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<T1>VIII. NATURAL RESOURCE MANAGEMENT AND CONSERVATION

<T2>3. Trade in Endangered Species

Negotiations on trade in endangered species in 2008 mostly focused on the organization of inter-sessional activities and preparatory work to address the tasks set by the fourteenth Conference of the Parties (COP) of the Convention on International Trade in Endangered Species (CITES) in 2007. Among other issues, indicators for the CITES Strategic Vision 2008-2013 and a program of work for 2009-2011 were developed. Discussions about timber, shark, and elephant species were particularly noteworthy. In addition, issues related to the Review of Significant Trade and compliance were also prominent.

This review is based on the report of the seventeenth meeting of the CITES Plants Committee (held on 15-19 April 2008, in Geneva, Switzerland) (PC17 Documents, <<http://www.cites.org/eng/com/pc/index.shtml>>) and the twenty-third meeting of the CITES Animals Committee (held on 19-24 April 2008, in Geneva) (AC23 Documents, <<http://www.cites.org/eng/com/ac/index.shtml>>), as well as on the fifty-seventh meeting of the CITES Standing Committee (held on 14-18 July 2008, in Geneva) (SC57 Documents, <<http://www.cites.org/eng/com/sc/index.shtml>>).

It should be preliminarily noted that the membership of the Convention totalled 173 parties in 2008, with the entry into force of CITES for Oman on 17 June 2008.

<S1>(1) Timber

With regards to bigleaf mahogany, the Plants Committee recommended that Belize, Bolivia, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, St. Vincent and the Grenadines, Guyana, Honduras, Nicaragua, Panama, Peru, Venezuela, and St. Lucia be listed for the Review of Significant Trade (RST). Brazil and Mexico were the only range states excluded from the review because they provided evidence of sustainable management of mahogany through sound non-detrimental finding procedures. This decision was surprising to some, who noted with interest that the terms of the RST would be defined in 2011, when most range states may have already implemented the Bigleaf Mahogany Action Plan adopted by COP-14. The interaction between the two remains, therefore, subject to speculation (<www.iisd.ca/cites/ac2s3pc17/>). The Plants Committee further recommended that a working group continue to work inter-sessionally on the implementation of the existing Bigleaf Mahogany Action Plan; and that mahogany management plans be prepared and adopted at national and subregional levels. The Committee also endorsed the guidelines for making non-detrimental findings for mahogany, noting that the essential elements include an estimation of range areas, population parameters, and management principles. The Committee, moreover, recommended endorsing, as a useful methodology for improving the management of export quotas, the volumetric conversion of standing trees to exploitable mahogany sawn wood.

Other timber-related issues addressed by the Plants Committee in 2008 included: analyzing annotations for tree species included in Appendices II and III to determine the need to define terms such as “logs” or “sawn wood”; assessing progress towards implementing the action plan on cedar and rosewood (*Cedrela odorata*, *Dalbergia retusa*, *D. Granadillo*, and *D. stevensonii*); discussing whether countries should be advised against including population-specific timber listings in Appendix III, to ensure certificates of origin are issued by exporters in all countries; considering challenges in the physical inspection of timber shipments; discussing non-detrimental finding methodologies for agarwood-producing species; and addressing the need to define non-timber forest products.

When addressing bigleaf mahogany, the Standing Committee recommended that Peru provide a baseline report on the remaining volume of 2007 leftovers that can be authorized for export; and suggested that all exporting parties consider including information on the authorized and verified concessions or other forest management areas where the timber was harvested. With regards to ramin, the Standing Committee recommended: requesting exporting range states to provide written reports on trade in ramin for its fifty-eighth meeting; inviting importing parties to report on trade in ramin when there are achievements or problems they wish to draw attention to the Standing Committee; and requesting the Secretariat to consult with concerned parties on information regarding illegal trade in ramin and report on these discussions at the fifty-eighth meeting.

<S1>(2) Sharks

After considering reports from parties on the implementation of the International Plan of Action on Sharks, the Animals Committee recommended that the Secretariat monitor the discussions within the World Customs Organization on the development of a customs data model, and the inclusion therein of a data field to report trade at species level and notify parties of the existence of these discussions and significant developments. The Committee also undertook identifying and assessing options for developing a more universal tracking system, and recommended that parties develop and utilize customs codes for shark fin products that distinguish between dried, wet, processed, and unprocessed.

