

## SUMMARY OF THE 22ND MEETING OF THE CITES ANIMALS COMMITTEE: 7-13 JULY 2006

The 22nd meeting of the Animals Committee (AC-22) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) convened from 7-13 July 2006, in Lima, Peru. On 7 and 8 July, a joint session was held with the 16th meeting of the CITES Plants Committee (PC-16).

The AC discussed 28 agenda items and adopted six recommendations on issues including: the review of significant trade (RST) in Appendix-II species; production systems for specimens of CITES-listed species; transport of live specimens; sea cucumbers; conservation and management of sharks; and the periodic review of animal species included in the Convention's appendices. The recommendations will be presented at the fourteenth meeting of the Conference of the Parties in June 2007.

The joint session addressed issues of common interest to both committees, including: the Strategic Vision and Plan until 2013; the review of scientific committees; the study of production systems for specimens of CITES-listed species; and the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity adopted by the Convention on Biological Diversity (CBD). For the *Earth Negotiations Bulletin's* summary report of the joint session, please see:  
<http://www.iisd.ca/vol21/enb2148e.html>

Addressing a heavy agenda, including a review of significant trade (RST) for a number of new species and some outstanding issues which had proved tricky in past meetings, participants made headway in completing the majority of the tasks assigned to AC-22. Having jointly tackled their self-evaluation and complex issues such as how to address annotations for ranching in the PC/AC joint session over the weekend, the collegial nature of the scientific committee meetings was demonstrated by the collaborative manner in which participants reached agreement on sea cucumbers, sharks and the historically challenging definition of fossil corals. While some work continues in informal intersessional groups, including on crocodile ranching

and the transport of live specimens, AC Chair Thomas Althaus (Switzerland) and the AC participants departed Lima with a sense of satisfaction for having completed their work.

This summary covers the deliberations of AC-22 and includes an analysis of AC-22 and PC-16 and the joint session of the scientific committees.

### A BRIEF HISTORY OF CITES

CITES was established as a response to growing concerns that over-exploitation of wildlife through international trade was contributing to the rapid decline of many species of plants and animals around the world. The Convention was signed by representatives from 80 countries in Washington, DC, United States, on 3 March 1973, and entered into force on 1 July 1975. There are currently 169 parties to the Convention.

The aim of CITES is to ensure that international trade of wild animal and plant species does not threaten their survival. CITES parties regulate wildlife trade through controls and regulations on species listed in three appendices. Appendix I lists species endangered due to international trade. Trade in such species is permitted only in exceptional circumstances. Appendix-II species are those that may become endangered if their trade is not regulated, thus they require controls aimed at preventing unsustainable use, maintaining ecosystems and preventing species from entering Appendix I. Appendix III species are

### IN THIS ISSUE

A Brief History of CITES .....	1
AC-22 Report .....	3
A Brief Analysis of PC-16 and AC-22 .....	12
Upcoming Meetings .....	13
Glossary .....	14

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those subject to domestic regulation by a party requesting the cooperation of other parties to control international trade in that species.

In order to list a species in Appendix I or II, a party needs to submit a proposal for approval by the Conference of the Parties (COP), with scientific and biological data on population and trade trends. The proposal must be adopted by a two-thirds majority of parties present at a COP. As the trade impact on a species increases or decreases, the COP decides whether or not the species should be transferred or removed from the appendices.

There are approximately 5,000 fauna species and 28,000 flora species protected under the three CITES appendices. Parties regulate international trade of CITES species through a system of permits and certificates that are required before specimens listed in its appendices are imported, exported or introduced from the sea. Each party is required to adopt national legislation and to designate two national authorities, namely, a Management Authority responsible for issuing these permits and certificates based on the advice of the second national body, the Scientific Authority. These two national authorities also assist with CITES enforcement through cooperation with customs, police or other appropriate agencies. Parties maintain trade records that are annually forwarded to CITES, thus enabling the compilation of statistical information on the global volume of international trade in appendix-listed species.

The operational bodies of CITES include the Standing Committee (SC) and the scientific committees: the Plants Committee (PC), the Animals Committee (AC) and the Nomenclature Committee. As scientific and technical support bodies, the role of both the PC and AC is to: undertake periodic reviews of species to ensure appropriate categorization in the CITES appendices; undertake other tasks requested by the COP; advise when certain species are subject to unsustainable trade and recommend action; and draft resolutions on animal and plant matters for consideration by the parties. AC and PC representatives are elected at COP meetings by their respective regional groups, and the number of representatives by region is allocated considering the number of parties within each region and the distribution of biodiversity. The Chair and Vice-Chair are elected by the AC and PC members.

The current PC regional representatives are: David L.N. Hafashimana (Uganda-Africa), Beatrice Khayota (Kenya-Africa), Irawati (Indonesia-Asia), Wichar Thitiprasert (Vice-Chair, Thailand-Asia), Fátima Mereles (Paraguay-Central and South America and the Caribbean), Dora Ingrid Rivera (Costa Rica-Central and South America and the Caribbean), Margarita Clemente (Chair, Spain-Europe), Giuseppe Frenguelli (Italy-Europe), Robert Gabel (US-North America), and Greg Leach (Australia-Oceania).

The current AC regional representatives are: Edson Chidziya (Zimbabwe-Africa), Richard Kiome Bagine (Kenya-Africa), Mohammad Pourkazemi (Iran-Asia), Siti Nuramaliati Prijono (Indonesia-Asia), Mario R. Jolon Morales (Guatemala-Central and South America and the Caribbean), Peter Vogel (Jamaica-Central and South America and the Caribbean), Thomas Althaus

(Chair, Switzerland-Europe), Katalin Rodics (Hungary-Europe), Rodrigo Medellín (Vice-Chair, Mexico-North America), and Rod Hay (New Zealand-Oceania).

**CITES COP-13:** COP-13 met in Bangkok, Thailand, from 2-14 October 2004. Delegates addressed a range of topics, including 50 proposals to amend the CITES appendices, enforcement and administrative matters, and cooperation with the CBD and the UN Food and Agriculture Organization (FAO). Delegates decided to list ramin, agarwood, the great white shark and the humphead wrasse, on Appendix II. The irrawaddy dolphin was up-listed from Appendix II to Appendix I. Regarding the African elephant, Namibia saw its request for an annual ivory quota rejected, but was allowed to proceed with a strictly controlled sale of traditional ivory carvings. Delegates also agreed to an action plan aiming to crack down on unregulated domestic ivory markets. Namibia and South Africa were allowed an annual quota of five black rhinos each for trophy hunting, and Swaziland was also allowed to open up strictly controlled hunting of white rhinos. Other decisions focused on synergies with the FAO and CBD, while enforcement issues received considerable attention.

**CITES STANDING COMMITTEE:** The 53rd meeting of the Standing Committee was held in Geneva, Switzerland, from 27 June-1 July 2005. The SC discussed a number of issues, including: the Rules of Procedure; the Strategic Vision, including the establishment of a Strategic Plan Working Group; agreement in principle on a Memorandum of Understanding between the United Nations Environment Programme (UNEP) and the SC; the review of significant trade (RST); financial matters; and budget. The Secretariat reported on progress on the country-based review of Madagascar and the SC heard reports from country representatives. Other decisions focused on: synergies between CITES and the CBD; cooperation with the Convention on the Conservation of Migratory Species of Wild Animals (CMS); cooperation with the FAO; conservation of and trade in great apes, tigers, African and Asian rhinoceroses; and control of trade in African elephant ivory.

**PC-15:** The 15th meeting of the Plants Committee was held in Geneva, Switzerland, from 17-21 May 2005. The PC discussed a range of topics, including: the implementation of the Strategic Vision until 2007; the review the significant trade in Appendix-II species; appendix annotations to plants, medicinal plants and orchids; bigleaf mahogany; and *Harpagophytum* spp. Several issues, notably bigleaf mahogany, were referred to intersessional working groups, which were charged with presenting their findings at PC-16 for further consideration at COP-14.

**PC-15/AC-21 JOINT SESSION:** A joint session of the AC and PC was held in Geneva, Switzerland, on 20-21 May 2005. The joint session addressed issues of common interest to both committees, including: the Strategic Vision and Plan until 2013; the review of scientific committees and regional communication; the study of production systems for specimens of CITES-listed species; and the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity adopted by the CBD.

**AC-21:** The 21st meeting of the Animals Committee convened in Geneva, Switzerland, from 20-25 May 2005. The AC discussed several issues including: the implementation of the Strategic Vision until 2007 and the establishment of priorities;

the review of trade in animal species included in the appendices; transport of live animals; and trade in sea cucumbers, sharks and great apes. The main task completed was a new RST process for a large number of species. Some of the most contentious issues, such as sharks and transport of live animals, however, were not resolved at this stage and referred to intersessional working groups, which were charged with presenting results at AC-22, where recommendations would be adopted for COP-14.

