



**TRAFFIC RECOMMENDATIONS ON THE PROPOSALS TO AMEND THE CITES APPENDICES
AT THE 17th MEETING OF THE CONFERENCE OF THE PARTIES (Cop17)
Johannesburg (South Africa), 24 September-05 October 2016**

Background

Since its establishment 40 years ago, just after the entry into force of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), TRAFFIC has held the firm view that decision-making based on the best available information on species and trade is critical to the credibility and effectiveness of this important international agreement.

One of the most fundamental decisions taken collectively by CITES member countries ('Parties') is the placement of species in one of the Convention's three Appendices, the trigger for application of specific regulatory measures and associated polices for international trade. The Parties have adopted through Resolution Conf. 9.24 (Rev. CoP16) a set of biological and trade criteria to help determine whether a species should be included in Appendices I or II and to guide precautionary measures when species are moved between or removed from the Appendices.

Recognizing the need for decisions to amend these Appendices to be based on sound information and responding to demand by numerous governments, IUCN and TRAFFIC have carried out and published technical reviews of the proposals made to each Conference of the Parties since 1987. The resulting "Analyses" document brings together a broad range of expertise on species status and biology, utilization and trade to provide as objective an assessment as possible of each amendment proposal against the requirements of the Convention, the listing criteria elaborated in Resolution Conf. 9.24 (Rev. CoP16) and other relevant CITES Resolutions and Decisions.

Sometimes the Analyses reach a firm conclusion that a given proposal meets the criteria or not, but often this is not possible because there isn't enough information to decide or because the criteria and guidelines are not precise, or (especially in the case of Appendix-II criteria) are open to differing interpretations. In some cases, the proposed changes (notably to annotations for Appendix-II listed species) aren't explicitly addressed in the criteria.

In addition to participation in production of the Analyses, TRAFFIC has since the mid-1980s published specific recommendations to the Parties on the amendment proposals under consideration at each Conference of the Parties.

Scope

These "Recommendations" use as their foundation the IUCN/TRAFFIC Analyses, which provide background information underpinning TRAFFIC's advice. However, it is important to note that TRAFFIC takes a wider perspective when formulating its Recommendations. The basic question we try to answer is: "would a proposed change to the regulatory treatment of a species under CITES, on balance, be a good thing or not: or (in the words of Resolution Conf. 9.24 (Rev. CoP16)) would it be in the best interest of the conservation of the species concerned, and be a proportionate response to anticipated risks".

Key issues

In taking a broader approach to identify what the best course of action might be to address the particular conservation problem raised by a proposal to amend the Appendices, TRAFFIC has identified the following key issues that underpin our advice:

Understanding the problem: assessing the likely impact of a listing proposal requires that a trade-related conservation problem has been clearly identified. This is not always the case and strangely it is not a requirement of the agreed format for

proposals that this be clearly stated. It is not uncommon for proposals to be made for introduction of CITES controls on international trade in a species that is not known to have been exported legally or illegally, nor to be in demand in any significant quantity. If accepted, such listings will likely be reviewed in future under processes the Parties have adopted to remove species from the Appendices when trade is demonstrably not a problem. TRAFFIC will point out such cases and is unlikely to offer a favourable Recommendation.

Relevance of the proposal to the problem: assuming a clear trade-related problem has been identified, the critical question is whether the change in CITES regulation status proposed would have a positive conservation impact. In some instances, this is clear—sometimes this may be despite uncertainty about whether the listing criteria are satisfied. Sometimes there are grounds to believe that the impact would not be positive, for example when there is a significant mismatch between the scope of the proposal and the scope of the problem it is intended to address. TRAFFIC's Recommendations are based as far as possible on a holistic view of the problem and the solution offered and in some cases we may suggest ways to amend the proposal to address the problem better (assuming any recommended changes are allowed under the Rules of Procedure, which allow only for reduction, not expansion of a proposal's scope or impact).

Being realistic: building on the previous point, it is not uncommon for proposals to be submitted to increase the level of regulation under CITES, often a transfer from Appendix II to Appendix I, because current measures are failing to deliver positive results. Usually that failure is caused by poor implementation and/or enforcement of existing national laws and trade controls or by a lack of capacity and resources. It is often unclear how such problems would be fixed simply by changing a CITES listing. Sometimes it is claimed it would lead to stronger national legal provisions or higher regulatory priority by individual governments although the evidence for this is often weak and the costs of additional regulation are seldom taken into account. TRAFFIC's Recommendations will endeavour to point out gaps in realism about the likelihood of positive impact and indicate what other legal or regulatory measures are needed. The Recommendations may also suggest alternative approaches to help address the problem, including measures that can be taken at the national level or action that may be taken by, for example, the Scientific or Standing Committees.

Dealing with uncertainty: for many species under consideration there are major gaps in knowledge about current status, past trends and future projections of populations and trade. The listing criteria state: "When considering proposals to amend Appendix I or II, the Parties shall, by virtue of the precautionary approach and in case of uncertainty either as regards the status of a species or the impact of trade on the conservation of a species, act in the best interest of the conservation of the species concerned and adopt measures that are proportionate to the anticipated risks to the species." Such a precautionary approach may therefore need to be taken, although it is critical to appreciate this does not equate to "if in doubt add a higher degree of CITES regulation", because any change in status could have perverse consequences. Of particular importance in this regard is consideration of economic and other behavioural drivers that are not explicitly referred to in the listing criteria, but are likely to play a major role in the resulting impact of a regulatory change. TRAFFIC will again take a holistic view taking account of both opportunities and risks of the proposals under consideration.

Beyond the listing criteria: the listing criteria provide a good basis for the Parties to determine regulatory prescriptions under CITES, but they have some important limitations. First, they are necessarily imprecise and include numerical guidelines to aid interpretation that are explicitly offered as examples, not hard thresholds. Second, there are now certain types of amendment proposals for which the criteria provide no explicit guidance—particularly the amendment of precautionary measures (quotas and other management assurances) for species earlier transferred from Appendix I to II. Third, there is a strong conservation case for adopting a wider scope of use for Appendix II listing than that explicitly provided for in the Convention text and listing criteria—CITES regulation could fill a major gap in international co-operation to avoid over-harvest and unsustainable trade in many species for which a genuine threat of extinction is unlikely (long-term depletion to levels at which further

harvest effort is not worthwhile, with negative impact on ecosystem function is often the result). TRAFFIC will base its advice on an assessment of conservation benefit and the role we believe CITES can best play in achieving a positive impact.

New information

Although every attempt has been made to use the most recent information available, TRAFFIC recognizes that further information may become available prior to or during the meeting of the Conference of the Parties. Our advice will be modified accordingly.

CoP17 Prop 1. [Canada] Delete Wood Bison *Bison bison athabasca* from Appendix II

The Wood Bison *Bison bison athabasca* is one of two recognized subspecies of the American Bison. *B. b. athabasca* is native to Canada and the USA, where it has recently been re-introduced to the wild in Alaska. *B. b. athabasca* and also introduced to the Russian Federation. The population (currently ca. 9000) has increased in recent years, although further increase is unlikely owing to available habitat constraints. *B. b. athabasca* was listed in Appendix I in 1975 and downlisted to Appendix II in 1997. Trade reported in the CITES Trade Database from 2000 to 2014 is at a very low level and there have been no reports of illegal trade. It would appear that harvest for international trade has a negligible impact on the subspecies. Furthermore, the current listing of *B. b. athabasca* in Appendix II while *B. b. bison* is outside the Appendices is inconsistent with recommendations for split-listing.

ACCEPT

CoP17 Prop 2. [The European Union and Georgia] Inclusion of Western Tur *Capra caucasica* in Appendix II, with a zero quota for wild-taken *Capra caucasica caucasica* exported for commercial purposes or as hunting trophies

The CITES standard nomenclature recognizes three subspecies within *Capra caucasica* (*C. c. caucasica*, *C. c. cylindricornis* and *C. c. severtzovi*), although there is considerable taxonomic debate, with some recognizing *Capra caucasica* and *C. cylindricornis* as separate species. *Capra caucasica* has an extensive range, and a relatively large and overall increasing population. There does not appear to be significant international trade in the species although trophy hunting in the Russian Federation is reported to be undertaken, mainly by foreign visitors. It would not appear to meet the criteria for inclusion in Appendix II.

With regard to the proposal for a zero quota for wild-taken specimens of *C. c. caucasica* exported for commercial purposes or as hunting trophies, there are no guidelines or criteria in Res. Conf. 9.24 (Rev. CoP16) for assessing such a proposal. Assessment against the Appendix I criteria may be considered appropriate given the implications of this proposal. The population does not have a restricted range but is reported to be relatively small and declining and may meet the biological criteria for inclusion in Appendix I. However, no harvest of *C. c. caucasica* is permitted in its range States and there is no evidence it is significantly affected by trade. Furthermore, Res. Conf. 9.24 (Rev. CoP16) indicates that split-listing should generally be avoided and when it does occur, it should be on the basis of national or regional populations, rather than subspecies. This proposal does not adhere to that recommendation.

The criteria for inclusion of the species in the Appendices do not appear to be met. It is not clear what the conservation benefit of a CITES listing would be for the species and the proponents are urged to provide further clarification on the purpose of and justification for this proposal.

CoP17 Prop. 3. [Peru] Amendment to the CITES Appendices referring to annotations 1, 2, 3, 4 and 5 of the populations of Vicuña *Vicugna vicugna* in Appendix II

The proposed amendment is intended to replace five different annotations for individual populations in Appendix II with one that would allow for standard provisions related to marking or labelling of cloth or garments from live Vicuña and artisanal products to cover all those populations. Currently, exported wool does not have to be marked; once processed outside countries of origin there is no labelling requirement for cloth or garments produced. It also appears that garments made from labelled cloth do not necessarily have to be labelled with a logo and the country of origin.

While acceptance of this proposal will simplify and enhance mechanisms for ensuring the traceability of Vicuña products in international trade, it is unclear whether it is possible to enforce under the Convention a requirement that products for a domestic market be labelled in a particular way. It may, in theory, be possible to apply a labelling restriction to re-exports, essentially to ensure that wool used was legally obtained originally. There is an analogy with labelling of crocodilian skins, (Res. Conf. 11.12 (Rev. CoP15): Universal tagging system for the identification of crocodilian skins), although the latter contains recommendations rather than mandatory conditions on trade.

ACCEPT

CoP17 Prop. 4. [Chad, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Niger, Nigeria and Togo] Transfer of African populations of Lion *Panthera leo* from Appendix II to Appendix I

The African Lion *Panthera leo* is estimated to number 20,000 animals and the species does not have a restricted range. Although there has been an estimated decline of 34% to 43% over the past 21 years (three generations), the rate of decline appears to be slowing because of the rising proportion of stable or increasing populations, mainly in southern Africa. Lion populations elsewhere in Africa are in decline and warrant stronger management and enforcement action by the range States concerned.

The species is present in many protected areas, both fenced and unfenced, operating under a range of management regimes. The major factors adversely affecting *P. leo* populations are killing (often pre-emptive) in defence of human life and livestock, habitat loss, and prey base declines. Where not appropriately managed, trophy hunting may have an adverse effect on populations although well-managed, controlled and sustainable offtake for international trade is recognized as a conservation tool which can provide both livelihood opportunities for rural communities and incentives for lion conservation. South Africa is by far the largest exporter of *P. leo*, with a significant portion of the trade comprising trophies from captive-breeding operations. Illegal trade has been reported but is believed currently to be at a relatively low level.

Lion bone exports from South Africa have increased dramatically in recent years, with a total of 1160 skeletons legally exported (about 10.8 t of bones), 91% of them destined for Lao PDR. However, there is little evidence that this trade is currently adversely impacting wild Lion populations in South Africa, nor that any significant levels of legal or illegal trade are leaving other range States.

