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TRAFFIC

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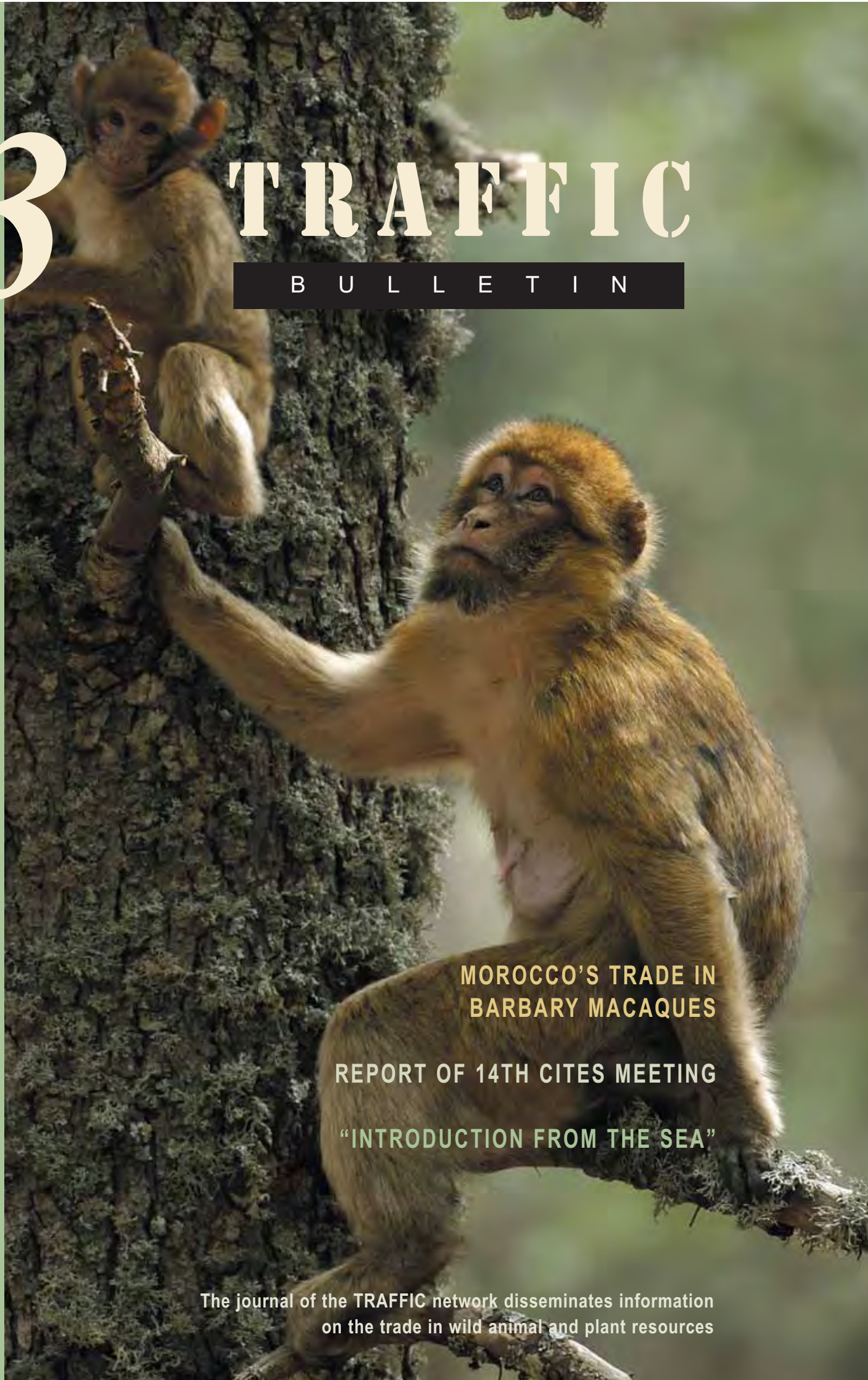

MOROCCO'S TRADE IN BARBARY MACAQUES

REPORT OF 14TH CITES MEETING

"INTRODUCTION FROM THE SEA"

JANUARY 2008

The journal of the TRAFFIC network disseminates information on the trade in wild animal and plant resources

The *TRAFFIC Bulletin* is a publication of TRAFFIC, the wildlife trade monitoring network, which works to ensure that trade in wild plants and animals is not a threat to the conservation of nature. TRAFFIC is a joint programme of

WWF

IUCN
The World Conservation Union

The *TRAFFIC Bulletin* publishes information and original papers on the subject of trade in wild animals and plants, and strives to be a source of accurate and objective information.

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Cover illustration: Barbary Macaques *Macaca sylvanus*
(WWF Canon / Michel Gunther)

This page, from top: Skinned frogs (A. Angulo);
CoP14 (S. Lieberman);
Barbary Macaques (WWF-Canon / Martin Harvey).