**PC-16:** The 16th meeting of the Plants Committee was held in Lima, Peru, from 3-8 July 2006. The PC discussed a wide range of topics, including: the RST in Appendix-II species; the periodic review of plant species included in CITES appendices; annotations to plants, medicinal plants and orchids; bigleaf mahogany; and proposals to amend the appendices for tree species. The PC agreed not to subject bigleaf mahogany to an RST at this stage, established an intersessional working group on *Prunus africana*, and discussed a proposal on timber export quotas to be presented at COP-14.

**PC-16/AC-22 JOINT SESSION:** The PC/AC joint session convened on 7-8 July 2006, in Lima, Peru, and addressed a number of issues relevant to both committees, including: the Rules of Procedure; the Strategic Vision and Action Plan until 2013; review of the scientific committees; progress on the country-based RST in Madagascar; review of production systems; the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity (Addis Ababa Principles); and the use of annotations for plants in Appendix II, and animals and plants in Appendix III.

### AC-22 REPORT

The 22nd meeting of the Animals Committee (AC-22) opened on Friday, 7 July 2006, immediately followed by the joint session with the 16th meeting of the Plants Committee. The *Earth Negotiations Bulletin's* summary report of the joint session of AC-22 and PC-16 can be found at <http://www.iisd.ca/vol21/enb2148e.html>

AC Chair Thomas Althaus (Switzerland) welcomed participants, underscoring the role of CITES and its scientific committees in providing guidance to CITES parties. David Morgan, on behalf of CITES Secretary-General Willem Wijnstekers, noted the record attendance at AC-22 and urged participants to turn deliberations into concrete recommendations to be adopted at COP-14. He highlighted the RST as the Convention's most important compliance tool, and wished participants a successful meeting.

AC Chair Althaus presented, and delegates adopted, the current Rules of Procedure (AC22 Doc. 2.1), with PC Chair Clemente noting that amendment of the Rules of Procedure (AC22 Doc. 2.2) is being addressed by the joint PC and AC meeting.

Participants adopted: the AC-22 agenda (AC22 Doc. 3.1 (Rev. 1)); working programme (AC22 Doc. 3.2 (Rev. 1)); and the list of observers (AC22 Doc. 4), without amendment.

On Monday, AC-22 met in plenary and AC Chair Althaus informed participants of two additions to the AC-22 working programme: a presentation on abalone by South Africa; and the establishment of an informal group on sturgeon, chaired

by Mohammad Pourkazemi (Iran), which would meet during the week and report back to plenary with a view to possibly commencing a new cycle of RST for sturgeon at AC-23.

The AC met from Monday to Thursday in plenary and in seven working groups established to address specific agenda items. The working groups were on: RST in Appendix-II species; periodic review of animals included in the appendices; transport of live specimens; periodic review of previously selected species; sea cucumbers; conservation and management of sharks; and fossil corals.

### REGIONAL REPORTS

On Wednesday, the regional reports were presented to the plenary.

**AFRICA:** Richard Kiome Bagine (Kenya), presented the Africa regional report (AC22 Doc. 5.1), noting challenges to increase the level of countries' participation in CITES meetings, and enhance communication, capacity-building activities and access to funding. He highlighted the implementation of species programmes on the Nile crocodile (*Crocodylus niloticus*), African lion (*Panthera leo*) and African elephant (*Loxodonta africana*), and summarized law enforcement activities in various countries.

**ASIA:** Siti Nuramaliat Prijono (Indonesia) presented the Asia regional report (AC22 Doc. 5.2 (Rev. 1), including national and regional CITES events and activities on law enforcement, capacity building and strengthening the scientific basis for implementing the Convention, and carrying out field studies for RST on *Coura amboinensis* (Malaysian box turtle) in Indonesia and *Naja* spp. (cobra) in Thailand.

The Secretariat highlighted a workshop on the management of humphead wrasse and on non-detriment findings held in June 2006 (AC22 Inf. 5 and AC22 Inf. 6).

**CENTRAL AND SOUTH AMERICA AND THE CARIBBEAN:** Mario R. Jolon Morales (Guatemala) presented the region's report (AC22 Doc. 5.3) and described several workshops and training courses that had taken place in the region. Álvaro José Velasco Barbieri (Venezuela), alternate representative for Latin and Central America and the Caribbean, reported on the capacity-building course for scientific authorities in the region, underscoring regular communication.

**EUROPE:** Carlos Ibero (Spain) presented his region's report (AC22 Doc. 5.4), highlighting countries activities on: RST; legislation; training; and identification manuals and checklists. He also noted the international Shark Working Group meeting held in Slimbridge, UK, in April 2006. Underscoring reports of large quantities of illegal caviar confiscated in Europe, the Asia regional representative encouraged inclusion of data on the overall volume of confiscated CITES-listed species and products into regional reports.

**NORTH AMERICA:** Rodrigo Medellín (Mexico) presented his region's report (AC22 Doc. 5.5), highlighting changes in the representation of Scientific Authorities in Canada and the US. He noted a large number of meetings, workshops and training courses held in North America, some with participation of other regions, and encouraged other countries to follow Mexico's example of developing a national directory of CITES experts.

**OCEANIA:** On Wednesday, Rod Hay (New Zealand) presented the Oceania regional report (AC22 Doc. 5.6), highlighting activities on enhancing capacity building, raising awareness and supporting conservation and sustainable use of natural resources. On compliance, he noted work on establishing better liaison with exporting countries.

#### **RST IN SPECIMENS OF APPENDIX-II SPECIES**

##### **REPORT ON PROGRESS IN THE IMPLEMENTATION**

**OF THE SPECIES-BASED RST:** On Monday, the Secretariat presented the report on progress in the implementation of the species-based RST (AC22 Doc. 10.1). He said the SC has decided to withdraw its recommended trade suspension from Indonesia for *Cacatua sulphurea* (sulphur crested cockatoo) as the species was included in Appendix I at COP-13 and on *Ptyas mucosus* (jali snake) as Indonesia agreed to limit its exports of this species.

He also described a project initiated by the AC in 2005 to review recommendations on trade bans that have been in place for two years or longer and, if appropriate, take measures to address the situation, and reported on finalization of an inventory of RST recommendations and follow-up actions developed by TRAFFIC.

On Monday, the Secretariat updated participants on progress in reviewing species selected following COP-11. On *Moschus* spp. (musk deer), he said the SC has noted China's actions to implement the AC's recommendations and has requested China to complete implementation and report to the 54th session of the Standing Committee (SC-54).

**SPECIES SELECTED FOLLOWING COP-12:** On *Testudines* spp. (turtles), he explained that AC Chair Althaus will report to the SC on the information provided by the range States.

On *Acipenseriformes* spp. (sturgeon and paddlefish), for Caspian Sea stocks of *Acipenser gueldenstaedtii* (Russian sturgeon), *A. nudiventris* (ship sturgeon), *A. stellatus* (stellate sturgeon) and *Huso huso* (beluga sturgeon), he said the Secretariat will provide information to SC-54 on compliance with the Paris Agreement (SC45 Doc.12.2), so that SC-54 can consider whether to withdraw its pending recommendation to suspend trade. The Russian Federation reported on improvements in sturgeon stocks.

On *Strombus gigas* (Queen conch), the Secretariat said the SC has decided to recommend a suspension of trade from range States where the Secretariat, in consultation with the AC Chair, had not been able to verify that they had implemented the recommendations. He noted that, by January 2006, 15 countries had complied, with the exception of Grenada. The US highlighted the positive effects of the RST process on Queen conch populations, with AC Chair Althaus commenting this is a model RST case.

On Monday, IUCN summarized the preliminary categorizations proposed for the species selected following COP-12 (AC22 Doc. 10.2 and annexes). AC Chair Althaus established a working group on RST, which he chaired.

The RST working group met on Tuesday and Thursday, with a drafting group on *Psittacus erithacus* (grey parrot) and *Poicephalus senegalus* (Senegal parrot) meeting over the course of the two days. A sub-group on *Hippopus hippopus* (bear

paw), *Hippopus porcellanus* (China clam), and *Tridacna* spp. (giant clams) was also established, chaired by Choo-Hoo Giam (Singapore).

The working group: reviewed the IUCN reports and responses received from range States on the species; assessed the categorizations, decided which countries can be deleted from the review, where they are of "least concern" (species for which available information indicates the Convention's Article IV (Regulation of Trade in Specimens of Species included in Appendix II) is being met), and which can remain; and formulated recommendations for those of "possible concern" (species for which it is not clear whether the Convention's Article IV is being met), or "urgent concern" (species for which available information indicates the Convention's Article IV is not being implemented). They agreed on recommendations and a draft decision for COP-14, after the following discussions.

*Psittacus erithacus* (grey parrot): IUCN proposed categorizations for the species from 20 African range States, including: Cameroon, Côte d'Ivoire, Guinea, Liberia, and Sierra Leone as "urgent concern"; Republic of Congo (Congo), the Democratic Republic of Congo (DRC), and Equatorial Guinea, as "possible concern"; and the remainder as "least concern."

