



**TRAFFIC Recommendations  
on selected Agenda Items  
for the 15<sup>th</sup> Meeting of the  
Conference of the Parties to CITES**

# Strategic matters

## Scientific committees

### 7.2.1. Animals Committee: Report of the Chair

---

Most key issues for consideration arising out of the Report of the Chair of the Animals Committee are already reflected in other relevant CoP15 agenda items. However, a number of key issues may not be dealt with in the remainder of the CoP programme of work.

With regard to the **Country-based Review of Significant Trade in Madagascar**, for example, the Scientific Committees had previously agreed that this process was now completed and that Madagascar was no longer required to submit regular reports under this agenda item. The Committees also agreed that the country-based Review of Significant Trade in Madagascar should be included as a case-study in the evaluation of the Review of Significant Trade. TRAFFIC agrees that great strides have been made by Madagascar's involvement in this process. However, Madagascar still requires a great deal more support from the international community in terms of technical assistance and funding for capacity building. It still lacks the capacity and resources to make thorough non-detriment findings, and notes that for many species the "best available scientific information" may be very basic. TRAFFIC therefore strongly encourages Parties and organizations to provide capacity building support to Madagascar's Scientific and Management Authorities.

With regard to **sea cucumbers**, TRAFFIC is pleased that the FAO is finalizing the technical guidelines on sustainable management of sea cucumber fisheries, scheduled to be completed during the first quarter of 2010. TRAFFIC notes that the Animals Committee was not able to develop concrete recommendations for future work on sea cucumbers by CITES. TRAFFIC notes the excellent work so far achieved within CITES that has developed a good basis for achieving sustainability of sea cucumber fisheries.

## Cooperation with other organizations

### 10.2. Cooperation with the Food and Agriculture Organization of the United Nations

---

Since the previous meeting of Conference of the Parties, TRAFFIC has participated in a number of FAO processes including meetings of the FAO's Committee on Fisheries (COFI) and Sub Committee on Fish Trade; the draft Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing; and the ad hoc Expert Advisory Panel for the assessment of marine aquatic listing proposals to amend the CITES Appendices. TRAFFIC is very encouraged by the increasing level of cooperation between the two organizations and hopes that this enhanced cooperation and mutual support is reflected in deliberations at this CoP.

TRAFFIC also welcomes the joint work of the CITES Secretariat and the FAO that goes beyond the marine fisheries arena, including work on the FAO's Forestry and Non-Wood Forest Programmes, and the joint work on the Biodiversity Indicators Partnership (BIP).

Regarding flora, TRAFFIC would like to note that the FAO's Non-Wood Forest Programme was part of the important consultation process that led to the development of the International Standard for Sustainable Wild Collection of Medicinal And Aromatic Plants ISSC-MAP, now FairWild. This standard has been acknowledged by several Parties to CITES as a useful tool for use in NDF processes. TRAFFIC would like to thank those Parties and the FAO for their continued interest and development of this Standard. In this regard, TRAFFIC would like to draw the Parties attention to the outcomes of the workshop on "Institutional Needs for Sustainable Non-Wood Forest Product Sector in South-East Europe" which took place in Sarajevo, Bosnia and Herzegovina, from 10-12 February 2010.

TRAFFIC also notes the potential for greater cooperation in a number of processes involving the FAO that may be of relevance to CITES' engagement on bushmeat trade and harvest. These include the outcomes from the First meeting of the Liaison Group on Bushmeat (which was convened by the Secretariat of the Convention on Biological Diversity (CBD) and co-financed by the FAO) and the multilateral intergovernmental initiative led by the FAO called "Sustainable management of the wildlife and bushmeat sector in Central Africa". The inception workshop for the latter took place from 25-27 Nov 2009 in Libreville, Gabon. TRAFFIC welcomes these initiatives and hopes that the outcomes of these undertakings are reflected in the CoP15 discussions on bushmeat.

#### **10.4. Global Strategy for Plant Conservation of the Convention on Biological Diversity**

---

TRAFFIC fully supports the work of the Plants Committee on this issue and would like to thank Mexico for its support as chair of the working group. TRAFFIC also welcomes the Decision directed to the Plants Committee and the Secretariat.

TRAFFIC would like to note that the CBD Secretariat has initiated a peer review process of the draft Global Strategy for Plant Conservation (GSPC) 2011-2020 – (document UNEP/CBD/SBSTTA/14/9), in preparation to the 14<sup>th</sup> CBD's SBSTTA taking place from 10-21 May 2010. TRAFFIC has provided input to this review and would encourage other Parties and interested organizations to do so as well.

TRAFFIC and its partners (such as the IUCN/SSC Medicinal Plants Specialist Group and WWF) have been actively promoting the implementation of the GSPC at various intergovernmental fora, including the IUCN World Conservation Congress (WCC), South Asian Cooperative Environment Programme and the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC). TRAFFIC's commitment to contribute to this process and the implementation of the CBD's GSPC will remain strong. Particular elements of the GSPC where TRAFFIC will remain strongly committed are the current Targets 3, 11, 12, 13, 15 and 16.

The German Federal Agency for Nature Conservation (BfN), the IUCN Medicinal Plants Specialist Group, WWF, TRAFFIC and other partners have developed the International Standard for Sustainable Wild Collection of Medicinal and Aromatic Plants (ISSC-MAP). Application of the ISSC-MAP for assessment and quota-setting policies has recently been demonstrated at the International Expert Workshop on CITES Non-Detriment Findings) and at other international plant expert workshops such as World Congress on Medicinal and Aromatic Plants (WOCMAP).