Overall there is not a strong justification for this proposal in terms of current or projected threat from trade, nor is there any clear indication that the listing would be in the best interest of the conservation of the species.

REJECT

CoP17 Prop 5. [Canada] Transfer *Puma concolor coryi* and *P. c. cougar* from Appendix I to Appendix II

Puma concolor coryi and *P. c. cougar* are North American endemic subspecies of Cougar.

The current standard taxonomic reference for the great majority of CITES-listed mammals (viz. Wilson and Reeder, 2005) does not recognize *Puma concolor coryi* and *Puma concolor cougar* as separate subspecies, and considers all North American Cougars to belong to a single subspecies *P. c. cougar*. For this reason, the current CITES standard reference for *Puma concolor* is the 1993 edition of Wilson and Reeder. *Puma concolor cougar* is considered to have been extinct since the late 1800s. *Puma concolor coryi* exists as a very small remnant population in the State of Florida in the USA and is subject to intensive management and recovery actions.

P. c. coryi is strongly protected federally with stricter domestic trade restrictions than required under CITES. Hunting and trade of all Cougars in Canada and the United States is strongly regulated by domestic measures. There is no known trade demand for either of these subspecies and transfer to Appendix II is not expected to stimulate demand.

ACCEPT

CoP17 Prop. 6. [South Africa] Transfer of the Cape Mountain Zebra *Equus zebra zebra* from Appendix I to Appendix II

One of two subspecies of Mountain Zebra *Equus zebra*, the Cape Mountain Zebra *E. z. zebra* is endemic to South Africa and has been in Appendix I since 1975. The second subspecies, Hartmann's Mountain Zebra *E. z. hartmannae*, occurs in Namibia and South Africa and was included in Appendix II in 1979.

This species has a small population that is increasing and a geographic range that is also increasing, albeit limited currently by a shortage of State-owned protected areas required for further expansion. The majority of the populations appear to be secure in protected areas where hunting is not permitted. Trade levels are low and limited mainly to trophy hunted specimens that will doubtless be a part of future management. It is crucial that populations are maintained and careful monitoring of trade takes place through the national Biodiversity Management Plan for the species recently developed by South Africa.

The use of a system to set hunting quotas outlined in the Supporting Statement may be considered as a special measure that meets the requirements for precautionary measures in Annex 4 of Resolution Conf. 9.24. (Rev. CoP16).

ACCEPT if the proponent confirms that the national Biodiversity Management Plan for the species mentioned in the proposal has been completed and will be implemented.

CoP17 Prop. 7 [Swaziland] Southern White Rhinoceros *Ceratotherium simum simum*. To alter the existing annotation on the Appendix II listing of Swaziland's White Rhino, adopted at the 13th Conference of Parties in 2004, so as to permit a limited and regulated trade in White Rhino horn which has been collected in the past from natural deaths, or recovered from poached Swazi rhino, as well as horn to be harvested in a non-lethal way from a limited number of White Rhino in the future in Swaziland

Although African rhinos continued to face record poaching levels in 2015, only three rhinos have been illegally killed in Swaziland over the last ten years. This is commendable, particularly given the country's geographic location between South Africa and Mozambique, the two African nations most heavily implicated in rhino poaching and rhino horn trafficking. To

help support continued management and protection of Swaziland's rhinos, this proposal aims to establish a limited trade in existing rhino horn stocks and future harvest of horn from living stock using proven non-lethal means that would lead to the establishment of an endowment fund for conservation purposes. Whilst this is an understandable goal, the proposed means and conditions under which such trade would transpire to unspecified markets in Asia are exceptionally vague. The lack of regulatory detail is a serious deficiency that precludes necessary evaluation of key considerations such as the legal trade frameworks in both source and end-use market countries; the processes, protocols and safeguards for preventing rhino horns from illegal sources infiltrating the legal market; and the mechanisms for monitoring compliance, transparency and accountability to ensure that unintended consequences and detrimental impacts on rhinos are avoided. With little information provided as to how the proposed trade will be carried out and controlled, much of the detail necessary to assess the precautionary measures required for acceptance of this proposal is absent.

More importantly, this proposal cannot be viewed in isolation and it is unclear what conservation benefit or risks this listing would present for the species when viewed in the current context of relatively high poaching rates in key range States, strong criminally-organized illegal trade flows from Africa to Asia and unpredictable demand dynamics in end markets.

REJECT

Introduction to CoP17 Prop. 8 - CoP17 Prop. 12 Pangolins

There are eight species of pangolins, all in the genus Manis, following CITES standard nomenclature. Four are collectively distributed in South, East and Southeast Asia, while four others are native to sub-Saharan Africa. All pangolins are currently listed in Appendix II, with wild-caught Asian pangolins traded for primarily commercial purposes being subject to zero export quotas. The five proposals CoP17 Prop. 8 - CoP17 Prop. 12 seek to transfer all pangolin species to Appendix I.

High demand in Asia has clearly led to significant declines in populations of pangolins, in particular M. pentadactyla and M. javanica and an increase in demand for other Manis species, both in Asia and in Africa, to increase. Detailed population data on some species are scarce, resulting in insufficient information to determine if these species meet the biological criteria for inclusion in Appendix I. However, there are indications that populations have shown significant declines, with high levels of illegal trade recorded, and continual, and in many cases increasingly heavy demand and harvesting. While comparatively little trade in Asian or African pangolins has been reported to CITES since 2000, large volumes of illicit trade have taken place, involving a minimum estimate of some 17,000 pangolins globally each year. In addition to the large shipments being seized in East Asia, originating from Southeast Asia, there are increasingly frequent large shipments of scales being seized coming from Africa.

It is important to note that all pangolins in trade are wild sourced: there are no reliable reports of commercial captive-breeding which is extremely difficult owing to the species' breeding biology and the extreme difficulties in keeping them alive in captivity. Pangolins are vulnerable to overexploitation owing to their low reproductive rates (producing only one or two offspring per year).

Concern over sustainability of trade reported to CITES, particularly in skins, led to the inclusion of Asian pangolins in various phases of the Review of Significant Trade (RST) process in 1988, 1992 and 1999, with recommended actions being made to various range States to control trade. The African species M. tetradactyla, M. tricuspis, M. gigantea and M. temminckii were also included in Phase IV of the RST in 1999 but were subsequently eliminated from the process. M. gigantea and M. tricuspis were again selected for the RST as species of priority concern in 2013.

Despite going through the RST processes multiple times, and having the zero quota with Appendix II, illegal trade seems to have continued unabated for the Asian species. So far these processes have failed to provide any notable protection from unsustainable harvest and trade of these species and an Appendix I would be a precautionary measure proportionate to the anticipated risks to the species.

Inclusion of all *Manis* species in CITES Appendix I could greatly enhance efforts to safeguard pangolins and support regulatory control mechanisms by non-range States, by placing an overall higher degree of international protection. However, this can only happen if national legislation provides for higher fines and punitive measures for illegal trade in Appendix I-listed species.

CoP17 Prop. 8 [Bangladesh] and CoP17 Prop 9 [India, Nepal, Sri Lanka and United States of America] Transfer of Indian Pangolin *Manis crassicaudata* from Appendix II to Appendix I

The Indian Pangolin *Manis crassicaudata* was classified as globally Endangered by the IUCN in 2014, owing to the immense threat that trade poses across its range in five Indian subcontinent countries, although it may be extinct in Bangladesh owing to illegal hunting for trade. Since 2000, seizure data indicate that illicit international trade in at least 8000 *M. crassicaudata* took place, while it is likely to become more heavily targeted as other species decline: close to 600 000 Asian pangolins were in international trade from 1977 to 2012.

There are few data on the population status of this species, though it is believed to have been extirpated from some of its range in Bangladesh and populations appear to have declined markedly due to poaching in parts of Pakistan. Very little is known on the population in India which is the majority of the species' range, although it is believed to have been reduced. This is despite national legislation protection from hunting and trade in all range States. International demand for pangolins is believed to be increasing and, despite the lack of detailed information, the level of extractive pressure this species is experiencing is such that a listing is likely to be in the best interest of the conservation of the species.

ACCEPT

CoP17 Prop. 10 [Philippines and United States of America] Transfer of Philippine Pangolin *Manis culionensis* from Appendix II to Appendix I

The Philippine Pangolin *Manis culionensis* is endemic to Palawan and five smaller adjacent islands and is considered Endangered by IUCN largely owing to negative impact from illegal hunting for local and international trade in its meat, scales and skin, which is further compounded by habitat loss. Philippine legislation has prohibited the export of all wild-caught pangolins since 1995.

While there are no baseline data on which to base population trends, the species may meet the criteria for inclusion in Appendix I as a marked decline in trade in the past 20-30 years (from ca. 1200 per year in the 1980s to around 70 per year in 2000-2013) might be indicative of a corresponding marked decline in the wild population.

M. culionensis seizure cases increased by over 600% between 2010-2012 and 1999-2012 alongside a decrease in the number of pangolins per seizure, indicative of a persistent illegal trade. Given its already precarious status, any further offtake of the species therefore poses a great threat to the survival of the species.

ACCEPT

CoP17 Prop. 11 [Viet Nam, Bhutan and United States of America] Transfer of Sunda Pangolin *Manis javanica* and Chinese Pangolin *M. pentadactyla* from Appendix II to Appendix I

Manis javanica and *M. pentadactyla* are considered Critically Endangered by IUCN based on the rapid decline (>80%) of both species owing to illegal trade for their scales, meat and skin. Information on population status is scarce but neither species is believed to have a small global population. However, there are reports of very severe declines in the past two or three decades in a number of range States of both species, invariably ascribed to exploitation. For example, the population of *M. pentadactyla* in China (which comprises the greater part of the range of *M. pentadactyla*) is estimated to have reduced by some 90% between the 1960s and the early 2000s. *M. javanica* is known to be harvested extensively and, given its low productivity and likely relatively low population density, it is possible that this harvest has led to a decline in population within the guidelines for inclusion in Appendix I. The levels of population declines and harvest pressure is such that a listing is likely to be in the best interest of the conservation of the species.

ACCEPT

CoP17 Prop. 12 [Angola, Botswana, Chad, Côte d'Ivoire, Gabon, Guinea, Kenya, Liberia, Nigeria, Senegal, South Africa, Togo and United States of America] Transfer of African pangolin species *Manis tetradactyla*, *M. tricuspis*, *M. gigantea* and *M. temminckii* from Appendix II to Appendix I

Illegal and unregulated exploitation and, for three forest-dwelling species, habitat loss and degradation, are thought to be an increasing threat to all African pangolin species. Although there are insufficient population data to determine whether the species meet the biological criteria for inclusion in Appendix I, there is increasing evidence of rapidly growing illegal international trade, largely of scales, to Asian markets. According to the Supporting Statement, almost 15,000 kg of scales from African pangolins were seized between 2013 and 2015, representing an estimated 4,000 to 25,000 animals, depending on the species. There is evidence that hunting intensity for pangolins in general in Africa has increased markedly in recent years and, given their low productivity, this is very likely to have a significant impact on populations of all species.

African pangolins are clearly at risk of following the Asian species into serious decline due to illegal trade. Inclusion of these species in CITES Appendix I could greatly enhance efforts to safeguard pangolins and support regulatory control mechanisms by placing an overall higher degree of international protection. However, this can only happen if national legislation provides for higher fines and punitive measures for illegal trade in Appendix I-listed species.

