measures to limit or otherwise suspend trade in hunting trophies from South Africa or Swaziland. They recommend to that contrary that “South Africa should maintain its rigorous approach to screening destination countries’ willingness and ability to monitor the movement of rhino horn, and all other CITES Parties should adopt a similar approach”, and that “Parties should adopt a similar approach to South Africa to adequately control trophy hunting and to avoid pseudo hunting”. The proponent of the present proposal therefore seems to address concerns that have already been effectively and successfully tackled by South Africa.

Comments from Parties and intergovernmental bodies

Kenya

REGARDING RANGE STATES: We note that, we consulted with the IUCN Red List as one of the most widely recognized and reputable resources for data concerning range States and other scientific details about a species. As the Secretariat will have noticed, Angola is not listed as a range State for the species, on the IUCN Red List. If the IUCN Red List is inconsistent with the WCMC-UNEP database, then this requires addressing and Kenya recommends that the Secretariat liaise with Angola to clarify the matter. It was at no point the intention of Kenya to exclude a range State for the species, from the consultation process for the Proposal.

REGARDING CONSULTATIONS: As the Secretariat rightly points out; Resolution Conf. 8.21 recommends the Proponent consults on the substance of a Proposal. Kenya firmly believes it followed these guidelines accurately, by consulting on the amendment to the annotation that it is proposing. The Resolution does not require the full Proposal to be submitted for consultation. We (Kenya) do not understand the Secretariat’s concern that we may have incorrectly conducted the consultation process. Indeed, Kenya takes matters of compliance with the provisions of the Convention seriously and all efforts were made to ensure compliance with all provisions under this Resolution, requirements for consultations included.

In fact, we note that the Secretariat states in its analysis of Proposal 11 (now withdrawn) that implementation of Resolution Conf. 8.21 was not required as the elephant population concerned was only the population of the United Republic of Tanzania. However, *Loxodonta africana* is present in 38 range States, and United Republic of Tanzania shares elephant populations with 3 of these range States, Kenya being one of them. It is not in doubt that any decision on the proposal by the United Republic of Tanzania, were URT to proceed with their proposal, would affect the African elephant population across its over 37 range States. Kenya therefore has concerns about the Secretariat’s overall interpretation of Resolution Conf. 8.21 especially on this matter and requests that it be reviewed by the Parties at CoP17 meeting.

REGARDING ASSUMPTIONS MADE AND RATIONALE FOR THE PROPOSAL:

On the Statement by the Secretariat thus “ **it is nevertheless** “convinced that (a) zero quota on hunted trophy for a period of time will allow time for the above efforts to be completed more efficiently and significantly reduce the rate of entry of legal horn into illegal market”. It is not clear on what this assumption is based, nor why the proponent considers that the ongoing efforts in South Africa are insufficiently effective”.

Kenya disagrees that, its rationale for this Proposal and any assumptions, being made are unclear. The reverse assumption is that trophy hunting and the export of rhino trophies are NOT having any effect on populations, and Kenya is not aware of any satisfactory evidence to enable this conclusion to be comprehensively made. Kenya recognizes and firmly welcomes the efforts that the Republic of South Africa has been making, however, until such times as Rhino populations begin to stabilize, Kenya remains firmly of the opinion that ALL measures must be taken to secure threatened and vulnerable rhinoceros population and that adoption of Proposal 10 is a key measures that the CITES Parties can take at CoP16.

REGARDING AGENDA ITEM 54.1: Kenya welcomes the measures being recommended in the report of the Standing Committee Rhino Working Group. However, it notes that many of these recommendations will take time to implement. For example, the “*Strategy for Reducing the Demand for Rhino Horn Products of Illegal Origin*”, which Kenya strongly supports, includes measures such as outreach to key user groups, market surveys, analysis of previous campaigns and workshops. However, these measures will take a significant amount of time to implement. Kenya firmly believes that time is of essence in securing the survival of highly precarious rhinoceros populations and is concerned that rhinos continue to die. In Kenya, in 2012, over 20 rhinos were poached while in South Africa, at least 600 rhinos were poached in same year (2012). Kenya firmly believes that, Parties have the responsibility to immediately take ALL precautionary measures possible to protect rhinoceroses while concurrently implementing longer-term strategies. In our view, anything less will be seen by the international community as weak and unresponsive to the crisis we are facing.

All responses provided by Parties and the IUCN as part of the consultation process are compiled into one document and attached as Annex to this response¹.

South Africa

South Africa opposes the proposal submitted by Kenya, based on the following:

- i) The content of the proposal does not justify the need for a zero export quota, especially considering the numerous interventions, legislative and otherwise, implemented by South Africa to strengthen provisions relating to hunting;
- ii) The range States affected was not consulted on the substance of the proposal prior to submission to the CITES Secretariat;
- iii) The implementation of a zero export quota will have a negative impact on the conservation of the species.

1. BACKGROUND

Over 90 per cent of Africa’s white rhino and approximately 35% of Africa’s black rhino occur in South Africa. The rhino population in South Africa is now being threatened by an upsurge in the illegal killing of rhinos with 668 rhinos lost to poaching during 2012.

Poaching has decimated almost all rhino populations in twenty five (25) African rhino range states. As South Africa’s white rhino population is the largest remaining viable population in the world, the poaching intensity in South Africa is relatively high. It has been established that rhino poaching is no longer solely an environmental crime, but constituted a highly organised crime of sophistication that may also threaten national security.

2. POPULATION INFORMATION

The following table provides a breakdown of the population sizes of the sub-species that occur in South Africa:

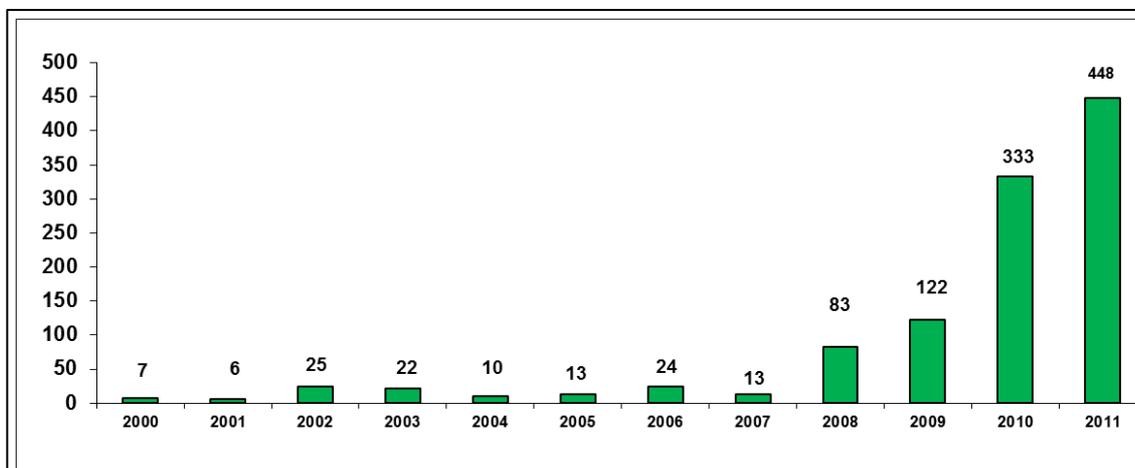
¹ Namibia, Swaziland, Zimbabwe and IUCN provided their responses as part of the consultation process.

Species	WHITE RHINO		TOTAL WHITE RHINO	BLACK RHINO			TOTAL BLACK RHINO	TOTAL ALL RHINO	
	Ceratotherium simum			Diceros bicornis					
Sub-Species	<i>C.s. cottoni</i>	<i>C.s. simum</i>		<i>D.b. bicornis</i>	<i>D.b. michaeli</i>	<i>D.b. minor</i>			
South Africa		18 796	18 796	171	60	1 684	1 915	20 711	

Source: IUCN SSC African Rhino Specialist Group

The illegal killing of rhinoceros in South Africa escalated in 2008, when 83 rhinoceros were killed. Prior to that, from 2000 – 2007, the highest number of animals poached during a single year was 25 (2002).

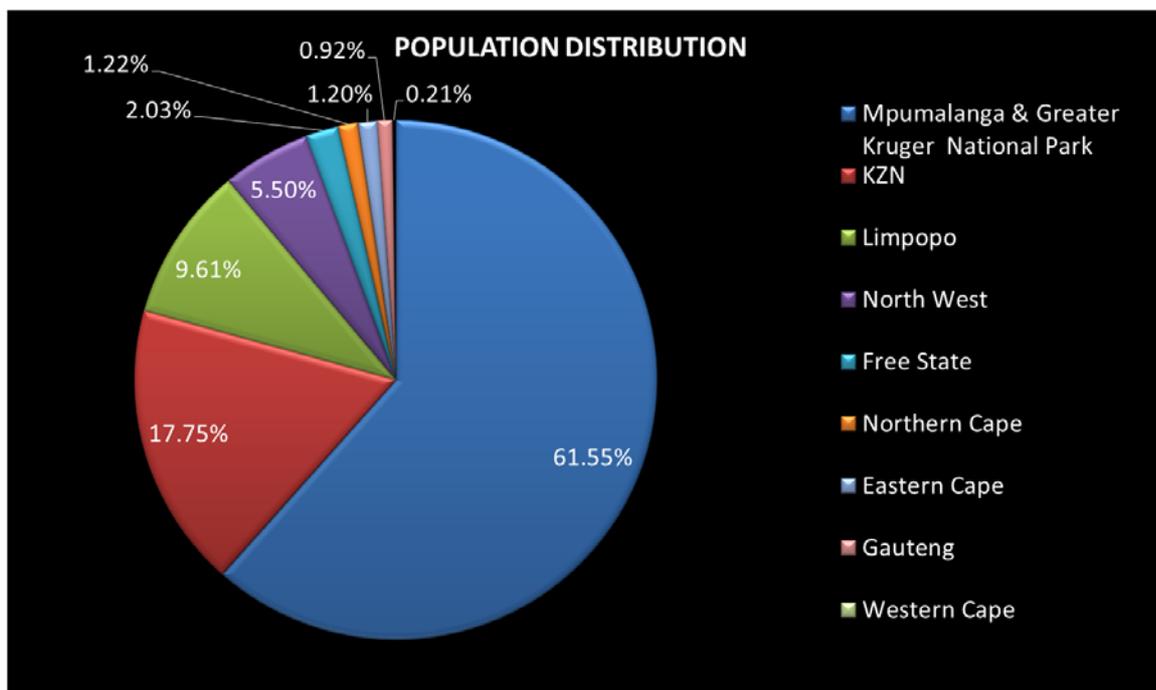
Figure: Number of rhinoceros illegally killed in South Africa (2000 – 2011)



The overwhelming cause of the decline in rhinoceros in some range States has been poaching, stimulated by demand for rhino horn used for traditional craft and traditional medicinal purposes by consumer nations in the middle-east and in Asia. Nonetheless, although poaching is prevalent and increasing in South Africa, the number of live births still exceeds the number of deaths (including poached rhino). The national average growth rate of the white rhino population was just over 7% from 1991 to 2010; inclusive of animals lost to poaching. Approximately 4% of the national population is currently (2012) lost to poachers, well below the average net 7.2% rate of increase in the white rhino population.

Rhino populations occur in formally proclaimed conservation areas as well as on private land, with the private sector contributing approximately 2.2 million hectares of land towards rhino conservation, with more than 4 000 rhino in private ownership. The populations occur throughout South Africa in all its provinces.

South Africa is fast approaching the limit of available habitat for white and black rhino on state owned land. This means that in order to continue to grow the species, new habitat within South Africa or the expansion of existing ranges in other states will be required soon. Established rhino populations should be maintained at 75 per cent of Ecological Carrying Capacity (ECC) to maintain actively growing populations, and provide surplus animals (5 % and 8 % of population) for other populations and growth areas.



3. LEGISLATIVE INTERVENTIONS

On 13 February 2009, South Africa published a national moratorium on the sale of individual rhinoceros horns and any derivatives or products within South Africa. It was clear in 2008 that an illegal domestic trade had developed, fuelled by the pilfering of both legally obtained and illegal obtained horns onto the international market. Enforcement officials detected that rhino horn sold to non-South African citizens were subsequently illegally exported from South Africa. The illegal export and the illegal killing of rhino for its horn were viewed as a threat to the rhino population in South Africa. Poaching in the years preceding the emergence of this illegal trade was low (2007: 13 rhino poached), but increased substantially in 2008 when 83 rhinos were poached. This represents a 600% increase within one year. The national moratorium was aimed at preventing the sale of horns that could leak onto the illegal international market. The moratorium furthermore provided enforcement officers in Provincial Conservation Authorities and South African National Parks (SANParks) an opportunity to ensure that approaches and protocols for dealing with the trade in rhino horn within South Africa were consistent and complied with the requirements of national legislation. It also intended to curb the increase in the illegal trade in rhino horns and discourage the poaching of rhinos in South Africa. This moratorium was promulgated in terms of Section 57(2) of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).

Soon after the moratorium was implemented, government officials observed an increase in applications for hunting permits for white rhino from Vietnamese and Thai citizens. It was established that the majority of these applications resulted in "pseudo-hunts", where the applicants were paid by a third party to carry out the hunts, but the horns were not retained by the applicants as a trophy. To address this, as well as other matters requiring uniform implementation, the Minister of Water and Environmental Affairs published on 20 July 2009, National Norms and Standards for the Marking of Rhinoceros Horn and the Hunting of White Rhinoceros for Trophy Hunting Purposes. The National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004) makes provision for the issuance of permits for restricted activities involving listed threatened or protected species (such as white rhino and black rhino), for inter alia hunting, and the norms and standards were published to specify further requirements relating to marking and hunting of white rhino. The norms and standards ensured the national coordination of applications for hunting permits (by the Department of Environmental Affairs), through the establishment of a national register. The Department of Environmental Affairs also liaises with importing countries and makes recommendations, relating to the applications received by provincial conservation authorities, to these authorities.

The Department established and maintains the above mentioned register of all applications received in South Africa to hunt white rhino. Since becoming a legal obligation in 2009, the information has been recorded in the register.

The number of applications to hunt white rhino received per annum is as follows:

2009: 111 applications received
2010: 166 applications received
2011: 222 applications received
2012: 91 applications received

In the proposal submitted by Kenya, reference is made to a 300% increase in hunters from the United States of America from 2010 to 2012. This is unfortunately based on incomplete information used by Kenya, due to the lack of consultation with South Africa regarding the substance of the proposal. The majority of hunting clients that visit South Africa to hunt are from the United States of America, followed by clients from European countries. Hunters from these countries historically visited South Africa to hunt but in 2010 fewer clients (5 in total) from the USA applied to hunt rhino (the reason for this is not clear, but there is speculation that due to the pseudo hunting taking place, the price for trophy hunting of rhino was inflated). In 2009, eleven (11) applications were received from hunting clients from the USA and exactly the same number of applications was received in 2011. In 2012, nineteen (19) applications were received from clients from the USA, an 86% increase (and not a 300% increase). South Africa will continue to liaise with importing countries to monitor the movement of horn and to share information on any new developments relating to the possible abuse of the system.

Due to the high number of hunting applications from Vietnamese citizens, and the fact that the South African government received information that rhino horn trophies exported to Vietnam do not remain in the possession of the hunter, the Department of Environmental Affairs (DEA) wrote a letter to the Vietnamese CITES Management Authority in February 2012 to request them to conduct inspections in order to verify that rhino horns exported as part of a hunting trophy are still in the possession of the hunter. To date no official feedback has been received from Vietnam and a decision was taken to not issue any hunting permits for hunting clients whose country of usual residence is Vietnam, pending feedback from Vietnamese authorities. No hunting permit has been issued to applicants with Viet Nam as their country of usual residence since February 2012.

There has been a significant reduction in the number of applications received in 2012. The norms and standards implemented in 2009 were amended during 2011 to strengthen specific provisions relating to marking and hunting, including the requirement that an applicant must provide proof that he / she is a bona fide hunter; compulsory attendance of hunts by Environmental Management Inspectors and the requirement to take samples for DNA analysis directly after the hunt, as well as when live animals are being translocated. The Norms and Standards for the Marking of Rhinoceros and Rhinoceros Horn and for the Hunting of Rhinoceros for Trophy Hunting Purposes (the amended norms and standards) were published in the government gazette on 10 April 2012 for implementation and had a significant impact on the number of applications for hunting of white rhino. The most significant result seems to be the reduction / cessation in applications from East Asian countries, due to the fact that the applicant must provide evidence of hunting experience or membership of a hunting association. Another important intervention is the fact that all hunts are attended by officials from the provincial conservation authorities and DNA samples are taken at these hunts. The amended norms and standards resulted in an immediate decline in hunting applications, as can be observed from the information provided above (2012: 91 applications received; 2011: 222 applications received).

It should be noted that South Africa refused applications made by two hunting clients from one of the European Union (EU) member states due to the fact that the potential hunters could not provide evidence of previous hunting experience, and the CITES Management Authority of that country indicated to South African authorities that licenses / permits to hunt within the EU Country had not been issued to these individuals. It was therefore clear that the applicants were not bona fide hunters. CITES Parties have been of great assistance in terms of collaboration and cooperation on white rhino hunting permit applications. Through this collaboration, together with improved monitoring, any potential abuse of the system can be detected and appropriate actions taken to address it.

4. PROSECUTIONS

The National Prosecuting Authority of South Africa is collaborating closely with the various enforcement entities in South Africa in investigating cases of illegal killing of rhinos. The alarming rate of rhinos killed in South Africa over the past two years has prompted the National Director of Public Prosecutions to assign twenty prosecutors specifically to rhino cases. These prosecutors are doing excellent work in securing

convictions and are working tirelessly with law enforcement agencies to ensure that rhino poachers are successfully prosecuted. The courts have imposed harsh sentences in a bid to deter offenders and the latest conviction in which a Thai citizen, who was arrested for involvement in the illegal trade of rhino horns obtained through pseudo hunts, was sentenced to 40 years in jail without an option of a fine, is indicative of the successes achieved in terms of prosecutions.

South Africa is committed to continue fighting the illegal killing of its rhinos and will leave no stone unturned in the investigation and prosecution of all cases of illegal killing of rhinos and the illegal trade in rhino horn. However, South Africa needs the cooperation of importing and consumer countries to assist in the investigation and prosecution of illegally traded rhino horn cases, in order to ensure that legally imported rhino hunting trophies are not being sold or donated to third parties and that legally obtained trophies are only imported by the hunters themselves. Exchange of information on possible illegal activities and other intelligence is of utmost importance for effective compliance monitoring and enforcement.

5. RHINO MANAGEMENT

In South Africa, some of the areas managed by government entities are reaching their productive carrying capacities for white rhino and there is a need to remove surplus animals to maintain maximum population growth rates. The continued growth and expansion of the rhino populations and range through the introduction of herds in new areas are therefore reliant on the private sector and communities making their land available for the introduction of rhinos sourced from protected areas and privately owned herds. The incentives for private land owners and communities to make land available are mostly economic incentives, including potential live sales from productive herds, eco-tourism and hunting. Due to the high levels of poaching and therefore the risks associated with the ownership of rhino, the economic incentives are sometimes outweighed by the costs relating to interventions required to secure rhino populations.

In the past, the incentives referred to above has resulted in an increase in rhino populations on private land and there is currently more than 4 000 rhino on private land in South Africa.

Many of the surplus white rhinos sold to the private sector were removed from protected areas managed by government entities. The funds generated through the sale of live rhinos assisted in subsidizing the high cost associated with conservation efforts and in some instances enabled entities to procure additional land for conservation. White rhino sales have been the biggest contributor to the total turnover at game auctions held by the conservation authority in KwaZulu-Natal Province, where it accounted for 74.9% of the total turnover from 2008 to July 2011. The weighted average price obtained for white rhino from KwaZulu/Natal and South African National Parks in 2011 is ZAR234 405. Any decline in demand for surplus rhino and any declines in price will negatively affect government conservation agencies executing their greater conservation mandate. The prices at a Vleissentraal auction in September 2012 was significantly lower than the aforementioned prices, with white rhino being sold for between ZAR135 000 and ZAR160 000. This could be indicative of the disinvestment by the private industry observed in some provinces.

It is believed by experts that white rhino hunting has contributed to the conservation of the species, through providing economic incentives to landowners. There is therefore a concern that any moratorium/zero quota on the export of hunting trophies might result in reduced demand for live rhino, resulting in a decrease in prices for live white rhino. If such a zero quota is introduced it will have far-reaching impacts, resulting in further disinvestment by the private sector; limiting live off-take in conservation areas; limiting ability to maintain maximum growth rates in populations reaching carrying capacity; resulting in overall reduction in meta-population expansion and population growth. Through this knock-on effect the impact of illegal killing will become more significant and may result in a more immediate decline in the species.

To ensure the long-term conservation of both the black and the white rhino, a biodiversity management plan for black rhino has been developed and a draft biodiversity management plan for white rhino will be finalized early in 2013. These plans include action plans with specific deliverables to be achieved to secure the long-term survival of the species.

6. INTERNATIONAL COOPERATION

South Africa's Minister of Water and Environmental Affairs signed a Memorandum of Understanding (MoU) with the Minister of Agricultural and Rural Development of the Socialist Republic of Viet Nam, Dr Cao Duc Phat. The MoU between the two countries is on cooperation in the field of Biodiversity Conservation and Protection and was signed in Hanoi, Vietnam on 10 December 2012. Particularly aimed at curbing rhino poaching, the MoU seeks to promote cooperation in law enforcement, compliance with CITES and other

relevant legislation and Conventions on the basis of equality and mutual benefit. Officials from both countries are currently working on a draft Plan of Action with short and long term activities which include activities to curb the illegal trade in rhino horn.

Discussions relating to a similar MoU are ongoing with the People's Republic of China and it is anticipated that significant progress will be made in 2013 in this regard.

The CITES Management Authority liaise with a number of Parties regarding applications received to hunt White rhino. This has been very effective and continued collaboration and cooperation with increased information sharing will further assist in monitoring compliance with the Convention and national legislation, where appropriate.

7. NON-DETRIMENT FINDING

In August 2012, South Africa's Scientific Authority issued a non-detriment finding for white rhino, and in November 2012 assessed the CITES listing of South Africa's white rhino population in relation to the biological criteria (inclusive of population size, distribution and growth rate) and trade criteria underpinning the inclusion of species on Appendices I and II (Resolution Conf. 9.24 (Rev. CoP 15)).

Population size:

According to data gathered from a survey of rhinos on private and state land by the IUCN African Rhino Specialist Group, the total South African white rhino population consists of approximately 18,800 individuals (as at the end of 2010). This estimate takes into account animals lost to poaching. South Africa's white rhino is therefore scored as a "common" species in the NDF (non-detriment finding) undertaken by South Africa's Scientific Authority in accordance with the CITES NDF checklist (question 6 (national abundance)). The numerical guideline for a "small population" provided in Annex 5 to Resolution Conf. 9.24 (Rev. CoP 15) is 5,000 individuals for some low productivity species, whereas populations with 10,000 or fewer individuals are considered small in terms of the Guidelines for Using the IUCN Red List Categories and Criteria (May 2003).

Distribution:

The distribution of South Africa's white rhino population is fragmented but widespread in the country, with populations of white rhino occurring in all nine provinces in both state owned and private protected areas and game farms. In the NDF for white rhino, the Scientific Authority gave South Africa's white rhino population a low score for question 5 (national distribution) of the CITES NDF checklist, indicative of a low risk in relation to the species' distribution. According to Annex 5 to Resolution Conf. 9.24 (Rev. CoP 15), the "area of distribution" encompasses the concept of area of occupancy. In order for a species to meet the restricted range criterion in accordance with the Guidelines for Using the IUCN Red List Categories and Criteria (May 2003), the species' area of occupancy must be less than 2,000 km². The total area of the Kruger National Park alone is approximately 20,000 km², while the Hluhluwe iMfolozi Game Reserve in KwaZulu-Natal adds a further 960 km² to the species' area of occupancy, these two areas together providing habitat for approximately 70% of the national herd. Twenty-three percent of the national herd is kept on private game farms, adding a further 22,274 km² to the area of occupancy.

Growth rate:

Analyses undertaken by the IUCN African Rhino Specialist Group indicate that the national average growth rate of the white rhino population was just over 7% from 1991 to 2010. On average 116 white rhinos are legally hunted annually (0.6% of the national population), although this figure was calculated prior to the measures introduced by South Africa's Management Authority to prevent pseudo-hunting, and it is expected that the total number of legal hunts will revert to previous hunting levels of between 30 and 70 per year. Approximately 3.2% of the national population is currently (2012) lost to poachers, well below the average net 7.2% rate of increase in the white rhino population. Given the underlying historical growth rates, it is expected that the population is currently growing at around 4% per annum.

Non-Detriment Finding (NDF):

The NDF demonstrated that legal international trade in live animals as well as the export of hunting trophies from South Africa poses a low risk to the survival of white rhino in South Africa and can be permitted to continue. Currently legal and illegal harvests combined are still within sustainable levels. The Scientific Authority concluded that a quota system for hunting of white rhino is unnecessary at this stage because legal hunting, even factoring in the animals lost to poaching, is currently sustainable and following the successful clampdown on pseudo-hunting through the various measures introduced by the Management Authority in February and April 2012, it can be expected that the number of white rhino hunted in future will revert to lower previous hunting levels, which traditional hunters are able to support. Poaching levels will be closely monitored and should the need arise, a quota system will be developed through collaboration with the SADC Rhino Management Group to ensure that legal hunting remains within sustainable levels. The zero export quota on hunting trophies proposed by Kenya is therefore contrary to the NDF advice provided by South Africa's Scientific Authority.

It is anticipated that a zero export quota would detrimentally affect the conservation status of South Africa's white rhino population by undermining economic incentives for the private ownership and protection of rhinos. It would exacerbate an already worrying trend of increasing numbers of rhino owners disinvesting in rhino due to increased costs and risks associated with escalating poaching rates and declining economic incentives to conserve white rhino. The ability for the state and the private sector to gain financially from owning, selling, translocating, viewing via ecotourism and hunting white rhino has greatly contributed to the conservation of this species and its habitat in South Africa. Hunting of white rhino in South Africa started in 1968 when there were only approximately 1,800 white rhino in Africa. Around the same time live sales, mainly through auctions to private land owners, were introduced. The CITES annotated Appendix II listing in 1994 that allowed for the export of live rhino and continued exports of hunting trophies was followed by an exponential increase in the number of white rhino in South Africa, from approximately 6,380 animals in 1994 to the more than 18,800 individuals today. The concomitant increased value of white rhino on auctions has encouraged the expansion of rhino numbers and range and by the beginning of 2011 privately owned game farms provided habitat for 23% of the national herd (approximately 4,300 animals), whilst adding a further 22,274 km² to the national conservation footprint.

The high conservation benefit currently derived from legal hunting of white rhino (questions 22 and 23 of the CITES NDF checklist) contributes greatly to the positive outcome of the NDF undertaken by the Scientific Authority.

8. SUMMARY OF POTENTIAL NEGATIVE IMPACT OF THE PROPOSAL SUBMITTED BY KENYA

Based on the information provided above, South Africa is of the view that the South African population of white rhino is appropriately listed in Appendix II of CITES and that the proposal submitted by Kenya will result in a prohibition that is stricter than an Appendix I listing. In terms of Resolution 2.11 trade in hunting trophies are allowed provided it is authorised in terms of Article III of the Convention. South Africa strongly objects to the proposal, since the South African population does not even meet the criteria for inclusion in Appendix I, but a Party is proposing a prohibition stricter than an Appendix I listing.

South Africa acknowledges and supports the information provided by Swaziland in its letter, dated 3 October 2012. Swaziland indicates that the affected range States (South Africa and Swaziland) were not consulted on the substance of the proposal, thereby not providing the countries that will be impacted by the proposal with an opportunity to respond and provide pertinent information that should be considered by Parties to CITES. Swaziland furthermore emphasizes the conservation successes achieved by both countries in terms of the conservation of rhino, including difficult anti-poaching and enforcement actions that have to be taken. South Africa agrees with the following statement made by Swaziland, relating to the potential disinvestment in rhino, should the zero quota proposed by Kenya be adopted: *"it could become catastrophic for rhino conservation and may also result in reduced wildlife range being protected"*.

As discussed above, it is anticipated that a zero export quota would detrimentally affect the conservation status of South Africa's white rhino population by undermining economic incentives for the private ownership and protection of rhinos. It would exacerbate an already worrying trend of increasing numbers of rhino owners disinvesting in rhino due to increased costs and risks associated with escalating poaching rates and declining economic incentives to conserve white rhino.

The ability for the state and the private sector to gain financially from owning, selling, translocating, viewing via ecotourism and hunting white rhino has greatly contributed to the conservation of this species and its

habitat in South Africa. Hunting of white rhino in South Africa started in 1968 when there were only approximately 1,800 white rhino in Africa. The CITES annotated Appendix II listing in 1994, that allowed for the export of live rhino and continued exports of hunting trophies, was followed by an exponential increase in the number of white rhino in South Africa, from approximately 6,380 animals in 1994 to the more than 18,800 individuals today. The concomitant increased value of white rhino on auctions has encouraged the expansion of rhino numbers and range and by the beginning of 2011 privately owned game farms provided habitat for 23% of the national herd (approximately 4,300 animals), whilst adding a further 22,274 km² to the national conservation footprint.

Should the zero export quota as proposed by Kenya be introduced, the following outcomes are anticipated:

- a) The private sector currently keeping white rhino for sport hunting purposes would seek to disinvest in rhino. In the province of KwaZulu-Natal approximately 199 of the approximately 658 privately owned white rhino are kept for sport hunting purposes, whereas in the Eastern Cape and North West Provinces 13% and 85% respectively of the game farms holding white rhino generate revenue from hunting. In the North West Province an estimated 1020 to 1105 rhino are kept for sport hunting purposes. While the Kenyan proposal would not ban hunting on a domestic basis, this is negligible, as only one or two white rhinos are hunted annually by South Africans. Very few hunters would be prepared to hunt rhino if they could not export their trophy for at least 6 years and possibly longer. Those that would be prepared to take the chance would presumably expect a discount on the price. Thus if approved, the Kenyan proposal would be expected to reduce hunting revenue by reducing both the number and cost of hunts.
- b) The live sale price of white rhino would be expected to fall further if the Kenyan proposal is approved. The private sector currently keeping white rhino solely for ecotourism purposes would therefore lose potential revenue generated from selling surplus animals to game farms participating in hunting. Disinvestment by the private sector in white rhino conservation, already observed in the provinces of Mpumalanga and Limpopo, would escalate further due to the rising costs of security against poaching and reduced revenue from live sales.
- c) Selling of surplus white rhinos from state owned protected areas would diminish, resulting in a reduction in revenue that could have been used to purchase new conservation land and to fund anti-poaching measures.
- d) A further consequence of the decline in the sale and subsequent introduction of rhinos to new areas is the expected decline in the meta-population growth rate and overstocking in established populations. Surplus animals should be regularly removed from established populations to maintain productive densities and to provide founder animals that can be used to stock new areas. White rhino have already been introduced to all state owned protected areas that are suitable for the species and as such, the expansion of range and numbers is to a large extent dependent upon the economic incentives for the private sector and communities to conserve rhino.

There is already evidence of increasing disinvestment by the private sector in white rhinos attributed to increased poaching levels and rising security costs and risks, coupled with declining live sale prices and economic incentives. The average value of white rhino sold by the three biggest sellers between 2008 and 2011 has declined by just over ZAR29,000 per head (an average 11.7% decline), while at a recent (September 2012) wildlife auction the average price of white rhino fell by about 45.6% to the average price last recorded by WRSA (Wildlife Ranching South Africa) in 2001. WRSA has also indicated that white rhino has reflected the biggest drop in contribution to the total turnover per live auction, from 25% in 2001 to less than 3% in 2011. If Kenya's proposal was approved it would in all probability depress live sale prices further, thereby disincentivizing rhino ownership to the detriment of rhino conservation in the country.

South Africa is therefore opposed to the imposition of a non-consumptive utilization policy on its white rhino population, which the conservation sector, in partnership with the private sector, has successfully brought back from the brink of extinction in the late 1800s, a time when only 20 to 50 white rhinos survived in the iMfolozi Game Reserve in Natal, to a generally well managed and increasing population today. In fact, with the exception of four Northern white rhino, the entire global population of wild white rhino originates from South Africa, including the white rhino in Kenya, and by the beginning of 2011 there were just under 500 populations of white rhino across Africa.

