



WILDLIFE TRADE IN SOUTH-EAST ASIA

Southeast Asia is a wildlife trade hotspot, functioning as supplier, consumer and a general import-export emporium. A large proportion of this trade is domestic and does not cross international boundaries - for example, products such as medicinal plants, charcoal, wild meat and fisheries - and therefore is outside the potential scope of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). But there are also huge volumes of international wildlife trade, both legal and illegal, within the region, and between South-east Asian countries and external trading partners.

South-east Asia, perhaps more than any other region on the planet, encapsulates the full range of challenges facing the management of wildlife trade. World-renowned not only for its diversity of animal and plant species, but also for cultural, linguistic, political and religious diversity, South-east Asia encompasses a range of lifestyles that all rely in some way upon wildlife resources for food, medicines, clothing and other products.

Economic growth, expansion of infrastructure, free trade agendas and a general push for development are contributing to a rapidly changing socio-economic dynamic. In a liberalised trade policy environment, it is all too easy to treat wildlife as just another commodity rather than paying heed to the management needs of natural production systems. However, now that Lao PDR has joined CITES, all 10 countries in the Association of South East Asian Nations (ASEAN) are Parties to the Convention - which creates a common basis upon which to conduct legal and sustainable wildlife trade. But the challenges remain daunting. While more effective law enforcement and inter-agency co-operation is needed to control illegal trade, only by reversing trends of over-harvesting can trade in legally acquired wild species, their by-products and derivatives, continue to support the sustainable development of human societies.

Sectors of Trade

Traditional Medicine

Many traditional medicines use wildlife as ingredients, for example traditional East Asian medicines use parts and derivatives from more than 1000 plant and animal species including tiger bone, bear gall bladder, pangolin scales, rhinoceros horn and *Dendrobium* orchids. Maintaining medicinal plant harvest and trade within sustainable levels also presents a major challenge in the region. TRAFFIC's work has shown continued availability of rare species as ingredients without any systems in place to ensure their legality and sustainability - and medicinal vendors rarely have any knowledge on the status of the species in the wild.

The Pet Trade

Much of the pet trade is dominated by reptiles and birds, and an increasing trend exists to meet the demand of specialist collectors for some of the world's rarest species. These 'hobbyists' often specialise in particular groups of species such as types of parrots and songbirds (e.g. Straw-headed Bulbul *Pycnonotus zeylanicus*, Palm Cockatoo *Probosciger aterrimus*), tortoises and freshwater turtles (e.g. Indian Star Tortoise *Geochelone elegans*, and the Pig-nosed Turtle *Carretochelys insculpta*), snakes or lizards, with a view to collecting the broadest, and often the rarest, range of species.



Live animals and wild meat on sale



Indian Star Tortoise *Geochelone elegans*



Humphead Wrasse and other live reef food fish



Mounted insects and stuffed turtles for sale as souvenirs



High quality ivory carvings

It is this global demand for rare and exotic pets that fuels much of the illegal collection and smuggling from the renowned biodiversity hotspots in South-east Asia – as well as rising demand from countries within South-east Asia for endemic species from Africa, South America and Australasia.

Food

For many people, wildlife is an important source of protein. In some countries, food harvested from nature, whether wild meat, fisheries products or edible plants, contributes to national economies and the livelihoods of local communities. However, in recent decades, growing human populations, unsustainable harvesting and illegal activities have put additional pressure on these resources. For example, studies by TRAFFIC and other scientific assessments have shown that trade in live reef fish for food is a serious threat to the survival of wild populations of groupers and wrasses in South-east Asia, with the declining aggregations of Humphead Wrasse *Cheilinus undulatus* illustrative of broader trends.

In many parts of the region, wild meat from species such as deer, pangolin and snakes is consumed as delicacies or ‘tonic’ food items, rather than for subsistence needs. In East Asia, meat from freshwater turtles (such as the South-east Asian Box Turtle *Cuora amboinensis*) is consumed in huge volumes despite the fact that three-quarters of the 90 species found in Asia are considered threatened, and 18 are considered critically endangered, such as the River Terrapin *Batagur baska*. As turtles are long-lived animals, consumers hope to attain similar longevity, and many believe that the ‘wildness’ of the meat will benefit their health.

Curios and trophies

A wide range of animal products are found in Southeast Asia's ornamental trade, including elephant ivory carvings, products made from the shell of the Hawksbill Turtle *Eretmochelys imbricata*, seashells, coral souvenirs, mounted insects such as butterflies and beetles. Horns, antlers and heads are hunted and traded for their value as trophies, such as those from Sambar *Cervus unicolor* and Serow *Naemorhedus sumatraensis*.

International travellers frequently have the option to purchase goods made from endangered species, such as marine turtle products and elephant ivory while abroad. Often this illegal trade is unintentional, resulting from ignorance of the laws and of which species require permits for export and or import. In many cases, these products can be legally offered for sale in popular tourist locations, but transporting them across international borders requires special permits, such as those issued by CITES authorities. In other cases, wildlife products are sold in open violation of national or local laws – and concerted investigations and law enforcement is needed to police any continuing availability.

Little or no information is available to alert buyers to the illegal nature of some purchasing options, or regarding the effect the market for these products has on wild populations. Greater awareness of the legality of wildlife souvenir trade is needed to enable travellers to buy wisely.

Skins, furs and wools

Skin, furs, wool and hair from many species of mammals, reptiles and even fish are traded in the international market to make products ranging from clothing and accessories such as footwear, shawls and wallets, to ornaments, charms, and rugs.

In many cases, this trade is bringing some of the world's most endangered species closer to extinction, with the Tibetan Antelope or Chiru *Pantholops hodgsonii* and Asian wild cats such as Tiger *Panthera tigris*, Leopard *Panthera pardus* and Clouded Leopard *Neofelis nebulosa* being prime examples. For example, a recent TRAFFIC report on trade in the Sumatran Tiger revealed that at least 50 Sumatran Tigers were poached per year between 1998 and 2002. This poaching is being driven by a substantial domestic Indonesian market for Tiger skins and other parts, especially claws and teeth for trophies, charms and souvenirs.

Reptile skins, particularly crocodile, snake (like Reticulated Python *Python reticulatus* and Rock Python *P. molurus*) and monitor lizards *Varanus* spp., dominate the exotic leather market, while some tanneries produce muntjac and pangolin leather products.

Forest products

South-east Asia's forests contain diverse resources that are used to generate income for many levels of society, as well as foreign currency and tax revenue when those resources are exported. Many rural communities depend on a variety of forest products for their food, medicines and livelihoods.

Unfortunately, in many cases the need to conserve forest ecosystems is being overlooked in the rush to supply global markets with timber and other forest products. Illegal logging and timber smuggling is a growing problem, due to an inexhaustible demand, particularly for high-value species. The trade in Ramin *Gonystylus* spp. is a pertinent example of such a species from Southeast Asia that illustrates the full spectrum of challenges to regulate and enforce harvest, export and re-export controls.

Agarwood, the highly prized fragrant heartwood produced by several species in the Thymeleaceae family, is used primarily for medicinal, religious and aromatic purposes in Asian cultures ranging from the Middle East through to China (including Hong Kong and Taiwan) and Japan. Indonesia and Malaysia are the main producer countries and despite threats of over-harvesting and illegal trade, there are clear prospects for long-term sustainable management of this high-value forest product.

The great majority of ornamental plants in trade, including most orchids and pitcher plants, have been artificially cultivated in nurseries, but large numbers are still taken directly from the wild with specialist collectors actively seeking out rare, exotic and often endangered species to add to their collection.



Shoes made from (l-r) python, monitor lizard and pangolin leather



Ramin *Gonystylus* spp.



Agarwood products



Moth Orchid *Phalaenopsis amabilis*

The Big Issues - What is TRAFFIC doing to help?

TRAFFIC monitors wildlife trade at international, regional and national levels – researching both domestic and international chains of supply and demand to identify interventions to increase the efficiency of management.

TRAFFIC works closely with governments, providing critical information on the impacts of trade, motivating efforts to increase the ecological sustainability of trade in wild species, and helping to improve enforcement of international wildlife trade controls. The building of capacity to carry out this work, at regional and national levels, is an important step towards the goal of sustainably managed wildlife trade. The TRAFFIC South-east Asia programme was established in 1991 and continues to work with partners to address key wildlife trade issues in the region. This work is carried out in close collaboration with TRAFFIC offices in consumer regions such as East Asia, Europe and North America. Specifically, the major objectives that require addressing in South-east Asia include:

- **Enhanced CITES implementation:** More scientific foundations for CITES management decision making, including the establishment of robust legislative systems, regulatory guidelines and management frameworks for legal wildlife trade (e.g. setting and monitoring of quotas for harvest and trade);
- **Inter-agency co-operation:** Both in-country and between countries, to implement and enforce regulatory systems and legislation – much of which can be accomplished by simple communication protocols and information sharing;
- **Information management:** Database systems linked with on-ground monitoring systems to enable tracking of ‘source to market’ chains of custody and compliance, availability of resource materials for identification and procedures;
- **Working with the private sector and civil society:** The active engagement of trade and consumer associations, the transport industry and general civil society will help raise awareness of laws and the upstream conservation effect of market drivers;
- **Wildlife trade and sustainable development:** Well-managed wildlife trade can also be a component of sustainable development and ‘poverty reduction’, by promoting symbiotic links between human societies and their use of wild plants and animals;
- **Funding needs:** To monitor and manage harvest and trade (export, import and re-export) more funds and more human resources need to be allocated to deal with increasingly complex wildlife trade dynamics.

Much work has been done but the challenge of effective implementation of regulations and law enforcement remains daunting. Enforcement of trade controls requires improved anti-poaching capacity, specialized units for undercover investigations and necessary deterrents and incentives to combat unsustainable harvest and trade of wildlife. Only by countries working together, and by relevant government departments engaging with civil society can South-east Asia conserve its unique natural heritage for future generations.

TRAFFIC Southeast Asia is committed to being part of this process: by continuing efforts in research, capacity building and facilitation of dialogue between the multiple stakeholders involved in wildlife trade, TRAFFIC aims to create opportunities to develop practical solutions, and to integrate well-managed wildlife trade as a more prominent component of sustainable development planning.

The TRAFFIC network



This document was published with the kind support of



TRAFFIC,
the wildlife trade
monitoring network,
works to ensure that
trade in wild plants and
animals is not a threat to
the conservation of nature.

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A CITES priority:

LOOKING TO THE FUTURE:

A call for attention to the CITES Strategic Vision and Action Plan and some suggestions for its future development

TRAFFIC and WWF briefing document

September 2004

The first Strategic Plan for CITES, adopted in 2000, was scheduled to draw to a close in 2005. Preparing for CoP13, CITES member governments have had the opportunity to assess progress so far and design a process to set goals for the Convention's work for a new period of its development. So far, the response to this key opportunity to assess and steer the Convention's future has been disappointing. Important issues for consideration, include a need for greater attention to wider conservation and development policy context, more effective evaluation of the Convention's performance, enhancements to capacity-building and enforcement efforts, increased private sector engagement and review of the structure of current CITES institutions and decision-making.



Nile Crocodile, *Crocodylus niloticus*

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At the 11th meeting of the Conference of the Parties in 2000, CITES member countries made the momentous decision to adopt a strategic plan, the first comprehensive statement of their ambition for the Convention's future since the original treaty came into force in 1975. Almost five years on, the Parties will consider at the 13th meeting of the Conference of the Parties (CoP13) the process they will follow to review progress so far and develop a revised strategic plan for the next period of the Convention's development.

Entitled the *Strategic Vision through 2005* and accompanied by a detailed Action Plan for the same period, the current CITES strategic plan establishes a series of clearly articulated goals and objectives for the Convention's future. Its stated purpose was threefold, to provide: guidance to the Parties (and the Secretariat) in their implementation of the Convention; a basis for measuring progress; and an educational and outreach tool to explain the Convention to wider audiences. The CITES Standing Committee was given the responsibility for monitoring progress towards achievement of the plan's goals.

Off to a poor start

The process of considering strategic goals for CITES beyond 2005 began in late 2003, when CITES Parties and interested organisations were asked to provide suggestions to the CITES Secretariat in preparation for the 50th meeting of the Standing Committee in March 2004. The response was underwhelming. Only one member government was reported to have provided any response in time for consideration, with TRAFFIC providing the only comments from observers. The Secretariat was instructed to prepare a draft resolution for consideration at CoP13 to extend the life of the current strategic plan through 2007 and to establish a Strategic Plan Working Group to develop a proposal to CoP14 for adoption of a new strategic plan for the period through to 2013.

The apparent lack of interest in the CITES strategic planning process is cause for considerable concern. With world governments focused on issues such as security, trade and poverty alleviation, environmental concerns struggle to gain or retain attention in national and international policy fora. Among environmental concerns, the focus CITES brings to the links between biodiversity conservation, resource use, sustainable development, and trade competes for visibility with issues such as climate change, pollution and the potential risks and benefits of genetically-modified organisms. Meanwhile, CITES meetings echo with choruses of "not enough resources are being allocated by governments," and "wildlife trade is not being treated as a priority by politicians."

This is a slightly incongruous situation given that CITES of all the multi-lateral environment agreements is best placed to demonstrate the value of biodiversity to livelihoods. Indeed, the current political preoccupation with poverty alleviation and the Millennium Development Goals provides an opportunity for CITES to play its role in sustainable development. This opportunity suggests a focussing of



Pitcher plant, *Nepenthes edwardsiana*

GOALS OF THE CITES STRATEGIC VISION THROUGH 2005

1. Enhance the ability of each Party to implement the Convention
2. Strengthen the scientific basis of the decision-making process
3. Contribute to the reduction and ultimate elimination of illegal trade in wild fauna and flora
4. Promote greater understanding of the Convention
5. Increase cooperation and conclude strategic alliances with international stakeholders
6. Progress towards full global membership
7. Provide the Convention with an improved and secure financial and administrative basis

attention on trade in Appendix II species and strong practical links with the Convention on Biological Diversity.

If CITES is to fight its case as a priority, or more accurately, if those responsible for CITES within its member countries are to fight their cases that this Convention is a priority, a good starting point would be full commitment to a process that promotes transparency, accountability, impact assessment and strategic leadership in the Convention's work. A strong strategic plan for CITES has potential to provide far more than guidance on the treaty's implementation. It should provide a clear statement of ambition for national and inter-governmental action on wildlife trade as part of a wider biodiversity conservation and sustainable development agenda.

Performance to date

When adopted in 2000, the CITES Strategic Plan noted that, "Measurable performance indicators should be established for each of the seven goals to help identify progress toward their completion". So – how has the Convention and the work of its Parties progressed? Based on public record, this is not at all easy to assess. It appears that performance indicators were not developed or agreed by the Parties and, aside from review of a limited range of action items by the Plants Committee, there has been no systematic assessment of action taken or results.

Nevertheless, there have clearly been some areas of very significant progress in the Convention's work over the past five years. Based purely on perceptions and anecdotal information, some key examples include:

- increased membership (20 new Parties since the beginning of 2000);
- improved national implementing legislation, promoted through the CITES National Legislation Project;
- greater emphasis on capacity-building for Scientific Authorities;
- increased capacity at the CITES Secretariat;
- stronger management and scientific measures promoted through the CITES Significant Trade Project;
- agreement of ground-breaking approaches to policy assessment for elephant trade and conservation through the MIKE and ETIS;
- successful engagement of bilateral and regional collaboration between Parties in addressing priority wildlife trade problems;
- increased profile of the Convention's work in the media;
- some improvement in engagement and collaboration with other multi-lateral trade and environment institutions.

There have also been some frustrating challenges over the same period, particularly in terms of the imbalance between the high level of ambition of the Parties and the relatively low level of financial investment they have been willing to make in the Convention's work, both through the Secretariat and in many cases at a national level.

Overall, steady progress is being made, but it has to be asked whether this is really enough? Is CITES winning the battle it was established to fight? Do we even have the mechanisms in place to assess the answers to these questions?

Heading into the future

Based on their long association with CITES and its continuing efforts to help address wildlife trade challenges worldwide, TRAFFIC and WWF would like to highlight some issues of importance to the future of CITES, offered for the Parties' consideration as they begin to consider their ambition for the next period of the Convention's development.

Hanging CITES in the institutional web Governments should greatly increase their efforts to rationalise the policies and practices they advocate under different multi-lateral

economic and environmental institutions. CITES policy needs to be cognisant of wider biodiversity conservation and sustainable development goals and processes. The environmental standards for trade pursued under CITES need to be supported in fora such as the WTO and in the work of regional economic agreements. The fit between CITES and other natural resource management measures, especially those relating to fisheries and timber, needs to be firmly established. The work related to CITES must be integrated nationally, regionally and internationally with the conservation work pursuant to the CBD.

The use and abuse of the CITES Appendices Despite on-going work to refine CITES listing criteria and review the Appendices, there is a good case for the CITES Parties to take an analytical look at the performance of CITES listing overall as a basis for a more strategic approach in future. It is difficult to judge whether any CITES listing has achieved its intended purpose, largely because the Parties fail to identify explicit conservation goals for any listing at the time it is made, at least at the international level. Without tangible means to judge its performance over time, CITES will struggle to justify greater resource investment. Other aspects of CITES listings would also benefit from review, including the increasingly convoluted use of annotations to dictate terms for trade in listed species and the costs and benefits of controlling trade in a significant number of what are in effect domesticated forms of various plant and animal species.

Practice makes perfect - national action for CITES success The driving force of CITES' performance is the national-level action taken by each of its member governments. A wide range of national case studies and reviews such as the CITES Significant Trade and National Legislation projects have pointed to some of the key challenges for national implementation of the Convention. They include lack of policy coherence, weak or inappropriate laws, poor inter-agency co-operation, gaps in scientific and conservation management knowledge and under-investment in key administrative and enforcement roles. Capacity-building efforts by the CITES Secretariat, TRAFFIC, WWF, and others have helped, but to be more effective their scale needs to be rapidly increased with significant financial backing from sources such as the GEF. Capacity building and training need to be undertaken at a far greater scale. Ambitious targets for national implementation performance should be set and regular performance reviews carried out to assess progress.

Crime and punishment Trade in wildlife resources, like that in almost any commodity of high value, attracts criminal activities. Illegal activity undermines the conservation security afforded by wildlife trade controls and the benefits that should accrue to those with legitimate claims over resource value. Consciously or not, criminals tend to balance the potential benefits of their activities against the risk of being caught and punished. All too often, wildlife poachers and smugglers face no more than moderate risk of detection and a generally low risk of suffering significant sanction if caught. CITES Parties should look hard at the motivations driving both poaching and illegal trade, and the efficacy of the deterrents they are applying. Sharing of experience with penalty structures and levels could be extremely beneficial. New approaches to enforcement work, such as application of modern forensic techniques and use of remote tracking devices should be further promoted. Nevertheless, effective law enforcement will need adequate investment. There is no replacement for old-fashioned hard police work.

Economics and business - the missing links Wildlife trade regulations, and more specifically CITES trade controls, are usually developed by administrators and legislators with very little reference to the economic incentives at the heart of the business decisions made by those at each step along the trade chain. Without being responsive to the trade structure for any given commodity, or of the drivers influencing the behaviour of harvesters, traders, processors, retailers or consumers, traditional approaches to wildlife trade regulation have a limited chance of success. Greater attention to such factors should be an essential element of future thinking about the development of CITES. Private sector roles and responsibilities need to become central to CITES decision-making. Far more should be done to encourage business to internalise the costs of regulating its own activities, whether through levies to regulatory bodies or through voluntary measures such as third-party certification.



White rhinoceros
Ceratotherium simum simum



Talang Mamak people, Bukit Tigapuluh, Sumatra Indonesia



Corals for sale



Form for function - the future for CITES institutions With almost 30 years of the Convention's history behind them, the CITES Parties should look hard at the governance systems that have evolved up to this point, as well as those that might be developed to take the treaty through the coming decades. Does the Conference of the Parties strike the right balance between democracy and efficiency? Could more technical implementation issues be delegated to subsidiary bodies? What can be done to place science and regulatory expertise more firmly at the centre of decision-making? What level of executive power should be delegated to the Standing Committee? How should the role of the Secretariat develop in future? How can the full range of civil society be enlisted to help achieve the Convention's goals? There are strengths in current arrangements, particularly in the level of transparency in CITES institutions, but improvements could be made, particularly to breakdown the current dependence on the Conference of the Parties to manage so many detailed aspects of the Convention's business.

Measuring progress

In pursuing these and other ideas for the next Strategic Plan, it is essential that the Parties make some effort to learn from their achievements and failures over the past five years. Some simple retrospective evaluation of "what worked, what didn't and why?", against the goals and objectives of the *Strategic Vision through 2005* at national and global levels should reveal some crucial lessons for the next planning period.

Then looking forward to the plan through 2013, it is clearly important that the Parties take a far more serious approach to the monitoring of the Convention's performance. Early adoption of some basic targets and indicators and allocation of resources to support on-going evaluation should be treated as absolutely essential needs if the Convention is to prove its worth in the years ahead. The seventh CoP of the CBD adopted such measures in February 2004. The same governments should make sure that CITES follows suit.

In fact there could be a case for some alignment of progress assessment between the CBD and CITES. Given that CBD CoP7 initiated the adoption of a list of species indicators, it would seem sensible for CITES to buy into this process. Negotiations on how the CBD indicators will be developed will take place up to CBD CoP8 in Brazil in 2006. As part of the revitalised and extended co-operation between CBD and CITES work on a common set or subset of species indicators would be valuable to both conventions.

The whole and the parts

Planning is not necessarily the most attractive or rewarding task for the many professionals in government and civil society taking action day-to-day to tackle the challenges of wildlife trade regulation, resource management and biodiversity conservation addressed by CITES. Nevertheless, one cannot necessarily assume that individual actions, however much sense they make in a local context, will add up to meaningful results on a wider scale. The effectiveness of such actions, the level of resources allocated to support them and ultimately the level of impact of the Convention itself, stand to benefit immensely from the inspiration, direction and evaluation framework that can be provided by a CITES Strategic Plan for the coming years. But only if it has the full participation and support of all those concerned with the Convention's success.

TRAFFIC and WWF are ready and willing to assist the Parties in this endeavour, both at meeting in Bangkok and between COP13 and COP14.

WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by conserving the world's biological diversity, ensuring that the use of renewable resources is sustainable and promoting the reduction of pollution and wasteful consumption.

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TRAFFIC, the wildlife trade monitoring network, works to ensure that trade in wild plants and animals is not a threat to the conservation of nature.