In addition, the Committee discussed the identification of shark species of concern that require consideration for inclusion in the Appendices if their management and conservation status does not improve. In this regard, the Animals Committee recommended that parties that have not done so adopt appropriate national conservation and management measures to protect sawfishes (*Pristidae*) species, mitigate bycatch, and identify and protect critical habitats. In addition, it requested the Secretariat to promote the creation of a workshop on South American stingrays and a workshop on the conservation and management of sharks.

It should be also noted that a sharks working group, convened under the Animals Committee, agreed to a proposed methodology for examining each species that included such technical variables as trade volumes, existing fisheries management frameworks, and International Union for Conservation of Nature (IUCN) Red List assessments. This would imply testing a working method for selecting certain shark species, including two species (porbeagle and spiny dogfish) which were rejected from being listed in the appendices at COP-14.

<S1>(3) Elephants

One of the most interesting developments of 2008 was that the Standing Committee recommended China be designated an ivory trading partner (SC57 Doc.33.2), in the framework of the exceptional, one-off sale of ivory stockpiles from Botswana, Namibia, South Africa, and Zimbabwe in the context of the nine-year ivory trade moratorium established by COP-14. Parties voiced concerns over an expected “bidding war” between China and Japan, the other designated ivory trade partner. Parties discussed whether competing bids for ivory stockpiles could inflate prices, motivate elephant poaching, and increase ivory smuggling in Asian and African countries that are most vulnerable (for more information, see <http://www.cites.org/eng/com/SC/57/index.shtml>). The decision was grounded in a verification undertaken by the Secretariat of the adequacy of Chinese national legislation and domestic trade controls to ensure that imported ivory will not be re-exported

and will be managed according to requirements for domestic manufacturing and trade in China.

Another concern that was raised by certain parties regarding the exceptional sale of ivory stockpiles was compliance with the obligation to ensure that the proceeds of any sale were exclusively used for conservation purposes, particularly in countries with poor democracy and rule of law records. The United Kingdom, in particular, made a statement urging to defer purchases of Zimbabwean ivory ‘until a legitimate, democratically elected government had replaced the current regime.’

The Standing Committee also recommended that a study be coordinated in consultation with stakeholders including African and Asian elephant range states on decision-making mechanisms for authorizing ivory trade.

<S1>(4) Review of significant trade in specimens of Appendix II species

The Review of Significant Trade is a process through which the Animals and Plants Committees advise when certain species are subject to unsustainable trade and recommend remedial action. During negotiations in 2008, the Secretariat noted that RST should be based on sound and detailed information, possibly including experts on compliance and process issues in any advisory group. The Secretariat also had the opportunity to clarify that RST was not meant to “punish” countries and lead them into establishing export quotas to avoid the review, but rather to support countries in their efforts to ensure sustainable trade. Observers further remarked that RST may benefit countries by facilitating resource mobilization, either through the prioritization of the CITES financial resources for the implementation of the RST or through funds from the CITES-International Tropical Timber Organization (ITTO) joint project (for more information, see <<http://www.cites.org/eng/prog/timber.shtml>>).

RSTs may be country-species or species-specific. With respect to the former, the joint session of the Plants and Animals Committees recommended that Madagascar’s country-based review of significant trade end, in light of the accomplishments resulting from the process. Madagascar is therefore no longer required to submit regular reports on this matter. Regarding species-specific RSTs, a controversial matter arose regarding Israel’s proposal to include *Tursiops aduncus* (bottlenose dolphin) from the Solomon Islands in their RST, given that the non-detrimental finding had not been publicized or peer-reviewed. The Solomon Islands stressed the importance of dolphin harvesting for livelihoods and considered the proposal an infringement of its sovereignty. Other countries questioned the relevance of including a widespread species in the RST, as well as the limited size of the envisaged export when compared with the species as a whole. As Israel eventually withdrew its proposal, the Animals Committee encouraged the organizers of a forthcoming workshop on non-detrimental findings to invite the Solomon Islands to participate and make the population of *Tursiops aduncus* a case study.