Recommendation by the Secretariat

The proposed amendment would result in a trade regime for hunting trophies from the Appendix-II listed *Ceratotherium simum simum* populations of South African and Swaziland that is more restrictive than that for range States whose populations are included in Appendix I (noting that the populations of South Africa and Swaziland do not meet Appendix-I criteria). It would prevent South Africa and Swaziland from using a management option that can be sustainable and beneficial for the conservation of the species; discourage the involvement of private landowners in the conservation of white rhinoceroses and undermine national and local rhino management strategies. South Africa has recently taken significant steps to improve its management of rhino hunting and the supporting statement does not show that trophy hunting, as currently regulated and enforced in South Africa, is negatively impacting the populations of *C. s. simum* in that country. The available information suggests the contrary. A precautionary approach that acts in the best interest of the conservation of the species therefore consists in keeping those management options in place that have successfully contributed to the restoration of *C. s. simum* in South Africa and Swaziland, ensuring that abuses are minimized and effective regulatory provisions strictly adhered to.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be rejected.

Proposal 11

This proposal has been withdrawn.

Proposal 12

***Loxodonta africana* (African elephant) – Amend the annotation for *Loxodonta africana* as follows (additional text underlined, deleted text ~~struck through~~):**

- h) no further proposals to allow trade in elephant ivory from any populations ~~already~~ in Appendix II shall be submitted to the Conference of the Parties for the period from CoP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g) i), g) ii), g) iii), g) vi) and g) vii). In addition, such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78 (Rev. CoP15).

Proponents: Burkina Faso and Kenya

Provisional assessment by the Secretariat

CITES background

Loxodonta africana was included in Appendix III in 1976 at the request of Ghana, and in Appendix II in 1977. At CoP7 (1989), the species was transferred to Appendix I (with a number of Parties entering reservations). Subject to complex and detailed annotations, the populations of Botswana, Zambia and Zimbabwe were transferred to Appendix II at CoP10 (1997), and of South Africa at CoP11 (2000). Some of the annotations to these Appendix-II populations were further amended at CoP11, CoP12 (2002), CoP13 (2004) and CoP14 (2007).

Purpose and impact of the proposal

The proponents state that the annotation they wish to amend stems from an agreement amongst African elephant range States reached at CoP14 (2007), and that the amended text in their proposal reflects the intention of the agreement.

The proposed amendment refers to “the date of the single sale of ivory that is to take place”. This ‘single sale’ occurred four years ago, on 28 October 2008 (Namibia), 31 October 2008 (Botswana), 3 November 2008 (Zimbabwe) and 6 November 2008 (South Africa). The nine-year period that is mentioned in the proposed new annotation would last until 6 November 2017. The implementation of the proposal would therefore only impact the scope of *L. africana* proposals to be submitted before November 2017, i.e. for the 17th meeting of the Conference of the Parties (CoP17), which is expected to be held in 2016.

The proposed amendment would retrospectively cover proposals concerning *L. africana* that have been submitted to and were already decided upon by the Conference of the Parties between CoP14 and CoP16. This is effectively not possible.

The impact of the adoption of the proposal would be as follows:

- a) For African elephant range States with populations currently in Appendix II (Botswana, Namibia, South Africa and Zimbabwe): no difference with their present annotations. As is currently the case, these four Parties can submit proposals at CoP17 to amend their existing annotations as long as the amendments refer to non-ivory specimens and do not include proposals to trade in ivory; and
- b) For African elephant range States with their population currently in Appendix I: any Party can submit proposals to transfer populations of *L. africana* from Appendix I to Appendix II at CoP17, but the purpose of the transfer should exclude references to trade in ivory. The purpose of the transfer can be to trade any non-ivory specimen of African elephants.

Main points made in the supporting statement and general comments

The information provided in the supporting statement is concise and up to date, quoting many findings reported to the Standing Committee in July 2012 in document SC62 Doc. 46.1 (Rev. 1). Section 8.1 on *Habitat conservation* is not addressed.

Compliance with listing criteria and other CoP recommendations

The proponents indicate that, in September 2012, all range States were consulted in accordance with Resolution Conf. 8.21. It is said that 23 African elephant range States support the proposal, but these are not named. Two range States, Namibia and South Africa, oppose the proposal.

The proposed annotation refers to Decisions 14.77 and 14.78 (Rev. CoP15). While both are currently in effect, they are scheduled to expire at CoP16. Decision 14.78 (Rev. CoP15) was implemented through reporting at the SC61 and SC62 and is not directly relevant to proposals to allow trade in elephant ivory from Appendix-II listed populations. It is therefore unclear why it is included in the proposed annotation.

Final comments

It is not possible to verify whether the proponents have accurately reflected “the intention” of the agreement amongst African elephant range States that was reached in the sidelines of CoP14, resulting in the annotation that has been in place for nearly six years. The annotation, in its current form, was adopted by consensus at CoP14. It was proposed at that meeting by Chad and Zambia, on behalf of Africa, and is recorded in document CoP14 Com. I Rep. 15 (Rev. 1) records. When introducing it, Zambia stressed that it represented a consensus position of all African elephant range States and no dissent was recorded.

The proponents argue their proposed amendment to the annotation on the basis of a perceived misunderstanding that occurred at CoP14, rather than on the basis of the current status of the African elephant. It is not legally and effectively possible to implement the aspect of the proposed annotation that seeks to modify retrospectively decisions by the Conference of the Parties that have already been implemented since CoP14.

Comments from Parties and intergovernmental bodies

Kenya

Kenya thanks the Secretariat for the analysis of this Proposal. Our response to the analysis is as follows:

REGARDING PURPOSES OF THE PROPOSAL: Kenya notes the Secretariat is partially correct in stating that the purpose of the Proposal is to reflect the intent of the agreement amongst African elephant range States reached at CoP14.

However, the Secretariat fails to acknowledge the second and overall purpose of the proposal, which is to protect African elephants from any further threats from trade during the current time of crisis. As the Proposal clearly states, Kenya believes the two experimental sales of ivory have not helped alleviate the crisis, and indeed the situation for elephants now is considerable worse than before the experimental sales were approved, a view shared by many other range States and conservation experts.

Kenya believes it is essential for CITES Parties to apply the **precautionary approach** and oppose any sales during the period of the Moratorium in order to ensure that Africa’s dwindling elephant populations are not put at greater risk. As recognized in the Proposal, the poaching crisis is affecting many range States, and is extremely serious (as highlighted in particular by the elephant massacre in Boubou Ndjida National Park in Cameroon in 2012). Kenya also continues to suffer the consequences of the upsurge in poaching.

South Africa

In terms of Article XV of the Convention “Any Party may propose an amendment to Appendix I or II for consideration at the next meeting”. The annotation to be amended through the proposal is the annotation to the Appendix II listing of the African elephant populations of Botswana, Namibia, South Africa and Zimbabwe. It is South Africa’s opinion that the proposed amendment will prohibit other African elephant range States from exercising their right in terms of Article XV of the Convention and is therefore not allowed. An annotation to a specific country’s population cannot be amended to include a restriction on another range State.

The wording of the amendment becomes nonsensical, because it refers to the single sale of ivory that is to take place, while these sales already took place in 2008.

The development of a decision-making mechanism for trade in ivory (by the 16th CoP) formed an integral part of the agreement reached relating to the moratorium. Unfortunately, the decision-making mechanism has not been developed as agreed at CoP 14 and therefore other range States cannot be penalized for the lack of

progress made in this regard. It is pertinent that significant progress should be made during the CoP to enable affected range States to continue to participate in this process.

Recommendation by the Secretariat

The proposed wording in the annotation refers to “the date of the single sale of ivory that is to take place”, but this ‘single sale’ actually occurred four years ago, in 2008 and the two Decisions referenced are scheduled to expire after CoP16. As regards the main purpose of the proposal, the proponents claim that the suggested language would better reflect “the intention” of what the Parties meant at CoP14, but this is questionable given that the current annotation was collectively agreed and proposed there by all African Parties, and adopted by consensus.

More generally, the Secretariat is of the view that the annotations related to the listing of *L. africana* in the Appendices are no longer solely governed by the listing criteria or the existing guidance on annotations. They are the result of protracted, difficult negotiations and compromises, and consequently have become particularly lengthy and detailed. The existing annotation was agreed and proposed by all African Parties at CoP14, and is widely understood and adhered to. It would be preferable if amendments to it were agreed in a similar spirit of continent-wide consent and agreement. A debate on this matter - at a time when all African elephant range States are uniting to face the common challenge of increased levels of illegal killing of elephants in Africa and illegal trade in ivory - could take valuable time and attention away from the focus on agreeing to more concerted and coordinated enforcement responses thereto.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be rejected.

Proposal 13

***Trichechus senegalensis* (West African manatee) – Transfer from Appendix II to Appendix I**

Proponents: Benin, Senegal and Sierra Leone

Provisional assessment by the Secretariat

CITES background

Trichechus senegalensis was included in Appendix I when CITES entered in force on 1 July 1975. The species was subject to an amendment proposal at CoP6 in 1987, under the 'Ten Year Review' (now known as the 'Periodic Review of the Appendices'), to either delete the species from Appendix II or transfer it from Appendix II to Appendix I. After some discussion, it was agreed to withdraw the proposal and that, instead, the Animals Committee should look into the problem of trade in specimens of the order Sirenia.

Purpose and impact of the proposal

The proponents seek to transfer *Trichechus senegalensis* to Appendix I. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article III of the Convention.

Main points made in the supporting statement and general comments

According to the supporting statement the species occupies virtually any accessible marine, river or lake habitat across 21 coastal States in West and Central Africa, from Mauritania to Angola. Little data are recorded of the status and population trend in the species. It is estimated that fewer than 10,000 specimens remain in West Africa, but no estimates are given for the rest of its range. The West African population is said to be likely to have decreased by at least 10 % (over an unspecified period). Indications from local studies, testimony from villagers and press reports all indicate a decline in the population. It is reported to have disappeared from Lake Chad and the Chari River which flows into it, and from some lagoons in Côte d'Ivoire. The species is said to be threatened by habitat loss, pollution and climate change, as well as illegal hunting, mostly for meat, but also for other body parts. Alleged illegal trade in meat is stated to be mostly domestic in nature, but illegal international trade is also said to occur. Nevertheless, the only specific occurrence noted is the export of dried meat from Chad to Cameroon and Nigeria. The supporting statement shows that most reports of trade in the CITES Trade Database refer to transactions for scientific or zoological purposes.

The species is said to be fully protected in all range States by prohibitions on hunting and trade that go beyond the Convention, but that protection is ineffective as enforcement is poor. The proponents believe that inclusion in CITES Appendix I and the attendant publicity would lead to better enforcement of domestic and regional trade prohibitions.

The supporting statement is detailed but lacks quantitative data, which seem unavailable.

Compliance with listing criteria and other CoP recommendations

The proponents assert that the species meets the biological criteria in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) because:

- the wild population is small and there has been observed, inferred or projected decline in the number of individuals or the area and quality of habitat, and it is highly vulnerable to either intrinsic or extrinsic factors; and
- there has been a marked decline in the population size in the wild, which has been either inferred or projected on the basis of a decrease in the area or quality of habitat, levels or patterns of exploitation and high vulnerability to either intrinsic or extrinsic factors.

In May 2012, one of the proponents consulted all range States about the proposal by mail in accordance with Resolution Conf. 8.21. No replies were received. Subsequently, in September 2012, the proposal was presented to an unspecified meeting where CITES Management Authorities from 17 range States were present. Responses were said to be favourable, but no further information is provided.

Final comments

The proponents presented a draft version of the proposal at AC26 in March 2012. The Committee considered that there were doubts as to whether it showed that the species met the criteria for inclusion in Appendix I. In particular, it seemed that there was little or no international trade. The believed that more specific information on the type and volume of international trade proving its impact on the species would strengthen the proposal and that not enough information was provided on population trends, and historical and current population sizes. The Committee concluded that, on the basis of the document provided, measures taken at the national level seemed better suited to address the conservation concerns.

The species would appear to have a low productivity and an extensive range, which makes it unlikely to meet the criterion in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) of having a small wild population. As there are few, if any, specific data on the current or past population size, there is no clear evidence that the species has exhibited a marked decline in population size in the wild. Current levels of legal international trade for commercial purposes are very low, therefore an Appendix-I listing prohibiting such trade would not have any perceptible effect. *In situ* protection needs and poaching and illegal trade will not be addressed nor resolved by transferring the species from Appendix II to Appendix I alone.

Comments from Parties and intergovernmental bodies

Togo

This species is fully protected in Togo by law and regulations in effect, and therefore benefits from specific protection.

... Togo supports the position of Benin, Senegal and Sierra Leone regarding the transfer from Appendix II to Appendix I of the West African manatee, whose populations are very small.

Convention on the Conservation of Migratory Species of Wild Animals (CMS)

The West African manatee is classified as Vulnerable by the IUCN. Data are not sufficient for determining trends, but all areas where the species is studied seem to be suffering population declines. While several factors are thought to contribute to this, hunting is seen as a key threat.

The West African manatee was listed in CMS Appendix II in 2002, and in 2008 was in addition put in Appendix I. In the same year, the CMS Memorandum of Understanding Concerning the Conservation of the Manatee and Small Cetaceans of Western Africa and Macaronesia was concluded in Lomé, Togo. The CMS Action Plan for the Conservation of the West African Manatee, which forms part of the MOU (Annex I), acknowledges commercial trade, both for regional markets and internationally, as one of the driving forces of population declines throughout the species' range. The listing of the species on CITES Appendix I is an Action (Expected Outcome 1.1) recommended in the Action Plan, and enforcement of legislation relating to manatee hunting and trade is of high priority (Expected Outcome 1.4).

Recommendation by the Secretariat

The Secretariat shares the concerns of the proponents as range States about the habitat loss and modification, poaching, fragmentation of water courses by dams, diverse pollution and accidental catch in fishing nets and dams valves which impinge on this species. However, there is little evidence that the species meets the biological criteria for inclusion in Appendix I or that specimens of the species are in international trade.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be rejected.

Proposal 14

***Caracara lutosa* (Guadalupe caracara) - Deletion from Appendix II**

Proponent: Mexico

Provisional assessment by the Secretariat

CITES background

Caracara lutosa was included in Appendix II at CoP2 in 1979, under the higher taxonomic listing of Falconiformes spp.

Purpose and impact of the proposal

The proponent seeks to remove *Caracara lutosa* from CITES controls. This would require the present listing of Falconiformes spp. in Appendix II to be adjusted to make clear that it no longer includes *Caracara lutosa*.

Main points made in the supporting statement and general comments

This endemic species from Mexico is considered extinct. No specimen of this species has been seen since 1900. The species was exterminated in its natural area of distribution by direct hunting or poisoning. It was also sought for the scientific value of its skin and this seems to have contributed to its extinction. The population of this species is assumed to have always been small, at around a dozen individuals. This would suggest that its reproductive rate was extremely low. The natural habitat of the species does not exist anymore as it has been completely modified by man.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012 on the basis of the Annex to document AC26 Doc. 13.3.

Although the supporting statement does not explicitly say so, it can be assumed that the criteria in Annex 2 a of Resolution Conf. 9.24 (Rev. CoP15) are no longer met because the species is extinct. With respect to Annex 2 b, the species is said to be similar to *Caracara cheriway*, but this is not commented on further.

Final comments

There seems little doubt that this species became extinct more than a 100 years ago. It therefore meets the definition of "Possibly extinct" in Annex 5 of Resolution Conf. 9.24 (Rev. CoP15).

As this species is presently included in Appendix II under the generic listing of Falconiformes spp., its exclusion from that Appendix may have the effect of complicating the Appendices rather than simplifying them.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

There seems little doubt that this species is extinct. The inclusion of *Caracara lutosa* in Appendix II is no longer pertinent. Regarding the criteria of Resolution Conf. 9.24 (Rev. CoP14), Annex 2 b *Caracara lutosa* resembled other species, however, the latter seem to have a widespread distribution and international trade would seem to be currently inexistent.

After discussing this issue with enforcement officials, the Secretariat notes that while removing a species can simplify the Appendices if it is listed at a species level, but removing a species that is listed at a higher taxonomic level can complicate them.

If this proposal is adopted and, if the exercise of deleting extinct species that are listed at a higher level is carried out on a systematic basis, there is a high probability of ending up with very long and complicated

Appendices. As mentioned in the cover page to the present document, this is a generic matter that the Animals and Plants Committees should review in future.

Pending the outcome of this review, the Secretariat recommends that a decision on this proposal should be deferred until CoP17.

Proposal 15

***Gallus sonneratii* (Sonnerat's junglefowl) - Deletion from Appendix II**

Proponent: Switzerland, as the Depository Government, at the request of the Animals Committee

Provisional assessment by the Secretariat

CITES background

Gallus sonneratii was included in Appendix I when CITES entered in force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to remove *Gallus sonneratii* from CITES controls.

Main points made in the supporting statement and general comments

According to the supporting statement, the species is endemic to India, with a range estimated to exceed 1 million km². Its population size is not known and even though it is suspected to be declining, it has still been reported to be locally common throughout much of its range. The international trade in this species is in feathers, which are used for fishing flies. Information from the CITES trade database presented in the supporting statement shows that trade in wild source specimens decreased very sharply between the periods 1975-1999 and 2000-2010. In fact, almost all reports of apparent export of wild-sourced feathers from the United Kingdom, Canada and the United States mentioned in the supporting statement refer to re-exports from these countries, with the country of origin of the feathers declared as 'unknown'. The CITES Trade Database shows some illegal imports of specimens of *G. sonneratii* coming from India:

1990 12 skins reported by the United States

2002 30 skin pieces by Norway

2009 3 feathers by Norway

2009 15 feathers by the United States

This indicates that there may be some small-scale illegal trade from India taking place.

The supporting statement seems reasonably complete, but lacks detailed information on the status of the species, which is probably unavailable.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012 on the basis of the Annex to document AC26 Doc. 13.2.1.

The proponent asserts that the species no longer meets the criteria for inclusion in Appendix II and that precautionary measure A. 4 applies: if deleted from Appendix II, the species would be likely to result in it qualifying for inclusion in the Appendices in the near future.

The proposal was sent to the Indian CITES authorities on 17 August 2012, but as of 24 September 2012, no reply had been received.

There are said to be no particular look-alike concerns with other CITES-listed species.

Final comments

Reported trade in wild-sourced specimens of this species seems to have been replaced by captive-bred sourced material. The supporting statement appears to show that regulation of trade in specimens of the species by CITES is no longer required, as harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

International trade in wild specimens has decreased considerably in recent years and *Gallus sonneratii* no longer appears to meet the criteria for inclusion in Appendix II. It is not likely that its deletion will result in it qualifying for inclusion in the Appendices in the near future.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 16

Ithaginis cruentus (Blood pheasant) - Deletion from Appendix II

Proponent: Switzerland, as the Depository Government, at the request of the Animals Committee

Provisional assessment by the Secretariat

Previous CITES background

Ithaginis cruentus was included in Appendix II when CITES entered in force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to remove *Ithaginis cruentus* from CITES controls.

Main points made in the supporting statement and general comments

This species is found in Bhutan, China, Myanmar and Nepal. It has a very substantial area of distribution of about 800,000 km² and lives in remote and sparsely populated areas. Although little is known about the size of the population in the wild, it does not appear to be under any threat of extinction.

CITES Trade database records show very little reported trade since 1975 and virtually none between 2000 and 2010. The only trade in wild specimens from range States in the last 20 years was in four hunting trophies, reported as exported from China to the United States in 2005.

The supporting statement is rather brief and does not present much detailed information, although this may reflect a dearth of information available.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012 on the basis of the Annex to document AC26 Doc. 13.2.1.

The proponent asserts that the species no longer meets the criteria for inclusion in Appendix II and that precautionary measure A. 4 in Annex 4 to Resolution Conf. 9.24 (Rev. CoP15) applies: if deleted from Appendix II, the species would be likely to result in its qualifying for inclusion in the Appendices In the near future.

The supporting statement says that the proposal was sent to the CITES authorities of Bhutan, China, India, Myanmar and Nepal on 17 August 2012. By 24 September, Myanmar had replied, offering no particular view, and China indicated that it was opposed to the proposal.

There are said to be no particular look-alike concerns with other CITES-listed species.

Final comments

There has never been much international trade in specimens of this species and what trade there was has virtually ceased in the last 10 years. The supporting statement appears to show that regulation of trade in the species by CITES is no longer required as harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

International trade in specimens of *Ithaginis cruentus* does not appear to be a factor affecting the conservation of the species. The species no longer meets the criteria for inclusion in Appendix II and it is not likely that its deletion will result in it qualifying for inclusion in the Appendices in the near future.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 17

***Lophura imperialis* (Imperial pheasant) - Deletion from Appendix I**

Proponent: Switzerland, as the Depository Government, at the request of the Animals Committee

Provisional assessment by the Secretariat

CITES background

Lophura imperialis was included in Appendix I when CITES entered in force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to remove *Lophura imperialis* from CITES controls.

Main points made in the supporting statement and general comments

According to the supporting statement, this species was first described on the basis of two birds captured in Viet Nam in 1923 and subsequently bred in captivity in Europe. Similar specimens were captured in the wild in Viet Nam in 1990 and 2000. Genetic analysis and captive-breeding experiments demonstrated in 2003 that *L. imperialis* was not a valid species.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and endorsed at AC26 in March 2012 on the basis of the Annex to document AC26 Doc. 13.2.1. An amended proposal was agreed by the Animals Committee by postal procedure in August-September 2012.

The reason that the proposal is submitted is not that the species no longer meeting the criteria for inclusion in Appendices established under Resolution Conf. 9.24 (Rev. CoP15), but that the 'species' is in fact a hybrid between *Lophura edwardsi* (Appendix I) and *Lophura nycthemera* (not listed in the Appendices). The supporting statement states that the birds currently considered to be specimens of *L. imperialis* will continue to be treated as specimens of a species included in Appendix I by virtue of Resolution Conf. 10.17 (Rev. CoP14) on *Animal hybrids*. The standard nomenclatural reference for birds adopted by the Conference of the Parties – Dickinson, E. C. (ed.) (2003): *The Howard and Moore Complete Checklist of the Birds of the World*. Revised and enlarged 3rd Edition. London (Christopher Helm) together with Dickinson, E. C. (2005): *Corrigenda 4 (02.06.2005) to Howard & Moore Edition 3 (2003)* – continues to treat *L. imperialis* as a recognized species. The proponent therefore also proposes an amendment to Resolution Conf. 12.11 (Rev. CoP15) on *Standard nomenclature* to the effect that this standard reference no longer applies for the name *L. imperialis*.

The supporting statement says that Viet Nam, the only range State of this species, confirmed its support for the proposal in an email of 18 June 2012.

Final comments

There seems little doubt that specimens of *L. imperialis* are in fact hybrids between *L. edwardsi* and *L. nycthemera*. The species was removed from the IUCN Red List on this basis at some time between 2001 and 2004. Resolution Conf. 9.24 (Rev. CoP15) resolves that hybrids may be specifically included in the Appendices in their own right, but only if they form distinct and stable populations in the wild. The supporting statement does not address whether this applies in the case of *L. imperialis*.

Although the supporting statement claims that specimens currently considered to be *L. imperialis* will continue to be treated as specimens of a species included in Appendix I by virtue of Resolution Conf. 10.17 (Rev. CoP14), this may be open to question. In this resolution, the Conference decides that only hybrid animals, one of whose parents within the last four generations, was an Appendix-I species (in this case *L. edwardsi*) will be covered by the Convention. It does not appear to be clear whether this is the case with *L. imperialis*. In order to resolve this uncertainty, the proposed amendment to Resolution Conf. 12.11 (Rev. CoP15) could state that specimens of '*Lophura imperialis*' should be treated as specimens of *L. edwardsi*'.

If the proposed amendment to Resolution Conf. 12.11 (Rev. CoP15) is agreed, it might be questioned whether the proposal to formally delete *L. imperialis* from Appendix I is actually required as this would happen automatically.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

It is clear that specimens of the 'species' *Lophura imperialis* are in fact hybrids between *L. edwardsi* and *L. nycthemera*.

Based on available information at the time of writing (late January 2013), the Secretariat recommends that the proponent's suggestion to amend the contents of the square brackets after the mention of the standard reference for birds [Dickinson, E. C. (ed.) (2003): *The Howard and Moore Complete Checklist of the Birds of the World. Revised and enlarged 3rd Edition. 1039 pp.* London (Christopher Helm)] in the Annex to Resolution Conf. 12.11 (Rev. CoP15) be adopted. However, for clarity and to maintain the original intent of the listing of *L. imperialis*, the proposed new text should be amended to read "[for all bird species – except for the taxa mentioned below and for *Lophura imperialis*, specimens of which should be treated as specimens of *L. edwardsi*]" (new text is underlined).

If this is agreed, then the proposal to delete *L. imperialis* from Appendix I will not be necessary as this will be achieved by virtue of the change of name of the birds in question.

Proposal 18

***Tetraogallus caspius* (Caspian snowcock) - Transfer from Appendix I to Appendix II**

Proponent: Switzerland, as the Depository Government, at the request of the Animals Committee

Provisional assessment by the Secretariat

CITES background

Tetraogallus caspius was included in Appendix I when CITES entered in force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to transfer *Tetraogallus caspius* from Appendix I to Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

According to the supporting statement, *T. caspius* occurs in mountainous areas of Armenia, Azerbaijan, Georgia, the Islamic Republic of Iran, Iraq, Turkey and Turkmenistan over approximately 314,000 km². The population is said to be 10,000-50,000 individuals (6,700-33,000 of which are mature). Although the population is slowly declining, this decline is not sufficiently rapid to categorize the species as 'Vulnerable' under the IUCN Red List criteria – the species is rated as of 'Least concern' by IUCN (2012 assessment). The main threat to the species is habitat degradation and subsistence hunting. There have been no records of international trade since 1975.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012 on the basis of the Annex to document AC26 Doc. 13.2.1.

The proponent asserts that the species does not meet any of the biological criteria for inclusion in Appendix I in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) and precautionary measure A 2 a) in Annex 4 of that Resolution, that is to say: the species is not in demand for international trade, nor is its transfer to Appendix II likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I.

The supporting statement says that the seven range States were consulted on the proposal on 17 August 2012, but no comments for or against had been received by 24 September 2012.

Final comments

The supporting statement is brief and not very detailed, but seem to indicate that regulation of trade in the species by CITES is no longer required as harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

Tetraogallus caspius no longer appears to meet the criteria for inclusion in Appendix I and its transfer to Appendix II is not likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 19

***Tetraogallus tibetanus* (Tibetan snowcock) - Transfer from Appendix I to Appendix II**

Proponent: Switzerland, as the Depository Government, at the request of the Animals Committee

Provisional assessment by the Secretariat

CITES background

Tetraogallus tibetanus was included in Appendix I when CITES entered in force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to transfer *Tetraogallus tibetanus* from Appendix I to Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

According to the supporting statement, *T. tibetanus* occurs in mountainous areas of Bhutan, China, India, Nepal, Myanmar and Tajikistan over approximately 1.07 million km². The population is said to be 100,000-499,000 mature individuals, although this claim is unreferenced. Its status is thought to be stable. It is rated as of 'Least concern' in IUCN Red List (2012 assessment). Apart from climate change, no particular threat to the species is known, although there seems to be some offtake for subsistence and pets. There also seems to have been no records of international trade since 1975.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012 on the basis of the Annex to document AC26 Doc. 13.2.1.

The proponent asserts that the species does not meet any of the biological criteria for inclusion in Appendix I in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) and precautionary measure A 2 a) in Annex 4 of that resolution, that is to say: the species is not in demand for international trade, nor is its transfer to Appendix II likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I.

The supporting statement says that the six range States were consulted on the proposal on 17 August 2012. By 24 September 2012, Myanmar had replied, offering no particular view on the proposal, and China had responded that it supported it.

Final comments

The supporting statement is very brief, but seems to indicate that the survival of the species is not at risk. Contrary to what is detailed in the supporting statement, the CITES Trade Database does contain one trade record – a captive-bred specimen reported as imported by the United Kingdom from the United States in 1981. However, this does not change the impression that regulation of trade in the species by CITES is no longer required as harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

Tetraogallus tibetanus no longer appears to meet the criteria for inclusion in Appendix I and its transfer to Appendix II is not likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 20

***Tympanuchus cupido attwateri* (Attwater's greater prairie chicken) – Transfer from Appendix I to Appendix II**

Proponent: Switzerland, as the Depository Government, at the request of the Animals Committee

Provisional assessment by the Secretariat

CITES background

Tympanuchus cupido attwateri was included in Appendix I when CITES entered in force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to transfer *Tympanuchus cupido attwateri* from Appendix I to Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

The subspecies is endemic to the United States and occurs in three separate areas in Texas. Its population numbered nearly 1 million individuals before 1890, but it has undergone a huge decline in number. When the Animals Committee considered this case, the (2010) population size was reported at approximately 90 individuals. According to the supporting statement this increased to 110 in 2011, before declining to 46 in 2012. A further 284 specimens are held in captivity as part of a captive-breeding programme, which is said to have been instrumental in preventing the extinction of the subspecies. The cause of the decline in the wild is reported to be largely habitat loss and fragmentation, exacerbated by hunting until 1936, and perhaps also in recent years by introduced ants which eat the subspecies's insect food supply.

There have been two records of international trade in specimens of the subspecies since 1975. In 1996, a captive-bred scientific specimen was sent from the United States to Sweden. In 1998, two captive-bred scientific specimens were sent from Sweden back to the United States (from where they had originated), but were seized or confiscated.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 (in the standard format of a proposal to amend the Appendices) and was submitted at AC25 in July 2011 as document AC25 Doc. 15.4. The Animals Committee endorsed the submission of a proposal to transfer the species to Appendix II.

The proponent asserts that, although the subspecies continues to meet the biological criteria for inclusion in Appendix I in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15), it is not "affected by trade" as defined in Annex 5 of the same Resolution, that is "it is known to be in trade and that trade has or may have a detrimental impact on the status of the species", or that "it is suspected to be in trade, or there is demonstrable potential international demand for the species, that may be detrimental to its survival in the wild."

Final comments

The supporting statement is comprehensive and detailed. There seems little doubt that the biological criteria for inclusion in Appendix I continue to be met for the subspecies. The seizure or confiscation of scientific specimens in 1998 is said to be based on 'the comparative tabulation report', but is not explained further. Other than this, it does not appear that international trade has been or will be a factor detrimental to the conservation of the species.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

As international trade in specimens of *Tympanuchus cupido attwateri* does not appear to be a factor affecting the conservation of the species, the species no longer appears to meet the criteria for inclusion in Appendix I and its transfer to Appendix II is not likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I.

Based on available information at the time of writing, the Secretariat recommends that this proposal be adopted.

Proposal 21

***Campephilus imperialis* (imperial woodpecker) – Deletion from Appendix I**

Proponent: Mexico

Provisional assessment by the Secretariat

CITES background

Campephilus imperialis was included in Appendix I in when CITES entered when CITES entered into force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to remove *Campephilus imperialis* from CITES controls.

Main points made in the supporting statement and general comments

In 1996, an intensive monitoring survey assessed the status of the current cover of the potential habitat of this species. The results of this survey showed that nowadays, Mexico has only 0.61 % of the natural habitat that this species required to reproduce and survive. This would imply that, even if specimens were still alive in the wild, the recovery of the population of the species in its natural area of distribution would be virtually impossible. It can be therefore concluded that there would be no trade threat if the species was rediscovered.

Compliance with listing criteria and other CoP recommendations

The proponent claims that, since specimens have not been seen for more than 50 years, it now meets the definition of 'Possibly extinct' contained in Annex 5 of Resolution Conf. 9.24 (Rev. CoP15).

Finally, the deletion of this species from Appendix I would not affect the implementation of the Convention for other similar taxa. *C. imperialis* is the only species of the genus *Campephilus* that is included in CITES.

The proposal was submitted for comment at AC26. The Animals Committee considered that the species met the criteria for deletion from the Appendices and commended Mexico on the quality of its draft proposal.

Final comments

In the CITES trade database, the United States reports re-exporting four specimens for scientific purposes in 2006.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

The original habitat of this species has disappeared along with its natural populations. The inclusion of *Campephilus imperialis* is not longer pertinent. It is highly improbable that the species is re-discovered and, in that unlikely event, Mexico will not allow any international trade on the specimens concerned.

