

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

Species specific matters

Jaguar (*Panthera onca*)

ILLEGAL TRADE IN JAGUAR

1. This document has been submitted by Peru.*

Background

2. The jaguar (*Panthera onca*) has been included in Appendix I since 1 January 1975. It occurs mainly in forests with dense vegetation and the presence of water bodies but can also be found in swampy areas, seasonally flooded grasslands and dry forests throughout the Americas, from the southern United States to the north of Argentina and the north west of Brazil. Its populations have substantially declined or have been extirpated in some areas of El Salvador, the United States, Uruguay, Argentina and Mexico. The jaguar is protected throughout its range, and it is forbidden to hunt it in Argentina, Brazil, Colombia, Costa Rica, French Guyana, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Plurinational State of Bolivia, Surinam, the United States and Venezuela.
3. The jaguar is the largest cat species and the only representative of the genus *Panthera* that occurs in the Americas; it also plays an important role in ecosystem balance. The species was historically subjected to a strong pressure from hunting and persecution; this, along with habitat loss and overexploitation of its prey species, led to its disappearance in part of its range, mainly in the United States, El Salvador and Uruguay. It has recently been estimated that the range of the jaguar may have declined by 55% over the last century. Except for the subpopulations of the Amazon, the Chaco and the Pantanal, all the other subpopulations are threatened due to their small size, isolation, low level of protection and growing human presence (De la Torre et al., 2017).
4. Conservation efforts and the decrease in hunting and the demand of jaguar skins have contributed to the recovery of the species in some countries. However, international demand of other jaguar parts (e.g., teeth, skulls, claws) persists and has increased. This, combined with habitat pressure, remains a threat to the medium-term survival of the species. The growing international demand of jaguar teeth and other parts has emerged to replace tiger parts in the Asian market, which increases the vulnerability of the species.
5. Since 2010 there are records of the killing of jaguars in the Guianas, reportedly intended to meet the Asian demand of parts for crafts, meat and traditional medicine (Kerman and Felix 2010). Moreover, from August 2014 to February 2015, the Bolivian authorities intercepted and confiscated eight postal shipments in Santa Cruz and Cochabamba that were destined to China. The total number of specimens confiscated in Bolivia amounts to 186 teeth, which is believed to have entailed the death of at least 50 jaguars.

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

6. The jaguar is protected in Peru by Supreme Decree No. 004-2014 of the Ministry of Agriculture and Irrigation, approving the update of the list of legally protected endangered species of wildlife, and classified as “near threatened” in the list.
7. In Peru, several natural protected areas have been created in which jaguar populations are conserved: Tambopata National Reserve, Manu National Park, Bahuaja Sonene National Park, Alto Purús National Park, Pacaya Samiria National Reserve, Tamshiyacu Tahuayo Regional Conservation Area and Pucacuro National Reserve. Population monitoring, environmental education and ecotourism activities take place in these protected areas.
8. In addition, Peru has a “National strategy to reduce illegal trade in wild species” (approved by Supreme Decree No. 011-2017 of the Ministry of Agriculture and Irrigation on 14 August 2018) and is conducting actions for its implementation, including demand-reduction campaigns, identification of the main areas and routes of illegal trade, and intensified controls and seizures.
9. The Plurinational State of Bolivia recognizes the right of other living beings to develop in a normal and permanent way in Article 33 of its Public Constitution. In fact, the jaguar and all other wildlife are considered gifts from Mother Earth and the natural heritage of the Bolivian people, in accordance with Act No. 300.
10. It is forbidden to hunt jaguars in the Plurinational State of Bolivia, in accordance with Article 9, paragraph II of Supreme Decree No. 3048, which restricts the hunting and use of wildlife specimens included in CITES Appendix I.
11. The Government of the Plurinational State of Bolivia is currently implementing actions aimed at the protection and legal defense of the jaguar. Since 2014, for example, it has initiated about fifteen criminal proceedings for the commission of offences related to illegal trade in jaguars. To date, there have been four convictions with penalties of imprisonment for these infringements. Bolivia’s commitment to conserve and protect Mother Earth requires the implementation of new strategies, actions and activities aimed at combating illegal trade in jaguars and other wildlife.
12. In March 2018, the Jaguar 2030 High Level Forum took place, with the participation of representatives of 14 range states of the jaguar. At the forum, these countries issued a joint statement committing to protect the species, highlighting the importance of international cooperation between countries of origin, countries of destination and transit countries to end illegal trade in jaguar products.
13. Document SC70 Doc. 51, section 3.1.5 provides evidence of growth in the demand of jaguar parts to satisfy the Asian market.