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EDITORIAL

In trade terms, our world is getting smaller: movement of people, products and capital is quicker and easier than ever before and the reach of commercial institutions expands all the time. International commerce and changing societies are seemingly pulling different parts of the globe closer together. People in telephone call centres in South Asia answer the questions of European bank customers; people in Asian cities watch the world go by from replica US coffee shops. At the same time, the centres of economic power are changing, the demands of the North American and EU markets being matched by those rapidly evolving in countries like China, India, Russia and Brazil.

Unsurprisingly, many aspects of the international trade in wild animals and plants are changing as part of the wider shifts in the global economy. Among the many faces of such change in today's wildlife trade, one stands out more than any other: the increasing influence of Asian consumer markets, particularly that of China, where a growing component of the world's largest population has the affluence and interest to become a predominant buyer of animals, plants and their products from around the world. Of particular interest—and wildlife conservation importance—are the growing trade relations between Asia and Africa, the latter a continent so rich in natural resources, yet struggling to find its place in the world economy.

Without doubt Asian businesses are of increasing influence in Africa. China's investment alone in Africa reached USD50 billion in 2006 and is expected to increase to USD110 billion by 2010. This should lead to a whole host of benefits: competition for African goods and services, better fortune for African businesses, increased revenue for African governments to ease their dependence upon international aid and loans and, in turn, it has to be hoped, alleviation of the grinding poverty that so many people on the African continent suffer. However, there is also the risk that such rapidly expanding business could prove to be another wave of the extractive exploitation that has plagued Africa for so long. Given the opportunity and little incentive to do otherwise, businesses all too easily fall into the habit of cutting corners. They avoid legal restrictions, exploit governance weaknesses and leave little behind in terms of local income or revenues.

In the wildlife trade sector, evidence of this is found in the Elephant Trade Information System (ETIS), where information is collated on ivory seizures worldwide. It is operated by TRAFFIC on behalf of the CITES Parties, and at each meeting of the Conference of the Parties a comprehensive analytical report is tabled for discussion. In 2007, the message from the analysis of the ETIS data was clear: Asian-run organized crime syndicates based in Africa are increasingly being implicated in an escalating illegal trade in elephant ivory. The study identified the Democratic Republic of the Congo, Cameroon and Nigeria as the three African nations most heavily implicated as the sources of ivory in this illegal trade, but the data show evidence of commercial-scale illegal ivory operations involving Chinese nationals in 22 African Elephant range States.

Asian links are clear in the activities of criminal syndicates in other spheres of trade in natural resources too. In May 2007, a TRAFFIC report on illegal logging in Tanzania revealed that China's import statistics included ten times more timber from Tanzania than was documented by Tanzania's export records. TRAFFIC also reported an increase in uncontrolled timber harvesting in southern Tanzania, largely as a result of overseas demand from Asia. At around the same time, authorities in Mozambique seized a staggering 11 000 cubic metres of illegal timber. The logs had been sold by timber operators to Chinese companies, and were awaiting export to China. They were said to offer suppliers USD80 dollars per cubic metre, but it would sell in China for almost three times that price.

The rapid demise of Africa's forests is not confined to the southern half of the continent. In January 2008, President Ernest Bai Koroma of Sierra Leone placed a temporary ban on the export of timber pending a restructuring of the timber industry, in order to halt the damage to the nation's tropical forests and climate. He claimed that indiscriminate destruction by Chinese loggers in the country's north was wreaking havoc in the nation's forests.

Recognizing the problem, the Chinese Government has begun to take steps to encourage responsible trade by its citizens. For example, it is understood that China is sending delegations to its diplomatic missions in Africa in an attempt to create greater awareness of the seriousness of illegal ivory trade. Another encouraging sign was China's first-time participation in a meeting of the Congo Basin Forest Partnership in Paris last October, where government delegates from ten Central African countries met with representatives of selected European countries and the USA to discuss sustainable forest management. With China now on a par with the European Union as a leading importer of Central African timber, its participation was indeed timely.

However, it cannot be denied that much more can and must be done. There is a need for greater awareness amongst government policy makers, industry and consumers in China of the country's impact on wildlife resources in countries all over the world. The China CITES Management Authority has, in recent years, become very proactive in discussions on cross-border wildlife trade with its Asian neighbours and similar initiatives could perhaps be extended to its key trade partners who are further afield. At the same time, a lot more needs to be done by African governments to harness the development and conservation benefits of these new wildlife trade relations through sustainable trade policies, improving governance and strengthening law enforcement action and co-ordination.

That said, it is important to remember just how global the global economy really is. Whilst there is undoubtedly a rapidly growing domestic demand for African wildlife products in Asia, the final consumers of such goods may be elsewhere. Skilled Asian carpenters turn African wood into beautifully crafted furniture, which is then re-exported to where it will find the highest prices—often the markets of Europe and North America. As ever, it all comes back to the global economy; where, in most cases, it is a matter of who can afford what, and who can supply goods in demand at the best price. More than ever before, actions to address conservation challenges arising from international wildlife trade need to be developed with a global perspective and with a close eye on the opportunities and threats of the shifting world economy.