On the basis of the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 22

***Sceloglaux albifacies* (laughing owl) – Deletion from Appendix II**

Proponent: New Zealand

Provisional assessment by the Secretariat

CITES background

Sceloglaux albifacies was included in Appendix II at CoP2 in 1979 under the higher taxonomic listing Strigiformes spp.

Purpose and impact of the proposal

The proponent seeks to remove *Sceloglaux albifacies* from CITES controls. If the proposal is adopted, this will require the present listing of Strigiformes spp. in Appendix II to be adjusted to make clear that it no longer includes *S. albifacies*.

Main points made in the supporting statement and general comments

According to the supporting statement, the last confirmed record of this species, which was endemic to New Zealand, was in 1914, although unconfirmed records have been reported until the 1960s. Exhaustive surveys in known or suspected habitat, and at appropriate times, throughout its historical range have failed to record an individual.

The supporting statement states that no trade has taken place and that, if the species were ever rediscovered, national legislation would prevent any trade in it.

There seems to be no look-alike issues related to this proposal.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012, even though the review was not submitted to the Animals Committee "in the format of a proposal used to amend the Appendices", as requested in paragraph i) of that Resolution.

The proponent asserts that the species does not meet the listing criteria in Annexes 2 a and 2 b of Resolution Conf. 9.24 (Rev. CoP15) as it is extinct, and that it is consistent with the precautionary measures in Annex 4 of the Resolution – although it does not say which.

Final comments

The supporting statement appears to give a full account of the information available on the species. The CITES trade database shows that, in 2010, Ghana reported importing 50 specimens of this species from Togo (with country of origin declared as New Zealand), although this seems likely to be a reporting error. Trade appears to have taken place in the past as several specimens seem to be present in museums outside New Zealand (see [http://data.gbif.org/occurrences/search.htm?c\[0\].s=0&c\[0\].p=0&c\[0\].o=Sceloglaux+albifacies](http://data.gbif.org/occurrences/search.htm?c[0].s=0&c[0].p=0&c[0].o=Sceloglaux+albifacies)).

As this species is presently included in Appendix II under the Order-level listing of Strigiformes spp., its exclusion from that Appendix may have the effect of complicating the Appendices rather than simplifying them.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

There seems little doubt that this species is extinct and its inclusion in the CITES Appendices is therefore no longer pertinent. However, after discussing this issue with enforcement officials, the Secretariat observes that

its removal from CITES controls would render the Appendices more complicated by requiring an exception to the listing of Strigiformes spp. in Appendix II. As the retention in Appendix II would not cause any work or inconvenience to Parties, it may be preferable to maintain the *status quo*.

If this proposal is adopted and, if the exercise of deleting extinct species that are listed at a higher level is carried out on a systematic basis, there is a high probability of ending up with very long and complicated Appendices. As mentioned in the cover page to the present document, this is a generic matter that the Animals and Plants Committees should review in future.

Pending the outcome of this review, the Secretariat recommends that a decision on this proposal should be deferred until CoP17.

HHProposal 23

***Crocodylus acutus* (American crocodile) – Transfer of the population of the Bay of Cispata, municipality of San Antero, Department of Córdoba, Republic of Colombia, from Appendix I to Appendix II**

Proponent: Colombia

Provisional assessment by the Secretariat

CITES background

Crocodylus acutus has been included in Appendix I since 1981, with the exception of the population of Cuba which was transferred to Appendix II at CoP13 under Resolution Conf. 11.16 (Rev. CoP15) on *Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II*. Colombia has six operations registered with the Secretariat that breed *C. acutus* for commercial purposes in accordance with Resolution Conf. 12.10 (Rev. CoP15).

Purpose and impact of the proposal

The proponent seeks to transfer to Appendix II a population of *Crocodylus acutus* that occurs in a protected area with a special management regime, while the remainder of the national population of Colombia would remain in Appendix I. The population concerned by the proposal is located in the Bay of Cispata. If the proposal is adopted, international trade in specimens of that population will be regulated in accordance with the provisions of Article IV of the Convention.

If adopted, specimens of *C. acutus* originating from 'the Bay of Cispata' population could be commercially traded in accordance with the provisions of Article IV of the Convention.

Resolution Conf. 12.10 (Rev. CoP15) would not apply for specimens that are bred in captivity if the breeding stock consists of animals from the population of 'the Bay of Cispata'. Presumably, breeding operations using such breeding stock could be established in other parts of Colombia than the Bay of Cispata (the supporting statement does not discuss any limitations in this regard).

Main points made in the supporting statement and general comments

The proponent argues that the population of *C. acutus* in the Bay of Cispata has been protected and studied for 10 years in the context of an innovative ecosystem restoration and management programme involving local stakeholders and former poachers. As a result, the population has increased to the point that sustainable utilization and international trade, which requires the population to be transferred to Appendix II, can be planned. The programme includes the operation of a scientific facility (Estación Amaya), financed by the regional government; the provision of artificial crocodile nesting sites to supplement natural sites; various monitoring activities; and the release of 3,438 juveniles (of 1 to 2 years old) between 2004 and 2011. The Secretariat understands that the released animals originate from 13,683 eggs collected between 2003 and 2011 from 505 nests, and hatched in the scientific facility. The proponent mentions that, in addition to several thousand young individuals that will be released, the facility holds 'a surplus' of 2,000 to 3,000 juvenile crocodiles with a potential annual production of 1,500 to 3,000 animals or skins per year.

It can be inferred that the collection of eggs of wild origin and the rearing of hatchlings for release or trade correspond *de facto* to ranching as defined in Resolution Conf. 11.16 (Rev. CoP15). The proponent indicates that, for the 17th meeting of the Conference of the Parties, one or several ranching proposals to transfer additional Colombian populations of *C. acutus* to Appendix II may be submitted.

No information is provided on the actual size of the wild population to be downlisted, but regular and systematic monitoring, the structure of the population and the increasing fertility of females all show that it is recovering and growing, particularly since 2007. It would nevertheless appear that the wild population remains small, with 221 individuals observed in 2011 (the average of 14.9 individuals per km² in Table 3 is probably an error; it should be 15.4 animals per km², as indicated in Figure 3).

While the proposal focuses on a very specific geographical area in Colombia, it would benefit from a clearer description of the 'Bay of Cispata' boundaries. It is explained that the Bay has a mangrove area of 11.5 km², of

which 1.4 km² is habitat for *C. acutus*. Table 3, on the other hand, suggests that a “total area” of 14.4 km² was monitored for *C. acutus* “habitat and population parameters”. In 2006, ‘the mangrove forests with the surrounding areas’ received some measure of protection as an ‘Integrated Management District for Natural Resources’ (IMD). Although a number of geographical coordinates of boundary points of this IMD are presented, it is unclear what part of the Bay of Cispata is now partially protected, what surface it covers and how the borders are actually defined. The proponent states that the “limits of the IMD....correspond to the limits and the area of distribution of the population of crocodiles”. It may therefore have been the intention of the proposal to only include *C. acutus* that occur in the IMD in Appendix II, rather than the population of the Bay of Cispata.

The proponent is silent about the enforcement challenges that might result from the adoption of this proposal, including how to ensure that specimens from the Appendix-II population would be distinguished from the rest of Colombia’s *C. acutus*, which will remain in Appendix I, or from specimens produced in the registered breeding operations. The Secretariat understands these operations are considering DNA profiling for their parental stock, and that a similar approach is contemplated for the population of the Bay of Cispata, but these and other enforcement-related aspects of the proposal would benefit from further explanation.

Compliance with listing criteria and other CoP recommendations

Resolution Conf. 9.24 (Rev. CoP15) states that “subspecies, populations or other subcategories of a species may be included in different Appendices at the same time in accordance with the relevant criteria in Annex 3”. Annex 3 specifies that “Listing of a species in more than one Appendix should be avoided in general in view of the enforcement problems it creates.” and that “When split-listing does occur, this should generally be on the basis of national or regional populations”. In this instance, Colombia proposes a split-listing of its national population of *C. acutus*, which is a situation not envisaged in Resolution Conf. 9.24 (Rev. CoP15), although it has some precedent in the listing of certain *Vicugna vicugna* populations.

Annex 5 of Resolution Conf. 9.24 (Rev. CoP15) states that, in Article I of the Convention, the term ‘species’ is defined as “any species, subspecies or geographically separate population thereof” and that ‘Geographically separate population’ refers to parts of a species or a subspecies within particular geographical boundaries. This can also refer to populations or subpopulations, or, for the sake of convenience in certain cases, to ‘stocks’ as the term is understood in fisheries management. The proposal does not make clear if the population to be downlisted corresponds to a ‘geographically separate population’ as defined in Resolution Conf. 9.24 (Rev. CoP15).

The wild population of *C. acutus* subject to this proposal seems small and has a restricted area of distribution. However, the wild population and the distribution area do not seem characterized by any of the aggravating factors mentioned in Annex 1, criteria A and B in Resolution Conf. 9.24 (Rev. CoP15). Criterion C may not apply either. Regarding the precautionary measures mentioned in Annex 4, the proponent states that the proposed listing meets the safeguards in paragraph A. 2. b). However, with respect to paragraph A. 2. b) ii), the information presented in the proposal makes it difficult to assess with satisfaction the existence of ‘appropriate enforcement controls and accordance with the requirements of the Convention’ to address the enforcement challenges that may result from the national split-listing situation. With respect to paragraph A. 2. b) i), it is not clear whether sufficient national legal and compliance measures are in place for the implementation of Article IV, particularly its paragraph 2 (b) (i.e. “a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora”).

As this proposal only concerns the population of *C. acutus* in Colombia, the consultation envisaged in Resolution Conf. 8.21 is not required. The proponent nevertheless indicates that the proposal was sent to range States of the species. It is recommended that the proponent provide any responses that may have been received.

Final comments

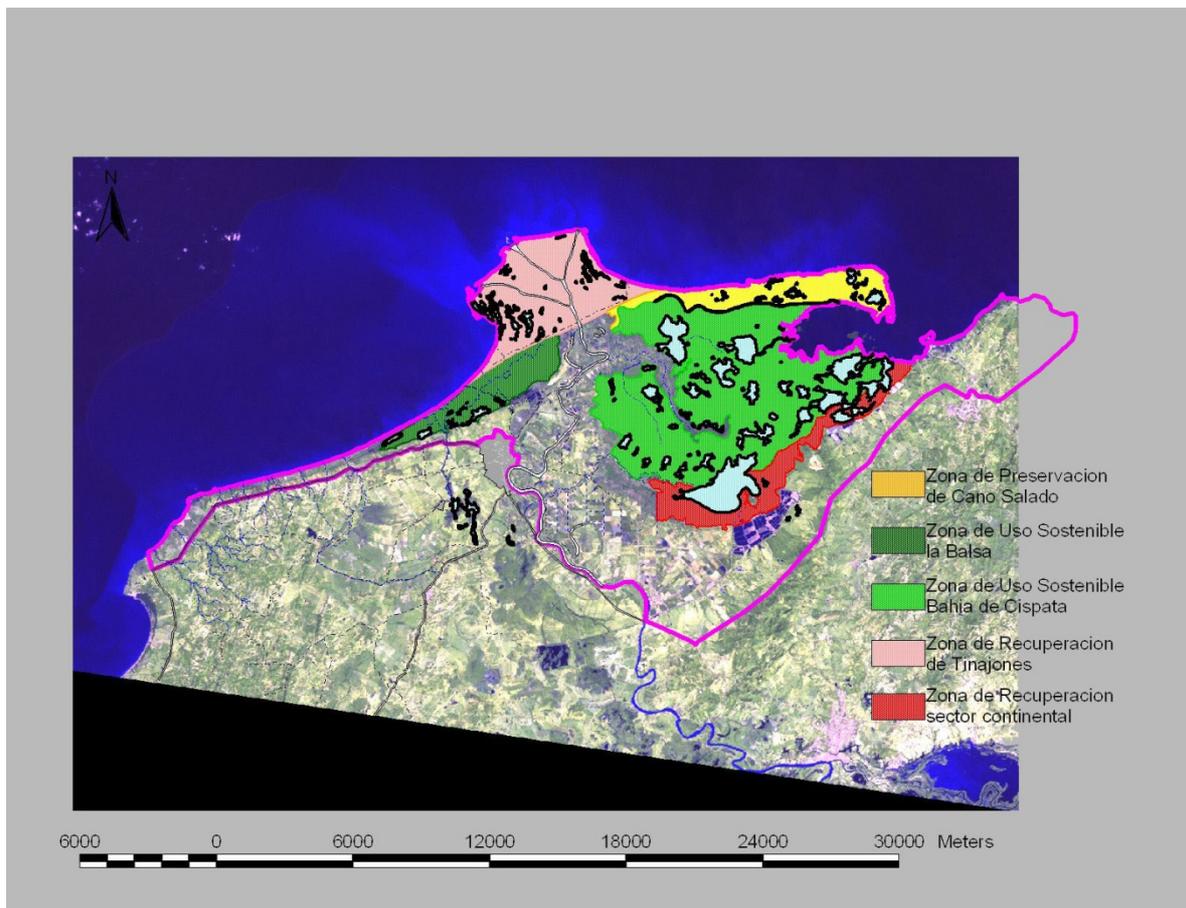
Linking ecosystem restoration in a protected area to the recovery of a CITES-listed species within a community-based initiative seems an interesting approach. The proposal would benefit from further clarification regarding: its precise geographical scope; the management and production methods that are envisaged; the source of the specimens to be exported; and the enforcement measure to distinguish Appendix-I from Appendix-II specimens in trade.

Comments from Parties and intergovernmental bodies

Colombia

1. The current estimated population size of *C. acutus* may range between 1,000 and 4,000 individuals, if one considers that the visible fraction represents 5 to 20% of the total population, as suggested by specialists in the field (Webb, pers. comm.). With a multi-annual average of 105.4 animals in all the categories [10 years (67 to 221)], basic population estimates are obtained as follows: estimated population = average number of animals observed + (2 X standard deviation) or, when there are several repetitions, estimated population size = average number of animals observed / % of animals observed. Applying these formulas, the estimated population would be close to 200 individuals. However, this is an underestimate, as 221 individuals were counted in 2011 and over 3,000 have already been released. Therefore, under these conditions, that is, a population that has been continuously monitored, it is more important to assess its structure and trends. In part, the limitations in providing values that are close to reality are due to the complexity of the habitat and the difficulty of counting crocodiles, particularly smaller ones, which usually hide among the vegetation and in shallow wetlands, which are not easily accessible for counting individuals.
2. Area of distribution of the population concerned by the proposal

The geographic area of distribution of the population of *C. acutus* concerned by the proposal is the area protected under the category of "Integrated Management District for natural resources (IMD) of the Mangroves of the Bay of Cispatá, Tinajones, La Balsa and Adjacent Sectors".



These ecosystems have been the subject of planning processes conducted by the environmental authority (CVS). In fact, they are all zoned and some have management plans that are being implemented. This situation could somehow guarantee the ecological stability of the region and the maintenance of these ecosystems as well as their functions and attributes. Such ecosystems provide goods, products and services that are directly or indirectly used by humans. However, there are productive processes in the surrounding area that could disturb or degrade the mangrove areas if uncontrolled. These productive activities include extensive livestock farming, aquaculture, intensive rice and oil palm cultivation, tourism, commercial and subsistence fishing and a precarious but significant subsistence agriculture.

This anthropic scenario is combined with one of the most significant natural mangrove areas, with close to 115 km² of these ecosystems, with their swamps and mangrove channels that benefit local communities and adjacent ecosystems. Such ecosystems are marine areas and wetlands of herbaceous and graminoid, which cover more than 4,000 ha and are also representative of the deltas, alluvial plains and fluvio-marine beaches of the Caribbean coast of Colombia.

As regards the area of habitat, recorded in the document as 11,513 ha, this actually corresponds to 115 km² and not 11.5 km², as interpreted in the observations. Thus, to clarify this issue it is worth mentioning the following points:

1. The IMD is the category of protected area that has a total surface area close to 28,000 ha (280 km²).
2. Of this surface area, about 11,513 ha (115 km²) correspond to the mangroves of the Bay de Cispatá, that is, the habitat of the crocodile population, and 12.5% of the mangrove area, that is, 1,436 ha (14 km²), is identified as swamps and water bodies.
3. Although the crocodiles live in the mangroves of the Bay of Cispatá, for practical and administrative purposes the crocodile population must refer to the protected area declared as IMD, as the competent environmental authority has been implementing the integrated management plan for the IMD for four years now.
4. The specific management of the crocodile population is decided within this legal framework and there are plans to start egg ranching operations involving local communities in the immediate future, once the amendment proposal is adopted.

3. Enforcement challenges

Processes of this scope imply enforcement challenges, and certain measures have already been envisaged to counter them. As an example, for 10 years now the hatchlings born in the CVS station in San Antero have immediately been marked by amputating scales of the caudal peduncle, both on the simple row – indicating the egg number – and on the double row of scales – to indicate the year of production. There are also plans to conduct the necessary genetic studies to characterize the population and keep a small tissue sample of each animal preserved in alcohol if necessary.

There are also plans to pass a ministerial resolution establishing the minimum guarantees to ensure the ranching or harvest of eggs, such as the basic management model for the population and the exclusive participation of local communities as the main beneficiaries. In fact, on a regional level, the environmental authority (CVS) is taking steps to ensure that community-based egg ranching is only viable for this population, subject to scientific considerations.

As an example, for the Bay of Cispatá population, commercial harvest could take place under conditions derived from viability criteria mainly involving monitoring of the wild population and reproductive events. Given that multi-annual data are available, viability would be determined by 4 levels of confidence that could lead to management changes.

OPTIMAL (1): It should be the best parameter to date and the reference for continuous improvement.

NORMAL (2): It would involve applying the observed variability or multi-annual range of the past 7 years – the time estimated for caimans to reach sexual maturity.

UNDER OBSERVATION (3): When the value of the parameter is below normal for unknown reasons, which could guide management to a conditional situation.

UNDER STUDY (4): When the parameter is below 50% of the minimum range for unknown reasons, which could guide management to a condition of recovery and non-use.

Table 2 shows the parameters that should be assessed and the respective tentative criteria of viability or confidence, noting that this is an example that will require further study whenever appropriate. It will also be necessary to assess and weigh each of these parameters to be able to define when a project should be authorized for commercial harvest.

Table 1. Assessment of the parameters that indicate viability or confidence for the development of the conservation and sustainable use project. Amendment proposal to transfer the population of <i>Crocodylus acutus</i> of the Bay of Cispatá from Appendix II to II. Department of Cordoba, Colombian Caribbean 2012.					
PARAMETER		(1) OPTIMAL	(2) NORMAL	(3) UNDER OBSERVATION	(4) UNDER STUDY
POPULATION	Structure -(20-60) (61-120) (121-180) (181-240) (>241)	Representation of the 5 size classes and evidence of breeding and recruitment	Representation of the 5 size classes	Absence of classes 2 or 3	Absence of classes 2, 3 and 4
	Density (ind./k ²)	15	5-15	<5	<2.5
REPRODUCTIVE	No. of nests/year	67	47-67	< 47	< 23
	Eggs/nest	30	24-30	< 24	< 20
	% fertility	95	90-95	< 90	< 45
	% of eggs hatched	80	60-80	<60	<30

Notwithstanding the above, any future harvest must follow a totally structured scientific document assessed by the CITES authorities of the country.

Finally, it is important to note that in Colombia there are no wild populations from which wild individuals can be obtained for sustainable international trade.

- The proposal refers to a population that is geographically separate due to anthropic processes, since the IMD of the mangroves of the Bay of Cispatá could be considered as an oasis of wilderness. This is due to the fact that it is totally surrounded by productive anthropic activities characterized by extensive livestock farming and various types of agriculture. In fact, the presence of this population and its recovery is a surprising and internationally recognized fact. The population occurs within specific geographic boundaries that circumscribe mangrove forests including five species of mangrove trees and their respective communities – according to the concept of phytosociology –, which make up the forest of the Bay of Cispatá, the Delta of Tinajones and La Balsa. It also includes the ecosystems associated with this saline-wetland vegetation, which are representative of the delta areas of the Caribbean coast of Colombia: beaches, alluvial and fluvio-marine beaches, brackish and freshwater marshes and mangrove swamps and channels.
- As regards the legal instruments that accompany the planned scheme, Colombia has developed a large body of legislation, which is listed below:

Table 1. Regulations in force on the management and harvest of wildlife and crocodilians in Colombia. Amendment proposal to transfer the population of <i>Crocodylus acutus</i> of the Bay of Cispatá from Appendix II to II. Department of Cordoba, Colombian Caribbean 2012.
POLITICAL CONSTITUTION
Art. 8.- OBLIGATIONS OF THE STATE TO PROTECT THE NATURAL WEALTH OF THE NATION
Art. 58.- THE GENERAL INTEREST PREVAILS OVER INDIVIDUAL INTERESTS
Art. 63.- PROPERTY AVAILABLE FOR PUBLIC USE, NATIONAL PARKS, COMMUNAL LANDS OF ETHNIC GROUPS, RESGUARDO LANDS, THE ARCHEOLOGICAL HERITAGE OF THE STATE AND OTHER ASSETS DESIGNATED BY LAW ARE INALIENABLE, IMPRESCRIPTIBLE AND IMMUNE FROM SEIZURE.
Art. 79.- COLLECTIVE RIGHT TO A HEALTHY ENVIRONMENT. COMMUNITY

PARTICIPATION. IT IS THE DUTY OF THE STATE TO PROTECT THE DIVERSITY AND INTEGRITY OF THE ENVIRONMENT, TO CONSERVE AREAS OF SPECIAL ECOLOGICAL IMPORTANCE, AND TO FOSTER EDUCATION.
Art. 80.- THE STATE WILL PLAN THE MANAGEMENT AND USE OF NATURAL RESOURCES IN ORDER TO GUARANTEE THEIR SUSTAINABLE DEVELOPMENT, CONSERVATION, RESTORATION OR REPLACEMENT.
LAWS
<u>Decree-Law 2811 of 18 December 18, 1974</u> – Establishes the National Code on Renewable Natural Resources and Environmental Protection.
<u>Law 17 of 22 January 1981</u> – Adopts the “Convention on International Trade in Endangered Species of Wild Fauna and Flora”, signed in Washington, D.C. on 3 March 1973, with the following certified text: Article 1: Adopt the “Convention on International Trade in Endangered Species of Wild Fauna and Flora”, signed in Washington, D.C. on 3 March 1973.
<u>Law 99 of 22 December 1993</u> – Creates the MINISTRY OF THE ENVIRONMENT, reorganizes the public sector in charge of the management and conservation of the environment and renewable natural resources, organizes the National Environmental System – SINA (<i>Sistema Ambiental Nacional</i>) and establishes other provisions.
<u>Law 611 of 17 August 2000</u> – Sets rules for the sustainable management of species of Aquatic and Wild Fauna.
DECREES
<i>Decree 1608 of 31 July 1978 – Regulates the National Code for Renewable National Resources and Environmental Protection and [Law 23 of 1973] regarding wild fauna.</i>
<i>Decree 1401 of 27 May 1997 - "Designates the Management Authority of Colombia before the Convention on International Trade in Endangered Species of Wild Fauna and Flora -CITES- and determines its functions".</i>
<i>Decree 1420 of 29 May 1997 - "Designates the scientific authorities of Colombia before the Convention on International Trade in Endangered Species of Wild Fauna and Flora -CITES- and determines their functions".</i>
<i>Decree 0125 of 2000 – Modifies Decree 1420 of 1.997.</i>
<i>Decree 1220 of 21 April 2005 - "Regulates Title 6 of Law 99 of 1993 on environmental permits".</i>
<i>Decree 4688 of 21 December 2005 – Regulates the National Code for Renewable National Resources and Environmental Protection, Law 99 of 1993 and Law 611 of 2000 regarding commercial hunting.</i>
<i>Decree 4064 of 28 October 2008 – Partially regulates Law 1011 of 2006 and adopts other measures.</i>
RESOLUTIONS AND AGREEMENTS
<u>Agreement 039 of 9 July 1985</u> – Establishes the list of vertebrates belonging to species of wild fauna that can be hunted for the purposes of promoting captive breeding operations.
<u>Resolution 17 of 14 February 1987</u> – Regulates Agreement 039 of 1985.
<u>Resolution 0242 of 9 March 1990</u> – Authorizes the sale of live specimens of wild fauna produced in the experimental stations of INDERENA and determines their sale price.
<u>Resolution 355 of 24 May 1994</u> – Authorizes the exchange and loan of parental stock of the species <i>Crocodylus acutus</i> and regulates its sale.
<u>Resolution 1317 of 18 December 2000</u> – Sets criteria for the granting of hunting licences for the

purposes of promoting and establishing captive breeding operations and adopts other measures.
<u>Resolution 0438 of 23 May 2001</u> - "Establishes the <i>Salvoconducto Único Nacional</i> (single national permit) for the transport of specimens of biological diversity".
<u>Resolution 0767 of 5 August 2002</u> - "Establishes measures on the management of tanneries and companies selling products of wild fauna and adopts other measures".
<u>Resolution 1172 of 7 October 2004</u> - "Establishes the National System for the Identification and Registration of Specimens of Wild Fauna in <i>Ex Situ</i> Conditions".
<u>Resolution 1173 of 7 de October 2004</u> - "Regulates the National Register of Providers of the Tags defined in the National System for the Identification and Registration of Specimens of Wild Fauna in <i>Ex Situ</i> Conditions".
<u>Resolution 0221 of 18 February 2005</u> - "Modifies Articles 3 and 6 of Resolution 1172 of 7 October 2004".
<u>Resolution 1660 of 4 November 2005</u> - "Establishes the procedure and methodology that must be adopted by the regional environmental authorities and sustainable development authorities (<i>Corporaciones Autónomas Regionales y de Desarrollo Sostenible</i>) for the annual calculation of the number of specimens that can be harvested in closed captive breeding operations of the species <i>Caiman crocodilus fuscus</i> and the subspecies <i>Caiman crocodilus crocodilus</i> and adopts other measures".
<u>Resolution 1263 of 30 June 2006</u> - Establishes the procedure and sets the fees for the issuance of permits referred to by the Convention on International Trade in Endangered Species of Wild Fauna and Flora -CITES- and adopts other measures.
<u>Resolution 2352 of 1 December 2006</u> - "Modifies Resolution 0221 of 18 February 2005 regarding the setting of deadlines for the marking of parental stock of captive breeding operations of the species <i>Caiman crocodilus fuscus</i> and adopts other measures".
<u>Resolution 0923 of 29 May 2007</u> - "Modifies Resolution 1172 of 7 October 2004 and adopts other measures".

Final consideration

The estimated population size shows the progress made in the recovery of the population, a desired condition to move on to sustainable use programmes that feed back into the cycle and help consolidate the desired size structure according to the total area available for the species' distribution in the area. In this regard, the proposal considers population size and structure as part of the dynamics and includes community use in the cycle of recovery of the species. The estimated harvest rate does not compromise natural recovery processes. Instead, it considers social dynamics that are directly related to the consideration we aim to validate: sustainable use as a tool for the conservation of endangered species. This implies taking more into account the actual use of wildlife in countries such as Colombia. In this context, it is obvious that the lack of validation of comprehensive schemes such as the one proposed here has historically prevented any possibility for poor and illiterate communities to have a dignified life. Such communities are often doomed by the lack of initiatives allowing them to become a part of a society where academia and authority use their immense political-administrative potential to benefit vulnerable populations that are able to become integrated in an increasingly equitable society.

With the current proposal, the community of former poachers does not aim to get rich and lead a life of luxury, as it is well aware of the limitations. Its only aim is to become part of a society that today represents the future of its descendants. These former poachers are like old sea dogs, having withstood the blows of a hazardous life, and, as any decent human being, would like to see their descendants take part in less fragile schemes to give a little reassurance to their final existence.

Recommendation by the Secretariat

The supporting statement and the additional information provide by the proponent country show that the wild population of *Crocodylus acutus* that is subject to this proposal has a restricted range, but this range is not characterized by any of the aggravating factors mentioned in Annex 1, B of Resolution Conf. 9.24 (Rev.

CoP15). The population is increasing but small (between 1,000 and 4,000 animals). It is not characterized by any of the aggravating factors mentioned in Annex 1, A of Resolution Conf. 9.24 (Rev. CoP15), and does not meet Criterion C in the same Annex. The conservation status of the species is overall improving as the result of a commendable habitat restoration and sustainable use programme that involves and benefits local communities.

To act in the best interest of the conservation of the species, the population of *C. acutus* should be included in Appendix II, annotated with safeguards and precautionary measures based on those outlined in paragraph 8 of Proposal CoP16 Prop. 23. These could include: (i) limitations of exports to specimens of Ranched origin; and (ii) the approval of an export quota by the Standing Committee based on a request submitted by the proponent, and which should be supported by information on a species management plan, the production systems, roles of and benefits for local communities, the legal regulatory framework and enforcement controls, and the scientific justification for the proposed quota.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal as currently drafted be rejected unless amended to add precautionary measures providing sufficient safeguards.

Proposal 24

***Crocodylus porosus* (saltwater crocodile) – Transfer of the population of Thailand from Appendix I to Appendix II with a zero quota for wild specimens**

Proponent: Thailand

Provisional assessment by the Secretariat

CITES background

The Thai population (along with all other populations) of *Crocodylus porosus* was included in Appendix II when CITES entered in force on 1 July 1975. With the exception of the population of Papua New Guinea, the species was transferred to Appendix I at CoP2 in 1979 (and not 1985 as stated in the supporting statement). Upon the entry into force of its ratification of the Convention, Thailand entered a reservation against the inclusion of the species in Appendix I on 21 April 1983, but withdrew it on 17 August 1987. At recent meetings of the Conference of the Parties, the populations of the species in Australia and Indonesia have been transferred from Appendix I to Appendix II.

Purpose and impact of the proposal

The proponent seeks to transfer its population of *Crocodylus porosus* from Appendix I to Appendix II with a zero quota for wild specimens. Commercial trade in accordance with Article IV (e.g. for ranched specimens) or Article VII (e.g. for captive-bred specimens) would be possible and breeding operations that produce and export specimens of this species would no longer have to be registered under the provisions of Resolution Conf. 12.10 (Rev. CoP15).

Main points made in the supporting statement and general comments

The supporting statement suggests that the current distribution of this species in Thailand is very limited with fragmented and scattered remnant populations, mostly in protected areas. Four sites are mentioned: the Ranong River delta, Tarutao Island, Pra Pru Toh Daeng and Samaesarn Island (and also another possibly site at the Bandon bay). The total area of possible distribution is not stated, but would appear to be relatively small. No recent surveys of the wild population have been conducted, but it is said to be “greater than 200”, with anecdotal evidence suggesting that the numbers are increasing, although neither of these two claims is referenced in the supporting statement.

Compliance with listing criteria and other CoP recommendations

According to Annex 4 of Resolution Conf. 9.24 (Rev. CoP15), a species included in Appendix I should only be transferred to Appendix II if it does not satisfy the biological criteria in Annex 1 and only when one of the listed precautionary safeguards is met. In this regard, the proponent appears to rely on paragraph A. 2. b): “the species is likely to be in demand for trade, but its management is such that the Conference of the Parties will be satisfied with Thailand’s implementation of the requirements of the Convention (in particular Article IV) and with its appropriate enforcement controls and compliance”. It also relies on paragraph A. 2. c), which recommends that “an integral part of the amendment proposal is an export quota (or other special measure), based on management measures described in the supporting statement of the amendment proposal, provided that effective enforcement controls are in place”.

The proponent explains that the demand for skins of *C. porosus* can be met by production from the 61,837 specimens held in closed-cycle farms in the country. The proponent states that effective enforcement controls, in particular tagging of crocodylian skins in trade, are in place to ensure that the proposed export quota would be respected and specimens can be distinguished in trade, but the supporting statement does not expand on this point.

Final comments

Regarding the biological criteria in Annex 1 of the Resolution, it would seem that the Thai population of *C. porosus* may still meet criteria A and B (small wild population and restricted area of distribution for the wild population respectively). Further information is needed on this point.

Concerning the precautionary safeguards, it is assumed that the proposal refers to a zero export quota for wild specimens in the event that the proposal is accepted, in which case the proposal should be amended to make this clear.

The supporting statement is reasonably thorough, but does not provide a clear picture of the status of the remaining wild populations of *C. porosus* in Thailand or what steps have been taken to avoid mixing any skins of wild origin with those from captive-breeding facilities.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

It appears that the Thai population of *Crocodylus porosus* in the wild is small and has a restricted area of distribution. Further, the supporting statement does not clearly explain the management measures and enforcement controls which would be put in place to ensure that the proposed export quota is respected. The planned conservation efforts may contribute to the restoration of the species in the wild and are to be commended. However, for the time being, the species continues to meet the biological criteria for its retention in Appendix I.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be rejected.