Recommendation

14. In order to contribute to the conservation of this flagship species by reducing and/or ending its demand and/or illegal trade, we urge the Parties to implement the following actions:
 - a) Recognize the jaguar as the flagship species of its range countries so that the protection and conservation of the species and its habitat becomes a joint responsibility.
 - b) Strengthen cross-border control between the range States of the jaguar, increasing preventive actions and controls at the entry and exit points of goods and baggage, and also intelligence work to identify poachers, illegal traders and their networks.
 - c) Increase the inspection and control of goods and baggage in countries that constitute the final illegal market and adopt any policies and actions that may be necessary to raise awareness of the issue.
 - d) Increase awareness-raising and outreach efforts about the importance of the conservation of the jaguar and its habitats as well as the existing regulations and penalties.
 - e) Generate and exchange information about the status of jaguar populations, their habitats and the effects of existing threats.
 - f) Manage and strengthen cooperation mechanisms on a local, national and regional level in order to promote good conservation practices in the corridors of range countries, channel investments to the

conservation of the jaguar and its habitats, reduce the threats to the connectivity of its habitats, and strengthen the capacities of the main players involved in the conservation of the species and its habitats.

15. We recommend that the Conference of the Parties adopt the draft resolution included in Annex 1 to the present document.

COMMENTS OF THE SECRETARIAT

- A. Two documents on the jaguar (*Panthera onca*), were submitted for the present meeting. These are documents CoP18 Doc. 77.1 on *Jaguar trade* submitted by Costa Rica and Mexico, and CoP18 Doc. 77.2 on *Illegal trade in jaguar* submitted by Peru. The Secretariat comments below apply to both documents.
- B. The Secretariat notes that the documents partly overlap. For example, an externally funded study on illegal trade in jaguars is proposed in both draft decision 18.AA in Annex 1 to document CoP18 Doc. 77.1, and in paragraph 2 b) of the proposed draft resolution on *Conservation and control of trade in jaguars (Panthera onca)* in Annex 1 to document CoP18 Doc. 77.2. To facilitate discussions at the present meeting, the submitting Parties may wish to consider merging the two documents taking into consideration the comments of the Secretariat. An agreed consolidated version in the form of an in-session document could be presented for consideration by the Conference of the Parties at the beginning of the meeting of the Conference of the Parties.
- C. The Secretariat supports, in principle, the draft decisions in Annex 1 to document CoP18 Doc. 77.1, however, it recommends that they be amended as proposed in paragraph G for the reasons specified below in paragraph F i) to iii).
- D. Regarding the draft resolution proposed in Annex 1 to document CoP18 Doc. 77.2, the Secretariat considers that this is premature, and that it would be more appropriate to first conduct a study on illegal trade in jaguars. The Secretariat notes that information currently available suggests that multiple threats might be affecting jaguar populations, and that there is scarce reliable data currently available on illegal trade. The Secretariat elaborates on the matter of demand for big cat specimens in Asia that might be contributing to an escalation of illegal trade in South American big cat species, such as *Panthera onca*, in paragraphs 47 and 48 of document CoP18 Doc. 71.1 on *Asian big cats (Felidae spp.)*. The Secretariat considers that it is important to gain a better understanding of the matter before consideration is given to a resolution. The Secretariat further notes that paragraph 2 e) i) of Resolution Conf. 4.6 (Rev. CoP17) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, recommends that draft resolutions do not include instructions or requests to committees, working groups or the Secretariat, unless they are part of a long-term procedure. Paragraph 2 e) iii) of Resolution Conf. 4.6 (Rev. CoP17) further recommends that draft resolutions not include recommendations (or other forms of decision) that will be implemented soon after their adoption and will then be obsolete. Several provisions contained in the draft resolution proposed in Annex 1 to document CoP18 Doc. 77.2, such as those in paragraph 2 for example, would seem to be more suitable to address thorough short-term activities such as those proposed by the draft decisions presented in paragraph G below. Further, paragraph 5 of Resolution Conf. 4.6 (Rev. CoP17) states that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties which 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 tasks outlined in paragraph 2 of the draft resolution will have both budgetary and workload implications, and the Secretariat notes that document CoP18 Doc. 77.2 does not include any tentative budget or source of funding for the implementation of the proposed draft resolution. Due to these reasons, the Secretariat does not support the adoption of the draft resolution proposed in Annex 1 to document CoP18 Doc. 77.2.
- E. The Secretariat commends the 2018 launch of the *Jaguar 2030 Conservation Roadmap for the Americas*, involving 14 jaguar range States, aiming to strengthen the Jaguar corridor, ranging from Mexico to Argentina, through securing 30 priority jaguar conservation landscapes by the year 2030. Considering that loss of habitat, a reduction of natural prey and human-wildlife conflict are all known matters that have significant negative impacts on jaguar populations, this undertaking seems essential. Further, considering that there might be a link between demand for big cat specimens in Asia and illegal trade in South American big cat species, the Secretariat believes that this matter can also be addressed through the activities to be conducted by the Big Cat Task Force, as proposed in document CoP18 Doc. 76.1 on African lion (*Panthera leo*).