Steven Broad *Executive Director, TRAFFIC International*

AZRINA ABDULLAH has been appointed Regional Director of TRAFFIC's South-east Asia programme with effect from 1 December 2007. Azrina has been working for TRAFFIC since June 2006 as TRAFFIC's Project Leader for the ASEAN-Wildlife Enforcement Network support programme based with IUCN in Bangkok. She will be based in Kuala Lumpur, where the TRAFFIC regional office is hosted by WWF Malaysia. Azrina succeeds **JAMES COMPTON**, Regional Director of TRAFFIC's South-east Asia programme for the past five years, who has been appointed Asia Pacific Programme Co-ordinator within the TRAFFIC International team.

bulletin board

CRAWFORD ALLAN has been appointed as the new Director of TRAFFIC North America, based in Washington, DC. He has worked for TRAFFIC for over 14 years, previously leading the global enforcement assistance and capacity-building programmes at TRAFFIC International before becoming the Deputy Director of the North America regional programme in 2005. Crawford replaces **SIMON HABEL**, North America regional Director since 1998 (and previously Director of TRAFFIC Oceania for two years), who left TRAFFIC in September 2007 to take up the position of Head of the Botanic Gardens in Adelaide, Australia.

JUMAPILI CHENGA has joined the Tanzania office of TRAFFIC East/Southern Africa after 14 years at Tanzania National Parks (TANAPA) where he worked, most recently, as a zonal warden in charge of law enforcement in Tarangire National Park. Jumapili will initially take a lead on TRAFFIC's work on wild meat in eastern Africa and on timber-related activities.

VOLKER HOMES, most recently Deputy Head of TRAFFIC Europe Germany, was appointed National Representative of that office on 1 April 2007. His main duties are providing technical and financial support to the TRAFFIC Europe Programmes of Central Eastern Europe and TRAFFIC Europe Russia, as well as providing technical recommendations to CITES enforcement authorities in Central Europe.

JIANJUN PENG has joined TRAFFIC East Asia-China as Senior Programme Officer. Previously Jianjun Peng was the Director of the Wildlife Forensic Laboratory of South China.

STÉPHANE RINGUET of TRAFFIC Europe has been appointed TRAFFIC International's Central Africa Technical Programme Development Advisor. Stéphane will continue to be involved in TRAFFIC Europe-related work and will remain based in France.

BOUNMA VONGSAY has been recruited as a TRAFFIC focal point in Lao PDR and is based at the WWF Lao Programme office.

traffic websites

www.traffic.org *(English)*
www.wwf.ru/traffic *(Russian)*
www.wwf.org.mx/traffic.asp *(Spanish)*
www.wwfchina.org/traffic *(Chinese)*
www.wow.org.tw *(Chinese)*
www.trafficj.org *(Japanese)*

This issue of the TRAFFIC Bulletin is available on www.traffic.org

Toyono Eito

TRAFFIC lost a very special friend when Mr Toyono Eito of Tokyo, Japan, passed away on 6 December 2007 at the age of 78. A journalist for one of Japan's leading newspapers, the *Mainichi Shimbun*, for 30 years, his retirement was devoted to wildlife conservation. As a founding member of TRAFFIC Japan's Committee in 1982, Mr Eito was a tireless ally promoting TRAFFIC's work at a time when support for conservation, wildlife trade regulation and CITES was nearly non-existent. In the formative years of TRAFFIC Japan, it was through Mr Eito's prose that TRAFFIC's message reached the government, the media and the wider public. Never conversant in English, but a poetic voice in Japanese, there is little doubt that his superlative communication skills changed hearts and minds where it really mattered. Indeed, he was still writing for WWF-Japan, where he also served so selflessly for decades, until the day he died.

It is probably little known that Mr Eito was one of the five TRAFFIC representatives at the fourth meeting of the Conference of the Parties to CITES in Gaborone, Botswana, in 1983. At that event, he seemed to work through osmosis, absorbing the debate without ever understanding even one of the CITES languages in which it took place—truly a marvel! And afterwards, I never saw him happier than when we were together on safari in the famed Okavango delta and Chobe National Park where every wild animal encounter simply validated his existence. Mr Eito's wide grin, his infectious laughter and his 'can-do' attitude even in the face of seemingly insurmountable obstacles defined him as a TRAFFIC stalwart. Not tall in stature, but certainly a giant among men, Mr Eito is one of Japan's unsung conservation heroes: never the headline, but always the expressive hand behind the substance. Thank you Eito Sensei, you have earned our most profound gratitude for your service to TRAFFIC.

Tom Milliken Director, TRAFFIC East/Southern Africa

Hormoz Asadi

With regret, we also report the sad loss of former colleague, Dr Hormoz Asadi, in a car accident in his native Iran in January 2008. Dr Asadi worked as an investigator in TRAFFIC's India office for some years in the early 1990s and played an instrumental role in revealing the scale of illegal trade in Tiger bone, in particular to a global audience, and motivating enforcement action in India. He was among the first to infiltrate and expose highly organized illegal wildlife trading networks within India and the links to international markets for threatened species.