ISSC-MAP Principles and Criteria have proven their usefulness and provided input to the recent development of a variety of national wild collection management strategies as a Standard for Good Field Collection Practices of Medicinal Plants, elaborated by the National Medicinal Plants Board of India, a Biodiversity Management Plan for *Pelargonium sidoides* in South Africa and Lesotho and for *Prunus africana* in Cameroon. In 2008, this Standard has become merged with the FairWild Standard, which is maintained and implemented by the FairWild Foundation, a charity based in Switzerland. TRAFFIC would like to note that the FairWild Standard (see [www.fairwild.org](http://www.fairwild.org)) remains a useful tool that can assist Parties in the making of non-detriment findings and help achieve GSPC targets 3, 11, 12, 13. TRAFFIC also welcomes the envisaged GSPC tool box that aims to provide best practice examples and guidelines for implementation of the GSPC targets. Given its widespread acceptance, TRAFFIC strongly recommends the inclusion of the FairWild Standard into the planned GSPC tool box.

#### **14. CITES and livelihoods**

---

The sustainable use of wild living resources is an important conservation tool because the social and economic benefits derived from such use provide incentives for people to conserve them. CITES listings may have possible or negative impacts on livelihoods and recommends that Parties endeavour to ensure that implementation of listings enhance positive benefits and minimizes or mitigates negative impacts.

TRAFFIC recommends that Parties fully support the recommendation of document 14 for the working group on CITES and livelihoods to continue its work. Recognizing that implementation of CITES often fails when it is not well connected to people, TRAFFIC encourages Parties to further consider and refine the principles in CoP15 Doc 14 Annex I through the working group to ensure that implementation of CITES listings enhances positive benefits and minimizes or mitigates negative impacts and encourages Parties to feed their experiences back to the CITES and Livelihoods Working Group to ensure that the voluntary guidelines developed are practical. TRAFFIC would be pleased to continue its participation in this Working Group.

One good example of the importance of wildlife to livelihoods is the trade in wild plants wild plants, which are used as ingredients for food, cosmetics, well-being and medicinal products. The demand for wild plants poses major ecological and social challenges, but if trade is based on sustainable harvest it can also provide for important livelihood opportunities. In this context, TRAFFIC would like to draw the attention of the Parties to the development of the International Standard for Sustainable Wild Collection of Medicinal and Aromatic Plants (ISSC-MAP) and the subsequent development of the FairWild Initiative that is supported by TRAFFIC. FairWild aims to help buyers and consumers access plants in trade that are sustainably sourced from the wild, benefiting the livelihoods of the people.

## Capacity Building

### 16.2. International workshop on non-detriment findings

---

TRAFFIC believes that the making of reliable non-detriment findings is at the heart of the implementation of CITES for species included in Appendix II. TRAFFIC were pleased to have participated actively in the International expert workshop on non-detriment findings held in Mexico in 2008, the report of which is contained in Annex A of CoP15 Doc. 16.2.2. At that workshop significant progress was made in further developing guidance for Scientific Authorities on the making of non-detriment findings.

However, TRAFFIC recognizes that many Parties still lack the capacity and resources to make thorough non-detriment findings, and notes that for many species the “best available scientific information” may be very basic. TRAFFIC therefore strongly supports further capacity building in this regard for Scientific Authorities and the continued development of guidance, particularly for cases where there is little information.

In this regard, TRAFFIC notes that the European Commission has generously provided funds to strengthen the capacity of developing countries to implement CITES including addressing immediate data needs (see CoP 15 Doc 16.1). In addition, the Secretariat has proposed in a draft Decision in Doc 18 Annex 10 b) the establishment of a financial mechanism to secure long-term funding to support the provision of technical assistance to CITES Parties in relation to regulating wildlife trade (including population studies as a basis for management programmes), which could provide support and funding to range States for implementing non-detriment findings.

## Interpretation and implementation of the Convention

### 18. Review of Resolutions

---

**Annex 12: Conf. 12.10 (Rev. CoP14) – Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes:** The Secretariat proposes either amending Res. Conf. 12.10 (Rev. CoP14) for purposes of simplification and efficiency in registering App. I captive breeding operations, or creating a new resolution more in line with Res. Conf. 9.19 (Rev. CoP13) (for registering nurseries) for the purposes of synchronizing both processes. The amendments to the current resolution would

still allow for notifications to the Parties of applications and an opportunity to object to the application, whereas the new resolution would allow the relevant Management Authority the ability to register operations unilaterally, and Parties could only later file objections if warranted.

TRAFFIC does not support the new resolution proposed by the Secretariat (Option A), as it does not allow Parties an opportunity to review and comment on applications to register App. I breeding operations. As information on illegal trade and illegal traders is often held on a global scale, it seems wise when dealing with App. I species to allow for input in advance of registration; particularly when local officials can be subject to bribes. TRAFFIC could support, in principle, the Secretariat's amendments to Res. Conf. 12.10 (Rev. CoP14) (Option B), with some caveats.

- TRAFFIC supports the amendment that would allow for annual review of objections to registrations by the Standing Committee, rather than requiring review by the CoP, which can prove a lengthy and costly endeavor for those whose livelihoods are impacted.
- TRAFFIC finds that the proposed revisions to #6 still lend themselves to misinterpretation, and would suggest wording along the lines of "Current stock (numbers by sex and age), of both parental breeding stock and progeny, held."
- TRAFFIC has concerns with the proposed accelerated procedure in Annex 2 for operations contributing "directly to the conservation of wild population(s) of the species," as what constitutes activities of conservation benefit have proven far too subjective. TRAFFIC would suggest removal of this language and focusing the accelerated registration only on operations already registered. However, those operations qualifying for accelerated registration should not be exempt from providing in their applications the information required under paragraphs 5 and 6 – legal sourcing of parental stock must still be shown, as should an accounting of the current stock to ensure that the numbers of specimens being exported currently and in future can be supported by the reported stock and aren't being wild-sourced. Similarly, the information required under 7, 9 and 10 should also be required. It seems the only information not necessary to reproduce is that required under paragraphs 13-15, regarding inspection and monitoring, description of facilities, and assurance that the operation would be conducted in a humane manner, as these would most likely carry over from the existing registration. The revised Resolution and, in particular, the accelerated registration, should only be accepted if these changes are incorporated, or the accelerated registration is removed in its entirety.