Participants highlighted the challenges of addressing trade in a region where the species is threatened throughout its range but is not traded heavily in all range States, with some participants suggesting that imposing a zero quota on one range State may encourage movement of the trade to a neighboring one. The working group also debated: recommending zero quotas for range States categorized as "urgent concern"; the need for a regional approach; and the use of Resolution Conf. 12.8 (Rev. COP13) paragraph (1) (review of information and confirming of categorization) in addressing illegal export of the species, significant discrepancies between exports and imports, and claims of significant captive breeding in some range States.

On Thursday, the working group agreed to recommend: retaining the listing proposed by IUCN; specifying time-bound moratoriums, reduced export quotas and information requirements; and developing national and regional management plans. The recommendation was approved by the AC on Thursday.

*Poicephalus senegalus* (Senegal parrot): IUCN proposed categorizations for the species from 17 West and Central African range States, as "possible concern"; or as "least concern". On Tuesday, the working group reviewed these categorizations, and debated whether to list the species from Guinea, Liberia, Mali, and Senegal as "urgent concern." AC Chair Althaus pointed out that this species is more abundant than the grey parrot and the working group agreed that it should be categorized as "possible concern." On Thursday, the AC approved the recommendation with these amendments.

*Gracula religiosa* (common hill myna): IUCN proposed categorizing the species from Malaysia as "possible concern" and from nine other range States as "least concern." On Tuesday, participants noted substantial exports of *G. religiosa* from Malaysia, that no response had been received from its Management Authority, and discussed whether to request the Secretariat to monitor quotas. On Thursday, the working group agreed to retain IUCN's categorizations, and, on Malaysia, to

recommend a cautious annual quota within six months, and ask the Management Authority to report to the Secretariat on the species' status. Species Survival Network and the Netherlands urged requesting information on the non-detriment findings and the AC approved the recommendation as amended on Thursday.

*Callagur borneoensis* (painted batagur): IUCN proposed categorizing this species from Brunei, Thailand and Malaysia as "least concern." On Tuesday, the working group agreed to retain IUCN's listing, but noted that, for populations from Malaysia, the situation would merit review if trade is resumed. On Thursday, the AC approved the recommendation.

*Phelsuma dubia* (bright-eyed gecko): IUCN proposed categorizing the species from France, Kenya, Madagascar, Mozambique and Tanzania as "least concern." On Tuesday, noting the report's findings that Tanzania is exceeding export quotas for *P. dubia*, the working group recommended requesting further information on the basis of Tanzania's non-detriment findings. Noting concerns on trade in the species from Comoros, IUCN explained that Comoros was not included in its review and the working group recommended requesting the Secretariat to investigate the high levels of trade in this species. The AC approved the recommendation on Thursday.

*Phelsuma v-nigra* (Boettger's day gecko) and *Phelsuma comorensis* (Comoros day gecko): IUCN proposed categorizing these species from Comoros and France as "least concern." The working group recommended raising the categorization of both species from Comoros to "possible concern" and to request further information on how non-detriment findings are being carried out. On Thursday, the working group agreed to this categorization and to recommend a cautious annual quota for trade from Comoros within six months, and requiring the Management Authority within 18 months to conduct a status assessment, implement a population management programme, and establish a cautious annual quota. The recommendation was approved by the AC.

*Uromastix acanthinura* (bell's dabb lizard): IUCN proposed categorizing the species from Algeria and Libya as "least concern." On Tuesday, the working group agreed to IUCN's listing and noted concerns about trade in the species from Mali and Sudan, which are not in the RST. Participants recommended the Secretariat contact Mali and Sudan, as non-parties to the Convention, for further information. On Thursday, the AC approved the recommendation.

*Uromastix bentii* (Bent's spiny-tailed lizard): IUCN proposed categorizing the species from Oman, Saudi Arabia and Yemen as "least concern." On Tuesday, the working group agreed to IUCN's listing and, on Thursday, the AC approved the recommendation.

*Uromastix dispar* (Sudan uromastix): IUCN proposed categorizing the species from Mali as "possible concern" and, on Tuesday, the working group agreed to the listing and recommended requesting a status assessment on populations from Mali. On Thursday, the working group discussed recommending requiring the Management Authority within 18 months to conduct a status assessment, implement a population management programme, and establish a cautious annual quota. The recommendation was approved by the AC.

*Uromastix geyri* (Geyr's dabb lizard): IUCN proposed categorizing the species from Mali and Niger as "possible concern." On Tuesday in the working group, participants noted the need to clarify if captive breeding of the species is taking place in Niger. On Thursday, the AC approved the recommendation.

*Uromastix ocellata* (eyed dabb lizard): IUCN proposed categorizing the species from the range States reviewed as "least concern." On Tuesday, the working group agreed to the categorization and the AC approved the recommendation on Thursday.

*Furcifer cephalolepis* (Comoro islands chameleon): IUCN proposed categorizing the species from Comoros as "least concern." On Tuesday, the working group agreed to the categorization, acknowledging the more urgent need to obtain information on the *Phelsuma* spp. On Thursday, Israel, supported by the David Shepherd Foundation/International Fund for Animal Welfare (IFAW), suggested listing the species as "least concern" would "send a mixed message" to Comoros which, as a new party to the Convention that is exceeding its quotas, may need assistance. AC Chair Althaus said guidance can be given by the Secretariat in general remarks to Comoros and the working group agreed to retain the listing, which the AC approved on Thursday.

*Hippopus* spp. and *Tridacna* spp.: On Tuesday, Choo-Hoo Giam reported to the RST working group that the sub-working group on these species was finalizing recommendations for range States categorized as "urgent concern" and those categorized as "possible concern," as well as a generic recommendation for all range States. On Thursday, the working group agreed to the recommendations for, *inter alia*, new categorizations and time-bound cautious export quotas with management plans. The Oceania representative noted a concern about the capacity of range States such as Tonga to respond to the recommendation and participants agreed to postpone the deadlines and categorize Tonga as "least concern." The AC approved the recommendation, as amended.

**Recommendation:** In its recommendation to the COP, the AC agrees to the following final categorizations for species selected following COP-12, including recommendations to be implemented within a six-month, one-year, 18-month and two-year time frame (AC22 WG1 Doc. 1 (Rev.1)) including:

- *Psittacus erithacus*: urgent concern for the species from Cameroon, Côte d'Ivoire, Guinea, Liberia, and Sierra Leone and possible concern from Congo, DRC, and Equatorial Guinea;
- *Poicephalus senegalus*: possible concern for the species from Guinea, Liberia, Mali, and Senegal;
- *Gracula religiosa*: possible concern for the species from Malaysia;
- *Phelsuma v-nigra* and *Phelsuma comorensis*: possible concern for the species from Comoros;
- *Uromastix dispar*: possible concern for the species from Mali;
- *Uromastix geyri*: possible concern for the species from Mali and Niger.

For *Psittacus erithacus* the recommendations are, *inter alia*, to:

- for the species from Cameroon and Côte d'Ivoire, institute a moratorium on exports effective 1 January 2007; within one year develop a scientifically-based survey and a national management plan; and within two years establish a quota upon their completion;
- for species from Congo and DRC, establish an annual export quota of 4,000 specimens effective 1 January 2007; with a scientifically-based survey and a national management plan in one year; and revision of the quota within two years if these are not completed;
- for species from Equatorial Guinea, within six months provide information on non-detriment findings and the legal status of the species, and within one year develop a scientifically-based survey and a national management plan; and
- for the Secretariat to address ongoing illegal export of the species, discrepancies between export and import data, and large-scale trade in specimens claimed to be captive-bred.

The AC further recommends a draft decision for adoption at COP-14 providing for development of regional management plans for the conservation and trade in *P. erithacus*.

The AC agreed to the following categorizations for *Hippopus* spp. and *Tridacnidae* spp.:

- possible concern for all reviewed species from Fiji;
- possible concern for *T. maxima* from Madagascar;
- possible concern for *T. gigas*, *T. maxima*, and *T. squamosa* from the Marshall Islands;
- possible concern for *T. gigas*, and *T. maxima* from Micronesia;
- possible concern for *T. derasa* and *T. gigas* from Palau;
- possible concern for *T. gigas* from Papua New Guinea;
- possible concern for *H. hippopus*, *T. crocea*, *T. maxima* and *T. squamosa* from New Caledonia;
- possible concern for *H. hippopus*, *T. crocea*, *T. gigas* and *T. squamosa* from Tonga, and for other spp., urgent concern;
- possible concern for *H. hippopus*, *T. crocea*, *T. derasa* and *T. maxima* from Vanuatu, and for *T. gigas*, urgent concern;
- possible concern for *T. maxima* from Vietnam, and urgent concern for *T. crocea*, *T. gigas*, and *T. squamosa*; and
- possible concern for *T. maxima* from Mozambique.