For the past 12 years, Hormoz tirelessly dedicated his work to a wide range of species conservation initiatives in Iran, including those related to Asiatic Cheetah, Caspian Seal and Persian Fallow Deer. He was also among the pioneering environmental educators in the country, teaching at Azad University in Tehran.

Anyone who met Hormoz could not fail to be impressed by his passion for conservation, his bravery and his enormous sense of outrage about the challenges he encountered. He will be much missed by all who knew him.

Steven Broad Executive Director, TRAFFIC International

Sir Maurice Laing

As this issue goes to press, we have learned of the death at the age of 90 of Sir Maurice Laing, Senior Trustee and co-founder of The Rufford Maurice Laing Foundation, for many years the principal funder of the *TRAFFIC Bulletin*. Sir Maurice led one of the UK's biggest construction businesses, and was the first President of the Confederation of British Industry. Like other members of his family, he was a strong supporter of charitable causes. We offer sincere condolences to his family.

Steven Broad Executive Director, TRAFFIC International

LOGGERHEAD: WWF-CANON / MICHEL GUNTHER

Cuba Ends Turtle Harvesting

With effect from 22 January 2008, Cuba has banned the harvesting of all marine turtle species and products from its beaches and seas for an indefinite period. The species affected by the Ministry of Fisheries Ministerial Resolution are the Green Turtle *Chelonia mydas*, Loggerhead *Caretta caretta*, and Hawksbill Turtle *Eretmochelys imbricata,* which hatch on beaches throughout the Caribbean and come regularly to feed in Cuban waters. The Green Turtle and Loggerhead are classified as Endangered and the Hawksbill Turtle as Critically Endangered in the *IUCN Red List*; and all are listed in CITES Appendix I, which prohibits international commercial trade.

The closure of the marine turtle fishery in Cuba is the result of a joint effort by WWF and the Cuban Ministry of Fisheries, with financial support from the Canadian International Development Agency (CIDA). The two remaining fishing communities that used to harvest marine turtles in Cuba will be helped with funds and technical assistance to find sustainable economic alternatives, modernize their fishing fleets, re-train their inhabitants and to engage them in Hawksbill Turtle protection activities.

The WWF/CIDA grant of over USD400 000 will also support the Ministry's Centre for Fisheries Research to become a regional hub for marine turtle conservation and research, capitalizing on decades of experience by leading Cuban scientists. It will also strengthen the Office for Fisheries Inspection (the Cuban Fisheries law enforcement group) to ensure compliance with the ban.

Marine turtles are threatened by the loss of nesting and feeding habitats, egg collection, entanglement in fishing gear, climate change, and pollution. An additional threat to Hawksbill Turtles comes from continuing illegal trade in tortoiseshell. It is estimated that populations have declined by 80 per cent over the last century. The species's preference for feeding on sponges also means it plays a significant but until recently unappreciated role in the continued health of coral reefs, by opening up new feeding opportunities for some varieties of reef fish.

WWF press statement, 22 January 2008

briefly

In an effort to improve monitoring of the origin of caviar in international markets and to tackle illegal catch and trade, the CITES Secretariat and the UNEP World Conservation Monitoring Centre have launched a computerized database that will track shipments of caviar around the world.

The database will record details of all permits and certificates that authorize trade in caviar. These records will help to detect and deter fraudulent applications to trade in caviar. National CITES authorities will also be able to check the history of caviar shipments to confirm that their original export was lawful and that the quantities and caviar types were authorized for trade.

www.cites.org/eng/news/press_release.shtml, 30 November 2007

A State law banning the sale of soccer shoes and other athletic footwear made with kangaroo skin was upheld on 23 July 2007 by the California Supreme Court in response to a case brought by an animal protection group against the sportswear firm Adidas. The court unanimously decided that a 36-year-old ban on the import and sale of products made from various wildlife species, including kangaroo, was not preempted by federal wildlife law.

Adidas, which sells soccer, rugby and baseball shoes made with the hide of kangaroo species, argued that federal law, which permits the importation and sale of kangaroo skin, takes precedence over State law.

A lawyer for Adidas said the shoes at issue would continue to be sold in California until other legal issues in the case are resolved. He said the case eventually could reach the US Supreme Court.

www.latimes.com/news/local/la-meadidas24jul24,0,7807922.story?coll=la-home-local

Wildlife authorities in India's northern Jammu and Kashmir State have burnt a total of eight lorry-loads of animal furs and skins as part of efforts to stop illegal wildlife trade. At least 125 000 items collected over several months—including skins, rugs, fur coats and gloves made from dozens of Tigers *Panthera tigris*, Leopards *P. pardus*, Snow Leopards *Uncia uncia*, Leopard Cats *Prionailurus bengalensis*, Asiatic Black Bears *Ursus thibetanus*, otters and wolves, were burnt in public by State wildlife officials in October and December 2007. All the species are protected under India's *Wildlife (Protection) Act, 1972*, the Jammu and Kashmir *Wildlife Protection Act, 1978*, and/or are listed in the CITES Appendices. Fur traders were forced to give up the illegal items by a court order and those who surrendered their stock willingly were to be compensated.

www.earthtimes.org/articles/show/152909.html; www.indiaenews.com/india/2007/1204/84353.htm

wildlife enforcement

NEW INITIATIVES IN ASIA

R. DUTTA/ TRAFFIC

SEIZURE, FACILITATED BY TRAFFIC, OF TIGER AND LEOPARD SKINS, KHAGA, UTTAR PRADESH, INDIA, IN 2000.