HHProposal 25

***Crocodylus siamensis* (Siamese crocodile) – Transfer of the population of Thailand from Appendix I to Appendix II with a zero quota for wild specimens**

Proponent: Thailand

Provisional assessment by the Secretariat

CITES background

Crocodylus siamensis was included in Appendix I when CITES entered in force on 1 July 1975. Thailand held a reservation against the inclusion of this species from 1983 to 1987. Thailand has 24 operations registered with the Secretariat that breed *C. siamensis* for commercial purposes in accordance with Resolution Conf. 12.10 (Rev. CoP15), and not 23 as indicated in the proposal.

Purpose and impact of the proposal

The proponent seeks to transfer its population of *Crocodylus siamensis* from Appendix I to Appendix II with a zero export quota for wild specimens. Commercial trade in accordance with Article IV (e.g. for ranched specimens) or Article VII (e.g. for captive-bred specimens) would be possible and breeding operations that produce and export specimens of this species would no longer have to be registered under the provisions of Resolution Conf. 12.10 (Rev. CoP15). The supporting statement indicates that 836 captive breeding facilities are currently registered with the Thai authorities (of which 24 are also registered with the Secretariat), holding in total some 600,000 *C. siamensis* and producing approximately 200,000 animals annually.

Main points made in the supporting statement and general comments

The proposal provides succinct data on *C. siamensis* in the country, but remains vague about the rationale for the proposed transfer or the longer-term management and conservation objectives (Sections 8.2 or 11, for example, could have further elaborated upon these issues).

The wild population of *C. siamensis* in Thailand is reported to persist in five protected areas with approximately 200 individuals distributed over 5,652 km² (the global wild population comprises about 1,000 animals). Current threats include habitat loss and degradation, incidental capture with fishing gear, and the inherent vulnerability of remnant populations owing to their small size. The supporting statement emphasizes the species's intrinsic ability to recover, ongoing conservation efforts, the ban on harvest of wild specimens, the designation of new protected areas, and the promotion of closed-cycle breeding operations, which all contributed to the recovery of the Siamese crocodile in Thailand. This is attested by its presence throughout its range in historical localities and areas where it was heavily hunted in the past.

Although wild *C. siamensis* populations are small, the species is well established in captivity, with over 700,000 individuals in farms in Cambodia, Thailand and Viet Nam. According to the UNEP-WCMC trade database, Thailand exported 117,875 skins, 894,628 kg of meat and 105,490 leather products from 2007 to 2011, all sourced from captive-bred *C. siamensis*.

Currently, trade in wild Siamese crocodiles is not allowed in Thailand. The only establishments authorized and in operation are closed-cycle captive-breeding farms, which must have proven production of offspring beyond the second generation (F2). These farms have been registered with either the Management Authority of Thailand or the CITES Secretariat, and are part of the Crocodile Management Association of Thailand (CMAT) whose goal is to promote the sustainable use of crocodiles. No ranching operations involving wild specimens exist in Thailand but there seems an expectation that this might change in future. A reintroduction programme for the species was initiated in Thailand in 2005, but had to be interrupted because of severe flooding in 2011. One of the reasons for the proposed transfer seems to be that the Thai Government, with assistance from CMAT, could develop a programme aimed at re-establishing viable wild populations in the long term that can be sustainably used through ranching (the proponent indicated that, currently, more than 7,000 animals from CMAT members are designated for re-introduction programmes in Thailand). The ambition is expressed to involve other range States of the species in these restoration efforts.

No illegal trade of wild Siamese crocodiles has been recorded in Thailand. The proposal notes that the current commercial production from captive-breeding operations meets market demands and there is thus no need to take animals from the wild.

Compliance with listing criteria and other CoP recommendations

As this proposal only concerns the population of *C. siamensis* in Thailand, the consultation envisaged in Resolution Conf. 8.21 is not required.

The proponent asserts that, according to the precautionary measures in Annex 4, Criterion A, paragraph 2 b) of Resolution Conf. 9.24 (Rev. CoP15), the species can be transferred to Appendix II in accordance with Article II paragraph 2 (a), because the Thai Government and CMAT are committed to re-establish viable wild populations. It is believed that, even though the species is in demand for international trade, its management is such that the implementation of the Convention is secured and appropriate enforcement controls are in place. Based on paragraph 2 c) of the same criterion, the species can be transferred to Appendix II because an integral part of the amendment proposal is an export quota (in this case, a zero quota for trade in specimens of wild origin), thus ensuring that wild populations will not become endangered by international trade.

The precautionary measures in Annex 4 provide that "species included in Appendix I should only be transferred to Appendix II if they do not satisfy the relevant criteria in Annex 1". In this regard, the wild population of *C. siamensis* in Thailand is small (but as it seems stable or may increase through re-introductions, perhaps not characterized by one of the aggravating factors mentioned in Criterion A); the wild population has a restricted area of distribution (but as it is secured it may not meet the characteristics in Criterion B); and it has undergone a marked decline as indicated under criterion C, although probably not ongoing, or negatively inferred or projected.

Final comments

The supporting statement is relatively thorough. The long-term national management and conservation objectives for this species remain unclear, and questions about whether the species continues to satisfy the relevant criteria in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) and should be retained in Appendix I need to be addressed.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

The population of *Crocodylus siamensis* in Thailand remains very small, its area of distribution is fragmented and the species has undergone a marked decline. The supporting statement does not clearly explain the management measures and controls which would be put in place to ensure that the proposed export quota is respected. The planned conservation efforts may contribute to the restoration of the species in the wild and are to be commended. However, for the time being, the species continues to meet the biological criteria for its retention in Appendix I.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be rejected.

Proposal 26

Naultinus spp. (New Zealand green geckos) – Inclusion in Appendix II

Proponent: New Zealand

Provisional assessment by the Secretariat

CITES background

Naultinus spp. was proposed for inclusion in Appendix II at CoP12 in 2002, but this was rejected with 30 votes in favour, 39 against and 26 abstentions. Subsequently, the genus was included in Appendix III on 28 May 2003 at the request of New Zealand.

Purpose and impact of the proposal

The proponent seeks to include *Naultinus* spp. in Appendix II. If the proposal is adopted, international trade in specimens of the taxon will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

The supporting statement contains little information on the distribution of *Naultinus gemmeus* but, according to other sources, this species is endemic to the southeast of the South Island of New Zealand with two main populations: on the Otago Peninsula and Banks Peninsula, with specimens also found in the region linking these two areas. The supporting statement states that the population of the Otago Peninsula declined by 95 % in the 14 years from 1994 to 2008 from rodent predation. This pressure was exacerbated by poaching, some or most of which was for (illegal) international trade. It goes on to say that it is difficult to determine the impact of poaching at the species level because other populations are not being monitored closely. However, the rate of detected poaching incidents has accelerated so dramatically that it is realistic to infer that the impacts are likely to spread rapidly to other populations and become a major factor of decline. The slow life-history traits of these geckos also mean that populations are slow to recover from offtake.

The genus has been fully protected in New Zealand since 1981, making it illegal for specimens to be collected from the wild (except for conservation purposes) or traded, although captive-bred specimens were allowed to be exported until 1996. According to the CITES Trade Database, around 20 specimens (of *N. elegans* and *N. grayii*, but not of *N. gemmeus*) have been reported in international trade since the genus was included in Appendix III, virtually all declared as bred in captivity. Concerning illegal trade, the supporting statement reports the prosecution of three cases of attempted smuggling of 24 specimens of *N. gemmeus* between 2009 and 2012. It is said, however, that it is known that more poaching and smuggling have taken place. It quotes a herpetofauna expert saying that, over an unspecified period, an estimated 100-200 *N. gemmeus* may have been taken from the Otago Peninsula alone, representing 7-14 % of the known “regional” population. On a foreign website, four specimens were advertised for sale in 2011 and seven in 2012, although it is not clear whether these were different specimens.

Compliance with listing criteria and other CoP recommendations

This proponent asserts that *N. gemmeus* qualifies for inclusion in Appendix II under Annex 2 a criterion B of Resolution Conf. 9.24 (Rev. CoP15) and that the other seven or eight species in the genus qualify for inclusion under criterion A of Annex 2 b of the same Resolution (‘look-alike’ species).

The supporting statement says that identification of *Naultinus* species can be difficult for non-experts and that there is considerable colour variation between individuals. Domestic experience has indicated that enforcement officers who encounter specimens of CITES-listed species at the border are unlikely to be able to distinguish reliably between the various species, especially between the uniformly green morphs of *N. gemmeus* and other species. In Section 3.4, however, it says that identification is often straightforward, particularly when the geographical origin is known.

Final comments

In 2010, *N. gemmeus* was not rated as threatened (i.e. critically endangered, endangered or vulnerable) in the IUCN Red List, but as “Near Threatened”.

Concerning identification issues, although Resolution Conf. 11.19 on *Identification Manual* exhorts Parties having successfully submitted proposals to include new species in the Appendices, to provide appropriate data for inclusion in the Identification Manual within one year after acceptance of such additions, no Identification Manual sheets have been submitted for species in this genus since it was included in Appendix III.

It is stated that the advantages of an Appendix-II listing over the current Appendix-III listing are that a non-detriment finding would be required before export and that, in the case of re-exports, the Management Authority of the State of re-export would have to be satisfied that the specimen was imported in accordance with the provisions of the Convention. However, as no exports of wild specimens are envisaged, non-detriment findings are unlikely to be required and the re-export of Appendix-III specimens already requires the exporting Management Authority to issue a certificate to confirm that the provisions of the Convention have been complied with in respect of the specimen concerned. In addition, few re-exports have taken place since the genus was included in Appendix III. The proponent expressed frustration over the fact that some countries do not have prohibitions on trade in Appendix-III specimens that have been illegally obtained and imported, and it believes that an Appendix-II listing will afford a higher level of protection, in particular in relation to illegal trade.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

The Secretariat shares the concern of the proponent as the range State for the species that specimens of *Naultinus gemmeus* have been illegally taken from the wild; however this appears to be relatively limited in scale. As the species is fully protected under national law and included in Appendix III, there is little evidence that regulation of trade in the species under Appendix II is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influence. If Appendix III controls are correctly applied, and the levels of illegal taking are as described in the proposal, such a measure would not appear to be proportionate to the anticipated risks to the species.

If the Conference of the Parties decides that *N. gemmeus* should be listed in Appendix II, then the other species in the genus *Naultinus* should be included in Appendix II as look-alikes.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be rejected.

Proposal 27

Protobothrops mangshanensis (Mangshan pit-viper) – Inclusion in Appendix II

Proponent: China

Provisional assessment by the Secretariat

CITES background

This species has never been the subject of a listing proposal.

Purpose and impact of the proposal

The proponent seeks to include *Protobothrops mangshanensis* in CITES Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

According to the supporting statement, this is a recently (1990) described snake which is confined to a small area – around 105 km² – in the Hunan and Guangdong Provinces in southern China. The total population is estimated to be not more than 500 specimens, apparently based on extrapolations from densities obtained through field surveys and community interviews between 1990 and 2010. Although not fully stated in the supporting statement, the species was listed as 'Rare' in the IUCN Red List in 1994, 'Vulnerable' in 1996 and is currently rated 'Endangered'.

The species is said to be threatened by extreme climate events, killing to reduce snake bite incidents, local use for food and medicine, and offtake for international trade. This last factor is said to be the main threat.

The species does not appear to be afforded full legal protection nationally, except where it occurs in nature reserves, although this has been proposed. Trade requires authorization in Hunan Province and none has been authorized there. There is no mention of any control of or restriction on the export of specimens caught in the wild, outside protected areas in Guangdong province.

The species is said to be sought for pet and terrarium collection purposes. The supporting statement states that over 30 specimens were illegally harvested and sold between 2007 and 2012, but the paper this information was extracted from was unpublished at the time of writing the proposal. Prices are said to be up to USD 1,000 / kg on the black market, but weight is a strange unit to use as the demand is for live specimens.

Compliance with listing criteria and other CoP recommendations

The proponent asserts that the species meets criterion B in Annex 2 a of "Resolution Conf. 9.24 (Rev. CoP14)"², that is to say regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

The species is said to be easily distinguishable from other snakes in the same genus.

Final comments

The distribution of the species is certainly limited, making it vulnerable to collecting or to unexpected events such as extreme weather. It does appear to be sought in international trade. According to the standard nomenclatural reference adopted by the Conference of the Parties, this species is named *Trimeresurus mangshanensis*.

² The proposal refers to Resolution Conf. 9.24 (Rev. CoP14) rather than Resolution Conf. 9.24 (Rev. CoP15).

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

Protobothrops mangshanensis has a very limited distribution and is sought in international trade. It appears that an Appendix II listing is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influence.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

HHProposal 28

***Chelodina mccordi* (Rote Island snake-necked turtle) – Transfer from Appendix II to Appendix I**

Proponent: United States of America

Provisional assessment by the Secretariat

CITES background

Chelodina mccordi, which was first described in 1994, was included in Appendix II at CoP13 in 2004.

Purpose and impact of the proposal

The proponent seeks to transfer *Chelodina mccordi* from Appendix II to Appendix I, eight years after it was included in the CITES Appendices. If the proposal is adopted, international trade in specimens of the taxon will be regulated in accordance with the provisions of Article III of the Convention.

Main points made in the supporting statement and general comments

Little is known about this species, but the supporting statement presents a well-researched summary of the available information.

C. mccordi is a small to moderate-sized freshwater turtle of the side-necked aquatic and semi-aquatic turtle family Chelidae. The species occurs in two disjoint populations in Indonesia (on Rote Island) and Timor Leste, where it occupies fragile wetland habitats, none of which seems protected. The latter country is not a Party to CITES.

There are no population estimates available for any of the populations, but *C. mccordi* is believed to be threatened with extinction as a result of intensive collection for the global pet trade during the 90s, the only known use of *C. mccordi*. Since the species was included in Appendix II, some 197 specimens were recorded as exported, mostly referring to captive-bred specimens. The proponent notes that traders in Indonesia now consider the species as commercially extinct but that occasionally specimens continue to show up in trade, suggesting that exploitation persists and that illegal export apparently still occurs.

The species is bred in captivity in Europe and North America, and these animals may form the basis for reintroduction programmes.

C. mccordi is considered 'Critically Endangered' in the *IUCN Red List of Threatened Species* (2000 assessment), and included in a 2011 list of *The World's 25+ Most Endangered Turtles and Freshwater Turtles* of the Turtle Conservation Coalition.

Compliance with listing criteria and other CoP recommendations

The information presented in the supporting statement shows that *C. mccordi* has an extremely restricted distribution. Wild populations and subpopulations are small (possibly extinct), and declined markedly since the species was first described in 1994. It is characterized by a high vulnerability to over-collection. The species is affected by trade according to definition i) of this term in Resolution Conf. 9.24 (Rev. CoP15), Annex 5.

In accordance with Resolution Conf. 8.21, the two range States of the species were consulted by the proponent but no responses were received.

Final comments

The species appears to have a very restricted distribution and extremely small wild population, and to be affected by trade.

Comments from Parties and intergovernmental bodies

Indonesia

The population of *Chelodina mccordi* occur in Rote Island, Indonesia and Timor Leste. This species is not protected under the Indonesian law. Since the populations of this species tend to decrease for 10 years recently, for precautionary measures on trade of this species, CITES Management Authority of Indonesia determined zero quota from the wild since 2002 before it was listed in Appendix II CITES (CoP13, 2004). Since its first listing in Appendix II, all Indonesia's exports of this species must come from the captive bred operation. Harvest quota from the wild just allowed for the parental stock based on the Scientific Authority recommendation. The actual export of these species since 2008 until 2012 is shown in table as follows.

Year	2008	2009	2010	2011
Volume (head)	100	62	30	50

In line with conservation, the government of Indonesia has encouraged the captive bred of Freshwater Turtles in Indonesia, especially *C. mccordi*. There is only one captive bred operation which is registered in CITES Management Authority of Indonesia directory, which is PT. Alam Nusantara Jayatama. According to CITES provision there is not required to register the captive bred operation of species Appendix II in CITES Secretariat.

Based on the fact, CITES Management Authority of Indonesia basically support the proposal 28 with 2 possible options on decisions: (i) prefer to choose to keep the species in Appendix II with annotation zero quota from the wild; (ii) agree to transfer in Appendix I with annotation: it will be enter into force 24 months after decided to transfer to Appendix I in order to solve some administrative issued such as registration process the captive bred operation of Appendix I species.

Recommendation by the Secretariat

Chelodina mccordi meets the criteria for its inclusion in Appendix I. It has an extremely restricted distribution. Wild populations and subpopulations are very small and declined markedly since the species was first described in 1994 due to over-harvesting and lack of *in situ* protection. *C. mccordi* remains in high demand for international trade, with collection pressures apparently shifting from Indonesia, where the species may now be extinct, to remaining populations in Timor Leste.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

HHProposal 29

***Clemmys guttata* (spotted turtle) – Inclusion in Appendix II**

Proponent: United States of America

Provisional assessment by the Secretariat

CITES background

This species has never been the subject of a listing proposal.

Purpose and impact of the proposal

The proponent seeks to include *Clemmys guttata* in Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

The supporting statement is well documented.

C. guttata is a member of the North American family of freshwater turtles (Emydidae) native to Canada and the United States. It inhabits shallow, unpolluted, freshwater habitats and surrounding upland areas. The distribution of the species is patchy: it is found in two disjoint locations, around the Great Lakes and along the eastern seaboard, from Maine and southern Ontario, west to Illinois and south to northern Florida. The species is subject to international and national commercial trade, primarily as pets.

The proponent reports that the population in Canada is estimated at about 2,000 individuals. The total population of the United States is not known but much larger, with densities varying widely across its range.

Harvest is regulated on a local level throughout much of its range and captive breeding is reported. The species is taken from the wild for international and national commercial trade, primarily destined for Asia. Available data show that exports from the United States have steadily increased from nearly 350 specimens in 1999 to about 1,000 in 2010.

The life history of *C. guttata* exhibits delayed sexual maturity, extended adult longevity, and high juvenile mortality. This reportedly makes the species vulnerable to harvesting pressures. The species's sensitivity to pollutants narrows the amount of available suitable habitat. Habitat destruction and degradation have led to fragmentation and isolation of remaining populations, and have increased their vulnerability to human exploitation.

C. guttata is categorized as 'Endangered' on the *IUCN Red List of Threatened Species* of 2011 because it has undergone a population decline of more than 50 % over three generations owing to habitat destruction, the introduction of invasive species, overexploitation and vehicular mortality.

Compliance with listing criteria and other CoP recommendations

The proponent indicates that the proposal meets Criteria A and B of Annex 2 a of Resolution Conf. 9.24 (Rev. CoP15). *C. guttata* faces a variety of threats, including international commercial trade, and it can be inferred that regulation of trade in the species is necessary to avoid its becoming eligible for inclusion in Appendix I in the near future. Furthermore, the information in the supporting statement indicates that the regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

The species is said to be similar in appearance to *Glyptemys muhlenbergii* (Appendix I) and *Emydoidea blandingii* (proposed for inclusion in Appendix II at the present meeting).

In accordance with Resolution Conf. 8.21, the other range State of the species, Canada, was consulted by the proponent. Canada provided "an in-depth response including relevant data", but it is unclear whether it supports the proposal.

Final comments

At a meeting on *Conservation and Trade Management of Freshwater and Terrestrial Turtles* held in the United States in 2010, resource managers and turtle specialists recommended the inclusion of this species in Appendix II, based on its life history, habitat loss and levels of harvest for the pet trade.

It seems that the regulation of international trade in this species would ensure that exports are not detrimental to the species's survival in the wild and would assist the range States in combating illegal trade.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

Clemmys guttata is widespread, with populations that seem to be slowly declining. The species is in trade, and exports seem to have been growing although mainly claimed to consist of captive bred specimens. The information in the supporting statement indicates that the regulation of trade in *C. guttata* is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

HHProposal 30

Emydoidea blandingii (Blanding's turtle) – Inclusion in Appendix II

Proponent: United States of America

Provisional assessment by the Secretariat

CITES background

This species has never been the subject of a listing proposal.

Purpose and impact of the proposal

The proponent seeks to include *Emydoidea blandingii* in Appendix II. If the proposal is adopted, trade in specimens thereof will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

The supporting statement is well documented.

E. blandingii is a member of the North American family of freshwater turtles (Emydidae). It is found in Canada and the northern United States, and requires both wetland and dry land habitat to complete its life cycle. The species is subject to international and national commercial trade, primarily as pets.

The populations in Canada are estimated at approximately 10,350 adults. While there is no total population estimate for the United States, local populations are reportedly small (a few dozens to a hundred turtles). *E. blandingii* requires a large home range and its habitat has undergone fragmentation and deterioration. The population is decreasing. It is estimated that 30-50 % of suitable habitat and of the populations that occupied it have been lost in recent decades, and that many of the remaining populations have declined.

Harvest is regulated on a local level throughout much of its range and captive breeding is reported. The species is taken from the wild for international and national commercial trade, primarily destined for Asia. Available data show that exports from the United States have remained limited (50 to 200 animals per year).

E. blandingii has delayed sexual maturity, extended adult longevity, and high juvenile mortality, making the species vulnerable to harvesting. The species is highly mobile and extensive movements between wetlands are recorded.

E. blandingii is categorized as 'Endangered' in the latest *IUCN Red List of Threatened Species* (2011), because it has experienced a population reduction of more than 50 % over three generations, owing to habitat decline, overexploitation and increased predation.

Compliance with listing criteria and other CoP recommendations

In accordance with Resolution Conf. 8.21, the other range State of the species, Canada, was consulted by the proponent. Canada provided "an in-depth response including relevant data", but it is unclear whether it supports the proposal.

The proponent asserts that *E. blandingii* meets Criteria A and B of Annex 2 a of Resolution Conf. 9.24 (Rev. CoP15) for inclusion in Appendix II.

This species is said to be similar in appearance to *Glyptemys muhlenbergii* (Appendix I) and *Clemmys guttata* (proposed for inclusion in Appendix II at the present meeting).

Final comments

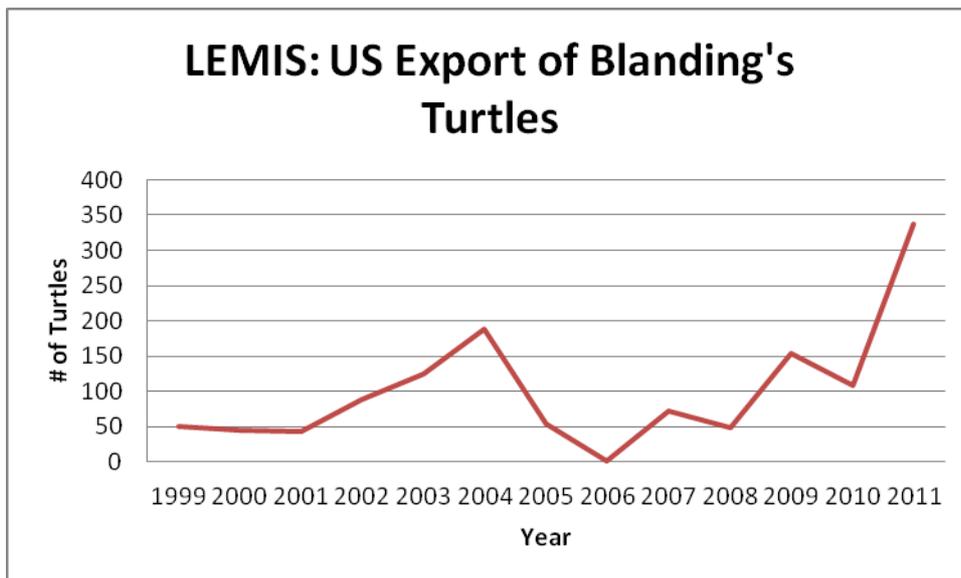
At a meeting on *Conservation and Trade Management of Freshwater and Terrestrial Turtles* held in the United States in 2010, resource managers and turtle specialists recommended the inclusion of this species in Appendix II, based on its life history, habitat loss and levels of harvest for the pet trade.

It seems that the regulation of international trade in this species would ensure that exports are not detrimental to the species's survival in the wild and would assist the range States in combating illegal trade.

Comments from Parties and intergovernmental bodies

United States of America

Although the Secretariat does not appear to have an issue with this proposal, the United States wanted to take this opportunity to point out that 2011 U.S. law enforcement data (LEMIS), not previously available, shows the export of Blanding's turtles from the United States increased to record levels, 350 animals, in 2011.



Recommendation by the Secretariat

Emydoidea blandingii is fairly widespread. Populations seem to be decreasing. The species is in demand for international trade. Levels are limited but growing. Information in the supporting statement indicates that the regulation of trade in *E. blandingii* is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

HHProposal 31

***Malaclemys terrapin* (diamondback terrapin) – Inclusion in Appendix II**

Proponent: United States of America

Provisional assessment by the Secretariat

CITES background

This species has never been the subject of a listing proposal.

Purpose and impact of the proposal

The proponent seeks to include *Malaclemys terrapin* in Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

M. terrapin is a member of the North American family of freshwater turtles (Emydidae), inhabiting the brackish coastal waters (including coastal swamps, estuaries, lagoons, tidal creeks, mangrove thickets, and salt marshes) of the United States along the coastline of the Atlantic Ocean and the Gulf of Mexico. A breeding population is also found in Bermuda.

The population of the United States is thought to exceed 100,000 individuals, and the Bermuda population is believed to number less than 100 individuals. *M. terrapin* is collected for the pet trade and primarily exported to Asia. Exports from the United States increased from under 1,000 individuals per year in 1999-2003 to 3,000 individuals in 2010 (with a peak of 6,000 in 2006). Most *M. terrapin* subpopulations are reportedly declining to stable in the United States.

In the United States, the species is believed to be vulnerable for harvesting because of its delayed sexual maturity and high juvenile mortality.

Most States in the United States now have legislation that regulates the collection of *M. terrapin*. No relevant information is provided for Bermuda.

M. terrapin is classified as Vulnerable in the 2011 *IUCN Red List of Threatened Species* because of an observed population decline.

Compliance with listing criteria and other CoP recommendations

In accordance with Resolution Conf. 8.21, the other range State of the species, Bermuda, was consulted by the proponent but no response was received.

The proponent indicates that *M. terrapin* meets Criteria A and B of Annex 2 a of Resolution Conf. 9.24 (Rev. CoP15) for its inclusion in Appendix II.

There seem to be no look-alike issues that could affect the implementation of this listing.

Final comments

The supporting statement is well documented, but practically no information is provided on the population in Bermuda.

At a meeting on *Conservation and Trade Management of Freshwater and Terrestrial Turtles*, held in the United States in 2010, resource managers and turtle specialists recommended the inclusion of this species in Appendix II, based on its life history, habitat loss and levels of harvest for the pet trade.

It seems that the regulation of international trade in this species would ensure that exports are not detrimental to the species's survival in the wild and would assist the range States in combating illegal trade.

Comments from Parties and intergovernmental bodies

United States of America

The Secretariat commented that no relevant information is provided for Bermuda with respect to its laws. The United States requested this information from Bermuda, but did not receive a response prior to submitting the proposal. However, we subsequently received Bermuda's response, which states: "*Bermuda's diamondback terrapins are currently classified as a level 2 protected species and declared to be Vulnerable under the Bermuda Protected Species Act (2003). Diamondback terrapins are not harvested for food in Bermuda or caught as by-catch in commercial or recreational shellfish traps; however they are threatened with habitat fragmentation, pollution, avian predation, and to a limited extent, motorized vehicles and human collection by members of the public who wish to keep the terrapins as pets. There is no known international trade of diamondback terrapins from Bermuda.*"

The Secretariat also commented that the supporting statement is well documented, but practically no information is provided on the population in Bermuda. This is an apparent oversight by the Secretariat, since the proposal clearly indicates that the population size for Bermuda is less than 100 individuals. Bermuda's response to this issue was:

"The diamondback terrapin population in Bermuda is highly localized to only four brackish water ponds (ranging in area from 0.1 to 10 hectares) on a private golf course, and mark-recapture surveys undertaken between 2008 and 2010 suggest that the adult population is extremely small, comprising approximately 100 mature individuals, and dominated by females (Outerbridge unpublished data). It is currently unknown whether the population is stable, and there are no historical records describing the population size or areas of occupancy prior to the 2008 investigation."

Recommendation by the Secretariat

Malaclemys terrapin is widely distributed and populations seem to be decreasing slowly. The species is exported in fairly large numbers, although mainly declared to consist of captive bred specimens. The information in the supporting statement indicates that the regulation of trade in *M. terrapin* is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 32

– *Batagur borneoensis*, *B. trivittata*, *Cuora aurocapitata*, *C. flavomarginata*, *C. galbinifrons*, *C. mccordi*, *C. mouhotii*, *C. pani*, *C. trifasciata*, *C. yunnanensis*, *C. zhoui*, *Cyclemys* spp., *Geoemyda japonica*, *G. spengleri*, *Hardella thurjii*, *Heosemys annandalii*, *H. depressa*, *Mauremys annamensis*, *M. japonica*, *M. nigricans*, *Melanochelys trijuga*, *Morenia petersi*, *Orlitia borneensis*, *Sacalia bealei*, *S. quadriocellata* and *Vijayachelys silvatica* (freshwater box turtles)

Inclusion of *Cyclemys* spp., *Geoemyda japonica*, *G. spengleri*, *Hardella thurjii*, *Mauremys japonica*, *M. nigricans*, *Melanochelys trijuga*, *Morenia petersi*, *Sacalia bealei*, *S. quadriocellata* and *Vijayachelys silvatica* in Appendix II and adoption of a zero quota on wild specimens for commercial purposes for *Batagur borneoensis*, *B. trivittata*, *Cuora aurocapitata*, *C. flavomarginata*, *C. galbinifrons*, *C. mccordi*, *C. mouhotii*, *C. pani*, *C. trifasciata*, *C. yunnanensis*, *C. zhoui*, *Heosemys annandalii*, *H. depressa*, *Mauremys annamensis* and *Orlitia borneensis*

Proponents: China and United States of America

Provisional assessment by the Secretariat

CITES background

Of the 30 species that are the subject of this proposal, 19 are already included in Appendix II or III of CITES.

Batagur borneoensis was included in Appendix II at CoP10 (1997); followed at CoP11 (2000) by *Cuora aurocapitata*, *C. flavomarginata*, *C. galbinifrons*, *C. mccordi*, *C. mouhotii*, *C. pani*, *C. trifasciata*, *C. yunnanensis*, *C. zhoui*; and at CoP12 (2002) by *Batagur trivittata*, *Heosemys annandalii*, *H. depressa*, *Mauremys annamensis* and *Orlitia borneensis*.

Geoemyda spengleri, *Mauremys nigricans*, *Sacalia bealei* and *S. quadriocellata* were included in Appendix III in February 2005 at the request of China.

The following 11 species have never been included in the CITES Appendices: *Cyclemys* spp (5 species), *Geoemyda japonica*, *Hardella thurjii*, *Mauremys japonica*, *Melanochelys trijuga*, *Morenia petersi*, and *Vijayachelys silvatica*.

Purpose and impact of the proposal

The family Geoemydidae is found in Asia, Europe, the Middle East and Central and South America, with currently 66 recognized species, of which six are included in Appendix I, 30 in Appendix II and 12 in Appendix III. The proponents seek to include 15 species in Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

The proponents also seek to annotate 15 species already included in Appendix II with “a zero quota on wild specimens for commercial purposes”. The Secretariat supposes that the intention is to refer to zero export quotas for specimens of wild origin to be traded for commercial purposes. Trade in specimens for non-commercial purposes from these 15 species as well as commercial trade of specimens from other sources than ‘wild’ (e.g. ranching or captive breeding) would be possible.

Main points made in the supporting statement and general comments

In Section 1.4 (*Genus, species or subspecies*), the proponents state that the family Geoemydidae contains 66 species according to the current CITES nomenclatural references. However, in other sections of the supporting statement, reference is made to “a current total of 71 species”. This discrepancy is not explained but may be due to the proponents not using the standard CITES nomenclatural references. It is unclear whether or how this discrepancy affects the species that are the subject of the current proposal.