The AC's recommendations for *Tridacnidae* spp. and *Hippopus* spp. include: establishment of cautious export quotas within 90 days for species of urgent concern, and six months for species of possible concern, pending the adoption of a clam fisheries management plan within 18 months for species of urgent concern, and two years for those of possible concern; clarification from Fiji and Tonga of the status of the species; standardization of CITES permits; establishment of appropriate conversion factors; and collaboration in regional management approaches. The AC directs all range States not to accept permits for *Tridacnidae* spp. that are not identified at the species level, requests the Secretariat to enable a regional workshop with the FAO; and notes those countries excluded from the review for which it cannot be determined whether trade is being undertaken within Article IV of the Convention (Regulation of Trade in Specimens of Species included in Appendix II).

**SPECIES SELECTED FOLLOWING COP-13:** On Monday, the Secretariat presented the three species selected by AC following COP-13 (AC22 Doc. 10.3 and annexes), namely: *Monodon monoceros* (narwhal) from Canada and Greenland,

*Testudo graeca* (Greek tortoise) from Lebanon and *Mantella* spp. from Madagascar. He noted Lebanon did not respond to comments. He said that the AC will review this document to decide whether species are to be eliminated from, or included, in the RST.

Denmark summarized Greenland's response on *M. monoceros* regarding non-detriment findings and a new quota system, noting Greenland should be eliminated from an RST. Canada provided information on international trade in *M. monoceros*.

The David Shepherd Wildlife Foundation/IFAW and other non-governmental organizations expressed concern about IUCN's preliminary categorization of species, noting that some conclusions were reached without availability of data on non-detriment findings and populations. IUCN underscored that the categorization of species is based on available information and best judgment. AC Chair Althaus said these three species will be reviewed in the RST working group. The US encouraged the working group to consider categorizations, focusing on range States' ability to implement CITES Article IV and to elaborate non-detriment findings.

On Tuesday, the working group considered the responses from Canada and Greenland on narwhal. Canada noted that the Inuit primarily harvest narwhal for cultural reasons and for food and that its international trade is low. Denmark reiterated that Greenland has a self-imposed ban. The working group agreed to end the review process for both range States and to note that the AC may take up the review again should Greenland reopen trade in narwhal products.

On *Testudo graeca* (Greek turtle), from Lebanon, which is not a party to CITES, the Secretariat clarified that Resolution Conf. 12.8 (Rev. COP13) does not distinguish between parties and non-parties on requesting information on species. The working group agreed to retain species from Lebanon within the review and report to AC-23.

On Madagascar populations of *Mantella* spp., Conservation International, supported by Pro Wildlife, recommended requesting further information on survey data, non-detriment findings and quotas. On Thursday, the working group considered whether to allow Madagascar further time to respond given it had been subject to the country-based RST and its representative had not been able to report to AC-22, but expressed reluctance to setting a precedent.

On Thursday morning, the working group agreed, and the AC approved, the recommendation on these species.

**Recommendation:** The AC recommends (AC22 WG1 Doc. 1 (Rev.1):

- eliminating *Monodon monoceros* from Canada and Greenland from the RST, noting that the AC may select the species for review should trade from Greenland resume;
- not to eliminate *Testudo graeca* from Lebanon from the review; and
- not to eliminate *Mantella* spp. from Madagascar from the review pending further information.

#### PERIODIC REVIEW OF ANIMAL SPECIES

**SELECTION OF SPECIES:** On the periodic review of animal species (AC22 Doc. 11.1), AC Chair Althaus urged participants to come up with a list of species to be reviewed. UNEP-World Conservation Monitoring Center (WCMC)

presented its report, explaining it reviewed the listed species of Amphibia and species of another taxon of similar-sized representation, with Galliformes being chosen. She stressed only trade data on the relevant species had been analyzed. Several participants expressed concern about the report's recommendations. Humane Society International, on behalf of the Species Survival Network, said that a comparison of the Appendix I and II-listed species checked against the IUCN Red List of Threatened Species shows that UNEP-WCMC recommends transferring, *inter alia*, eight critically endangered species to Appendix II. AC Chair Althaus established a working group to finalize the list of species for periodic review.

On Tuesday, the working group agreed to select several Amphibia and Galliformes species for review. However, the group was unable to agree on including *Andrias davidavanus* (Chinese giant salamander) and *Tragopan melanocephalus* (western tragopan) in the periodic review. Iceland proposed to include the central stock of the North Atlantic fin whales in the review and the working group decided to forward the issue to plenary.

On Wednesday, Velasco Barbieri (Venezuela), Central and South America and the Caribbean representative, presented the results of the group's work (AC22 WG2 Doc.1), noting no consensus was reached for *A. davidavanus* and *T. melanocephalus* because IUCN's report categorized them as critically endangered while some participants opposed their review. After the ensuing discussion, China volunteered to review *A. davidavanus*, and the AC agreed to include both species in the review.

The Central and South America and the Caribbean representative, Canada and Japan, opposed by Germany and Israel, supported Iceland's proposal to include the central stock of North Atlantic fin whales in the periodic review. The AC decided to include the species for review by way of a vote. In the afternoon, Europe and the Central and South America and the Caribbean representatives requested reopening the issue. Spain stressed that the inclusion of this species is contrary to the scientific criteria developed over the years by the AC, and opens the door for arbitrary inclusion of species in the periodic review upon parties' requests.

After referring to the AC and COP Rules of Procedure, AC Chair Althaus reopened the voting on the issue. With four members voting in favor, two against and three abstentions, the central stock of the North Atlantic fin whale was included in the periodic review.

**Recommendation:** The AC agreed (AC22 WG2 Doc. 1) to, *inter alia*: include *A. davidavanus*, *T. melanocephalus* and the central stock of North Atlantic fin whales on the list of 31 species for periodic review; refer *Lophura imperialis* (imperial pheasant) to the Nomenclature Committee; and accepted the recommendations suggested by the PC for an amended and simplified version of the "Periodic Review of the Appendices."

**REVIEW OF FELIDAE SPP.:** The US reported on the ongoing review of *Lynx* spp. (AC22 Doc. 11.1), noting responses received from nearly half of all range States. He said reviews of some species, such as the bobcat (*Lynx rufus*), will be completed by COP-14. India and Mexico highlighted national

activities on *Lynx* spp. The Asia representative underscored the need to analyze range States' responses and their assessment methodologies. The AC noted the report.

### PERIODIC REVIEW OF PREVIOUSLY SELECTED SPECIES

On Monday, the Secretariat introduced the periodic review of previously selected species (AC22 11.3 (Rev.1)), noting that 13 species remained to be reviewed after AC-21, and highlighted recently completed reviews by Spain, the US and Mexico. The South and Central America and the Caribbean representative reported Brazil's intention to complete the review of *Callithrix jacchus* (common marmoset), and Argentina noted it may review two species assigned to it.

On *Hirudo medicinalis* (medicinal leech), Spain briefed the AC on the review of the species, noting increasing demand linked to its use in cosmetic and reconstructive surgery, and recommended keeping the species in Appendix II.

On *Ornithoptera alexandrae* (Queen Alexandra's birdwing), Spain presented the results of its review of this species, the world's largest butterfly endemic to Papua New Guinea. He said the species is listed in Appendix I, classed as Endangered on the IUCN Red List, and protected by national legislation in its only range State.

He proposed downlisting *O. alexandrae* from Appendix I to Appendix II, arguing that: its current listing creates an element of rarity, which triggers illegal trade; market demand may be best served by specimens raised in controlled conditions such as ranching programmes; and allowing controlled trade may help reverse habitat degradation and promote scientific research. He noted the range State's support for transferring the species to Appendix II.

Noting that *O. alexandrae* is an interesting case of a potential increase in conservation benefits following downlisting of an Appendix I species, the Oceania representative supported development of a proposal for COP-14. Humane Society International, opposed by Species Management Specialists, cautioned against downlisting *O. alexandrae*, pointing out lack of information on the extent of illegal trade and adaptability of the species to ranching.

On *Caloenas nicobarica* (Nicobar pigeon), the US presented the outcomes of its review of the species, noting that although all range States that have responded have protective legislation in place, the effects of downlisting the species are still unclear.

On *Agapornis fischeri* (Fischer's lovebird), the US noted that despite lack of range State responses, nearly all exports of the species appear to be captive-bred specimens, and highlighted potential problems of species identification from similar birds if the species is removed from Appendix II. The Europe representative noted that the continuing trade suspension from Tanzania, dating back to 1993, results in fewer birds being traded, and the Secretariat noted ongoing collaboration with this country on the implementation of the *A. fischeri* listing. Species Survival Network opposed removal of the species from the CITES appendices. The Central and South America and the Caribbean representative expressed concern over alleged reports of imports of *A. fischeri* from Tanzania to the US despite

the trade ban, and the US said its Wild Bird Conservation Act prohibits imports of any wild CITES-listed bird species, with the only exemption being pet birds.