On species selected for RST following COP-13, the Plants Committee recommended categorizing the following as species of urgent concern:

- *Christensonia vietnamica* (orchid flower) from Vietnam, assigning a three-month deadline to the Management Authority of Vietnam to confirm that it would be issuing export permits for the species;
- *Pterocarpus santalinus* (red sandalwood tree) and *Rauvolfia serpentina* (snakeroot shrub) from India, assigning a three-month deadline to the Management Authority of India to clarify the legislative status of exports of these species and the level of artificial propagation, and a two-year deadline to carry out a preliminary inventory of standing stock, establish a revised conservative export quota, and report to the Secretariat, if exports of wild origin are to continue; and

- *Taxus wallichiana* (himalayan yew) also from India, assigning a three-month deadline to the Management Authority of India to confirm that it does not allow export of wild harvested species, and if exports are confirmed, to confirm with the Secretariat that the existing policies provide an adequate basis for the formulation of non-detrimental findings (NDFs).

It further recommended classifying as plant species of possible concern:

- *Myrmecophila tibicinis* (orchid flower) from Belize, establishing a three-month deadline for the Management Authority of Belize to confirm that it will not be issuing export permits, and a one-year deadline to carry out an inventory of standing stock, establish a revised conservative quota, and report on these points to the Secretariat;
- *Pachypodium bispinosum* (flowering plant) and *P. succulentum* (flowering plant) from South Africa, establishing a one-year deadline for South Africa to carry out an inventory of standing stock, establish a revised conservative export quota, and report back to the Secretariat; and
- *Rauvolfia serpentina* (snakeroot shrub) from Myanmar and Thailand, assigning a three-month deadline to the Management Authority of Myanmar to confirm that it does not issue export permits, and a two-year deadline for the Management Authority of Thailand to carry out a preliminary inventory of standing stock, establish a revised conservative export quota, and report to the Secretariat.

In addition, the Plants Committee recommended reviewing, following COP-14, the following species (PC17, Summary Record, at 18, <http://www.cites.org/eng/com/PC/17/E-PC17_summary_record.pdf>): many *Euphorbia* spp., *Pericopsis elata*, many *Aloe* spp., *Calanthe alleizettei*, *Cymbidium erythrostylum*, *Renanthera annamensis*, *Cistanche deserticola*, and all *Palmae* taxa listed in the document. The decision was based on an identification of species that are an object of international trade, are not currently undergoing review, and have not recently been subject to a review.

On species selected following COP-13, the Animal Committee recommended categorizing various *Mantella* spp. from Madagascar and *Testudo graeca* from Lebanon as “least concern,” and eliminating them from the review; and *Mantella crocea*, *Mantella expectata*, *Mantella milotympanum*, and *Mantella viridis* from Madagascar as “possible concern,” and requesting additional information on the species from Madagascar for reconsideration at next meeting of the Committee. The Animal Committee also recommended, among others, eliminating several species, including *Lycalopex griseus* and *Gyps africanus*, from the review on the basis of new information received from range states, and retaining various species, including *Hippopotamus amphibius* from all range states except Rwanda and the Democratic Republic of Congo (DRC) and *Genus Uroplatus* from Madagascar, in the review (AC23 Summary Record, at 12-5 <<http://www.cites.org/eng/com/AC/23/E-AC23-Sum-Rec.pdf>>).

The Standing Committee’s recommendations also included: dismissing the cases of Papua New Guinea, Vanuatu, and Palau regarding *Tridacna derasa* and *Tridacna gigas*; and an extension of the deadline until 31 December 2008 for *Dendrobium nobile* from the Lao People’s Democratic Republic and to *Tridacnidae* species from Micronesia, Madagascar, the Marshall Islands, Tonga and Vietnam. The SC also recommended that all parties suspend imports of specimens from these countries if the recommendations have not been implemented by 31 December 2008; and noted that there will be no extension of the 30 June 2009 deadline for Cameroon, DRC, and Tanzania regarding *Prunus africana*.

