

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



Seventeenth meeting of the Conference of the Parties
Johannesburg (South Africa), 24 September – 5 October 2016

Interpretation and implementation matters

Trade control and traceability

IDENTIFICATION OF ORIGIN OF CETACEANS BRED OR KEPT IN CAPTIVITY

1. This document has been submitted by Ukraine.*
2. Resolution CoP17 Doc.41 on the identification of origin of cetaceans bred or kept in captivity recommends that Parties
 - a) provide for the identification through genetic markers of the specimens bred or kept in captivity of *Tursiops truncatus* and develop the appropriate methodologies for this purpose;
 - b) establish on a national or regional basis and register with the CITES Secretariat central repositories where the relevant genetic identification data are stored and made accessible on-line and exchange information and capabilities on the methodologies used for the relevant genetic analysis.
3. It also recommends that the CITES Secretariat co-operate for this purpose with the Secretariats of the relevant international conventions applicable at the world or regional basis, in particular the Bonn Convention, the Bern Convention, the Bucharest Convention and ACCOBAMS, in order to coordinate efforts and to avoid duplication.
4. Article II of ACCOBAMS, the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area¹, requires all Parties to “prohibit and take all necessary measures to eliminate, where this is not already done, any deliberate taking of cetaceans”. In spite of this, at its Fifth Meeting (Tangier, November 2013), the Meeting of the Parties to ACCOBAMS passed Resolution 5.14 on live removals of bottlenose dolphins in the Black Sea (*Tursiops truncatus*), expressing concern that “recent reports indicate the continued live removal of specimens of Black Sea bottlenose dolphin” and awareness “that the practice of taking live Black Sea bottlenose dolphins from the wild to trade them or to keep them in captivity constitutes a breach of the Agreement.” It invites Parties “to make every effort to strictly enforce the prohibition of deliberate taking of Black Sea bottlenose dolphins” and “to reinforce the interdiction of the importation, exportation and reexportation of Black Sea bottlenose dolphins from the Agreement area”².

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

¹ *The Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area (ACCOBAMS) is a legal conservation tool based on cooperation. It is the first Agreement on cetacean conservation binding the Countries of these sub-regions, enabling them to work together on a matter of general interest. It was created under the auspices of the Bonn Convention (UNEP/CMS).*

² http://www.accobams.org/images/stories/MOP/MOP5/Documents/Resolutions/mop5.res5.14_live%20removals%20of%20bottlenose%20dolphins%20in%20the%20black%20sea.pdf