- F. As noted in paragraph C above, the Secretariat supports, in principle, the draft decisions in Annex 1 to document CoP18 Doc. 77.1, but recommends that they be amended for the reasons specified below:
- i) Draft decision 18.AA, paragraph a), sub-paragraph vi), in Annex 1 to document CoP18 Doc. 77.1, proposes the development of “a standardized database on georeferenced jaguar poaching/illegal trade cases to aid identification of trade routes and trend analysis”. The Secretariat considers that the management and analyses of data collected through the annual illegal trade reports submitted by Parties in accordance with paragraph 3 in Resolution Conf. 11.17 (Rev CoP17) on *National reports*, and the activities anticipated by paragraph 4 in the Resolution, would address this matter. Therefore, the Secretariat does not support the adoption of draft decision 18.AA, paragraph a) vi).
 - ii) Regarding draft decision 18.AA, paragraph d), in Annex 1 to document CoP18 Doc. 77.1, on seeking “external funding to support the study, as appropriate”. The Secretariat considers that draft decision 18.CC proposed in Annex 2 to document CoP18 Doc. 7.5 on *Access to funding, including GEF funding*, sufficiently addresses this matter. The Secretariat believes, therefore, that draft decision 18.AA, paragraph d), is not needed.
 - iii) Draft decision 18.AA proposes a study of illegal trade in jaguars, and the Secretariat suggests that it would be more appropriate for the Standing Committee to consider the findings of the study first. If needed, the Standing Committee can request the Animals Committee to consider specific matters identified. In the light of this, the Secretariat considers that draft decision 18.CC directed to the Animals Committee is not needed. The Secretariat will explore the most appropriate way to conduct the study.
- G. In light of the above, the Secretariat proposes that the Conference of the Parties adopt the draft decisions in Annex 1 to document CoP18 Doc. 77.1, as amended below (text to be deleted is in ~~strike through~~; proposed new text is underlined):

18.AA Directed to the Secretariat

The Secretariat shall:

- a) subject to the availability of external funding, ~~contract a consultancy to undertake~~ commission the following study on illegal trade in jaguars (*Panthera onca*) to:
 - i) map the illegal trade in jaguar throughout its range, including poaching, trade pathways and networks, and main markets that are driving this trade;
 - ii) analyse the ~~extent and~~ uses of jaguar specimens both within range States, as well as in international markets; and
 - ~~iii) analyse the extent to which~~ extent illegally-sourced jaguar products are entering international trade;
 - ~~iiii) analyse the modus operandi associated with illegal trade in jaguar specimens and possible mechanisms of the supply chain, as well as drivers of the~~ this illegal trade; and
 - ~~iv) characterize the overall impact of the illegal trade on jaguar populations throughout its range;~~
 - ~~vi) develop a standardized database on georeferenced jaguar poaching/illegal trade cases to aid identification of trade routes and trend analysis; and~~
- ~~bvi) based on present the findings above of the study referred to in Decision 18.AA, paragraph a), to the Standing Committee together with~~ develop any recommendations it may have for Parties and relevant stakeholders to tackle the illegal trade of jaguar, including synergies with other organizations such as the United Nations Development Programme (UNDP); and
- ~~bc) issue a Notification seeking input from Parties, in particular exporting, re-exporting and importing countries affected by illegal trade in jaguar (Panthera onca) specimens, and relevant stakeholders to provide information to the Secretariat to share with the consultant for the purposes of completing the study outlined under in Decision 18.AA, paragraph a) above.~~

- ~~c) report on progress with the implementation of this Decision to the Animals Committee and the Standing Committee, as appropriate; and~~
- ~~d) seek external funding to support the study, as appropriate.~~

18.BB *Directed to Parties, especially those that are range States of jaguars (*Panthera onca*), and relevant stakeholders*

Parties, especially those that are range States for jaguar (*Panthera onca*) and relevant stakeholders, are encouraged to collaborate ~~by~~ along the following lines:

- a) supporting the work of the consultancy referred to under paragraph a) of Decision 18.AA, ~~including seeking external funding;~~
- b) responding to the Notification as described in paragraph ~~b~~c) of Decision 18.AA;
- c) raising awareness on jaguar importance, status and threats, including illegal trade of jaguar specimens; and
- d) strengthening capacity building and information exchange regarding jaguar conservation, legal and illegal trade.

~~**18.CC *Directed to the Animals Committee***~~

~~_____ The Animals Committee shall:~~

- ~~_____ a) consider the progress reported by the Secretariat and make recommendations regarding the study referred to under Decision 18.AA; and~~
- ~~_____ b) make recommendations to the Standing Committee and the 19th meeting of the Conference of the Parties, as appropriate.~~

~~**18.DDCC *Directed to the Standing Committee***~~

~~The Standing Committee shall: a) consider the findings of the study referred to in any report prepared in response to Decision 18.AA, and the report and recommendations of the Secretariat by range States and the Animals Committee in accordance with Decisions 18.BB and 18.CC, and make formulate recommendations as appropriate including to the 19th meeting of the Conference of the Parties.~~

- H. The implementation of draft decision 18.AA is subject to the provision of external funds, and does not require core funds. The authors of document CoP18 Doc. 77.1 propose a budget of USD 80,000 for the study proposed in draft decision 18.AA. The cost implications for the implementation of draft decision 18.AA, as amended in paragraph G, are estimated by the Secretariat to be USD 40,000. Supervision of the work will require some time from the Secretariat, but it can be accommodated within its regular work programme. The tasks allocated to the Standing Committee in draft decision 18.CC do not have any budgetary implications and the activities can be accommodated within the regular work programme of the Committee.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Conservation and control of trade in jaguars (*Panthera onca*)

RECALLING that the jaguar (*Panthera onca*) is included in Appendix I of the Convention, and that all commercial international trade in its parts and derivatives has been regulated by the Convention since 1975;

RECOGNIZING that the jaguar has a major cultural importance for the local communities of the Americas and is also the third largest cat species on the planet after the lion and the tiger;

AWARE that the jaguar is vulnerable to persecution for illegal trade, as evidenced by the disappearance of the populations of Uruguay, El Salvador and the southwestern United States, and due to its need of a broad habitat, its naturally low population densities and its relatively low reproductive rate;

