

CONVENCIÓN SOBRE EL COMERCIO INTERNACIONAL DE ESPECIES
AMENAZADAS DE FAUNA Y FLORA SILVESTRES

Quincuagésimo tercera reunión del Comité Permanente
Ginebra (Suiza), 27 de junio-1 de julio de 2005

Informes

Informes de los representantes regionales

OCEANÍA

1. El informe adjunto correspondiente a Oceanía ha sido presentado por Australia.
2. Habida cuenta de que se remitió a la Secretaría después de la fecha límite para la presentación de documentos, se distribuye únicamente en inglés (el idioma original en que fue recibido).



**Convention on International Trade in Endangered
Species of Wild Fauna and Flora (CITES)**

SC53 Regional Report – Oceania

- Australia
- Fiji
- New Zealand
- Palau
- Papua New Guinea
- Samoa
- Vanuatu



Australian Government
Department of the Environment and Heritage

This regional report has been prepared by the CITES Management and Scientific Authorities of Australia, as Oceania regional representative to the CITES Standing Committee. The report covers the intersessional period between SC50 and SC53. All CITES Parties in the region were consulted and, where possible, have provided input on the activities of their CITES Management and Scientific Authorities. Please direct all comments or enquiries to:

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1. Introduction

This report outlines the activities undertaken by the Parties of the Oceania region to implement and enforce CITES during the period between the Fiftieth Meeting of the Standing Committee (15-19 March 2004) up to the Fifty-third Meeting of the Standing Committee (27 June-1 July 2005).

Australia, as the regional representative for Oceania to the Standing Committee, has prepared this report on behalf of the Parties of the Oceania region – Australia, Fiji, New Zealand, Palau, Papua New Guinea, Samoa and Vanuatu. We have been pleased to welcome two new CITES Parties, Palau and Samoa, since the preparation of the previous regional report.

2. Regional activities

The past twelve months have been a time of consolidation for the Oceania region. Activities have focussed on enriching new and amended legislative frameworks with tools and techniques for non-detriment finding that are regionally appropriate, with respect to common capacity limitations and taxa commonly in trade.

Other major capacity building aims are to build a sound knowledge in the region of the requirements of CITES, and facilitate good relations between the CITES Secretariat and the Oceania Parties.

The region is grateful to the CITES Secretariat for their support of these regional capacity building initiatives.

2.1 Second Regional Capacity Building Workshop

The major initiative for the region was the Second Capacity Building Workshop held in Brisbane, Australia, from 2-5 August 2004. The workshop was funded by the CITES Secretariat and organised by the CITES Management Authority of Australia.

The workshop was well attended; by representatives of all Parties of the region as well as non-Parties Cook Islands, Samoa (which is now a Party but was not at the time of the workshop), Solomon Islands and Tonga, regional representatives of both the CITES Animals and Plants Committees, TRAFFIC Oceania, the South Pacific Regional Environment Program (SPREP) and the Great Barrier Reef Marine Park Authority (GBRMPA). Such a diversity of attendance was highly beneficial to the workshop outcomes.

Some Parties gave presentations at the workshop:

- Vanuatu provided information on how they have set up their Management and Scientific Authorities.
- Papua New Guinea provided a recent example of development of national legislation to comply with CITES obligations.
- Fiji discussed “Lessons Learnt” in their recent experience of trade suspensions and in their experiences in attending CoP.
- The Australian Scientific Authority explained the non-detriment finding (NDF) process and its application in Australia.

One of the main objectives of the workshop was to focus on the scientific aspects of CITES implementation and in particular, the process of NDF. Presentations were given on harvest theory and the basis of quota setting, annual reports and trade data, and the significant trade review process. There was extensive discussion of examples of precautionary management projects, and the need to involve industry in ongoing monitoring. A case study on NDF for corals in Fiji and a group exercise on a hypothetical example provided hands-on experience.