South Asia commits to regional co-operation in controlling wildlife trade

An important initiative to address South Asia's wildlife trade problems has been agreed by the eight member countries of the South Asia Co-operative Environment Programme (SACEP), an inter-governmental organization established in 1982 for promoting regional co-operation in South Asia in the field of environment. Senior wildlife officials from these countries have agreed to a series of joint actions, including the establishment of a South Asia Experts Group on Wildlife Trade and the development of a South Asia Regional Strategic Plan on Wildlife Trade (2008-2013). They also called upon the international community to support action in South Asia by providing financial and technical assistance in the implementation of the regional plan.

The First Regional Workshop on the South Asia Wildlife Trade Initiative (SAWTI) was organized by the Nepal Ministry of Environment, Science and Technology; SACEP; WWF Nepal; and TRAFFIC. Held in Kathmandu, Nepal, from 31 January–1 February 2008, the workshop included participants from all eight South Asian countries—Afghanistan, Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka. The workshop was made possible with funding from the US Department of State, SACEP and WWF.

Ministers at the Tenth Meeting of the Governing Council of SACEP, on 25 January 2007, urged for the development of a work programme to combat illegal trade in wild species and their products, and help strengthen enforcement of CITES in the region.

Following SACEP's Governing Council Decision, participants at the workshop in Kathmandu agreed that SAWTI and its South Asia Regional Strategic Plan on Wildlife Trade will focus on a number of key areas of work, including co-operation and co-ordination; effective legislation, policies and law enforcement; sharing knowledge and effective dissemination of information; sustainability of legal trade and livelihoods security; intelligence networks and early warning systems; and capacity building.

SACEP Director-General Dr Arvind A. Boaz emphasized that regional co-operation can provide the best solution for regional problems. "The agreement reached on SAWTI puts in place the foundations for a co-operative effort to crack down on illegal trade and to improve the management of wild species that can be legally traded under national laws in the region," Boaz said.

"SAWTI is the first wildlife trade initiative of its kind in South Asia and SACEP is confident it will lead to further commitment in the region, and closer engagement among neighbours to address wildlife trade problems effectively," Boaz added.

TRAFFIC's Global Programme Co-ordinator, Roland Melisch, said that international co-operation—and, in particular, regional co-operation—was absolutely essential in tackling the challenges of wildlife trade. "TRAFFIC would certainly like to applaud the initiative of all the eight countries of South Asia in taking this important step of coming together as a region and seeking to address jointly the pressing issues of ensuring sustainable wildlife use and trade and eliminating the problem of illegal poaching and trade," Melisch said.

The decisions of this workshop will be presented for endorsement at Ministerial level at the Eleventh Meeting of the Governing Council of SACEP taking place later this year in New Delhi, India.

Sabri Zain *Advocacy and Campaigns Director, TRAFFIC International*

First North Asian CITES Workshop

A workshop to give enforcement officials in China, Mongolia and Russia training on the identification of CITES-listed items took place in Harbin, China, in November 2007, the first time such a workshop has been held in North Asia. The workshop was attended by personnel from the CITES Management Authorities, Customs and other relevant agencies in China and Mongolia and aimed to share information on law enforcement and legislation, wildlife investigation techniques and to examine the current status of illegal trans-border trade. Unfortunately Russian Government delegates were unable to attend at the last minute, but staff from branches of WWF Russia were present, alongside colleagues from TRAFFIC's Russian office and East Asia programme, plus representatives of the World Society for the Protection of Animals (WSPA) and the Forensic Laboratory of China's State Forestry Administration.

TRAFFIC

PARTICIPANTS AT THE CITES WORKSHOP BEING GIVEN TRAINING ON IDENTIFICATION OF CITES-REGULATED ANIMAL PELTS.

In all, 50 people attended the workshop, where participants exchanged information on CITES enforcement and visited wildlife forensic, timber and fur identification laboratories, to learn more about identification of CITES species.

Participants noted that high priority should be given to combating the illegal killing and trade in animals such as the Tiger, Leopard, Snow Leopard, Clouded Leopard, Saiga Antelope, bears, falcons and deer, and that this could be achieved through better inter-agency co-operation and CITES awareness. To help realize this, national centralized wildlife crime databases are to be established.

Follow-up workshops are planned, with TRAFFIC and other NGOs continuing to play a key role in facilitating regional dialogues on CITES enforcement issues.

TRAFFIC International

South Africa's CITES Listing of Abalone and Closure of its Commercial Abalone Fishery

On 5 February 2007, South Africa listed its endemic abalone species, *Haliotis midae* (known in South Africa as perlemoen), in CITES Appendix III. The listing, which came into effect on 3 May 2007, requires that all consignments of this species traded internationally be accompanied by CITES documentation. It covers all products in trade and applies to abalone sourced from both wild capture as well as aquaculture operations.