ACCEPT

CoP17 Prop 13. [The European Union and Morocco] Transfer of Barbary Macaque *Macaca sylvanus* from Appendix II to Appendix I

The Barbary Macaque *Macaca sylvanus* has a reasonably extensive range, but has a fragmented distribution and a declining population. Seizures reported by enforcement authorities in Europe and recent information obtained since the publication of the IUCN/TRAFFIC analyses indicate ongoing illegal trade. An Appendix I listing should lead to strengthened enforcement and deterrent penalties, with the proposal noting that such a listing is expected to result in higher impossible fines for illegal trade in Morocco (from EUR2,000-5,000 to EUR3,000-10,000) and in relevant EU Member States.

ACCEPT

CoP17 Prop. 14 [Namibia] Deletion of the annotation to the listing of the Namibian population of African Elephant *Loxodonta africana* in Appendix II by deleting any reference to Namibia in that Annotation

Namibia's elephant population was transferred to Appendix II in 1997, subject to a series of annotated conditions. Currently, various forms of trade (i.e. hunting trophies, live animals for *in situ* conservation programmes, hides, hair, leather goods and ekipas in finished jewellery) is conditionally allowed, with all other specimens, including raw ivory, deemed to be specimens included in Appendix I and ineligible for commercial international trade.

This proposal is motivated by the failure of the CITES Parties to implement Decision 14.77, now Decision 16.55, concerning the adoption of a decision-making mechanism to establish a process for trade in ivory. Namibia holds that failure to approve such a mechanism at CoP17 will completely invalidate the current annotation. The principal effect of deleting the annotation would be the establishment of an option for regular trade from Namibia in all elephant specimens, including ivory, governed only by implementation of Article IV (Regulation of trade in specimens of species included in Appendix II) of the Convention.

The annotation to the current listing of Namibia's elephants in Appendix II outlines various conditions that function as special measures under the terms of the precautionary measures in Annex 4 of Resolution Conf. 9.24 (Rev. CoP16). The Supporting Statement indicates that no African Elephants will be harvested for commercial trade and this may be interpreted as a special measure under the terms of Resolution Conf. 9.24 (Rev. CoP16). However, it should be noted that the proposal only seeks the deletion of the current annotation and it would have been preferable that a special measure stipulating no commercial harvest be included as an alternative annotation to the current listing.

More importantly, however, looking at the wider context it is not clear what tangible benefits the deletion of the existing special measures in the annotation would bring to the conservation of the species. With the success of current efforts to reverse illegal trade trends and cool demand forces in end markets in such fine balance, continuance of the existing special measures is a precautionary necessity in light of continuing unsustainable levels of poaching and ivory trafficking globally.

REJECT

CoP17 Prop. 15 [Namibia and Zimbabwe] Amend the present Appendix II listing of the population of Zimbabwe of African Elephant *Loxodonta Africana* by removing the annotation in order to achieve an unqualified Appendix II listing

Zimbabwe's elephant population was transferred to Appendix II in 1997, subject to a series of annotated conditions. Currently, various forms of trade (i.e. hunting trophies, live animals to appropriate and acceptable destinations, hides, hair, leather goods and ivory carvings) is conditionally allowed, with all other specimens, including raw ivory, deemed to be specimens included in Appendix I and ineligible for commercial international trade. Zimbabwe seeks to remove the annotation, that it regards as a prejudicial "*long list of proscriptions*", in its entirety to achieve an unqualified Appendix II listing.

The annotation to the current listing of Zimbabwe's elephants in Appendix II outlines various conditions that function as special measures under the terms of the precautionary measures in Annex 4 of Resolution Conf. 9.24 (Rev. CoP16). The proposal only seeks the deletion of the current annotation and does not propose replacing it with any new special measures.

Under the precautionary measures set out in Annex 4 of Res. Conf. 9.24 (Rev. CoP16), Parties would therefore need to be satisfied that Zimbabwe is implementing the requirements of the Convention, particularly Article IV, and that appropriate enforcement controls and compliance with the requirements of the Convention are in place. The Supporting Statement

indicates that Zimbabwe adopts an experimental, adaptive approach to management of its African Elephants. It is not possible to determine if such an approach would be effective in implementing Article IV if this proposal were accepted. Regarding enforcement controls and compliance, the Supporting statement itself, as well as analysis from ETIS in the annex to CoP17 Doc. 57.5, indicate that this may be problematic in some areas, such as the Supporting Statement’s warning of “significant illegal hunting in the Sebungwe and Zambezi Valley regions”. It seems therefore that the requirement for satisfaction precautionary measures is not met.

In addition, looking at the wider context it is not clear what tangible benefits the deletion of the existing special measures in the annotation would bring to the conservation of the species. With the success of current efforts to reverse illegal trade trends and cool demand forces in end markets in such fine balance, continuance of the existing special measures is a precautionary necessity in light of continuing unsustainable levels of poaching and ivory trafficking globally.

REJECT

CoP17 Prop. 16 [Benin, Burkina Faso, Central African Republic, Chad, Ethiopia, Kenya, Liberia, Mali, Niger, Nigeria, Senegal, Sri Lanka, Uganda] Inclusion of all populations of African Elephant *Loxodonta africana* in Appendix I through the transfer from Appendix II to Appendix I of the populations of Botswana, Namibia, South Africa and Zimbabwe

The elephant population of Botswana, Namibia, South Africa and Zimbabwe constitutes the largest population in Africa. Assessed either collectively or at the national level, none of these populations meet the biological criteria for inclusion in Appendix I under Resolution Conf. 9.24 (Rev. CoP16), none have a restricted range, and none are currently undergoing a marked decline, although some level of decrease is noted for Zimbabwe. The proposal has not clearly demonstrated how the listing of these four contiguous elephant populations in southern Africa in Appendix II of the Convention has directly served to impact elephant populations elsewhere in Africa negatively.

The proponents consider that listing all African elephant populations in Appendix I is “the only way to send an unambiguous message that elephants are protected globally, and that buying ivory is unacceptable”. It should be noted that the annotations to the Appendix II listing allowed a one-off commercial sale of stockpiles which was completed in 2009 and that, under the annotation, no further commercial ivory sales can be proposed by the four countries until 2017. Any such future proposal to allow commercial ivory sales will require approval by the CoP—until then commercial international trade in elephant ivory remains prohibited under CITES, as is the situation now. The proposed transfer from Appendix II to Appendix I would not at all alter the current prohibition.

It should also be noted that changing the listing of any elephant population currently in Appendix II opens up the possibility of Parties placing reservations against the new listings. Currently, only Malawi holds a reservation against the listing of its elephant population in Appendix I, but that would not necessarily be the case following CoP17 if this proposal were accepted. Such an outcome would be counterproductive for elephant conservation and could place African Elephants at greater risk and effectively undermine CITES control mechanisms.

REJECT

CoP17 Prop. 17. [Canada] Transfer of Peregrine Falcon *Falco peregrinus* from Appendix I to Appendix II

The Peregrine Falcon *Falco peregrinus* has a worldwide distribution and a large and stable population, and thus does not meet the biological criteria for inclusion in Appendix I. Although there is the possibility that a transfer from Appendix I to Appendix II could stimulate some trade in wild birds, the impact on the wild population is likely to be minimal as there is already a well-established trade in captive-bred birds that is largely able to satisfy current market demands. The majority of current key trading countries have indicated that national-level controls would not change as a result of a transfer to Appendix II. It is therefore unlikely there will be a commercial trade in wild specimens from the majority of range States. A transfer could stimulate illegal trade in other Appendix I-listed *Falco* species—given the similarity in appearance to *F. peregrinus* of (particularly) young birds (and hybrids). However, that risk is likely to be small.

ACCEPT

CoP17 Prop. 18. [Australia] Transfer of the Helmeted Honeyeater *Lichenostomus melanops cassidix* from Appendix I to II

The Helmeted Honeyeater *Lichenostomus melanops cassidix* has a restricted range and a small population, which is increasing due to intensive conservation management. On this basis it would appear still to meet the biological criteria for inclusion in Appendix I in Annex 1 of Res. Conf 9.24 (Rev. CoP16). However, the only reported trade has been in specimens for scientific purposes and there are no indications of illegal trade or any commercial demand. No other members of the genus are listed in Appendix I and it is highly unlikely that transfer of this taxon to Appendix II would stimulate trade: in any case, no commercial trade would be permitted under Australian legislation. The anticipated risks to the taxon of such a transfer would appear to be negligible.

ACCEPT

CoP17 Prop. 19. [Angola, Chad, European Union, Gabon, Guinea, Nigeria, Senegal, Togo and United States of America] Transfer of African Grey Parrot *Psittacus erithacus* from Appendix II to Appendix I

The African Grey Parrot *Psittacus erithacus* has an extensive range across Central and West Africa, where its relatively low productivity and gregarious nature makes it particularly vulnerable to trapping for the wild bird trade. This trade has been implicated as a major cause of decline, which has been noted in at least 20 of its 22–23 range States. BirdLife International recently recognized the two former subspecies as full species: Timneh Parrot *P. timneh* from central Cote d'Ivoire westwards and Grey Parrot *P. erithacus* from eastern Cote d'Ivoire east across Central Africa. IUCN state of both “The rate of decline is hard to quantify, but given the massive level of capture for trade and the high levels of forest loss in parts of the range a decline of 30-49% in three generations (47 years) may be a conservative estimate” and also state that data on *P. (e) erithacus* suggest that around 21% of the wild population is being harvested annually. Nevertheless, with little evidence from large parts of its range there is insufficient basis to determine with confidence that the biological criteria for inclusion in Appendix I are met.

Currently, *P. erithacus* is listed in Appendix II, with much reported trade now in captive-bred birds originating outside of range States. The species has already been included in the Review of Significant Trade three times (in the 1980s, in 2004 and 2011), resulting in recommendations for various exporting range States. Currently Cameroon and the Democratic Republic of the Congo (DRC) have published annual export quotas of 3,000 and 5,000 specimens respectively. The Animals Committee

imposed a two-year ban from January 2007 on exports of *timneh* while in 2016 the Standing Committee recommended that all Parties suspend imports of African Grey Parrots (*erithacus*) from DRC, the major exporter in recent years, because of persistent trade irregularities (Notification 2016/021).

Clearly current measures in place to protect this species from over-exploitation have failed over a number of years and are continuing to do so. Given the above irregularities and ongoing reported declines caused by trapping, a suspension of further trade from wild sources appears to be in the conservation interest of the species.

ACCEPT

CoP17 Prop. 20. [Australia] Transfer of the Southern Boobook (Norfolk Island) *Ninox novaeseelandiae undulata* from Appendix I to Appendix II

The Norfolk Island Boobook *Ninox novaeseelandiae undulata* is a subspecies formerly found on Norfolk Island and probably on the adjacent Philip Island, external territories of Australia. Introduction of birds of the nominate subspecies to Norfolk Island in 1987 led to cross-breeding with the sole remaining female *N. n. undulata*, resulting in a small hybrid population that is managed and subject to intensive monitoring. In the unlikely event of *N. n. undulata* being rediscovered, Australian national legislation would prohibit its export for commercial purposes thus it would appear that the precautionary measures in Annex 4 of Res. Conf. 9.24 (Rev. CoP16) have been met.

ACCEPT

CoP17 Prop. 21 [Colombia] Transfer of the American Crocodile *Crocodylus acutus* population in the Bahia Cispatá, Tinajones, La Balsa and Sectores Alendanos in the District of Córdoba, Colombia from Appendix I to Appendix II for the purposes of ranching

The American Crocodile *Crocodylus acutus* population of Cispatá Bay, Colombia, remains small (<2,500 individuals), with a restricted range. However, the population appears to be increasing or stable, and possibly at carrying capacity. The population does not appear to be threatened currently and the proposed ranching operation does not appear to present a conservation risk. Most management conditions set out in Res. Conf. 11.16 (Rev. CoP15) appear to be in place and the proposed management measures appear to be sound.