The needs of the region in conducting robust NDFs were discussed. The need for obtaining basic biological data, for sharing information and expertise on NDFs, and for building awareness across all relevant government agencies, the public and traditional leaders, were all highlighted. The development of a common Oceania database on wildlife trade issues was discussed as a mechanism to facilitate the sharing of information.

Capacity building workshops provide an invaluable opportunity for face-to-face regional meetings. They provide a valuable forum for regional representatives to discuss issues with non-Parties, whose participation has facilitated improved communication within the region on CITES issues, and contributed to further countries becoming Parties to the Convention.

Decision 13.100 calls for funding to be sought for a further capacity building workshop in Oceania, building on the training provided in the first two workshops, and providing the best means of holding a regional meeting prior to the Fifty-fourth Meeting of the Standing Committee.

Over the coming year, Australia will look at capacity building opportunities for Pacific Island countries.

2.2 Capacity building activities in Fiji

As Oceania representative to the CITES Standing Committee, Australia has been active in assisting Fiji to meet its obligations under CITES. The CITES Management Authority of Australia has worked closely with TRAFFIC Oceania and the Government of Fiji to develop and enact legislation that meets Fiji's CITES obligations.

The CITES Management Authority of Australia has secured the services of two Australian Youth Ambassadors for Development (AYAD) to work in Fiji, each for one year. AYAD is a scheme funded by the Australian Agency for International Development (AusAID) that places young professionals in developing countries to build the capacity of the host country. Both AYADs have worked closely with Fiji's Department of the Environment to develop and implement sound administration of new national legislation relating to CITES. The first worked alongside the in-country TRAFFIC Oceania representative, while the second will continue to receive assistance from TRAFFIC Oceania's Sydney office.

3. Australia

3.1 Participation in CITES activities and projects

Australia participated actively in the **Thirteenth Meeting of the Conference of the Parties (CoP13)** in October 2004, during which a proposal was adopted to include the Great White Shark (*Carcharodon carcharias*) in Appendix II. Australia also proposed a limited exemption for trade in *Hippocampus* spp specimens as personal and household effects (under Resolution Conf 12.9) and raised agenda items on trade in Patagonian Toothfish (*Dissostichus eleginoides*), and review of the operation of the CITES scientific committees. Australia has amended its list of CITES specimens under the *Environment Protection and Biodiversity Conservation Act 1999* (the Act) to reflect amendments agreed at COP13.

Australia has continued to represent the Oceania region on the **Standing Committee (SC)** since CoP13. Ms Anne-Marie Delahunt has been honoured to represent the region in this capacity. The CITES Management Authority of Australia has secured funding to enable a representative from the CITES Management Authority of Fiji to attend SC53 as an observer, in preparation for Fiji assuming the role of Oceania Regional Representative from CoP14.

Australia has been an active participant in **working groups on technical implementation issues, compliance guidelines and export quotas**. Australia chaired the working group on compliance guidelines until no longer possible due to domestic electoral commitments.

3.2 Mandatory reporting

Australia submitted its 2003 CITES Annual Report in early 2005.

Australia has also provided data for the Elephant Trade Inventory System (ETIS) on a regular basis.

3.3 Compliance enforcement activities

Investigation of breaches of the Act, including of CITES provisions, is now being conducted by the Environment Investigations Unit of the Department of the Environment and Heritage (in which the CITES Management Authority of Australia is located). This unit was formed in mid-2004 to coordinate compliance enforcement across DEH. The unit uses its relationships with various state and federal agencies, in particular the Australian Federal Police and Australian Customs Service (Customs), in conducting its investigations and prosecutions.

Frontline CITES compliance enforcement is still primarily conducted by the Australian Customs Service (Customs), in conjunction with their related border security duties. The CITES Management Authority of Australia is continuously investing in this key relationship – particularly by the provision of in-service education and training.

The CITES Management Authority of Australia has provided **face-to-face training** for more than half of the 4000 Customs officers over the past 18 months. Over that period, training has been provided to Customs officers in various roles, twice at each of the main

Customs centres in each Australian state. Approximately 200 recruits received specialised training.

