

CoP17 Prop. 23. [Madagascar] Maintenance of the Malagasy Population of Nile Crocodile *Crocodylus niloticus* in Appendix II, pursuant to Res. Conf. 9.24 (Rev. CoP16) Annex 2(a), paragraph B) rather than to Res. Conf. 11.16 (Rev. CoP15), subject to the following annotations: 1. No skins or products within the artisanal industry from wild *C. niloticus* less than 1 m or greater than 2.5 m total length will be permitted for national or international trade; 2. An initial wild harvest ceiling of 3000 animals per year for the artisanal industry will be imposed for the first three years of operation (2017–2019); 3. No export of raw or processed skins harvested from the wild will be permitted for the first three years; 4. Farm production shall be restricted to ranching and/or captive breeding, with national skin production quotas; 5. Management, wild harvest ceiling and national skin production quotas will be audited and reviewed annually by international experts for the first three years to ensure sustainability

The Malagasy population of the Nile Crocodile *Crocodylus niloticus* was originally in Appendix I and is now in Appendix II under the conditions of Res. Conf. 11.16 (Rev. CoP16) on ranching. The proposal entails a detailed, substantive annotation that could be counted as a special measure under Annex 4 of Res. Conf. 9.24 (Rev. CoP16) (sub-para. A 2 a) iii)) to be approved by the CoP based on management measures described in the Supporting Statement, provided that effective enforcement controls are in place. If successfully implemented, it appears that management measures specified in the annotation and in the Supporting Statement would ensure compliance with the Convention.

However, it is unclear if Madagascar has sufficient resources and capacity to implement these management measures. There have been problems in compliance with the Convention with respect to export of *C. niloticus*, resulting in a recommendation from the Standing Committee to suspend trade with Madagascar in the species in 2010. In 2014 the Standing Committee (SC) agreed that these problems had largely been resolved and the suspension withdrawn at the end of the year.

It should also be noted that the current annotation indicates that restriction in the annotation would only apply for three years from the date of its adoption. The proposed annotation contains substantive management measures and the level of detail specified is not in conformity with recommendations on the use of annotations in Appendices I and II in Res. Conf. 11.21 (Rev. CoP16), which states that substantive annotations should be confined to designation of types of specimens or export quotas, or inclusion or exclusion of geographically separate populations. Any change to the substantive provisions in it would need an amendment proposal to be approved by the CoP.

While it may be premature for this listing to be accepted at this point in time, Madagascar should be encouraged to develop and adopt an action plan

leading to effective implementation of the current Appendix II listing that could include addressing some of the measures in the proposed annotation and in the Supporting Statement. This includes the implementation of measures to establish secure and effective ranching and labelling systems, as well as a management plan to assist in the making of non-detriment findings and determining sustainable quotas. The effective implementation of such measures and controls can pave the way for Madagascar to submit a similar proposal in the future. The CITES Secretariat, interested Parties, international organizations and relevant experts should be encouraged to provide technical and/or financial assistance to Madagascar in these endeavours.

REJECT