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A CITES priority:

Ramin and the of the Parties

TRAFFIC briefing
August 2004

At the Thirteenth Meeting of the Conference of the Parties to CITES (CoP13), Parties will consider a proposal to list Ramin *Gonystylus* spp. in CITES Appendix II. With growing international concern over illegal logging of Ramin and the legality of the existing trade, it is hoped that the listing would strengthen international trade controls for this valuable Asian timber.

Thirteenth Meeting of the Conference to CITES, Bangkok, Thailand 2004

document

Ramin *Gonystylus* spp. is a tropical hardwood that is mostly used in the manufacture of doors, furniture and smaller items such as picture frames, billiard cues, blinds and baby cribs. Though it is found throughout Southeast Asia and the Pacific, from the Nicobar Islands to the Solomon and Fiji Islands, the largest exporters of Ramin are Indonesia and Malaysia. There are about 30 species of *Gonystylus*, with six species being of some commercial importance and *G. bancanus* being the most heavily exploited species.

IUCN classifies 15 species of *Gonystylus* (including *G. bancanus*) as Vulnerable and these 15 Species have been included in the IUCN Red List of Threatened Species since the year 2000. Populations have declined as a result of habitat loss and degradation, as well as logging – mostly from peat swamp forests. These threats are of special concern for *G. bancanus*, being the most important source of Ramin timber.

Production and trade

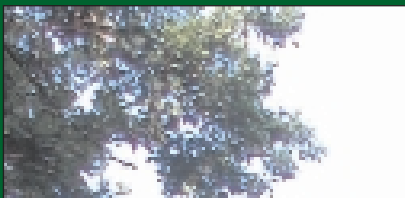
The deteriorating conservation status of Ramin could be inferred by the fact that while more than 1.5 million m³ of Ramin were logged annually in the 1970s, log production has declined rapidly in recent years, with Malaysia producing 137 512 m³ and Indonesia producing 131 307 m³ in 2000. Most Malaysian Ramin is from Peninsular Malaysia and Sarawak, while logging of Ramin in Indonesia takes place mainly in the peat swamp forests of Kalimantan and Sumatra.

The largest importers of Ramin sawn timber are countries such as China, Hong Kong, Germany, Italy, Japan, Singapore and Taiwan. These seven countries, for example, accounted for over 90% of all Ramin sawn timber exports from Malaysia in 2001 (see Table 1). The largest buyers of processed Ramin products are countries in the European Union, with Indonesian exports, for example, dominated by direct trade with Italy (see Table 2).



Illegal Ramin,
Port Kelang,
Malaysia.

TRAFFIC



The particular characteristics of Ramin bark are useful in distinguishing the species from others in peat swamp habitat.

Courtesy of FRIM-UNDP/GEF Peat Swamp Forest Project

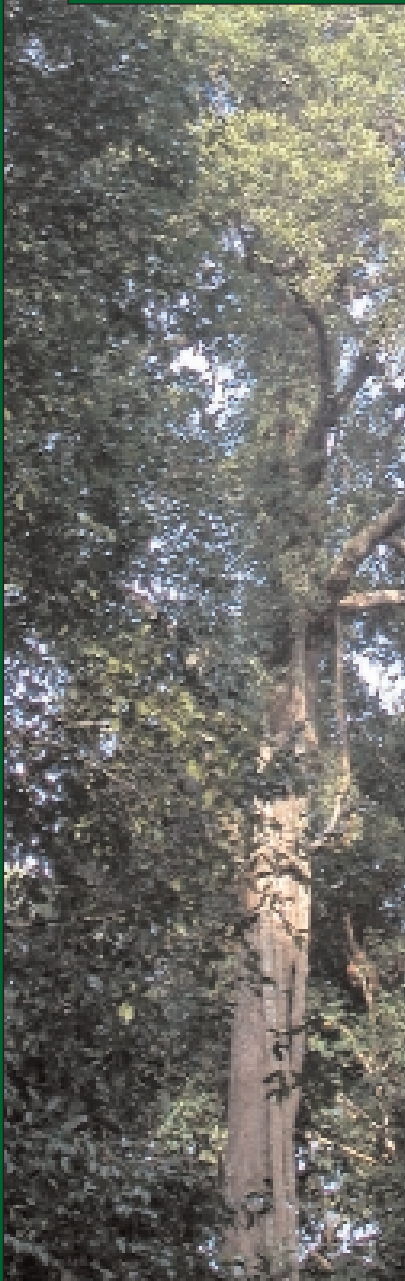


Table 1.
Exports of Ramin sawn timber from Malaysia in 2001 (August-December) by country of destination.

Country	Volume (m ³)
Hong Kong	10 753
Italy	8429
China	6226
Singapore	4832
Japan	3978
Germany	1288
Taiwan	1194
Others	3585
Total	39 285

Source: UNEP-WCMC CITES Trade Database (Comparative Tabulations).

Table 2.
Volume (cubic metres) of Indonesian exports of Ramin to Europe in 2002 (mouldings, dowels, f-jointed timber and doors).

Country	Volume (m ³)
Italy	1 716
United Kingdom	430
Austria	231
Spain	218
Netherlands	216
Denmark	90
Germany	80
Total	2 980

Source: CITES Management Authority of Indonesia.

Illegal logging and trade

Due to the declining areas of virgin peat swamp forests remaining outside of protected areas in Indonesia, there have been frequent reports over the past decade of encroachment into national parks for the purpose of illegal logging of Ramin. Smuggling and 'laundering' of illegally logged Ramin was also alleged to have occurred through Singapore and Malaysia. Subsequent enforcement actions in the two countries have confirmed cases of illegal Ramin trade.

In 2001, following concerns over rampant illegal logging, Indonesia placed Ramin on Appendix III of CITES, with an annotation covering logs, sawn wood, veneer and all finished products. The listing was subsequently imposed with a ban on all Ramin export from Indonesia except that from one concession

in Riau, Sumatra, that had been certified by the *Lembaga Ekolabel Indonesia* (LEI), the local certification scheme, and the Forest Stewardship Council (FSC). This concession, run by P.T. Diamond Raya, is currently the single source of legal Ramin trade from Indonesia, in volumes of processed products limited under an annual allowable cut.

Malaysia objected to the use of the annotation and placed a reservation on the listing of parts and derivatives, except for logs and sawn timber. Among the reasons for Malaysia's reservation were the possible difficulties in differentiating these Ramin species from several other timber species of similar colour and/or qualities, such as jelutong and rubberwood. However, it should be noted that most traders could easily distinguish these species, with Ramin timber having a market value close to ten times that of rubber wood. Furthermore, jelutong has very a much finer grain texture compared with Ramin, with the two timbers being very easy to distinguish using a simple hand-lens. In general, Customs officials should be able to differentiate Ramin from other species using existing identification guides and simple hand-held lenses to examine the wood structure.

Despite these steps to reduce unsustainable harvest and trade of Ramin, however, illegal activities were still taking place. Seizures were conducted in a number of importing countries, including the US, the UK, Canada, Singapore, Hong Kong and Italy. Some of the biggest seizures made in the US, for example, have been Ramin pool (billiard) cues – about 883 000 pieces of Ramin were confiscated and held in the custody of the Bureau of Customs and Border Protection or the US Marshals Service. In the UK, more than USD234 000 worth of Ramin picture frame mouldings were confiscated in just one seizure in March 2002.

It was evident that illegally logged Ramin was still entering the world market, often via Malaysia and Singapore. While the Appendix III listing had significantly increased the transparency of the trade, and had been beneficial in addressing some of the illegal trade, more measures were needed to improve the effectiveness of trade controls and enhance co-operation and co-ordination in the region and globally with all importing countries.

Gaps and weaknesses

A study by TRAFFIC Southeast Asia, as well as a series of national and international workshops with the stakeholders from Indonesia, Malaysia and Singapore, identified a number of key recommendations needed to address gaps and weaknesses in legislation and systems for controlling international trade. These critical issues include tracking movements of timber (chain of custody), verification of country of origin, pre-Convention stocks, stockpiles, requirements for species-specific declarations for shipments, look-alikes and other implementation difficulties. These will need to be resolved at national and tri-national levels regardless of the CITES-listed status of the species.

In Indonesia, trade enforcement and harvest monitoring systems need to be improved, as well as registration of existing national Ramin stockpiles and the resolution of problems related to barter trade. Co-ordination between the different governmental departments and agencies also needs to be enhanced, especially among the forestry and trade ministries, in addition to ensuring greater awareness of CITES regulations among all authorities.

Awareness of CITES regulations and greater inter-agency co-ordination were also identified as priorities in Malaysia. There is also a need for increased enforcement checks of illegal landing sites in Peninsular Malaysia, as well as mechanisms to ensure that Malaysia's Free Trade Zones and barter trade centres are not used for 'laundering' Ramin. In addition, mechanisms are needed to determine the appropriate CITES and other documents that can be used for Ramin verified as originating from Malaysia.

For both countries, it is recognised that mechanisms for information exchange among law enforcement agencies is urgently needed and that all the relevant agencies should share information in all existing procedures, legislation, regulations and documentation. To address trade discrepancies that are currently



Ramin can be stained to take on various colours and hues - this example (below) shows three finished variations for use in venetian blinds.



Policing small boats carrying mixed cargoes of hardwood logs, often including Ramin, present the biggest challenge for CITES enforcement agencies in the three countries.



evident between data from CITES Management Authorities and other agencies including Customs, statistics and data capture systems also need to be co-ordinated and improved to enable accurate cross-checking between volumes of production, domestic trade and bilateral trade. Harmonised customs codes for Ramin also need to be developed between Indonesia, Malaysia and Singapore so that Ramin products can be correctly identified and documented.

A Tri-National Workshop held in April 2004, involving Indonesia, Malaysia, and Singapore, focused on addressing current gaps and weaknesses in controlling Ramin trade, regulatory implementation and law enforcement. Representatives of the three governments at the workshop committed to forming a Tri-National Task Force to increase law enforcement co-operation in combating illegal trade in Ramin and promote effective implementation of CITES. Malaysia is taking the lead in the formation of the Task Force and it is hoped that constructive dialogue, engagement and co-operation between all parties concerned can continue under this important initiative.

Strengthening international trade controls

Because various *Gonystylus* species are traded using the generic trade name “Ramin”, the Appendix II listing being considered at CoP13 includes all *Gonystylus* species. There is no specific Harmonised System (HS) Customs code for Ramin, which is traded under various tariff categories and, as such, Customs authorities would have difficulty distinguishing different species of Ramin, especially in processed forms. As the majority of products in international trade are semi-finished and finished products rather than logs and sawn wood, the proposal also includes all parts and derivatives.

An Appendix II listing can provide elements that would help strengthen international trade controls for Ramin. For example, it has the criteria that all CITES Parties (and not just the listing State, as with Appendix III) ensure that specimens are legally acquired.

An Appendix II listing of Ramin could provide more avenues for control such as the requirement for non-detriment findings, which, if based on robust methodology, would also enhance the setting of sustainable harvest and trade quotas that are internationally acceptable. The sole approved concessionaire for export of Ramin in Indonesia, is already conducting non-detriment findings as part of the certification process. The national export quota for Ramin is based on these non-detriment findings. Malaysia currently does not conduct non-detriment findings for Ramin, although the country’s advances in sustainable forestry practices as a whole does provide it with an adequate forest management framework for doing so.

Appendix II listings are also more widely understood and implemented by CITES Parties than Appendix III and may therefore provide stricter, wider and more consistent implementation across the board. Ultimately, an Appendix II listing would give governments the controls, processes, tools and information that would assist them in managing their Ramin resources. This can only complement and support ongoing efforts at addressing unsustainable or illegal harvest and trade, including the work of the Tri-National Ramin Task Force – and boost consumer confidence in the legal origin of Ramin products and the overall sustainability of the trade.

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A CITES priority:

Humphead Wrasse and the Thirteenth Meeting of the Conference of the Parties to CITES, Bangkok, Thailand 2004

IUCN, TRAFFIC and WWF briefing document
September 2004

At the Thirteenth Meeting of the Conference of the Parties to CITES (CoP13), Parties will consider a proposal to include the Humphead Wrasse *Cheilinus undulatus* in Appendix II. It is naturally rare and extremely vulnerable to overexploitation. There is evidence of targeted fishing of spawning aggregations, increasing the already high level of threat to this species. Demand for Humphead Wrasse already is high and expected to increase and, currently, illegal trade is difficult to control. An Appendix II listing can complement and strengthen current national management and monitoring initiatives and provides a valuable tool in moving towards the sustainable management of the species.

The Humphead Wrasse *Cheilinus undulatus*, a distinctive coral reef fish which can grow to over two metres in length, occurs broadly in the Indo-Pacific, from East Africa to French Polynesia, Australia to India. The species has a low natural mortality and adults, which are naturally uncommon and prefer outer reefs, reef channels and passes, can live for more than 30 years. Consequently, it is predicted to have a low rate of intrinsic population growth. Within the last 10 years, the species has become heavily targeted, especially for the international trade in live reef fish. Approximately 10 countries are involved in the export trade, which is estimated at several hundred metric tonnes annually. The species is specifically targeted as it is not typically taken in traditional multi-species fisheries.

The Humphead Wrasse has been proposed for listing in Appendix II because of marked declines in landings, and several local extinctions, brought about especially by pressure from the live reef fish export trade. For example, exports from south-east Asia declined by 22% over just one year (1995-1996). Adults are uncommon in most fished areas and 80-90% of individuals now in trade are large juveniles. Despite the introduction of management measures in a number of countries, illegal, unreported and unregulated harvest for international trade continues and the species has recently been reclassified by IUCN from Vulnerable to Endangered. Although the species does not form a significant economic component of the trade, the high retail value of the Humphead Wrasse (sometimes exceeding USD130/kg) is a considerable incentive to continue fishing even if fish become harder to catch as populations decline. The species cannot be hatchery-reared at commercial levels, demand is expected to grow and exploited populations are therefore projected to continue to decline in the absence of effective or co-ordinated regulation. An Appendix-II listing could complement and strengthen current national management and monitoring initiatives and would provide the legal framework to regulate imports of specimens that were exported illegally from the country of origin.



Humphead Wrasse *Cheilinus undulatus*
can grow to over two metres in length.

CITES CoP13 and Humphead Wrasse

CoP13 Prop.33: *Cheilinus undulatus* - Inclusion in Appendix II. [in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraph B.]

Issues for consideration

Management options:

There is no effective regional fisheries management organization that can address management of the Humphead Wrasse in support of existing national regulations. CITES is a powerful means of supporting national laws and addressing illegal trade. It can be a valuable tool in moving towards the sustainable management of high-value, small-scale and widely traded coral reef species, such as the Humphead Wrasse.

Voluntary trade standards are currently being developed under the auspices of the Asia Pacific Economic Cooperation (APEC) for the live reef food fish trade to address issues such as high mortalities in transport in this trade. However these do not specifically address the Humphead Wrasse and would therefore be complemented by the regulatory obligations under an Appendix-II listing for this species.

Declining sizes and landings in exporting countries:

Data supporting the proposal are derived from a combination of market landings data for dead fish, trade data for live fish and underwater visual census data and have been published in a comprehensive synopsis. The expert opinions of biologists, fishery officials and traders from at least 15 countries (including most of those involved in exporting Humphead Wrasse) were also obtained. These various independent data sources allowed for cross-checking of data quality. The findings across all data sources suggested similar patterns of decline in fish numbers and sizes, specifically associated with the live reef food fish trade.

A fishery of juveniles:

Most individuals in trade are in the mid- to late-juvenile phase. This is largely because of consumer market preference for juvenile (i.e. plate-sized) fish. Smaller juveniles are caught also for 'grow-out' to market size. Significant removal of juvenile fish will ultimately compromise the reproductive capacity of exploited populations of vulnerable species.

Non-detriment findings:

Implementation of two fishery management measures would allow Parties to make non-detriment findings as a first response to an Appendix II-listing. These measures are the:

1. protection of juveniles (fish below 40 cm total length) from capture, including for the purpose of 'grow-out'. N.B. This is the most important measure given the common fish size in trade.
2. protection of the species during the reproductive season, particularly when forming spawning aggregations.

Identification:

As demand for the Humphead Wrasse is largely for the live reef fish food trade, the species is generally traded as whole fish. Humphead Wrasse is a highly distinctive species that changes colour several times throughout its life but is readily recognizable to species level at all life history stages and in all colour forms. Some limited trade may occur also in filleted form, which may present challenges for identification; some range States already require that some skin be retained on the fillets to aid identification.



Juvenile Humphead Wrasse on display outside restaurants.



Frozen fish on sale at a retail outlet, for local use rather than export, Pacific Island 2003.

Poor mariculture potential:

The Humphead Wrasse cannot be hatchery-reared at commercial scales (i.e. where fish are reared from the egg to market-size). Despite considerable efforts to produce this species by full-cycle culture (e.g., Taiwan, Indonesia) it has not been possible to raise the larvae after hatching for very long. The major problem is the small size of the larvae and the resulting problems of feeding; growth rates are also slow. Aquaculture experts consulted in Australia and Indonesia do not believe that this species will be successfully hatchery-reared at commercial scales in the near- to mid-term. Claims that this species is being 'cultured' all refer to grow-out of individuals being taken from the wild, not to hatchery production. Thus, this practice does not reduce the pressure on wild population.

Rarity will not stop fishing:

The Humphead Wrasse is a high-value, low-volume species in the luxury live reef fish trade. Therefore there will continue to be considerable economic incentive to fish this species even after its numbers have been significantly reduced in the wild, especially in less developed countries where incomes are extremely low. The species can exceed USD130/kg at retail (e.g., southern China). There is clear evidence that value increases with rarity of this species and that the live trade is particularly focusing on high value fish such as Humphead Wrasse for economic reasons; higher value species tend to bring higher profits.

Socio-economic benefits to range States:

The Humphead Wrasse has significant cultural value and tourism-related economic benefits in many range States. Where the diving industry is developed, the value of Humphead Wrasse for diving tourism *in situ* is likely to be considerably higher than for the export market. Moreover, its social and economic value in restaurants/hotels in tourist areas and for traditional and ceremonial use is already (or potentially) high in a number of Pacific range States.

Although the species has a high retail value, its natural rarity means that it is not typically a target fish nor does it provide a significant proportion of income for individual fishers who take it as part of their fishery for groupers and other, more common, species. The high retail values do not tend to filter down to the level of the fishers, with highest profits being made at the retail level. Although perceived benefits of the trade in live fish, of which the Humphead Wrasse is a very small component, are high because of retail prices, most of this value is not returned to the fishers. On the contrary, the destructive fishing methods, such as the use of cyanide commonly associated with the targeted capture of live Humphead Wrasse, and overfishing often linked to the "boom and bust" nature of many live fish fisheries, can cause

long-term declines in local resources with serious negative impacts on the small-scale communities that depend on them for food and livelihoods.



Humphead Wrasse on sale to customers of nearby restaurants. Clients select the fish they want and it is prepared freshly steamed.



Humphead Wrasse *Cheilinus undulatus* on a plate ready for steaming.



Soup of Humphead Wrasse

For more information on Humphead Wrasse and live reef fish trade:

Y.Sadovy *et al.* (2003) The Humphead Wrasse, *Cheilinus undulatus*: synopsis of a threatened and poorly known giant coral reef fish; *Reviews in Fish Biology and Fisheries* 13:327 -364.

Nokome Bentley. (1999). *Trade Review: Fishing for Solutions: Can the Live Trade in Wild Groupers and Wrasses from Southeast Asia be Managed*. TRAFFIC Southeast Asia

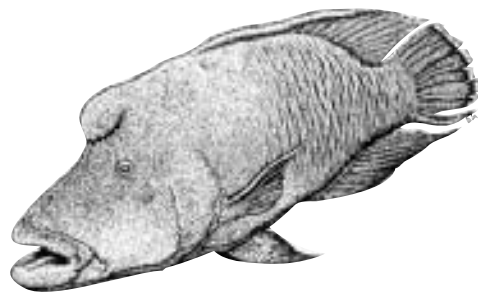
Patrick Lau and Rob Parry-Jones (1999). *The Hong Kong Trade in Live Reef Fish for Food*. TRAFFIC East Asia and WWF-Hong Kong.

Website on Humphead Wrasse:
www.humpheadwrasse.info.

FAO, Fisheries management and criteria for listing species in the CITES Appendices

No international protection or regional fisheries management measures currently are in place or planned for the species. Listing of Humphead Wrasse in Appendix II of CITES would complement and strengthen broader fisheries management objectives such as the FAO International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU) and abide by the Code of Conduct for Responsible Fisheries.

The FAO ad hoc Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-Exploited Aquatic Species assessed this proposal and concluded that Humphead Wrasse meets Annex 2a criterion B, and possibly also criterion A, for inclusion in CITES Appendix II. The Panel also concluded that regulation of trade as a result of a CITES listing could make a significant contribution to the conservation of this species.



Drawing by Bruce Mahalski

IUCN - The World Conservation Union is an inter-governmental organization that influences, encourages and assists societies throughout the world to conserve the integrity and diversity of nature and ensure that any use of natural resources is equitable and ecologically sustainable.

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A CITES priority:

Introduction from the Sea and the Thirteenth Meeting of the Conference of the Parties to CITES, Bangkok, Thailand 2004

TRAFFIC and WWF briefing document
September 2004

Over the Convention's history, the role of CITES in regulating trade in marine species has increased with a number of such species listed in Appendix II, including Giant Clams in 1975, hard corals in the 1980s and Basking Shark, Whale Shark, and seahorses at the last CoP in 2002. CITES has also engaged in challenges for a number of marine species that are not listed but whose conservation status may potentially benefit through some level of co-ordinated engagement by CITES Parties, including sea cucumbers, other shark species and toothfish.

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The range of marine species with which CITES is engaged is extremely broad, covering those found in tropical and temperate waters, those taken in coastal fisheries and those that may be harvested in remote waters, and those taken in multi-species fisheries, as well as in single-species fisheries. These developments have made redundant any suggestion that CITES has no role to play in the regulation of trade in marine species as a contribution to the effective conservation and management of such species. However, there remains a need to consider and clarify some practical aspects of this role. One such aspect, that is unique to CITES and that remains an outstanding implementation issue, relates to "introduction from the sea".