On *Ambystoma mexicanum* (Mexican salamander) and *Dermatemys mawii* (Central American river turtle), Mexico summarized the review of their status, noting that the principal threat is loss of habitat rather than international trade. He suggested keeping both species in Appendix II.

AC Chair Althaus established a working group, chaired by Velasco Barbieri, to discuss the documents (AC22 Doc. 11.2 and 11.3).

On Wednesday, the AC agreed to the working group's suggestions to, *inter alia*: maintain *H. medicinalis*, *A. fischeri* and the Central American river turtle in Appendix II; maintain *C. nicobarica* in Appendix I; maintain zero export quota for *Ambystoma mexicanum* and ask range States to assess the possibility of downlisting it from Appendix II to Appendix III; and recommend to Spain and Papua New Guinea to work together on *O. alexandreae*.

The AC also agreed to the offer of Spain and Argentina to review *Rhea Americana* (greater rhea); the reconfirmed offer of Brazil to review *C. jacchus* (common marmoset), and to ask the Secretariat to invite all parties to volunteer for conducting one or more of the outstanding reviews.

#### **REVIEW OF GLOBAL CROCODILE RANCHING PROGRAMMES**

On Friday in the PC/AC joint session, AC Chair Althaus, on behalf of Switzerland, presented the outcome of the review by the IUCN/Species Survival Commission (SSC) Crocodile Specialist Group (CSG) of global crocodile ranching programmes (AC22/PC16 Doc. 12.2).

On Thursday, AC Chair Althaus noted that the report goes beyond crocodile ranching, including *in situ* and *ex situ* production and conservation. The IUCN/SSC Crocodile Specialist Group (CSG) outlined the review and noted the need for legal initiatives to prevent illegal trade and monitoring species' population to assess the trade impact on its number and structure. He summarized the activities that should be mandatory requirements for parties operating a ranch and suggested amending Resolution Conf. 11.16 (Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II) to reflect the survey's outcomes, reducing the level of mandatory information that should be provided by parties that benefit from the transfer of species from Appendix I to Appendix II. AC Chair Althaus noted the AC is not ready to assess such a suggestion, and IUCN/SSC CSG proposed the AC regional representatives, the Secretariat, IUCN/SSC CSG and AC Chair Althaus collaborate in preparing a document for COP-14. Pointing out that Resolution Conf. 11.6 is applicable not only to crocodile ranching, but to all species that are being downlisted, the US noted the paper should also determine whether or not the system would work for other species. The CSG said he will take such comments into account. The AC agreed.

#### **TRANSPORT OF LIVE ANIMALS**

As requested by the joint meeting of the PC and AC, on Monday, AC Chair Althaus established a working group, chaired by Peter Linhart (Austria), to discuss the review of Resolution

Conf. 10.21 on the transport of live animals (AC22 Doc. 15.1) and recommendations regarding transport of live animals to supplement, where necessary, the International Air Transport Association (IATA) Live Animals Regulations (AC22 Doc. 15.2).

On Tuesday, the working group discussed relevant recommendations on the issues raised in Decision 13.88 (Transport of live specimens); drafted a report for presentation to AC-22 and COP-14; and provided suggestions on how to progress this work beyond COP-14, if advisable or necessary.

On Wednesday, the AC adopted the working group's recommendations. Humane Society International and Care for the Wild urged retaining the initial proposal to establish an intersessional working group on transport, but AC Chair Althaus noted that such a group can be established *de facto* and serve its purpose, similar to the sea cucumbers and shark working groups.

**Recommendation:** The AC recommends (AC22 WG4 Doc. 1) that the World Organization for Animal Health (OIE) Guidelines for the Transport of Animals by Sea, the OIE Guidelines for the Transport of Animals by Land published in the Terrestrial Animal Health Code, and the IATA Live Animals Regulations for transport other than air for use replace the CITES transport guidelines.

The AC also decided to:

- participate in the OIE Terrestrial Animal Health Standards Commission and in the ongoing review of the OIE guidelines;
- work with OIE to revise the OIE animal welfare website to act as a portal providing links to relevant organizations and more information on animal transport;
- examine new or additional references for live animals transport to be included in the COP decision; and
- request parties to report on their national legislation for live animals transport.

#### **SEA CUCUMBERS**

On Monday, Verónica Toral-Granda, Charles Darwin Foundation, presented the paper on the biological and trade status of sea cucumbers in the families *Holothuriidae* and *Stichopodidae* (AC22 Doc. 16 and annex), and outlined their biological trends, production methods and volumes, utilization, trade, and management and conservation strategies.

The South and Central America and the Caribbean representative pointed out discrepancies in the trade statistics provided. The Asia representative suggested considering: population monitoring in addition to trade and harvest data; species identification for dried or processed specimens; differentiation between aquaculture and wild specimens; and management plans.

A working group, chaired by Siti Nuramaliat Prijono (Indonesia), was established.

On Tuesday, the working group discussed actions needed to secure the sea cucumbers' conservation, considering the precautionary approach, a workshop on the issue, and capacity-building initiatives. FAO noted its project to prepare sea cucumbers identification guidelines, analyze the available information on trade, localize hotspot areas and develop guidelines for the sustainable use of sea cucumbers by 2008.

On Wednesday, Prijono outlined the group's recommendations, which were adopted by the AC with minor amendments.

**Recommendation:** The AC recommendations (AC22 WG5 Doc. 1) include:

- encouraging range States to produce adaptive management plans for species of high conservation concern and consider including these species in Appendix III;
- promoting regional management strategies to manage sea cucumbers;
- developing a standardized approach to collection and reporting of fisheries and trade data, harmonized codes for reporting international trade in sea cucumber products, and sea cucumber identification guides;
- exploring the potential of mariculture in promoting the sustainable use of the resource;
- encouraging range States to consider the merits of including their species of conservation concern in Appendix III; and
- promoting better cooperation between CITES and FAO, in particular on capacity building.

The AC further agrees to finalize the report (AC22 Doc. 16) and recommendations by November 2006; evaluate the outcomes of the FAO Workshop on Sustainable Use and Management of Sea Cucumbers fisheries in late 2007; and recommend appropriate follow-up actions.

#### **CONSERVATION AND MANAGEMENT OF SHARKS REPORT OF THE INTERSESSIONAL WORKING**

**GROUP:** On Monday, the Secretariat introduced the report of the intersessional Shark Working Group (SWG) (AC22 Doc. 17.1), noting progress since AC-21, in particular the SWG meeting held in Slimbridge, UK in April 2006.

SWG Chair Rod Hay (New Zealand) presented the outcomes of the SWG meeting. On implementation of CITES shark listings (AC22 Doc. 17.2), he highlighted: progress in development of identification guides; the need for commodity codes and guidelines for making non-detriment findings for fish species; legal and institutional issues pertaining to marine conservation; and an increasing dialogue between CITES, FAO and regional fisheries bodies.

On trade-related threats to sharks (AC22 Doc. 17.3), SWG Chair Hay noted the 20 percent discrepancy between export and import statistics globally, and that 20 States or entities contribute 80 percent of reported global shark catch. He stressed the need for better knowledge of catch data, impacts of trade versus other sources of mortality, and comparison of import/export data. He also noted the SWG has prepared a list of shark and ray species affected by trade (AC22 Doc. 17.4).

AC Chair Althaus established a working group, chaired by Rod Hay, which agreed on several draft recommendations on Tuesday.

#### **Implementation of shark listings on CITES appendices:**

On Tuesday, the working group reviewed the SWG report on the implementation of shark listings on CITES appendices (AC22 Doc. 17.2). Chair Hay highlighted: limited international trade with only 12 international trade records documented; the challenge of implementing non-detriment findings; and the need for the development of identification tools and customs codes for sharks.

Singapore and China said the report does not adequately reflect discussions at the SWG meeting, and noted their reservations to some parts of the SWG documents. The

Netherlands enquired about the involvement of the World Customs Organization in the development of customs codes. Earthtrust noted that limited reporting on the international trade in CITES-listed sharks does not necessarily mean limited trade overall.

**Trade-related threats to sharks:** The working group also discussed trade-related threats to sharks (AC22 Doc. 17.3), with Singapore cautioning against portraying the fin trade as the main cause of the decline of shark populations, the Ornamental Aquatic Trade Association stressing the need to base reports on credible information sources, and Germany urging a balanced presentation of information.

**Key shark and ray species affected by trade:** The working group also reviewed the list of key shark and ray species for consideration and possible listing (AC22 Doc. 17.4). Participants commented on Germany's proposals for listing the spiny dogfish shark (*Squalus acanthias*) and porbeagle shark (*Lamna nasus*) on Appendix II (AC22 Doc. 21.2), encouraging consideration of species identification and regional management issues.