Haliotis midae is the only one of the more than 15 commercially harvested abalone species in international trade to be listed in the CITES Appendices. In its information document on abalone presented at the 14th meeting of the Conference of the Parties to CITES (CoP 14) in June 2007, South Africa noted that the listing was driven by the country's inability to regulate the high levels of illegal harvest and trade in this high value marine resource. This illegal harvest has had a negative impact on the legal fishery, with the commercial total allowable catch (TAC) for *H. midae* experiencing continued reductions over the last 10 years—from 615 t for the 1995/96 season to 125 t for the 2006/2007 season. This progressive reduction in the TAC is primarily due to the effects of illegal harvesting on the resource, although environmental changes have also had a negative impact on abalone populations.

Records of the Census and Statistics Department of Hong Kong—the key market for *H. midae*—show large quantities of abalone being imported into Hong Kong from South Africa's neighbouring countries of Mozambique, Swaziland and Zimbabwe.

The South African abalone species is endemic and legitimate South African exporters have indicated that they do not export abalone, in any form, to other African countries. Further, apart from the South African fishery and aquaculture production and one Namibian aquaculture operation, there is no other known legal commercial harvesting or trade in abalone in any African countries. Thus, it is almost certain that all abalones exported from Mozambique, Swaziland and Zimbabwe to Hong Kong were illegally harvested in South Africa and transhipped through neighbouring countries. For Namibia, legality is unclear owing to the occurrence of one legal commercial abalone aquaculture operation.

Confiscation records for southern African countries for abalone illegally harvested since 1994 demonstrate a more than tenfold increase between 1996 and 2006. In 2006, more than one million abalones were confiscated, the highest figure to date. Confiscation figures for the period 1994 to April 2007 are reflected in Figure 1.

Although *H. midae* is the only abalone species listed in the CITES Appendices, it is by no means the only one whose stocks are experiencing high levels of illegal harvest and trade. Abalone fisheries in Canada (see *TRAFFIC Bulletin* 21(1):39-40), and the USA have been closed for more than 10 years due to over-harvesting, and yet illegal catch continues—at over 120 t a year in the USA. Some Australian States consider the illegal catch, either from over-quota fishing or poaching, as the most significant threat to the commercial abalone fishery's long-term sustainability. New Zealand, Japan, Mexico and Chile also all experience illegal trade problems.

Activities related to abalone poaching and trade occur in almost every South African province and the export of illegal abalone products occurs at numerous land, sea and air border posts around the country. Tackling the illegal trade throughout the commodity chain requires good collaboration between many organs of State within all spheres of government, as well as government departments in key transhipment and importing countries. Unfortunately, current law enforcement initiatives do not always appear to be characterized by strong collaboration, leadership and vision on this critical issue. This situation may well reduce the potential benefits of

M. BÜRGENER / TRAFFIC

ABALONE QUOTA HOLDERS DEMONSTRATING AGAINST CLOSURE OF THE ABALONE FISHERY, HAWSTON, WESTERN CAPE PROVINCE, OCTOBER 2007. THE BAN WAS TEMPORARILY LIFTED AND A SHORT HARVESTING SEASON AND A QUOTA CUT IMPOSED.

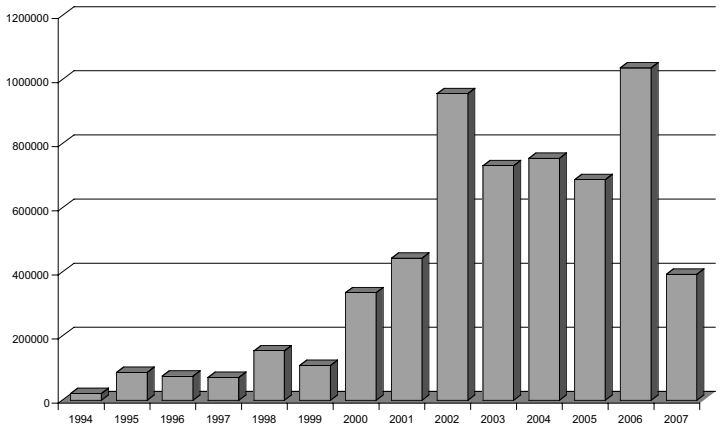

Fig. 1. Total number of abalones confiscated in southern Africa, 1994 to April 2007.

M. BÜRGENER / TRAFFIC

Woman shucking farmed abalones at a processing facility in Hermanus, Western Cape Province.

the CITES listing and some concerns in this regard have already been expressed by industry representatives in South Africa.

At a workshop on CITES and abalone trade held in March 2007 by South Africa's Department of Environmental Affairs and Tourism (DEAT): CITES unit and DEAT: Branch Marine and Coastal Management (MCM), abalone exporters voiced their concerns that the CITES listing could have a detrimental effect on their business if the system was not efficiently and accurately implemented. International abalone trade often involves complex logistical arrangements with tight time constraints, which cannot absorb consignments being held up due to administrative inefficiency and inadequate compliance capacity. The abalone exporters also expressed misgivings about the impact that the CITES listing will have on the illegal harvest of and trade in abalone, and requested DEAT to meet up with abalone exporters to discuss its impact once the listing had been in place for 12 months. It appears that much of this sentiment is rooted in an incomplete understanding of the Convention, coupled with a lack of faith in government's ability to implement the listing efficiently and effectively.