However, more information on key elements such as harvesting controls and offtake is needed and Colombia should be encouraged to include these in the management plan under development.

ACCEPT

CoP17 Prop. 22 [Mexico] Delete the zero quota for wild specimens traded for commercial purposes from the Appendix II listing of the population in Mexico of Morelet's Crocodile *Crocodylus moreletii*

There are no explicit guidelines in Res. Conf. 9.24 (Rev. CoP16) for assessing removal of a zero quota for wild specimens from an Appendix II listed species. However, such removal may be seen as analogous to a transfer from Appendix I to Appendix II.

Mexico's population of Morelet's Crocodile *Crocodylus moreletii* is not small and has continued to increase since its transfer to Appendix II, from an estimated 54,000 in 2010 to ca.100,000. The species is present throughout its natural range in Mexico. Mexico's population of *C. moreletii* therefore does not appear meet the criteria for inclusion in Appendix I.

The intent of the listing only to harvest eggs from the wild population in the coming years could be taken as meeting the requirement for a precautionary measure as set out in Annex 4 of Res. Conf. 9.24 (Rev. CoP16). Management measures and enforcement controls proposed appear to be sufficient to ensure that such harvest will not have an adverse impact on the population. Mexico should be encouraged to provide further information on the ranching protocol under development.

ACCEPT

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

CoP17 Prop. 24 [Malaysia] Transfer of the Saltwater Crocodile *Crocodylus porosus* in Malaysia from Appendix I to Appendix II, with wild harvest restricted to the State of Sarawak and a zero quota for wild specimens for the other States of Malaysia (Sabah and Peninsular Malaysia), with no change in the zero quota unless approved by the Parties

Malaysia's population of Saltwater Crocodile *Crocodylus porosus* is not small and there have been marked increases in the States of Sarawak and Sabah. Little is known about the population in Peninsular Malaysia but it is thought to be small. Overall the Malaysian population would appear no longer to meet the biological criteria for inclusion in Appendix I. The proposed harvesting of 500 non-hatchlings and 2,500 eggs (or their equivalent) in Sarawak is thought unlikely to have a significant impact on the population. The intent to harvest only a limited number of non-hatchlings and eggs from Sarawak could be taken as meeting the requirement for a precautionary measure as set out in Annex 4 of Res. Conf. 9.24 (Rev. CoP16).

A crocodile Management Plan has been drawn up for Sarawak. Malaysia should be encouraged to provide more information on the Plan, specifically the management measures being taken to control harvest and trade, measures to comply with the universal tagging system for the identification of skins in Res. Conf. 11.12 (Rev. CoP15) and how specimens would be differentiated from those from captive-breeding facilities, and measures to ensure that specimens from Peninsular Malaysia and Sabah do not enter the trade chain through Sarawak.

ACCEPT, if additional information on management measures is provided and considered to be appropriate by the CoP

CoP17 Prop. 25. [Guatemala] A) Inclusion of the following species of the genus *Abronia* in Appendix I: *Abronia anzuetoi*, *A. campbelli*, *A. fimbriata*, *A. frosti* and *A. meledona* B) Inclusion of the following species of the genus *Abronia* in Appendix II: *Abronia aurita*, *A. gaiophasma*, *A. montecristoi*, *A. salvadorensis* and *A. vasconcelosii*. An annotation is also proposed: a) for zero quota for wild specimens, and b) zero quota for captive bred specimens from non-range States. This annotation would allow for captive-bred exports from range States.

CoP17 Prop. 26. [Mexico and European Union] All *Abronia* species (crocodile skinks)

Proposal: Inclusion of all species of Alligator Lizards in the genus *Abronia* in Appendix II

*Both these two proposals address *Abronia* species and are examined in combination.*

Trade levels for *Abronia* species have reportedly increased since the 1990s. Population declines are documented across the genus; a number of species are assessed as highly vulnerable to exploitation with even low levels of offtake potentially detrimental. Although not all species proposed are yet recorded in trade, the high prices and increasing numbers being traded, coupled with documented population declines, justify an Appendix II listing for the whole genus (Prop. 26). There is

no authorized collection for trade or export of *Abronia* species native to El Salvador, Honduras and Guatemala. In Mexico, trade is regulated for most species. Despite this, a level of unrecorded, unreported and/or illegal trade is taking place.

Of the five species proposed for Appendix I listing, *Abronia anzuetoii*, *A. campbelli* and *A. frosti*, with extremely restricted ranges, clearly meet the biological criteria for inclusion in Appendix I under Res. Conf. 9.24 (Rev. CoP16). The other two species (*A. fimbriata* and *A. meledona*) have more extensive distributions, although their habitat is reportedly declining. Crucially, it can be difficult to distinguish between some *Abronia* species so these species would also meet the criteria as lookalikes under Annex 2b of Res. Conf. 9.24 (Rev. CoP16).

An Appendix II listing for the genus should result in improved monitoring and regulation of trade. Furthermore, as the misdeclaration of wild-caught specimens as ranched and captive-bred is a problem for several live herpetological species, including *Abronia*, an Appendix II listing would enable management of international trade should a regulatory mechanism for captive-bred and ranched specimens be adopted.

Prop. 25 includes a zero quota for wild specimens of the species proposed and a zero quota for captive-bred specimens from non-range States. This reflects that no legal export for commercial purposes has been permitted for these species and therefore any founding stock of commercial captive breeding facilities has presumably been imported illegally. However, there is no other example of such a restriction on trade in captive-bred specimens of Appendix-II listed species in the Appendices. While the zero quota for wild specimens does reflect current regulatory prohibitions in the range States, a zero quota on captive-bred specimens from non-range States appears to add little conservation value to the CITES Appendix listings.

ACCEPT *Abronia anzuetoii*, *A. campbelli*, *A. fimbriata*, *A. frosti* and *A. meledona* for Appendix I listing (Prop. 25)

ACCEPT the zero quota for wild-caught specimens and REJECT the zero quota on captive-bred specimens from non-range States (Prop. 25)

ACCEPT proposal for all other *Abronia* species to be listed as a genus in Appendix II (Prop 26), excluding the species proposed for listing in Appendix I and Appendix II with a zero quota in Prop. 25 if it is accepted.

CoP17 Prop. 27 [Central African Republic, Chad, Gabon, Kenya, Nigeria, and United States of America] Inclusion of all species of African Pygmy Chameleons in the genera *Rhampholeon* and *Rieppeleon* in Appendix II

CoP17 Prop. 28 [Kenya] Inclusion of all species of African Pygmy Chameleons in the genera *Rhampholeon* and *Rieppeleon* in Appendix II

Rhampholeon spp. (22 species) are more vulnerable than *Rieppeleon* spp. (three species) due to restricted ranges and more specialized habitat requirements while national protection of the species in range States is limited. *Rhampholeon* and *Rieppeleon* species are sought after for the exotic pet market and although only some individual species have been recorded in trade, it is likely that more are present but only identified to the genus level as distinguishing between the various species can be difficult and there are also reports of misidentification in trade.

Shipments labelled "assorted pygmy chameleons" containing wild-caught *Rhampholeon* spp. have included the CITES-listed *B. spinosum* (*Rh. spinosus*) and it might be argued on this basis that the other species meet the criteria for inclusion in Annex 2b. As all other chameleon species are already listed in the Appendices, inclusion of these two genera in Appendix II would

facilitate monitoring and enforcement of trade in the whole family and reduce the possibility of look-alike issues or illegal trade.

ACCEPT

CoP17 Prop. 29. [Viet Nam and European Union] Inclusion of *Cnemaspis psychedelica* in Appendix I

The Psychedelic Rock Gecko *Cnemaspis psychedelica* is known from an extremely restricted range on a small group of islands south of Viet Nam. The species has low productivity, laying a single clutch of two eggs once a year. In November 2015, a survey estimated the effective population size as 200-240 mature individuals.

The species is in demand for the pet trade where it commands a high price. First described in 2010, live individuals have been offered for sale since 2013. Currently there are no protection measures in place for this species or its habitat, although trapping and exportation is only allowed by permit. Due to the small island range, relatively small population and ease of poaching due to sedentary habits, the species is particularly vulnerable to exploitation. The species meets the criteria for inclusion within Appendix I and this should result in improved regulation of illegal international trade in the species. Viet Nam is encouraged to provide protection for the species in its national legislation so as to support effective implementation of this listing.

ACCEPT

CoP17 Prop. 30. [Tanzania, United Republic of and European Union] Inclusion of Turquoise Dwarf Gecko *Lygodactylus williamsi* in Appendix I

The Turquoise Dwarf Gecko *Lygodactylus williamsi* is endemic to eastern Tanzania, occurring in highly restricted range of four isolated tropical lowland forest patches which are increasingly being degraded. Local officials, villagers and collectors indicate a decrease of the number of geckos in recent years.

There is evidence that the species is illegally collected and traded. It has been offered for sale online in the USA and Europe at moderately high prices. The species has been reported as relatively easy to breed in captivity and specimens offered for sale are often declared to be captive-bred. However, males can lose their striking coloration in captivity, which is likely to result in continuing demand for wild-caught individuals. In Tanzania, although collection and export of Turquoise Dwarf Geckos has never been licensed, the species is still present in trade. Wild-caught specimens are frequently deliberately mislabelled and exported as other *Lygodactylus* species. In 2014, the species was listed on Annex B of the EU Wildlife Trade Regulation (EC) 338/97.

The species meets the criteria for inclusion in Appendix I and this should result in improved regulation of international trade in the species. The adoption of a regulatory mechanism for captive-bred and ranched specimens is essential to complement the listing, given the apparent preference for wild-caught specimens and the potential deliberate mis-declaration to circumvent trade regulations. Tanzania is encouraged to provide protection for the species in its national legislation so as to support effective implementation of this listing.

ACCEPT

CoP17 Prop. 31. [Madagascar and European Union] Inclusion of Masobe Gecko *Paroedura masobe* in Appendix II

The Masobe Gecko *Paroedura masobe* is endemic to Madagascar and has a restricted distribution in fragmented and declining habitat. There are no reliable population estimates or trends.

Available data recorded international trade of over 300 individuals between 2011 and 2015, despite a legal annual export quota of 10 individuals from Madagascar, while online surveys between 2011 and 2016 also revealed pet traders in Europe, Japan and the USA offering specimens for moderately high prices. Since 2006, the Masobe Gecko has been listed under Category I, Class I of the National Decree 2006-400 in Madagascar, which strictly prohibits its hunting, capture, possession and commercial trade except under licence for scientific purposes, breeding or exhibitions.

The species may meet the criteria in Annex 2a of Res. Conf. 9.24 (Rev. CoP16) in that regulation of trade is necessary to avoid it becoming eligible for inclusion in Appendix I in the near future. An Appendix II listing should result in improved monitoring and regulation of trade and ensure that wild caught individuals in trade are only from sustainable harvest.

ACCEPT

CoP17 Prop. 32 [Malaysia] Inclusion of Earless Monitor Lizard *Lanthanotus* in Appendix I

The Earless Monitor Lizard *Lanthanotus borneensis* is endemic to Borneo, and afforded the highest degree of legal protection in its known (Malaysia, Indonesia) and possible (Brunei) range States. Historical collection records indicate the species is rare, while clutch sizes are generally small (<10 eggs). It has only been recorded from fewer than 10 restricted sites in the Malaysian State of Sarawak and Indonesia's West and East Kalimantan provinces. The location of five of these localities was publicized, resulting in a spurt in illegal collection and trade in 2012, with traders capitalizing on the lack of an international trade control mechanism. At least 95 specimens were offered for sale online by 35 individuals in 11 countries in Europe and the USA between May 2014–October 2015, with indications of trade also occurring in Southeast Asia, although neither range State has issued permits for collection or trade, nor for captive breeding.