On freshwater stingrays (Family *Potamotrygonidae*), Ornamental Fish International reported trade data on stingray exports from Peru and captive breeding programmes in Southeast Asia, noting that listing of species in Appendix II may lead to loss of livelihoods and increased market benefits for captive breeders. The working group proposed organizing a workshop for key range States to examine the status of and trade in freshwater stingrays and develop a cooperative strategy for monitoring trade in South America and other areas, taking into account captive breeding.

The US reported ongoing consultations on its proposal on sawfishes (Family *Pristidae*), and the working group agreed to encourage parties to consider listing sawfishes on appropriate appendices.

On gulper sharks (genus *Centrophorus*), requiem sharks, leopard sharks (*Triakis semifasciata*), *Galeorhinus galeus* (school, tope or soupfin shark), devil rays (Family *Mobulidae*) and guitarfishes (Order *Rhinobatiformes*), the working group agreed to request parties to report to the AC on their status and trade, with a view to making trade-relevant recommendations, and to seek management advice and adopt sustainable management practices to ensure sustainable trade in these species.

The working group also agreed, *inter alia*, to: recommend establishment of a joint AC/FAO working programme on shark management and conservation; request information from parties on existing customs codes for sharks and case studies on the implementation of non-detriment findings; encourage cooperation between Scientific Authorities and fisheries management bodies in implementing non-detriment findings; and note the difficulty of implementing CITES for commercially harvested marine species.

On Wednesday, Chair Hay presented the recommendations of the working group. The Asia alternate representative Choo-Hoo Giam (Singapore) underscored the difficulty of implementing non-detriment findings for commercially traded marine species. He noted that Australia is unable to make such findings for the Appendix II-listed great white shark. He also pointed out that New Zealand has exported basking shark fins

without prior non-detriment findings, and enquired whether this consignment would be returned to the exporting country. New Zealand responded that it will not be returned since the export was not illegal. Species Management Specialists cautioned against adopting recommendations with significant budgetary implications concerning non-CITES-listed species. AC Chair Althaus noted budgetary priorities are determined by the COP, and the AC adopted the recommendation.

**Recommendation:** The AC recommends (AC22 WG6 Doc. 1) to parties, especially major shark fishing and trading States, to:

- consider the challenges of implementing non-detriment findings for commercially traded marine species, and enforcement-related difficulties when making listing proposals;
- improve species-specific monitoring and reporting of catch, bycatch, discards, market and international trade data; and
- collaborate with FAO to review or develop a five-year implementation programme for the International Plan of Action on Sharks.

The AC recommends to the Secretariat, *inter alia*, to:

- request case studies on the development of non-detriment findings, identification tools and manuals for marine fish/shark species, with a view to contributing to the non-detriment findings workshop proposed by Mexico for 2007;
- prepare an analysis of the catches, production, markets, catch reporting arrangements, trade codes for shark products, and export and import data for major shark fishing and trading parties, subject to funding availability;
- under the Memorandum of Understanding with FAO, develop and implement a joint working programme covering the areas of law enforcement, fisheries management, implementation of non-detriment findings, research, and capacity building.

The AC further recommends to both parties and the Secretariat to promote and adopt a standardized set of commodity codes for shark products from both CITES-listed and non-listed species.

The document also contains species-specific recommendations for: freshwater stingrays; leopard shark; gulper sharks; school, tope or soupfin shark; requiem sharks; guitarfishes; sawfishes; and devil rays.

#### **CONSERVATION OF AND TRADE IN GREAT APES**

On Wednesday, the Secretariat reported on activities on the conservation of and trade in great apes (AC22 Doc. 18) since SC-53. He highlighted participation at the First Intergovernmental Meeting on Great Apes and the First Council Meeting of the Great Apes Survival Project (GRASP), held in Kinshasa, DRC, in September 2005, noting that CITES was asked to represent biodiversity-related multilateral environmental agreements on the GRASP Executive Committee. He also briefed participants on the CITES technical mission to Southeast Asia to examine illegal trade in orangutans in May-June 2006, and on the establishment of the CITES Great Apes Enforcement Task Force, which is planning its first meeting in Nairobi, Kenya, in October-November 2006. He said the full report will be presented at SC-54.

IATA reported on a notification sent to its members sensitizing them to the international trade in great apes, and the AC adopted the report.

#### **FOSSIL CORALS**

The Secretariat introduced the report on fossil corals (AC 22 Doc. 19), explaining that COP-13 had directed parties to determine how they interpret the annotation exempting fossil corals from the provisions of the Convention and provide this interpretation to the Secretariat. Noting the protracted debate on this issue, he said that information has now been received from China, Mexico, Switzerland, the US and the European Community (EC). The UK suggested that given various interpretations by parties, the solution would be to make minor clarifying amendments to Resolution Conf. 11.10 (Rev. COP12) (Trade in stony corals), with the Oceania representative noting that the interpretations could be reconciled. Following discussion, a working group, chaired by Vincent Fleming (UK), was established.

On Wednesday, Fleming explained that the group had agreed that consensus on the annotation is unlikely and, therefore, the Secretariat should summarize and make available parties' responses on their interpretation of the annotation. He noted the working group had further concluded that while some minor improvements could be made to Resolution Conf 11.10 (Rev. COP12), these may reopen debate on this topic. The Oceania representative noted that the EC's interpretation of the annotation is likely to be adopted by the parties in his region.

**Recommendation:** The AC recommends (AC22 WG7 Doc. 1) that the Secretariat summarize parties' responses on their interpretation of the annotation and make these available to the parties and those involved in trade in corals through a notification and the CITES website.

#### **ACIPENSERIFORMES SPP.**

On Wednesday, the Secretariat presented an oral report on the evaluation of the implementation of the regional conservation strategy and monitoring regimes for stocks of *Acipenseriformes* spp. (sturgeon and paddlefish) shared between different range States, noting that the formal report will be submitted to SC-54. He highlighted ongoing work in the framework of three-year cycles commencing in 2006, including potential cooperation with the FAO. AC Chair Althaus proposed, and the AC agreed, to designate the Asia representative as the AC's information focal point on *Acipenseriformes* spp.

The EC reported on the International Illegal Caviar Trade Enforcement Workshop, held in Brussels, Belgium in June 2006. He said the workshop, *inter alia*, agreed on: a holistic approach to sturgeon conservation; improved control, enforcement and monitoring of the caviar trade; better tracing and recording of legal trade; and highlighted the need to avoid prohibition of the legal trade so as not to encourage illegal trade. The Asia representative encouraged holding regional workshops, and noted that discussions on monitoring regimes fall within the AC mandate.

#### **ADVICE AND GUIDANCE ON PROPOSALS TO AMEND THE APPENDICES**

**PROPOSALS TO AMEND THE APPENDICES FOR POSSIBLE CONSIDERATION AT COP14: Sharks:** On Monday, AC Chair Althaus referred discussions on the two proposals by Germany on the spiny dogfish shark (*Squalus*

*acanthias*) and the porbeagle shark (*Lamna nasus*) (AC22 Doc. 21.2 Annexes 1, 2 and 3) to the working group on management and conservation of sharks.

On Wednesday, Germany noted feedback received on its two proposals, and encouraged further bilateral communication with interested parties. The South and Central America and the Caribbean representative reported Cuba's comments on the draft proposal, stating that conservation and sustainable management of these species may be better achieved in the FAO framework as opposed to a CITES listing.

**Black caiman:** On Thursday, the South and Central America and the Caribbean representative presented a proposal by Brazil on the transfer of its population of *Melanosuchus niger* (black caiman) from Appendix I to Appendix II (AC22 Doc. 21.2 Annex 4). He explained the species is abundant and widely distributed in its range and that there is an efficient monitoring system in place to achieve conservation goals and that harvesting is restricted to sustainable development reserves for use by communities within these reserves. Brazil noted black caiman populations are found far from borders, reducing the risk of illegal trade from neighboring countries. The alternate Asia representative, Spain, and Peru supported the proposal, but requested clarification on, *inter alia*, sampling and tracking methodology, with Spain considering it is a good example of CITES and CBD synergy.

The AC took note of these proposals.

#### **PROCEDURE FOR APPROVAL OF EXTERNALLY FUNDED PROJECTS**

On Thursday, the Secretariat noted the process for approval of externally funded projects (AC22 Doc. 22), explaining that the Secretariat reviews the species-related project proposals and, after consultations with the scientific committees, approves and prioritizes projects for which funds need to be raised. The AC took note of the information presented in this document.

#### **PROGRESS FROM THE CO-CHAIR OF THE NOMENCLATURE COMMITTEE**

Co-Chair Ute Grimm (Germany) reported on a number of updated references to be submitted by the Nomenclature Committee for adoption at COP-14, including: checklists of the world's birds, *Brachypelma*, amphibians, *Cordylus* and mammals. She noted that IUCN will review the draft checklist of turtle and tortoise species of the world for submission to COP-14. She also stressed that all references compiled on behalf of the Nomenclature Committee will be submitted on the condition that they should be generally updated at every second COP and made available to the public via the CITES website.