The issue: introduction from the sea

Under CITES, "introduction from the sea" is defined as "...transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State" (Article I (e)). Special provisions apply to specimens of species in Appendix I and II introduced from the sea. The CITES Management Authority of the State into which the catch is landed must issue a certificate of introduction before the introduction takes place. In issuing the certificate, the Management Authority must act on the advice of the Scientific Authority that "...the introduction will not be detrimental to the survival of the species involved" (Article III 5(a) and Article IV 6(a)). Unlike for export permits, such certificates do not require a finding that the specimen was legally obtained. There are no provisions relating to introduction from the sea for species listed in Appendix III.

The drafting and entry into force of CITES occurred prior to the completion of negotiations that resulted in the *United Nation's Convention on the Law of the Sea* (UNCLOS), which was adopted in 1982 and entered into force in 1994. Currently, 145 countries are Parties to UNCLOS. The UNCLOS establishes a definition of marine jurisdiction and, at the national level, States have generally adopted this definition. As a result, conservation and management of commercially exploited marine species is undertaken by a State out to the limit of its 200-nautical-mile exclusive economic zone (EEZ), or equivalent zone of national jurisdiction. In fisheries regimes at the international, regional and national levels, waters beyond the 200-nautical-miles limit of the EEZ are generally referred to as the high seas. One of the important roles of regional fisheries management organizations is to co-ordinate and implement conservation and management measures in high sea areas.





Two CITES-listed fish species are recognized under UNCLOS as being highly migratory, with their range encompassing high sea areas, i.e. Basking Shark *Cetorhinus maximus* and Whale Shark *Rhincodon typus* (left).

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While the marine jurisdiction of coastal States is generally clear under fisheries regimes, this is not the case under CITES, as the Parties have not yet adopted a common interpretation to clarify what constitutes waters under a State's jurisdiction in the context of the Convention.

The problem: a lack of clarity leading to uncertainty

As a common view on marine jurisdiction has not been adopted under CITES, the line on the water beyond which introduction from the sea provisions would apply has not been established and so is open to interpretation by individual Parties. Given the range of marine species already listed in the CITES Appendices, potential exists for confusion and conflict on this point.

There are already two CITES-listed fish species recognized under UNCLOS as being highly migratory, with their range encompassing high sea areas, i.e. Basking and Whale Sharks. Specimens from these species clearly have the potential to be introduced from the sea as they may be harvested from the high seas as well as from coastal waters. However, it is not only in relation to these highly migratory species that a common interpretation is required, as it is equally important to know how far State jurisdiction over national coastal harvests extends in regard to implementing CITES provisions.

Theoretically, the captain of a fishing boat landing a catch of species listed in Appendix II currently would be unsure which CITES provisions, if any, would apply to that catch. For example, if a Whale Shark were caught 80 nautical miles off shore and landed, there is no standard by which a Party may determine whether that catch should be subject to the requirements for species introduced from the sea or whether CITES documentation would not be required because the catch should be treated as domestic harvest.

The solution: adopt a definition at CoP13 based on the UNCLOS

Adopting a common interpretation of what constitutes waters under national jurisdiction is a relatively straightforward task, as relevant international marine law that can be drawn on by the Parties is already in force, specifically UNCLOS. Not only is there accepted international law in this area but there is also well-established State practice in the conservation and management of marine resources that provides practical experience in the exercising of coastal State jurisdiction; i.e., countries have generally exercised conservation and management of marine resources within their EEZ or equivalent zone of national jurisdiction. It is therefore an area in which CITES could readily draw on, and support, existing fisheries management practice.

Further, in practical terms it would appear that individual Parties are already following the jurisdictional regimes established under UNCLOS when applying CITES provisions, otherwise certificates of introduction for species such as Giant Clams, Queen Conch and corals harvested from off-shore reefs would presumably have been granted.

The opportunity to discuss and clarify the interpretation of introduction from the sea at CoP13 is provided through the document submitted by the USA on this issue (*CoP13 Doc. 41*), which recommends that it be interpreted in a manner consistent with UNCLOS.

Recommendation:

TRAFFIC and WWF recommend that Parties adopt an interpretation for CITES of what constitutes waters under national jurisdiction, based on existing interpretations of UNCLOS provisions, at CoP13. This will provide certainty for the fishing industry, as well as for national Management and Scientific Authorities, with regard to the implementation of this important aspect of CITES for marine species.

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A CITES priority:

RED TAPE AND CLOSED DOORS:

Motivating inter-agency co-operation at national, regional and international levels, for effective enforcement of CITES

TRAFFIC and WWF briefing document
September 2004

CITES enforcement is still struggling to make an impact, often because barriers to inter-agency co-operation are undermining it. This fundamental CITES function is often not treated as a priority by governments and lacks impetus, resources and attention. The generally low awareness of or interest in CITES enforcement at the higher political level is a critical factor that perpetuates the problem. Many front line enforcers are doing their best to enforce CITES in spite of this challenge.

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As CITES evolves and more is learnt about its implementation, one problem is clear - CITES enforcement is often significantly undermined by a lack of inter-agency co-operation at the national, regional and international levels. Ultimately, this chronic problem is prevalent because the high-level decision-makers, who instruct and equip the agencies responsible, are either not aware or are not concerned about the importance of inter-agency co-operation for CITES enforcement. CITES is not unique in this regard: inter-agency co-operation on enforcement for a range of environmental treaties and initiatives is also deemed low priority by governments. In fact, CITES is perhaps viewed as a lower priority than many other environmental concerns. It is critical that CITES enforcement is maintained as a priority, even if a low priority - being low priority is better than 'no priority'.

The manner in which lack of inter-agency co-operation is manifests itself varies between countries and the elements of CITES enforcement involved. For example, at the national level law enforcement officials in a country may be hampered by a lack of information on the latest developments in CITES, simply because the CITES Management Authority has not circulated CITES Notifications. Conversely, the recording of CITES trade data may be impeded by the enforcement agencies' lack of awareness or interest in returning copies of used CITES permits received at ports to the CITES Management Authority. These two examples are basic problems that are well known and stem from lack of resources, poor political will and lack of support and incentives for the agencies involved. In fact, both examples may be symptomatically linked due to lack of co-operation from both sides, with one problem exacerbating the other.

Of even greater concern, however, are problems that are much more complicated, including those relating to regional and international co-operation that have broad implications for effective enforcement of the Convention. Specific examples may include lack of cross-border co-operation to impact smuggling in CITES-listed specimens and failure to co-operate on enquiries concerning individual CITES shipments between particular exporting and importing countries.

'3Cs' of CITES

In recent years, a series of dialogue meetings, workshops and capacity-building initiatives have found, through needs assessment and discussion, that underpinning problems impeding effective CITES enforcement are **poor co-operation, co-ordination and communication** between agencies - the '3Cs' of CITES.

The '3Cs' of CITES:

1. Co-operation
2. Co-ordination
3. Communication

Many of the actions and recommendations from national and regional CITES meetings, such as the recent South Asia Wildlife Trade Diagnostic and Enforcement Workshops (Kathmandu, Nepal, 26-30 April 2004), specifically address ways to improve the '3Cs' of CITES. The CITES Enforcement Experts Meeting (Shepherdstown, USA, 2-5 February 2004), also concluded that there was insufficient liaison between CITES authorities and law enforcement agencies nationally. It also emphasised that information sharing regionally and internationally is insufficient.



UK prosecution case on birds of prey smuggled in suitcases from Thailand relied on enforcement co-operation between the two countries.

Furthermore, many of these discussions have emphasised strongly that the primary way to achieve change is to motivate political will to allocate resources, empower relevant agencies and develop policy and practical initiatives for co-operation.

The problems of poor co-operation mean that CITES enforcement is pursued in isolation, by 'island' agencies that are not supporting or being supported by their partners at national, regional and international levels. A destructive cycle of exclusiveness is eroding the effectiveness of CITES enforcement. This cycle needs to be broken and solutions need to be found now.

The Top Ten Impediments to Interagency Co-operation for CITES Enforcement:

1. Lack of authority to act
2. Lack of resources
3. Low or no priority for CITES Enforcement
4. Language barriers
5. Political barriers
6. Lack of contact information
7. No focal point responsibility
8. Lack of information and awareness
9. Bureaucratic 'red tape'
10. Legal barriers to information sharing

Common Problems

In order to stimulate political will for greater inter-agency co-operation it is important to understand and convey the problems that need to be grappled with, and emphasise their significance and potential solutions. The list of problems that are caused by lack of co-operation at national, regional and international levels is long and many are common to every region or country worldwide.

National

- Inadequate enforcement intelligence networks, caused by a lack of enforcement resources and impetus
- Lack of clarity in the roles and responsibilities of agencies within countries and sometimes unclear designation of the lead agency
- Paucity of information and barriers to sharing information between agencies
- Significant lack of awareness among enforcement agencies of wildlife laws

Regional

- Government agencies may not have the resources to be able to engage on regional co-operation protocols
- Complex geopolitical situations in regions generate barriers to co-operation
- Few effective formal or informal mechanisms for engagement at the regional level
- The driving force for change is lacking to push priority needs through to reality and action

International

- Lack of resources for networking and engagement to develop international co-operation
- Facilitation by international enforcement bodies is limited due to low priority
- Lack of clarity and awareness on the benefits of international co-ordination resulting in a reluctance to become engaged
- Logistical issues (such as distance and time zones), political differences, and language barriers impede co-operation

Being Positive and Strategic

Discussion on the '3Cs' of CITES enforcement has tended to focus negatively on the problems where co-operation is lacking. There is now a need to be more positive - learning from where the '3Cs' are working. Learning from and emulating positive approaches can be a first step to overcoming existing problems.

The processes that maintain CITES have only attempted, piecemeal, to deal with the real problem of actually making sure that CITES enforcement is working in practice, rather than in theory, through ever more intricate policy amendments. A strategic approach - making sure the basic fundamental practices of enforcement are working on the ground - would provide the basis from which to remedy this situation. Absolutely critical to success is the buy-in at the political level to authorize and fund such a strategic approach.

It is also important not to assume that CITES works best in developed countries, where there is higher level political interest and therefore the resources are more likely to be allocated to train, equip and



Enforcement cases involving high value commodities such as caviar, which are subject to CITES fraud and linked to organized crime, have received greater resources and stimulated inter-agency co-operation nationally and internationally. Such cases are given greater priority over lower value commodities of equal conservation status that are also subject to illegal trade.



assign dedicated officials. The issue of resource allocation by governments for CITES implementation is indeed largely a higher level political decision, grounded in the harsh realities of treasury budgets. However, ensuring co-operation is not quite as resource-dependent, or as politically motivated - this can be enhanced significantly (or even impeded) at any level, from the enforcer on the frontline to the politician in Cabinet. However, the only way ultimately to ensure that the '3Cs' are effective is to secure higher level commitment from senior officials in responsible agencies or through political sensitization.

Ways Forward?

Elements of the lessons learnt from many years of CITES capacity-building initiatives, research and dialogues clearly provide a solid basis for determining how to forge ahead. This can include promoting recommendations of best practice or incorporating an analysis of lessons learnt into the framework of policy mechanisms that shape CITES. One way forward could be to start by analysing all of the recommendations from such initiatives and using these to generate the required responses. There also has to be discussion and action on how CITES stakeholders can effectively communicate that the fundamental principles of the Convention are being undermined and enforcement is being hindered through breakdowns in inter-agency co-operation. The meetings of the Conferences of the Parties (CoPs) should, ideally, be the vehicle to bring these CITES stakeholders together to develop the solutions but there are few opportunities in the usual agenda that emerges. It is vital that experts are more effectively brought together at the CoPs to formulate approaches to strategically shape CITES in this regard, rather than experience the usual knee-jerk reactions to tackle the detail of immediate specific problems.

Regional and international co-ordination depends first on effective co-ordination within countries - tackling communications between the full range of agencies, with disparate and sometimes unclear roles and responsibilities within each country. Some of the ways forward to improve inter-agency co-operation are best understood by using existing examples of approaches taken.

National Level

- Agree a Memorandum of Understanding (MoU) between the relevant enforcement agencies (e.g. Customs, Quarantine, border authorities, Police) and the CITES Management Authority to define roles, communication channels and improve co-ordination. This MoU should be evaluated and reviewed on a regular basis to ensure effective collaboration. This approach has had positive results in China, for example.
- Establish points of contact in relevant agencies with responsibility for co-ordination and identify lines of communication and roles.
- Establish a centralized process for action to deal with seizures, collating and passing data to related agencies or nations, for a centralized analysis to advise priority enforcement action and policy development.
- Expedite sharing of non-public information between agencies where privacy laws will allow.
- Establish wildlife law enforcement committees at national and State/Provincial levels, such as the Partnership for Action against Wildlife Crime (PAW) in the UK.
- Set up a mechanism for regular enforcement co-ordination meetings at the field level to connect central and local levels of CITES enforcement and administration.
- Use existing structures to support co-ordination efforts, pushing CITES onto the agenda where necessary. Build on existing informal structures and make them formalised, particularly national networks and task forces to develop specialised / dedicated units within (and between) enforcement agencies. The Biodiversity Protection Unit in Sri Lanka Customs is a good example.
- Multi-agency wildlife enforcement units, such as the Wildlife Enforcement Group in New Zealand, provide effective integration between agencies (dedicated staff from Customs, Ministry of Agriculture and Forestry and Department of Conservation, working in one office) for action-based results.

The CITES CoP13 Panel Discussion Event on "Willing Co-operation?"

The panel discussion event will be held at CoP13 to discuss these issues and call upon the views and expertise of CITES delegates to help formulate solid solutions for change.

The panel members will represent a range of regions and roles, and they will speak to some key questions.

The participants will then be able to raise questions, discuss particular points and make recommendations about how to meet some of the challenges identified.

A summary record of the event will be produced and circulated at CoP13, with the intention to inform Committee II agenda discussions, particularly relating to agenda item 13.23 on Enforcement Matters.

TRAFFIC and WWF are organizing the 1.5-hour, lunchtime panel discussion event "Willing Co-operation: Motivating political will to ensure inter-agency co-operation at national, regional and international levels, for effective enforcement of CITES."

The event will be hosted and chaired by Defra, the UK CITES Management Authority. The event date and location will be confirmed at CoP13.



Caribbean UK Overseas Territories CITES Enforcement Training Workshop 2003. Workshops can generate greater inter-agency co-operation in the short term but they need to be built upon to be sustainable.



Regional Level

- Cross-border enforcement meetings at bilateral or multi-lateral levels, such as the Mekong Sub-regional meeting in 2004.
- Information sharing between countries within a region, with clear lines of communication. The wealth of information held within countries is often inaccessible to others and an access mechanism is required. This is partly the role of the Lusaka Task Force in East and Southern Africa.
- Countries should approach the secretariats of established regional economic co-ordination bodies to provide a regional platform for collaboration in CITES and intra-regional wildlife trade controls (e.g. the Association of South East Asian Nations (ASEAN) Experts Group on CITES).
- Establish Regional Wildlife Enforcement Networks for co-ordination that shares information, holds biannual meetings, develops goals and actions and reviews effectiveness. Designate formal or informal nodal enforcement points in relevant agencies to form the Network. The North American Wildlife Enforcement Group (NAWEG) is a good example of this sort of approach.

International Level

- Support and expand international initiatives focusing on CITES enforcement co-operation, such as the CITES Tiger Task Force and the Interpol Working Group on Wildlife Crime.
- Act immediately if another country seeks information to help the country on joint investigations. Common approaches to investigations and using enforcement focal points would assist this to occur.
- Develop dedicated anti-smuggling teams that are in close communication between key countries on international smuggling routes, to tackle the problems of international organized smuggling operations.
- Promote methods of best practice and sharing of experience between countries to bolster the effectiveness of approaches and government-to-government relationships.
- Improve mutual understanding and trust between countries as a basis for future collaboration through sharing information and providing a feedback mechanism for information shared.
- Promote bilateral engagements (such as dialogue meetings and training) between linked trading countries (evaluate effectiveness and implications of engagements).
- Identify international liaison points for rapid day to day interactions in each country to act as both international contact points, and to disseminate information to intra-country stakeholders.
- Capitalize on telecommunication advances to facilitate better co-ordination both in-country and internationally.

Political Will

These practical ways forward for more effective co-operation are unlikely to be achievable unless CITES, the agencies that implement and enforce it, IGOs, NGOs and interested stakeholders can work out how to motivate political will, and ensure that the vital components of inter-agency co-operation are functioning for effective enforcement.

While this briefing document focuses on motivating greater inter-agency co-operation, it cannot answer how to generate the political will be required to ensure that inter-agency co-operation is sustainable. The objective of the panel discussion event at CITES CoP13 is to explore the answers -and actions - that might be taken to motivate that political will to meet the challenge ahead. Potential solutions that could be discussed include:

- Developing political commitment through sensitizing high-level political figures through informal engagements (e.g. meetings with wildlife agency heads)
- Holding a high-level ministerial segment or meetings at CITES CoPs to bring the relevant government ministers together
- Using regional collaboration efforts to stimulate political will in other countries
- Educating government decision-makers about CITES and the conservation management concerns that underlie its purpose, and the benefits of positive publicity on CITES issues
- Using media, NGOs and other stakeholders to lobby for policy changes

WWF's

mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by conserving the world's biological diversity, ensuring that the use of renewable resources is sustainable and promoting the reduction of pollution and wasteful consumption.

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TRAFFIC,

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The 50th Meeting of the CITES Standing Committee and the One-Off Sale of Ivory Agreed at CITES CoP12

by Tom Milliken, Director, TRAFFIC East/Southern Africa

A TRAFFIC Network Briefing Document

March 2004

A number of African Elephant (*Loxodonta africana*) issues will be considered at the 50th meeting of the CITES Standing Committee to be held from 15th - 19th March 2004 in Geneva, Switzerland. Agenda items include an assessment report of domestic ivory markets in key countries, and consideration of a procedure to determine how the term "detrimental impact" of approved trade in ivory can be defined and measured. There is also likely to be discussion of one of Africa's oldest, largest and most controversial stocks of ivory. Current public attention, however, is erroneously focused on the prospect of imminent trade in raw ivory from southern Africa. In this briefing, TRAFFIC assesses the issues and outlines what the Standing Committee will - and will not - be doing at its upcoming meeting.

1. With regard to listings of the African Elephant on the CITES Appendices, what were the outcomes of the 12th Meeting of the Conference of the Parties to CITES (CoP12) in November 2002?

At CoP12, Botswana, Namibia and South Africa -- but *not* Zimbabwe -- succeeded in changing the annotation governing the inclusion of their elephant populations in Appendix II of the Convention to provide for a future conditional one-off sale of raw ivory. These conditions restrict the origin, size and volume of the ivory, the acceptability of potential trading partners, and the timing of the sale, including requirements for the prior occurrence of certain developments and events. Subsequent to the sale, the conditions also prescribe the manner in which the ivory can be dispatched and the future dispensation of any revenues that derive from the sale. Finally, the conditions also establish precise roles and responsibilities for the CITES Secretariat and the Standing Committee in the verification and approval process governing this arrangement. The CITES Parties, however, were not prepared to approve annual quotas for trade in raw ivory and such requests were withdrawn from consideration at the meeting.

With respect to other elephant products, Botswana and Namibia were also successful in expanding the scope of their annotation to allow for trade in leather goods for non-commercial purposes and trade in elephant hides. On the other hand, neither country was given the go-ahead to trade in worked ivory products for non-commercial purposes. For its part, Zimbabwe's elephant population remained on Appendix II with no change to the annotation that characterized the listing prior to CoP12. In other developments, Zambia was denied the transfer of its elephant population to Appendix II, while the proposal from Kenya and India to put all elephant populations back on Appendix I was withdrawn.

2. What role did MIKE (Monitoring Illegal Killing of Elephants) and ETIS (Elephant Trade Information System), the two monitoring systems for elephants under CITES, play in the deliberations? Were there any other significant developments or decisions relating to African Elephants at CoP12?

Both MIKE and ETIS were discussed as formal agenda items at CoP12. Because MIKE was not yet fully operationalised in some sites in Africa at that time, and progress in Asia was marginal, it was only possible to present a status report updating current developments and future intentions to implement the system. On the other hand, ETIS delivered a full analytical report which met all of the objectives and requirements specified in Resolution Conf. 10.10 for the monitoring systems. The statistical assessment of the seizure data in ETIS clearly demonstrated that illicit trade in ivory is most directly correlated to the presence of large-scale, unregulated domestic ivory markets and poor law enforcement effort in a number of Asian and African countries. The ETIS report identified key countries for focused attention in this regard. Finally, the ETIS analysis also revealed that there has been an increasing trend in ivory seizures since 1998 due to the influence of an emerging market in China. ETIS recommended the establishment of a formal mechanism under the direction of the Standing Committee to evaluate compliance of major domestic ivory markets with CITES requirements for internal trade in ivory.

The findings of the ETIS analysis stimulated the fifth meeting of the African Elephant Range State Dialogue, held just prior to the CITES conference, to submit two recommendations to CoP12, both of which were adopted. The first (which became Decision 12.36) was directed to the Parties, donors and organizations and called for the provision of financial resources to support public awareness, capacity building, law enforcement and internal trade controls for ivory in elephant range States. The second (which became Decision 12.39) mandated the CITES Secretariat to assess the implementation of CITES requirements in Resolution Conf. 10.10 (Rev. CoP12) for internal ivory markets in ten key nations. The Secretariat's assessment of progress on these Decisions is on the agenda at the upcoming meeting of the Standing Committee (see Question 6 below). A related measure (which became Decision 12.37) directed the Standing Committee to assess the Secretariat's report at its 50th meeting and, for instances of non-compliance, provided for the restriction of commercial trade in specimens of CITES-listed species to or from the Parties concerned.

Other decisions relating to elephants called upon the Standing Committee, by its 49th meeting, to agree a precise definition of the 'geographical scope' and the nature of the data that constitutes 'baseline information' as it relates to MIKE (Decision 12.33) and to recommend measures for improving law enforcement coordination between ivory producing and ivory importing States (Decision 12.35). The Standing Committee was also mandated to determine the method it would use for concluding whether or not a 'detrimental impact' on other elephant populations had occurred as a result of approved trade in ivory (Decision 12.34).

And finally, in another development, the Parties revised Resolution Conf. 10.10 (Rev. CoP12). The principal changes strengthened requirements for control of domestic ivory markets, and established the inter-sessional process under the direction of the Standing Committee for evaluating compliance of countries allowing internal trade in ivory. The Parties also agreed to strengthen the mandate for the two monitoring systems, ETIS and MIKE, and called for the establishment of a Technical Advisory Group (TAG) to support ETIS.

