

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



Eighteenth meeting of the Conference of the Parties
Geneva (Switzerland), 17-28 August 2019

COMMENTS ON COP18 PROP. 49 BY SRI LANKA AND THE UNITED STATES OF AMERICA
TO INCLUDE ALL SPECIES OF ARBOREAL AND ORNAMENTAL TARANTULAS
IN THE GENUS *POECILOThERIA* IN APPENDIX II

This document has been submitted by India in relation to agenda item 49.*

* *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.*



D.O. No. 4-18/2019 WL

Dated: 7th August, 2019

Dear *Secretary General*

Sub: Comments on CoP18 Prop. 49 by Sri Lanka and the United States of America to include all species of arboreal and ornamental tarantulas in the genus *Poecilotheria* in Appendix II.

On behalf of the Government of India, I am writing to express our views on CoP18 Prop. 49 by Sri Lanka and the United States of America to include all species of arboreal and ornamental tarantulas in the genus *Poecilotheria* in Appendix II.

As indicated in the proposal, India is a range State for 10 of the species of the genus *Poecilotheria*, and 8 of these are endemic to India. At the outset we would like to clarify the laws applicable to these species in India since there appears to be some confusion expressed about it in the Secretariat's provisional assessment of the proposal.

Although, none of the species of the genus *Poecilotheria* are listed in the Wild Life (Protection) Act, 1972, it does not mean that no legal protection is provided to them in India. Under sections 29 and 35 of the Act, collection of any wild animal including *Poecilotheria* spp. from a National Park or a Sanctuary without a valid permit is prohibited and is a punishable offence. So far no such permits have been issued in the country for commercial trade of *Poecilotheria* spp. Protection from unauthorized collection and trade from other forest areas of the country are also provided under the relevant sections of the Indian Forest Act, 1927.

Additionally, the Biological Diversity Act, 2002 of India, provides additional layer of protection to these species. As a result of Section 3 of the said Act, no foreigner or non-resident Indian is permitted to obtain any biological resource occurring in India for commercial utilization or bio-survey and bio-utilization without the prior approval of the National Biodiversity Authority.

Therefore, the collection and export of *Poecilotheria* specimens from India for the pet trade requires the prior approval of the National Biodiversity Authority. A violation of this provision is punishable with imprisonment of up to 5 years or a fine of up to Rs. 1,000,000. Therefore, the statement in the Secretariat's provisional assessment that in "India, the species appear to still not be subject to protection, despite commitments made at CoP11" is not accurate.

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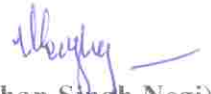
We agree with the proponents that these species are difficult to study, as a result of which the IUCN assessments for many of them are data deficient. However, it is known that these species are threatened by habitat loss and collection for the pet trade and factors such as limited dispersal ability, low reproductivity, short life spans and high mortality prior to maturity make them particularly vulnerable to commercial exploitation.

We also note that multiple species in the genus are classified as critically endangered or endangered. All 15 species satisfy the criteria for inclusion in Appendix II either in accordance with paragraph B of Annex 2(a) or paragraph A of Annex 2(b) of Res. Conf. 9.24 (Rev. CoP17). The species are common in the pet trade and there are reported instances of the species being smuggled out of India illegally and advertised for sale on online platforms.

Considering these factors, and also the fact that India being the only other range state for the genus apart from Sri Lanka, we take this opportunity to express our full support for 'CoP18 Prop. 49' by Sri Lanka and the United States of America to list all species of arboreal and ornamental tarantulas in the genus *Poecilotheria* in Appendix II.

with best wishes

Yours sincerely,



(Manmohan Singh Negi)
CITES Management Authority for India.

**The Secretary General
CITES Secretariat,
Geneva, Switzerland.**

CC to: CITES Management Authority of Sri Lanka and
CITES Management Authority of USA.