Most of the information in the supporting statement is relevant to Geoemydidae in general, rather than specific to the 30 species covered by the proposal. The supporting statement provides details for species that are not the subject of the proposal (e.g. in Sections 5.5 and 5.6, or in Figure 1), which may be confusing. For some of the species that it is covering, virtually no information is provided.

Systematic species-specific information is provided in an overview table in Annex 1 to the proposal, but this does not cover the characteristics, status and trends, threats, or utilization and trade of each of the 30 species in the proposal. It shows 'Range States' and 'IUCN status' without providing legends for the abbreviations applied. The table lists 71 species, and not the 66 currently recognized under CITES. The species are not grouped per genus, but are scattered in the table. And there seems some mismatch with information in the supporting statement (e.g. in Section 5.3, the genus *Cuora* is stated to total 12 species, while the table provided in Annex 1 lists only 10).

The proponents state that trade in Asian turtle species follows a 'boom and bust' pattern in which exploitation and trade shift from one species to another when a species becomes so depleted or rare that it is no longer commercially exploitable, or when trade becomes nationally or internationally regulated or restricted. While plausible, it remains unclear in the proposal how such exploitation patterns have been or are affecting the 30 species under consideration.

No mention is made to the Review of Significant Trade in *C. galbinifrons* and *H. annandali* pursuant to Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix-II species*, or of its potential impacts on conservation of and trade in these two species. The Review of Significant Trade is a powerful measure to improve the management of Appendix-II species for international trade.

Some aggregated information on legal trade in 16 CITES-listed species is shown in Section 6.2 (the data in Figure 1 illustrate trade in species mostly not concerned by the proposal). Unfortunately, no trends over time are shown so that, for example, the impact of the Review of Significant Trade on certain species is unclear. Furthermore, the table provided in Annex 1 seems incomplete as it does not contain trade data for *B. trivittata* and *C. yunnanensis*, species included in Appendix II that are concerned by this proposal, or for *M. nigricans* (Appendix III).

Overall, the available information suggests that legal trade in CITES-listed species of Geoemydidae has remained at low or very low levels over the last decade, with the notable exceptions of *O. borneoensis*, *H. annandalii* and *B. boreoensis* (but as their trade levels are aggregated in a single figure covering some 10 years, no trends can be discerned).

No trade information is provided for the 15 species in this proposal that are not included in CITES. Presumably, they all are part of the "high-volume trade in Asian turtles and their parts for consumption as food and traditional medicines" mentioned in the proposal, although further species-specific information on their availability or frequency in trade is lacking.

The proponents state that "there currently is, and for many years has been, a high volume of illegal trade in live turtles", that "illegal trade appears to be shifting toward parts and processed products (often easier to conceal) such as ground turtle paste, calipee, and bone powder", and that "there is an epidemic of smuggled turtles openly for sale in several Asian countries". However, very little additional information and no recent examples are provided in the supporting statement to substantiate these claims.

For the species being proposed for a change in CITES status in this proposal, little captive breeding is reported to occur, even though farms in China seem to produce large numbers of several species affected by this proposal (*C. mouhotii*, *C. trifaciata* and *G. pengleri*).

The proponents recognize that there are significant problems with the identification of turtle species traded alive and with processed parts and derivatives in trade. The proposed listing of all Southeast Asian species of Geoemydidae in the Appendices of CITES may partially address these enforcement challenges, although the different protection regimes for Appendix-II species that would result from the acceptance of this proposal might complicate controls further. If adopted, a number of species of Geoemydidae would still remain excluded from the CITES Appendices. The potential difficulties that this may cause in controlling international trade in Geoemydidae are not addressed or discussed.

Compliance with listing criteria and other CoP recommendations

The proponents state that 15 species of Geoemydidae qualify for inclusion in Appendix II under the provisions in Annex 2 a, Criterion B of Resolution Conf. 9.24 (Rev. CoP15). The proposal seems to show that it is known, or can be inferred or projected, that regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences. The species are believed to be vulnerable to overexploitation because of their biological characteristics, including adult longevity, late maturity, limited annual reproductive

output and high egg and juvenile mortality. The international trade in Asian turtles and their parts for consumption as food and traditional medicines would benefit from management and regulations to ensure the long-term sustainable utilization of these species.

The proponents do not provide clear justifications for proposing to annotate 15 species already included in Appendix II with zero export quotas for specimens of wild origin to be traded for commercial purposes. Under Section 11 (*Additional remarks*), the proponents suggest that this was inspired by an international workshop on the *Conservation of Asian Tortoises and Freshwater Turtles: Setting Priorities for the Next Ten Years* held in Singapore in February 2011, where it was recommended to transfer a number of species of Geoemydidae from Appendix II to Appendix I. They state that most of these recommendations were modified in the present proposal to in order to keep the species in Appendix II, but with a zero quota on wild specimens traded for commercial purpose, but this approach is not explained further.

The 22 range States of the species that are subject of the proposal were consulted, and nine responded (mostly positively, with exceptions for certain species).

The species involved in this proposal are said to resemble others in the family Geoemydidae and species in the family Emydidae; however, there seems to be little evidence that many of these are traded internationally in any significant volume.

Final comments

There can be little doubt that wild populations of Asian turtle species, including those in the family Geoemydidae, are in decline as a consequence of overexploitation, rapid habitat degradation and vastly increased human pressures. Global turtle trade in the last 15 years seems to have depleted one species after another. Regulating international trade at the level of the family Geoemydidae may respond to growing management and conservation needs, and simplify enforcement. Certain weaknesses of the supporting statement and the enforcement challenges that the adoption of this proposal would create are discussed above.

Comments from Parties and intergovernmental bodies

Indonesia

Batagur borneensis (Proposal 32)

Batagur borneensis is protected species under Indonesian law so that no legal trade is allowed. Therefore in line with Indonesia's conservation policy on this species CITES Management Authority of Indonesia support the proposal 32 for up listing to Appendix I.

Orlitia borneensis (Proposal 32)

As *Batagur borneensis*, *Orlitia borneensis* is protected species under Indonesian law so that no legal trade is allowed. Therefore CITES Management Authority of Indonesia also support the proposal 32 for up listing to Appendix I.

United States of America

General Overall Comments

The approach we use here is not a species-by-species approach, but rather a broader family approach. This is consistent with *Annex 4 of Resolution Conf. 9.24 (Rev. CoP15)*, which calls for the Parties to “*adopt measures that are proportionate to the anticipated risks to the species.*” Our rationale for taking a broader family approach to the inclusion of Asian turtle species in the CITES Appendices is founded on observations that, over the last 12 years, turtles, especially in the Asian region, continue to be under severe threat from over-exploitation driven by international trade. Despite the fact that some species have been listed in the Appendices, turtles generally continue to decline because:

- They are harvested and traded internationally for food, medicine, and pets. In addition, they face the threat of loss of their habitat.
- We know that turtles are vulnerable to over-exploitation because of biological characteristics and life-history traits such as adult longevity, late maturity, limited annual reproductive output, and high

juvenile and egg mortality. This life-history strategy depends on adult turtles producing a sufficient number of offspring over their long lifespan so that some hatchlings will survive to maturity and replace them. However, turtles' life-history strategy fails them in the face of human exploitation. Exploitation that removes adults from the wild leads to too few eggs being laid, thus reducing the probability that sufficient numbers of animals will survive to maturity. Likewise, the removal of eggs from the wild also leads to too few hatchlings surviving to maturity. Population collapse is the ultimate result.

- While some turtle species are perceived as more valuable than others (e.g., golden coin turtle), as a whole their appearance, use, and value are similar (which is not surprising given their biology and evolution). Turtle species are particularly interchangeable with each other when traded as food. Given their interchangeability, trade in Asian turtle species continues to follow a boom-and-bust pattern in which exploitation and trade shift from one species to another when: 1) a species becomes so depleted or rare that it is no longer commercially exploitable; or 2) a species becomes the subject of stricter regulation and, as such, is less exploitable.
- In addition to these trade-related conservation concerns, there is patchy biological and population information on many of the species, where very little data exist. We have tried to use examples of turtles in these families for which data are available and make inferences or fill in gaps for turtles for which we have fewer data, because waiting for complete data to be available for all of the species would mean the certain depletion or complete loss of most of these species.

Given our knowledge of trade, history, and biology for the turtles mentioned above, we therefore believe a piecemeal approach to listing turtles, a few species at a time, is not an effective strategy, so we have taken an approach that will protect more species by listing them at the family level. This approach is precautionary and aims to protect presently exploited animals as well as animals that may become exploited in the near future as trade shifts from depleted or regulated species to those that are more abundant and unregulated. While we considered including all species of both families, we ultimately chose to focus on the species with the greatest and most immediate threat in the Asian region, and we also note that the majority of species in both families are found in the Asian region.

This approach also consistent with *Annex 4 of Resolution Conf. 9.24 (Rev. CoP15)*, which states that "By virtue of the precautionary approach and in case of uncertainty regarding the status of a species or the impact of trade on the conservation of a species, the Parties shall act in the best interest of the conservation of the species concerned and, when considering proposals to amend Appendix I or II, adopt measures that are proportionate to the anticipated risks to the species."

Specific Comments: 77.32. Geoemydidae

The Secretariat asks for clarification about discrepancies in the number of species mentioned in the proposal. In some instances, the total is 66, and in another it is 71. The CITES standard reference has 66 recognized species, and in addition it has an appendix that discusses 5 hybrids (officially excluded by the authors of the standard reference). The reference to 71 species includes the hybrids, but this does not affect the number of species that are the subject of the current proposal, since the 5 hybrids are excluded from this proposal.

The Secretariat indicated that information provided in an overview table attached to the proposal does not cover all the characteristics, status and trends, threats, or utilization and trade for each of the 30 species in the proposal. The species are not grouped according to genus, but are scattered in the table. There also seems to be a mismatch between information in the supporting statement (e.g., in section 5.3, the Genus *Cuora* is stated to have a total of 12 species, whereas the table seems to show only 10). We acknowledge that this table in the proposal does not address every species in the genus, but rather, the table is a reference for exactly which turtles are intended to be covered by this proposal. It is not meant to contain comprehensive information on all of the species. The table clearly defines the species covered by the proposal. Therefore, for the Genus *Cuora*, the number of species covered by the proposal is 10 (as in the table). Species grouping is not random. They are grouped according to whether they are to be included in Appendix II with a zero quota, in Appendix II without a quota specified, in Appendix III, or excluded, and grouped by genus within these categories.

Recommendation by the Secretariat

The 30 species of Geoemydidae that are the subject of this proposal are all believed to be in decline or threatened due to overexploitation for trade and habitat degradation, and poor implementation of existing protection and management measures.

This proposal covers *Cuora galbinifrons*, *Geomyda japonica* and *Mauremys annamensis* which are also the subject of proposals CoP16 Prop. 33 (submitted by Vietnam), CoP16 Prop. 34 (Japan) and CoP16 Prop. 35 (Vietnam) respectively. The measures proposed in Proposal 32 would afford the least restrictive effect on trade and so under the current Rules of Procedure, this proposal will be considered first.

Concerning the 15 species of Geoemydidae proposed for inclusion in Appendix II, and despite the limited quantitative or factual data presented in the supporting statement, it can be inferred from the available information that regulation of trade in several species (*Cyclemys dentata*, *Geoemyda spengleri*, *Sacalia quadriocellata*; possibly others for which insufficient information is provided to make clear judgements) is required to ensure that the harvest of specimens from the wild is not reducing wild populations to levels at which their survival might be threatened by continued harvesting or other influences. The other species meet the look-alike criteria for their inclusion in Appendix II.

Concerning the proposals to annotate 15 Appendix-II listed species of Geoemydidae with a zero quota for trade in wild specimens for commercial purposes, these were evaluated against the criteria for their inclusion on Appendix I in view of the practical impact such an annotation would have and the absence of clear guidance on such annotations. On the basis of the information provided, it appears that all 15 species might meet the biological criteria for their inclusion in Appendix I. The Secretariat notes that the proposal could not be amended to propose these for Appendix I as this would not be permitted under the current Rules of Procedure for the meeting.

On the basis of the available information, the Secretariat recommends that this proposal be adopted.

Proposal 33

***Cuora galbinifrons* (Indochinese box turtle) – Transfer from Appendix II to Appendix I**

Proponent: Viet Nam

Provisional assessment by the Secretariat

CITES background

Cuora galbinifrons was included in CITES Appendix II at CoP11 and selected for the Review of Significant Trade pursuant to Resolution Conf. 12.8 (Rev. CoP13). The implementation of relevant recommendations by the Lao People's Democratic Republic and Viet Nam were discussed at different Standing Committee meetings (most recently at its 62nd meeting in 2012), resulting in a recommendation to suspend exports of *Cuora galbinifrons* from the Lao People's Democratic Republic that is still in effect.

Purpose and impact of the proposal

The proponent seeks to transfer *Cuora galbinifrons* from Appendix II to Appendix I. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article III of the Convention.

Main points made in the supporting statement and general comments

The supporting statement summarizes the little information that is available on this species.

C. galbinifrons is a medium-sized turtle that inhabits upland, moist, closed-canopy forest in China, the Lao's People Democratic Republic, Viet Nam and possibly Cambodia. Animals take about 12 to 15 years to mature, and females produce a single clutch of 1-3 eggs per year. Egg and hatchling mortality seems high and recruitment is slow. The species is challenging to establish and reproduce in captivity, and the great majority of trade concerns animals collected from the wild.

Available field survey information shows that the species is uncommon and that populations have been severely depleted in recent decades.

The primary threat to *C. galbinifrons* is reported to be (illegal) collection for trade. The species is reportedly in high demand in the international pet trade and for Asian consumption, although that this is not reflected in the trade data provided in Section 6.2. Habitat loss and degradation are additional threats to the species. Targeted and intensive collection efforts are described.

CITES trade data in Section 6.4 suggest that moderate levels of legal exports were recorded until 2006, after which annual exports all but stopped. The proponent claims that "documented market trade volumes may be several orders of magnitude greater than total reported legal trade volumes", but this is not explained or justified. Section 6.4 on illegal trade suggests that (apparently illegal) specimens continue to be widely available on Chinese markets.

The exploitation of *C. galbinifrons* is regulated in all range States, Viet Nam apparently offering the least protection. However, enforcement seems largely inadequate.

Key areas that remain largely undocumented in the supporting statement include *Habitat trends* (Section 4.1), *Population size* (Section 4.2), and management needs and measures (under Section 8). The proposal fails to discuss the impact of the Review of Significant Trade on the conservation and management of the species.

Compliance with listing criteria and other CoP recommendations

The proponent consulted the two other range States of the species in accordance with Resolution Conf. 8.21. The Lao's People Democratic Republic stated to have no objection to the proposal, while China did not respond.

Concerning its inclusion in Appendix I, the proponent asserts that the species meets criterion C i) in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) by having declined severely across its range as a result of collection for trade; and criterion C ii) because patterns of local exploitation combined with unsustainable targeted collection

for trade are likely to continue unless stronger measures are implemented, while the slow recruitment and late maturity make the species intrinsically vulnerable to exploitation.

The factual information in the proposal is too limited to determine whether the wild population of the species is small, or if it has a restricted area of distribution, but both seem unlikely.

Final comments

The proponent states that “turtles, of any species, are collected whenever and wherever encountered in the region, regardless of legal protection status or location inside protected areas”; that “collected turtles are traded, mostly illegally, through a network of local middlemen before being exported or consumed locally”, and that “increasing economic value has ensured that hunting pressure is sustained despite the increasing rarity of the species”. At the same time, the proponent argues that “to address illegal trade in this species, its protection status in national laws and under CITES must be increased”, which seems contradicted by its own evaluation of the impact of such protection measures. The challenge of addressing illegal exploitation and trade can not be addressed solely by modifying the CITES Appendix in which this species is included.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

Insufficient information is provided to determine if the wild population of *Cuora galbinifrons* is small, and the species has no restricted area of distribution. However, due to ongoing overharvesting for trade and ineffective implementation of existing protection measures, the species seems to have undergone a marked decline of its population size in the wild, thereby meeting one of the biological criteria for its inclusion in Appendix I.

On the basis of the available information, the Secretariat recommends that this proposal be adopted.

HHProposal 34

***Geoemyda japonica* (Ryukyu black-breasted leaf turtle) – Inclusion in Appendix II with a zero annual export quota with primarily commercial purposes for wild-caught specimens**

Proponent: Japan

Provisional assessment by the Secretariat

CITES background

This species has never been the subject of a listing proposal.

Purpose and impact of the proposal

The proponent seeks to include *Geoemyda japonica* in Appendix II with a zero annual export quota for wild specimens exported for primarily commercial purposes. If the proposal is adopted, international trade in specimens of the species will otherwise be regulated in accordance with the provisions of Article IV of the Convention, and trade for non-commercial purposes in specimens of wild origin, and commercial trade in specimens from other sources (e.g. pre-Convention, ranching or captive breeding) will all be possible.

Main points made in the supporting statement and general comments

The proposal provides a good overview of the available information on *G. japonica*.

G. japonica is endemic to Japan and inhabits wet natural primary forests and secondary broad-leaf forests on the islands of Okinawa, Kume and Tokashiki, with a total range estimated to be around 31,500 ha.

No population figures are provided, but the species is believed to have declined in recent decades as a result of reductions of favourable habitat through land development and aridification. Road construction (and associated killings), invasive species and illegal collection for trade pose additional threats.

The species has been well protected under Japanese law since 1975, which only allows capture, breeding and trade for scientific purposes, under a permit system, and it occurs in several protected areas. Nevertheless, the species is known to appear in the pet trade nationally and internationally in (very) small numbers. It is believed that the specimens involved were mostly captured in the wild illegally.

G. japonica is categorized as 'Endangered' in the IUCN Red List of 2012.

Compliance with listing criteria and other CoP recommendations

As *G. japonica* is endemic to Japan, the consultation envisaged in Resolution Conf. 8.21 is not required.

The proponent states that the species meets both criteria A and B in Annex 2 a of Resolution Conf. 9.24 (Rev. CoP15). However, the main threat to this species is reportedly not trade but habitat degradation; it is well protected; and (illegal) international trade seems limited to a small demand for specialized pet markets where it may fetch relatively high prices.

The species is said to be similar to, but distinguishable from, *Geoemyda spengleri* (Appendix III).

Final comments

The purpose for including the proposed annotation remains unclear. The proponent states that: "it is conceivable that there is legitimate international trade of live specimens which had been captured before enforcement of the Law regulation starting in 1975 or have derived from captive breeding involving such legally captured specimens"; and that: "only these legal specimens bred in captivity are traded internationally and so that the trade are [sic] not detrimental to the survival of wild populations of the species." If the species were included in Appendix II, all specimens preceding the entering into effect of this listing would be considered pre-Convention and could be traded under relevant CITES provisions. The annotation would only affect exports of wild specimens from Japan. However, from the supporting statement, it seems clear that Japan would not issue export permits for commercial trade in *G. japonica* in view of the legal status of the species in the country.

If the main intention of Japan is to ask other CITES Parties for assistance in controlling the international trade in *G. japonica*, which it fully protects, it might also consider its inclusion in Appendix III as an alternative.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

The size of the population of *Geoemyda japonica* is not known but it has a restricted range. This endemic species is fully protected in Japan. International (illegal) trade in *G. japonica* is small and there is little demand for it. From the available information, it seems that the species meets the criteria for its inclusion in Appendix II. (See Secretariat comments on proposal CoP16 Proposal 32.) The practical implications of the proposed annotation would be somewhat similar as if the species were to be included in Appendix I. *G. japonica* does however not appear to meet the biological criteria for its inclusion in Appendix I and the proposed annotation is unnecessary to effectively regulate international trade in this species in accordance with CITES provisions.

On the basis of the available information, the Secretariat recommends that this proposal be rejected.

HHProposal 35

***Mauremys annamensis* (Annam leaf turtle) – Transfer from Appendix II to Appendix I**

Proponent: Viet Nam

Provisional assessment by the Secretariat

CITES background

Mauremys annamensis was included in CITES Appendix II at CoP12 in 2002.

Purpose and impact of the proposal

The proponent seeks to transfer *Mauremys annamensis* from Appendix II to Appendix I. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article III of the Convention.

Main points made in the supporting statement and general comments

M. annamensis is a medium-sized turtle endemic to Viet Nam, where it inhabits floodplain wetlands in three central provinces. The proposal suggests that the species was reasonably common until the early to mid-1990s, when it became subject to commercial trade, which apparently led to the collapse of the population within a few years. Its life history (i.e. late maturity, modest annual reproductive output, and high egg and juvenile mortality rates) makes the species intrinsically vulnerable to over-exploitation, particularly of adults.

The primary pressure on *M. annamensis* is collection for trade as it is in some demand in the international pet trade and the Asian consumption trade. It is also used locally for medicinal purposes. Wetland habitat loss and degradation as a result of conversion to agriculture are important secondary threats to the species.

M. annamensis is legally protected in Viet Nam from any form of exploitation, but enforcement may be insufficient. None of its natural habitats seems to be protected, even though their ongoing destruction is a major cause of concern.

Legal trade in this species since its inclusion in Appendix II, as shown in Section 6.2, has remained very low to insignificant, with no trade records in recent years. The proposal notes that the species has rarely been encountered in illegal wildlife trade shipments in recent years, with only modest numbers (less than 10) specimens seen annually on local markets. This may simply reflect the rarity of the species in the wild.

Compliance with listing criteria and other CoP recommendations

As *M. annamensis* is endemic to Viet Nam, the consultation envisaged in Resolution Conf. 8.21 is not required.

The proponent states that the species meets criteria A i) and A v), B iii) and B iv) (decreased area and quality of habitat, decreased number of individuals), and C i) and C ii) (patterns of exploitation, intrinsic vulnerability). Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) for inclusion in Appendix I.

Final comments

The supporting statement does not provide information on the size of the wild population, but it is unlikely to be small. The area of distribution is restricted and may be further decreased by human population growth and associated pressures. From the largely anecdotal information presented in the proposal, it would seem that the wild population has undergone a marked decline over the last two decades, largely resulting from unsustainable collection for trade.

The proponent seems to suggest that the inclusion in Appendix I “would help conserve the survival and viability of remaining populations, through increased enforcement efforts and higher penalties for those convicted of illegally trading in the species.” However, this is unlikely to help address any of the two major threats to *M. annamensis*, namely weak enforcement of existing national and international protection measures, and habitat destruction.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

This endemic species seems to be undergoing a continued, marked population decline due to collection for trade and ineffective implementation of existing national and international protection measures. *Mauremys annamensis* is reportedly rare to very rare in the wild, and its habitat is under increasing pressure. *M. annamensis* seems to meet several of the biological criteria for its inclusion in Appendix I, as contained in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15).

On the basis of the available information, the Secretariat recommends that this proposal be adopted.

Proposal 36

Platysternidae (big-headed turtles) – Transfer from Appendix II to Appendix I

Proponents: United States of America and Viet Nam

Provisional assessment by the Secretariat

CITES background

Platysternon megacephalum was included in Appendix II at CoP12 in 2002.

Purpose and impact of the proposal

The proponents seek to transfer Platysternidae spp. from Appendix II to Appendix I. Currently, only one species, *P. megacephalum*, is recognized to exist in this family. If the proposal is adopted, international trade in specimens of the taxon will be regulated in accordance with the provisions of Article III of the Convention.

Main points made in the supporting statement and general comments

The supporting statement gives a good overview of the available information on the species.

P. megacephalum occurs in six Southeast Asian countries, where it lives in unpolluted clear cascading mountain streams within closed-canopy forested areas and also within the bordering riparian areas. Several new localities of big-headed turtles in Cambodia and Thailand have been identified in recent years. The supporting statement indicates that the species was once very common in some regions but now shows a declining trend. Its populations face serious threats from habitat loss as well as commercial harvest for human consumption.

P. megacephalum is currently categorized as 'Endangered' in the IUCN Red List (2000 assessment)

Rather than showing annual CITES trade data, the proposal provides a single figure combining all CITES trade data from 2004 to 2011, thus preventing any appreciation of trade trends over the years. Legal reported trade since the species was included in Appendix II seems to have been very low (a total of 1,691 specimens were imported, mostly involving pre-Convention specimens). Levels of authorized trade in the species have not yet warranted its inclusion in the Review of Significant Trade pursuant to Resolution Conf. 12.8 (Rev. CoP13).

Some information on illegal trade is provided, but relatively few recent incidents are recorded and they seem to involve relatively small numbers of animals.

All range States provide some degree of legal protection to the species but no specific habitat conservation measures for *P. megacephalum* exist. The species occurs in a number of protected areas across its range.

Compliance with listing criteria and other CoP recommendations

The six range States of the species were consulted in accordance with Resolution 8.21. One of them, China, responded to oppose the proposal.

Platysternidae (consisting of one species – *P. megacephalum*) does not seem to have a small wild population or a restricted area of distribution. The information presented in the proposal does not allow to determine whether the species has undergone a marked decline, even though it seems likely.

Final comments

The proposal refers to the Conservation of Asian Tortoises and Freshwater Turtles Workshop, held in Singapore in February 2011. It notes that for *P. megacephalum*, participants in the workshop specifically recommended that increased efforts to protect wild populations and their associated habitat be prioritized, along with increased anti-poaching efforts. It should be noted that the transfer of this species to Appendix I – or its retention in Appendix II – would not address these priorities, which require enhanced *in situ* conservation efforts.

Comments from Parties and intergovernmental bodies

United States of America

The Secretariat notes that some information on illegal trade is provided, but relatively few recent incidents are recorded, and they seem to involve relatively small numbers of animals. Further, *P. megacephalum* does not seem to have a small wild population or a restricted area of distribution. According to the Secretariat, the information presented in the proposal does not allow a determination of whether the species has undergone a marked decline, but they agree that a decline is likely to have occurred. The Secretariat also notes that the discussions at the Singapore Workshop – indicated that transferring the species from Appendix II to Appendix I would not address the highest-priority actions for this species, which are enhanced *in-situ* conservation efforts.

Factually, the Secretariat is correct. We are basing our proposal partly on the observed decline in legal trade since the species was listed in Appendix II, and data are lacking to determine whether there has been an actual population decline, but we still assert that the following combination of factors warrant listing in Appendix I:

- 1) There has been a decrease in numbers of adults in markets (less prevalent).
- 2) The proportion of juveniles in markets has increased (now exploiting younger age classes).
- 3) This species may have a wide range, but is an extreme habitat specialist, with remaining habitat being fragmented over a large range with low probability of re-colonization.
- 4) The species does not reproduce in captivity to alleviate collection pressure on wild populations.

The Secretariat expressed concern that, rather than showing annual CITES trade data, the proposal provides a single figure (1,691) combining all CITES trade data from 2004 to 2011, thus preventing any appreciation of trade trends over the years. We acknowledge that trade has diminished from 2004 to the present, but 1,500 of these animals were exported from Lao PDR to Vietnam in 2006 as bred in captivity for commercial purposes. This is highly suspect given that this species is not known to reproduce in captivity.

Recommendation by the Secretariat

The mono-specific family Platysternidae does not have a restricted range or a small population, and marked declines, if they occurred, are not quantified. Although claimed to be in high demand, recorded trade in Platysternidae is very small. The family does not appear to meet the criteria for inclusion in Appendix I, recognizing that diligent implementation of the provisions in Article IV and of existing national and international conservation measures are required to effectively protect Platysternidae from unsustainable or illegal trade.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be rejected.

HHProposal 37

***Geochelone platynota* (Burmese star tortoise) – Transfer from Appendix II to Appendix I**

Proponent: United States of America

Provisional assessment by the Secretariat

CITES background

Geochelone platynota was included in Appendix II when CITES entered in force on 1 July 1975.

Purpose and impact of the proposal

The proponent seeks to transfer *Geochelone platynota* from Appendix II to Appendix I. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article III of the Convention.

The captive-breeding operations that are mentioned in the supporting statement may need to be registered under Resolution Conf. 12.10 (Rev. CoP15) in case commercial trade in captive-bred *G. platynota* is envisaged.

Main points made in the supporting statement and general comments

G. platynota is endemic to Myanmar, where it occurs in the central dry zone of the country.

The most recent available information suggests that *G. platynota* is ecologically extinct in the wild, largely as the result of historical long-term subsistence harvesting and more recent (mid-1990s) over-collection to supply the international food and pet markets (the only three viable populations known in 2000 were rapidly decimated shortly after, including two located in protected areas). While collection for trade is the main threat to the species, habitat destruction, fragmentation and conversion of land for agriculture also threaten the habitat of *G. platynota* and further reduce its population. Future conservation efforts for this species will need to rely on implementing a long-term reintroduction programme; developing effective anti-poaching measures in protected sites before reintroductions are attempted; and the ability of authorities to control the illicit transborder trade of the species into neighbouring countries. Also, education awareness programmes need to be initiated to reduce poaching.

CITES trade data are discussed but not provided on an annual basis, with the effect that no trends can be discerned. Over a 19-year period, 4,620 live *G. platynota* were recorded as imports, half of which were from captive sources.

Illegal trade is shown to continue, including in captive-bred specimens stolen from government breeding facilities. The rarity and virtual extinction of the species in the wild since early 2000, as reported in the supporting statement, are however difficult to reconcile with a quotation in Section 6.4 that: "As recent as 2010 and 2011, hundreds of *G. platynota* have been found in illegal turtle shipments." This might be the result of a misidentification.

Further legal protection of the species is reportedly an important step towards saving the species from absolute extinction in the wild and to provide increased protection under which conservation efforts can progress to re-establish the species in its natural habitat.

The species is reproduced in a few facilities, four of that are government-managed and one that is privately owned, with hundreds of hatchlings per year.

G. platynota is categorized as Critically Endangered in the *IUCN Red List of Threatened Species* (2000 assessment).

Compliance with listing criteria and other CoP recommendations

The proponent sent a consultation letter to Myanmar about this proposal, in accordance with Resolution 8.21, but did not receive a response.

This species is affected by trade according to definition i) of this term in Resolution Conf. 9.24 (Rev. CoP15), Annex 5. Based on the information provided in the proposal, the wild population of this species seems extremely small (or possibly extinct in the wild) and highly vulnerable to intrinsic and extrinsic factors; the area of distribution seems very restricted, with occurrence of the species in very few, if any, locations; and the population demonstrated a marked decline.

Final comments

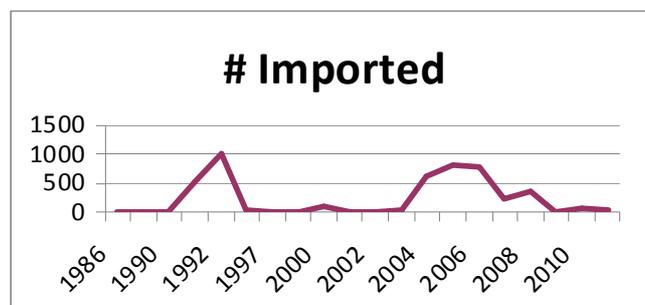
The supporting statement appears to be clear, although reports of significant recent illegal trade need to be reconciled with the supposed rarity of the species in the wild.

The species is reproduced in a few facilities, 4 of which are Government-managed and one is privately owned,

Comments from Parties and intergovernmental bodies

United States of America

The Secretariat expressed concern that CITES trade data is discussed (4,620 specimens over 19 years), but was not provided on an annual basis so that no trends can be discerned. Trade data are presented in the following graph. Trade occurred in two spikes (approaching 1,000/yr) in the mid-1990s and mid-2000s. Thus, it appears that trade in this species ebbs and wanes over time, and we are concerned that similar spikes in trade may occur in the future.



The Secretariat also noted that the supporting statement appears to be clear, although reports of significant recent illegal trade need to be reconciled with the supposed rarity of the species in the wild. While it is true that the species no longer exists in core habitat, which is confirmed by surveys that are referred to in the proposal, it appears that populations still exist on the periphery of the range in remote and in less accessible areas that had not been surveyed until recently (recent unpublished information).

Recommendation by the Secretariat

Geochelone platynota has a very small, fragmented population and a restricted range. The wild population of *G. platynota* has undergone a marked decline. The species remains in demand for trade. It meets the biological criteria for its inclusion on Appendix I.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 38

***Aspideretes leithii*, *Chitra chitra*, *C. vandijki*, *Dogania subplana*, *Nilssonina formosa*, *Palea steindachneri*, *Pelodiscus axenaria*, *P. maackii*, *P. parviformis* and *Rafetus swinhoei* (softshell turtles)**

Inclusion of *Aspideretes leithii*, *Dogania subplana*, *Nilssonina formosa*, *Palea steindachneri*, *Pelodiscus axenaria*, *P. maackii*, *P. parviformis*, and *Rafetus swinhoei* in Appendix II and transfer of *Chitra chitra* and *C. vandijki* from Appendix II to Appendix I

Proponents: China and United States of America

Provisional assessment by the Secretariat

CITES background

Chitra chitra and *C. vandijki* were included in Appendix II at CoP12 in 2002. The other species subject to this proposal have never been included in CITES.