3. With respect to the one-off trade in raw ivory, will the 50th meeting of the Standing Committee certify that the conditions established at CoP12 have been met and allow the three southern African countries to proceed with a CITES-approved ivory trade transaction at this coming meeting?

No. There is no agenda item for this issue at the 50th meeting of the Standing Committee and a decision approving resumption of international ivory trade is not imminent.

Many of the conditions have not been met, and neither the CITES Secretariat, nor the proponent countries themselves, have made any request for such a deliberation at this Standing Committee meeting. Consideration of whether or not the conditions governing the one-off ivory sale have been met will transpire at a future Standing Committee meeting as a formal agenda item at the request of the CITES Secretariat.

4. What are those conditions and to what extent have they been met?

The following table describes each condition and assesses the current state of play in terms of process and implementation (see next page):



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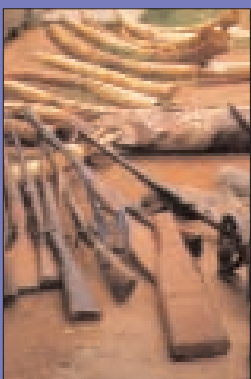
Description of Condition	Current Status
<p>(In the annotation preceding the list of conditions designated by Roman numerals). The raw ivory eligible for trade is restricted to registered whole tusks and cut pieces for Botswana and Namibia, and to whole tusks and cut pieces that are both 20 cm or more in length and one kilogramme or more in weight for South Africa.</p>	<p><u>Status:</u> Presumably fulfilled, awaiting final verification from a mission of the Secretariat.</p> <p><u>Background:</u> This condition establishes size and weight requirements for any ivory to be eligible for the one-off sale.</p> <p><u>Comment:</u> These conditions were included in the original proposals from each of the proponent countries at CoP12. Consequently, there is every reason to believe that they have been satisfied from the outset.</p>
<p>i). The ivory eligible for sale is restricted to only government-owned stocks, all of which must originate from within the country in question for Botswana and Namibia or, in the case of South Africa, originate from a specific, in-country location, Kruger National Park.</p>	<p><u>Status:</u> Presumably fulfilled, awaiting final verification from a mission of the Secretariat.</p> <p><u>Background:</u> This condition establishes eligibility requirements concerning the origin of any ivory to be traded in the one-off sale.</p> <p><u>Comment:</u> These conditions were included as precautionary measures in the original proposals at CoP12 by each of the proponent countries themselves. Thus, there is every reason to believe that they have been satisfied from the outset. Botswana and Namibia previously met these same requirements for the 1999 one-off ivory sale, and all three countries have robust ivory stock management systems that establish the source of each piece of ivory in the government store. These systems have all been tested and verified in the past.</p>
<p>ii). The trade is restricted to trading partners that have been verified by the CITES Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to prevent re-exportation and to ensure compliance with the requirements for internal trade in ivory specified in Resolution Conf. 10.10 (Rev. CoP12).</p>	<p><u>Status:</u> Unfulfilled, but in progress.</p> <p><u>Background:</u> This condition establishes eligibility requirements and a verification process concerning any country that wishes to engage in the one-off ivory sale as an importing country.</p> <p><u>Comment:</u> Japan has formally declared its intention to be a trading partner in the one-off sale. An initial assessment of Japan's compliance with the requirements of Resolution Conf. 10.10 (Rev. CoP12) for internal trade in ivory has transpired in the context of the Decision 12.39 process (described in questions 2. and 6.) The Secretariat's report (SC50 Doc. 21.1) states: "The Secretariat believes that Japan's current internal ivory controls do not meet all of the required measures." Japan is now in the process of taking remedial actions which will need to be assessed by a future verification mission on the part of the Secretariat. Thus, Japan's eligibility as a trading partner remains in the balance and this condition remains unfulfilled.</p>



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...table continued...

<p>iii). No trade can transpire prior to May 2004, and in any event not until the Secretariat has verified the prospective importing countries (see ii. above), and not before the MIKE programme has reported to the Secretariat on baseline information.</p>	<p><u>Status:</u> Unfulfilled in all regards.</p> <p><u>Background:</u> This condition concerning the timing of the sale has three components: a calendar date, a prerequisite verification process involving any prospective trading partner, and a prerequisite development involving a specific milestone output in the CITES monitoring programme MIKE.</p> <p><u>Comment:</u> Firstly, May 2004 is still several weeks away. Secondly, at this time, the Secretariat has not commenced a formal process to verify any potential trading partner, and the most likely partner, Japan, has seemingly failed to meet the requisite requirements at this time (see ii. above). Thirdly, while the definition of what constitutes the MIKE baseline was approved at the 49th meeting of the Standing Committee, the MIKE Central Coordinating Unit (CCU) has indicated that this development is unlikely to occur anytime prior to CoP13 and possibly not in the current calendar year.</p>
<p>iv). The volume of ivory eligible for sale is restricted to not more than 20,000 kg for Botswana, 10,000 kg for Namibia; and not more than 30,000 kg for South Africa; and...</p>	<p><u>Status:</u> Presumably fulfilled, awaiting final verification from a mission of the Secretariat.</p> <p><u>Background:</u> This condition establishes limitations to the volume of ivory to be traded in the one-off sale.</p> <p><u>Comment:</u> The trade volumes established in this condition were declared by the proponent countries themselves in their original proposals to CoP12. Botswana and Namibia did not exceed the limitations on the volume of ivory allowed for export in 1999 and procedures to ensure compliance were adequate at that time. There is every reason to believe that this condition will once again be satisfied.</p>
<p>iv). ...[continued] the total volume of ivory sold is dispatched in a single shipment under the supervision of the Secretariat.</p>	<p><u>Status:</u> Undertaking to comply expressed, but can only be realised subsequent to the one-off sale.</p> <p><u>Background:</u> This condition establishes a requirement governing the shipping of the consignment to the importing country.</p> <p><u>Comment:</u> This condition was included as a precautionary measure in the original proposals from each of the proponent countries at CoP12. Botswana and Namibia previously satisfied this same requirement in the context of the 1999 one-off ivory sale.</p>
<p>v). The revenue derived from the ivory sale is used exclusively for elephant conservation and community development programmes within or adjacent to elephant range.</p>	<p><u>Status:</u> Undertaking to comply expressed, but can only be realised subsequent to the one-off sale.</p> <p><u>Background:</u> This condition prescribes the manner in which the revenues stemming from the one-off sale can be used.</p> <p><u>Comment:</u> This condition was included as an undertaking in the original proposals to CoP12 from each of the proponent countries. Botswana and Namibia previously satisfied this same requirement with respect to the 1999 one-off ivory sale.</p>



...table continued...

vi). The Standing Committee must agree that all of the conditions have been met.	<p><u>Status:</u> Unfulfilled.</p> <p><u>Background:</u> This condition establishes the Standing Committee as the final arbiter concerning whether or not the above listed conditions have been met.</p> <p><u>Comment:</u> As was the case in 1999, this process will be a formal agenda item at a future meeting of the Standing Committee. A consensus decision is likely, but if a vote is necessary a simple majority would prevail.</p>
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As a final comment, it needs to be appreciated that the one-off sale of raw ivory approved at CoP12 represents the second time over the last 15 years that the CITES Parties have allowed commercial trade in ivory. The arrangement agreed at CoP10 in 1997, which led to a legal ivory sale in 1999, had many of the same conditions that were agreed at CoP12. Thus, the procedures and safeguards that served to ensure that all conditions were satisfactorily met at the time of the 1999 one-off sale will no doubt serve as precedents to be followed during the present scenario.

5. What will the 50th meeting of the Standing Committee discuss with respect to elephants?

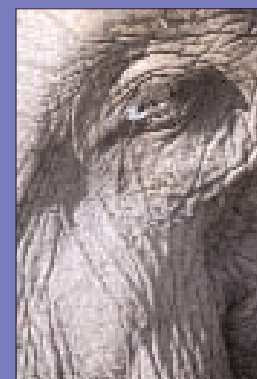
The agenda for the 50th meeting of the Standing Committee lists four issues related to elephants under item 21. They are: 21.1 Control of internal ivory trade; 21.2 Determination of detrimental impact; 21.3 Conditions for trade in raw ivory (Kenya); and 21.4 Ivory stocks in Burundi (Burundi). These agenda items will frame the elephant discussion at the meeting. The one-off sale of raw ivory from Botswana, Namibia and South Africa is not part of the agenda and no decision to allow such trade to commence will be taken at this meeting.

6. What will be discussed with respect to Item 21.1 Control of internal ivory trade?

As noted above in question 2 above, Decision 12.37 mandates the 50th meeting of the Standing Committee to review the Secretariat's report on internal trade in ivory in ten targeted countries (i.e. Cameroon, China, the Democratic Republic of the Congo, Djibouti, Ethiopia, Japan, Nigeria, Thailand, Uganda and the United States of America) as called for in Decision 12.39. The Secretariat's report in this regard is found in SC50 Doc. 21.1 and describes the situation in each of the countries identified in the Decision. In fact, most of the countries assessed fail to meet the requirements for internal trade in ivory outlined in Resolution Conf. 10.10 (Rev. CoP12). The Secretariat suggests a number of approaches to resolving outstanding issues and recommends verification and assessment missions, the preparation of action plans and possible trade restrictions for some countries. That said, the Secretariat's report, which is largely based on initial desk research, is regarded as a tentative document, and since then additional information has come to light. Thus, it is understood that the Secretariat will update the situation since the issuance of the initial document and will propose specific actions for the Standing Committee's consideration at the meeting. According to Decision 12.37, it is within the mandate of the Standing Committee to impose sanctions in the form of restrictions on commercial trade in specimens of CITES-listed species to or from those countries that fail to comply with CITES.

7. What will be discussed with respect to 21.2 Determination of detrimental impact?

The annotation to the Appendix II listing of the elephant populations of Botswana, Namibia and South Africa allows the Standing Committee, on a proposal from the Secretariat, to halt the one-off sale of ivory 'partially or completely...in the case of proven detrimental impacts of the trade on other elephant populations'. Decision 12.34 calls upon the Standing Committee to determine 'how it would conclude that a detrimental impact on other elephant populations had occurred as a result of approved trade in ivory'. This was also a consideration for a previous Standing Committee with respect to the experimental trade in ivory that was agreed at CoP10.



Simon Millidge / TRAFFIC East/Southern Africa

In SC50 Doc. 21.2, the Secretariat proposes to use the reporting and monitoring procedures in place for MIKE and ETIS to assess rates and levels of illegal hunting and trade in elephant specimens and, in the event of reported increases by particular Parties, to establish the veracity of such reports and their linkage, if any, to the commercial trade in raw ivory. If the Secretariat believes there is reason for concern, it will report to the Chairman of the Standing Committee and formulate recommendations for remedial actions. If the Secretariat concludes that there has been an important increase in either the illegal killing of elephants or illegal trade in elephant products because of the allowance of commercial trade, it will recommend to the Standing Committee that such trade cease. The Secretariat would also request the Depository Government to propose at the next Conference of the Parties that all elephant populations be transferred back to Appendix I. This proposal from the Secretariat will be discussed and decided at the upcoming Standing Committee meeting.

8. What will be discussed with respect to 21.3 Conditions for trade in raw ivory (Kenya)?

The government of Kenya, an alternate Africa region representative on the Standing Committee has prepared SC50 Doc. 21.3 Annex. This document presents a wide-ranging opinion on interpretation of the annotation for the listing of the Botswana, Namibia, South African and Zimbabwe elephant populations in Appendix II, Resolution Conf. 10.10 (Rev. CoP12) and several of the decisions concerning elephant conservation under the Convention. The document is somewhat problematic for two reasons. Firstly, it addresses a range of issues that are not specifically on the agenda for discussion at the current meeting of the Standing Committee. For example, as noted in question 3 above, there will be no deliberations on whether or not the conditions have been satisfied for allowance of the one-off trade in raw ivory however, the Kenya document comments extensively on this matter and in a manner suggesting that such a decision is imminent. Secondly, the Kenya document seemingly introduces new conditionality that was not part of the decision governing the one-off sale of raw ivory approved at CoP12. It is beyond the mandate of the Standing Committee to impose new conditionality in this regard. It is difficult to predict how this meeting of the Standing Committee will react to the Kenya document. A similar document by Kenya was presented at the 49th Meeting of the Standing Committee but not discussed.

9. What will be discussed with respect to 21.4 Ivory stocks in Burundi (Burundi)?

The government of Burundi, an observer Party at the Standing Committee, has prepared SC50 Doc 21.4 which concerns a privately-owned stock of elephant ivory, believed to represent over 87 tonnes, that was imported into Burundi prior to 5 November 1987 when an import ban was imposed. Part of the problematic history of this stock is outlined in the document, including interventions by various CITES authorities and institutions. It is worth noting that Burundi is not a range State for African elephants, but was once a major trade entrepot, thus none of this ivory stock originated from within the country. Because the government of Burundi is apparently under pressure to compensate private owners of these ivory stocks, Burundi now seeks permission from the Standing Committee to sell this stock of ivory. This document is problematic for the simple reason that only a proposal presented to, and adopted by, a Conference of the Parties could result in the disposal of this stock of ivory for commercial purposes. While there may be some discussion of the Burundi situation, there is absolutely no scope for the Standing Committee to approve the dispensation of Burundi's ivory stocks. In the meantime, the Secretariat has sent a mission to Burundi, including representation from TRAFFIC, to assess the situation further, and a report in this regard is expected at the upcoming Standing Committee.



10. What happens after the 50th meeting of the Standing Committee in terms of elephant conservation under CITES?

Following on from the 50th meeting of the Standing Committee, elephant conservation issues are likely to remain in high focus. Depending on what specific actions or decisions are taken by the Standing Committee with respect to the issue of internal ivory trade controls (see question 6 above), a number of follow-up interventions could transpire. The Standing Committee could take a 'hard line' and impose sanctions on those countries that allow domestic ivory trade but do not adequately control manufacturing and sales. A period of focused attention on large-scale, unregulated domestic ivory markets would certainly address one of the key issues correlated to illicit trade in ivory identified in the ETIS reports to CoP12.

With the 13th meeting of the Conference of the Parties (Co13) scheduled for 2-14 October 2004, there will be a lot of activity under CITES concerning elephants after this Standing Committee concludes. By 5 May 2004, all amendment proposals to the CITES Appendices will be tabled and, judging by past experience, there are likely to be several proposals dealing with African Elephants. For the CoP13 agenda, comprehensive reports on the illegal killing of elephants (based on the MIKE data) and illegal trade in elephant specimens (based on the ETIS data) will be prepared by the MIKE Central Coordinating Unit and TRAFFIC respectively. The MIKE programme is currently pressing forward with implementation in Asia, as well as coordinating the flow of data from all sites in Africa. Some form of analytical assessment of the MIKE data is anticipated for CoP13. For its part, ETIS is presently engaged in a major data collection effort. Around June 2004, data entry into ETIS will cease and a statistical analysis of the seizure data, in collaboration with the University of Reading's Statistical Services Centre, will commence. As MIKE will also deliver an analysis of some standard for CoP13, the beginning of the process to integrate and interpret the findings of ETIS with those of MIKE will occur, marking a new level of achievement in the CITES monitoring process for elephants.

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A CITES priority:

African Elephants and the Thirteenth Meeting of the Conference of the Parties to CITES, Bangkok, Thailand 2004

A TRAFFIC briefing document
September 2004

African Elephants *Loxodonta africana* are once again on the agenda of the Conference of the Parties to CITES. This time there are two proposals to amend the Appendices and two proposals to change CITES Resolutions or Decisions that relate to this species. There will also be presentations and analytical reports from the MIKE and ETIS monitoring systems, further discussion of domestic ivory markets in Africa and Asia, and consideration of the status of Burundi's ivory stocks. TRAFFIC takes a look at the issues and recent developments.

1. What happened at CoP12 in 2002? Were Botswana, Namibia, South Africa and Zimbabwe allowed to trade raw ivory? Was the African Elephant population of Zambia transferred to Appendix II, or did Kenya and India succeed in having all elephant populations put back in Appendix I?

At CoP12, the Parties approved a conditional one-off sale of raw ivory for Botswana, Namibia and South Africa — but *not* for Zimbabwe. As a result, Zimbabwe's elephant population remained in Appendix II with no changes to the existing annotation that allows limited trade in live elephants and elephant hides for commercial purposes, and ivory trophies, worked ivory and leather products for non-commercial purposes. The annotations for the three other countries were amended to stipulate the precise conditions of the one-off sale of raw ivory, many of which had been proposed by the proponents themselves. Accordingly, the ivory will be restricted to stocks of national origin involving not more than 20 t for Botswana, 10 t for Namibia and 30 t for South Africa. Potential trading partners must implement the requirements for internal trade in ivory in *Resolution Conf. 10.10 (Rev. Cop12) Trade in elephant specimens* and ensure that none of the imported ivory will be commercially re-exported. The timing of the one-off sale was restricted to "not before May 2004" and, in any event, only after the CITES monitoring system MIKE (Monitoring Illegal Killing of Elephants) had reported on baseline information (see 4. below). The conditions also prescribe the manner in which the ivory can be dispatched and limit the future dispensation of revenues derived from the sale to conservation purposes. Finally, the conditions also established precise roles and responsibilities for the CITES Secretariat and the Standing Committee in terms of the verification and approval process for the arrangement. In accepting the one-off sale, the CITES Parties were not prepared to approve annual quotas for trade in raw ivory proposed by Botswana, Namibia and South Africa, and these requests were withdrawn.

Also at CoP12, Botswana and Namibia were allowed to extend the scope of their annotations to include trade in elephant leather goods for non-commercial purposes and elephant hides, but neither country was given the go-ahead to trade in worked ivory products for non-commercial purposes. Previously agreed trade in ivory trophies under quota and in live elephants, for Botswana, Namibia and South Africa, and trade in elephant hides for commercial purposes for South Africa remained valid. However, the annotation for trade in elephant leather products from South Africa was inadvertently changed to restrict it to non-commercial purposes, rather than for commercial purposes as allowed at CoP11.

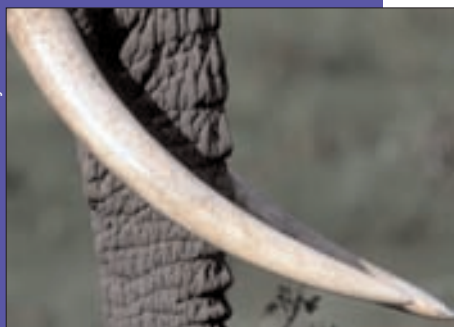


With the acceptance of these trade options for Botswana, Namibia and South Africa, the proposal from Kenya and India to put all elephant populations back in Appendix I was effectively moot and withdrawn from consideration. Finally, in another development, Zambia's attempt to transfer its elephant population to Appendix II failed to win the approval of a two-thirds majority of Parties voting and was therefore defeated.

2. Have the conditions for the one-off ivory sale been met and, if so, will these be approved at the CoP?

Many of the conditions have not been met, and neither the CITES Secretariat, nor the proponent countries themselves, have made any request for a deliberation of this issue at CoP13. Consideration of whether or not the conditions governing the one-off ivory sale have been met will only transpire at a future meeting of the Standing Committee as a formal agenda item at the request of the CITES Secretariat. The following table describes each condition and assesses the current state of play in terms of process and implementation:

Description of condition	Current status
<p>The raw ivory eligible for trade is restricted to registered whole tusks and cut pieces for Botswana and Namibia, and to whole tusks and cut pieces that are both 20 cm or more in length and one kilogramme or more in weight for South Africa.</p>	<p>Status: Presumably fulfilled, awaiting final verification from a mission of the Secretariat.</p> <p>Background: This condition establishes size and weight requirements for any ivory to be eligible for the one-off sale.</p> <p>Comment: These conditions were included in the original proposals from each of the proponent countries at CoP12. Consequently, there is every reason to believe that they have been satisfied from the outset</p>
<p>i). The ivory eligible for sale is restricted to only government-owned stocks, all of which must originate from within the country in question for Botswana and Namibia or, in the case of South Africa, originate from a specific, in-country location, Kruger National Park.</p>	<p>Status: Presumably fulfilled, awaiting final verification from a mission of the Secretariat.</p> <p>Background: This condition establishes eligibility requirements concerning the origin of any ivory to be traded in the one-off sale.</p> <p>Comment: These conditions were included as precautionary measures in the original proposals at CoP12 by each of the proponent countries themselves. Thus, there is every reason to believe that they have been satisfied from the outset. Botswana and Namibia previously met these same requirements for the 1999 one-off ivory sale, and all three countries have robust ivory stock management systems that establish the source of each piece of ivory in the government store. These systems have all been tested and verified in the past .</p>
<p>ii). The trade is restricted to trading partners that have been verified by the CITES Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to prevent re-exportation and to ensure compliance with the requirements for internal trade in ivory specified in <i>Resolution Conf. 10.10 (Rev. CoP12)</i></p>	<p>Status: Unfulfilled, but in progress.</p> <p>Background: This condition establishes eligibility requirements and a verification process concerning any country that wishes to engage in the one-off ivory sale as an importing country.</p> <p>Comment: Japan has formally declared its intention to be a trading partner in the one-off sale. An initial assessment of Japan's compliance with the requirements of <i>Resolution Conf. 10.10 (Rev. CoP12)</i> for internal trade in ivory has transpired in the context of the <i>Decision 12.39</i> process (described in 3. and 7.). The Secretariat's report (<i>SC50 Doc. 21.1</i>) states: "The Secretariat believes that Japan's current internal ivory controls do not meet all of the required measures". Japan is now in the process of taking remedial actions which will need to be assessed by a future verification mission on the part of the Secretariat. Thus, Japan's eligibility as a trading partner remains in the balance and this condition remains unfulfilled.</p>



WWF-Canon / Martin Harvey



WWF-Canon / Meg Gawler

Confiscated ivory and muzzle-loaders on display in front of the Luangwa Wildlife Office near South Luangwa National Park Zambia

<p>iii). No trade can transpire prior to May 2004, and in any event not until the Secretariat has verified the prospective importing countries (see ii. above), and not before the MIKE programme has reported to the Secretariat on baseline information.</p>	<p>Status: Unfulfilled. Background: This condition concerning the timing of the sale has three components: a calendar date, a prerequisite verification process involving any prospective trading partner, and a prerequisite development involving a specific milestone output in the CITES monitoring programme MIKE. Comment: Although the calendar date has passed, the Secretariat has not yet commenced a formal process to verify Japan, the only country to date to declare its intention to become a trading partner (see ii. above). Finally, while the definition of what constitutes the MIKE baseline was approved at the 49th meeting of the Standing Committee, the MIKE Central Co-ordinating Unit (CCU) has indicated that this development will not occur until 2005.</p>
<p>iv). The volume of ivory eligible for sale is restricted to not more than 20 t for Botswana, 10 t for Namibia; and not more than 30 t for South Africa; and...</p>	<p>Status: Presumably fulfilled, awaiting final verification from a mission of the Secretariat. Background: This condition establishes limitations to the volume of ivory to be traded in the one-off sale. Comment: The trade volumes established in this condition were declared by the proponent countries themselves in their original proposals to CoP12. Botswana and Namibia did not exceed the limitations on the volume of ivory allowed for export in 1999 and procedures to ensure compliance were adequate at that time. There is every reason to believe that this condition will once again be satisfied.</p>
<p>iv). ...[continued] the total volume of ivory sold is dispatched in a single shipment under the supervision of the Secretariat.</p>	<p>Status: Undertaking to comply expressed, but can only be realized subsequent to the one-off sale. Background: This condition establishes a requirement governing the shipping of the consignment to the importing country. Comment: This condition was included as a precautionary measure in the original proposals from each of the proponent countries at CoP12. Botswana and Namibia previously satisfied this same requirement in the context of the 1999 one-off ivory sale.</p>
<p>v). The revenue derived from the ivory sale is used exclusively for elephant conservation and community development programmes within or adjacent to elephant range.</p>	<p>Status: Undertaking to comply expressed, but can only be realized subsequent to the one-off sale. Background: This condition prescribes the manner in which the revenues stemming from the one-off sale can be used. Comment: This condition was included as an undertaking in the original proposals to CoP12 from each of the proponent countries. Botswana and Namibia previously satisfied this same requirement with respect to the 1999 one-off ivory sale.</p>
<p>vi). The Standing Committee must agree that all of the conditions have been met.</p>	<p>Status: Unfulfilled. Background: This condition establishes the Standing Committee as the final arbiter concerning whether or not the above listed conditions have been met. Comment: As was the case in 1999, this process will be a formal agenda item at a future meeting of the Standing Committee. A consensus decision is likely, but if a vote is necessary a simple majority would prevail.</p>



C Shepherd/TRAFFIC Southeast Asia



C Shepherd/TRAFFIC Southeast Asia



C Shepherd/TRAFFIC Southeast Asia

3. What African Elephant proposals to amend the CITES Appendices have been submitted for consideration at CoP13?

This time only Namibia and South Africa have submitted proposals to amend the Appendices with respect to the Appendix-II listing of their elephant populations.