TRAFFIC has secured funding from the UK Department for Environment, Food and Rural Affairs to carry out an evaluation of the CITES abalone listing to determine whether it is being implemented efficiently and comprehensively in South Africa and whether it is impacting negatively on legal exporters. TRAFFIC will also attempt to determine whether the listing is having an impact on the illegal harvest of, and trade in abalone.

Closure of the Legal Commercial Fishery

Following closely on the decision to list *H. midae* in CITES Appendix III, the South African Government, in October 2007, announced the closure of the legal commercial fishery with effect from 1 November of the same year. This announcement was met with a great deal of concern and protest from abalone quota holders, followed shortly by an announcement that they would be challenging the decision in court. ►

► In a press release, TRAFFIC questioned this decision noting that closure of the fishery is unlikely to lead to a decrease in abalone poaching and that while the decision had been taken in good faith, the real issue affecting the industry is the illegal harvest and trade in wild abalone. TRAFFIC warned that closure is only likely to succeed where comprehensive law enforcement, research and socio-economic initiatives are put in place and where stakeholders are directly involved in future abalone management plans.

The decision to close the fishery has subsequently been reversed, though only temporarily, through an announcement of a cut in the TAC to 75 t and a shortening of the harvesting season to only three months—from 1 November 2007 to 31 January 2008. Following this, the ban will come into effect although this is also subject to the final outcome of the court proceedings.

Markus Bürgener *Senior Programme Officer, TRAFFIC East/Southern Africa.*
E-mail: burgener@sanbi.org

IT IS ALMOST CERTAIN THAT ABALONES EXPORTED FROM MOZAMBIQUE, SWAZILAND AND ZIMBABWE TO HONG KONG WERE ILLEGALLY HARVESTED IN SOUTH AFRICA AND TRANSHIPPED THROUGH NEIGHBOURING COUNTRIES.

M. BÜRGENER / TRAFFIC

DRIED *HALIOTIS MIDAE* ON SALE IN HONG KONG.

Consumption of Andean Frogs of the Genus *Telmatobius* in Cusco, Peru:

Recommendations for their Conservation

Ariadne Angulo

Andean frogs of the genus *Telmatobius* have traditionally been consumed as food and for medicinal and ritual purposes by local populations in the Andes of Peru and Bolivia. Lehr (2000) reported that *Telmatobius* frogs are common fare on the menus of local restaurants in the highlands of Peru, and their consumption reaches the coastal capital of Lima in the form of a drink (Lehr, 2005). Their reputed medicinal properties are supposed to mitigate a variety of ailments (Vellard, 1981; Lehr, 2000), and they have also been reported to be used in "magical" rites (i.e. for invoking rain) (Vellard, 1981).

Dramatic population declines of different species of *Telmatobius* have been reported (De la Riva, 2005; Merino-Viteri *et al.*, 2005), and many members of the genus are now considered to be severely threatened (De la Riva and Lavilla, in press). Several factors have been identified as potential causes of declines, e.g. pollution, habitat loss, harvesting (for consumption), climate change and disease (IUCN *et al.*, 2006; Seimon *et al.,* 2007; I. De la Riva, pers. comm., May 2007). The purpose of this note is to provide basic information on the consumption of *Telmatobius* in Cusco, Peru, compare this information with that available for Lima, and to identify some relevant questions that may help direct future research addressing conservation of these frogs.

The Central Market of Cusco, near the church of San Pedro and the railway station, was visited on 2 and 3 January 2007, where the commercial sale of *Telmatobius* for human consumption was observed. Only one stand selling frog soup was found in the market premises and the vendor was interviewed; two stands were observed later in the year (I. De la Riva, pers. comm., June 2007). All live individuals on display belonged to the genus *Telmatobius*, mostly a species that resembled *Telmatobius marmoratus* [distributed over southern Peru and considered to be Vulnerable (VU) by the Global Amphibian Assessment (GAA; IUCN *et al.*, 2006)] and a more limited number of *Telmatobius culeus* [distributed over the vicinity of Lake Titicaca in Peru and Bolivia and considered to be Critically Endangered (CR) by the GAA and Vulnerable (VU) by INRENA (2004)]. Donations comprising one specimen of *T. culeus* (MHNC 5056) and another of *T.* aff. *marmoratus* (MHNC 5057) from the market can be found at the Museo de Historia Natural, Universidad Nacional de San Antonio Abad del Cusco, Peru. All live individuals (ca 17) observed at the market on these two occasions were relatively small in size, ranging from 46 mm to 65 mm in snout-vent length (SVL). Only metamorphosed individuals were being sold.