She further reported on the rearrangement of the standard references for animal species listed in Resolution 12.11 (Rev. CoP13) accessible on the CITES website, and a questionnaire on taxonomic databases used by Scientific Authorities in order to assist them in the issuance of CITES permits. The AC noted the report.

#### **PROGRESS ON THE IDENTIFICATION MANUAL**

On Thursday, the Secretariat reported on the progress in the development of the identification manual (AC22 Doc. 24), noting new identification sheets produced since AC-21 on freshwater turtles, amphibians and birds. The AC noted the report.

#### **PREPARATION OF THE CHAIR'S REPORT FOR COP-14**

On Thursday, AC Chair Althaus briefed participants on the Chair's report for COP-14, noting that some issues, such as sharks and sea cucumbers, may be incorporated into other documents and, therefore, will not be presented as part of the report.

#### **OTHER MATTERS**

**ACIPENSERIFORMES SPP.:** On Monday, the Asia representative called for establishment of a formal working group to consider *Acipenseriformes* spp., and the possible amendment of Conf 12.7 (Rev. COP13) on the conservation of sturgeon and paddlefish. Noting no formal documents have been received on the issue, AC Chair Althaus said it should be considered in an informal working group. Following the Oceania representative's question on the status of an informal working group's outcome document, AC Chair Althaus suggested that the Asia representative provide information to the working group on evaluation of the implementation of the regional conservation strategy and monitoring regimes for stocks of *Acipenseriformes* spp.

On Thursday, the Asia representative reported on the outcomes of the informal discussion group on sturgeons, noting participation by several range States, importing countries, international organizations and industry representatives. He highlighted discussions on: the regional conservation strategy and monitoring regimes for shared sturgeon stocks; mechanisms for gathering scientific data for setting catch and export quotas; reducing the risks of caviar "laundering"; DNA-based species identification; basic framework and minimal standards for range States' action plans; and possible amendments to Resolution Conf. 12.7 (Rev. COP13). He presented numerous recommendations proposed by the participants, requesting that SC-54 be informed of these discussions.

The Secretariat noted that the informal discussion group did not receive a formal mandate and that if the outcome document is to be submitted to SC-54 by the AC Chair, the AC needs to agree on this first, but it could also be submitted by a party as an information document for SC-54.

The US indicated the possibility of submitting the group's outcome document to SC-54. The Asia representative requested that *Acipenseriformes* spp. be included in the AC-23 agenda. Humane Society International noted that since the issue was not formally on the AC-22 agenda, some key range States were not present, and, therefore, the consensus reached in the discussion group may not be fully representative.

The AC agreed to make the group's outcome document available on the CITES website as an information document.

**ABALONE:** On Thursday, South Africa informed the AC and major importing countries present at the meeting of South Africa's intention to list her country's endemic abalone species, *Haliotis midae*, in Appendix III, noting as reasons its illegal harvesting and trade. Humane Society International supported the listing, and the AC noted the proposal.

#### **CLOSING OF AC-22**

**ADOPTION OF THE MEETING REPORT:** On Monday, AC Chair Althaus introduced, and the AC adopted, the Executive Summary of the AC-22 meeting on Saturday (AC22 Sum. 1)

without amendment. On Wednesday and Thursday, AC Chair Althaus introduced, and the AC adopted, the Executive Summary of AC-22 (AC22 Sum. 2 and 3) with minor amendments.

**CLOSING STATEMENTS:** On Thursday, AC Chair Althaus said the work undertaken by the PC-16, AC-22 and their joint session was to assess intersessional progress and complete the COP-13 mandate. He noted that the AC has fulfilled the majority of tasks, and, therefore, no formal intersessional work will be necessary and all reports will be presented directly to either SC-54 or COP-14. Thanking participants, the Secretariat and the Government of Peru, he underscored that AC-22 marks the end of the term for AC members and thanked them for the good work. He announced that he will continue as AC Chair until June 2007 to prepare and present his report to COP-14. Following congratulatory remarks from participants on his contribution, AC Chair Althaus closed the meeting at 4:00 pm.

### A BRIEF ANALYSIS OF PC-16 AND AC-22

Armed with clear enforcement and compliance mechanisms that have evolved over years of practice, CITES is arguably one of the strongest multilateral environmental agreements.

The role of the Convention's scientific committees in this regard is to provide scientific input to enable parties' compliance with CITES regulations, while the Standing Committee (SC) is responsible for enforcement-related issues, such as border control and illegal trade in CITES-listed species. This science-policy divide has been in place since the Convention's inception, and has been gaining prominence in the context of the ongoing review of the scientific committees, reflected in the committees' discussions on their mandate and tasks assigned by the Conference of the Parties (COP) and the SC.

Participants at the 16th meeting of the Plants Committee (PC-16) and the 22nd meeting of the Animals Committee (AC-22) and joint PC/AC session faced the challenge of maintaining this policy-science divide while fulfilling their role in promoting compliance. In this regard, in her opening remarks PC Chair Margarita Clemente urged participants not to view the Convention solely as a punitive instrument but explore other ways of motivating parties to fulfill their obligations.

This brief analysis provides an overview of compliance and enforcement mechanisms available to the scientific committees illustrated by examples of their endeavors during PC16 and AC-22 to find appropriate scientific tools to provide incentives for "model behavior" and to prevent parties' non-compliance with the CITES regime.

### THE KNOW-WHY AND KNOW-HOW OF NON-DETRIMENT FINDINGS

One of the mandates of the scientific committees is undertake periodic reviews of species, in order to ensure appropriate categorization in the CITES appendices. CITES Appendix I includes species that are threatened with extinction and that are or may be affected by international commercial trade, and CITES Appendix II includes species not necessarily threatened with extinction, but in which trade must be controlled in order to avoid utilization incompatible with their survival. Over the years, the work of the scientific committees has gradually shifted from preventing extinction of the most heavily traded species and

products by listing them on Appendix I to ensuring that species listed in Appendix II are not subject to unsustainable trade. To demonstrate sustainability of trade, exporting range States are asked to carry out non-detriment findings, in which they determine whether or not the proposed export would jeopardize the survival of a species in the wild.

Several Appendix II-listed species examined at PC-16 and AC-22 illustrate the challenges of implementing non-detriment findings in the absence of concrete CITES guidelines due to lack of funding. Some participants found such guidance essential to the scientific assessment of trade sustainability, in particular regarding highly valuable commercially harvested timber and fish species. Other participants resist the idea of such guidelines, believing this would place too great a burden on some of the range States.

In the case of bigleaf mahogany, the PC was tasked to analyze implementation of its Appendix II listing in the main range States, Peru, Brazil and Bolivia, and decide whether or not this species should be included in the RST. Bigleaf mahogany is a species in the early stages of CITES scrutiny, having entered Appendix II in 2002. The lack of guidelines renders the task of the range States in making non-detriment findings more difficult and has, some suggest, delayed the implementation of the listing and, prompted range States to develop interim measures to address trade until they have completed their non-detriment findings. These measures vary from country to country. While some countries, notably Brazil, Costa Rica and Nicaragua, have imposed voluntary trade bans until they will have completed their non-detriment findings, Peru continues exports, and has repeatedly called for assistance to parties in making these findings.

For its part, AC-22 tackled the issue of non-detriment findings for various species, notably the recently listed shark species, with some participants noting the challenge of implementing non-detriment findings for commercially harvested marine species because of difficulties related to stock identification and their highly migratory nature. Others even questioned the suitability of CITES listings of these species, highlighting the general debate in various forums on how to tackle the challenges of marine conservation. Nonetheless, one participant stressed that AC-22 was a step forward, noting that a few years ago some parties would not even accept putting both "fisheries" and "CITES" in the same sentence.

While many observers commented that challenges in implementing non-detriment findings for commercial species are just as political as they are scientific, the scientific committees have stuck to their mandate, by shying away from the political discussions, and instead recommending national and regional training workshops and development of guidelines on this core provision of the Convention.

### RST – THREAT OR OPPORTUNITY?

The compliance tool designed to convey the sense of urgency regarding the sustainability of trade in Appendix II-listed species is the RST, a process that seeks to identify problems in the implementation of Article IV (Regulation of Trade in Specimens of Species included in Appendix II) and rectify these in close cooperation with the Management Authorities of exporting countries.

Still during discussions on bigleaf mahogany, while NGOs and a major importing country were pushing for the species to be included in the RST, range States opposed the idea, with one commenting it would be a “political bombshell” for the naturally lengthy process that has generated a lot of good will from all sides.

This standoff highlighted the broader question of parties’ perceptions of the process, with one participant commenting that some view it as a threat, while others consider it an opportunity. This can be illustrated by the unwillingness of bigleaf mahogany range States to see the species included in the RST which was in stark contrast with the positive attitude of *Prunus africana* range States, who welcomed the RST of this tree species for its potential to build capacity and generate financial support for its sustainable management.