The South African proposal is a straightforward attempt to correct the error that resulted when the annotation governing trade in elephant leather was rewritten in 2002 and inadvertently precluded trade that previously had been sanctioned (see 1. above). This proposal is unlikely to provoke controversy, especially as it is widely recognized within conservation circles that trade in elephant hides and leather products does not produce negative conservation impacts on the species.

Namibia's proposal seeks to establish an annual quota for trade in raw ivory and allow trade in elephant leather, hair and specific worked ivory products for commercial purposes. Namibia proposes to restrict the annual quota to not more than 2000 kg of raw ivory, derived from natural and management-related mortalities. Available data indicate that about 1000 kg of raw ivory from these sources are recovered annually but, with a growing elephant population, Namibia suggests that "stockpiles should increase by approximately 100-500 kg per 1000 elephants in the standing population per year". With an estimated national population of about 11 000 elephants, between 1100-5500 kg of ivory could accrue annually, but this theoretical formula still remains to be demonstrated. As precautionary measures, Namibia proposes a series of conditions, including: restricting the export to government-held, marked ivory of certifiable Namibian origin; limiting the sale to a single centre and ensuring direct export to approved importing countries; allowing independent monitoring; and using all revenues from the sale for elephant conservation as part of a special national trust fund. As the one-off ivory sale agreed at CoP12 has not yet occurred, this is expected to be one of the more contentious issues at CoP13.

Namibia also proposes to establish a highly-restricted avenue for trade in worked ivory products "for commercial purposes" by allowing the production of traditional cultural artifacts, called *ekipas*, by craftsmen in rural communities. Each unique item would be marked using a numbering system, and dealers and carvers registered under an internal control system. These systems, however, were not in existence at the time the Panel of Experts assessed Namibia's original proposal to transfer its elephant population to Appendix II in 1997. Currently, only Zimbabwe has been granted an exemption to trade internationally in worked ivory products but, in contrast to the Namibian proposal, the annotation governing such trade is restricted to "non-commercial purposes". This means that all specimens of worked ivory leaving Zimbabwe are treated as "personal effects" and involve only a limited number of items. The Government of Namibia has recently indicated its intention for similar conditions, but would formally need to amend its proposal in this regard to reflect this.

Finally, Namibia's request to trade in elephant leather and hair goods for commercial purposes appears to present few conservation risks. Currently, hides and hair from elephants killed in the course of management-related activities are not routinely recovered, but Namibia proposes to do so in the future. Such hide and hair would be made available to commercial dealers and manufactured into a number of small products under a controlled system. Namibia indicates that it would require manufacturers and traders to be registered and to keep comprehensive records.

4. What other elephant proposals are there at CoP13?

Kenya has tabled two documents concerning the future interpretation and implementation of the Convention with respect to elephant conservation. The first, *CoP13 Doc. 29.4*, concerns illegal ivory trade and control of internal markets and would result in a series of amendments to *Resolution Conf 10.10 (Rev. CoP12)*. The most contentious changes, directed at those African countries with elephant populations in Appendix II, would result in a 20-year moratorium being placed on the export of raw and worked ivory (excluding hunting trophies for non-commercial purposes). This two-decade period would commence after realization of the conditional one-off sale of designated ivory stocks agreed at CoP12 (see 1. and 2. above). At CoP11 and CoP12, Kenya, together with India, submitted amendment proposals – which were unsuccessful - to have all African Elephant



African elephant bull with exceptional tusks, Amboseli National Park, Kenya.

populations transferred back to Appendix I. *CoP13 Doc. 29.4* is viewed by some as an attempt at another route to the same objective and will require the approval of a two-thirds majority of Parties voting to gain acceptance. Other changes to *Resolution Conf. 10.10 (Rev. CoP12)* proposed by Kenya would halt all domestic sales of raw and worked ivory in Africa and in all other Parties “not designated as ivory importing countries”. In 1999, Japan was designated as the legitimate ivory importer for the one-off ivory sale agreed at CoP10, but no importer has yet been designated for the sale agreed in 2002. While the term “designated ivory importing countries” is somewhat vague, it can be construed that it would curtail domestic trade in ivory in most countries in the world with very limited exception. Kenya proposes that such bans be buttressed with appropriate legislation, law enforcement and public awareness campaigns and introduces language to achieve this in a comprehensive redrafting of *Resolution Conf. 10.10 (Rev. CoP12)*. A host of other general and specific control measures are also introduced to address internal trade issues.

The second document from Kenya, *CoP13 Doc. 29.5*, seeks to revisit two Decisions – *Decisions 12.33 and 12.34* - that concern the conditions established for the one-off sale of raw ivory agreed at CoP12. *Decision 12.33 Elephants – Monitoring Illegal Killing of Elephants (MIKE)* called for the 49th meeting of the CITES Standing Committee to clarify, in consultation with IUCN and the MIKE Central Coordinating Unit, the constitution of the MIKE baseline. The Committee subsequently agreed that, in terms of geographical scope, the MIKE baseline would constitute a minimum of 45 sites in Africa and 18 sites in Asia, (based on the number of sites originally proposed in the MIKE design document approved at the 41st meeting of the Standing Committee in 1999). In terms of the precise data needed at each site, the Standing Committee agreed that the baseline would include: at least one population survey that does not predate 2000; data on levels of illegal killing covering a period of 12 months at African sites and 6 months at Asian sites; a descriptive report on patterns of influencing factors; an assessment of the effort made to acquire the information on illegal killing; and a preliminary analysis of the information. Kenya proposes to change the baseline requirements to include: 55 sites in Africa and 28 sites in Asia; two population surveys at all sites where elephant censusing has not occurred in the past; two years of data on illegal killing; and a statistical analysis of aspects of the data on influencing factors and illegal killing. It should be noted that Kenya made similar proposals at the time the Standing Committee first considered this issue in 2003, but they were not accepted at the time.

Regarding *Decision 12.34 Elephants – Monitoring Illegal Killing of Elephants (MIKE)*, Kenya proposes to alter the mechanism agreed by the Standing Committee for determining “that a detrimental impact on other elephant populations had occurred as a result of approved trade in ivory”. At its 50th meeting, the Standing Committee agreed a procedure that would rely upon information from the monitoring systems, MIKE and ETIS (Elephant Trade Information System), to identify Parties where rates and levels of illegal hunting and trade show apparent increases (see **6.** and **7.** below). In such cases, the CITES Secretariat would conduct further investigations, resulting in a report and recommendations to the Standing Committee. All reports and background data would be placed on the CITES website. If the Secretariat concludes, and the Standing Committee agrees, that such increases result from commercial trade in ivory approved by the Convention, subsequent trade in ivory would be halted and the Depository Government (Switzerland) would propose that the elephant populations concerned be transferred back to Appendix I at the next CoP. In *CoP13 Doc. 29.5*, Kenya proposes to introduce a new procedure whereby the CITES Secretariat would solicit information and data on changes in illegal hunting or trade through a Notification to the Parties to be issued following the Standing Committee’s determination that the conditions for the one-off sale of ivory approved at CoP12 had been met. Parties would be given 60 days to respond and, if information was provided showing an apparent increase in the illegal killing of elephants or trade in ivory, an independent group of experts would be established to verify the reports and report to the Standing Committee. This change would effectively transfer current roles and responsibilities of the CITES Secretariat to an external group of “experts”, with cost and duplication implications. Proposals similar to these were advanced by Kenya at the 50th meeting of the Standing Committee.

5. How will elephant proposals be dealt with at CoP13?

At CoP13, all the elephant proposals will first be considered in Committee I, and all decisions finalized in a subsequent Plenary session. Namibia and South Africa's proposals will require the approval of a two-thirds majority of Parties voting in order to be accepted. Otherwise, these proposals may be withdrawn, or amended during the CoP, so long as their scope is not broadened in any respect. The changing of CITES Resolutions and Decisions, as proposed by Kenya, will also require a two-thirds majority vote. Amendments to such proposals can be offered from the floor during formal discussion.

6. If CITES agrees to annual quotas for trade in raw ivory for Namibia, what will be the impact on other African Elephant and Asian Elephant populations?

Because there is always concern that any resumption of trade in ivory might give rise to negative impacts on other elephant populations, at CoP10, when the first three African Elephant populations were transferred back to Appendix II, the CITES Parties approved *Resolution Conf. 10.10*, which provides for illegal hunting of elephants and illegal trade in ivory to be formally tracked. MIKE and ETIS, two long-term international monitoring systems, were set up for these purposes. *Resolution Conf. 10.10* has been updated and strengthened at subsequent CoPs, and current objectives of the monitoring systems are:

- i) *measuring and recording levels and trends, and changes in levels and trends, of illegal hunting and trade in ivory in elephant range States, and in trade entrepots;*
- ii) *assessing whether and to what extent observed trends are related to changes in the listing of elephant populations in the CITES Appendices and/or the resumption of legal international trade in ivory;*
- iii) *establishing an information base to support the making of decisions on appropriate management, protection and enforcement needs; and*
- iv) *building capacity in range States.*

Representing one of the few occasions under CITES where the Parties have developed a credible means to assess the impact of their decisions, the commitment to establish monitoring systems reflects a responsible way forward on the difficult issue of elephant conservation. Both MIKE and ETIS must submit comprehensive reports to each meeting of the Conference of the Parties as a formal agenda item.

7. How are MIKE and ETIS structured?

MIKE, the approved instrument for assessing the status of elephants in the wild, monitors designated populations through a site-based system. MIKE sites comprise some 57 locations in 29 range States in West, Central, East and Southern Africa (the four sub-regions of Africa) and 28 locations in 13 range States in South and Southeast Asia (the two sub-regions of Asia). Collectively, these sites represent the spectrum of elephant habitats and circumstances around the world. The structure of MIKE is basically pyramidal. At the highest level, MIKE operates under the auspices of the CITES Standing Committee and is guided by a Technical Advisory Group (TAG). In each participating range State, each MIKE site has MIKE Site Officers who are responsible for compiling data and information on elephant numbers, illegal killings, law enforcement effort and a range of other factors, using standardized formats. This information is sent through National Officers to one of six Sub-regional Support Officers, who in turn liaise with the Central Co-ordinating Unit located in Nairobi, Kenya. Collectively, this information will be analysed to establish population trends, patterns of illegal killing, and the reasons for these trends and changes over time at the continental level. Over time, MIKE should greatly improve understanding of the status of elephants on the ground throughout their range and assist CITES to make the best decisions possible to support elephant conservation. Prior to the development of MIKE, there was no unifying mechanism to track elephant mortalities in the field and feed such information into the CITES process. At the local level, MIKE has been a catalyst for capacity building and national elephant conservation efforts. The potential value of MIKE has been recognized by a range of field-based conservation organizations, many of which are actively

supporting MIKE financially or with implementation on the ground, including the Wildlife Conservation Society, the World Wide Fund for Nature (WWF) and Critical Ecosystems Partnership Fund. The European Union, US Fish and Wildlife Service, the Governments of Japan and Belgium, German Technical Co-operation (GTZ), CITES Secretariat and the Japan Ivory Traders Association have all provided funding support.

The other designated monitoring system, ETIS, is charged with tracking illegal trade in ivory and elephant products. ETIS is derivative of an earlier database system known as BIDS (the Bad Ivory Database System), which was developed by TRAFFIC to hold records of ivory seizures during the post-CITES ban period. BIDS was originally recognized in *Resolution Conf. 10.10* by the Parties “as the appropriate instrument for monitoring the pattern and measuring the scale” of trade in ivory. Through a series of refinements, BIDS evolved into ETIS, the sophisticated information system that it is today. Still managed by TRAFFIC, the central database holds the details of ivory and elephant product seizures that have occurred anywhere in the world since 1989. Through *Resolution Conf. 10.10 (Rev. CoP12)*, all Parties are now obliged to report elephant product seizures to the CITES Secretariat within 90 days of their occurrence. In practice, this is not always the case, but more countries are providing data on elephant product seizures than ever before, and currently there are over 9400 seizure records in ETIS. The seizures database is supported by a series of auxiliary components that track law enforcement effort and efficiency, rates of reporting, background economic variables, and the scale and degree of regulation in domestic ivory markets around the world. This information is held in time-based and country-specific database formats, and is used during analysis to help produce and interpret trends and contemporary trade dynamics. In terms of funding, since CoP11, ETIS has received generous support from the U.K. Department of Environment, Food and Rural Affairs (DEFRA), augmented by some funding from the CITES Secretariat and WWF.

8. What have MIKE and ETIS produced in terms of results concerning elephant poaching and ivory trade?

As a highly ambitious and completely new system spanning two continents and involving 42 elephant range States, MIKE is still in a development phase and will only issue a progress report, but not a full analysis, to CoP13. Still, there has been major progress towards putting MIKE into operation at all sites in Africa and Asia. Current indications suggest that the baseline (see 4. above) will be reached in early 2005. There is every reason to believe that MIKE will deliver analytical results to CoP14. For CoP13, a detailed progress report will be tabled (see *CoP13 Doc. 29.3*). While full analysis is not yet possible, the CoP13 report will show that data is becoming available and that the appropriate analytical methods are being tested and demonstrated. Further, MIKE is beginning to provide evidence of where elephant poaching is occurring and this is contributing to a better understanding of current unregulated ivory trade patterns.

ETIS delivered a full analysis of illegal ivory trade dynamics to CoP12, and will be doing the same again at CoP13 (see *CoP13 Doc. 29.2*). Using statistical methods, ETIS has demonstrated that illicit trade in ivory is most directly related to the presence of large-scale, inadequately regulated, domestic ivory markets in Asia and Africa. In this regard, Cameroon, China, the Democratic Republic of the Congo, Ethiopia, Nigeria and Thailand are most highly implicated in the illicit trade in ivory. In terms of a trend, the seizure data in ETIS indicate that the volume of ivory seized declined from 1989 to 1994, then gradually increased from 1995 to the present. The ivory market in China continues to exert the most important influence on the trend. In fact, if China is excluded from the analysis, the trend line becomes flat from 1994 onwards, indicating that this single market alone stands behind the upward trend in illegal trade in ivory worldwide. China’s commitment to effective law enforcement since CoP12 shows substantial improvement towards curtailing illicit trade and could result in a reversal of this trend subsequent years. Finally, it has not been possible to demonstrate any relationship between the volume of ivory seized since 1989 and key events under CITES. In most, but not all, years in which a CoP was held, there was an apparent decline in the volume of ivory seized. On the basis of other qualitative information, it is also not possible to relate the emergence of Chinese demand for ivory to events under CITES.



African elephant
Loxodonta africana,
confiscated elephant ivory.

9. What can CITES do to address the issue of large-scale, unregulated ivory markets?

The Parties have already agreed in *Resolution Conf. 10.10 (Rev. CoP12)* that internal ivory trade should only be allowed where there is a comprehensive framework of legislative, regulatory and enforcement measures in place. This Resolution calls upon Parties with domestic ivory markets to register or license all importers, manufacturers, wholesalers and retailers dealing in any form of ivory. Compulsory controls over raw ivory are required, and effective reporting and enforcement systems for worked ivory must be demonstrated. In many countries, however, these recommendations are not being implemented. The results of the ETIS analysis to CoP12 prompted the Parties to adopt *Decision 12.39 Elephants – Control of internal ivory trade*, which gives a mandate for an inter-sessional process under the direction of the Standing Committee to assess compliance with *Resolution Conf. 10.10* in ten targeted countries. Through this process, CITES is now holding countries with unregulated domestic ivory markets accountable for their actions. If the negative impact of these large, unregulated ivory markets is going to be effectively countered, CITES will probably have to initiate punitive sanctions against some countries.

The 50th meeting of the Standing Committee also discussed a workplan proposed by the CITES Secretariat aimed at halting uncontrolled domestic sales of ivory in all African range States. This proposal will be discussed in detail, first at the African Elephant Range State Dialogue meeting and then at CoP13 itself (see *CoP13 Doc. 29.1*).

10. What has happened to the non-commercial disposal of ivory stocks throughout Africa that was agreed to at CoP10? Isn't there an ivory stock proposal from Burundi?

Burundi's ivory stocks are on the agenda for discussion at CoP13 (see *CoP13 Doc. 29.6*), however, they are not part of the process that was agreed at CoP10 through *Decision 10.2 (Rev. CoP11) Elephants - Conditions for the disposal of ivory stocks and generating resources for conservation in African elephant range States*. That 1997 decision established a CITES procedure for a non-commercial donor buy-out of existing stocks of ivory, but *only* for African Elephant range States. With no elephant population of its own, Burundi has always been precluded from participating in this process, which ultimately accepted 14 African countries offering a total of 158 077 kg of ivory. The intent of *Decision 10.2* was to eliminate the security and financial liabilities that accumulating ivory stocks pose to African nations and to raise funds for elephant conservation purposes. In fact, there have been no non-commercial buy-outs to date and the donor community has completely failed to utilize this mechanism under CITES to inject funds into elephant conservation. Against this backdrop, the Burundi ivory stock issue has re-emerged. There is a long and complicated history under CITES concerning the 84 t of ivory held in Burundi, a one-time major entrepot for elephant tusks from neighbouring countries. This stock first gained prominence in 1987, but was prevented from entering legal trade for a variety of national and international reasons, including the CITES trade ban in 1989. The Burundi Government is now apparently being sued by owners of some of these 15-year-old stocks and is appealing to CITES for some kind of dispensation. This issue was discussed at the 50th meeting of the CITES Standing Committee, and will now be a topic at the African Elephant Range State Dialogue meeting and at CoP13. There are no ready solutions to the issue of growing ivory stocks in Africa and, if nothing else, the Burundi debate will once again highlight the economic, security and conservation aspects of this issue.



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TRAFFIC,
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monitoring network,
works to ensure that
trade in wild plants and
animals is not a threat to
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A CITES priority:

Domestic Ivory Markets: Where they are and how they work

A TRAFFIC briefing document
September 2004

Ivory markets in Africa and Asia continue to drive an increasing trend in illegal trade in elephant ivory, with thousands of elephants killed every year to feed them.

This briefing paper examines some common issues that conspire to drive illegal trade in ivory at the domestic level and presents a 'score-card' assessment of African and Asian Elephant range states and the major consuming markets around the world.



Auditing ivory stockpile, Burundi, March 2004.

The most recent Elephant Trade Information System (ETIS) analysis of over 9 400 elephant product seizure records statistically demonstrates that illicit trade in ivory is most directly correlated to the presence of large-scale, poorly regulated domestic ivory markets around the world. If an elephant is poached for its ivory, chances are great that that ivory will end up in a market in either Africa or Asia. From there, the trade is likely to spill over into other end-use markets in Europe, North America or possibly the Middle East. These markets are today the principal drivers of illegal killing of thousands of elephants annually. A recent assessment of 22 ivory carving markets in Africa and Asia conservatively estimated that the ivory of between 4800 and 12 200 elephants are needed each year to support annual production needs, with the pattern of killing appearing to be concentrated on elephant populations in central Africa.

CITES has made various attempts in the past to address the issue of domestic ivory markets. In 1987, CITES Parties agreed that all raw ivory importers and exporters, and all enterprises that cut or carve ivory should be registered or licensed, with proposals for recording and inspection procedures to monitor domestic ivory trade flows. From this beginning, CITES has continued to expand its role to ensure that ivory trade at the national level does not give rise to international trade dynamics that undermine elephant conservation elsewhere. In 1997, Parties adopted Resolution Conf. 10.10 Trade in Elephant Specimens with a provision for control of internal ivory trade that called for the adoption of comprehensive internal legislative, regulatory and enforcement measures.

However, despite the best efforts of CITES, many domestic ivory markets remain largely unfettered. The worst are completely unregulated, while others have regulations and controls, but they are poorly enforced or afford legal or administrative loopholes that provide cover for illicit trade to continue.