To support these training efforts, the CITES Management Authority of Australia has prepared and distributed a **CD ROM-based training package** and a **Wildlife Protection Resource Manual**, both designed for Enforcement Officers. Work is currently underway to provide an electronic version of the manual on the Customs intranet, so that the information will be at the fingertips of Customs officers throughout Australia.

Customs and the CITES Management Authority are continuing to use **Greenparrot** – an interactive CITES identification software tool.

In recognition of the time pressures under which Customs officers operate when processing international passenger arrivals, the CITES Management Authority of Australia is in the process of providing **internet kiosks** in each of the five major international airports in Australia. These kiosks will provide access to the electronic version of the Wildlife Protection Resource Manual for Enforcement Officers to ensure all of the resources required to enforce Australia's wildlife trade laws are readily available to Customs officers on-the-spot.

The Australian legislative version of the CITES list is one of the most frequently used resources for Customs officers. To increase its usability, the list was recently modified to include additional information, including the inclusion of CITES accompanied baggage exemptions in the notation column; and a common name index to the list.

There have been 3702 Notices of Seizure issued over the twelve months to 1 April 2004 for suspected wildlife trade breaches under the Act; although this “raw” figure is not a completely reliable measure of breaches of CITES provisions of the Act.

In April 2004, the CITES Management Authority of Australia was able to successfully repatriate 34 bird eggs that had been seized during illegal importation into Australia. The eggs were found to consist of at least 21 specimens of various Psittacidae spp, with an estimated value of AU\$190 000 (~US\$150 000). The eggs were repatriated to a large bird park in Singapore, in a logistically challenging operation involving a number of Australian Government agencies. They will be used for breeding purposes.

3.4 Education and awareness activities

The CITES Management Authority of Australia has recently undertaken significant work in the field of education and awareness.

The CITES Management Authority of Australia continues to produce new education and awareness material on CITES and related wildlife trade issues, including:

- an advertisement in *Hints for Australian Travellers* – a publication produced by the Department of Foreign Affairs and Trade;
- advertisements and editorial features in travel and “backpacker” magazines;
- an editorial feature in *Footwear News* – a shoe industry magazine;
- distribution of 100 000 **Tips for Travellers brochures** through travel agencies and airports throughout Australia; and
- distribution of 5000 **Wildlife Trade and Complementary Medicines booklets** through travel agencies, airports, complementary medicine practitioners and peak industry bodies throughout Australia.

SC53 Regional Report – Oceania (SC53 Doc. 38.6 Annex)

The CITES Management Authority of Australia has provided targeted information to customs brokers and freight forwarders so they can correctly inform their clients, importers and exporters, of their obligations under Australia's wildlife trade laws.

4. Fiji

4.1 Administration

The Fiji Islands CITES Management Authority (FICMA) established under section 4 (1) of Fiji's Endangered and Protected Species Act (EPS Act 2002) has the following functions: (s6(1)).

- to advise the Government on its obligations under the CITES
- to advise and liaise with the CITES Secretariat or the CITES Management authority of a State party on any matters relating to CITES in the Fiji Islands
- to prepare CITES annual report for the Fiji Islands
- to advise the Minister on any action to implement or enforce the obligations under the CITES
- to do other things required under this Act or any other written law.

The Chairperson of FICMA is the CEO of the Ministry responsible for the Environment. The Director of Environment is the Secretariat to FICMA. The Department of Environment (DOE) as secretariat has been carrying out the functions of FICMA with the assistance of other Governments Departments and NGOs.

DOE and other Government's major concern while implementing the EPS Act has been the lack of resources, finance or otherwise.

DOE and other Government's Departments such as Fiji's Fisheries Department (FD) who have worked closely all these years with DOE in the implementation of CITES have relied a great deal on other fundings within their respective departments to carry out necessary work. FICMA is therefore grateful to CITES Secretariat, the Government of Australia, TRAFIC Oceania and the British Government for funding activities of TRAFFIC, other International NGOs based in Fiji, the Aquarium Traders and others for their assistance.