As the first CITES party to undergo a country-based RST, Madagascar was keen to share its preliminary experiences with both the AC and PC during their joint session. This megadiverse country reported that despite initial uneasiness about “being put in the spotlight of the international process,” it is already seeing some benefits of the ongoing RST, such as closer cooperation between Scientific and Management Authorities and legislative improvements.

#### **EXPORT QUOTAS – GREATER FLEXIBILITY OR WEAKENED CONTROL?**

Export quotas have been the primary compliance mechanism for CITES to regulate international trade in Appendix-II species. In an attempt to improve parties’ compliance with the bigleaf mahogany listing and avoid activities that could be detrimental to the survival of the species, PC Chair Clemente suggested a new voluntary mechanism for range States of newly-listed Appendix II timber species to set voluntary and preliminary quotas based in the available scientific and trade data, before completing their non-detriment findings.

Some participants believed that using such a mechanism would give import and export countries a chance to comply with the Convention without the pressure of trade suspensions, help build the trust of mahogany range States, and not punish parties that are trying hard, but to no avail, to comply with Appendix II listing. Others, however, commented that this approach steers towards a more flexible and “toothless” compliance mechanism, cautioning that it could set a dangerous precedent for establishing arbitrary quotas and weaken the Convention’s effectiveness that has long been based on scientific information for export quotas and temporary trade suspensions if range States do not comply with such quotas. The final proposal to be included in PC Chair Clemente’s report to the COP, however, makes a clear distinction between precautionary quotas and scientific export quotas based on non-detriment findings.

#### **TRADE BANS – THE ULTIMATE RESORT?**

Trade bans under CITES come in many shapes and forms. Parties may choose to impose a voluntary trade ban by announcing zero quotas for Appendix II-listed species, illustrated by Brazil’s decision on mahogany. In cases of non-compliance, CITES may also impose temporary trade suspensions, which

currently apply to over 30 parties. Finally, inclusion of a species on Appendix I generally prohibits international commercial trade in wild specimens.

Understandably, trade bans are hotly debated in all CITES bodies, and both PC-16 and AC-22 participants engaged in several discussions on their effectiveness. For instance, during discussions on the world’s largest butterfly, *Ornithoptera alexandrae*, Spain recommended its downlisting from Appendix I to Appendix II, arguing that potential conservation benefits of sustainable management of the species may be higher than those of trade bans. It was also noted that for shared stocks or species with habitats across a region, such as the African grey parrot, which is currently under review, a trade ban in one range State may trigger the movement of trade to neighboring countries, and, recognizing this, AC-22 recommended developing a regional management plan for this species.

Moreover, AC-22 discussions highlighted concerns regarding possible wrongful downlisting of species and resulting opening up of trade, underscoring the need for sound science to inform, and not accommodate, policy. This was the gist of an impassioned plea by Spain just before the issue of including the central stock of the North Atlantic fin whale (currently listed on Appendix I) in the periodic review was put to the second vote on Wednesday. The resulting decision to include the species in the periodic review prompted comments by some observers that COP-14 would be faced with proposals to downlist some whale species from Appendix I to Appendix II.

#### **CONCLUSIONS**

When parties convene at COP-14, in less than a year, the hard work of the scientific committees in providing the scientific basis for the implementation of the CITES regime will be put to the test, perhaps all the more so in the context of the completion of their on-going review.

Overall, PC-16 and AC-22 demonstrated a pragmatic and flexible approach in evaluating the situation and recommending appropriate compliance mechanisms. While a number of challenges related to compliance remain, as illustrated by discussions on the sustainability of commercially-traded species of timber and fisheries, many were hopeful that the scientific committees’ contribution to upholding CITES reputation as a robust science-based process will be recognized.

#### **UPCOMING MEETINGS**

**EIGHTH ANNUAL BIOECON CONFERENCE ON “ECONOMIC ANALYSIS OF ECOLOGY AND BIODIVERSITY”:** This Conference will be held from 29-30 August 2006, in Cambridge, United Kingdom, and is organized by the University of Cambridge and the International Food Policy Research Institute, in association with Diversitas and the UK Department for Environment, Food and Rural Affairs. For more information, contact: Andreas Kontoleon, University of Cambridge; tel: +44-1223-339773; fax: +44-1223-337130; e-mail: ak219@cam.ac.uk; internet: [http://www.bioecon.ucl.ac.uk/04\\_8\\_ann-conf.html](http://www.bioecon.ucl.ac.uk/04_8_ann-conf.html)

**FIFTH MEETING OF THE PARTIES TO EUROBATS:** The fifth meeting of the Parties to the Agreement on the Conservation of Populations of European Bats, which was

established under the Convention on Migratory Species (CMS), will be held from 4-6 September 2006, in Ljubljana, Slovenia. For more information, contact: Andreas Streit, Executive Secretary, UNEP/EUROBATS Secretariat; tel: +49-228-815-2420/1; fax: +49-228-815-2445; e-mail: eurobats@eurobats.org; internet: [http://www.eurobats.org/news\\_events/bat\\_events.htm](http://www.eurobats.org/news_events/bat_events.htm)

**ASCOBANS MOP-5:** The fifth meeting of the Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) will be held from 18-22 September 2006, in Egmond aan Zee, the Netherlands. For more information, contact: ASCOBANS Secretariat; tel: +49-228-815-2416; fax: +49-228-815-2440; e-mail: ascobans@ascobans.org; internet: <http://www.ascobans.org>

**FIRST MEETING OF THE SIGNATORIES TO THE MOU CONCERNING CONSERVATION, RESTORATION AND SUSTAINABLE USE OF THE SAIGA ANTELOPE (*SAIGA TATARICA TATARICA*):** This meeting is a cooperative initiative between CMS and CITES and will be held on 25-26 September 2006, in Almaty, Kazakhstan. For more information, contact: the CMS Secretariat; tel: +49-228-815-2401; fax: +49-228-815-2449; e-mail: secretariat@cms.int; internet: [http://www.cms.int/species/saiga/1st\\_saiga\\_range\\_states\\_meeting.htm](http://www.cms.int/species/saiga/1st_saiga_range_states_meeting.htm)

**54TH MEETING OF THE CITES STANDING COMMITTEE:** The CITES Standing Committee meeting will be held from 2-6 October 2006, in Geneva, Switzerland. For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: info@cites.org; internet: <http://www.cites.org/eng/com/SC/index.shtml>

**FOURTH INTERNATIONAL SYMPOSIUM ON TRADE IN BEAR PARTS:** TRAFFIC, with the support of the IUCN/SSC Bear Specialist Group and WWF Japan, is organizing this meeting, which will be held on 4 October 2006, in Karuizawa, Japan. For more information, contact: Akiko Ishihara, TRAFFIC East Asia-Japan, tel: +81-3-3769-1716; fax: +81-3-3769-1304, e-mail: traffic@trafficj.org; internet: <http://www.trafficj.org/kuma/symposium2006/>

**MEETING OF THE CITES GREAT APES ENFORCEMENT TASK FORCE:** The meeting will be held at the end of October 2006, in Nairobi, Kenya. For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: info@cites.org; internet: <http://www.cites.org/eng/cop/index.shtml>

**SECOND INTERNATIONAL AGARWOOD CONFERENCE:** This meeting, which is organized by the Rainforest Project Foundation (TRPF), will be held from 4-11 March 2007, in Bangkok, Thailand. For more information, contact: TRPF, tel: +31-20-624-8508 fax: +31-20-624-0588; e-mail: trp@euronet.nl; internet: <http://www.therainforestproject.net/conf2.htm>

**RAMSAR SCIENTIFIC AND TECHNICAL REVIEW PANEL MIDTERM WORKSHOPS:** This meeting is expected to be held in Gland, Switzerland, on 26-30 March 2007. For more information, contact: Ramsar Convention Secretariat, tel: +41-22-999-0170; fax: +41-22-999-0169; e-mail: ramsar@ramsar.org; internet: <http://www.ramsar.org/>

**14TH MEETING OF THE CITES CONFERENCE OF THE PARTIES:** The meeting will be held from 3-15 June 2007, in The Hague, the Netherlands. For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: info@cites.org; internet: <http://www.cites.org/eng/cop/index.shtml>

**17TH MEETING OF THE CITES PLANTS COMMITTEE AND THE 23RD MEETING OF THE CITES ANIMALS COMMITTEE:** These meetings will take place in Geneva, Switzerland, in February or March 2008. For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: info@cites.org; internet: <http://www.cites.org>

## GLOSSARY

AC	CITES Animals Committee
CBD	Convention on Biological Diversity
CSG	Crocodile Specialist Group
GRASP	Great Apes Survival Project
IATA	International Air Transport Association
IFAW	International Fund for Animal Welfare
IUCN/SSC	IUCN Species Survival Commission
OIE	World Organization for Animal Health
PC	CITES Plants Committee
RST	Review of significant trade
SC	CITES Standing Committee
SWG	Shark Working Group
UNEP-	United Nations Environment Programme –
WCMC	World Conservation Monitoring Center

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