The limited information available is insufficient to determine if the species meets the criteria for listing in Appendix I. However, with such rapid emergence of trade pressure, an Appendix I listing is the most appropriate response to safeguard this species from illegal exploitation through engaging regulatory action by non-range States to complement the strict legal protection and trade prohibition already provided in range States.

ACCEPT

CoP17 Prop. 33. [China, Viet Nam, and European Union] Transfer of *Shinisaurus crocodilurus* from Appendix II to Appendix I

The Chinese Crocodile Lizard *Shinisaurus crocodilurus* population is estimated at 950 individuals in China and fewer than 100 in Viet Nam, with fragmented subpopulations and substantial population declines recorded over the last 30 years, largely as a result of collection for the international pet trade and domestically for food and traditional medicine. New research suggests the Viet Nam population to be a distinct subspecies.

Most recorded international trade is of captive-bred animals. As the species is challenging to keep and breed in captivity, it is unlikely that existing captive breeding can sufficiently supply international demand. Furthermore, there have been reports of mis-labelling of wild-caught specimens as captive-bred in both China and Viet Nam. There is also allegedly demand for wild-caught specimens to refresh captive bloodlines.

The Chinese Crocodile Lizard is a Class I protected species in China, meaning no unauthorized collection or trade is allowed, while in Viet Nam the species is not explicitly protected.

The species appears to meet the biological criteria for inclusion in Appendix I and a listing could result in improved regulation of international trade in the species. Viet Nam is encouraged to provide protection for the species within its national legislation so as to support this while the adoption of a regulatory mechanism for captive-bred and ranched specimens is essential to complement this listing, given the existing deliberate mis-declaration. Pilot studies indicate isotopic analysis to differentiate wild-caught from captive-bred specimens could be developed as an enforcement tool.

ACCEPT

CoP17 Prop. 34. [Kenya] Inclusion of Mount Kenya Bush Viper *Atheris desaixi* in Appendix II

The Mount Kenya Bush Viper *Atheris desaixi* has a very restricted range in mid-altitude forests in Central Kenya. Population data are limited, but local snake collectors report declines in recent years. Habitat degradation and collection for illegal trade appear to be the main threats.

The species has been protected in Kenya since 1982, with wild collection and export prohibited. Despite this, the species is present in international trade, reportedly fetching high prices in Europe. It is relatively rare in captivity being favoured by specialist collectors.

Because all trade in wild specimens is theoretically already regulated by domestic legislation, the species does not appear to meet the criteria for inclusion on Appendix II, but it may meet the criteria for inclusion in Appendix I. It may be prudent for Kenya to consider proposing a listing in Appendix II with a zero quota at some time in the future, which would reflect the current prohibition of trade by the range State. Alternatively, Kenya could consider an Appendix III listing.

REJECT

CoP17 Prop. 35. [Kenya] Inclusion of Kenya Horned Viper *Bitis worthingtoni* in Appendix II

The Kenyan Horned Viper *Bitis worthingtoni* is endemic to Kenya, occurring in high altitude grassland and scrub with a limited and patchy distribution. The species is described as relatively rare with population depletions inferred based on habitat loss and degradation and suggested through collection, although there are no population or density estimates. A high-value species, it appears to be the target of specialist collectors.

The species has been protected in Kenya since 1982, prohibiting collection from the wild and export. All trade in wild specimens from Kenya is therefore illegal.

Because all trade in wild specimens is theoretically already fully regulated, the species does not appear to meet the criteria for inclusion on Appendix II and, unlike *A. desaixi* above, it is unclear if it meets the criteria for inclusion in Appendix I. Kenya may wish to consider an Appendix III listing.

REJECT

CoP17 Prop. 36. [Burkina Faso, Chad, Gabon, Guinea, Liberia, Mauritania, Nigeria, Togo and United States of America] Inclusion of six species in the Family Trionychidae in Appendix II: *Cyclanorbis elegans*, *Cyclanorbis senegalensis*, *Cycloderma aubryi*, *Cycloderma frenatum*, *Trionyx triunguis* and *Rafetus euphraticus*

The six species of softshell turtles native to Africa, the Mediterranean and the Middle East are all thought to have declined with one (Nubian Flapshell Turtle *Cyclanorbis elegans*) becoming rare. Traditionally exploited for local consumption, small numbers are recorded in the international pet trade. However, there is concern that as populations of turtles consumed in Asia are depleted, sourcing is turning to Africa as populations in Asia are depleted. An illegal butchery in Malawi was recently found processing relatively large numbers of Zambezi Flapshell Turtles *Cycloderma frenatum*, reportedly for export of processed meat and shell to East Asia. Chinese nationals reportedly started collecting the species from Lake Malawi months after Asian softshell turtles received greater CITES protection. However, it is currently unclear if this is becoming a common phenomenon and if demand from the increasing Asian human population in Africa is also a concern.

The Nile Softshell Turtle *Trionyx triunguis* was listed in Appendix III (Ghana) from 1976 to 2007. Some species are variously protected by law in some range States, and/or require permits for collection.

Softshell turtle demand in Asia is not species-specific, and it is difficult to differentiate traded parts to species although further evidence of international trade in the six species in the proposal would be needed for them to meet the criteria for inclusion in Appendix II as lookalikes. Nevertheless, noting the high demand for softshell turtles in Asia, the non-species specific nature of that demand and the report of collection of *C. frenatum* for export to Asia, it may be prudent to facilitate monitoring and enforcement of international trade in the Trionychidae family. Until the degree of their sourcing is better known, the species may benefit from precautionary listing in Appendix II.

ACCEPT

CoP17 Prop. 37. [Madagascar] Transfer of Tomato Frog *Dyscophus antongilii* from Appendix I to Appendix II

The Tomato Frog *Dyscophus antongilii* is an attractive species endemic to Madagascar that does not have a restricted range or a small population and there are no indications of a marked population decline.

It was included in Appendix I in 1987 as it was harvested for the international pet trade and was then believed to have a restricted range. However, recent research suggests it is more widespread and abundant than previously thought. CITES-recorded trade volumes are relatively small although seizures indicate there is some illegal trade. The species is currently listed as a Category I Class I species under Decree 2006-400 in Madagascar, which only permits harvest for scientific purposes.

The precautionary measures in Annex 4 of Res. Conf. 9.24 (Rev. CoP16) appear to be met.

ACCEPT

CoP17 Prop. 38. [Madagascar] Inclusion of False Tomato Frog *Dyscophus guineti* and Antsouhy Tomato Frog *D. insularis* in Appendix II

The False Tomato Frog *Dyscophus guineti* and Antsouhy Tomato Frog *D. insularis* are widely distributed in Madagascar and although population sizes are unknown, both species are at least locally abundant. Both species are present in the international pet trade, although trade levels appear to be low. *Dyscophus guineti* especially was targeted by collectors after the Tomato Frog *D. antongilii* was listed in Appendix I in 1987, and trade data indicate increasing levels of export from Madagascar in recent years. However, there are conflicting accounts of the sustainability of current harvest levels. In recent years the USA has reported the export of significant numbers of captive-bred individuals. Both *Dyscophus guineti* and *D. insularis* are protected under national legislation (Decree 2006-400) in Madagascar which allows harvest outside protected areas with authorization.

All *Dyscophus* species look similar and require training to distinguish. Both these species, particularly *D. guineti*, resemble *D. antongilii* which is already listed in the Appendices, and therefore both species meet the criteria for inclusion in Appendix II under Annex 2b of Res. Conf. 9.24 (Rev.CoP16). If this proposal and Prop. 37 (to transfer *D. antongilii* to Appendix II) were accepted it will have the effect of placing the entire genus in Appendix II, which may facilitate implementation and enforcement.

ACCEPT

CoP17 Prop. 39. [Madagascar] Inclusion of burrowing frogs *Scaphiophryne marmorata*, *S. boribory* and *S. spinosa* in Appendix II

Scaphiophryne boribory, *S. marmorata* and *S. spinosa*, known as burrowing frogs, are members of a genus endemic to Madagascar in which nine species are currently recognized. One species, *S. gottlebei*, was listed in Appendix II in 2003.

The three species considered here are reported to be at least locally common and relatively widely distributed. Habitat loss and degradation appear to be the main drivers of population declines, although the species are also harvested for the pet trade in seemingly low numbers, targeted mostly by specialist hobbyists due to their burrowing habits. All three species are nationally protected (2006-400 Category I and Class II) meaning trade is legal if there is evidence the specimens were harvested outside of protected areas, or a permit has been obtained for harvest within protected areas for scientific purposes.

All *Scaphiophryne* species appear similar and require guidance to differentiate; furthermore the recently split *S. spinosa* and *S. marmorata* are sometimes confused in trade. However, the three species in this proposal are relatively distinct from the other species in the genus, and therefore should be identifiable with guidance from the non-proposed *Scaphiophryne*, and the listed *S. gottlebei*.

REJECT

CoP17 Prop. 40. [Plurinational State of Bolivia and Peru] Inclusion of *Telmatobius culeus* (Titicaca Water Frog) in Appendix I

The Titicaca Water Frog *Telmatobius culeus* occurs in Bolivia and Peru at Lake Titicaca and a few nearby water bodies. Estimates of its overall population vary widely but its population is clearly not small. There are indications of declines.

Threats include habitat degradation, pollution, introduced species and emerging infectious diseases. *T. culeus* is protected in both range States. However, it is regularly harvested for human consumption (as meat, traditional medicine, flour, frog extracts and juices claimed to have aphrodisiac effects), for local religious purposes and for its leather. The bulk of demand and trade is domestic, with international trade mainly restricted to some transboundary trade between Bolivia and Peru and reports of very limited trade to Argentina, Chile and Japan while unknown quantities of leather have been traded to the USA and Canada. With the exception of very limited demand in Japan, private pet collectors have little interest in *T. culeus*.

There is, overall, insufficient information to determine whether the species meets the decline criteria for inclusion in Appendix I and the conservation benefit of listing the species in the CITES Appendices is unclear, since most trade is domestic and to a lesser extent between the two range States where legal protection is already provided. It appears the main conservation action needed is for the two range States to include *T. culeus* in current bilateral efforts towards biodiversity conservation, including strengthening enforcement of harvesting prohibitions.

REJECT: unless the proponents provide clearer indications of how this listing would provide an essential enhancement to their bilateral efforts to reduce illegal harvest and local trade.

CoP17 Prop. 41. [China] Inclusion of the Hong Kong Warty Newt *Paramesotriton hongkongensis* in Appendix II

The Hong Kong Warty Newt *Paramesotriton hongkongensis* is found in Guangdong and Hong Kong, where the population is considered stable. Its main threats are habitat alteration, stream channelization and water pollution. It has also been collected for both domestic use and export. *Paramesotriton* were frequently recorded in a pet market survey in Guangdong Province in 2006 to 2008 and there were reports of large numbers appearing at interior pet markets in large cities in mainland China in the early 1990s. An average of 40,000 Hong Kong Warty Newts were imported into the USA annually between 2004 and 2013. The species is likely to be confused with other species of *Paramesotriton*, or with *Cynops*, *Hyselotriton* or *Pachytriton*. Specimens imported into the USA were increasingly reported as captive-bred. However, large scale captive-breeding for commercial purposes in Hong Kong is not known and unlikely to be economically viable as the species is of relatively low value. Deliberate mis-declaration of source may be a potential management concern.