Following the ETIS analysis at CoP12, the CITES Parties adopted Decision 12.39, which established a process to assess compliance with the provisions for internal trade in ivory in Cameroon, China, the Democratic Republic of the Congo, Djibouti, Ethiopia, Japan, Nigeria, Thailand, Uganda and the United States. To date, little has been achieved in some of these countries, but the process is ongoing and the issue will be formally addressed at CoP13. It may also be necessary to broaden the CITES oversight process to address domestic ivory trade in other countries not included in Decision 12.39. In particular, efforts under CITES need to be flexible and be able to respond to new trends and markets that could be emerging. The most recent ETIS analysis for CoP13, for example, highlights a number of countries which did not feature in the cluster analysis in the ETIS report to CoP12, including Angola, Malawi, Mozambique and Sudan.

The following 'score card' assesses all African and Asian Elephant range states and some of the major consuming markets around the world. The situation is dynamic and some countries or territories may have improved their controls since this assessment was made. If that is the case, TRAFFIC welcomes updated information to improve this assessment in the future. What is evident, however, is that much still needs to be done to ensure that the world's domestic ivory markets are regulated to the standard agreed by the CITES Parties.

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Country Territory	Scale of domestic ivory market:	Scale of ivory carving industry:	Registration of all importers, exporters, dealers, and carvers?	Effective trade controls for raw ivory?	Effective tracking of retail ivory markets?	Effective law enforcement of domestic ivory markets?	Comments
Africa							
Angola	Small, but believed	Unknown	No	No	No	No	Needs attention; could be emerging to be a growing entrepot for central African ivory.
Benin	Very small	Unknown	No	Unknown	Unknown	Unknown	Local market believed to be small, but proximity to Nigeria could stimulate some trade.
Botswana	Very small	None	Yes	Yes	Unknown	Yes	No local market in the recent past and little reason to suspect any change in status
Burkina Faso	Very small	None	Unknown	Yes	No	Yes	Very small market when last surveyed in mid-1990s and probably little changes.
Burundi	Very small	None	Unknown	Unknown	Unknown	Unknown	A major entrepot in the past, and still could be linked to some DRC ivory movements; ongoing civil conflict means no domestic ivory market.
Cameroon	Large, but needs to be assessed	Medium	No	No	No	No	Major sub-regional entrepot, transit be assessed country and exporter; airline companies complicit in illegal trade.
Central African Republic	Medium, but declining	Small	No	No	No	No	Local market depressed in face of ongoing civil unrest, but still a major regional supplier of ivory.
Chad	Small	None	No	Yes	No	No	In the past very small, but local poaching and a transit route to Nigeria and Sudan
Congo	Medium, but needs to be assessed	Very small, needs to be assessed	No	No	No	No	Needs attention; Brazzaville could be re-emerging as important ivory centre in central Africa.
Cote d'Ivoire	Large, but declining political unrest	Large	Partial	No	No	No	One of the key ivory markets in west Africa; could re-emerge once political stability is at hand.
Democratic Republic of the Congo	Large and believed to be growing	Large	No	No	No	No	Civil unrest inhibits effective enforcement in many parts of the country, but Kinshasa, far from the conflict areas, is also unregulated. Overall, probably the largest supplier of ivory today.
Djibouti	Small and probably declining	None	No	No	No	No	Since CoP12, the market seems to be waning, but still could be transit route linked to Ethiopia.
Egypt to be assessed	Very large, but needs to be assessed	Large	Unknown	Yes	No	No	Far from elephant range, one of the largest ivory markets in Africa, but has not been assessed for many years.
Equatorial Guinea	Unknown	Unknown	No	No	No	No	Unknown, but some concern that oil wealth could spur ivory trade too.
Eritrea	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Not surveyed in recent years, but believed to be small.
Ethiopia	Large	Small, needs to be assessed	No	No	No	No	The largest unregulated market in east Africa, also important entrepot and airline route for ivory leaving Africa.
Gabon	Small	Very small	No	Yes	No	Partial	Affluence could spur ivory trade, but suppression in the past keeps the scale small.
Ghana reports of ivory	Small	Very small	No	No	No	No	Ivory products are openly displayed in Acera's crafts market, but never any seizures from government.
Guinea	Unknown	Very small	No	Yes	No	Partial	Guinean ivory carvers reputedly the best in west Africa but most work outside of home country it seems.
Kenya	None	None	Yes	Yes	Yes	Yes	With well-connected air and seaports, remains an active trade route, but successfully suppresses all local trade.
Liberia	Very small	Unknown	No	Yes	Yes	Unknown	Emerging from a civil war, little recent evidence of trade in ivory.
Malawi	Small, needs to be assessed	Very small, needs to be assessed	Yes	Yes	No	No	Local market and carving industry needs careful re-assessment in view of evidence of syndicate trading and Malawi's role as source of the largest ivory seizure since 1990.
Mali	Small	Unknown	Unknown	Yes	Unknown	Unknown	Not known as a major ivory market, but a large seizure of worked ivory in China from Mali could signal a change.
Mozambique	Large, needs to be assessed	Large	No	No	No	No	The largest unregulated market in southern Africa; export trade suspected from northern seaport cities and airport in Maputo offers ivory in duty-free shops.
Namibia	Very small	Very small	Yes	Yes	Partial	Yes	Little trade now, but hopes to gain approval at CoP13 for a highly-controlled legal avenue of trade in a traditional ivory product.
Niger	Very small	Unknown	Unknown	Yes	Unknown	Unknown	No evidence to suggest a country of a concern.
Nigeria	Very large, appears to be growing	Medium, but needs to be assessed	No	No	No	No	Largest and apparently growing unregulated market in west Africa; also major entrepot and export route out of Africa.
Rwanda	Small	Unknown	No	No	Unknown	Unknown	Could be a transit country for raw ivory from DRC.
Senegal	Medium	Medium	No	No	No	No	Senegalese traders form the backbone of west Africa's ivory trade; linked to Cote d'Ivoire and to supply routes throughout the Continent.
Sierra Leone	Very small	Unknown	No	No	No	No	Emerging from civil conflict, believed to be a very small player.
Somalia	Unknown	Unknown	No	No	No	No	A past offender in a major way, but current status of the trade is totally unknown.

Country Territory	Scale of domestic ivory market:	Scale of ivory carving industry:	Registration of all importers, exporters, dealers, and carvers?	Effective trade controls for raw ivory?	Effective tracking of retail ivory markets?	Effective law enforcement of domestic ivory markets?	Comments
South Africa	Large	Very small	Yes	Yes	Partial	Yes	Legal trade in worked ivory from Kruger National Park stocks, but flea markets sometimes feature ivory items from other parts of Africa.
Sudan	Medium, but possibly growing	Small	No	No	No	No	Identified as major entrepot and trade route to China and into Egypt.
Swaziland	Very small	None	Yes	Yes	Yes	Yes	Active suppression of local market.
Tanzania	None	None	Yes	Yes	Yes	Yes	Dar es Salaam continues to function as a trade route and role of Zanzibar needs attention; local trade is actively suppressed.
Togo	Small	Unknown	No	Unknown	Unknown	Unknown	Small market in past, but not assessed in recent years.
Uganda	Very small	None	Yes	Yes	Partial	Partial	No local market, but military links to the movement of DRC ivory into international markets remains a serious allegation.
Zambia	Very small	None	Yes	Yes	No	Partial	Local market is actively suppressed, but Zambian ivory has moved into Malawi for export abroad in recent years.
Zimbabwe	Very large	Medium	Yes	Yes	Partial	Partial	Legal trade allowed under CITES, but a robust evaluation of the local control system is warranted.
Asia							
Cambodia	Small	Medium	No	Yes	No	No	Small trade but still produces negative impacts on local elephant populations.
China	Very large	Large	Yes, needs verification	Yes	Partial	Partial	Policing of large stocks of raw and worked ivory an ongoing problem; law enforcement improving, but Chinese citizens in Africa complicit in trade.
Hong Kong, SAR	Very large	Very small	Yes	Yes	No	No	Possibly the largest worked ivory stock in the world, but probably needs better monitoring.
India	Very small	Large	Yes	Yes	Yes	Yes	Has imposed a national trade ban and actively suppresses local market, but some carvers still do 'special orders' and engage in underground illegal trade.
Indonesia	Medium, possibly increasing	Very small	No	Yes	No	No	Very small volumes of ivory here and there, but the sum of these parts could be worrying.
Japan	Large	Large	Yes	Yes	No	Yes	Retail-level controls and monitoring need to be improved, but moves to close legal loopholes currently in progress.
Lao PDR	Medium	Very small	No	No	No	No	A backwater trader with a small local market, but still impacts local elephant populations.
Macau, SAR	Small	None	No	Yes	No	No	The local market is waning by most accounts.
Malaysia	Very small	None	No	Yes	No	Yes	Not a traditional craft, but affluence might inspire new trade.
Myanmar	Large	Medium	No	No	No	No	Overlooked in most assessments, but needs attention to stop unsustainable exploitation of local Asian Elephant populations.
Nepal	Medium	Very small	No	Yes	No	No	A declining industry, but family carvers still 'hang on'.
Philippines	Small	None	Unknown	Yes	No	No	Has functioned as a transit country in the past.
South Korea	Very small	None	No	Yes	No	Yes	Almost no trade within the country, but Korean nationals implicated in international ivory dealings.
Singapore	Medium	None	Yes	Unknown	No	No	Important trade route between Africa and key Asian end-use markets, but few seizures ever reported.
Sri Lanka	Small	Small	No	Yes	No	No	Local trade declining and actively suppressed.
Taiwan	Medium	Very small	Yes	Yes	No	No	Local market seems to be declining, but could be a transit route to Chinese mainland or Japan.
Thailand	Very large	Large	No	No	No	No	Legal loophole allows ivory from domesticated elephants, but is exploited to mask huge unregulated trade in ivory from Africa.
Viet Nam	Medium	Small	No	Yes	No	No	Could be declining but needs to be watched.
Europe / USA							
Belgium	Small	None	No	Yes	No	Yes	Some trade in pre-ban stocks.
France	Medium	None	No	Yes	No	Yes	'Old' ivory on the Paris market could hide recent additions.
Germany	Small	Small	Partial	Yes	Partial	Yes	Carving industry relies on pre-ban ivory stocks in Germany prior to 1989.
Switzerland	Small	None	Yes	Yes	No	Yes	A small market for worked ivory.
United Kingdom	Medium	None	No	Yes	No	Yes	Ivory 'antiques' may not be what they purport to be.
United States	Large	Very small	No	Yes	No	Yes	Pre-ban worked ivory stocks in some markets are not properly monitored and could mask ongoing illegal trade; Internet trading cause for concern.

Key issues

Raw ivory stocks: Stocks of raw ivory are found in most elephant range States, and any number of transit countries, manufacturing location and end-use markets. Aside from government-held stocks, large volumes of raw ivory were legally in the hands of private importers, manufacturers or large State-owned enterprises at the time the CITES trade ban took effect in January 1990. The challenge for elephant range States is to develop credible ivory stock management systems that clearly mark each individual tusk or piece of ivory, and track its source so that legal stocks can be differentiated from stocks coming from illegal sources. Stocks in the hands of the private sector need to be marked and registered with each owner, and an ongoing process of monitoring and reporting established.

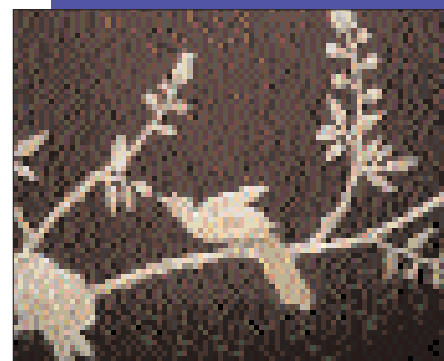
Worked ivory products at the retail level: Large volumes of worked ivory products were in commerce at the time the CITES trade ban on ivory was imposed. In most countries, these stocks were considered to be on the market legally and continued to be sold without restriction. However, with no credible means to distinguish 'old' pre-Convention or pre-ban stock from 'new' stock, there are probably more ivory products available today in some markets than was the case several years ago. While many of these markets are in Africa and Asia, the situation is also of some concern in the USA and the European Union. Regulatory measures should be reviewed.

Local or foreign buyers: The basic idea behind a legal domestic ivory market supplied by pre-ban stocks or legal new ivory from within the same country, is the implication that the buyers are local and the ivory remains within the country. In fact, this is often not the case and expatriates, diplomatic staff, military personnel or foreign tourists may indeed be the major consumers. These individuals eventually bring the ivory products they purchase back to their home countries, often in complete violation of CITES and national wildlife trade controls. Few countries have moved to implement appropriate public awareness initiatives as mandated by Resolution Conf. 10.10.

Legal exceptions and loopholes: Allowing retail trade, even on a conditional basis, will inevitably attract illegal supply if the proper tools for effective control are not in place. For example, Thailand's *Transport Animal Act* provides for ivory from domesticated Asian Elephants. However, distinguishing Asian Elephant ivory from that of African Elephants or ivory from wild versus domesticated animals to be traded is not possible without sophisticated forensic examination, and in some instances may not be possible at all. This loophole is being exploited by retail ivory dealers, hindering effective law enforcement and giving rise to a situation where tens of thousands of ivory products of doubtful origin are continuously on display for sale throughout the country.

Antiques and Internet trading: CITES provides an exception for ivory products that pre-date 1976, the year the African Elephant was first listed in the CITES appendices. However, there is concern that a multitude of ivory products in antique markets in the United Kingdom, the United States and elsewhere may not be genuine antiques. There are various techniques employed to make new ivory look 'old', and even experts can find it difficult to tell the difference. There is emerging evidence that also implicates the illegal marketing of ivory through Internet auctions.

Lack of inter-agency co-operation: The purview of the wildlife and CITES authorities is often very limited in some countries. Ivory curio dealers in Addis Ababa and Kinshasha, for example, are able to obtain licenses to sell ivory in their shops from municipal authorities, without any reference to the country's obligations under CITES or those in charge of wildlife issues in the country. In Nigeria, Cote d'Ivoire and Senegal, wildlife authorities are systematically barred from exercising wildlife trade controls at the ports of entry and exit, giving rise to routine illegal trade in ivory and ivory products.



Ivory art on display.

This document was published with the kind support of



This document was prepared by
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TRAFFIC,
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works to ensure that
trade in wild plants and
animals is not a threat to
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A CITES priority:

ACHIEVING INCREASED CITES-CBD SYNERGY

Opportunities during CITES COP 13

TRAFFIC

September 2004

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Convention on Biological Diversity (CBD) have much in common. They share the aim of ensuring that wild species in trade are managed in a manner supporting both species conservation and sustainable use. They also share the vast majority of their membership. What the two Conventions lack, however, are effective and efficient mechanisms to help them achieve their common aims through implementation at the national and international levels.

In April 2004, TRAFFIC, Flora & Fauna International, IUCN – The World Conservation Union, the German Federal Agency for Nature Conservation (BfN), and the German Agency for Technical Co-operation (GTZ) collaborated in the organisation of an experts workshop to explore the potential for enhancing CITES-CBD synergy, with active support from UNEP and the CITES and CBD Secretariats. The workshop was generously supported by BfN, GTZ, UNEP, and the UK Department for Environment, Food and Rural Affairs (Defra). The report of this workshop has been submitted by Ireland, on behalf of the member states of the European Union, for consideration by the Parties (Doc. 12.1.1), and the workshop proceedings as CoP 13 Inf. 15.

CoP 13 provides CITES Parties with a chance to act on some of the recommendations emerging from this workshop. This includes a number of opportunities to improve communications and collaboration between CITES and CBD implementing bodies and processes. Some of these opportunities are outlined below, and possible actions identified.

Agenda Item 9 – Committee Reports and Recommendations (Plenary)

Thus far there has been very little cross-communication among the various CITES and CBD information sharing and decision making processes, including among representatives of committees of the two Conventions. Closer collaboration will require more than increased documentation exchange, and would greatly benefit from cross-participation in relevant meetings as well as co-planning. Collaboration with the CITES Plants Committee with regard to development of the international trade target of the CBD Global Strategy for Plant Conservation demonstrates the effectiveness of this type of approach. **CITES Parties should consider requesting representatives of the Standing, Animals and Plants Committees to participate in relevant CBD meetings, and extend an invitation to the CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) to send representatives to CITES committee meetings and CoPs.**

Agenda Item 12.1.1 – Achieving Greater Synergy in CITES and CBD Implementation (Committee II)

A variety of potential opportunities and mechanisms for increased CITES-CBD synergy are provided in the document accompanying this agenda item, and particularly in Annex 2, which reflects the final report of an experts workshop on this issue convened in April 2004. **Annex 1 of CoP Doc. 12.1.1 contains a draft Decision recommending that the current shared work plan of the CITES and CBD Secretariats be revised in view of the workshop's findings and recommendations.** The Parties should bear in mind that actions to be included in the joint CITES-CBD work plan would normally first need to be included within the Secretariats' individual work plans. The workshop report also contains a number of recommendations aimed at CITES committees, which similarly would seem to require CoP Decisions if they are to become part of the Committees' work plans. **Recommendations for action by the CITES Secretariat, as well as by Committees and Parties, on specific priorities might therefore also be made under more specific agenda items, e.g. Item 61 on Bushmeat.** CITES Parties might also explore how to ensure that similar issues are considered and decisions taken by the upcoming meetings of SBSTTA, and, subsequently, CBD CoP 8.

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Agenda Item 12.1.2 - Sustainable Use Principles and Guidelines (Committee II)

The draft Resolution annexed to Doc. 12.1.2 provides specific recommendations for increased synergy through the application within CITES of the CBD Addis Ababa Principles and Guidelines for Sustainable Use of Biodiversity, including through actions by the Secretariat, Animals and Plants Committees. **The Parties should support adoption of the draft Resolution.**

Agenda Item 13 - Economic Incentives and Trade Policy (Committee II)

Both CITES and the CBD have highlighted the importance of better understanding and application of the economic incentives associated with use, trade and conservation of biodiversity. There are clear opportunities to strengthen collaboration in the exploration of increased and more effective use of positive economic incentives with regard to wild species in trade, including through collection and analysis of case studies. **In reviewing the draft Decisions annexed to Doc. 13, the Parties should consider making specific reference to collaborating with the CBD in their implementation.** This might include, for example, including national biodiversity strategies and action plans within any review of national wildlife trade policies, co-organisation of any further workshops on economic incentives, and collaborating with CBD focal points in the preparation of GEF proposals.

Agenda Item 18 - Reporting Requirements (Committee II)

Implementation of CITES reporting requirements provides both a critical source of information and a substantial commitment of the Parties' resources. Recommendations to modify the biennial reporting requirements are based in part on reporting experiences within other multilateral environmental agreements (MEAs), and could serve to facilitate harmonisation of MEA reporting, including between CITES and the CBD. **The Parties should support the Secretariat's efforts to enhance harmonisation of reporting and ask that this goal is included in the amendments to Resolution Conf. 11.17.**

Agenda Item 33 - Conservation of and Trade in Tortoises and Freshwater Turtles (Committee I)

The CBD Revised Programme of Work on Inland Waters Biodiversity makes repeated reference to conservation and sustainable use of freshwater biodiversity, and calls on the CBD Secretariat to collaborate with other institutions, including CITES, in its implementation. The 2003 CBD report *Status and Trends of Biodiversity of Inland Water Systems* includes a significant amount of information on freshwater turtles. These species would therefore seem a useful focus for co-engagement of the two Conventions with regard to freshwater species. **The Parties could request the CITES Secretariat, in conjunction with the Chair of the Animals Committee, to explore with the CBD Secretariat how CITES and CBD processes in relation to freshwater turtles might be better coordinated at the international level. Further, the Parties could recommend that specific attention be paid to freshwater turtles in designing and implementing national biodiversity strategies and action plans.**

Agenda Item 62 - Bushmeat (Committee II)

Doc. 62.2 contains a draft Decision requesting the CITES Secretariat to inform the CBD of ongoing concern regarding unsustainable trade in the meat of wild species, and to request the FAO to consider convening an international workshop to facilitate the development of an action plan to address issues associated with this trade. **The CBD Expanded Programme of Work on Forest Biodiversity calls for the formation of a liaison group on non-timber forest resources, with a particular focus on bushmeat.** The group includes the CITES Secretariat and members of the Collaborative Partnership on Forests, among others, and is tasked with developing a joint work plan to bring harvest and trade within sustainable levels. A workshop intended to facilitate this process has been called for but not yet held owing to a lack of resources. **The Parties should therefore consider requesting the CITES Secretariat to work together with member governments and other IGOs, including FAO, and NGOs in supporting implementation of the relevant components of the CBD Programme of Work on Forest Biodiversity, rather than recommending a parallel, but separate, process, and to report to CoP 14 on progress made within the CBD.**

The issues and suggestions outlined above reflect only some of the opportunities for enhanced synergy in the operations of CITES and the CBD at the international level. The Parties are encouraged to consider how these and other mechanisms can best be used to support national efforts to manage the trade in CITES-listed species and achievement of CITES and CBD objectives.

This document was published with the kind support of



TRAFFIC, the wildlife trade monitoring network, works to ensure that trade in wild plants and animals is not a threat to the conservation of nature.

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The 13th Meeting of the Conference of the Parties to CITES



THE 13TH MEETING OF THE CONFERENCE OF THE PARTIES TO CITES took place in Bangkok, Thailand, from 2 to 14 October 2004, and was attended by 762 representatives from CITES Parties and 339 observers from inter-governmental, international and national organizations.

The following is a summary of what TRAFFIC considers to be the most salient features of the meeting. A summary record of the meeting can be found on the CITES Secretariat's website:

www.cites.org.

Report by Julie Gray,

TRAFFIC International

PHOTO CREDITS, TOP, LEFT TO RIGHT: Bald Eagle *Haliaeetus leucocephalus* (WWF-Canon / Chris Martin Bahr); dried seahorse *Hippocampus* sp., (C. Allan / TRAFFIC); Leaf-tailed Gecko *Uroplatus fimbriatus* (WWF-Canon / Martin Harvey); Lion *Panthera leo* (S. Milledge / TRAFFIC); Southern Square-lipped Rhinoceros *Ceratotherium simum* (WWF-US); African Elephant *Loxodonta africana* (WWF-Canon / Martin Harvey).