The Standing Committee, furthermore, recommended maintaining trade suspensions on *Agapornis fischeri* and *Malacochersus tornieri* from Tanzania, *Hippopotamus amphibius*

from Malawi, *Poicephalus robustus* (Cape Parrot) from Mali, and *Cordylus tropidosternum* (Tropical Girdled Lizard) from Mozambique, among others. The Committee also recommended withdrawing trade suspensions on, *inter alia*, *Lama guanicoe* (guanaco) from Argentina, *Lynx lynx* (Eurasian lynx) from Lithuania and Moldova, and *Coracopsis Vasa* (Vasa Parrot) from Madagascar (SC57 Doc. 29.2, <<http://www.cites.org/eng/com/SC/57/E57-29-02.pdf>>).

<S1>(5) Compliance

On compliance, the Standing Committee recommended identifying Bolivia, El Salvador, and Tanzania as priority countries under the National Legislation Project; and issuing a written caution to Mozambique, South Africa, and Venezuela advising them of the need to accelerate efforts to enact adequate legislation by its next meeting. It was also reported that the Secretariat and Saudi Arabia had agreed on a Secretariat's mission to assess implementation of the Convention in that country.

In light of concerns regarding Egypt's implementation of the Convention, especially with reference to illegal trade in primates and ivory, and following a mission of the Secretariat to the country, the Standing Committee recommended that guidelines be prepared on the action to be taken by Egyptian staff at ports or land border crossings when illicit movements of specimens of CITES-listed species are detected. It was further recommended that enforcement agencies in Egypt consider the use of controlled deliveries as an investigative tool, both internationally and in-country; and that CITES or enforcement authorities communicate with the judiciary of Egypt to raise their awareness of the instances of significant illicit trade that have affected the country and which deserve an appropriate response from prosecutors and courts. Finally, it was recommended to Egypt to maintain its participation in the Interpol Wildlife Crime Working Group, and have its representative be a police officer.

<S1>(6) Other issues

The Plants Committee recommended retaining *Agave parviflora* in Appendix I. In addition, the Plants Committee recommended that parties continue to follow the guidance of Res. Conf.11.11 (Rev. CoP14) (Regulation of trade in plants) regarding hybrids. Regarding cultivars, the Committee adopted the definition of the International Code of Nomenclature for Cultivated Plants and Cultivars (7th edition): "an assemblage of plants that has been selected for a particular attribute or combination of attributes and that is clearly distinct, uniform, and stable in these characteristics and that when propagated by appropriate means retains those characteristics." It further recommended that cultivars be subject to the provisions of the Convention even though not specifically included in the appendices, but that they may be excluded from CITES control by a specific annotation in Appendix I, II or III, if meeting the definitions of the International Code of Nomenclature for Cultivated Plants. This would imply submitting a proposal to COP-15 to amend Res. Conf.11.11 (Rev. CoP14).

The Animals Committee recommended that the Secretariat promote a workshop to review existing methodologies for sturgeon stock assessment and total allowable catch for the Caspian Sea, Amur River, Black Sea, Danube River, and Azov Sea regions, and that range states of the Black Sea, Danube River, and Azov Sea region establish a joint uniform methodology.

The Standing Committee agreed that the Secretariat should convene a CITES Rhinoceros Enforcement Task Force and seek an invitation from the government of Yemen to visit the country for discussing illicit trade in rhinoceros.

<S1>(7) Forthcoming activities

One of the most remarkable forthcoming activities is the study of the relationship between CITES and livelihoods, on which a working group has been established in 2008 and will report back to the Standing Committee in 2009. The working group will, for the first time in the history of the Convention, address possible tools for rapidly assessing the positive and negative impacts of implementing CITES listing decisions on the livelihoods of the poor and ways to address them. It will consider consumptive and non-consumptive uses of wildlife resources, and the development of alternatives to avoid resource overexploitation.

Other noteworthy items to be addressed in 2009 include: the monitoring of illegal killing of elephants program; intensive operations breeding tigers on a commercial scale; illegal, unregulated, and unreported fishing for sharks; trade in crocodilian specimens; the definition of “introduction from the sea”; and the need for and feasibility of creating CITES guidelines on transport of live animals by land and/or sea.

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