The species has been protected in Hong Kong since 1997 and in mainland China since 2000; collection requires approval and is not permitted in protected areas. The USA banned imports of Asian newts and salamanders in January 2016 due to disease concerns; a closely related species was found to carry the Bsal pathogen. It is not known if or when this ban will be lifted. The species has been listed on Annex D of the EU Wildlife Trade Regulations since 2009, but no imports have been recorded.

Recent TRAFFIC research indicates there is a large trade in little-known Asian newts, taken from the wild for the international pet trade, with the vast majority of this trade going unrecorded, and there may be a justification for Parties to consider a listing of the genus in future. It is likely that the species has been confused with other *Paramesotriton* species or with species of *Cynops*, *Hyselotriton* or *Pachytriton* in trade. Non-professional identification to distinguish *P. hongkongensis* from other similar species may be difficult. Because of high levels of recorded trade, the species may therefore benefit from an Appendix II listing through improved monitoring and regulation of trade.

ACCEPT

CoP17 Prop 42. [Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, the Comoros, the Dominican Republic, Egypt, the European Union, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Sri Lanka and Ukraine] Inclusion of Silky Shark *Carcharhinus falciformis* in Appendix II

The Silky Shark *Carcharhinus falciformis* is a low productivity species with a global distribution in coastal and oceanic waters. It is widely caught, mainly as secondary catch in longline and purse seine tuna fisheries. Retention of catch is mainly to supply the shark fin trade and also for its meat. There is evidence of declines, some marked, in much of its range, attributed to overharvest, although there is a general lack of reliable data to confirm their extent. It would appear that the Silky Shark meets the criteria for inclusion in Appendix II in Annex 2a of Res. Conf. 9.24 (Rev. CoP16), as regulation of harvest for trade is required to ensure that the species is not reducing the population to a level at which it becomes threatened.

While some countries and Regional Fisheries Management Organizations have established regulations on the catch or finning of sharks, including banning the retention of Silky Sharks, the effectiveness and measurable conservation benefit of these measures is unclear. In RFMOs and countries which have banned the retention of Silky Shark, the species are still caught and suffer high mortality rates- as high as 80% in purse seine fisheries.

An Appendix II listing for the species would provide a much-needed platform for international co-operation to address unsustainable trade. It should also result in improved monitoring and reporting of catches in trade which would support the ability to make assessments of stock status and resultant management action to ensure the harvest is sustainable where it is legal.

ACCEPT

CoP17 Prop 43. [Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, Comoros, Dominican Republic, Egypt, European Union, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Kenya, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Seychelles, Sri Lanka and Ukraine] Inclusion of *Alopias superciliosus*, *A. vulpinus* and *A. pelagicus* (Bigeye Thresher, Common Thresher and Pelagic Thresher shark) in Appendix II

These three thresher sharks are widespread oceanic species harvested in large numbers, particularly as secondary catch in longline fisheries for their fins and meat. There are no overall population estimates for any. Much fisheries information is recorded only to genus level, making determination of species-specific trends particularly problematic. Where population declines have been identified, these are invariably ascribed to fishing pressure.

The Bigeye Thresher has extremely low productivity. There are indications of historic declines in the Northwest Atlantic and reported catch rates in the South Atlantic are low. In the Western and Central Pacific, where the species occur widely, there are indications from 2003 onward of decline in threshers in general, which may be accelerating; however, information from the extensive Hawaiian longline fishery indicated stability of the Bigeye Thresher population in the region it covers. Unreported catch of threshers in the Indian Ocean is believed may be many times that of reported catch, which has increased, but there are no reliable information on stock assessments or analyses of changes in CPUE.

The Common Thresher has low productivity. There are indications of extremely marked declines in the Mediterranean and of historic declines in the Northwest Atlantic. In the Northeast Pacific, Common Threshers underwent a decline in the 1980s and 1990s but populations appear to have recovered because of improved management.

The Pelagic Thresher has very low productivity. It is known to be taken in large numbers in the Eastern Pacific and in the Indian Ocean and Western and Central Pacific but there is very little species-specific information on stocks or changes in CPUE.

Overall, data are insufficient to determine if levels of decline in these species would satisfy the criteria for inclusion in Appendix II in Annex 2a of Res. Conf. 9.24 (Rev. CoP16). However, given their low productivity (particularly Bigeye Thresher) and the intensity of fishing pressure in much of their ranges, it is likely fisheries in many areas are unsustainable. In others, thresher stocks may be relatively stable but some populations are very likely to be at significantly lower than historic levels. If any of the species were listed in Appendix II on these grounds, the others in the genus would meet the criteria in Annex 2b.

While some countries and Regional Fisheries Management Organizations have established regulations on the catch or finning of sharks, including banning retention of thresher shark species, the effectiveness and measurable conservation benefit of these measures is unclear. In RFMOs and countries which have banned the retention of Thresher Sharks, the species are still caught and suffer high mortality rates—as high as 50%.

Inclusion in Appendix II would be in the best interest of these species because it would provide a much-needed platform for international co-operation to address unsustainable trade. It would also result in improved monitoring and reporting of catches in trade, which would support the ability to make assessments of stock status and resultant management action to ensure the harvest is sustainable where it is legal.

ACCEPT

CoP17 Prop 44. [Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, Comoros, Costa Rica, Ecuador, Egypt, European Union, Fiji, Ghana, Guinea, Guinea-Bissau, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Seychelles, Sri Lanka and United States of America] Inclusion of all nine species in the genus *Mobula* (*Mobula* or Devil Rays) in Appendix II

Mobula species are widely distributed in tropical and temperate seas worldwide. All have very low productivity and are taken in artisanal and large-scale fisheries, both as directed and secondary catch for domestic meat consumption and the international trade in gill plates, which are used for medicinal purposes in Asia. The most important products in trade are the plates of *Mobula japonica* and *M. tarapacana*. There is very little numerical population information although there is an estimate for *M. mobular* of ca. 15,000 individuals in the north-western Mediterranean and south-central Adriatic combined. Population declines—some very steep—have generally been inferred from declining catches despite increased fishing effort in several locations. Given the exceptionally low productivity of these species and evidence of declining catches it is possible that at least some species meet the criteria for inclusion in Appendix II in Annex 2a of Res. Conf. 9.24 (Rev. CoP16).

In trade, the plates of similar size are often grouped together. As plates vary in size within an individual depending on which plate they are and between species and age groups, it is most likely the plates are traded in packaging combining plates from numerous species. Large gill plates of *M. japonica* resemble smaller plates of Appendix-II listed *Manta* species. This species appears to meet the criteria in Annex 2b of Res. Conf. 9.24 (Rev. CoP16) (lookalike criteria). There is general similarity between gill plates of different *Mobula* species although some gill plates are bi-coloured and some are not. If any *Mobula* in either category (bi-coloured or black) were to be listed under the criteria in Annex 2a, the others in that category would meet the criteria in Annex 2b (lookalike criteria).

The IATTC prohibits the retention of *Mobula* species with an exemption for developing States, small-scale and artisanal fisheries for domestic consumption only. Some of the tuna RFMOs require reporting of catches of Mobulids. Parties to the

Convention on the Conservation of Migratory Species of Wild Animals (CMS) are required to totally protect *Mobula* species as they are included on Appendix I and II of CMS and Annex I of the CMS MOU on the conservation of migratory sharks. However, the effectiveness and measurable conservation benefit of this ban is unclear, as the species are potentially still caught in fisheries for which they are a secondary catch and are most likely to suffer high mortality rates.

An Appendix II listing for the species should result in improved monitoring and reporting of catches in trade which would support the ability to make assessments of stock status and resultant management action to ensure the harvest is sustainable where it is legal.

In addition, the listing of *Mobula* species would resolve problems identified by the Animals Committee with *Mobula* lookalike issues with the Appendix II listed *Manta* species. There would also be an additional benefit where the listing of *Mobula* will assist with better catch information and less confusion as to which species are recorded as catch when using that information for the determination of non-detriment findings.

ACCEPT

CoP17 Prop 45. [Plurinational State of Bolivia] Inclusion of Ocellate River Stingray *Potamotrygon motoro* in Appendix II

The Ocellate River Stingray *Potamotrygon motoro* has a very wide distribution in South America. Information on the species is sparse and variable, being reported as abundant in some places and as occurring at low densities in others. There are indications of declines in some locations. The species is taken for local consumption of its meat and export of live specimens for the ornamental fish trade. Three out of eleven range States (Brazil, Colombia and Peru) are known to export the species—of the order of a few tens of thousands of specimens annually. These exporters comprise a fair proportion of the overall range of the species, although it is not known how extensive harvest is, or in general what proportion of the catch is destined for export rather than local consumption. There is overall insufficient information to determine whether the species meets the criteria for inclusion in Appendix II.

The species is readily available in the aquarium trade, however the provenance of many of these specimens is unknown. This species is reported to breed easily in captivity, and captive-breeding is known to be occurring in Europe, Southeast Asia and the USA. There is reportedly a surplus of captive-bred *P. motoro* individuals in European public aquaria, and therefore any demand for wild-caught specimens in Europe is believed to come mainly from private collectors. The USA reported the export of over 3500 captive-bred *Potamotrygon* specimens in 2004 to 2013.

Brazil, Colombia and Peru have specific regulations in place governing harvesting and trade of ornamental species, including *P. motoro*, and Bolivia reports having draft legislation to control trade in ornamental fish underway. At an international level, this group of species has been the focus of several CITES Decisions aimed at improving the available information on their taxonomy, biology, population sizes/trends, harvesting and trade, with an expert workshop in 2014 identifying possible priority species and future actions, including Appendix II and III listings. The Supporting Statement does not provide details on how this proposal fits within the wider picture and recommended actions of this work. Four draft Decisions recommended by the Animals Committee on freshwater stingrays (Potamotrygonidae) (CoP17 Doc. 87) are being considered by the Parties at the present CoP.

REJECT. Parties are encouraged to consider the four draft Decisions recommended by the Animals Committee on freshwater stingrays (Potamotrygonidae) (CoP17 Doc. 87) at the present CoP

CoP17 Prop 46. [European Union] Inclusion of Banggai Cardinal Fish *Pterapogon kauderni* in Appendix II

The Banggai Cardinal Fish *Pterapogon kauderni* has a very restricted range and biological characteristics which make it vulnerable to overexploitation. It has been harvested in large numbers since the mid-1990s for the international aquarium fish trade. Available evidence indicates this has led to significant and continuing reductions in population density and overall size. The species can be bred relatively easily in captivity, although wild-caught fish are currently less expensive. The species is also affected by habitat loss and degradation. It would appear that the species meets the criteria for inclusion in Appendix II in Annex 2a of Res. Conf. 9.24 (Rev. CoP16) in that regulation of harvest is required to ensure that the wild population does not become threatened through continued harvesting or other influences.

There appears to be no effective long-term management in place. In Indonesia, a Banggai Cardinal Fish Action Plan (BCF-AP) was drawn up for the period 2007 to 2012, and included the establishment of the Banggai Cardinalfish Centre (BCFC) to co-ordinate conservation and management actions. Trade quotas were proposed by local stakeholders in 2010 but were not continued, mainly due to a lack of legal support. By 2012, there was reportedly still no effective long-term conservation, management or monitoring system in place. A marine protected area was established in 2007 in part to help conserve the species, but there has been no evidence of management of the area, and much of the protected area falls outside the range of the species.

A CITES Appendix II listing for the species should result in improved monitoring and reporting of catches in trade and ensure that wild caught individuals in trade are only from harvest which is sustainable through conducting non-detriment findings.