In welcoming participants to the Queen Sirikit National Convention Centre, Thailand's Minister for Natural Resources and Environment, His Excellency Mr Suwit Khunkitti, informed the meeting that work had recently been undertaken in Thailand to improve implementation of CITES but noted that closer regional co-operation on wildlife trade issues was called for and that all 10 members of the Association of Southeast Asian Nations (ASEAN) were now Parties to CITES. The Executive Director of UNEP, Dr Klaus Töpfer, while endorsing CITES as a practical instrument linking conservation with economic development, believed that there was a limit to what it could do in isolation and encouraged co-operation with other organizations as the way forward. The Secretary-General of CITES, Mr Willem Wijnstekers, stressed the need for increased political will in implementing the Convention in most of the Parties to CITES. Both he and the Chairman of the Standing Committee, Mr Ken Stansell, noted that the budget was insufficient to finance all activities expected of CITES. The Prime Minister of Thailand, His Excellency Dr Thaksin Shinawatra, said Thailand was proud to be hosting this meeting of the Conference of the Parties. Proposing the establishment of a new regional law enforcement network to tackle wildlife crime, he offered to host a meeting in 2005 to pursue this. Following formal opening of the meeting, the Government of Thailand hosted a reception with traditional dancing and displays.

STRATEGIC AND ADMINISTRATIVE MATTERS

Financing and budgeting of the Secretariat

The budget for 2006-2008 was initially discussed with reference to **document CoP13 Doc. 8.3 (Rev. 1)**, prepared by the Secretariat, which proposed a budget for the triennium representing a 10.3% increase over the amount budgeted for 2003-2005. The Secretary-General pointed out that this increase was necessary to allow continuation of current functions. In line with requests from several delegations, a working group was established to consider the proposed budget. The group could not achieve consensus for acceptance of a 10.3% increase in Parties' contributions to the CITES Trust Fund and, as such, it devoted much effort to considering options for reducing the Secretariat's operating costs by 10.3%, so as to allow a zero increase in contributions. The working group recommended amendments to the draft resolution *Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties*, presented in Annex 7 of document CoP13 Doc. 8.3 (Rev. 1), to reflect adoption of the cost-cutting options, to reflect a new budget structure showing estimated total resources needed for the implementation of specific services, and to reflect decisions concerning the scale of assessment for contributions. The draft resolution, so amended, was initially agreed, but debate was re-opened in a plenary session of the meeting. Parties voted to abandon some of the cost-cutting options and, correspondingly, to increase their contributions by three per cent, as compared to contributions for the previous triennium. The draft resolution, revised to reflect this, was adopted (*Resolution Conf. 13.1*).

Strategic vision

The draft decision in the Annex of **document CoP13 Doc. 10**, prepared by the Secretariat, was to extend the time validity of the Strategic Vision for CITES and its Action Plan (otherwise due to terminate in 2005) until the end of 2007. It also provided a mandate for the establishment of a Strategic Plan Working Group, as a subcommittee of the Standing Committee, to develop a proposal for a Strategic Vision and Action Plan through to 2013, for presentation at CoP14. Following interventions in session, the draft decision was modified so that relevant inter-governmental organizations will be invited to contribute to the work of the Group with respect to possible synergies and so that work towards the target of the World Summit on Sustainable Development (WSSD) to reduce the rate of biodiversity loss significantly by 2010 is specified as an aim of the Vision and Plan. The draft decision was adopted (*Decision 13.1*).

Co-operation with other organizations

Document CoP13 Doc. 12.1.1 Achieving greater synergy in CITES and CBD implementation, submitted by the European Union (EU) and Kenya, contained a draft decision directed to the Secretariat in its Annex 1 (Rev. 1), designed to stimulate synergy in the implementation of CITES and the Convention on Biological Diversity (CBD). The draft decision set out possible actions in this regard, based on the recommendations of a meeting on CITES-CBD synergy held in Vilm, Germany, in April 2004, convened by TRAFFIC, IUCN-The World Conservation Union, Flora and Fauna International, the German Federal Agency for Nature Conservation (BfN), and the German Agency for Technical Co-operation (GTZ). The USA urged that Parties reflect on which of these recommendations were applicable to CITES. The proponents of document CoP13 Doc. 12.1.1 therefore consulted with the USA and other Parties before presenting a revised draft decision (**document Com. II. 2**). After further deliberation out of session, a revised version was adopted (subsequently formulated as *Decisions 13.2, 13.3, 13.4 and 13.5*), but with concerns formally noted by the USA (one of only two CITES Parties not also party to the CBD). The Decisions direct the Secretariat to identify the most relevant aspects of the Vilm report recommendations and to communicate these to the Parties. At its 53rd meeting, the Standing Committee is to make recommendations based on these for improved synergies between CITES and CBD in areas of common concern, in order to contribute to reaching the WSSD 2010 target, considering, “*inter alia*, sustainable use, the ecosystem approach and access and benefit-sharing”. On this basis, the Standing Committee is to guide the Secretariat in revising its Memorandum of Co-operation with the CBD Secretariat prior to CoP14.

Document CoP13 Doc. 12.1.2 Sustainable use principles and guidelines, put forward by Namibia, put the

case for expediting harmonization between CITES and the CBD on this theme. Annex 2 (Rev. 1) to the document contained a draft resolution entitled *Sustainable use of biodiversity, Addis Ababa principles and guidelines* and Annex 3 contained associated draft decisions directed to the Secretariat, and to the Animals and Plants Committees, detailing activities to bring CITES more in line with these principles and guidelines. After discussion of these texts, including interventions by Parties that believed further analysis was required to confirm that the Addis Ababa Principles and Guidelines were fully compatible with CITES, Namibia produced a revised version of the draft resolution (**document CoP13 Com. II. 3**). This draft was opposed by the USA, which found the preambular and operative parts too proscriptive. Namibia, countering the claims of the USA, proposed that debate on the matter be closed, prior to a vote on the resolution. A majority supported closure of the debate (40 in favour, eight against and 43 abstentions) and the draft resolution in document CoP13 Com. II. 3 was then adopted (*Resolution Conf. 13.2*) following a ballot with 78 votes in favour, six against and 10 abstentions. Namibia had also revised the draft decisions on the basis of discussions in committee and presented these in **document CoP13 Com. II. 4**. The draft decision directed to the Secretariat underwent a further revision (**document Com. II. 24**). Following discussion of this text, which directed the Secretariat to incorporate consideration of the Addis Ababa Principles and Guidelines into its work plan, a specific requirement that the Secretariat should prepare a report on how this could be done was deleted. This draft decision and that directed to the Animals and Plants Committees were then adopted (*Decisions 13.6 and 13.7*). The delegations of New Zealand and the USA recorded their concern that the Parties had acted precipitously in having incorporated the Addis Ababa Principles and Guidelines into CITES work without further consideration.

Japan introduced **document CoP13 Doc. 12.4 Co-operation with the Food and Agriculture Organization of the United Nations (FAO)**, with the aim of expediting conclusion of the Memorandum of Understanding (MoU) between FAO and CITES, especially in view of the fact that *Decision 12.7*, requiring the Standing Committee to work with FAO in the drafting of an MoU, had essentially expired. The Chairman of the Standing Committee updated the meeting on developments at the 51st meeting of the Standing Committee, held just prior to the CoP, and he and FAO reported that progress had been made towards completion of the MoU. As the Standing Committee’s working group on the MoU had not finalized its task, it was decided to defer further discussion of this subject until a later meeting of the Committee. Meanwhile, it was agreed to amend *Decision 12.7*, to provide validity to continued negotiations between the Standing Committee and FAO in the drafting of the MoU (*Decision 12.7 Rev. CoP13*).

Economic incentives and trade policy

The Secretariat had prepared **document CoP13 Doc. 13 (Rev. 1) Economic incentives and trade policy** pursuant to *Decision 12.22*. In view of the progress made in implementing that Decision, the Secretariat recommended either revising it or, alternatively, adopting four new draft decisions, that were set out in Annex 3 to the document. These new draft decisions would serve as the basis for the Secretariat's continuing work on exploring the application of economic instruments to achieve better CITES implementation. The first two draft decisions concerned a review of Parties' national trade policies with a view to analysing the impacts of these in terms of socio-economic and conservation benefits and costs. Several Parties spoke in favour of these, although New Zealand was concerned that some of the objectives went beyond the scope of CITES. Following reassurance from the Secretariat that the work referred to in these draft decisions was contingent on the provision of external funding, they were adopted (*Decisions 13.74 and 13.75*). The third draft decision directed the Secretariat to organize a second workshop to provide guidance to Parties about how economic instruments could be designed and used to encourage sustainable trade, but Parties felt another workshop was not justified. The EU offered a redrafted version of the decision (**document CoP13 Com. II. 7**), which directed the Secretariat to invite Parties and relevant organizations to provide information on their use of economic incentives to the 53rd meeting of the Standing Committee, and this was adopted (*Decision 13.76*). The fourth draft decision, concerning co-operation on incentive measures with the CBD and other organizations, was also adopted (*Decision 13.77*).

INTERPRETATION AND IMPLEMENTATION OF THE CONVENTION

General compliance issues

Enforcement matters

The Secretariat introduced its **document CoP13 Doc. 23**, which gave an account of Parties' reporting of seizures; presented the findings of an enforcement expert group meeting, convened in accordance with *Decision 12.88*; listed those Parties which had not designated a Scientific Authority; and reported on other matters relating to enforcement of the Convention. There was broad support for the three draft decisions in Annex 3 of the document, which reflected aspects of the recommendations of the enforcement expert group. The first two (*Decisions 13.84 and 13.85*) centred on a requirement for Parties to submit contact details of their law enforcement agencies responsible for CITES to the Secretariat, while the third (*Decision 13.86*) was for guidance to the Parties on submission of enforcement-related information to the Secretariat by the public and NGOs (see *Notification No. 2004/078*). Following initial discussion under this agenda

item, the EU and Fiji drafted further decisions, to direct the Secretariat to boost capacity-building and training of CITES enforcement officers, in developing countries in particular (**document CoP13 Com. II. 10/Decision 13.87**), and to direct the Secretariat to seek funding to convene a capacity-building workshop and regional meeting for the Oceanian region before the 54th meeting of the Standing Committee (**document CoP13 Com. II. 22/Decision 13.100**). All five draft decisions, in two cases with minor amendments, were adopted.

Revision of Resolution Conf. 11.3 on compliance and enforcement

Kenya introduced its **document CoP13 Doc. 24 (Rev. 1)** proposing a revision of *Resolution Conf. 11.3*, to reflect recommendations of the enforcement expert group (see *Enforcement matters* above). Following amendment in session of various parts of the document, draft revisions to *Resolution Conf. 11.3* were adopted by consensus, chiefly reflecting resolve for more concerted, and better funded, national and regional action to counter illegal trafficking in wild fauna and flora, which continued to be a major concern (*Resolution Conf. 11.3 (Rev. CoP13)*).

Guidelines on compliance with the Convention

Document CoP13 Doc. 25, submitted by the EU for discussion, contained document SC50 Doc. 27, also relating to guidelines for compliance with the Convention. The chairman (Norway) of the Working Group on Compliance, established by the Standing Committee at its 50th meeting, summarized its progress to date. He reported general approval of the revised draft guidelines for compliance set out in document SC50 Doc. 27 and invited those with particular comments to submit them in writing, to assist the Working Group in its work. With that, document CoP13 Doc. 25 was noted by the meeting.

Trade control and marking issues

Introduction from the sea

Document CoP13 Doc. 41, submitted by the USA, contained a proposal in its Annex 1 to add a section to *Resolution Conf. 12.3 Permits and certificates* on issuance of certificates for introductions from the sea. On reflection, the USA withdrew this proposal, on the grounds that more thought on this was needed. Annex 2 (Rev. 1) of the document contained a draft resolution providing a definition of the phrase "in the marine environment not under the jurisdiction of any State". It also urged Scientific Authorities to acquire the most accurate scientific advice on whether proposed introductions from the sea of specimens of a given Appendix-II species would be detrimental to the survival of that species. Japan and Saint Lucia were against the resolution, the former foreseeing legal and technical difficulties with its implementation. Other Parties supported the intent to

define terms relating to introduction from the sea, although Australia disagreed with the use of definitions that diverged from text used by the United Nations Convention on the Law of the Sea (UNCLOS). After listening to the debate, the USA withdrew the draft resolution, but draft decisions in **document CoP13 Com. II. 15** relating to introduction from the sea, prepared on the basis of the previously-circulated **document CoP13 Inf. 62**, were adopted, with minor amendment, following a ballot with 50 votes in favour, 22 against and 17 abstentions. These Decisions (*Decisions 13.18 and 13.19*) direct the Standing Committee, with assistance from the Secretariat and contingent on the availability of external funding, to convene a workshop on introduction from the sea involving representatives from the Parties, FAO, the World Customs Organization (WCO) and other relevant organizations. The Committee is also directed to prepare a discussion paper and draft resolution based on the outcome of the workshop for consideration at its 54th meeting, and subsequently at CoP14.

Exemptions and special trade provisions

Personal and household effects

Three documents submitted for consideration at CoP13 concerned amendment of *Resolution Conf. 12.9 Personal and household effects*. China submitted **document CoP13 Doc. 55.1 (Rev. 1)**, proposing to facilitate implementation by revising the Resolution to clarify that, by default, export or import permits, or re-export certificates were not required for specimens of personal and household effects listed in the Resolution. It was stressed, however, that Parties not applying this exemption should report this to the Secretariat, so that a list of such Parties could be maintained on the CITES website. With amendments to China's proposed revisions put forward by the USA and the EU, which respectively highlighted the principle of excluding most household effects from CITES regulations and the precautionary principle, the changes to *Resolution Conf. 12.9* set out in Annex (Rev. 1) of document CoP13 Doc. 55.1 (Rev. 1) were adopted (*Resolution Conf. 13.7*).

Also with the aim of minimizing the distraction caused to enforcement personnel by implementing the Convention for specimens whose trade has low conservation impact, the EU had prepared **Document CoP13 Doc. 55.2**. The document proposed adding certain types of coral and giant clam Tridacnidae spp. to the list of specimens in *Resolution Conf. 12.9* that do not require permits or certificates when traded as personal or household effects, under certain conditions. In response to comments received from Parties, the EU presented an amended version of these conditions for Tridacnidae spp. and coral, in **document CoP13 Com. II. 18**. As several Parties were concerned about exempting the specified corals, the EU withdrew its proposal to do so, while its proposal to add giant clams to the list of exempted specimens was adopted, with a further amendment to increase the number of

specimens exempted from one to three (with a corresponding increase in weight allowed). A draft decision based on Annex 2 of document CoP13 Doc. 55.2, directing the Standing Committee and others to consider which specimens of personal and household effects of Appendix-II species may need to have quantity limits set in order to be exempted from permitting requirements, was adopted (*Decision 13.71*).

On the same theme, Australia's **document CoP13 Doc. 55.3** sought to exempt specimens of seahorses *Hippocampus* spp. for personal use from permitting requirements, by amending *Resolution Conf. 12.9*. Its amendment, which was adopted, allows up to four seahorses per person to be carried without a permit.

Evaluation of the process for registration

Document CoP13 Doc. 56.1, submitted by the Animals Committee, concerned evaluation of the procedure for registering operations that breed Appendix-I species in captivity for commercial purposes. Specifically, the document concerned the deletion of *Decision 12.78* and the retention of *Resolution Conf. 12.10 Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes* as it stood. In its Annex, it offered recommendations for resolving the perceived problems limiting the use of the registration procedure laid out in *Resolution Conf. 12.10*. Several Parties supported the recommendation that the Standing Committee should examine the issue of international trade in Appendix-I species from non-registered captive-breeding operations, but several were opposed to the Secretariat's recommendation of examining whether registration was required at all. A working group was established to examine incorporation of these recommendations into formal outputs of the Conference of the Parties. The resulting **document CoP13 Com. I. 8** contained proposed amendments to the Resolution which were adopted (*Resolution Conf. 12.10 (Rev. CoP13)*).

Amendment of the Appendices

Criteria for amendment of Appendices I and II

Document CoP13 Doc. 57 on this subject was introduced by the Chairman of the Animals Committee. He advised adoption of the revisions to *Resolution Conf. 9.24 (Rev. CoP12) Criteria for amendment of Appendices I and II*, prepared by the Animals and Plants Committees and set out in the document's Annex 3. He further advised adoption of the Secretariat's recommendations in the document for settling four issues that the Committees had been unable to resolve. The draft revisions to the Resolution received general support and were adopted, as amended by the Secretariat's recommendations (*Resolution Conf. 9.24 (Rev. CoP13)*). Among other things, the new Resolution adds decrease in habitat area as a criterion to include species in Appendix I; adds the need for regulation to avoid heightened endangerment as a criterion to include

species in Appendix II; includes new considerations for the listing of higher taxa; includes new definitions of terms, for example of “species”, “affected by trade”, “decline”, and “vulnerability”; and gives new instructions for the formatting of proposals to amend the Appendices.

Other themes and issues

Bushmeat

Documents CoP13 62.1 (Rev. 1) and CoP13 62.2, submitted by the Secretariat on behalf of the CITES Bushmeat Working Group (BWG) and by the EU, respectively, were considered together. The BWG believed it had fulfilled the mandate it was given by the Conference of the Parties. The solutions it was tasked to identify were contained in the draft resolution in Annex I of the former document, which was adopted (*Resolution 13.11*). Amongst other things, this Resolution advises Parties to prohibit the harvest of Appendix-I species for food, to encourage sustainable use of Appendix-II and -III species for the same, and to identify ways of reducing the demand for bushmeat. Observing that the term “bushmeat” was extremely difficult to define, the Secretariat believed that the Resolution should be used for guidance only. Believing there was still much to be learned from the initiatives it had taken, the BWG also presented a draft decision to report on progress with these to CoP14 (Annex 2 of document CoP13 62.1 (Rev. 1)). This draft decision, which was adopted (*Decision 13.102*), renames the BWG the Central Africa Bushmeat Working Group. Annex 2 also contained a draft decision to draw in other organizations to support national plans to manage bushmeat trade, particularly as many issues in the bushmeat trade are not related to CITES. This was similarly the intent of the draft decision in document CoP13 62.2, which directs the Secretariat to urge the CBD to make recommendations to help address the bushmeat problem and to invite FAO to convene a workshop; both draft decisions were adopted (*Decisions 13.101 and 13.103* respectively).

TAXA-SPECIFIC AGENDA ITEMS

Whales

Document CoP13 12.2 CITES listing of whale stocks and the International Whaling Commission (IWC) contained a draft resolution, prepared by Japan, urging the IWC to complete and implement its Revised Management Scheme (RMS), so that amendments of the CITES Appendices related to whale stocks could be evaluated in line with *Resolution Conf. 9.24 (Rev. CoP12)* as they were for “any other animal or plant species”. Japan agreed to modify the draft resolution in accordance with some comments from the Secretariat, which were also set out in the document. Speaking on behalf of the IWC, Norway reported progress towards completion of the RMS, including adoption of a 10-point action plan, and noted that the intention was to have a draft text and tech-

nical details of the scheme ready for consideration, and possible adoption, in 2005. Observing that consensus would not be achieved, the Chairman called for a vote on Japan’s resolution, as amended by the Secretariat’s comments. In response to a request from Japan, this was done by secret ballot. With 57 votes in favour, 63 against and 13 abstentions, the resolution was rejected.

Japan’s **proposal CoP13 Prop. 4 to transfer the Okhotsk Sea-West Pacific Stock, the north-east Atlantic stock, and the north Atlantic central stock of Minke Whales *Balaenoptera acutorostrata* from Appendix I to II**, was rejected in a secret ballot, with 55 votes in favour, 67 against and 14 abstentions. Guinea, Namibia, Qatar, Saint Lucia, and the representative of Greenland on the Danish delegation spoke in favour of the proposal and Australia, Brazil, Georgia, the USA and the EU opposed it. Japan, seconded by Qatar, moved to re-open debate on the proposal in the final plenary session of the meeting, but this was rejected, with 28 votes in favour, 67 against and 18 abstentions.

Elephant *Loxodonta africana*

As in previous years since CoP9, deliberations on elephant issues commenced at a African Elephant Range States Dialogue meeting, held in Bangkok, from 28 to 30 September 2004, immediately prior to CoP13 (**document CoP13 Doc. 15**). Convened by the CITES Secretariat and chaired by Mali, the sixth meeting was attended by 28 of the 37 range States in Africa. During the course of the deliberations, consensus was reached on the action plan proposed by the CITES Secretariat to take a continent-wide approach in Africa towards eliminating unregulated domestic ivory markets and on South Africa’s proposal to allow commercial trade in elephant leather products; all other issues were unresolved in terms of reaching an African consensus.

In **document CoP13 Doc. 29.1**, the Secretariat presented a summary of its work, and that of the Standing Committee, to review actions taken by consumer States to improve legislation and enforcement measures for domestic trade in elephant specimens so that regulation of such trade complied with the requirements noted in *Resolution Conf. 10.10 (Rev. CoP12)*. This report addressed *Decision 12.39*, which had identified 10 countries with active domestic ivory markets for immediate attention through an intersessional review process under the direction of the Standing Committee. Following the decision of the 50th meeting of the Standing Committee to expand the scope of *Decision 12.39* to include all elephant range States in Africa, the Secretariat introduced an action plan for controlling trade in African Elephant ivory on a continental basis in Annex (Rev. 1) of CoP13 Doc. 29.1. The action plan was adopted as a *Decision (Decision 13.26)*. According to the agreed plan, all African Elephant range States should actively prohibit unregulated domestic sale of ivory, work closely with law enforcement and border control agencies to prevent

such trade and engage in public awareness campaigns in this regard. All affected Parties are obliged to report to the Secretariat, by 31 March 2005, on progress made for consideration at the 53rd meeting of the Standing Committee. In addition to African countries addressed by the action plan, China and Thailand, which were previously identified in Decision 12.39, will also remain under scrutiny of the Secretariat and the Standing Committee. There is also scope for additional countries to become targeted if they are identified as having unregulated domestic ivory markets by credible sources, especially the elephant monitoring systems under CITES.

Reports on the two CITES monitoring systems for elephants were considered. The report on the Elephant Trade Information System (ETIS) and the illicit trade in ivory in **document CoP13 Doc. 29.2** was presented by TRAFFIC, which manages ETIS. The general development and operation of the system since CoP12 was described and a comprehensive statistical analysis of the ETIS records relating to 9426 seizures of elephant products was presented. The report concluded that Cameroon, China, the Democratic Republic of the Congo, Ethiopia, Nigeria and Thailand were the most highly implicated countries in the illicit trade in ivory, and judged that this trade continued to be most directly linked to the presence of large-scale, poorly regulated, domestic ivory markets in Asia and Africa. The report also concluded that the trend in the volume of ivory seized from 1989 through 2002 closely reflected that presented in the ETIS analysis to CoP12, but that the increase since 1995 had become somewhat more gradual. It was also shown that the increasing trend continued to be driven by the Chinese market, but noted that China, as well as Ethiopia, were making positive efforts to control illicit trade in ivory. Acknowledging these improvements, TRAFFIC stated that, if sustained, these efforts could possibly lead to a downward trend in the volume of ivory seized.