Purpose and impact of the proposal

The Family Trionychidae has a nearly worldwide distribution with a current total of 30 species found in Asia, Africa, the Middle East, and North America. Three are included in Appendix I, 10 in Appendix II and five in Appendix III. The proponents seek to include an additional eight species in Appendix II, and to transfer two species from Appendix II to Appendix I. If the proposal is adopted, international trade in specimens of the former eight species will be regulated in accordance with the provisions of Article IV of the Convention, and that in specimens of the latter two species will be regulated in accordance with the provisions of Article III.

Aspideretes leithii, *Dogania subplana*, *Nilssonina formosa*, *Palea steindachneri*, *Pelodiscus axenaria*, *P. maackii*, *P. parviformis*, and *Rafetus swinhoei* would be included in Appendix II and their trade would be regulated in accordance with the provisions of Article IV of the Convention.

C. chitra and *C. vandijki* would be included in Appendix I and their trade would be regulated in accordance with the provisions of Article III of the Convention.

The proposal focuses on Trionychidae native to Southeast Asia. If adopted, 10 species of Trionychidae would remain excluded from the CITES Appendices, one of which occurs in Southeast Asia, one in West Asia, three in North America and five in Africa.

Main points made in the supporting statement and general comments

The information in the supporting statement is quite generic, often referring to Southeast Asian turtles and Trionychidae in general rather than providing factual accounts of the 10 species concerned. It contains details of species not covered by the proposal (e.g. in Section 6.2 or in Figure 1), which is confusing.

Systematic species-specific information is provided in a table attached to the proposal, but it does not cover the characteristics, status and trends, threats, or utilization and trade of each of the 10 species that are proposed. It shows 'Range States' and 'IUCN Status' without providing legends for the abbreviations applied. Inexplicably, the table lists 31 species, and not the 30 currently recognized under CITES and referred to in the supporting statement. The species are not grouped by genus in the table, but seem to have been listed somehow randomly.

The proponents state that trade in Asian turtle species follows a 'boom and bust' pattern in which exploitation and trade shift from one species to another when a species becomes so depleted or rare that it is no longer commercially exploitable, or when trade becomes nationally or internationally regulated to restricted. While plausible, it remains unclear in the proposal how such exploitation patterns have been or are affecting the 10 species under consideration.

The Secretariat notes that *R. swinhoei*, the only species for which factual population data are provided in this proposal, reportedly has a global population of just four individuals. It is nevertheless proposed for inclusion in Appendix II.

No trade information is provided for the eight species in this proposal that are not included in CITES. Presumably, they all are part of the “high-volume trade in Asian turtles and their parts for consumption as food and traditional medicines” mentioned by the proponents, although further species-specific information on their availability or frequency in trade is lacking.

The proponents state that: “There currently is, and for many years has been, a high volume of illegal trade in live turtles”; that: “illegal trade appears to be shifting toward parts and processed products (often easier to conceal) such as ground turtle paste, calipee, and bone powder”; and that: “there is an epidemic of smuggled turtles openly for sale in several Asian countries”. However, very little additional information and no recent examples are provided to substantiate these claims.

Regarding identification and information on similar species, the proponents recognize that the species that are the subject of the proposal (and the ones already included in the CITES Appendices) are similar in appearance to the 10 species of Trionychidae that would remain excluded from the CITES Appendices. Regarding these species, the proponents comment that the United States is considering the inclusion in Appendix III of the three North American species; that the five African and one West Asian species are unlikely to be in trade on Asian markets; and that the Southeast Asian species is excluded because of the mass farming in China. Possible identification and enforcement challenges resulting from CITES-listed species of Trionychidae being traded as one of the non-CITES listed species are not discussed in detail.

Compliance with listing criteria and other CoP recommendations

The 22 range States of the species that are subject of the proposal were consulted in accordance with Resolution Conf. 8.21, and nine responded (mostly positively, with exceptions for certain species).

Eight species of Trionychidae, *A. leithii*, *Dogania subplana*, *Nilssonina formosa*, *Palea steindachneri*, *Pelodiscus axenaria*, *P. maackii*, *P. parviformis*, and *Rafetus swinhoei* are proposed for inclusion in Appendix II under Annex 2 a, Criterion B of Resolution Conf. 9.24 (Rev. CoP15).

The proposal seems to indicate that it is known, or can be inferred or projected, that regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences. The species are all believed to be vulnerable to overexploitation because of their biological characteristics, including adult longevity, late maturity, limited annual reproductive output, and high egg and juvenile mortality. The international trade in Asian turtles and parts thereof for consumption as food and traditional medicines would benefit from management and regulations to ensure the sustainable utilization of these species.

The proponents assert that *Chitra chitra* and *C. vandijki* qualify for transfer to Appendix I under Annex 1, criterion A. i), iii) and v); B. i), iii) and iv); and C. i) and ii), of Resolution Conf. 9.24 (Rev. CoP15). However, from the little and mostly non-quantitative information that is presented in the proposal, it is difficult to determine whether the two species meet these criteria. *Chitra vandijki* may have a small wild population and a restricted area of distribution, but this seems inferred rather than substantiated by factual data. It is of concern that its only range State, Myanmar, has not responded to the proponent’s consultation. It is possible that both *C. vandijki* and *C. chitra* meet criterion C, but this seems largely based on general information pertaining to Southeast Asian riverine softshell turtles.

Final comments

There can be little doubt that many wild populations of Asian turtle species, including those in the family Trionychidae, are in decline as a consequence of overexploitation, rapid habitat degradation and vastly increased human pressures. Global turtle trade in the last 15 years seems to have depleted one species after another. Regulating the international trade at the level of the family Trionychidae may respond to growing management and conservation needs, and to a certain extent simplify enforcement (it is proposed to leave a number of species in the family Trionychidae excluded from the CITES Appendices). Some areas in which the supporting statement could be strengthened are discussed above.

Comments from Parties and intergovernmental bodies

United States of America

General Overall Comments

The approach we use here is not a species-by-species approach, but rather a broader family approach. This is consistent with *Annex 4 of Resolution Conf. 9.24 (Rev. CoP15)*, which calls for the Parties to “adopt measures that are proportionate to the anticipated risks to the species.” Our rationale for taking a broader family approach to the inclusion of Asian turtle species in the CITES Appendices is founded on observations that, over the last 12 years, turtles, especially in the Asian region, continue to be under severe threat from over-exploitation driven by international trade. Despite the fact that some species have been listed in the Appendices, turtles generally continue to decline because:

- They are harvested and traded internationally for food, medicine, and pets. In addition, they face the threat of loss of their habitat.
- We know that turtles are vulnerable to over-exploitation because of biological characteristics and life-history traits such as adult longevity, late maturity, limited annual reproductive output, and high juvenile and egg mortality. This life-history strategy depends on adult turtles producing a sufficient number of offspring over their long lifespan so that some hatchlings will survive to maturity and replace them. However, turtles’ life-history strategy fails them in the face of human exploitation. Exploitation that removes adults from the wild leads to too few eggs being laid, thus reducing the probability that sufficient numbers of animals will survive to maturity. Likewise, the removal of eggs from the wild also leads to too few hatchlings surviving to maturity. Population collapse is the ultimate result.
- While some turtle species are perceived as more valuable than others (e.g., golden coin turtle), as a whole their appearance, use, and value are similar (which is not surprising given their biology and evolution). Turtle species are particularly interchangeable with each other when traded as food. Given their interchangeability, trade in Asian turtle species continues to follow a boom-and-bust pattern in which exploitation and trade shift from one species to another when: 1) a species becomes so depleted or rare that it is no longer commercially exploitable; or 2) a species becomes the subject of stricter regulation and, as such, is less exploitable.
- In addition to these trade-related conservation concerns, there is patchy biological and population information on many of the species, where very little data exist. We have tried to use examples of turtles in these families for which data are available and make inferences or fill in gaps for turtles for which we have fewer data, because waiting for complete data to be available for all of the species would mean the certain depletion or complete loss of most of these species.

Given our knowledge of trade, history, and biology for the turtles mentioned above, we therefore believe a piecemeal approach to listing turtles, a few species at a time, is not an effective strategy, so we have taken an approach that will protect more species by listing them at the family level. This approach is precautionary and aims to protect presently exploited animals as well as animals that may become exploited in the near future as trade shifts from depleted or regulated species to those that are more abundant and unregulated. While we considered including all species of both families, we ultimately chose to focus on the species with the greatest and most immediate threat in the Asian region, and we also note that the majority of species in both families are found in the Asian region.

This approach also consistent with *Annex 4 of Resolution Conf. 9.24 (Rev. CoP15)*, which states that “By virtue of the precautionary approach and in case of uncertainty regarding the status of a species or the impact of trade on the conservation of a species, the Parties shall act in the best interest of the conservation of the species concerned and, when considering proposals to amend Appendix I or II, adopt measures that are proportionate to the anticipated risks to the species.”

Specific Comments: 77.38. Trionychidae

The Secretariat notes that *R. swinhoei*, the only species for which factual population data is provided in this proposal, reportedly has a global population of just four individuals. It is nevertheless proposed for inclusion in Appendix II. Unfortunately, it is the only softshell turtle species for which we have definitive population data. The objective of this proposal is to prevent other populations from reaching such a depleted state. Our proposal is

based on a pre-emptive approach, given the interchangeability of threats and biological vulnerabilities of turtles in this family.

The Secretariat believes that possible identification and enforcement challenges resulting from CITES-listed species of Trionychidae being traded as one of the non-CITES-listed species are not discussed in detail. However, we contend that enforcement challenges are eased by covering more species, since there are fewer species that need to be distinguished.

Recommendation by the Secretariat

Despite the limited quantitative or factual data in the supporting statement, it can be inferred from other available information that regulation of trade in several of the 8 species that are proposed for inclusion in Appendix II (*Dogania subplana*, *Nilssonina formosana*, and possibly *Nilssonina leithii* and *Pelodiscus axenaria*) is required to ensure that the harvest of specimens from the wild is not reducing wild populations to levels at which their survival might be threatened by continued harvesting or other influences. The other species meet the look-alike criteria for their inclusion in Appendix II.

Despite the lack of quantitative and factual data, the available information suggests that *Chitra chitra* and *C. vandijki* are rare to very rare, have declined markedly in recent decades, suffer from deteriorating habitat, and continue to being in demand for trade. Both species would appear to meet the marked decline criterion for their inclusion in Appendix I.

The Secretariat remains concerned about the enforcement challenges that the adoption of the current proposal would engender because a number of similar-looking species of Trionychidae, including the commonly farmed and traded *Pelodiscus sinensis*, would remain excluded from the CITES Appendices.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

Proposal 39

Epipedobates machalilla (Machalilla poison dart frog) – Inclusion in Appendix II

Proponent: Ecuador

Provisional assessment by the Secretariat

CITES background

The species has never been the subject of a listing proposal.

Purpose and impact of the proposal

The proponent seeks to include *Epipedobates machalilla* in CITES Appendix II under the generic listing of *Epipedobates* spp. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

The species in the genus *Epipedobates* were included in Appendix II at CoP6 in 1987, when they were considered under the genus *Dendrobates*. However, CITES recognized *Epipedobates machalilla* at the time as *Colostethus machalilla*, and it was consequently not part of the 1987 listing.

This species is endemic of Ecuador and has been categorized by the IUCN as “near threatened” (2004 assessment), owing to the reduction of its population of more than a 30 % over the last 10 years as the result of habitat loss across its area of distribution.

The supporting statement states that Ecuador has adopted some conservation measures to protect this species. However, no information is available or provided under Sections 3.5 (*Role of the species in its ecosystem*), 4.3 (*Population structure*), 6 (*Utilization and trade*), including for *Parts and derivatives in trade*, the nature of or statistics on national trade and *Illegal trade*), 8.2 (*Population monitoring*) and 8.6 (*Safeguards*).

E. machalilla is said to be mainly used for scientific purposes. Although no data are available for trade in this species in particular, there is a lot of international trade in some species of *Epipedobates*.

Compliance with listing criteria and other CoP recommendations

The proponent states that this proposal meets Criteria A and B in Annex 2 b of the Resolution Conf. 9.24 (Rev. CoP15). This is to say that: (i) the specimens of the species in the form in which they are traded resemble specimens of a species included in Appendix II under the provisions of Article II, paragraph 2 (a), so that enforcement officers who encounter specimens of CITES-listed species are unlikely to be able to distinguish between them; or (ii) there are compelling other reasons for listing to ensure that effective control of trade in currently-listed species is achieved. The proponent, however, does not say which of these applies.

Details are given about similarity of appearance with other species in the genera *Hyloxalus* and *Colostethus*, but not with other species of *Epipedobates*.

Final comments

In document CoP16 Doc. 43.1, the Animals Committee proposes that the Conference recognize the name *E. machalilla*. If this is agreed, it will become the only species in this genus not listed in the Appendices. Although the supporting statement does not present information on the look-alike problems that this new situation may present, it would seem logical not to exclude a single species from a generic Appendix-II listing.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

The inclusion of *Epipedobates machalilla* in Appendix II would facilitate the implementation of the Convention for the family Dendrobatidae in the case that the current standard nomenclatural reference is maintained for this group. Although the supporting statement claims that *Epipedobates machalilla* would meet both the look-alike criteria in Annex 2b of Resolution Conf. 9.24 (Rev.CoP15), this species only resembles one other species (*E. boulengeri*), wild specimens of which seem rarely to be in international trade. *Epipedobates machalilla* seems to meet criterion 2b B of that Annex, since there are compelling reasons why this is necessary to ensure that effective control of trade in currently listed species of the genus Dendrobatidae in Appendix II

Considering the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal is adopted.

Proposal 40

Rheobatrachus silus (southern gastric-brooding frog) – Deletion from Appendix II

Proponent: Australia

Provisional assessment by the Secretariat

CITES background

Rheobatrachus silus was included in Appendix II under the listing of *Rheobatrachus* spp. at CoP5 in 1985.

Purpose and impact of the proposal

The proponent seeks to remove *Rheobatrachus silus* from CITES controls.

Main points made in the supporting statement and general comments

The species is or was confined to a small area – less than 1,400 km² – of Queensland, Australia. The first confirmed report of the species was in 1972 (although it may have been reported some time before this). Its population quickly declined and the last specimen was reported in the wild in 1981, while the last specimen died in captivity in 1983. Repeated searches have failed to find new specimens.

The supporting statement does not mention any reports of international trade, but states that it has been speculated that over-collection for research purposes may have been one cause of the decline and extinction of the species.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012, even though the review was not submitted to the Animals Committee "in the format of a proposal used to amend the Appendices", as requested in paragraph i) of that Resolution.

The proponent asserts that the species is extinct and therefore does not meet the listing criteria in Annexes 2 a and 2 b of Resolution Conf. 9.24 (Rev. CoP15).

Final comments

The supporting statement appears to give a full account of the information available on the species. The IUCN Red List recorded the species as 'Vulnerable' in 1986, 'Endangered' in 1988, 'Critically endangered' in 1996 and 'Extinct' in 2002.

The CITES trade database does contain a trade record for *Rheobatrachus* spp. – 30 'derivatives' reported confiscated or seized by New Zealand in 2002 that had been exported from China. This could, however, be a reporting error. In view of the unusual reproductive behaviour of the species, it is likely to have raised interest amongst the scientific community and some international trade must have taken place, as some specimens are held in museums outside Australia.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

There seems little doubt that this species is extinct. Its inclusion in the CITES Appendices is therefore no longer pertinent and its removal would simplify the Appendices.

Based on the available information at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

HHProposal 41

Rheobatrachus vitellinus (northern gastric-brooding frog) – Deletion from Appendix II

Proponent: Australia

Provisional assessment by the Secretariat

CITES background

Rheobatrachus vitellinus was included in Appendix II at CoP5 in 1985.

Purpose and impact of the proposal

The proponent seeks to remove *Rheobatrachus vitellinus* from CITES controls.

Main points made in the supporting statement and general comments

The supporting statement gives a good overview of the available information on *R. vitellinus*. It was discovered and described in January 1984. It occupied a small area of less than 500 km² in coastal Queensland. It was found among rocks in fast running streams and creeks of undisturbed rainforest above 400 m. Only one year after its discovery, in January 1985, surveys revealed that the population might be in decline as it could no longer be found in the areas at the edges of its range. By March 1985, the northern gastric-brooding frog could not be found in the wild and extensive survey efforts since have failed to find new specimens. The most likely cause for the rapid decline and extinction of *R. vitellinus* was chytridiomycosis resulting from infection with the chytrid fungus.

R. vitellinus is listed in Australia as 'Extinct' under the *Environment Protection and Biodiversity Conservation Act 1999*. It was listed in the IUCN Red List as 'Intermediate' in 1988, 'Endangered' since 1994 and 'Extinct' in 2002.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8 and was endorsed at AC26 in March 2012, even though the review was not submitted to the Animals Committee "in the format of a proposal used to amend the Appendices", as requested in paragraph i) of that Resolution.

The species appears to no longer meet the criteria for inclusion in Appendix II, as defined in Annex 2 a to Resolution Conf. 9.24 (Rev. CoP15). The precautionary measures in Annex 4, paragraph D, of the Resolution concerning "species that are regarded as possibly extinct" refer to those included in Appendix I, and not to species in Appendix II. The proponent notes that, should the northern gastric-brooding frog be rediscovered, it would be afforded protection from international trade by the provisions of Australian wildlife law.

Final comments

The supporting statement appears to give a full account of the information available on the species.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

There seems little doubt that *Rheobatrachus vitellinus* is extinct. Its inclusion in the CITES Appendices is therefore no longer pertinent and its removal would simplify the Appendices. The species has not been recorded in international trade since it was first described in 1984.

Based on the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.

HHProposal 42

***Carcharhinus longimanus* (oceanic whitetip shark) – Inclusion in Appendix II with the following annotation:**

The entry into effect of the inclusion of *Carcharhinus longimanus* in CITES Appendix II will be delayed by 18 months to enable Parties to resolve the related technical and administrative issues.

Proponents: Brazil, Colombia and United States of America

Provisional assessment by the Secretariat

CITES background

At CoP15 in 2010, Palau and the United States jointly submitted a similar proposal which was rejected after a vote in Committee I with 75 votes in favour, 51 against and 16 abstentions (84 votes being required to carry the proposal).

Purpose and impact of the proposal

The proponents seek to include *Carcharhinus longimanus* in CITES Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention. The entry into effect of this listing is proposed to be delayed by 18 months to enable Parties to resolve related technical and administrative issues.

Main points made in the supporting statement and general comments

According to the proponents, *C. longimanus* is one of the most widespread shark species, ranging across entire oceans in tropical and subtropical waters where it is a high-trophic-level predator in open ocean ecosystems. The proponents claim that although population size and structure data are not available, there are indications that over-exploitation is or may be occurring and, therefore, the species would qualify for an Appendix-II listing under Annex 2 a, paragraph A, to "Resolution Conf. 9.24 (Rev. CoP14)"³. The proposal states that, if the current harvest rates continue, the species may become threatened with extinction unless international trade therein is regulated and provides a framework for adopting monitoring and management measures that ensure the making of non-detriment findings and confirmation of legal acquisition.

The greatest pressures on this species worldwide are the harvesting for international fin trade and bycatch. The proponents assert that these activities have caused significant decrease of the populations of *C. longimanus* worldwide (e.g. decrease of 60-70 % in the central and western North Atlantic Ocean and, a decrease in abundance by up to a tenfold from the reference level in the central Pacific Ocean). The high value of their large fins and the low value of the meat encourage finning rather than the release of bycatch.

Although the proposal submitted at CoP15 and the present proposal contain similar information, the latter includes data from 2010 to 2012. Section 3.2 on *Habitat* states that *C. longimanus* was recently recorded in the catch of industrial longline fishing in the Colombian Caribbean. Recent information from 2010, obtained in oceanic longline fishery operating in Colombia, shows the capture of juveniles, which would suggest that the fishery is impacting likely areas of development of the species.

In Section 4.2 (*Population size*), it is mentioned that there are population stock assessments in the central and western Pacific, where the population is said to be overfished. It is also stated that "Population size is unknown in other areas of the world". New data are presented in Section 4.4 (*Population trends*), where the proponents report that, in the Brazilian tuna longline fleet, almost 80 % of oceanic whitetip sharks that were captured between 2004 to 2009 were juveniles. Updated information on the pelagic longline fishery based in Hawaii, United States, shows that the catch-per-unit effort (CPUE) of oceanic whitetip shark has decreased by more than 90 % since 1995. Data from Hawaii, Japan and other fleets of longline fisheries were included in a more recent overview on the state of the oceanic whitetip shark in the western central Pacific, and they presented strong evidence of the reduction of the population in this area.

³ The proposal refers to Resolution Conf. 9.24 (Rev. CoP14) rather than Resolution Conf. 9.24 (Rev. CoP15).

A stock assessment conducted in 2012 in the central and western Pacific Ocean, using the Stock Synthesis software to model spatially aggregate age structure, and pooled data from the two sexes in terms of catch, effort and size composition of four fisheries. This assessment found that *C. longimanus* is being overfished with consistent evidence of reduced catches, CPUE, size composition, spawning biomass, recruitment and total biomass between 1995 and 2009. The estimated fishing mortality levels rise well above mortality at maximum sustainable yield (FMSY). Data from 2011 show that the CPUE of Japanese longline fishery in the Indian Ocean between 2000 and 2009 showed a decrease of almost 40 % between 2003 and 2009. A mortality of 59 % of the oceanic whitetip shark in the swordfish longline fishery in the Indian Ocean southwest has been reported. Comparisons of longline gear data collected in 1987-1988 and in 2000-2004 have shown a downward trend in the abundance of the oceanic whitetip shark from 19.9 % to 3.5 %, which could indicate that the population has been completely depleted.

Observer data indicate that the longline fishery in the western and central Pacific Ocean takes mostly juvenile oceanic whitetip sharks. Information from 2012 on the factors influencing catch rates and mortality in several species of sharks includes the white tip shark.

New information dating from 2011 is presented on national legislation adopted in Honduras (2011), Bahamas (2011), Tokelau (New Zealand) (2011) and the Marshall Islands (2011) to prohibit shark fishing in all of their exclusive economic zones. Other countries have protected areas where fishing shark is not permitted. A ban on shark finning implemented by 21 countries and the European Union, and by nine Regional Fisheries Management Organizations (RFMOs), could help reduce some mortality of this species. The supporting statement details a range of other management measures adopted by various RFMOs since CoP15.

A wide consultation, including the major shark fishing countries, has been undertaken with around 120 Parties concerned with this fishery. Several Parties that were consulted are reported to be supportive of this proposal and some responses from others are still awaited.

Compliance with listing criteria and other CoP recommendations

Although it is not stated specifically, the contention appears to be that, according to the criteria in the Resolution, within 5 to 10 years, this low-productivity species will exhibit a marked decline in its population size to 15-20 % of its historical baseline.

However, a footnote in the proposal says that, even if these criteria were not met and where data on population abundance are not available, the species should be included in Appendix II when there are indications that over-exploitation is or may be occurring and the regulation of trade could benefit the conservation of the species.

On look-alike species, the proposal states that there are six species that could possibly be confused with *C. longimanus*. However, the latter species is easy to identify from the others and more details on identification can be found in a identification guide produced in 2011 and annexed to the proposal.

Final comments

The supporting statement is comprehensive and detailed in most aspects, but data on population size and structure are relatively limited.

Comments from Parties and intergovernmental bodies

Colombia

- In its general comments, the CITES Secretariat mentions that several proposals (i.e. those dealing with the oceanic whitetip shark and other shark species) include an annotation stating that the entry into effect of the inclusion in Appendix II will be delayed 18 months to enable Parties to resolve the related technical and administrative issues. The Secretariat notes that it is rarely, if ever, explained what these technical and administrative issues are and that the text of the Convention provides that, if a proposal is adopted, it shall enter into force 90 days after the meeting, although it is possible to make reservations. In fact, it is precisely a reservation of 18 months that has been included in the proposal.
- As regards the above-mentioned point, it is important to explain to the Secretariat that the technical and administrative issues refer to the procedures that each country must establish and strengthen to record and report exports of products of oceanic whitetip shark at species level. Although several countries may

already have the capacity to keep a proper record of the international trade in this species, other countries do not have this capacity yet. This is why it is considered necessary to allow a certain time for Parties involved in the international trade of oceanic whitetip products to develop the procedures they will require for a proper regulation of such trade. In many countries, records associated with cartilaginous fish are often grouped under a general category such as “shark”. Thus, if the species is included in Appendix II, such countries will have to specify what proportion of the trade involves the species.

- As regards the specific comments on the proposal dealing with the oceanic whitetip shark, the Secretariat provides a summary of the main points raised in the document on the purpose and impact of the proposal and the main points made in the supporting statement. According to the Secretariat, such points are considered comprehensive, updated and detailed.
- As regards compliance with listing criteria, the Secretariat states textually in the first paragraph that “*although it is not stated specifically, the contention appears to be that, according to the criteria in the Resolution, within 5 to 10 years, this low-productivity species will exhibit a marked decline in its population size to 15-20% of its historical baseline*”. It is important to ask the Secretariat to clarify what this comment refers to, since what is mentioned about this in the proposal is that “*Taken together, it is likely that this low-productivity species ($r < 0.14$) has declined to at least 15-20% of baseline (1950s) in the northwest Atlantic and central Pacific Oceans*”.
- In its final comments, the Secretariat mentions that data on population size and structure are relatively limited for the oceanic whitetip shark and that catch trend data are used to support statements on the decline in the abundance of individuals. It is important to highlight that, in marine species strongly associated with fishing, abundance trends are evidenced by catch data; catch data showing a decline during a historic period indicate a low abundance of the species in its natural environment. The scientific articles referred to in the proposal include robust analyses associated with fisheries science and we wonder whether such methodologies should be explained in the proposal on the oceanic whitetip shark. Finally, it is true that little is known on the population structure of this species. Yet, we consider that, despite the lack of comprehensive information on this point, it is obvious that the species currently has a low abundance and is in demand in international trade.
- Finally, we consider that the Secretariat has provided very important information on the number of countries that supported the proposal or were against it. It would be good to ask the Secretariat if it is possible to obtain a list of the 75 countries that voted in favour of the proposal to approach them and generate blocks of alliances in order to be successful with the current proposal.

United States of America

On page 54 of the English version (in the second full paragraph, first sentence), please include the United States as a proponent country. The amended sentence would read, “Although both proposals (from CoP15 and this one for CoP16) present similar information, this new proposal by Colombia, Brazil and the United States includes updated data from 2010 and 2012.”

Convention on the Conservation of Migratory Species of Wild Animals (CMS)

C. longimanus is not listed in Appendix I or II of CMS, nor is it covered by the CMS Sharks MOU. However, Recommendation 8.16 requests all Parties to strengthen measures to protect migratory sharks species against threats, including IUU fishing and by-catch.

A Review of Migratory Chondrichthyan Fishes, which was prepared by the IUCN Sharks Specialist Group on behalf of the CMS Secretariat in 2007 (CMS Technical Series No.15) revealed that population dynamics and structure were both little known.

It is further stated that the Oceanic whitetip shark was formerly one of the most abundant of oceanic sharks and that it is extremely susceptible to bycatch in intensive fisheries for tuna and other valuable pelagic species because of its inquisitive nature. According to the IUCN SSG this bycatch is utilized for the sharks’ large fins and steep declines in catch rates have been reported in recent decades. It has been assessed as Vulnerable globally, and Critically Endangered in the Northwest Atlantic where the greatest declines are reported.

One conclusion of the review was that, management measures were largely confined to finning bans on the high seas that should reduce bycatch mortality and that the high value of this species’ fins and steep population

declines recently observed indicated that it should be a much higher priority for collaborative management by Range States and particularly on the high seas.

Food and Agriculture Organization of the United Nations (FAO Expert Advisory Panel assessment report)

ASSESSMENT SUMMARY

CITES biological listing criteria

Both the current FAO Expert Panel and the previous one (FAO, 2010) concluded that, based on the available evidence, oceanic whitetip shark, *Carcharhinus longimanus*, meets the biological criteria for listing in CITES Appendix II. Importantly, new information from the first-ever full-stock assessment conducted (in 2012) for oceanic whitetip for the Western and Central Pacific area corroborated and reinforced this conclusion. There are three time series for the Indian Ocean, all of which decline, with one meeting the Appendix II decline criterion.

There is a paucity of quantitative data with which to determine global trends in this widely distributed tropical oceanic shark. Most of the available indices are based on fishery catch per unit of effort (CPUE). Two regional studies provide long time series (45–50 years) that show historical extents of decline conforming to the Appendix II decline criterion, and a short (10 years) recent time series in one area that also shows a historical extent of decline consistent with the Appendix II decline criterion. Information from other areas is very limited and difficult to interpret.

Comments on technical aspects of the proposal:

Biology and ecology: The Panel agreed with the 2009 Panel's conclusion that oceanic whitetip is a species with low productivity. There were no other biological or ecological vulnerability or modifying factors that would alter the conclusions regarding biological listing criteria.

Trade: Fins for this species are in demand and of high value in the world market, and there is evidence that international trade is driving retention of bycatch. While this species is generally not targeted but taken as bycatch in fisheries targeting other species, the Panel noted that a large proportion of individuals captured as bycatch could be released alive.

Fisheries management: Retaining bycatch for international trade in high-seas tuna fisheries constitutes an important risk factor for oceanic whitetip, although the risk may have been mitigated to some extent by the introduction of regulations related to sharks. Nine regional fisheries management organizations (RFMOs) and some countries have introduced shark finning regulations, while some 8 countries have banned the retention of shark catch. In principle, these regulations could reduce mortality or at least improve monitoring of shark catches but compliance with these management measures is likely to be variable. More recently, three of the tuna RFMOs have adopted bans on the retention of oceanic whitetips that will have a positive impact on the stock recovery if they are implemented effectively.

Likely effectiveness of a CITES listing for the conservation of the species: The benefits of an Appendix II listing of oceanic whitetip shark would depend on its effective implementation. As most harvest is expected to be from international waters, the CITES requirements for Introduction from the Sea (IFS) and for non-detriment findings (NDFs), if implemented effectively, could contribute to developing better assessments of the species status in the Indian Ocean, where mandatory reporting of oceanic whitetip is not required. It would also provide an additional control to ensure that products entering international trade are derived from legal and sustainable fisheries. Furthermore, a CITES Appendix II listing, if implemented effectively, could also act as a complementary measure for regulations implemented by fisheries management authorities; in particular, where RFMOs have adopted measures prohibiting retention of oceanic whitetip.

Recommendation by the Secretariat

It is evident that *C. longimanus* is heavily exploited as by-catch throughout its range. The species is overexploited and there is evidence demonstrating declines to the level of meeting the listing criteria in almost all cases where the populations were monitored. The stocks of unknown status may be already undergoing the same pressure or this can be expected while there is no indication of substantial unexploited stocks. Fins of this species are in demand on the world market owing to their high price, and there is sufficient evidence that international trade is driving exploitation. *C. longimanus* is one of the few species in trade with a specific marketing category used by major fin traders.

On the basis of the information available at the time of writing (late January 2013) and in line with the conclusions of the FAO Expert Advisory Panel, the Secretariat recommends that this proposal be adopted.

HHProposal 43

***Sphyrna lewini*, *S. mokarran* and *S. zygaena* (scalloped hammerhead shark, great hammerhead shark and smooth hammerhead shark) – Inclusion in Appendix II with the following annotation:**

The entry into effect of the inclusion of these species in CITES Appendix II will be delayed by 18 months to enable Parties to resolve the related technical and administrative issues

Proponents: Brazil, Colombia, Costa Rica, Denmark (on behalf of the Member States of the European Union), Ecuador, Honduras and Mexico

Provisional assessment by the Secretariat

CITES background

Sphyrna lewini was included in Appendix III on 25 September 2012 at the request of Costa Rica. At CoP15 in 2010, a proposal to include *Sphyrna lewini*, *S. mokarran* and *S. zygaena* (initially together with *Carcharhinus plumbeus* and *C. obscurus*) in Appendix II was rejected in Committee I with 75 votes in favour, 45 against and 14 abstentions (80 votes being needed to carry the proposal). The proposal was reopened for discussion in plenary, but again rejected with 76 in favour, 53 against and 14 abstentions (86 votes needed to carry the proposal).