4.2 Live coral trade

History of Fiji coral and rock quota

- The 1st Fiji quota system for live/dead coral and live/dead rock was actually based on a reduction by 50% of the 2001 permitted export figures. This new precautionary quota was used in 2002 and for 7 ½ months in 2003.
- In mid-August 2003 the existing quota was then reviewed and changed with the assistance of the Deputy Secretary General of CITES Secretariat and Tom Kaveney (Director International Wildlife Trade, Environment Australia) who were in Fiji to assist the country on CITES implementation and others such as Rob Parry Jones (Traffic Oceania) and the Department of Fisheries for a export quota valid for a period of 6 months. The Fiji Islands CITES Scientific Council (FICSC) and the FICMA agreed to roll-over existing 2003 quota for the year 2004 hence 6 month validity of quota in 2004).

For 2005 FICSC agreed that the current quota be applied as an annual quota in 2005 (twice the 6 month quota for July - Dec 2003) taking into consideration on-

going initiatives that will assist Fiji in 2005 before a decision is made regarding 2006 report quota. This includes the issue of resource assessment presently done by IMA, certification by MAC and non-detriment findings. We are currently using this quota while we are working towards achieving a robust and scientifically based quota system such as mentioned above to replace the existing precautionary quota.

4.3 National Reports

The 2003 annual report is now being viewed for comment by all traders and a final draft will be presented at the next FICMA meeting scheduled for Friday 17th June. A final copy will then be sent to the Secretariat after the meeting.

Meanwhile the 2004 CITES Annual Report for Fiji is being prepared now.

4.4 Future implementation activities

Fiji's economy will still rely a lot on the use of natural products in years to come. It is important for the country to be mindful therefore on how it uses her resources. The new Environment Management Act, 2005 (EMA) has provisions that will assist FICMA to monitor the use of natural biological resources which should assist the Fiji Islands CITES Scientific Council (FICSC) to advise FICMA on matters relating to CITES including proposed exports and imports of specimens listed under the EPS Act and CITES so that it is not detrimental to the survival of the species involved.

Some examples of provisions under EMA (2005) are:

- a) Natural resource inventory
- b) Natural resource management plan
- c) Environment Impact Assessment (EIA) processes required for development proposals in order to protect natural ecosystems especially in areas where threatened or endangered species are present
- d) Environmental audits required for any Ministry, Department, Statutory authority or local authority responsible for the Management of any natural resource to determine among other things whether the exploitation or use of living, renewable and non-renewable resources is within the carrying capacity of the resources.

The Ministry responsible for Environment in Fiji is already liaising with appropriate authorities regarding staffing and other issues required under EMA should enable DOE to get an Officer for CITES/CBD/Ramsar.

Meanwhile the Australian Government is assisting Fiji by sending a legal officer under the Australian Youth Ambassador Programme (AYAP) to work with the Fiji Government based at DOE to facilitate amendment of the EPS Act. This should greatly assist Fiji in the implementation of the EPS Act and CITES in Fiji beyond 2005 including awareness and training programmes.

5. New Zealand

5.1 Capacity building activities

Three representatives from New Zealand attended the Oceania Region capacity building workshop held in Brisbane in 2004. This was a good opportunity to meet with others in the region and offer assistance to other Parties including those who had recently joined. New Zealand sent copies of all legislation and general administration paraphernalia to Palau to support them in setting up new systems.

5.2 Legislation

The *Trade in Endangered Species Order 2005*, which implemented changes made to the CITES Appendices at CoP 13, and subsequent changes to Appendix II, will take effect from 12 May 2005.

5.3 Implementation tools

New Zealand is currently upgrading our database for input of seizures and permits. Although it is in the early stages, if new Party members are interested to adopt this database, New Zealand is prepared to offer some assistance with this. With the increase in traditional Chinese medicines coming into New Zealand and the constant changing of packaging etc, New Zealand has created a database specifically for traditional Chinese medicines. This lists both medicines exempt from CITES and those that do contain CITES species in the ingredients. Excellent working relationships with border agents and Chinese translators means this database can be updated every time new medicines enter New Zealand.