## 19. Review of Decisions

---

**Decision 14.76 (on the African Elephant Fund).** It was noted at the 58<sup>th</sup> meeting of the Standing Committee that this Decision only mentioned MIKE and did not mention other elephant-related activities requiring external funding such as ivory trade action plan and ETIS. The Secretariat has made amendments to include those activities in the text of the Decision. TRAFFIC is pleased with the revision proposed by the CITES Secretariat and invites all Parties, trading countries, legal ivory carving industries, intergovernmental organizations, non-governmental organizations and other donors to support MIKE, ETIS and the CITES action plan with the provision of financial resources.

**Decision 14.78.** This Decision calls for a comprehensive review of the status of elephants, elephant trade, impacts of legal trade, and the Secretariat is recommending that the Decision be replaced by new text asking that, for SC61 and SC62, the Secretariat produce an analysis of MIKE data; TRAFFIC submit an updated analysis of ETIS data, UNEP-WCMC to provide an overview of the latest elephant trade data; and the IUCN/SSC African and Asian Elephant Specialist Groups submit any new and relevant information on conservation status. TRAFFIC agrees with the intent of this decision and believes that the elephant discussions which are conducted at future meetings of the Standing Committee should be informed by updates and analyses of important information being generated by MIKE, ETIS, UNEP-WCMC and IUCN. It needs to be recognised, however, that to comply with this decision adequately imposes heavy financial costs upon all of these organisations and does not take address the financial ramifications as they relate to ETIS, UNEP-WCMC and IUCN. This inherent deficiency needs to be addressed and the decisions should include provisions to make resources available to ETIS, UNEP-WCMC and IUCN so that they can fulfil their obligations under this decision.

**Decision 14.73 and 14.74 (Bushmeat):** Significant progress can be reported from Central African countries regarding work on bushmeat in the region, and this has unfortunately not been reported in CoP14 Doc. 61 'Report of the Central Africa Bushmeat Working Group'. These include the workshop on the "Process of formulating a regional project on the sustainable management of the wildlife and bushmeat sector in Central Africa" convened by the FAO; the First meeting of the Liaison Group on Bushmeat convened by the Secretariat of the Convention on Biological Diversity (CBD); the first-ever national workshop to elaborate and define a national bushmeat strategy and action plan for the Democratic Republic of Congo (DRC). Other countries in the region have further been working to elaborate on, or implement their national bushmeat strategies and action plans, and new initiatives have been started, such as the Development of a Regional Bushmeat Harvest and Trade Monitoring System in Central Africa ("Système de suivi de la filière viande de brousse en Afrique centrale" or SYVBAC). National and sub-regional action plans against cross-border illegal trade of bushmeat have been incorporated within the three-year operation plan of the Central African Forest Commission (COMIFAC). Taking note of these outcomes, TRAFFIC recommends that Parties call for the continuation of work on bushmeat in Decision 14.73 and 14.74, and further strengthen its engagement on this crucial issue.

**Decision 14.73 and 14.74 (Agarwood):** TRAFFIC believes that Decisions 14.139, 14.142 and 14.143 have been delivered, although Parties will still require assistance for implementation of 14.142 definitions, in line with NDFs for cultivated agarwood. On the remaining decisions, TRAFFIC supports the Secretariat's recommendations that these remain in force, but that 14.138 should be part of the workshop proposed to happen before CoP16 under Decision 14.144, and that this workshop should be consolidated with proposed capacity building workshops for Plant NDFs under CoP 14 Doc 16.3 and CoP14 Doc 60 on the workshop for management of wild and plantation-sourced agarwood.

## Compliance and enforcement

### 24. Enforcement matters

---

TRAFFIC welcomes the proposal in this document for the development a global database for illegal trade modeled upon EU TWIX. Having assisted in the development and administration of EU TWIX, TRAFFIC has had long experience in database systems such as these and is willing to offer whatever expertise or assistance may be required in the development of this global database.

Concerns had been expressed by the Enforcement Expert Group over NGOs maintaining and managing databases holding enforcement information. TRAFFIC agrees that enforcement information needs to be carefully managed and secured by the governmental agencies involved. Nevertheless, the NGO community also has a vital role to play in supporting wildlife enforcement efforts by providing information to enforcement agencies, while recognizing that all enforcement information and action must remain in the hands of the appropriate agencies. With regard to EU TWIX, for example, while TRAFFIC assisted in the development of the system, it is a secure system for enforcement officers only and no one in TRAFFIC other than the administrator has access to this database. In light of this important discussion, TRAFFIC would like to refer Parties to its CoP15 Briefing on Wildlife Enforcement and CITES, which sheds light on the important role civil society can play in supporting government-led law enforcement action through providing reliable and objective information to enforcement agencies, assistance in capacity building, alerting relevant agencies to emerging trade-related threats to wildlife, facilitating interagency and international dialogue, and communicating wildlife trade priorities to raise the issue on the global conservation agenda.

TRAFFIC agrees that handling enforcement-related information and developing enforcement strategies is a government task and encourages governments to seriously take up this responsibility. It must however be noted that some governments lack wildlife law enforcement systems which can provide an adequate answer to the organized crime syndicates involved in wildlife trafficking. This is a serious concern which needs to be addressed at both national,

regional and international levels. TRAFFIC hopes the new partnership between CITES, Interpol, UNODC and WCO can provide the support needed.