Purpose and impact of the proposal

The proponents seek to include *Sphyrna lewini*, *S. mokarran* and *S. zygaena* in Appendix II. If the proposal is adopted international trade in specimens of these species will be regulated in accordance with the provisions of Article IV of the Convention. The entry into effect of this listing is proposed to be delayed by 18 months to enable Parties to resolve related technical and administrative issues.

Main points made in the supporting statement and general comments

Compared to a similar proposal made at CoP15, the present proposal concerns three species only, and contains updated and significantly expanded information on several important aspects, including species distribution, habitat and habitat trends, biological characteristics, population size, structure and trends, threats, national utilization, illegal trade, legal instruments and control measures.

S. lewini is a circumglobal species residing in coastal warm temperate and tropical seas. As a semi-oceanic species, *S. lewini* occurs over continental and insular shelves, adjacent to deeper water and in the open ocean. It utilizes coastal bays and estuaries as nursery areas. Habitat degradation and pollution affect coastal ecosystems that juvenile *S. lewini* occupy. However, the effects of these changes and their ultimate impact on populations of *S. lewini* are currently unknown.

According to the proponents, few population assessments are available globally for *S. lewini*, but the existing demographic analyses have found that *S. lewini* has low intrinsic rates of population growth and productivity when compared to other sharks. This seems confirmed by recent studies on Ecological Risk Assessment for Atlantic sharks conducted under the auspices of the Standing Committee on Research and Statistics of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

The supporting statement shows details of population trends in the Atlantic Ocean, the Pacific Ocean, the Indian Ocean and at global level. More or less serious declines are widely recorded from all of these areas. A stock assessment using information on catch, abundance trends and biology specific to *S. lewini* from the northwest Atlantic Ocean indicate a decline of 83 % from 1981 to 2005. In the southwest Atlantic Ocean off Brazil, catch per unit effort (CPUE) of inshore fisheries indicate adult female *S. lewini* decreased between 60 and 90 % from 1993 to 2001. A meta-analysis of multiple time series from various gear types in the Mediterranean Sea suggested declines of the hammerhead shark complex that includes *S. lewini* of up to 99.9 % since the early 19th century. Another study found a 71 % decline in *S. lewini* populations in the Cocos Island National Park (Costa Rica), despite this area being designated a “no take zone” from 1992 to 2004. An independent assessment of shark catch in the Australian-Queensland Shark Control Program found that catch rates of hammerheads have decreased by more than 85 % over 44 years. Catch rate information from shark nets deployed off the beaches of South Africa in the south-western Indian Ocean from 1978 to 2003 indicated a

decline of approximately 64 % for *S. lewini*. A 50-75 % decline in hammerhead CPUE was observed in the Western Australia North Coast Shark Fishery between 1997-1998 and 2004-2005.

The proponents state that *S. lewini* is taken as direct catch or incidental catch in domestic fisheries as well as in multinational fisheries on the high seas. *S. lewini* is over-exploited for its fins, which are highly valued in trade.

S. lewini meat is often considered unpalatable, but it is consumed domestically and, according to the proponents, also traded internationally. *S. lewini* is a preferred species for production of leather and liver oil, and jaws and teeth are also sold as curios. Specific information about overall quantities of imports or exports is not available.

The supporting statement gives information on the trade in shark fins obtained by examination of the fin market of Hong Kong SAR and through DNA testing. Many catches go unreported, and analysis of fin trade data indicates that 49,000-90,000 tons (or 1.3 to 2.7 million individuals) of *S. lewini* and *S. zygaena* are taken for the fin trade each year. The proponents are of the opinion that an Appendix-II listing would have beneficial effects upon the wild populations of these animals by helping regulate international trade in fins and ensuring sustainable utilization.

The proponents indicate that hammerhead sharks are listed in Annex I of the United Nations Convention on the Law of the Sea (UNCLOS) and therefore should be subject to its provisions concerning fishery management in international waters. A number of countries have now prohibited shark fishing or exploitation within their Exclusive Economic Zones; some countries and Regional Fishery Management Organizations (RFMOs) have implemented finning or retention bans; and ICCAT has prohibited retention of the family *Sphyrnidae* that are caught in association with ICCAT fisheries (with the exception of *S. tiburo*). It is ascertained that an Appendix-II listing and associated legal acquisition requirements for international trade could assist relevant States and RFMOs to ensure compliance with these measures.

Information on the difficulties of making non-detriment findings of the species is briefly touched upon but not elaborated. The identification challenges for distinguishing fins of *S. lewini*, *S. mokarran* and *S. zygaena* and those from other species of sharks are discussed in some detail. Examples of identification materials are provided in Annex 4. Fins from the species proposed for inclusion in Appendix II are said to be morphologically similar, being thin and falcate with the dorsal fin height longer than its base. The supporting statement does not address the identification problems for parts and derivatives such as meat, leather, liver oil, jaws and teeth.

Annex 3 to the supporting statement provided supplemental information concerning *Sphyrna* spp. and *S. mokarran* and *S. zygaena*, which are proposed for inclusion in Appendix II for look-alike reasons and in accordance with provisions in Annex 2 b of Resolution Conf. 9.24 (Rev. CoP15).

Compliance with listing criteria and other CoP recommendations

The proponents assert that *S. lewini* meets criterion A in Annex 2 a to "Resolution Conf. 9.24 (Rev. CoP14)"⁴. The greatest threats to this species worldwide are fishing for the international fin trade and bycatch, which have caused historical declines of at least 15-20 % from the baseline for long-term time series in multiple ocean basins. Furthermore, the newborn and juveniles are captured by small-scale fisheries in the nursery zones.

The two other species in the proposal, *S. mokarran* and *S. zygaena*, are proposed for inclusion in Appendix II because, in line with Criterion A in Annex 2 b to "Resolution Conf. 9.24 (Rev. CoP14)"³, the specimens which are mostly frequently traded (fins) resemble those of *S. lewini* to such an extent that enforcement officers would be unlikely to be able to distinguish between them.

The supporting statement indicates that the harvest of *S. lewini* has undoubtedly led to major declines in some areas and the species would therefore meet criterion A in Annex 2 a to "Resolution Conf. 9.24 (Rev. CoP14)"³ for inclusion in Appendix II. Factual information is provided to support the inclusion of *S. mokarran* and *S. zygaena* in Appendix II in order to bring trade in *S. lewini* under effective control. The fins from the three *Sphyrna* species covered by this proposal, which are considered the most valuable, are separately handled from those of carcharhinid species by Asian shark fin traders. Fins of the three *Sphyrna* species may be treated under distinct categories on Chinese markets, but mixing of *S. lewini* and *S. zygaena* occur for one of these market categories. DNA tests are now available to confirm identification.

⁴ The proposal refers to Resolution Conf. 9.24 (Rev. CoP14) rather than Resolution Conf. 9.24 (Rev. CoP15).

All 105 range States affected by the current proposal are said to have been contacted by the proponents, but no clear information is provided as to their responses. It is noted that as a consequence of the consultation, Colombia, Ecuador, the European Union and Mexico became co-sponsors of the proposal.

Final comments

Overall, the supporting statement shows evidence that *S. lewini* is affected by trade, as defined in Resolution Conf. 9.24 (Rev. CoP15).

The proponents have indicated that they will submit an information document at CoP16 to identify and propose solutions for potential implementation issues that need to be addressed during the 18-month delay before implementation (related to Scientific Authorities, the identification of products in trade, the making of non-detriment findings and relevant measures by RFMOs).

Comments from Parties and intergovernmental bodies

Colombia

- On this proposal, the Secretariat makes the same comments on the 18-month period proposed for the entry into effect of the inclusion in CITES Appendix II.
- Overall, the Secretariat mentions that there is clear evidence that the species is affected by international trade and needs to be regulated. It adds that the proponents have indicated that they will submit a document to identify and propose solutions for potential implementation issues that need to be addressed during the 18-month delayed implementation period (apparently addressing Scientific Authorities, identification of products in trade, the making of non-detriment findings, and relevant measures by Regional Fisheries Management Organizations). It is essential to convene a meeting with the other co-proponents to define this document as soon as possible and submit it to the Secretariat, as it would also clarify the first concern expressed on the 18-month period for the implementation of the proposal.
- Finally, the Secretariat also provides a synthesis of the main points made in the supporting statement and information on the number of countries that supported the proposal on these species at the last CoP. Again, it is important for us to ask the Secretariat whether it is possible to obtain a list of the countries that voted in favour of the proposal in order to consult them.

Convention on the Conservation of Migratory Species of Wild Animals (CMS)

The three largest and globally distributed species of hammerheads, ***Sphyrna lewini* Scalloped hammerhead, *S. mokarran* Great hammerhead, and *S. zygaena* Smooth hammerhead**, certainly have an unfavourable conservation status. *S. lewini* and *S. mokarran* have both been reassessed as Endangered by the IUCN because of the steep population declines driven by target fisheries and high bycatch mortality. *S. lewini* is an aggregating seasonally-migratory species at least in part of its continental and insular shelf distribution. Its aggregations are targeted by fisheries. *S. mokarran* is not usually found in aggregations but is nomadic and migratory in its worldwide coastal-pelagic tropical range. *S. zygaena* was classified as Near Threatened in the *Review of Migratory Chondrichthyan Fishes* as a result of less serious declines in fisheries, but was since then reassessed as Vulnerable globally.

The IUCN Shark Specialist Group has recommended that all three of these rather similar species would benefit from collaborative management initiated under Appendix II listing, since they are fished by many Range States that currently have little or no management for hammerheads.

Food and Agriculture Organization of the United Nations (FAO Expert Advisory Panel assessment report)

ASSESSMENT SUMMARY

CITES biological listing criteria

The Panel concluded that based on the available evidence scalloped hammerhead (*Sphyrna lewini*) meets the biological criteria for listing on CITES Appendix II. The other two proposed species, great hammerhead shark (*S. mokarran*) and smooth hammerhead shark (*S. zygaena*) fulfil the criteria for inclusion under CITES Appendix II stipulated in Article II, paragraph 2b ("look-alike clause").

When evaluated on a population-by-population basis, the historically large population in the Northwest Atlantic was considered to meet the Appendix I decline criterion; there is a declining trend in the Southwest Atlantic population considered by the Panel to meet Appendix II listing criteria. In the Eastern Central Atlantic, the historical trends did not show significant declines but the recent rate of decline would meet the Appendix I criterion. The Indian Ocean and Eastern Pacific populations have declined, and in the Western Pacific the trends are inconsistent.

Comments on technical aspects of the proposal

Biology and ecology: Scalloped hammerhead is a circumglobal coastal species of warm temperate and tropical seas. It can be characterized as a species of low productivity.

Trade: Scalloped hammerhead fins are traded internationally and command a high price, while the meat is mainly consumed locally but a small portion of the meat is also traded internationally.

Fisheries management: Hammerhead sharks are a target and/or bycatch species in diverse industrial and artisanal fisheries around the globe. General shark management measures for sharks (such as finning regulations and closed areas) exist but species-specific fisheries management is rare and illegal, unreported and unregulated (IUU) fishing has been identified as a problem.

Likely effectiveness of a CITES listing for the conservation of the species: Except for the Northwest Atlantic, species-specific assessments that could provide a basis for NDFs are lacking. The Panel felt that a CITES listing, if implemented effectively, would improve the catch data for stocks going into international trade. In principle, a CITES Appendix II listing will be more effective for fisheries targeting sharks for their fins that enter international trade. However, a CITES Appendix II listing will have limited effect if the shark catches are consumed and traded locally.

General Fisheries Commission for the Mediterranean

Of the species proposed to be listed, only the hammerhead sharks (*Sphyrna lewini*, *S. mokarran* and *S. zygaena*) and the porbeagle shark (*Lamna nasus*) are known to occur in the Mediterranean and/or Black Seas, however, they are only rarely reported in commercial fisheries. Hammerhead sharks are generally rare in the area, being *S. zygaena* the more commonly reported species. Some observations of the capture of juvenile *S. zygaena* suggest that the species may reproduce in the Mediterranean Sea. There are reports of occasional catches of scalloped hammerhead, *S. lewini*, in tuna-traps in the Mediterranean. The occurrence of *L. nasus* in the Mediterranean Sea is irregular. The species is taken as bycatch in longline fisheries targeting swordfish, being sporadically reported in the Tyrrhenian, Ligurian and Adriatic Seas.

After consultations with our member countries regarding these species, Spain reported that from 2007 to now there was one record of *L. nasus* caught by the Spanish longline fleet in the Mediterranean. There are no recent records of *Sphyrna* spp. caught by this fleet in the area. According to data reported to FAO, catches of *L. nasus* in the GFCM area have been sporadic, oscillating, without a trend, from 0 to 5 tonnes between 1950 to 2010. There are no reported catches of the other species in the area.

Due to their infrequent occurrence and lack of economic importance in the Mediterranean fisheries, the stocks of these species are not regularly assessed. The Secretariat, however, notes that a study by Ferretti *et al.* (2008) indicated that *S. zygaena* and *L. nasus* have experienced marked long term declines in the Mediterranean Sea. Also, in a recent IUCN assessment of the status of the chondrichthyan species in the Mediterranean *L. nasus* was classified as critically endangered and *S. zygaena* as vulnerable. These assessments raise justified concerns about the conservation of these species.

In this regard, some conservation measures have been adopted by GFCM which are of relevance to these species, such as Recommendation GFCM 2005/03 concerning the conservation of sharks caught in association with tuna fisheries. With the adoption of this recommendation, the finning (retention of fins and discard of the body carcass) of sharks caught as bycatch in tuna fisheries became prohibited in the GFCM Area. The finning prohibition was implemented by adopting 5% fin-to-body weight ratio of sharks onboard, up to the first point of landing. In 2011 GFCM adopted the Recommendation GFCM/35/2011/7 on Hammerhead sharks (family *Sphyrnidae*) caught in association with tuna fisheries. Member countries were requested to prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of hammerhead sharks of family *Sphyrnidae* (except for the *Sphyrna tiburo*). It also requested vessels to promptly release unharmed, to the extent practicable, hammerhead sharks incidentally caught in fishing operations.

Finally, in 2012 GFCM adopted Recommendation GFCM/36/2012/3 on fisheries management measures for conservation of sharks, skates and rays in GFCM area. The recommendation expands the prohibition of sharks finning in all GFCM fisheries and provides special protection of any elasmobranch species listed in Annex II of the SPA/BD protocol of the Barcelona Convention, such as *L. nasus*. According to the recommendation, the species cannot be retained on board, transhipped, landed, transferred, stored, sold or displayed or offered for sale. Also, individuals incidentally caught must be released unharmed and alive to the extent possible. The full text of the above mentioned recommendations are available at www.gfcm.org. We strongly believe that the full implementation of these recommendations by GFCM member countries will help mitigate some of the current threats to the conservation of these species in the Mediterranean Sea.

Recommendation by the Secretariat

Overall, the supporting statement shows evidence that *Sphyrna lewini* is affected by trade, as defined in Resolution Conf. 9.24 (Rev. CoP14). The species has a circumglobal distribution in warm temperate and tropical seas, and is a species of low productivity. International fin trade and bycatch have caused historic declines of at least 15-20 % from the baseline for long-term time series in several ocean basins. Based on this rate of exploitation, regulation of trade in this species is necessary to avoid it becoming eligible for inclusion in Appendix I, recognizing that trade regulations should provide incentives to improve monitoring and management. The two other species in the proposal, *S. mokarran* and *S. zygaena*, require inclusion in Appendix II because the specimens which are mostly frequently traded (fins) resemble specimens of *S. lewini* to such an extent that enforcement officers are unlikely to be able to distinguish between them.

Based on the information available at the time of writing (late January 2013) and in line with the conclusions of the FAO Expert Advisory Panel, the Secretariat recommends that this proposal be adopted.

Proposal 44

***Lamna nasus* (porbeagle shark) – Inclusion in Appendix II with the following annotation:**

The entry into effect of the inclusion of *Lamna nasus* in CITES Appendix II will be delayed by 18 months to enable Parties to resolve related technical and administrative issues.

Proponents: Brazil, Comoros, Croatia, Denmark (on behalf of the Member States of the European Union) and Egypt

Provisional assessment by the Secretariat

CITES background

Lamna nasus was included in Appendix III on 25 September 2012 at the request of Belgium, Cyprus, Denmark (excluding the dependent territory of Greenland), Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland. The species was proposed for inclusion in Appendix II at CoP14, where it was rejected after a vote in Committee I (with 55 in favour, 39 against and 12 abstentions – 63 votes being required to carry the proposal), and at CoP15 where it was accepted after a vote in Committee I (with 86 in favour, 42 against and 8 abstentions), but subsequently rejected by a vote in plenary (with 84 in favour, 46 against and 10 abstentions – 87 votes being required to carry the proposal).

Purpose and impact of the proposal

The proponents seek to include *Lamna nasus* in Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention. The entry into effect of this listing is proposed to be delayed by 18 months to enable Parties to resolve related technical and administrative issues.

Main points made in the supporting statement and general comments

L. nasus is found in the North Atlantic Ocean and Mediterranean sea in the northern hemisphere and in a separate circumglobal band of ~30–60°S in the southern hemisphere. It occurs in the territorial waters of over 40 States.

Stocks of *L. nasus* in many areas of the northern hemisphere species have already undergone a marked decline. In view of the demand in international trade, the proponents project that southern hemisphere populations, which are currently poorly known, are likely to experience similar decreases unless sustainable management is achieved through, *inter alia*, international trade regulation.

Targeted fisheries operate mostly in Exclusive Economic Zones, but also to some extent on the high seas. The primary product in international trade is meat, but fins, oil and fish-meal are also recorded.

Although some management measures for the species have been adopted in recent years, the proponents state that considerable gaps still exist, particularly in the southern hemisphere and in high-sea fisheries.

Compliance with listing criteria and other CoP recommendations

The proponents assert that the North and Southwest Atlantic and Mediterranean stocks of *L. nasus* qualify for listing under Annex 2 a, paragraph A, of Resolution Conf. 9.24 (Rev. CoP15), and that southern hemisphere populations of the species (presumably with the exception of the Southwest Atlantic stock mentioned above) qualifies under Annex 2 a, paragraph B, of the same Resolution. At CoP15, it was proposed that some populations be listed in accordance with paragraph A of Annex 2 b to the Resolution – under the look-alike criterion.

With respect to the biological criterion [Annex 1 of Resolution Conf. 9.24 (Rev. CoP15)] for Appendix I, which it is asserted will be met for North and Southwest Atlantic and Mediterranean stocks in the next 5-10 years, Figure 2 in the supporting statement sets out the claims of the proponents clearly. This claim assumes that the species has a low productivity. The proponents believe that some stocks already meet the criteria for inclusion in Appendix I. A significant number of indices are cited to support the contention made about the historical

extent of decline of the North and Southwest Atlantic and Mediterranean stocks. For southern hemisphere populations of the species (presumably with the exception of the Southwest Atlantic stock), Annex 5 of the supporting statement lists six factors in support of CITES listing.

Concerning ease of identification of products in trade, the proponents refer to a recent photographic guide to assist in the identification of fins. However, for meat, the most commonly traded product of the species, it is suggested that products in trade can be identified by name labelling because of its high value.

In accordance with Resolution Conf. 8.21, range States were consulted about this proposal and 10 responded. It is said that the additional information they provided has been incorporated into the proposal where space permitted, but their opinions on the proposal are not reported.

The proposal was submitted to the Animals Committee at AC26 for advice, and remarks and comments were made about it during discussions in a working group at that meeting.

Final comments

More data are provided on international trade than in the supporting statement for the proposal submitted at CoP15. It seems clear that international trade is a significant driver of fishing effort.

Since CoP15, the main change in management measures applied to this species is the reduction of the total allowable catch to zero for European Union waters and for the European Union fleets in 2010. However, as the European Union is the primary market for products of the species, this may not assist the wider effort to manage the species more sustainably. There do not seem to have been any significant improvements in management measures adopted by other international bodies since CoP15.

In reference to recent rates of decline, the proponents mention “the three-generation period against which to assess recent declines”, but this applies to terrestrial species in Resolution Conf. 9.24 (Rev. CoP15). Recent marked declines for commercially exploited aquatic species should be assessed against the guideline in the footnote to the definition of decline in Annex 5 to the Resolution.

It is reported that identification of meat in trade can be accomplished by a DNA test that can distinguish products of this species from other species (and between southern and northern hemisphere stocks), but as these tests cost USD 12-60 and take 2-7 days, they would probably only be useful when investigations of a transaction are undertaken.

Comments from Parties and intergovernmental bodies

Commission for the Conservation of Antarctic Marine Living Resources

Thank you for your letter of 16 November 2012 concerning proposals to amend CITES Appendices I and II. The CCAMLR Secretariat submits the following comments in relation to the proposal to include *Lamna nasus* in CITES Appendix II. I expect individual CCAMLR Members to submit additional or supplementary comments to you directly.

Lamna nasus is not a target resource in the CCAMLR Convention Area with CCAMLR records showing a total trawl by-catch over the past 10 years of 3,135kg from Division 58.5.2 (western Indian Ocean) and Subarea 48.3 (southwest Atlantic Ocean) and a longline by-catch of 80kg over the same period (CCAMLR Statistical Bulletin, <http://www.ccamlr.org/en/document/publications>). CCAMLR's Conservation Measure 32-18 adopted in 2006 (<http://www.ccamlr.org/en/conservation-and-management/conservation-measures>), prohibits directed fishing for sharks, other than for scientific purposes, in the Convention Area until such time as CCAMLR's Scientific Committee has undertaken an assessment of the potential impacts of directed fishing for sharks. The Measure provides that any by-catch of shark, especially juveniles and gravid females, taken incidentally in other fisheries, shall, as far as possible, be released alive. On this basis, the text in Section 2, paragraph 2.2 of the draft proposal should be amended along the following lines: “Exploitation of smaller stocks in the Southern Hemisphere Oceans, outside of CCAMLR's Convention Area, is largely unmanaged and unlikely to be sustainable”. This is referred to in the proposal at Section 8.1 (paragraph 3) where it would be useful to record that coordination for the management of *Lamna nasus* in the Southern Ocean will also involve the recently established South Pacific Regional Fisheries Management Organisation (SPRFMO).

In a similar vein, the title for Section 4.4.2 “Southern Ocean” should be revised to “Southern Ocean outside the CCAMLR Convention Area”. This is because Section 4.4.2 draws from Clark and Harley (2010) which focuses

on tuna and billfish fisheries. These fisheries do not extend south into the CCAMLR Convention Area in the Southern Ocean.

Paragraph 5.2 is misleading. *L. nasus* are not part of any "important but largely unreported secondary fisheries" in the CCAMLR Convention Area. The information set out in van Wijk and Williams (2003) indicates a very low catch, and states that, "Live porbeagles are released where possible, however their survival rate is unknown." and that "Porbeagle catches will be monitored closely over future fishing seasons". CCAMLR requires its members to provide comprehensive reporting of all target and by-catch species and there are move on rules for some species.

With both low catches of *L. nasus* and 100% scientific observer coverage on licensed vessels in the CCAMLR Convention Area, the above contention is not supported.

Convention on the Conservation of Migratory Species of Wild Animals (CMS)

According to the Review of Migratory Chondrichthyan Fishes the porbeagle shark *Lamna nasus* has been targeted in fisheries for its meat for many decades in the North Atlantic, where stocks are assessed as Critically Endangered and Endangered by the IUCN. The Critically Endangered northeast Atlantic stock continues to be targeted because of the vulnerability of aggregations of this species. The structure and migrations of the southern hemisphere population(s) are very poorly known, but the porbeagle is assessed as Near Threatened in most of these regions because of increasing fishing pressure in many areas combined with their high commercial value.

The porbeagle shark is listed by IUCN as Vulnerable globally because of the past and current declines in its populations caused by target fisheries and utilized bycatch of this highly valuable species.

The *Review of Migratory Chondrichthyan Fishes* (noted that although all lamnids were listed in Annex I of UNCLOS (Highly Migratory Species), in recognition of the importance of collaborative management for these sharks, only a few Range States and no regional fisheries bodies had introduced sustainable management for the porbeagle shark, despite many years' discussion of this species as a possible candidate for a CITES Appendix II listing. The porbeagle shark certainly warrants a much higher priority for collaborative management by Range States than is currently the case.

Lamna nasus is listed in CMS Appendix II and on Annex I to the CMS Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks MOU).

CMS Appendix II lists migratory species that have an unfavourable conservation status and that require international agreements for their conservation and management, as well as those that have a conservation status which would significantly benefit from the international cooperation that could be achieved by an international agreement. Parties that are Range States of migratory species listed in Appendix II are encouraged to take action with a view to concluding agreements for any population or any geographically separate part of the population of any species or lower taxon of wild animals, members of which periodically cross one or more national jurisdiction boundaries.

In March 2010 the CMS Sharks MOU, a daughter agreement in accordance with Article IV 4 of the Convention, came into effect. Its aim is to achieve and maintain a favourable conservation status for migratory sharks based on the best available scientific information, taking into account the socio-economic and other value of these species for the people of the Signatory States. The MOU is accompanied by a conservation plan, which applies to the seven species of migratory sharks, that are currently listed in Annex I to the MOU and that comprise *Lamna nasus*. To date 25 Signatories have signed the MOU, including the USA, the EU and Australia.

The Conservation Plan was adopted at the 1st Meeting of the Signatories to the MOU and which was annexed to the MOU. In it Signatories are encouraged to sign CITES and other relevant Agreements if not done already and to cooperate with CITES and other relevant MEAs with a view to conserving migratory sharks. Furthermore, Signatories should develop and implement strategies that seek to ensure that shark products entering international trade are harvested and traded in accordance with existing conservation and management measures and applicable regulations including those of CITES and RFMOs. The Conservation Plan entails the development and implementation of additional measures to ensure legal and sustainable international trade in sharks and shark products and calls for the implementation and enforcement of existing fisheries conservation and management measures and trade regulations on shark fisheries through effective monitoring, control and surveillance.

ASSESSMENT SUMMARY

CITES biological listing criteria

The majority of Panel members considered that the species as a whole meets the decline criteria for Appendix II.

When evaluated on a population-by-population basis, the historically large porbeagle populations in the North Atlantic (Northeast and Northwest) and the Mediterranean Sea were considered to meet the Appendix II decline criterion.

Assessments for the Southwest Atlantic region indicated substantial declines, but the results were too uncertain to determine whether porbeagle in this region meets the decline criterion for Appendix II. The status elsewhere in the Southern Hemisphere was considered to be above the Appendix II decline thresholds.

The new information on distribution in the Southern Hemisphere was considered by some Panel members to indicate that the porbeagle shark has a wider distribution in the Southern Hemisphere than previously thought and that this also indicated a higher abundance. In the view of these Panel members, this brings into question the conclusion of the 2009 Panel that the species globally meets the decline criteria for Appendix II. Other members of the Panel were of the opinion that the new study did not provide information on population size in the Southern Hemisphere or the relative abundance of the Northern and Southern Hemisphere populations and that, therefore, the information did not change the conclusion of the 2009 Panel.

Comments on technical aspects of the proposal

Biology and ecology: The Panel agreed that the porbeagle shark has low productivity. Life-history characteristics such as low fecundity, slow growth and late maturation make the species particularly vulnerable to overexploitation. Such vulnerability factors are addressed in the decline criterion threshold for a low-productivity species.

Trade: Although porbeagle products are traded internationally, the actual proportion of the catches in international trade remains unknown owing to potentially substantial under-reporting and the lack of widely adopted specific customs codes for the species. These observations, in conjunction with the high value of products from the species (particularly its meat) in domestic and international markets, constitute a risk to the conservation of the species.

Fisheries management: High levels of unreported catch represent a significant potential risk factor as this will constrain accurate assessments of stock status, and subsequent management actions. The existence of rebuilding plans in Canada and the United States of America represent an important mitigating factor for the Northwest Atlantic population. Catches in the high seas areas of the North Atlantic may undermine these efforts if they are not strictly regulated. The recently adopted European Commission (EC) Regulations prohibiting fishing for porbeagle shark in waters of the European Union (Member Organization) and also prohibiting fishing vessels flagged to the European Union (Member Organization) operating in all waters to fish for, retain on board, transship or land porbeagle sharks is expected to mitigate to some extent the risk to the Northeast Atlantic population, and also to other populations affected by the fleet of the European Union (Member Organization). The Appendix III listing recently implemented by some countries of the European Union (Member Organization), which came into effect on 25 September 2012, is also likely to have a positive impact on improving information on the catches that enter international trade.

Several RFMOs have adopted regulations related to shark finning. However, finning regulations are unlikely to have much impact for porbeagle, given that the meat appears to be the most highly valued porbeagle product.

Likely effectiveness of a CITES listing for the conservation of the species: The 2012 Expert Panel and FAO (2010) noted that, if properly implemented, a CITES Appendix II listing would be expected to result in better monitoring and reporting of catches entering international trade from all porbeagle populations and subpopulations. Improved catch monitoring should enable new or enhanced assessments of stock status and the subsequent adoption of management measures that ensure the sustainability of harvests. Harvests from international waters would fall under the IFS provisions of the Convention. These would require catch documentation to the species level for specimens entering the jurisdiction of a State from international waters, along with an NDF indicating that the harvest was sustainable.

Considering the measures in place in the European Union (Member Organization) and North America to control harvest and to rebuild stocks, the listing would mainly affect the meat trade from countries in the Southern Hemisphere to the European Union (Member Organization), and the shark fin trade to China and other Asian countries. Listing in CITES Appendix II would probably strengthen current efforts to ensure that harvesting for trade is commensurate with the Canadian and United States rebuilding plans for the Northwest Atlantic stock.

The Panel also noted that the difficulty of identifying porbeagle products in trade and formulating NDFs might limit the effectiveness of a CITES listing. Species-specific assessments that could provide a basis for NDFs are lacking in the Southern Hemisphere, and requirements for additional information will create a burden that may need to be addressed through capacity building, particularly in developing countries. However, this is not unique to a potential CITES listing for porbeagle; it applies in general to all new management measures and regulations to utilize both marine and terrestrial species sustainably.

General Fisheries Commission for the Mediterranean

See GFCM comments on Proposal 43.

North East Atlantic Fisheries Commission

The only species subject to such a proposal that the North East Atlantic Fisheries Commission (NEAFC) has conservation and management measures regarding is porbeagle (*Lamna nasus*). The NEAFC conservation and management measures that applies to this species is enclosed with this letter.

For your information, NEAFC does not conduct scientific work and has therefore not generated scientific information to share with you. However, NEAFC measures are based on scientific advice from the International Council for the Exploration of the Sea (ICES). The latest ICES advice regarding porbeagle (*Lamna nasus*) can be found on the ICES website (<http://www.ices.dk/committe/acom/comwork/report/2012/2012/Porbeagle%20NEA.pdf>).

Recommendation 6:2012

The North-East Atlantic Fisheries Commission at its annual meeting in November 2011 adopted, in accordance with Article 5 of the Convention on Future Multilateral Cooperation in North-East Atlantic Fisheries, a recommendation for conservation and management measures for porbeagle (*Lamna nasus*) in the NEAFC Regulatory Area from 2012 to 2014

The status of porbeagle (*Lamna nasus*) in Northeast Atlantic is not well known. At present a very limited commercial fishery is taking place. ICES report that information on the status of the stock is poor. Trend in landings and anecdotal information suggest that abundance remains significantly reduced. ICES, therefore, advise a zero TAC for the entire ICES area in 2012. However, there is no information from fishery independent sources on abundance levels, and no catch per unit effort data available to from the basis for an evaluation.

As an interim measure:

1. Each Contracting Party shall, from 2012 to 2014, prohibit all directed fishing on porbeagle (*Lamna nasus*) in the Regulatory Area by vessels flying its flag.
2. Any incidental catches of this resource shall be promptly released unharmed, to the extent possible.
3. Contracting Parties shall submit to ICES all available data on porbeagle, including fisheries data, for further evaluation of the state of the resource.
4. Contracting Parties are encouraged to take conservation measures with equal effect within waters under their national fisheries jurisdiction.

HHRecommendation by the Secretariat

The stocks of the North Atlantic and the Mediterranean Sea clearly meet the criteria for inclusion in Appendix II, the situation for most stocks in the southern hemisphere is less clear cut, but in view of the strong demand in international trade it can be projected that regulation of trade in these populations is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences. It would also be difficult to

distinguish specimens in trade from the different stocks. Inclusion of the whole species in Appendix II would appear to be a measure that is proportionate to the anticipated risks to the species.

