

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



Eighteenth meeting of the Conference of the Parties
Colombo (Sri Lanka), 23 May – 3 June 2019

Strategic matters

SECURING BETTER IMPLEMENTATION OF MARINE FISH SPECIES
LISTINGS IN THE APPENDICES

1. This document has been submitted by Antigua and Barbuda.*
2. Against the background of more proposals for marine fish listings in CITES Appendices, it is evident that in the period after CoP12, the rapid increase in the listing of aquatic species has not been matched, despite some capacity building efforts, by adequate measures of implementation or calibration of efficacy. Sometimes, listings have boosted illegal activities (SC69 Doc.47.2). Generally, this has placed a considerable burden upon the resources of relevant regulatory and Management Authorities.
3. Among the most recognised deficiencies to arise from the implementation of existing listings is the confusion surrounding the European Eel (*Anguilla Anguilla*) and the Humphead Wrasse (*Cheilinus Undulatus*). Since CoP13 and with regard to Humphead Wrasse, every Conference of the Parties, as well as several Standing Committee meetings and Animal Committee meetings and Working Groups, have been obliged to address problems and difficulties associated with the implementation of these listings.
4. At CoP16 and CoP17, more listings of marine fish species were agreed, which made the effective management of listed marine fish species since CoP12 still harder to achieve and manage.
5. The inadequacy of efforts to ameliorate the problems relating to the implementation of existing marine species has limited the ability of the Parties to secure the desired conservation results that these listings in the CITES Appendices were supposed to confer.
6. From the perspective of effective conservation of aquatic species, it is imperative that problems with existing listings are resolved and that adequate measurement of their efficacy is established. This can best be achieved by calling a halt to the adoption of new listings of marine species, until such time as the current listings have been determined to provide conservation benefits, and proper processes for implementing the listings are put in place.
7. More details will soon become available through an Information document.

* 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.

DRAFT RESOLUTION FOR THE CONFERENCE OF THE PARTIES

CONSIDERING the decisions of the Conference of the Parties to include in its Appendices marine fish species subject to high volume trade;

CONSIDERING that CITES has a clear responsibility to ensure that its decisions to list species in its Appendices produce quantifiable conservation benefits for the listed species;

TAKING INTO ACCOUNT the difficulties encountered with the implementation and enforcement of CITES provisions for most marine fish species listed in Appendix II, including Humphead Wrasse, European Eel and Sea Horses;

CONCERNED that no conservation benefits have yet been established by CITES for the marine fish species listed prior to CoP16; and

NOTING that no process has been established by CITES to measure any conservation benefits for the species listed at CoP16 and CoP17;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. DECIDES to:

- a) Request the CITES Secretariat, in consultation and cooperation with the Food and Agriculture Organization of the United Nations, to undertake at the earliest opportunity a complete review of the efficiency, from a conservation and management perspective, of all marine fish species listed at CoP12 (Santiago, Chile, 3-15 November 2002) and at subsequent CoP meetings;
- b) Recommend greater investment in the management frameworks to secure implementation of current listings of commercially exploited aquatic species, in preference to the adoption of any further proposals of such species, until such a time as the review mentioned in paragraph 1. above has been completed; and
- c) Urge the Parties not to make further proposals for the listing of marine fish species in the Appendices until the review mentioned in paragraph 1. has been completed.

COMMENTS OF THE SECRETARIAT

- A. The document argues that there are problems and difficulties with the implementation of CITES-listings for some marine species, but the Secretariat cannot find supporting information or evidence for these claims in the document. It indicates that "more details will soon become available in an information document".
- B. The author of the document proposes a draft resolution seeking a review of the existing marine species listings in the CITES Appendices and urges Parties not to submit any new amendment proposals involving marine species until such a review is completed.
- C. The Secretariat finds it difficult to comment properly on the statements and claims in the document as there is a lack of evidence to support them.
- D. The second preambular paragraph of the proposed resolution states "that CITES has a clear responsibility to ensure that its decisions to list species in its Appendices produce quantifiable conservation benefits for the listed species". This consideration seems the main rationale for submitting the document, but the premise is not supported by the text of the Convention. There is no requirement for pre- or post-listing impact assessments as suggested by the proponent. Resolution Conf. 9.24 (Rev. CoP17) on *Criteria for amendment of Appendices I and II*, in which CITES Parties agreed on specific listing criteria for the inclusion of species in the CITES Appendices, does not contain such a requirement or "clear responsibility".

- E. The Secretariat recalls that Article XV of the Convention sets out the sovereign right of Parties to propose amendments to Appendix I or II. Therefore, the Secretariat cannot recommend preventing any future marine listings until a review of current listings has taken place, as proposed in the draft resolution.
- F. The Secretariat notes that the successful implementation of CITES listings requires a long-term vision and benefits greatly from continued efforts to deliver extensive capacity-building activities, in particular when engaging with new stakeholders, such as in the case of those managing marine species.

TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP16) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The authors of this document propose the following tentative budget and source of funding.