TRAFFIC welcomes the plans of the Secretariat, Interpol, UNODC and WCO to develop a coordinated approach to wildlife law enforcement. TRAFFIC notes that these agencies at their meeting in Geneva in November 2009 have established the 'International Consortium for the Combat against Wildlife Crime'. TRAFFIC is looking forward to offering any assistance that may be appropriate in helping make this ground-breaking initiative a success.

TRAFFIC also welcomes developments such as the establishment of regional wildlife enforcement networks such as the ASEAN Wildlife Enforcement Network and South Asia Wildlife Enforcement Network. With the increasing involvement of highly sophisticated criminal networks in illegal wildlife trade, it is essential that wildlife law enforcement be scaled up to a regional level. TRAFFIC also believes that significant increases in funding need to be found to enhance national capacities for effective wildlife law enforcement and its coordination at the international level.

## **25. Proposed revision of resolution Conf. 11.3 (Rev. CoP14) on *Compliance and Enforcement***

---

This document aims to promote the use of detector dogs as a recommended means of detecting illegal wildlife trade by recommending enhanced co-operation and co-ordination between Parties that have detector dog programmes and those Parties that are interested in developing such programmes and the enhancement of enforcement methods that include the use of wildlife detector dogs. TRAFFIC welcomes this proposed revision of Resolution 11.3 (rev. CoP14) and hopes it will be an encouragement for Parties to develop detector dog programmes and/or expand on existing programmes. The success of the use of detector dogs in countries such as Czech Republic and United Kingdom has shown that they are an immensely valuable tool for the detection of wildlife contraband. TRAFFIC helped pioneer the use of sniffer dogs for detecting illegally traded wildlife in Asia, following feasibility studies that led to the establishment of a wildlife sniffer dog unit in South Korea in 2000, and more recently with the introduction of sniffer dogs to assist enforcement actions in India. Following a successful pilot in Germany last year, WWF and TRAFFIC plan to launch a Europe-wide project that aims to see the use of wildlife detector dogs at the largest European airports and seaports and in major postal distribution centres.

## **Trade control and marking**

### **27. Introduction from the sea**

---

TRAFFIC has actively engaged on this issue, having participated in the Standing Committee working group and convening a workshop in conjunction with the Australian National Centre for Ocean Resources and Security (ANCORS) to consider the relevant definitions and interpretation. TRAFFIC supports the continued engagement of CITES in resolving these complex issues through to CoP16, as described in the proposed revisions to Decision 14.48.

The amendments suggested for Res. Conf. 14.6 are in two forms. The underlined amendments to the preamble of the Resolution were agreed by the working group, while agreement could not be reached for the bracketed options. TRAFFIC supports the inclusion of the underlined amendments.

With regard to the bracketed options:

**Flag or port state responsibility.** TRAFFIC believes it is more consistent with international law to assign responsibility to the flag state.

**Compliance of the convention and conformity with other applicable international law.** TRAFFIC supports the draft text regarding this issue and suggests the following wording which is slightly stronger and clearer in legal terms:

*RECOMMENDS that a Management Authority of the State of introduction, as part of the process of making a non-detriment finding prior to issuing a certificate of introduction from the sea, be satisfied that the specimen was or will be acquired in a manner consistent with applicable measures for the conservation and management of living marine resources, including those of Regional Fisheries Management Organizations or arrangements, and with international law;*

**Respond to queries in a timely manner.** TRAFFIC supports the inclusion of this sentence.

**Mandate for the SC to take action against States not complying with the measures agreed in the resolution.** TRAFFIC believes the following should be included in the draft text on this issue:

RECOMMENDS FURTHER that reports of States that are issuing certificates of Introduction from the Sea in a manner that is not in accordance with the Convention or with this Resolution be addressed through the procedures laid down in Resolution Conference 14.3 ("CITES compliance procedures").

## Species trade and conservation

### 42. Great Apes

---

TRAFFIC believes CITES can play an important role in curtailing illegal trade in African great apes and, in this regard, would like to draw the attention of the Parties to the "Frankfurt Declaration on Gorilla Conservation". This Declaration was made at a conference marking the UN Year of the Gorilla 2009 that took place in Frankfurt, Germany from 9-10 June 2009 and was attended by over 160 government officials, experts, corporate representatives and conservationists from 20 countries.

TRAFFIC urges the Central African Great Ape Range States to address illegal trade in African great apes as a matter of urgency. Concerted, energetic measures are needed to eradicate poaching, including the full prosecution of those engaged in poaching activities, particularly in trans-boundary habitats in the region. Law enforcement and judiciary capacity in these countries must be strengthened, including support for capacity building of law enforcement agencies, and awareness-raising measures directed towards the judiciary, as mentioned in the legal binding Gorilla Agreement (within the meaning of article IV, paragraph 3,) of the United Nations Convention on Migratory Species (see Article III, 2 d) and e)).

In this regard, TRAFFIC would recommend that a Regional Central African Wildlife Trade Law Enforcement Plan be developed and implemented to help address illegal trade of Great Apes and other endangered species in the region.

### 43. Asian big cats

---

This proposal by Sweden (on behalf of the European Union) aims to strengthen one of the most important CITES tools for monitoring and controlling illegal trade in tiger parts and derivatives - Resolution Conf. 12.5 (Rev CoP14) 'Conservation of and trade in tigers and other Appendix-I Asian big cat species'. This document proposes a number of key amendments to strengthen the Resolution, notably:

- a. increase regional cooperation between Range States
- b. improve enforcement controls and procedures
- c. ensure breeding operations are consistent with the conservation of wild tiger populations
- d. improve reporting
- e. improve compliance



f. encourage consideration of expanding a seizures database such as

These recommendations come in the wake of a grim report by the CITES Secretariat that decisions made at the last CoP related to Asian big cats have done little to mitigate the threat to these species. The report highlights a number of worrying developments, such as the commercial captive breeding of tigers and stressed that illegal trade in tiger

The document notes the analysis by TRAFFIC indicating that implementation of Resolution Conf 12.5 so far has been uneven overall and in terms of its individual elements. The proposed amendments to the Resolution go a long way towards addressing TRAFFIC's recommendations in the analysis and the strong need to strengthen the regulatory framework governing illegal trade in Asian big cats.