5. Such activities are also contrary to both the objective set within the Black Sea Conservation Plan for Cetaceans, which foresees the elimination of live captures of cetaceans, and the provisions of the Bern Convention.
6. A zero quota is established under CITES for live specimens from the Black Sea population of *Tursiops truncatus* removed from the wild and traded for primarily commercial purposes³. The Black Sea bottlenose dolphin (*Tursiops truncatus* ssp. *ponticus*) is classified as “endangered” on the IUCN Red List of Threatened Species.⁴
7. CITES Resolution Conf. 8.13 (Rev.) recommends that Parties, “where possible and appropriate, *without excluding the use of other methods*, adopt the use of implantable transponders bearing permanent, non-programmable, unalterable and permanently unique codes for the identification of live animals [emphasis added]”.⁵
8. At its Fifth Meeting of the Parties (MOP5), Parties noted that live removals in the Agreement area have continued, as have trade activities and that dolphins involved in international trade have often been classified as captive-bred while such animals are replaced with wild-caught animals⁶. Nevertheless, at this level it is quite difficult to verify the claims whether the animals are of captive origin or whether they have been replaced by wild-caught animals. In order to reduce this type of practice the possibility of marking and registering the animals would be useful so that for future cases there is more transparency to verify whether the animals are substituted or not. In this context, at MOP5, the ACCOBAMS Secretariat, based on the advice of the ACCOBAMS Scientific Committee, underlined the significance of genetic analysis to identify the origin of cetacean specimens and reduce the danger of fraud linked to the use of microchips.
9. Resolution 5.14 was thus introduced at MOP5 by Ukraine. It asks Black Sea Parties “to carry out an assessment and an inventory of all specimens of bottlenose dolphins kept in captivity by means of genetic, morphological and photographic identification methods” and “to adopt appropriate measures to prevent the substitution of Black Sea bottlenose dolphins that die in captivity by others taken from the wild”. Finally it asks the ACCOBAMS Secretariat to communicate the resolution to, *inter alia*, the CITES Secretariat. Document ACCOBAMS-MOP5/2013/Doc20 was made available at MOP5 and is now presented at CITES CoP17 as Resolution CoP17 Doc. 41.
10. The 18th Advisory Group meeting on the Environmental Aspects of the Management of Fisheries and other Marine Living Resources (FOMLR AGs) held back-to-back with the Conservation on Biological Diversity (CBD) Advisory Group Meeting (Istanbul, March 2015) agreed to produce the short annual report of the CBD and FOMLR AGs to the Black Sea Commission (general part and specific part). They agreed on a format of reporting, also taking into account the ACCOBAMS, General Fisheries Commission for the Mediterranean (GFCM) and EU Marine Strategy Framework Directive approaches and including the Item “Specimens of Black Sea bottlenose dolphins in captivity” to be reported yearly then to be included as an item in the draft Black Sea Integrated Monitoring and Assessment Program (BSIMAP) for 2015-2020.
11. According to exporter reported data recorded in the CITES Trade Database,⁷ there were 1,087 live *Tursiops truncatus* specimens directly exported between 2000 and 2015⁸. According to exporter reported data, 95 of these were directly exported from Black Sea range states.
12. With regard to direct exports of *Tursiops truncatus* from Black Sea range states, no direct trade in wild-sourced live individuals has been reported since 2007; for captive-bred individuals the highest levels were reported in 2012 and 2013. The table below demonstrates the trend in reported exports of wild-sourced and captive-bred individuals prior to and following the establishment in 2002 of a zero quota for live specimens from the Black Sea population of *Tursiops truncatus* removed from the wild and traded for primarily commercial purposes.⁹

³ <https://cites.org/sites/default/files/eng/app/2016/E-Appendices-2016-03-10.pdf>

⁴ <http://www.iucnredlist.org/details/133714/0>

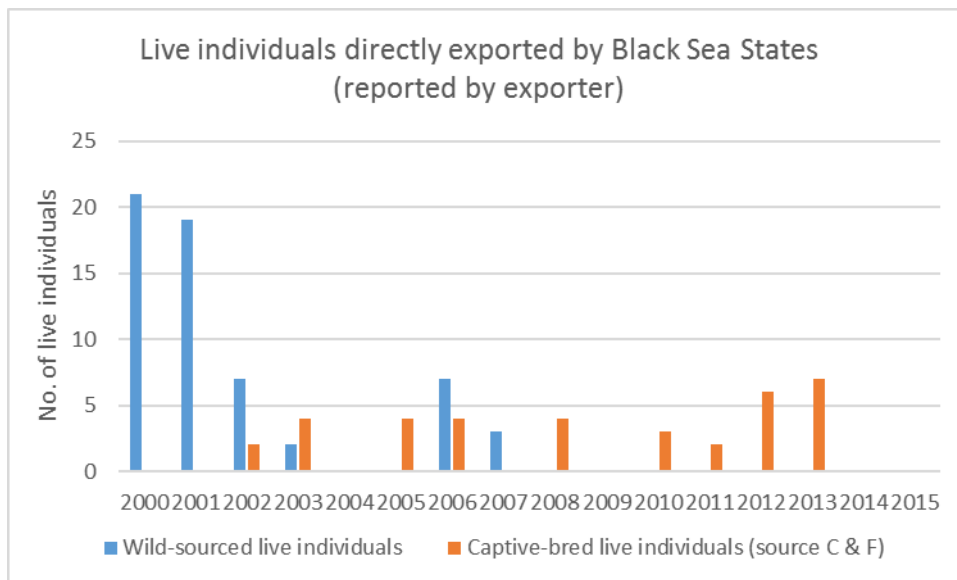
⁵ <https://cites.org/eng/res/08/08-13R11C15.php>

⁶ <http://www.accobams.org/images/stories/MOP/MOP5/Documents/mop5%20final%20report.pdf>

⁷ CITES trade statistics derived from the CITES Trade Database, UNEP World Conservation Monitoring Centre, Cambridge, UK

⁸ Data for 2015 should be considered incomplete as Parties Annual Reports are not due until 31st October 2016