ACCEPT

CoP17 Prop 47. [Mexico] Inclusion of Clarion Angelfish *Holacanthus clarionensis* in Appendix II

The Clarion Angelfish *Holacanthus clarionensis* has a relatively limited range and population. It is collected for export for the international marine aquarium fish trade. This harvest is limited and controlled by licence in Mexico, the main range State. The major part of the population occurs in a protected area where collection is not allowed, and is believed to be stable. The species does not appear to meet the criteria for inclusion in Appendix II.

In Mexico, the species is considered subject to special protection, meaning that harvesting should only be undertaken if it is sustainable. Between 2007 and 2013, Mexico gave permits for the collection of just over 3,000 specimens and reportedly around 2,750 individuals were exported. The species is bred at a commercial aquarium exporting facility in Bali, Indonesia; exports at a low level are known to take place from here to the UK and USA.

It is unclear if inclusion in Appendix II will provide significant conservation benefit to the species.

REJECT

CoP17 Prop 48. [Fiji, India, Palau and the United States of America] Inclusion of the Family Nautilidae (Blainville, 1825) in Appendix II

The Family Nautilidae, or Chambered Nautiluses, is a highly distinctive group of marine molluscs occurring in tropical, reef, and deepwater habitats in the Indo-Pacific. Chambered Nautiluses are generally believed to occur in small, scattered populations. They are highly vulnerable to overexploitation and are known to be targeted in fisheries, with international trade in shells occurring at high levels. Harvest of the main species in trade, *Nautilus pompilius*, has been associated with severe local population declines; large quantities of Chambered Nautiluses have been exported by the Philippines and there are indications that harvest for trade has now shifted to Indonesia. There are reports of historic and ongoing declines associated with harvest in other parts of the range.

Given the extreme vulnerability of Chambered Nautiluses to overharvest, any additional fishing pressure is likely to lead to depletion or local extirpation of populations. This problem is further compounded by the absence of management plans for the species, an absence of Customs codes to track international trade, and the absence of market measures to ensure that the trade is legal. Given these factors, it is likely that *N. pompilius* at least meets the criteria for inclusion in Appendix II in Annex 2a of Res. Conf. 9.24 (Rev. CoP16).

Chambered Nautilus species resemble each other in the major form in which they appear in trade (shells). Given that *N. pompilius* appears to meet the criteria, all other species in the Family Nautilidae would therefore appear to meet the criteria in Annex 2b as lookalikes.

ACCEPT

CoP17 Prop 49. [Cuba] Inclusion of all species of Cuban land snails in the genus *Polymita* in Appendix I

There are six species of land snails in the genus *Polymita*, all of them endemic to Cuba: *Polymita brocheri*, *P. muscarum*, *P. picta*, *P. sulphurosa*, *P. venusta* and *P. versicolor*. The snails are arboreal and adapted to live on a range of plants. In the wild, *Polymita* are estimated to live between 12 and 19 months, and individuals (which are hermaphroditic) breed only once. The 2-3cm shells of *Polymita* are colourful and are generally considered beautiful and are sold in handicrafts and to shell collectors. Cuba banned export in 1943. In recent years, Customs authorities in Cuba have seized shells en route to the USA, although the bulk of trade may be destined for Europe and Asia. One species, *P. sulphurosa*, which is apparently rare, has a limited and fragmented range, with evidence of a marked historic decline appears to meet the biological criteria for inclusion in Appendix I. Although habitat reduction has induced population declines in the five other species, they do not currently appear to meet the biological criteria for inclusion in Appendix I in Annex 1 of Res. Conf. 9.24 (Rev. CoP16).

Some of the other species have distinctive patterning and colouration, making them relatively easy to identify, but in some species (e.g. *P. venusta* and *P. picta*) there is considerable intraspecific variation, so that enforcement agents may have difficulty identifying specimens to species level with confidence. There is no provision for listing species in Appendix I as lookalikes under the current criteria. However all species, except *P. brocheri* which has a distinctive shape to its shell, would appear to meet the criteria in Annex 2b of Res Conf. 9.24 (Rev CoP16). Listing the entire genus in the Appendices would help address any enforcement difficulties.

ACCEPT

CoP17 Prop. 50. [Mexico] Inclusion of all species of Ponytail Palms in the genus *Beaucarnea* in Appendix II

Beaucarnea species, known as Ponytail Palms (although not strictly palms), occur in Mexico and northern parts of Central America (possibly as far south as northern Nicaragua). According to the Kew Plant Checklist there are nine accepted species: *Beaucarnea compacta*, *B. goldmanii*, *B. gracilis*, *B. guatemalensis*, *B. hiriartiae*, *B. pliabilis*, *B. recurvata*, *B. sanctomariana* and *B. stricta*. Two other species listed as synonyms (*B. inermis*, *B. purpusii*) are sometimes recognized as separate species. *Beaucarnea* species feature in the horticultural plant trade, with *B. recurvata* the main species in trade. It is still frequently traded under the synonym *Nolina recurvata*.

The sizes of wild populations of *Beaucarnea* species in their relatively wide range are not known. Illegal trade in seed has been reported for the establishment of nursery populations and in plants for the horticultural trade but this volume of trade is unknown. The impact of trade on wild populations is not known. However, this genus is well known as an ornamental plant, cultivated widely both within its range State (Mexico) and elsewhere. Artificial propagation is thought to be able to provide both large plants for sale and source material (seeds) for propagation in adequate quantities to meet market demands. The species seems likely not to meet the criteria for inclusion in Annex 2a of Res. Conf. 9.24 (Rev. CoP16) and It is not clear that inclusion in Appendix II will provide significant conservation benefit to the species.

REJECT

CoP17 Prop. 51. [Mexico] Deletion of *Tillandsia mauryana* from Appendix II

Tillandsia mauryana is a bromeliad plant endemic to Mexico. It has a limited range in Hidalgo State where it occurs on the vertical faces of limestone cliffs that are difficult to access. Surveys have located 31 populations but owing to site inaccessibility, it has only been possible to evaluate abundance and population density in nine of these, which contained between 3 and 304 individuals. Only a small proportion of the population at each site reproduces each year and the overall population may be decreasing. Its range is located mainly in the Metztlán Gully Biosphere Reserve, an area affected by rock mining, road building and urban development. The area's management programme contains specific actions for the protection of the species.

T. mauryana, although having a relatively small population is not currently under threat from trade; habitat destruction is seemingly a greater threat although that too appears to be adequately managed. No trade in wild collected plants and only limited trade in artificially propagated plants has been recorded thus it seems unlikely that its removal from the Appendices would stimulate trade in wild specimens such that it would meet the criteria for listing in Appendix II in the near future.

ACCEPT

CoP17 Prop. 52. [United States of America] Transfer fishhook cacti *Sclerocactus spinosior* ssp. *blainei* (= *S. blainei*), *S. cloverae* (CITES-listed synonym of *S. parviflorus*), and *S. sileri* from Appendix II to Appendix I

Cacti in the genus *Sclerocactus* are slow-growing, short, cylindrical, spiny plants occurring in south-western USA and northern Mexico, with the majority of species endemic to the USA, including those covered by this proposal. Current CITES taxonomy recognizes 20 species; eight species and one subspecies are included in Appendix I, the remainder are in Appendix II under the general listing for Cactaceae. A provisionally accepted revised taxonomy recognizes the taxon currently listed as

Sclerocactus spinosior ssp. *blainei* as *S. blainei* and splits *S. cloverae* from *S. parviflorus*. This nomenclature is followed in this analysis.

Although it is clear that these three taxa have restricted geographical coverage and relatively small populations it appears that the dominant impact on their survival is habitat rather than trade related. In fact it appears that there has been almost no trade in these taxa recorded during the period of their listing in Appendix II. As such, the listing criteria are not clearly met and there are no obvious benefits to the species of an Appendix I listing. It would appear the current Appendix II listing is adequate to allow for ongoing regulation and monitoring of any international trade and should be retained.

REJECT

CoP17 Prop. 53. [Thailand] Deletion of annotation #5 to the listings of Siamese Rosewood *Dalbergia cochinchinensis* and replace it with annotation #4

This is a slow growing evergreen tree found sparsely in Cambodia, Lao People's Democratic Republic (PDR), Thailand and southern Viet Nam. It is in demand internationally for its wood and is included in the Chinese "Hongmu" standard of high-quality hardwoods used for furniture and cabinet-making. At CoP16 it was listed in Appendix II with annotation #5 to restrict the listing to logs, sawn wood and veneer sheets.

Harvesting of this species is either restricted (Viet Nam) or banned (Cambodia, Lao PDR, Thailand) within its range. A recent review indicates that a significant portion of the trade in this and similar species is currently in the form of secondary processed products, particularly furniture. By crudely processing timber in the source country and exporting as furniture, it is possible to circumvent the current annotation #5. Indeed, since the Appendix II listing, large shipments of timber believed to have been illegally harvested and exported in this way have been intercepted. This proposal seeks to amend the current listing with annotation #4 to include all parts and derivatives, except seeds and seedlings or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers, and cut flowers of artificially propagated plants. The intention of using this annotation is to regulate the products in trade that are of conservation concern, which would include all timber-related products including finished furniture.

It should be noted that such an annotation would not be necessary if CoP Prop. 55 proposing inclusion of the genus *Dalbergia* in CITES Appendix II is accepted.

ACCEPT

CoP17 Prop 54 [Mexico] Inclusion in Appendix II of 13 timber species of the genus *Dalbergia* native to Mexico and Central America without annotation: *Dalbergia calderonii*; *D. calycina*, *D. congestiflora*, *D. cubilquitzensis*, *D. glomerata*, *D. longepedunculata*, *D. luteola*, *D. melanocardium*, *D. modesta*, *D. palo-escrito*, *D. rhachiflexa*, *D. ruddae*, *D. tucurensis*

There are 20 *Dalbergia* species found in Mexico, six of them endemic. 15 produce high quality timber of which two are already listed in Appendix II (*D. retusa* and *D. stevensonii*) and the remainder are proposed here for listing in Appendix II. There is little information on the populations and trade in most species, although Mexico has now carried out risk assessments for their populations. Over-exploitation of primary species of rosewood has led to the observed shift in "rosewood" trade from depleted *Dalbergia* species such as *D. retusa*, *D. granadillo*, and *D. stevensonii* with other species in

Mexico. There is also reported to be illegal trade in *Dalbergia* species in the region. All the species proposed to be listed are either categorized as threatened or endangered in Mexico.

The 13 species proposed for listing have timber that is similar to that of species already listed in Appendix II from the same geographical region. Enforcement of the current listing is difficult due to problems in species identification. Trade is often reported at genus level and enforcement officers do not have a quick and easy technique to identify to species level which needs to take place under costly and complicated laboratory conditions. There is also reported to be illegal trade in *Dalbergia* species in the region.

In June 2016, the 22nd Plants Committee endorsed a recommendation from the “Workshop on evaluating the timber species of the genus *Dalbergia* in Mexico in the context of NOM-059-SEMARNAT-2010” 2016 to list these 13 timber species in Appendix II.

With no annotations specified in this proposal, this listing would regulate trade in all parts and derivatives. It should be noted that under the current Appendix-II listings for *D. retusa* and *D. Stevensonii*, the only products included are logs, sawn wood and veneer sheets and plywood. For consistency with current *Dalbergia* listings, and to support actual implementation of *Dalbergia* species traded mainly as timber, an annotation #6 covering logs, sawn timber, veneer and plywood would ensure the annotations are consistent.

Such an annotation would not be necessary if CoP17 Prop. 55 proposing inclusion of the genus *Dalbergia* in CITES Appendix II is accepted.

ACCEPT with an annotation #6 covering logs, sawn timber, veneer and plywood would ensure the annotations are consistent if CoP17 Prop. 55 is not accepted.