The document recognises that progress in implementing of the Resolution can only be measured if regular and detailed reports were provided to CITES. The failure to provide regular detailed reports on progress in implementing measures aimed at conserving tigers and other Appendix I Asian big cats has prevented adequate assessment of the effectiveness of the measures being taken to address illegal tiger trade. TRAFFIC therefore welcomes the call for range States and, where appropriate, relevant non-range States to provide detailed reports to each meeting of the Standing Committee and Conference of Parties on measures taken to comply with Resolution 12.5.

The amendment also recognizes the importance of developing or improving implementation of regional enforcement networks. With the increasing involvement of highly sophisticated international criminal networks in this trade, it is essential that wildlife law enforcement be scaled up to a regional level to meet this challenge.

TRAFFIC welcomes the call for implementing systems for recording information of illegal trade in Asian big cats and sharing information with other entities to ensure coordinated investigations and enforcement. The document recommends the expansion of a database such as EU TWIX into a global database to monitor and evaluate the scale and nature of illegal trade in Asian big cats.

TRAFFIC believes such a global database could be an extremely valuable tool. However, a comprehensive information system specific to trade in the parts and products of tigers and other Asian big cats, in a similar approach to that of ETIS (Elephant Trade Information System), has greater potential to improve the information base for CITES decision-makers. TRAFFIC has played a major role in the organization, management, and analysis of other CITES species and regional trade databases, and has undertaken an in-depth exploration of the issues involved in developing something similar for tigers. A tiger trade information system should be led by the tiger range States, as suggested in the EU's document, and function at the regional level. This could expand on existing tiger trade databases in Asia, such as India's Tigernet - an online database of tigers and other wildlife mortality and the Official Database of the National Tiger Conservation Authority (NTCA), a Statutory Body under the Government of India's Ministry of Environment and Forests. The database was developed by NTCA and TRAFFIC and is the first consolidated database in India on mortality and poaching related to Tigers and other protected species within Tiger reserves..

TRAFFIC supports the call to Parties to ensure enforcement units and personnel receive relevant and effective support following the guidelines provided in annexes 1, 2 and 3. The lack of political will to increase the capacity to fight illegal wildlife trade to a level appropriate to the seriousness and complexity of wildlife crime is of continuing concern and it needs to be addressed with the utmost urgency.

TRAFFIC supports the amendment of paragraph f) urging Parties to ensure that tigers and other Asian big cat species are not bred for trade in their parts and derivatives. The captive breeding of tigers in numbers far beyond what can be considered necessary for their conservation in the wild, coupled with the drive to develop new consumer markets by tiger farmers is a cause of concern for the international community.

TRAFFIC recommends the adoption of the proposed amendments of Resolution Conf. 12.5 and urges Parties to take effective action to comply with the provisions of this Resolution.

## 44. Elephants

---

The ETIS report concludes that, globally, the trend in illicit trade in elephant ivory continues to increase, largely due to the presence of organized crime syndicates. At the global level, CITES actions to reduce illegal trade in ivory have not been effective. Progress on the implementation of the CITES action plan for the control of trade in African elephant ivory has been limited. The countries which were identified in the first ETIS analysis in 2002 as being the most heavily implicated in the illicit ivory trade are still being identified as the major culprits today. More stringent actions are required at national, regional and global levels if the Parties truly seek a decline in the trafficking on ivory, including the strengthening and active implementation of Decision 13.26, the action plan for the control of trade in African elephant ivory.

The ETIS Report identified the three countries most heavily implicated in illicit ivory trade as the Democratic Republic of the Congo, Nigeria and Thailand. These three countries also featured in the ETIS reports to CoP12, CoP13 and CoP14 as countries of major concern. It is recommended in the ETIS Report to CoP15, therefore, that these countries should receive focused and unwavering attention as priorities with respect to the implementation of *Decision 13.26*. The ETIS analysis also highlights another nine countries and territories as repeatedly playing an important role in the illicit ivory trade. Cameroon, Gabon, Hong Kong SAR, Malaysia, Mozambique, the Philippines, Singapore, Taiwan (province of China) and Viet Nam exhibit poor law enforcement effort, substantial domestic ivory markets and/or frequent involvement in large-scale ivory seizures.

China also needs to address the ongoing complicity of its citizens in ivory trafficking within Africa as a matter of urgent concern. Previously, the Chinese government made an undertaking to engage in a mission to Africa to raise awareness amongst Chinese nationals living abroad about the country's 'zero tolerance' for illegal trading in ivory. China's future delivery of this undertaking would hopefully serve to reverse the growing frequency of its citizens in illicit ivory trade activities within Africa.

Another recommendation arising from the ETIS Analysis is that *Decision 13.26*, the *Action plan for the control of trade in African Elephant ivory* needs to be strengthened and actively implemented. The status of compliance with the requirements of *Resolution Conf. 10.10 (Rev. CoP14)* needs to be assessed and the obvious need for serious remedial measures should be addressed.

Concerning the recommendation that Parties be urged to second enforcement officers to assist in verification activities with regard to the Action Plan, the Secretariat addresses the fact that there has been a limited response in the past to *Resolution Conf. 11.3 (Rev. CoP14)* which urges Parties to "offer secondment of enforcement officers to assist the Secretariat in addressing law-enforcement issues", primarily because of the cost involved. In Doc 44.1, the Secretariat proposes that Parties offer secondment to officers for short periods (two weeks to a month) and that the Secretariat uses external funding to deploy that person on missions to relevant countries. This should enable the expected support and verification activities to be conducted by an independent, suitably trained, professional and experienced individual in whom the Parties, Secretariat and Standing Committee could have confidence. The second recommendation in Doc 44.1 is therefore considering the issues that have hampered the process in the past and is attempting to provide a practical solution to these. It should be supported.