⁹ CITES trade statistics derived from the CITES Trade Database, UNEP World Conservation Monitoring Centre, Cambridge, UK



13. Resolution CoP17 Doc.41 has been developed to provide additional means by which Parties can take measures to prevent illegal trade, including in support of Resolution Conf. 9.7 (Rev. CoP15) on transit and transshipment¹⁰. Many facilities holding *Tursiops truncatus* and other species in captivity already collect and store genetic information on specimens they hold and the provision of this information to a central repository would not be an unnecessary burden.
14. We therefore recommend the adoption of Resolution CoP17 Doc.41 at CoP17.

COMMENTS FROM THE SECRETARIAT

- A. The bottle-nosed dolphin *Tursiops truncatus* is a species listed in Appendix II and rated of 'Least concern' in the IUCN Red List with a minimum world-wide population estimate of 600,000 specimens. The number of live specimens reported in international trade has been 100-200 per year in recent years. In the circumstances, it is unclear why such a marking and registration system is required for this species where levels of trade are very low. The establishment of such a marking and registration systems proposed does not appear to be a conservation priority. As drafted, the Secretariat does not see any justification for the Conference of the Parties to adopt the draft resolution.
- B. Should the draft resolution in the present document be adopted, the Secretariat would be required to establish a register of central repositories where the relevant genetic identification data are stored and make relevant genetic identification data available online; and to co-operate over this matter with the secretariats of the relevant international conventions applicable at a global or regional level. Depending on the expectations of Parties and other international conventions, the establishment of a database and online access would require an initial investment of 30-50,000 USD and annual maintenance costs thereafter.

¹⁰ <https://cites.org/eng/res/09/09-07R15.php>

DRAFT RECOMMENDATION ON THE IDENTIFICATION OF ORIGIN
OF CETACEANS BRED OR KEPT IN CAPTIVITY

RECALLING that Article VII, paragraphs 4 and 5, of the Convention specifically provides for regulated international trade in specimens of species included in Appendix I that have been bred in captivity for commercial purposes;

STRESSING that, while included in Appendix II of the Convention, a zero annual export quota has been established for live specimens from the Black Sea population of *Tursiops truncatus* removed from the wild and traded for primarily commercial purposes;

NOTING its previous decisions 11.91 and 11.139, both regarding *Tursiops truncatus ponticus* (Black Sea bottlenose dolphin), which is a cetacean species bred or kept in captivity;

CONSIDERING that there is a need to identify specimens of *Tursiops truncatus* that are subject to international trade;

NOTING that, in the case of cetacean species, there is a need to identify not only the whole animal (alive or dead), but also the body parts or products containing body parts, such as teeth or bone fragments, that may be involved in trade;

RECALLING that Article VI, paragraph. 7, of the Convention provides that, where appropriate and feasible, a Management Authority may affix a mark upon any specimen to assist in identifying it and that, for these purposes, the term "mark" includes also any suitable means of identifying a specimen, designed in such a way as to render its imitation by unauthorized persons as difficult as possible;

CONSCIOUS that, as recommended in Resolution Conf. 7.12 (Rev. CoP15), in order to facilitate the application of regulatory controls any system of marking specimens bred or kept in captivity must be practical and readily implementable, having due regard for the humane care, well-being and natural behaviour of the specimens concerned;

STRESSING the relevance of genetic research to elaborate specific conservation measures;

AWARE that the most effective, practical and humane way of identifying specimens bred or kept in captivity of cetacean species is through genetic markers based on a sample of blood, saliva or skin sent to a reference laboratory for the identification of genetic characteristics of the specimen;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) Parties provide for the identification through genetic markers of the specimens bred or kept in captivity of *Tursiops truncatus* and develop the appropriate methodologies for this purpose;
- b) Parties establish on a national or regional basis and register with the CITES Secretariat central repositories where the relevant genetic identification data are stored and made accessible on-line;
- c) Parties exchange information and capabilities on the methodologies used for the relevant genetic analysis;
- d) The CITES Secretariat co-operate for this purpose with the Secretariats of the relevant international conventions applicable at the world or regional basis, in particular the Bonn Convention, the Bern Convention, the Bucharest Convention and ACCOBAMS, in order to coordinate efforts and to avoid duplication.