Based on the available information at the time of writing (late January 2013) and in line with the conclusion of the majority of the FAO Expert Advisory Panel, the Secretariat recommends that this proposal be adopted.

Proposal 45

Pristis microdon (freshwater sawfish) – Transfer from Appendix II to Appendix I

Proponent: Australia

Provisional assessment by the Secretariat

CITES background

Pristis microdon (along with all other species in the family Pristidae) was proposed for inclusion in Appendix I at CoP14 in 2007. During the discussion of the proposal in Committee I, Australia stated that the population of this species in their country was robust and therefore could support a limited trade for displays in public aquaria which would raise public awareness and increase conservation benefits. They proposed an amendment to include *P. microdon* in Appendix II “For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable aquaria for primarily conservation purposes” instead of Appendix I. The amended proposal was accepted in Committee I with 67 votes in favour, 31 against and 7 abstentions, and adopted in plenary.

Purpose and impact of the proposal

The proponent seeks to transfer *Pristis microdon* from Appendix II to Appendix I. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article III of the Convention. The transfer would align CITES trade controls for this species with those for other species in the same family.

Main points made in the supporting statement and general comments

P. microdon is said to be found in shallow coastal waters, estuaries and rivers of Australia, Cambodia, India, Indonesia, Malaysia, Myanmar, Papua New Guinea, the Philippines and Thailand. However, taxonomic confusion means that some have concluded that it also occurs in Sri Lanka, Viet Nam, the Middle East and Africa. There seems to be widespread agreement, nevertheless, that it has been largely extirpated from most of its former range and the population in Australian waters may now be the only viable one remaining. The supporting statement focuses on this population. Although the view prevailed at CoP14 that this species, and in particular the Australian population, could withstand a very limited off-take, new information is said to show that females of the species move very little during their lives, meaning that the remaining animals are divided into subpopulations [*sensu* Annex 5 of Resolution Conf. 9.24 (Rev. CoP15)] making them much more vulnerable to extinction. The species is widely reported to be considered as “Critically endangered” in the IUCN Red List, but the IUCN website indicated at the end of 2012 that the taxon had not yet been assessed for the IUCN Red List.

Since this species has been included in Appendix II, nine live specimens have been recorded in international trade – all exported by Australia. There are also some signs of illegal trade demonstrating that a demand for international trade remains.

Compliance with listing criteria and other CoP recommendations

The proponent asserts that the species meets all three biological criteria in Annex 1 to Resolution Conf. 9.24 (Rev. CoP15). The wild population is considered small (with less than 5,000 individuals). It also shows a decline in the number of individuals and the area and quality of habitat; has a restricted area of distribution; meets all of the criteria for inclusion in Appendix I that are listed in paragraph B of Annex 1 to the Resolution; and exhibits a marked decline in the population size in the wild. Information about the species is, nevertheless, so scarce and observations of the species so limited that there are few facts and figures. Parties have agreed in Resolution Conf. 9.24 (Rev. CoP15) that, by virtue of the precautionary approach and in case of uncertainty regarding the status of a species or the impact of trade on the conservation of a species, the Parties shall act in the best interest of the conservation of the species concerned and, when considering proposals to amend Appendix I or II, adopt measures that are proportionate to the anticipated risks to the species.

In accordance with Resolution Conf. 8.21, range States were consulted about this proposal. The four that replied supported the proposal.

Final comments

The supporting statement is thorough, bearing in mind the paucity of knowledge on the species. New knowledge about the isolation of subpopulations in the species' stronghold of Australian waters suggests that the species is more vulnerable to international trade than was previously thought.

Comments from Parties and intergovernmental bodies

Food and Agriculture Organization of the United Nations (FAO Expert Advisory Panel assessment report)

ASSESSMENT SUMMARY

CITES biological listing criteria

The Panel found the available information indicates that the freshwater sawfish *Pristis microdon* meets the biological criteria for an Appendix I listing. A similar conclusion was reached by FAO (2007) when assessing the proposal for listing all species of Pristidae in Appendix I.

Comments on technical aspects of the proposal

Biology and ecology: The freshwater sawfish *Pristis microdon* was known to occur in the Indo-West Pacific but limited scientific records and other observations suggest abundance has declined to a small fraction of historical levels. Demographic information from other Pristidae species indicates that sawfishes have a low productivity. Recent genetic studies indicate that the population of Northern Australia *P. microdon* has high levels of mtDNA heterogeneity and no nDNA heterogeneity. These results suggest that *P. microdon* may have a male-biased dispersal. While females remain or return to pupping sites, males are more wide-ranging, being responsible for the gene flow across assemblages.

Trade: Sawfish parts and products of all species are already included under Appendix I; only live individuals of *Pristis microdon* can be traded internationally under Appendix II.

Fisheries management: Only a few range States have adopted management measures to control the take of the species, including Australia, Bangladesh, India, Indonesia, and Malaysia. In addition, all shark fishing is banned in Myanmar.

Likely effectiveness of a CITES listing for the conservation of the species: Any trade in freshwater sawfish products is already prohibited by CITES because the current Appendix II listing only allows the export of live specimens under specified circumstances. Retaining live specimens of all species listed under Appendix I could facilitate the implementation of CITES regulations, as identification to the species level would no longer be necessary.

Recommendation by the Secretariat

Although detailed information about the status of *Pristis microdon* is not available, all indications are that the species meets the criteria for inclusion in Appendix I. In view of the uncertainty regarding the status of a species, the impact of trade on the conservation of a species and the fact that all other species in the genus *Pristis* are already included in therein, the best interests of the conservation of the species would be served by transferring it to Appendix I.

Based on the available information at the time of writing (late January 2013) and in line with the conclusion of the majority of the FAO Expert Advisory Panel, the Secretariat recommends that this proposal be adopted.

Proposal 46

***Manta* spp. (including *Manta birostris*, *Manta alfredi* and any other possible species of *Manta*) - Inclusion in Appendix II**

Proponents: Brazil, Colombia and Ecuador

Provisional assessment by the Secretariat

CITES background

This genus has never been the subject of a listing proposal.

Purpose and impact of the proposal

The proponents seek to include *Manta* spp. in Appendix II. If the proposal is adopted, international trade in specimens of the taxon will be regulated in accordance with Article IV of the Convention.

Main points made in the supporting statement and general comments

The genus comprises two, or possibly three, species which are widely distributed in tropical, subtropical and some temperate waters. Occurrence is reported in 39 States or territories for *Manta alfredi* and 62 States or territories for *M. birostris*. The species occurs primarily in coastal areas subject to national jurisdiction, but also in the marine environment not under the jurisdiction of any State in several regions.

The supporting statement says that the species occurs in subpopulations, but that the evidence that these are “geographically or otherwise distinct groups in the population between which there is limited genetic exchange” [sensu Annex 5 of Resolution Conf. 9.24 (Rev. CoP15)] is restricted to:

- an absence of evidence that exchange occurs from photographic identification databases; and
- evidence that some subpopulations are further apart than the longest recorded movements from satellite tagging.

It is said that there are 14 subpopulations of *M. alfredi*, nine of *M. birostris*, one of the putative species *M. c.f. birostris*, and a further approximately 25 subpopulations for which the species is not mentioned. *M. alfredi* subpopulations are said to number 100-700 specimens each (although with some larger subpopulations in Australia and the Maldives) with those of *M. birostris* ranging from 100-1,000 specimens each. If correct, this would suggest a global population likely numbering in the low tens of thousands. No historical baseline population is available, but declines in population of 50-86 % in the last 10 years or so are reported from some areas, based on market surveys, questionnaires to fishermen and divers' sightings. The species is said to have a very low productivity, although this fact is not referenced.

There is evidence of international trade. The main product sought are the ‘prebranchial appendages’ (or gill rakers) which are said to be used in Asian health tonics, with a lesser demand for cartilage used in some nutritional supplements and skins (use not stated). It is said that gill rakers have a wholesale value of USD 219 per kg and an average retail price USD 849 per kg. Some 21,000 kg of dried *Manta* spp. gill rakers are reported to be found in trade annually, representing an estimated 4,652 manta rays. Some 3,056 specimens of *Manta* spp. are said to be fished each year with 90 % of the catch coming from India, Indonesia and Sri Lanka.

Compliance with listing criteria and other CoP recommendations

The proponents assert that these species qualify for inclusion in Appendix II under paragraph A in Annex 2 of Resolution Conf. 9.24 (Rev. CoP15) – in particular that it is known, or can be inferred or projected, that the regulation of trade in the species is necessary to avoid its becoming eligible for inclusion in Appendix I under paragraph C of Annex 1 to that Resolution (a marked decline in the population size in the wild within the next 5-10 years). They also assert that the species qualify for inclusion under paragraph B in Annex 2 a of Resolution Conf. 9.24 (Rev. CoP15) – it is known, or can be inferred or projected, that regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

Evidence that the current rate of decline would result in the population level decreasing to 30 % of baseline within \pm 10 years seems to be rather limited as referenced percentage declines are reported from only 5 range States (one of which is a principal exporter) and there are no data from the large majority of the range of the species.

The supporting statement makes reference to the frequent confusion between *Manta* spp. and the nine rays in the genus *Mobula* that are fished for the same parts and in the same waters. Annex II of the supporting statement would appear to demonstrate that for the commodities most commonly in trade, it may be challenging for a non-expert to differentiate them.

In accordance with Resolution Conf. 8.21, the supporting statement says that all range States were consulted about this proposal. The only replies mentioned are those of Brazil and Colombia, which decided to be co-proponents.

Final comments

The supporting statement is extensively referenced, but many key references are in the form of personal communications, papers in press or in preparation, or published in non peer-reviewed literature.

Regarding paragraph B in Annex 2 of Resolution Conf. 9.24 (Rev. CoP15), it does appear that *Manta* spp. are particularly susceptible to fishing pressure because of their apparently low reproductive potential. Their aggregating behaviour and the high prices offered for certain products makes them rather vulnerable to over-exploitation. Much of the demand seems to be for international trade. Although the species occur widely in tropical and sub-tropical waters, individual populations seem to be rather small and could be isolated from one another.

There would seem to be potential look-alike problems with the nine ray species in the genus *Mobula*.

Comments from Parties and intergovernmental bodies

Colombia

In this proposal, of which Colombia is a co-proponent, the main comment made by the Secretariat is that many references are in the form of personal communications, papers in press or in preparation, or published in non peer-reviewed literature, which obviously makes it difficult to support. I would be essential to contact Ecuador as a proponent and ask the country to try to include solid technical support in order to strengthen the references and consequently the proposal.

Convention on the Conservation of Migratory Species of Wild Animals (CMS)

Manta birostris, one of the species within the genus *Manta*, was added to CMS Appendix I and II upon the proposal of Ecuador at COP 10 in Bergen 2011. Parties that are Range States of a migratory species listed in Appendix I shall prohibit the taking of animals belonging to such species. Exceptions may be made to this prohibition only if:

- the taking is for scientific purposes;
- the taking is for the purpose of enhancing the propagation or survival of the affected species;
- the taking is to accommodate the needs of traditional subsistence users of such species; or
- extraordinary circumstances so require; provided that such exceptions are precise as to content and limited in space and time.

Such taking should not operate to the disadvantage of the species.

With its adoption, CMS Parties followed the rationale of the proposal of Ecuador (http://www.cms.int/bodies/COP/cop10/appendices_proposals/1_5_manta_birostris_rev1_e.pdf) which clearly describes that *M. birostris* is very vulnerable to human exploitation such as direct or indirect fishing pressure and that the increased demand for fins, liver and gill filaments has led to an increase in direct fishing of *M. birostris* (other *Manta* species were not described in the proposal).

In the *Review of Migratory Chondrichthyan Fishes* it was noted that the Manta ray was listed as Near Threatened on the IUCN Red List, with some regional stocks Vulnerable as a result of declines driven by target and bycatch fisheries for their meat and gill rakers (increasingly utilized in traditional Chinese medicine). At that time target fisheries for this species existed in several countries, including Brazil, India, Indonesia, Madagascar, Mexico, Mozambique, the Philippines, Sri Lanka and the United Republic of Tanzania, and regional population declines had been recorded. It was also noted in the review that females give birth to only one or two huge pups at intervals of two to three years, which limits the ability of the species to recover from unsustainable fisheries. Meanwhile, *M. birostris* was classified as Vulnerable globally on the IUCN Red List.

Food and Agriculture Organization of the United Nations (FAO Expert Advisory Panel assessment report)

ASSESSMENT SUMMARY

CITES biological listing criteria

Considering the decline criteria overall and within regions, there is a paucity of reliable information on historical or recent decline of both species of manta. Thus, the Panel was unable to identify reliable information to assess against the decline criteria throughout the range. It also could not comment on the projected trends of the populations as any projections were likely to be speculative. Both species are pan-oceanic in distribution and thus do not qualify under the distribution criterion.

The Panel was unable to assess the situation of the two species against the small population criteria. The abundance of mantas is described in the proposal in terms of aggregation numbers, population numbers and surveys of sightings in an interchangeable manner. These data could not be reasonably integrated to provide an approximate estimate of global population size. Estimates of the population size using life-history characteristics and distribution could not be reconciled with sightings and removals.

Comments on technical aspects of the proposal

Biology and ecology: Manta rays are low-productivity species. The genus *Manta* has recently been split into two species: *Manta alfredi* and *Manta birostris*. The global population size of both species is unknown. Local aggregations are typically estimated as from hundreds to thousands of individuals.

M. birostris has a circumglobal distribution in tropical, subtropical and temperate waters, while *M. alfredi* is restricted to tropical and subtropical waters. *M. birostris* undergo significant seasonal migrations and are capable of large migrations (> 1 000 km) although movements across ocean basins are presumed rare. *M. alfredi* are more resident to coastal waters, with shorter seasonal migrations. Manta rays are the largest of the rays and both species are planktivores.

Trade: The price of gill rakers is high. The proposal suggests that the value of gill rakers has increased greatly in recent years, leading to an increase in targeted fishing for *Manta* spp. in key range States. No supporting evidence was provided to substantiate these assertions. The lack of commodity codes for the species makes it difficult to verify the extent and trends of the trade in the species products. The current estimates of demand appear to be in the same order of magnitude of catches in the few documented fisheries. The gill raker trade is supplied by both target and bycatch fisheries. These fisheries also supply the domestic meat and international skin market. The Panel concluded that trade is an important driver for the targeted fisheries. In addition, an unknown proportion of the global trade originates from the bycatch in other commercial fisheries.

Fisheries management: Fishery removals are poorly documented. The species are caught in direct fisheries and as bycatch in coastal and offshore fisheries. The proposal suggests that approximately 4 600 individuals are caught annually to supply the trade in gill rakers. Important fishing countries have not adopted specific measures for manta rays, or NPOA-Sharks. Management measures exist, including the banning of the harvesting and/or trade of manta rays in a few range States.

The Panel noted various risk factors for the conservation of manta rays including their low productivity, the seasonal and predictable aggregations, the lack of reliable catch and population information and the lack of management at regional and international levels in most areas.

Likely effectiveness of a CITES listing for the conservation of the species: As there is a proportion of the fishery driven by the international gill raker trade, it is likely that this will be further regulated and monitored if this species is included in Appendix II. The listing would only be effective in addressing concerns about the conservation of the species when combined with strengthened national and international management.

Recommendation by the Secretariat

Specimens from *Manta* spp. are in demand in international trade and the species have a behaviour and biology which renders them vulnerable to harvesting. There is little or no management of fishing for this species and it may be that regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences. The Secretariat agrees with the FAO Expert Advisory Panel that there is a paucity of reliable information about the size of the wild populations and any marked declines that they may or may not have suffered, but by virtue of the precautionary approach, the Secretariat believes that the best interest of the conservation of the species would be served by including them in Appendix II.

Based on the available information at the time of writing (late January 2013) the Secretariat recommends that this proposal be adopted.

Proposal 47

***Paratrygon aiereba* (ceja river stingray) – Inclusion in Appendix II with the following annotation:**

The entry into effect of the inclusion of *Paratrygon aiereba* in CITES Appendix II will be delayed by 18 months to enable Parties to resolve the related technical and administrative issues

Proponent: Colombia

Provisional assessment by the Secretariat

CITES background

This species has never been the subject of a listing proposal.

Purpose and impact of the proposal

The proponent seeks to include *Paratrygon aiereba* in CITES Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention. The entry into effect of this listing is proposed to be delayed by 18 months to enable Parties to resolve related technical and administrative issues.

Main points made in the supporting statement and general comments

P. aiereba is distributed in various aquatic ecosystems of the Amazonas and Orinoco rivers in the Bolivarian Republic of Venezuela, Brazil, Colombia, Ecuador, Peru and the Plurinational State of Bolivia. It is mainly harvested for international trade and with ornamental purposes. The Bolivarian Republic of Venezuela and Brazil export the meat of this animal but they do not export specimens for ornamental purposes.

Even though IUCN reported insufficient data in 2009, to categorize the global status of the populations of *P. aiereba*, Colombia has categorized it as vulnerable and threatened at the national level. The inclusion of *P. aiereba* in Appendix II would help support the efforts of range States to manage their populations in a sustainable manner, monitor trade data and reduce illegal trade. It would also lead to a harmonization of management and legislation across different range States.

The main threats seem to be fishing for food and ornamental purposes, agriculture, tourism, petroleum activities and mining. No demographic data are available, although some expeditions to the species's area of distribution have not found any specimen or have documented medium-sized specimens only, and the proponent expresses concern about the species's apparent scarcity. There are no data on geographical trends or on population structure, but it is important to note that *P. aiereba* has a low fecundity, with long gestation periods, and displays slow growth rates and a long longevity.

The overharvesting of juvenile specimens (the most targeted for commercial purposes) of *P. aiereba* is said to be a major cause in the decline of the wild populations.

The main consumers of products from this species are Brazil, Japan and the Republic of Korea. Fish used for ornamental purposes are mainly imported by China and Thailand. Brazil prohibits the trade on *P. aiereba* for ornamental purposes.

Compliance with listing criteria and other CoP recommendations

The proponent asserts that this species meets the criteria in Annex 2 a) paragraph B of Resolution Conf. 9.24 (Rev. CoP15) because of the vulnerability of its populations in the wild and because the demand for international trade has been the main cause for the reduction of those populations.

All range States were consulted but most had not replied at the time of submission of the amendment proposal.

The species belongs to a monotypic genus and no other species of other genera are mentioned as look-alikes.

Final comments

The proposal does not present information on management measures being implemented in any of the range States. Information on the population monitoring is also not available. Some of the range States have adopted legislation that targets this species, while others, such as Ecuador, have legislation that generally addresses and regulates fishing.

Comments from Parties and intergovernmental bodies

Colombia

According to the comments made by the Secretariat, the proposal should include information on measures implemented by the range States of the species. The Secretariat also mentions the need to prepare identification materials if the proposal is approved.

The Secretariat mentions that it will take full account of the report of the FAO *Ad Hoc* expert panel to complement the proposals and send the final comments to the Parties. We consider that the report by FAO is essential to assess the proposals, complement them and prepare the necessary responses to the proposals that Colombia is associated with.

Food and Agriculture Organization of the United Nations (FAO Expert Advisory Panel assessment report)

ASSESSMENT SUMMARY

CITES biological listing criteria

The Panel noted that the supporting statement of the proposal included many unsubstantiated claims, making evaluation difficult. There is no information available to infer population status and trends. Thus, it was not possible to evaluate whether the populations meet the biological criteria for a CITES Appendix II listing under decline. The species is widely distributed (not meeting the restricted area criterion) and the populations are not believed to meet the criterion of a small population.

Comments on technical aspects of the proposal

Biology and ecology: *P. aiereba* is the only species of the genus *Paratrygon*. The species occurs across a large area of the Amazon and Orinoco river basins. It is considered a higher trophic predator, with low fecundity and a large potential maximum size, compared with other freshwater stingrays. *P. aiereba* is a low-to-medium-productivity species.

Trade: The available data indicate that *P. aiereba* is traded internationally for ornamental use and possibly for consumption but the extent of this trade and the effects on the populations are unknown.

Fisheries management: In addition to international trade, the species is also harvested for other purposes, including domestic consumption and removal to reduce local populations to avoid incidents with tourists (population control). The relative importance of these sources of mortality is unknown. Overall, considering that the capture of the species for the ornamental fish trade is prohibited in Brazil and that the number of specimens legally traded from Colombia according to the proposal is very low, it seems unlikely that harvesting for the ornamental fish trade can be considered as a significant cause of any population change.

There are specific regulations to control ornamental harvest and trade in Colombia and Brazil, but there are no specific management measures in other range States. Specific regulations concerning other uses (food, recreational, population control, etc.) appear to be lacking across the region. This factor as well as the existence of illegal cross-border trade and the unregulated fisheries constitute risk factors for the sustainable use of the species.

Likely effectiveness of a CITES listing for the conservation of the species: The Panel did not find any supporting evidence that a CITES Appendix II listing will probably have an impact on the conservation of the species. Strengthening management by range States will be required in order to address properly the existing concerns about the conservation and sustainable use of the species.

Recommendation by the Secretariat

The Secretariat shares the concern of Colombia as a range States about over-fishing and habitat destruction affecting this species. The proponent claims that the apparent scarcity of, mainly, juvenile specimens of *Paratrygon aiereba* results from overharvesting destined to the international trade for ornamental purposes. However, the proposing statement does not provide demographic data nor volumes exported from range States and the Secretariat shares the view of the FAO Expert Advisory Panel that it seems unlikely that harvesting for the ornamental fish trade is a cause of any population change

If the main intention of Colombia is to ask other CITES Parties for assistance in controlling the international trade in *P. aiereba* for the purpose of preventing or restricting exploitation and verifying the legality of exported specimens, it might consider its inclusion in Appendix III as was encouraged in paragraph c) of Decision 15.85.

On the basis of the information available at the time of writing (late January 2013) the Secretariat recommends that this proposal be rejected.

Proposal 48

***Potamotrygon motoro* and *P. schroederi* (ocellate and rosette river stingrays) – Inclusion in Appendix II with the following annotation:**

The entry into effect of the inclusion of *Potamotrygon motoro* and *Potamotrygon schroederi* in CITES Appendix II will be delayed by 18 months to enable Parties to resolve the related technical and administrative issues

Proponents: Colombia and Ecuador

Provisional assessment by the Secretariat

CITES background

This species has never been the subject of a listing proposal.

Purpose and impact of the proposal

The proponents seek to include *Potamotrygon motoro* and *P. schroederi* in Appendix II and so regulate trade in accordance with Article IV of the Convention. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention. The entry into effect of this listing is proposed to be delayed by 18 months to enable Parties to resolve related technical and administrative issues.

Main points made in the supporting statement and general comments

P. schroederi and *P. motoro* are found in large rivers (including the Orinoco and the Amazonas) of the Bolivarian Republic of Venezuela, Brazil and Colombia. The area of distribution of *P. motoro* also extends to Argentina, Ecuador, Guyana, French Guiana, Paraguay, Peru, the Plurinational State of Bolivia, Suriname and Uruguay.

The main threats seem to be fishing for food and ornamental purposes, and habitat destruction for the construction of ports, hydroelectric operations, petroleum activities, tourism and mining. The proposal does not present much information on population trends. There are no data on geographical trends, but it is important to note that *P. schroederi* and *P. motoro* have a low fecundity, with long gestation periods, and displays slow growth rates and a long longevity.

As in the case of other stingray species, the most demanded specimens are the juveniles. In some localities of Colombia where censuses were conducted, there were no specimens of the species *P. schroederi*, and the proponents express concern about this scarcity. There is information that shows that *P. schroederi* is being bred in captivity in South East Asia. In Singapore, there are introduced populations of these species in the wild. In Peru and Colombia there are some trial operations for breeding these animals in captivity.

Brazil and Colombia report that the main importing countries are China, Germany, Japan, Malaysia and the United States. Mainly traded internationally as an ornamental fish, meat is nevertheless also exported from Brazil, mostly to Asian countries. Only Brazil has a legal framework for the regulation of the exports of freshwater stingrays for ornamental purposes. Colombia and Uruguay have national action plans for the conservation and management of these species. Brazil and Colombia are implementing regulatory measures to establish and apply export quotas based on biological criteria. There is no information on population monitoring.

IUCN reported 'Deficient data' for these taxa (2004 and 2009 assessments). However, Colombia has categorized them as 'Vulnerable' and 'Endangered'. The inclusion of *P. motoro* and *P. schroederi* in Appendix II would help support the efforts of range States to manage their populations in a sustainable manner, monitor trade data, and reduce illegal trade. It would also lead to a harmonization of management and legislation across different range States.

Compliance with listing criteria and other CoP recommendations

International trade in both *P. motoro* and *P. schroederi* is considered the main threat to and cause of reduction

of the wild populations of these South American species. The proponents assert that both species meet the criteria in Annex 2 a) paragraph B of Resolution Conf. 9.24 (Rev. CoP15) because "It is known, or can be inferred or projected, that regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences."

With regard to similar species, the colour pattern of *P. motoro* resembles that of *P. boesemani*, from Suriname; *P. brachyura* from Argentina, Brazil, Paraguay and Uruguay; and *P. henlei* and *P. ocellata* from Brazil. The only species that is similar to *P. schroederi* is *P. tigrina*.

All range States were consulted but most had not replied at the time of submission of the amendment proposal.

Final comments

If this proposal were adopted, the proponents and other range States should prepare identification materials to make available to other Parties, especially for Customs officials.

Comments from Parties and intergovernmental bodies

Colombia

See under Proposal 47.

Food and Agriculture Organization of the United Nations (FAO Expert Advisory Panel assessment report)

ASSESSMENT SUMMARY

CITES biological listing criteria

Evidence of decline in abundance is reported for Colombia, but not to the extent required for consideration in Appendix II. In Brazil, the available information indicates that populations showed no trend. The data available are not sufficient to determine whether the species qualify globally under the decline criteria. The two species are distributed across a large area of South America, although different for each species (thus, they cannot be considered under the restricted area criterion) and the populations do not appear to meet the criterion of a small population.

Comments on technical aspects of the proposal

Biology and ecology: The biology of *P. motoro* has been extensively studied while *P. schroederi* is less studied, resulting in less information being available. Both species occur in the various freshwater environments, including large and small rivers, floodplains and lakes in South America. *P. motoro* and *P. schroederi* have different distribution areas and habitat preferences, with the distribution of *P. schroederi* being less extensive and limited to the Amazon and Orinoco river basins.

The population dynamics of both species are poorly known and very few data are available to infer their productivity, status and trends. However, the available information suggests that *P. motoro* has a medium productivity whilst the productivity of *P. schroederi* is probably lower than that of *P. motoro*.

Trade: Considering the high prices of these freshwater stingrays in the ornamental fish trade and the number of individuals exported, it seems that trade is one of the drivers of exploitation. Export data for Colombia and Brazil indicate that at least 99 000 *P. motoro* and 15 000 *P. schroederi* were exported from the two countries between 1999 and 2011. Exports of *P. motoro* from Peru varied from 7 800 to 30 000 individuals per year between 2000 and 2005. Legal exports from Brazil in the last decade have fluctuated in response to changes in national regulations on international trade. It is likely that the increase in captive breeding may be reducing dependence on wild stocks.

Fisheries management: *P. motoro* and *P. schroederi* are harvested for the ornamental trade and food production. In addition, a negative fishery exists (a fishery that removes stingrays to reduce interaction with tourists). The relative importance of these sources of mortality is unknown. There are specific regulations to control ornamental harvest and trade in Colombia and Brazil (the two main exporters). There are no specific management measures in other range States. This factor as well as the illegal cross-border trade of individuals and the unregulated fisheries for other uses constitute risk factors for the sustainable use of the species.

Likely effectiveness of a CITES listing for the conservation of the species: A CITES Appendix II listing might enhance the existing measures to control harvest for the ornamental trade that are partially implemented by some of the exporting countries. Harvesting for other uses, including for food and population control, will not be affected by a CITES listing. At present, the Panel is not in a position to assess the relative importance of international ornamental trade vis-à-vis other sources of mortality. Strengthening management at country level will be required in order to address the existing concerns about the sustainability of the species.

The Panel noted that the recommendation in paragraph c of Decision 15.85 (to list the species in Appendix III) has not been acted upon by range States. The Panel considers that the implementation of this recommendation will improve trade data, which at present are inadequate.

The potential difficulty in identifying the species in trade will be the main implementation issue of a possible listing, especially considering that this family has polychromatism (wide inter- and intraspecific colour variation) and hybrids are in international trade.

Recommendation by the Secretariat

The Secretariat shares the concern of the proponents as range States about overfishing, habitat loss and pollution affecting these species. Although data are scarce or inexistent this proposal would seem to indicate that the international demand and trade could be causing the reduction of the population of *Potamotrygon motoro* in some parts of its range. However, there is insufficient information to confirm whether these two species meet or not the criteria to be listed in Appendix II and the development and expansion of captive-breeding operations in Asia providing hybrids and domesticated morphs may have decreased the dependence on wild-caught fishes.

If the main intention of Colombia and Ecuador is to ask other CITES Parties for assistance in controlling the international trade in *Potamotrygon motoro* and *P. schroederi* for the purpose of preventing or restricting exploitation and verifying the legality of exported specimens, they might consider its inclusion in Appendix III as was encouraged in paragraph c) of Decision 15.85.

On the basis of the information available at the time of writing (late January 2013) the Secretariat recommends that this proposal be rejected.

Proposal 49

Papilio hospiton (Corsican swallowtail butterfly) – Transfer from Appendix I to Appendix II

Proponent: Denmark (on behalf of the Member States of the European Union)

Provisional assessment by the Secretariat

CITES background

Papilio hospiton was included in Appendix I at CoP6 in 1987.

Purpose and impact of the proposal

The proponent seeks to transfer *Papilio hospiton* from Appendix I to Appendix II. If the proposal is adopted, international trade in specimens of the species will be regulated in accordance with the provisions of Article IV of the Convention.

Main points made in the supporting statement and general comments

The species occurs on the islands of Corsica (France) and Sardinia (Italy).

The status of the populations of this species has changed since its inclusion in Appendix I in 1987. In 2000, the species was considered to be critically endangered in the wild and/or known to be difficult to keep or breed in captivity. Nowadays, the species is considered widespread and locally abundant. Its breeding in captivity is possible and occurring, for research purposes, at the University of Cagliari.

The population size is estimated to be greater than 10 000 adults, hence it does not meet criterion A of Resolution Conf. 9.24 (Rev. CoP15), Annex 1, and its area of distribution is considered relatively large (estimated at more than 20 000 km²).

No major threats have been identified for the habitat or the species. *P. hospiton* occurs in a number of protected areas and is protected nationally and internationally. The species is considered to be one of the best-protected arthropods globally, although no management measures have been adopted by the range States.

The 2010 IUCN Red List Assessment reported the population trend as 'increasing' and, on the same year, the IUCN also classified the species as 'Least Concern'. No declines had been observed over the last 40 years.

Compliance with listing criteria and other CoP recommendations

This proposal was prepared in the context of Resolution Conf. 14.8, having been agreed by the Animals Committee by postal procedure in August-September 2012.

The proponent asserts that the species no longer meets the biological criteria for inclusion in Appendix I as the wild population is not small, the distribution not limited and the species is thought to be stable or increasing.

The proponent states that, as per the precautionary measures outlined in Resolution Conf. 9.24 (Rev. CoP15), Annex 4, the species is not in demand for international trade, nor is its transfer to Appendix II likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I (criterion A. 2 a).

Furthermore, the proponent states that, if the transfer to Appendix II were to stimulate demand for the species, its management is such that the Conference of the Parties would be satisfied with: i) implementation by the range States of the requirements of the Convention, in particular Article IV; and ii) appropriate enforcement controls and accordance with the requirements of the Convention (criterion A. 2 b).

The only similar taxon seems to be *Papilio machaon*, which is not listed in CITES.

Final comments

There does not seem to be any remarkable demand in international trade for specimens of this species. Trade records show pre-Convention specimens traded for personal or scientific purposes, with three wild specimens traded for circuses and travelling exhibitions.

Comments from Parties and intergovernmental bodies

None

Recommendation by the Secretariat

This species not longer meets the criteria for inclusion in Appendix I. There is no international trade in the species.

On the basis of the information available at the time of writing (late January 2013), the Secretariat recommends that this proposal be adopted.