## 45. Rhinoceroses

---

The IUCN/TRAFFIC report indicates that rhino poaching worldwide is on the rise and a decline in law enforcement effectiveness. The trade is being driven by Asian demand for horns and is made worse by increasingly sophisticated poachers, who now are using veterinary drugs, poison, cross bows and high caliber weapons to kill rhinos.

Since 2006 the majority (95 percent) of the poaching in Africa has occurred in Zimbabwe and South Africa, according to new data. These two nations collectively form the epicentre of an unrelenting poaching crisis in southern Africa. The situation is most serious in Zimbabwe where rhino numbers are now declining and the conviction rate for rhino crimes in Zimbabwe is only

three percent. Zimbabwe's situation is the most grave as poaching numbers, rhino horn losses and poaching intensity have reached seriously high levels which are now causing the country's rhino population to decline. Law enforcement efforts to protect rhino in the field, and subsequent investigations, arrests and prosecutions of rhino crime in the courts are generally not meeting with success, raising a number of governance and capacity concerns. Zimbabwe should, therefore, remain the leading priority in any future CITES review process that examines the implementation of Resolution Conf. 9.14, keeping a focus upon monitoring rhino poaching and the status of law enforcement actions, including the investigation and prosecution of rhino crime.

The situation in South Africa has also worsened significantly since CoP14. Unprecedented losses of rhino and rhino horns, an increasing poaching intensity, and an erosion in law enforcement effectiveness remain issues of serious concern. A number of positive measures to curtail abuses associated with sport hunting and the private ownership of rhinos are in progress, but implementation is incomplete and the full effects of some newer measures remain to be seen. Whilst the impact on national rhino numbers is still minimal, rhino horn trade developments in South Africa have been the principal driving force behind the resurgent rhino horn trade in Asia, most notably in Viet Nam and, to a lesser extent, China. Thus, South Africa is also a priority for CITES attention under Resolution Conf. 9.14, especially with respect to improving coordinated information management at the national level on rhino numbers and stocks in the private sector, the occurrence and details of sales of rhinos, translocations and rhino hunting.

Most rhino horns leaving southern Africa are destined for medicinal markets in South-East and East Asia, especially Viet Nam, and also China. The report highlights Viet Nam as a country of particular concern – noting that Vietnamese nationals operating in South Africa have recently been identified in rhino crime investigations. The resurgence of rhino horn trade in Viet Nam, possibly China and other parts of Asia is of paramount concern, but remains poorly documented, especially the extent of usage and trade in end-use markets in Asia. This issue needs to be carefully assessed, including a better understanding of the policies, legislation and law enforcement actions of end-use market governments, especially Viet Nam where internet trading of alleged rhino horns is currently taking place. Clarification should be sought from China regarding the status and purpose of importing so many live rhino in recent times. The continued involvement of Vietnamese and Chinese nationals in the acquisition of rhino horns within Africa also needs to be addressed from the standpoint of collective and collaborative law enforcement action involving authorities both in Africa and in Asia. Pursuant to Resolution Conf. 9.14, a report on the status of trade in rhino horn in Viet Nam and China and live rhino in China would also be welcomed at a future meeting of the Standing Committee.

Kenya's document raises a number of important matters related to CITES reporting on rhino trade issues. Kenya's initiative to propose these amendments should be acknowledged and commended. However, as proposals such as these have merit, but face practical obstacles, the Secretariat's suggestion—that the CoP consider the IUCN/TRAFFIC report and determine whether changes to the manner of its preparation are desirable and achievable—is considered the most appropriate way forward.

## **51. Humphead wrasse**

---

At 58<sup>th</sup> meeting of the Standing Committee, IUCN and TRAFFIC raised the issue of enforcement of Appendix II measures for Humphead Wrasse under the agenda item on 'Enforcement Matters', bringing to the attention of the SC a number of Appendix II enforcement issues with Humphead Wrasse outlined in a document by IUCN and TRAFFIC that was distributed at the meeting. These included evidence of illegal exports of this species, trade record discrepancies, evidence of illegal re-exports and other general problems of enforcement, particularly with sea-based shipments. It was noted that although much progress has been made to implement the Appendix II listing since 2004 by Parties such as Indonesia and Malaysia who have instituted voluntary controls such as air shipments, there are still serious enforcement issues to be addressed. It was also noted that the SSC Groupers and Wrasses Specialist Group coordinated a meeting attended by CITES Management Authorities from China, Hong Kong, Indonesia, Malaysia, and the Philippines where these issues were discussed, and has collected substantive information on Appendix II enforcement issues for Humphead Wrasse. Illegal trade is undermining its efforts towards effective implementation of the Appendix II listing and IUCN

and TRAFFIC strongly encouraged Parties to raise awareness of this issue higher within their governments and to be vigilant with enforcing Appendix II measures relating to Humphead Wrasse.

This document appears to represent consensus views of Humphead Wrasse producing and consuming countries, as expressed at the Hong Kong workshop. As a producer country for the species, Indonesia is to be commended on taking it forward.

How the additional capacity-building and awareness-raising activities are to be resourced is a question that would benefit from further consideration. In particular, the remit and composition of the proposed Humphead Wrasse task force (recommendation c) needs to be clarified.

The most practical recommendation to implement forthwith is an agreement to limit trade to that transported by air since it is understood that the legal trade into Hong Kong at present is largely conducted in this way. A less desirable option would be to allow trade by land or sea into designated ports and at designated times, although the proponent, understandably, has opted to press for the ideal outcome.