CoP17 Prop 55 [Argentina, Brazil, Guatemala and Kenya] Inclusion of the genus *Dalbergia* in CITES Appendix II without annotation, with the exception of the species included in Appendix I

The genus *Dalbergia* is large and widespread, comprising plants of many different forms. Some species produce high quality and sought-after timber, some of which are traded as “rosewood”; some are traded as *Hongmu*.

One of the main challenges with any individual species listings in a multi-species genus is the inability of enforcement agencies to identify those species in trade. Currently only a few *Dalbergia* species are listed under CITES, with differing annotations. Implementation of a listing of the whole genus would still need reliably to distinguish between the various species of *Dalbergia* in trade but such a listing will help to eliminate much of the enforcement challenges and difficulties associated with lookalike species.

The “rosewood” *Dalbergia* species in trade are considered threatened and are subject to heavy exploitation. It is the heartwood that is highly prized, which can only be found in trees above a certain diameter class. The different producer regions of Central and South America, Madagascar, East Africa and southern and Southeast Asia that supply “rosewood” each face different challenges in understanding the biology, growth, trade, legality and illegal logging and illegal timber trade. Over-exploitation has led to the observed shift in “rosewood” trade from depleted *Dalbergia* species to others, with the trade moving from one country to another, and one region to another, leading to localized or even regional commercial extinctions. A listing without an annotation will help to ensure controls are in place for other uses of the timber including finished products such as high value musical instruments.

A listing will encourage countries harvesting *Dalbergia* “rosewood” species to conduct non-detriment findings and work towards more effective controls and enforcement, as well as support those that have imposed either harvest or export bans of their “rosewood” species. For those countries with depleted “rosewood” species, an Appendix II listing will help consumer countries support their efforts to address illegal trade in the species.

It should be noted there are a large number of *Dalbergia* species which do not resemble the species in commercial trade. However, it is believed they are not traded internationally and this listing will not have any effect on them.

ACCEPT

CoP17 Prop 56 [Gabon and the European Union] Inclusion of *Guibourtia demeusei*, *G. pellegriniana* and *G. tessmannii* in Appendix II with annotation #4

All three *Guibourtia* species in this proposal are traded internationally as *Bubinga*, and as a substitute for *Hongmu* timbers in China. Available trade data, often reported under trade names is rarely species specific. The species, particularly *G. tessmannii* and *G. pellegriniana*, are known to be in demand internationally for their rosewood-type timber, the market for which has grown very rapidly in Asia, particularly China, in recent years. There are indications of illegal harvest and trade, the volume of which is not fully quantified but which may be relatively high.

While information on the species has improved in recent years, there is still insufficient data to determine if these species meet the criteria for inclusion in Appendix II. Recent assessments in forestry concessions in Gabon found extremely low stocks of *G. tessmannii* and *G. pellegriniana* combined that could be harvested on a sustainable basis, while inventories in Cameroon have found similarly low stocking densities. A considerably higher density of *G. demeusei* has been reported in the Central African Republic. Given the evident scarcity of harvestable-sized *G. tessmannii* and *G. pellegriniana*, it is likely that current harvest for export of these species is exceeding the rate at which such trees are entering the harvestable population. This has led to probable commercial extinction of these species and it is unlikely these species will be able to sustain the international trade. Reported harvest and export of *G. demeusei* in several range States increased around 2009 and 2010, which may be associated both with increasing demand for rosewoods in general at that time, and declining availability of *G. tessmannii* and *G. pellegriniana*. The trade has shifted from logs to sawn timber, due to the log export bans for Cameroon and Gabon, and a harvest suspension for Cameroon. Illegal harvesting and illegality is suspected to continue to occur due to misdeclaration of exports.

Given the difficulties in distinguishing between *G. tessmannii* and *G. pellegriniana*, if either were to be included in Appendix II, then the other would meet the criteria in Annex 2b of the Resolution as lookalikes. Information regarding the similarity of these species to *G. demeusei* is conflicting but all three may be traded under the same generic trade name. Since there are between 14 and 16 species in the genus *Guibourtia*, this may lead to enforcement issues. To support strengthened international controls such as an Appendix II listing, proponent States should also consider the development of identification guides to avoid confusion between all these *Guibourtia* species, range States should also be encouraged to capture more species information at harvest and in trade, including for the whole genus so as to monitor for the possibility of future substitutions with other *Guibourtia* species for the market.

Listing of these three species in Appendix II will give added impetus to the range States to conduct non-detriment findings to ensure the sustainability of the trade and increase revenue from legal trade.

ACCEPT

CoP17 Prop 57 [Benin, Burkina Faso, Chad, Cote d'Ivoire, European Union, Guinea, Guinea-Bissau, Mali, Nigeria, Senegal and Togo] Inclusion of *Pterocarpus erinaceus* in Appendix II, without annotation

This species is widely used locally throughout its range and has a high socio-cultural importance. The timber is exported to China as *Hongmu* (“redwood”) timber for furniture-making. In the last six years, the trade has been very heavy, reaching 700 000 m³ in 2014. The heartwood is highly priced, and can only be found in trees above a certain diameter class that are targeted, potentially leading to commercial extinction of the species. Current levels of timber harvest are likely to be unsustainable. Despite at least seven range States imposing either total export or harvesting bans, the species continues to be heavily traded internationally, indicating that much of the trade is unauthorized or illegal.

The proposal is without any annotation – this would allow for monitoring and regulation of specimens other than primary products in trade due to the possibility of annotations being used to circumvent trade controls.

CITES, ITTO and donor countries should be encouraged to provide support to the range States for the effective implementation of this listing and assist them in developing methodologies for preparing forest management plans and conducting non-detriment findings, especially to balance the extensive use of the species with the need for revenue generation. In addition, an Appendix II listing would encourage co-operation of non-range States in the implementation of existing regulatory measures.

Senegal listed all populations of the species in Appendix III, which came into force from May 9, 2016, while the 22nd Plants Committee in October 2015 recommended the inclusion of *P. erinaceus* in Appendix II.

ACCEPT

CoP17 Prop. 58. [Madagascar] Inclusion of Grandidier’s Baobab *Adansonia grandidieri* in Appendix II with an annotation limiting the parts and derivatives to seeds, fruits, oils and living plants

Grandidier’s Baobab *Adansonia grandidieri*, one of six endemic *Adansonia* in Madagascar, is a large deciduous tree that occurs in west and southwest Madagascar. Recent studies based on analysis of satellite images and field observations, have found it to have a relatively extensive distribution (26 000 to 32 000 km²) along the Mangoky River and in the western part of the Menabe region, estimated by satellite imagery at over one million individuals, many more than previously thought to exist.

The main pressure on populations appears to be habitat related rather than trade, which is mainly domestic. Very little international trade is apparent and it is highly unlikely to have an impact on the wild population. The species would not appear to meet the criteria for inclusion in Appendix II. Madagascar may consider a listing in Appendix III so that it may obtain the assistance of the international community to enhance export restrictions and international trade monitoring.

One of the main forms this species is traded in is as “powder”, which is not included in the proposed annotation to “include seeds, fruits, oils and live plants”. However, to include powder in a new annotation will increase the scope of the proposal. Madagascar would be encouraged to list all six species of domestic baobab in CITES Appendix III with the annotation “include powders, seeds, fruits, oils and live plants”.

REJECT

CoP17 Prop 59 [Algeria] Inclusion of Algerian Fir *Abies numidica* in Appendix I

The species is endemic to Algeria and is found in a restricted location. Populations are apparently declining and regeneration appears to be limited. However, the species is found widely outside of its range and is grown as an ornamental tree in parks and larger gardens. It is cultivated widely and easily hybridized with other *Abies* species. It is not exploited for its timber. Possibly seeds are collected in the wild, but there is no information to confirm this. Unless very substantial quantities were collected, or harvest was destructive (through felling of the trees) such trade would be highly unlikely to have an effect on the wild population. It is not clear therefore whether the species meets the criteria for inclusion in Appendix I and there does not appear to be any tangible conservation benefit of such a listing. Enforcement action needed to support this listing would also be challenging due to the high volumes of cultivated *Abies* species in trade.

REJECT

CoP17 Prop 60 [USA] Amendment of the listings of *Aquilaria* spp. and *Gyrinops* spp. in Appendix II

The tree genera *Aquilaria* and *Gyrinops* are distributed from north-east India across Southeast Asia and parts of southern China, reaching the eastern extreme of their known range in Papua New Guinea. Resinous heartwood, known variously as agarwood, oudh, gaharu and eaglewood among other vernacular names, is produced inconsistently by some trees in the wild. Agarwood is traded in a variety of forms, including wood chips, powder and as an essential oil, for use as incense, perfume, and traditional medicine. The current bespoke annotation #14 governing trade in agarwood exempts from CITES controls wood chips that are packaged and ready for retail trade. This is reported to be inconsistently applied. Removal of the exemption would ensure that all agarwood chips, however packaged, would be subject to CITES controls (apart from those exempt under personal effects as specified in Res. Conf. 13.7 (Rev CoP16)). As wood chips are a significant component of the overall agarwood trade, this revised annotation is in line with ensuring CITES controls cover those commodities that first appear in international trade as exports from range States, and dominate the demand for the wild resource. This amendment would allow for more consistent application of CITES controls.

ACCEPT

CoP17 Prop. 61. [South Africa] Inclusion of Natal Ginger *Siphonochilus aethiopicus* (populations of Mozambique, South Africa, Swaziland and Zimbabwe) in Appendix II

Although Natal Ginger *Siphonochilus aethiopicus* has a large historical distribution range across tropical and sub-tropical Africa, some populations are declining under pressure of trade for mainly traditional medicinal use. With populations under pressure in South Africa, stocks in neighbouring countries have been accessed for export mainly to South Africa but also to other regional neighbours.

The trade has been poorly documented, mainly because it is used for informal local and regional medicinal use rather than overtly for international commercial trade. The species is listed as endangered in the South African Threatened or Protected Species (TOPS) Regulation list. Permits are required for harvesting, possession and trade thus providing local protection.

It is unclear if the species meets the criteria for listing in the Appendices. However, it does appear that monitoring of populations and regulation of cross-border trade is required. Inclusion in the Appendices will provide conservation benefit to the species, allowing South Africa and its neighbours to co-operate more closely in regulating the trade and enforcing

management measures. It should be noted that this proposal is limited to *S. aethiopicus* populations in Mozambique, South Africa, Swaziland and Zimbabwe.

Cross-border trade has not thus far been controlled and is likely to pose a significant challenge: it may be necessary for inspectors to be provided with identification materials to assist with monitoring and regulation.

ACCEPT

CoP17 Prop. 62. [United States of America] Amendment of Annotation for *Bulnesia sarmientoi* (Holy wood)

The various parts of *Bulnesia sarmientoi* have a wide range of uses including furniture, flooring, lathe work, shaft bearings fence poles, perfumery, mosquito repellents, varnishes, paints, charcoal production and medicinal purposes. It was included in Appendix II in 2010, with annotation #11 covering logs, sawn wood, veneer sheets, plywood, powder and extracts.

A working group set up at CoP16 to review annotations concluded that finished products containing extracts of *B. sarmientoi* could be excluded from the listing with minimal impact on the conservation of the species. The proposed new annotation would ensure that extract, which is routinely exported, continues to be covered by the listing but that finished products containing extract are not. According to Res. Conf. 11.21 (Rev. CoP16) annotations should concentrate on those commodities that first appear in international trade as exports from range States and include only those commodities that dominate the trade and the demand for the wild resource. Extracts (including oil) are clearly significant commodities in trade from range States. There is little indication that finished products are a major commodity exported by them and the proposed amendment would closely align the annotation for this species to that for *Aniba rosaeodora* (annotation #12), which has a similar trade profile.

ACCEPT

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