NOTING that the jaguar has been classified as Near Threatened on the IUCN Red List since 2008 and that since then there has been an increase in the threats to the species, such as the growing fragmentation of jaguar populations in Central and South America and the persecution of most of its populations, which could lead the species to be classified as Vulnerable in the near future;

NOTING WITH CONCERN that illegal trade and poaching have increased in recent years due to growth in the demand of jaguar teeth in the black market to replace tiger teeth used in the Asian illegal market;

CONCERNED that if both consumer countries and range States do not make an urgent and coordinated effort, the species' risk of extinction could increase;

AWARE that law enforcement and control of poaching and illegal trade, awareness raising about this problem, education and reduction of the demand and also cooperation with local communities are essential for the effective conservation of the species;

NOTING the initiatives taken by Peru and Bolivia to conserve wildlife and reduce its illegal trade and to combat poaching of the species;

RECOGNIZING that cooperation between all the relevant Parties – including range States and consumer States – to strengthen controls and conservation measures for the species as well as financial support will contribute to a more effective conservation of the jaguar;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. URGES all the Parties, particularly range States and countries with demand of jaguar specimens, to:
 - a) recognize the jaguar as the flagship species of its range countries so that the protection and conservation of the species and its habitat becomes a joint responsibility;
 - b) urgently adopt comprehensive legislation and enforcement controls aimed at eliminating the poaching of jaguars and trade in their parts and derivatives;
 - c) prohibit the sale and acquisition – including online sales – of live specimens and parts and derivatives of jaguars in the countries of the region;
 - d) establish the highest level of legal protection and increase current enforcement and control efforts, eliminating legal and enforcement gaps;
 - e) establish a cross-border cooperation network between range States for the management of contiguous habitat, the design and implementation of conservation corridors and the strengthening of enforcement controls, including anti-poaching measures and collecting and sharing of information between law enforcement agencies and INTERPOL regarding incidents of poaching, trafficking or illegal sales – including online sales – of the jaguar and its parts and derivatives;

- f) increase awareness-raising and outreach actions about the importance of the conservation of the jaguar and its habitats as well as the need to eliminate the demand of the species and promote awareness of applicable regulations;
 - g) increase the generation and exchange of information about the status of jaguar populations, their habitats and the effects of existing threats;
 - h) develop and strengthen cooperation mechanisms on a local, national and regional level to improve good conservation practices in the corridors of range States, channel investments to the conservation of the jaguar and its habitats, reduce the threats to the connectivity of its habitats and strengthen the capacities of the main players involved in the conservation of this species and its habitats.
2. DIRECTS the Secretariat, in cooperation with the Chairs of the Animals Committee and the Standing Committee and subject to the availability of resources, to:
- a) cooperate closely with the Parties to formulate and implement measures that can increase the information available about the status of jaguar populations, their habitats and the effects of existing threats, and develop legislative and coercive measures as well as regional and subregional initiatives to reduce and ultimately eliminate illegal trade in jaguars;
 - b) commission a study to determine the geographic distribution of illegal trade in jaguars, including poaching, trafficking routes and their networks and markets as well as the mechanisms of the supply chain and the drivers of trade;
 - c) facilitate the exchange of information and experiences between the natural range States of the species and the Parties that constitute the final illegal trade in order to investigate the networks that enable illegal trade;
 - d) report to the Standing Committee on the implementation of this Resolution at each of its regular meetings;
3. URGES the relevant governments, donors and funding organizations as well as intergovernmental and non-governmental organizations to urgently support efforts aimed at conserving and controlling trade in jaguars through:
- a) the funding of activities to be undertaken by the Parties concerned in order to achieve the objectives of the present Resolution;
 - b) technical assistance and capacity building regarding generation of information, conservation, control and inspection strategies and awareness-raising and outreach;
 - c) information sharing on scientific, technical and legal aspects.

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.

The authors of this document have not prepared a budget but propose that any task to be implemented by the Secretariat or the permanent committees in the framework of the draft resolution and decisions should be subject to the availability of funding.

WITHDRAWN