The recommendation to convene a workshop would benefit from encapsulation in a CITES Decision, especially since the document as submitted does not state who should be the participants in such a workshop. Such a Decision might read as follows:

*Directed to the Secretariat:*

*Subject to the availability of funding, the Secretariat shall convene a workshop of exporting and importing countries, and other relevant stakeholders, to discuss the IUU fishing and illegal trade issues and problems raised in CoP 15 Doc. 51 that need to be addressed in order to improve implementation and enforcement of the Humphead Wrasse Appendix II-listing.*

TRAFFIC believes the active part of the Resolution should draw on the specific recommendations to limit international trade to air only, consider better monitoring, control and surveillance measures, actively report back to CoP16 and further on progress in eliminating IUU for HHW and draft a Decision to hold a workshop to further consider the information provided in the document.

Document 51 should be supported, subject to clarification of the points raised above. This may also be an opportunity for the donor countries to offer further support in the development of sound Non-Detriment Findings and related trade control measures by producer countries.

### **53. Sharks and stingrays**

---

TRAFFIC has been an active participant in drafting and working groups in relation to sharks since the adoption of a shark Resolution by the parties at CoP9. The content of Document 53 reflect the outcomes of the current Resolution and Decisions and the conclusions/recommendations from AC24 which TRAFFIC participated in and supports.

In relation to the suggested actions for items by the CITES Secretariat, TRAFFIC supports their inclusion as suggested by the Secretariat.

An important part of success in the future will be to ensure that the Animals Committee maintains a Shark working group and perhaps there needs to be an additional Decision that calls for the WG and the Secretariat to assist in raising funds for such a WG. The other critical thing will be a good chair.

Another important spin off of listings at CoP15 will be the way that RFMO's deal with assisting Parties to make NDF's through the adoption of stock assessments and also the physical way products will be tracked, hence TRAFFIC's shark track project. This is not just the application of suitable customs codes, but accepted methods for marking and tracking products (traceability).

## **Flora**

### **57. *Cedrela odorata*, *Dalbergia retusa*, *Dalbergia granadillo* and *Dalbergia stevensonii***

---

The recommendations contained in CoP15 Doc. 57 were developed with the aim to reconcile the views of those who favoured an Appendix II-listing (at least for *Cedrela* spp.) with those of range State and regional representatives, who opposed this. The recommendations have the merit of maintaining the status of these species within the remit of the PC. However, if the real objective for supporting the recommendations is to continue the debate about the benefits of Appendix II-listings and if such listings continue to face range State opposition, it needs to be considered whether the process outlined in Decision 14.146 will lead to a conclusion or whether it will simply consume time and resources. In this regard, there are a number of questions which complicate the issue further:

- 1) There is the risk that if the species are under the oversight of the BMWG, this will be used by opponents of Appendix II-listings to argue that a listing is not warranted (as was argued for Bigleaf Mahogany up to CoP12); and
- 2) The future of the BMWG is itself the subject of a separate document (Document 58) and there are a number of questions to be addressed in this regard.

In addition, the strength of the case for an Appendix II-listing is not equal for all of the species concerned. At CoP14, TRAFFIC supported the proposal for *Cedrela* spp., and that for *D. retusa* and *D. granadillo*, but recommended against that for *D. stevensonii* on the grounds that there was no evidence of trade. When comparing the proposals TRAFFIC did support, it is clear that *Cedrela* spp. is the more urgent case. There are increasing volumes of *C. odorata* in trade, whereas *D. retusa* (the species which was proposed on conservation grounds, *D. granadillo* being proposed as a lookalike) is only in trade at a residual level, being considered already commercially extinct (N. McGough, pers. comm., 2009).

On balance, the Secretariat's concerns are justified. If the ultimate goal is to continue working towards listing these species in the Appendices, it may be more worthwhile to reject the recommendations outlined in CoP15 Doc. 57 and use other means to work directly towards an Appendix II-listing, especially for *Cedrela* spp..

It should be noted that many range States did not support the original proposals at CoP14, citing issues such as insufficient scientific basis, difficulties faced by range States in implementing CITES listings of timber species, potential livelihood impacts and lack of range State consultation. While Decision 14.146 may have addressed some of these concerns to a certain extent (particularly in relation to the collection of scientific information), the EU, as the proponent for listing of the species at CoP14, may wish to consider working with one or more range States in developing a separate consultative mechanism (such as a workshop) for addressing these issues. These should include ways to manage and sustainably meet demand for these timber species and to maximise the potential benefits of CITES mechanisms, such as Appendix listings, in managing the trade. Depending on results of discussions, the workshop could explore the potential for submission of a listing proposal at the 16th Meeting of the Conference of the Parties, and how such a listing could be implemented effectively.

### **58. Bigleaf mahogany**

---

In relation to the sustainable management of Bigleaf Mahogany, it can be argued that it does seem questionable as to whether or not there is a need for two near-parallel processes for Bigleaf Mahogany. Given that the Review of Significant Trade will continue through to the next intersessional period, there is a case for the PC simply to continue this work directly. The PC could convene the working group at its next meeting, which could then work on mahogany issues between meetings via email exchange, helping to alleviate the funding requirements of a physical meeting.

However, it can also be argued that, despite progress being made on actions related to sustainable harvest and scientifically based non-detriment findings, much more can be done to address the issues of compliance, enforcement and the continuing problem of illegal logging of and trade in mahogany.

When originally established at CoP11, one of the tasks included in the mandate of the BMWG was to “analyse legal and illegal trade”. Decision 12.21 gave the BMWG a new mandate to discuss the capacity needed for the implementation of the Appendix-II listing of *Swietenia macrophylla*, related to sustainable harvest and scientifically based non-detriment findings, and to review the recommendations contained in the Action Plan mentioned below.