The report in **document CoP13 Doc. 29.3** on progress in implementing the MIKE (Monitoring of Illegal Killing of Elephants) programme since CoP12 was presented by the director of the programme. The site-based system, encompassing some 85 locations in 42 elephant range States in Africa and Asia, is now operational in all six sub-regions. While the report stated that it was still too early to provide a trends analysis, the geographical scope and nature of the baseline data had been established and data collection was well-advanced in all sub-regions except South-east Asia. It is anticipated that the baseline would be established before the end of 2005, and that the first analysis could be undertaken a year later. The report also provided information on the mortality data generated to date, and highlighted concern for apparent poaching 'hotspots' in Central Africa and their link to the unregulated ivory markets in Africa.

Kenya submitted **document CoP13 Doc. 29.4 (Rev.1) Illegal ivory trade and control of internal markets**

which included a proposed revision of *Resolution Conf. 10.10 (Rev. CoP12)* in its Annex 2 and draft decisions for the implementation of the Resolution, if revised at CoP13, in Annex 3. Central to Kenya's desire to amend this Resolution was its view that a moratorium on ivory trade should be agreed, following the one-off sale of designated ivory stocks for three southern African countries approved at CoP12. In this regard, it initially suggested a duration of 20 years, which was later revised to six years and then stated as a non-specific "resting period" in subsequent amendments. Initial discussion of the Kenyan document at the African Elephant Range State Dialogue meeting saw some support, though a number of countries questioned its relevance in view of the consensus for the Secretariat's action plan to deal with unregulated domestic markets contained in Doc. 29.1. Votes on the proposed amendments to *Resolution Conf. 10.10 (Rev. CoP12)* failed to achieve the support of two-thirds of the Parties present and voting, and were therefore rejected.

Document CoP13 Doc. 29.5 Conditions for the export of registered stocks of ivory in the annotation to the Appendix-II listing of populations of African Elephant *Loxodonta africana* in Botswana, Namibia and South Africa, also submitted by Kenya, was withdrawn. This document would have reopened consideration of issues concerning the definition of what constitutes the MIKE baseline and how the Standing Committee would determine whether or not "detrimental impact" had occurred as a result of trade in ivory approved under CITES. Both of these issues had previously been decided at the 50th meeting of the Standing Committee.

Long-standing ivory stocks in Burundi were the subject of **document CoP13 Doc. 29.6**, and a mission by staff from TRAFFIC and MIKE in 2004 had verified that the stocks in question were the same as those held in the country since 1988. It was the desire of Burundi to find a satisfactory way of disposing of these stocks, representing some 84 tonnes, adding that traders from whom some of the ivory had been confiscated, were suing the Government of Burundi. It was acknowledged that Burundi was not an elephant range State at the time these stocks came into the country and the legality of this trade at its source was questioned. The Secretariat believed there was no viable solution at the present time, and the meeting simply noted the problem but offered no solution.

Namibia put forward **proposal CoP13 Prop. 7** to amend the annotation governing the Appendix-II listing for the Namibian population of African Elephants, to include i) an annual export quota of 2000 kg of raw ivory (accumulated from natural and management-related mortalities); ii) trade in worked ivory products for commercial purposes; and iii) trade in elephant leather and hair goods for commercial purposes. **Document CoP13 Doc. 60 Addendum** contained draft amendments to the annotation, based on Namibia's proposal, and also further changes to the annotation. These changes were to spec-

ify that the worked ivory products were limited to “individually marked and certified *ekipas* incorporated in finished jewellery items for commercial purposes” and that the proposed annual quota of 2000 kg of ivory would only be allowed after the safeguards relative to the one-off sale of ivory, already agreed at CoP12, had been satisfactorily met. Namibia presented its proposal, stressing that it was reluctant to wait until CoP14 to seek approval for an annual export quota for ivory, as drawing up proposals for meetings of the Conference of the Parties was costly and it had been seeking to reward its communities for exemplary management of elephants for many years. Namibia had thought the one-off, conditional ivory sale approved at CoP12 would already have transpired, thereby providing a recent precedent for, and feedback on, international trade in raw ivory. This trade, however, had not yet transpired and was still contingent upon MIKE establishing its baseline data and other conditions beyond Namibia’s control being met. The three elements of the proposal (relating to leather and hair, *ekipas* and raw ivory) were considered separately. The proposal to trade in leather and hair for commercial purposes was adopted while the proposed trade in raw ivory was rejected, with 35 votes in favour, 54 against and 23 abstentions. The proposed trade in *ekipas* was initially rejected, but debate was re-opened in the final plenary session. After Namibia proposed to restrict trade in *ekipas* to non-commercial transactions, this aspect of the proposal was adopted, following a secret ballot, with 71 votes in favour, 23 against and 35 abstentions.

South Africa’s **proposal CoP13 Prop. 8** for amendment of the annotation regarding their population of African Elephants to allow trade in leather goods for commercial purposes was designed to correct an error in the annotation following CoP12. Having previously been agreed at the African Elephant Range State Dialogue meeting by consensus, it was adopted without discussion in Committee I.

Saiga Antelope *Saiga tatarica*

The EU tabled **document CoP13 Doc. 32 Conservation of *Saiga tatarica***, which recommended the adoption of draft decisions contained in its Annex, to enhance conservation of the species. In response to an intervention from Germany, supported by the Russian Federation, a drafting group including Saiga Antelope range States was set up to work further on these draft decisions. The group produced five revised decisions (**document CoP13 Com. I. 6**) which, *inter alia*, directed range States to work with the Convention on Migratory Species towards signing the Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope *Saiga tatarica tatarica*, drafted in 2002, and urged Parties to implement those aspects of the action plan of the memorandum that were relevant to CITES. All five draft decisions were adopted (subsequently formulated as *Decisions 13.27, 13.28, 13.29, 13.30, 13.31, 13.32, 13.33, 13.34 and 13.35*).

Sharks

Document CoP13 Doc. 35 Conservation and management of sharks, submitted by the Animals Committee, provided an update on the tasks assigned in *Decisions 12.47, 12.48 and 12.49*, which included monitoring the implementation of the FAO International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks) and urging FAO to encourage implementation of the same. The Chairman of the Animals Committee explained that work under these Decisions had been completed but that further work was necessary to fulfil the requirements of *Resolution Conf. 12.6 Conservation and management of sharks*. The Chairman of the Shark Working Group of the Animals Committee bemoaned the sluggish rate of implementation of the IPOA-Sharks and emphasized the importance of improving collaboration between CITES and fishery management bodies. Regarding *Decision 11.151*, also relating to sharks, the Secretariat announced that no reply had been received from the World Customs Organization on promoting the use of specific, standardized, tariff classifications for shark products.

In its Annex 3, Document CoP13 Doc. 35 contained ten draft decisions which, among other things, encapsulated species-specific recommendations from the Animals Committee and set in motion plans for a technical workshop on sharks in 2005. Canada, Guinea, Iceland, Indonesia, Japan and Norway were against adoption of the draft decisions, variously stating that they would result in duplication of the work of FAO and other fisheries organizations, would go beyond the mandate of CITES, and would further constrain the budget. The USA questioned the practicality of the draft decisions and offered draft decisions of its own for consideration as more effective alternatives (**document CoP13 Inf. 53**). In particular, the USA believed that CITES was not intended to implement management measures for shark species not listed in its Appendices. While Brazil supported the draft decisions in document CoP13 Doc. 35, several Parties and IUCN-The World Conservation Union simply stressed the importance of collaboration between CITES and other bodies relevant to the conservation of sharks, and FAO believed any CITES venture for sharks would founder without this. A working group was established to amend the draft decisions as appropriate, in the light of the debate. The resultant two draft decisions in **document Com. I. 7** detailed remaining work considered necessary in order to fulfil the requirements of *Resolution Conf. 12.6*. The draft decision directing the Animals Committee to review various aspects of shark trade was adopted as it stood (*Decision 13.43*) and that directing the Parties, *inter alia*, to request that FAO convene a workshop on the conservation and management of sharks, including review of the IPOA-Sharks, was adopted after a few small amendments had been agreed in session (*Decision 13.42*).

Proposal CoP13 Prop. 32 to include the Great White Shark *Carcharodon carcharias* in Appendix II, submitted by Australia and Madagascar, was supported by Brazil, Ecuador, the EU, Kenya, Thailand and Uruguay, but other Parties believed that management of the species was more properly the remit of FAO and regional fisheries organizations. FAO drew attention to their review of the proposal in **document CoP13 Doc. 60** and stated that there was insufficient information on which to base a decision, but IUCN-The World Conservation Union countered that available data indicated that Great White Sharks were rare and becoming rarer and that this decline in populations could be at least partly attributed to trade. Following a vote, by a secret ballot requested by Japan, the proposal was adopted, with 87 Parties in favour, 34 against and nine abstentions.

Bigleaf Mahogany *Swietenia macrophylla*

The Bigleaf Mahogany Working Group provided its report, **document CoP13 Doc. 39**, in accordance with *Decision 12.21*. It reported on the recommendations from its second meeting, in Brazil, in 2003. The International Tropical Timber Organization (ITTO) alluded to a follow-up meeting, which it had supported, in 2004, in Peru, on capacity-building for implementation of the Appendix-II listing of Bigleaf Mahogany in South American range States, stating that there had been excellent collaboration with CITES, which it hoped would continue. Parties supported continuation of the Bigleaf Mahogany Working Group, comprising range States, principal importing countries and a member of the Plants Committee, beyond CoP13, providing that it was under the auspices of the Plants Committee. They also supported the Plants Committee's judgement that the recommendations emerging from the Group's meeting in 2003 should be expressed as Decisions of the Conference of the Parties (**document Com. I. 4**) (Decisions *13.55, 13.56, 13.57, 13.58* and *13.59*). These included, in order of priority, determinations to adopt national and sub-regional mahogany management plans; to carry out forest inventories; to develop capacity-building for CITES procedures; and, to report on progress, including to CoP14.

Sturgeon Acipenseriformes

The Secretariat introduced **document CoP13 Doc. 65 Conservation of and trade in sturgeons and paddlefish**, which contained proposed amendments to *Resolution Conf. 12.7* on the same subject, since there had been difficulties in implementing that Resolution and clear time schedules for the recommended actions were needed. A working group set up to review the proposed changes in more detail produced a revision of these in **document CoP13 Com. II. 19**. *Inter alia*, these and other changes agreed introduced time-frames for the submission of information to the Secretariat, including the announcement of left-over stocks of sturgeon specimens

from previous years; urged range States to implement a regional conservation strategy; and specified that, from 2006, all caviar must be exported before the end of the quota year in which it was harvested. The changes, as reflected in **document CoP13 Com. II. 31 (Rev. 1)**, were adopted following a ballot with 47 votes in favour, four against and 37 abstentions, resulting in *Resolution Conf. 12.7 (Rev. CoP13)*. Draft decisions, concerning the establishment of a database on trade in sturgeons, were also contained in document CoP13 Com. II. 19. A slightly amended version of these, set out in **document CoP13 Com. II. 30**, submitted by the EU, was adopted (*Decisions 13.44, 13.45, 13.46* and *13.47*). In the meeting's final plenary session, China and the Russian Federation reported their dissatisfaction with the outcome of discussions under this agenda item, the former referring to the fact that it would not be able to adhere to the scheduling required by the new Resolution.

OTHER SPECIES

Proposal CoP13 Prop. 33 to include the Humphead Wrasse *Cheilinus undulatus* in Appendix II, submitted by Fiji, the EU and the USA, was adopted. Its adoption was supported by Iceland, Indonesia, Kenya, Norway and Palau, while FAO stated that available evidence showed that the species met the criteria for inclusion in Appendix II in accordance with Article II, paragraph 2 (a) of the Convention. The proposal was opposed by China and the Seychelles; China highlighted the implementation difficulties anticipated in controlling trade in specimens introduced from the sea.

Proposal CoP13 Prop. 37 to include *Hoodia* spp. in Appendix II, was submitted by Botswana, Namibia and South Africa, with an annotation such that the listing would not apply to parts and derivatives labelled as having been produced through controlled harvesting and production in collaboration with the CITES Management Authorities of those countries. Discussion of the proposal focused on the proposed annotation, which related to only three of the five range States, and differed significantly from plant annotations previously accepted by the Parties. A drafting group established to consider the annotation further was unable to revise it in a manner that did not result in expansion of the proposal's scope, which is not allowed. The proposal was therefore re-presented in its original form, with an undertaking to submit a revised annotation to CoP14, if the proposal were accepted. The proposal was adopted following a vote of 49 in favour, 10 against and 42 abstentions. The high number of abstentions seems likely to reflect confusion and/or concerns regarding the annotation rather than the listing of the genus within Appendix II.

Proposal CoP13 Prop. 40, submitted by Thailand, **proposal CoP13 Prop. 41**, submitted by Switzerland, and **proposal CoP13 Prop. 42**, submitted by Switzerland as Depositary Government, at the request of the Plants

Committee, were to amend the Appendix-II listing of Orchidaceae. Although differing somewhat in scope and approach, each of the proposals was intended to exempt from CITES provisions artificially propagated hybrids of certain Appendix-II species traded in accordance with specific conditions. Concerns were expressed by several Latin American countries regarding the possibility that such exemptions would increase illegal trade in their native species. A working group was established to develop a single text based on proposals 40 and 41; discussion on proposal 42, which related to *Phalaenopsis* spp. only, was to be deferred until discussion of the previous proposals was concluded. As the working group failed to reach consensus, the proposals were considered separately.

Thailand amended its proposal during the meeting (**document CoP13 Doc. 60 Addendum 2**), so that the genera *Cattleya*, *Cypripedium*, *Miltonia*, *Odontoglossum*, *Oncidium*, *Paphiopedilum*, *Phragmipedium* and *Selenipedium* were excluded from it. This reflected in part the concerns mentioned above and concerns regarding the unregulated trade in hybrids of Appendix-I species, e.g. *Paphiopedilum* spp., that would have been allowed under the proposal as originally submitted (Resolution Conf. 11.11 on regulation of trade in plants, states that artificially propagated hybrids derived from one or more unannotated Appendix-I species or other taxa shall be regarded as being included in Appendix II and entitled therefore to all exemptions applicable to artificially propagated specimens of species listed in Appendix II). The amended proposal also specified a minimum number of specimens per container and required that the number of plants of each hybrid be stated. Following a vote with 60 Parties in favour, 20 against and 11 abstentions, the proposal was accepted in Committee I. There was confusion over the relationship between Thailand's amended proposal and the Swiss proposal (CoP13 Prop. 41). The EU suggested amending the Swiss proposal so that it reflected the Thai proposal with regard to *Miltonia*, *Odontoglossum* and *Oncidium* (i.e. excluded them from the proposal). The Swiss proposal, so amended, was adopted, following a ballot, with 33 votes in favour, 16 against and 45 abstentions and proposal CoP13 Prop. 42 was then withdrawn.

In the final plenary session of the meeting, Mexico reopened debate on the amended Thai proposal, which it thought would create significant enforcement problems. The proposal was subsequently voted on and this time was rejected, with 67 votes in favour, 36 against and 27 abstentions. The USA then suggested amending the proposal so that only certain artificially propagated specimens of *Cymbidium*, *Dendrobium*, *Phalaenopsis* and *Vanda* hybrids would be exempt from CITES controls for Appendix-II species. Following a vote, proposal CoP13 Prop. 40, as amended in document CoP13 Doc. 60 Addendum 2 and by the suggestions of the USA, was adopted, with 105 votes in favour, three against and 17 abstentions. According to a declaration of intent in

Document CoP13 Doc. 60 Addendum 2, subsequently formulated as *Decisions 13.98* and *13.99*, Parties should monitor the implementation of this proposal and the Plants Committee should report on this issue at CoP14. It appears that it will also be necessary to address the differences between the two Orchidaceae proposals adopted which, although they both now exclude the same four genera from the provisions of the Convention, apply different criteria for their exemption.

Proposals CoP13 Prop. 47 and **Prop. 48** were submitted jointly by China and the USA. The former was for amendment of the annotation for *Taxus wallichiana* such that chemical derivatives would no longer be excluded from the listing. The latter was for the inclusion in Appendix II of *Taxus chinensis*, *T. cuspidata*, *T. fuana*, *T. sumatrana* and all infra-specific taxa of these species, with an annotation such that seeds, pollen and finished pharmaceutical products would not be included in the listing. The EU suggested text to amend the proposal for *T. wallichiana* so that artificially propagated horticultural specimens would also be excluded from the provisions of the Convention. As the Chairman ruled that this widened the scope of the proposal, it could not be considered and the proposal was adopted in its original form. The other *Taxus* proposal was adopted, but with an amendment also to exclude from the provisions of the Convention whole, artificially propagated plants in small containers, named and labelled "artificially propagated".

Indonesia's **proposal CoP13 Prop. 49** was to include agarwood-producing species *Gyrinops* spp. and remaining *Aquilaria* spp. in Appendix II (*A. malaccensis* having been included at CoP9). The proposal was submitted unannotated, but Indonesia stated when introducing it that, if accepted, the proposed listing should be annotated with Annotation #1. Discussions of the proposal centred on concerns regarding difficulties with enforcement, voiced primarily by consumer countries in the Middle East, and on whether Indonesia's request that Annotation #1 be applied widened the scope of the proposal, a query raised by the USA. A working group was established to consider the proposal, particularly with regard to implementation and enforcement. The group produced a draft decision (**document CoP13 Com. I. 11**) directing the Secretariat to assist in obtaining funds for a capacity-building workshop before CoP14. This workshop would aim to improve implementation of the Convention for *A. malaccensis* and other agarwood-producing species, including by addressing labelling and identification issues. The draft decision was adopted (*Decision 13.65*). The working group did not reach consensus over the proposal which, amended to apply Annotation #1, was put to a vote and adopted, with 71 votes in favour, nine against and 23 abstentions. Thirty-one Parties expressed support for the proposal (**CoP13 Prop. 50**) from Indonesia to include ramin *Gonystylus* spp. in Appendix II. Indonesia, which had already listed the tropical hardwood in CITES Appendix

HOODIA SPP. ARE LISTED IN APPENDIX II EXCEPT THOSE SPECIMENS LABELLED AS HAVING BEEN PRODUCED FROM MATERIAL OBTAINED THROUGH CONTROLLED HARVESTING AND PRODUCTION IN COLLABORATION WITH GOVERNMENTS OF BOTSWANA, NAMIBIA AND SOUTH AFRICA.

INTERSPECIFIC HYBRIDS AND INTERGENERIC HYBRIDS WITHIN THE GENERA PHALAENOPSIS ARE NOT SUBJECT TO THE PROVISIONS OF THE CONVENTION WHEN THEY DO NOT EXHIBIT CHARACTERISTICS OF WILD ORIGIN SUCH AS DAMAGE BY INSECTS OR OTHER ANIMALS.

SPECIMENS OF ARTIFICIALLY PROPAGATED HYBRIDS OF CYMBIDIUM ARE EXEMPT FROM CITES PROVISIONS WHEN ACCOMPANIED BY LABELS INDICATING TRADE NAME, COUNTRY OF ARTIFICIAL PROPAGATION OR COUNTRY WHERE SPECIMEN WAS LABELLED.

AQUILARIA SPP. AND GYRINOPS SPP. ARE LISTED IN APPENDIX II. SPECIMENS ARE TRADED IN THE FORM OF WOOD CHIPS, POWDER, OIL, OR INCENSE/PERFUME.

SEEDS, POLLEN, FINISHED PHARMACEUTICAL PRODUCTS AND ARTIFICIALLY PROPAGATED HORTICULTURAL SPECIMENS OF TAXUS CHINENSIS, T. CUSPIDATA, T. FUJANA AND T. SUMATRANA AND ALL INFRASPECIFIC TAXA OF THESE SPECIES ARE EXEMPT FROM APPENDIX II.

ARTIFICIALLY PROPAGATED SPECIMENS OF EUPHORBIA MILII ARE NOT SUBJECT TO CITES PROVISIONS WHEN TRADED IN SHIPMENTS OF 100 OR MORE PLANTS AND/OR READILY RECOGNIZABLE AS ARTIFICIALLY PROPAGATED SPECIMENS.

ARTIFICIALLY PROPAGATED SPECIMENS OF PHALAENOPSIS ARE NOT SUBJECT TO CITES PROVISIONS WHEN TRADED IN CONTAINERS EACH CONTAINING 20 OR MORE PLANTS OF THE SAME HYBRID.



III in 2001, was concerned with declining populations of ramin and continued illegal logging of ramin in protected areas. It noted that illegally-logged ramin was still entering the world market and, in proposing the Appendix II listing, hoped for enhancing greater international co-operation in addressing this problem. Indonesia also stressed the importance of listing the entire genus owing to the difficulty of distinguishing different species of ramin.

Other Parties, including the EU and USA, stressed that the listing should include all parts and derivatives as the overwhelming proportion of ramin products in international trade is of finished or semi-finished products. Malaysia expressed concern that a listing of the entire genus would result in implementation difficulties with look-alike species. In addition, Malaysia cited enforcement difficulties in implementing a listing designating all parts and derivatives and suggested an annotation limited to logs, sawn wood and veneer sheets to allow Parties time for capacity building. After listening to the debate, however, Malaysia agreed to join consensus in supporting the proposal as it stood. Both Indonesia and Malaysia highlighted the recent establishment of a Tri-National Task Force comprising Indonesia, Malaysia and Singapore. The aim of the Task Force is to increase law enforcement co-operation in combating illegal trade in ramin and promote effective implementation of CITES. Malaysia noted that the first meeting of the Task Force had already taken place in September 2004. The proposal was adopted by consensus.

CONCLUSION OF THE MEETING

Determination of the time and venue of the next regular meeting of the Conference of the Parties

The Parties accepted an offer from the Netherlands to host CoP14, in 2007. Exact dates are to be determined.

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Note: The European Union (EU) is not a Party to the Convention in its own right but many interventions at CoP13 were made by the Netherlands (which held the EU Presidency at the time), and other Member States, on behalf of all Member States of the EU. For the sake of simplicity, these comments are attributed to the "EU" in this article.