5.4 Conferences / workshops / training

A member of the New Zealand Wildlife Enforcement Group (WEG) currently holds the position of Vice Chairman of the InterPol Working Group on wildlife crime. The next meeting is due to take place at the premises of the Interpol General Secretariat in Lyon, France, in early June 2005. Issues involving illegal trade in the Oceania region will form part of the agenda and are to be discussed with representatives from other countries forming part of the InterPol network.

New Zealand has taken a proactive approach in providing CITES training to border agents, which has been very successful. Both the Ministry of Agriculture and Forestry (MAF) and New Zealand Customs are authorised to carry out inspections and seizures relating to CITES. National training has occurred, and will continue to occur and expand due to the increase in staff employed by these agencies.

5.5 Compliance / enforcement activities

As mentioned in the previous regional report, the first case of orchid smuggling from New Zealand had its sequel in court in February 2004.

The two Czech nationals involved eventually pleaded guilty to charges of exporting CITES listed orchid species, together with further charges of removing protected plants from National Parks. Both persons received monetary penalties and faced further

sanctions from their respective employers upon return to the Czech Republic. The convicted smugglers were both employed in responsible positions – in a respected learning institution and a government department respectively.

Three individuals were apprehended in February 2005 for smuggling live reptiles (non-CITES) and bird eggs (CITES) from Australia to New Zealand. These three persons will be facing charges under both New Zealand's Biosecurity and Trade in Endangered Species legislation.

Enquiries are continuing to identify further illegal shipments and other offenders.

5.6 Education and awareness activities

New Zealand has used the 30th anniversary of CITES as an opportunity to promote CITES in the public arena through various avenues. This work includes a new CITES poster focusing on the need for protection of highly endangered species, the publication of additional factsheets to those produced in 2003, attending special events at zoos, inter-agency events etc. and providing articles for various magazines and newspapers. CITES will also have a feature segment in a well-known environmental fashion show held in Auckland, "Trash to Fashion", with the emphasis on raising the awareness on the decline of species throughout history for fashion.

Extensive public awareness continues within the Asian communities in New Zealand with officers attending events, providing input to local Asian newspapers and appearing on Chinese radio stations discussing traditional Chinese medicines.

6. Palau

Palau recently became a Party to CITES and is establishing the necessary systems and authorities to comply with the Convention. Palau has requested assistance with drafting legislation and developing databases and forms.

7. Papua New Guinea

A verbal report was received from Papua New Guinea.

The new *International Trade (Fauna and Flora) Act 2003* (the Act) is in force and working well. Regulations, including the permit fee schedule and the penalty schedule, have been finalised and are currently awaiting endorsement by the National Executive Council.

7.1 Eaglewood project

Opportunities to participate in the cash economy in Papua New Guinea are limited and landowners frequently engage in damaging and unsustainable land uses in order to gain a cash income. Agarwood (*Aquilaria* spp – called Eaglewood in Papua New Guinea) has been identified as a key economic resource. It has a high market value and lends itself to *in situ* management and selective harvesting, providing an incentive for landowners to leave their forest resources intact.

A major Eaglewood project has been instigated with funding and support from the Food and Agriculture Organization of the United Nations (FAO). This project involves a number of government, non-government and intergovernmental organisations, including the CITES Management Authority (Department of Environment and Conservation) and the CITES Scientific Authority for Flora (Papua New Guinea Forestry Authority). The project broadly aims to establish a sustainably managed commercial trade in Eaglewood, which will include establishment of a basis for making non-detriment findings in relation to the species.

7.2 Enforcement activities

Several seizures of specimens of Orchidaceae species have been made in recent months, the majority of which have been taken from the wild by private collectors and hobbyists. The introduction of Regulations to the Act will provide for more effective prosecution through the introduction of more severe penalty provisions.

8. Samoa

No report was received.

9. Vanuatu

No report was received.