The “Action Plan for the Control of International Trade in Bigleaf Mahogany (*Swietenia macrophylla*)” drafted by the BMWG and adopted by CoP14 (Decision 14.145) recommended that Bigleaf Mahogany range States develop a regional strategy with timelines to address various issues including legal origin, and compliance and enforcement issues. The Action Plan also recommended that the Standing Committee (SC) discuss compliance and enforcement with regard to Bigleaf Mahogany and recommend appropriate action.

Work related to compliance and enforcement has so far focussed on Peru and has been conducted primarily by the CITES Secretariat, which has conducted a series of missions to the country and developed recommendations to address compliance and enforcement problems that these missions have identified. While this issue will continue to be discussed at SC59 just prior to CoP15, Parties may wish to consider whether the BMWG can play a more formal and active role in assisting the relevant range States and the Secretariat in conducting this work, particularly in addressing issues such as cross-border illegal trade in mahogany and bilateral or multilateral enforcement co-operation and sharing of information on illegal trade. Therefore, Parties could recommend that, working in co-operation with the CITES Secretariat, the BMWG report to the SC on implementation of the Action Plan with regard to compliance and enforcement, and that the SC recommends appropriate action.

## **61. Report of the Central Africa Bushmeat Working Group**

---

TRAFFIC would like to draw the attention of the Parties to the fact that significant progress can be reported from Central African countries regarding the work on bushmeat in the region. We would like to highlight several elements of relevance to the Parties to CITES on the issue of bushmeat trade have not been reflected in this document.

- a. The FAO convened a workshop on the “Process of formulating a regional project on the sustainable management of the wildlife and bushmeat sector in Central Africa / *Processus de formulation du projet sous-régional sur la gestion de la faune et de la viande brousse en Afrique centrale*”, which took place from 25-27 November 2009 in Libreville, Gabon.
- b. The First meeting of the Liaison Group on Bushmeat was convened by the Secretariat of the Convention on Biological Diversity (CBD) and held from 15-17 October 2009 in Buenos Aires, Argentina. The outcomes of that meeting have been provided as an Information Document, viz. CoP15 Inf. 19 “Report of the liaison group meeting on bushmeat”.
- c. From 23-25 September 2009, in a first-ever national workshop to elaborate and define a national bushmeat strategy and action plan for the Democratic Republic of Congo (DRC), some 50 participants from across the DRC met in Kinshasa to formulate a national action plan to address the issue of trade in “bushmeat”. The workshop, organized by ICCN (the *Institut Congolais pour la Conservation de la Nature*) under the patronage of the Ministry of Environment, Nature Conservation and Tourism, and in collaboration with TRAFFIC, brought together participants from national authorities, civil society representatives, other elected bodies, and print and broadcast media. Enhanced enforcement measures and regional collaboration form an integral part of the forthcoming plan.
- d. Other countries in the region have further been working to elaborate on, or implement their national bushmeat strategy and action plans, and new initiatives have been started, such as the Development of a Regional Bushmeat Harvest and

Trade Monitoring System in Central Africa ("Système de suivi de la filière viande de brousse en Afrique centrale" or SYVBAC), and a Central African Wildlife Trade Law Enforcement Initiative, both in conjunction with TRAFFIC, and the latter additionally with WWF.

- e. Within the three-year operation plan (*plan d'opération triennal*) of COMIFAC, the Central African Forest Commission (COMIFAC incorporates the ten countries of Central Africa), it was further agreed that "national and sub-regional action plans against cross-border illegal trade of bushmeat (Action 4.2.5 of the '*plan d'opération triennal*') and against poaching and illegal wood harvest in general (Action 5.4.2)" would be pursued.

We recommend that CITES Parties take note of those outcomes. Accordingly, we call for the continuation of the Central African Bushmeat Working Group, with a view to maintaining and strengthening the Decisions taken at CoP 14, rather than deleting them, as recommended in CoP15 Doc. 19.

## **Amendment of the Appendices**

### **63. Criteria for the Inclusion of Species in Appendices I and II**

---

In order to ensure the Appendices correctly reflect the conservation needs of species, listing criteria were developed and adopted in 1994, in Res Conf 9.24 (Rev CoP14) with subsequent updates. For many CoPs IUCN and TRAFFIC have assessed the proposals to amend the Appendices submitted by Parties against these criteria. Through the production of IUCN/TRAFFIC Analyses of Proposals for CoP15, and recent discussions over the differences in application of these criteria, it appears that a number of issues in applying these criteria need to be considered by the Parties which may require further guidance;

- How to apply the criteria on the basis of projected future declines.
- Should a taxon be listed in Appendix II or III where it cannot be said conclusively that the criteria for listing in App II are met, although it is considered that the regulation of trade would be beneficial to the conservation of the taxon.
- Should Criterion 2ba be applied to subpopulations or stocks where all other subpopulations or stocks of that species meet Criterion 2ba to avoid split listings?
- If species are similar in appearance to listed species but there appears to be little or no demand for trade in these species, should they be listed under criterion 2ba.

While in general the criteria are clear, in particular for listing in Appendix I, there are areas where it is more difficult to apply the criteria for listing in Appendix II, for instance for non-vertebrates e.g. corals and trees, and non-terrestrial vertebrates e.g. sharks. With the consideration in recent years of more proposals to list non-terrestrial vertebrates it is evident that it is difficult to apply the criteria equally to all taxa. It would appear that it is an opportune time to examine this and other issues/problems such as application of the decline criteria for relatively long-lived species in applying the criteria in Res Conf 9.24 (CoP14). TRAFFIC supports the decision in Doc 63 Annex and would be pleased to offer our experience and expertise in applying these to any process that results from this decision.