A bowl of frog soup containing a single frog is sold at a market price of three Peruvian soles (exchange rate ca USD1=PEN S/.3.19 at the time of observations), whereas the dried frogs are sold at 10 Peruvian soles a dozen. According to the vendor, approximately 180 frogs are consumed every day, on most occasions using the whole day's soup supply. Live frogs are hand-picked by the customer; the vendor then proceeds to behead, gut and skin the chosen individual, prior to being cooked and finally served in a soup bowl. Dried frogs, on the other hand, are not beheaded and are dried under the sun. The vendor reported that her frog soup customers come from a number of towns across southern Peru.

Several medicinal properties are attributed to frogs of the genus *Telmatobius*, including those for the treatment of headaches, "tired vision" (fatigue), anaemia, prostate problems, asthma, stress and apprehension, the menopause and epilepsy. The vendor indicated that she learned of these properties through her grandmother and mother, and that all in her extended family consume frog soup.

According to the vendor, the frogs she sells belong to wild populations and come from a single lake in the locality of Chinchero (ca 3757 masl), near the city of Cusco. She places orders by the dozen to specific collectors, who then deliver the frogs to her. The vendor was unaware of the techniques used to capture frogs. She indicated that she places orders twice a week, usually requesting 1200 to 2400 specimens per week. She pointed out, however, that frogs are harder to obtain during the rainy season, between December and March. When asked if she had noticed any changes in the number of individuals that were being brought to her, the vendor said that the overall numbers were much the same over the last two years, which is when she took over the family business, previously operated by her grandmother.

There are some fundamental differences between preparation and consumption of *Telmatobius* in Lima and Cusco. Unlike in Lima, where frogs are prepared and consumed in a frog "shake" (Lehr, 2000), *Telmatobius* frogs in Cusco are either cooked or dried and consumed primarily in soup form. This type of consumption is also common elsewhere in the Andes of Peru (pers. obs.), although the consumption of fried frogs (likely the genus *Batrachophrynus*) has also been reported for central Peru (Lundberg, 2005; Lundberg, pers. comm., February 2008). The medicinal properties attributed to frogs also vary from one city to the other. While some attributed properties are common to both Lima and Cusco (e.g. treatment of asthma, epilepsy, headaches, stress), others are found in one city but not in the other. For example, in Cusco their properties are purported to treat "tired vision", anaemia, prostate problems, and the menopause, while in Lima they are thought to treat arthritis, bronchitis, diabetes, frigidity, hair loss, TBC [probably referring to tuberculosis] and act as an aphrodisiac (Lehr, 2000).

▲ SIGN AT A MARKET STAND DISPLAYING AVAILABILITY OF DIFFERENT ANIMAL PRODUCE AND THE PRESUMED MEDICINAL PROPERTIES OF FROG SOUP.

◄ VENDOR SHOWING THE DIFFERENT BODY SIZES AND DORSAL PATTERNS OF FROGS SOLD AT HER STAND.

◄ BEHEADED, SKINNED AND GUTTED FROGS READY FOR COOKING AND CONSUMPTION.

◄ DRIED FROGS SOLD FOR LATER REHYDRATION AND CONSUMPTION IN SOUP FORM.

PHOTOGRAPHS: A. ANGULO

High altitude sickness is also an ailment that is thought to be treated effectively by frog soup elsewhere in the Peruvian Andes (pers. obs.).

The vendor in Cusco reported much higher frog sale numbers than those that were reported for Lima, i.e. daily sales of 180 frogs (Cusco) vs. daily sales of 15 frogs, or monthly sales of 40–50 frogs (Lima, Lehr, 2000). However, there is no information regarding the number of vendors that trade in frogs in each city, or the number of frogs sold daily per vendor. There are indications, though, that overall numbers of consumed frogs in Lima may be high: in April 2005 a cargo of about 4400 individuals of *Telmatobius culeus* destined for human consumption was confiscated from illegal traders at a large market in Lima (INRENA, 2005; Lundberg, 2006).

Although there is Peruvian legislation (Decreto Supremo No. 034–2004–AG, currently in the process of being updated, J. Gálvez-Durand pers. comm., December 2007) that lists threatened species and their categories [*T. culeus* is considered to be Vulnerable (VU) under this legislation] and bans their commercial use, frog soup consumers and vendors in Cusco are mostly unaware of this ban.

While interviewing vendors and/or customers may provide basic and relevant information where there is none, it is crucial to undertake baseline and complementary studies to determine the impact of harvests on these frogs not only because of their biological importance, but also because of the role they play in the livelihoods of Andean communities, in addition to their significance in the Andean cultural heritage. Some of the questions that emerge from these observations and that may help direct future research efforts are as follows:

a) **Taxonomic identity of populations being harvested:** Species richness (De la Riva *et al.*, 2005) and species boundaries (Benavides *et al.*, 2002) between *Telmatobius* species are still poorly known, making species identification difficult. It is important to determine what species are being consumed so that appropriate action can be taken.

b) **Identification, mapping and monitoring of populations that are being harvested and identification of the primary centres of consumption:** Identifying the populations that are being harvested, their geographical distribution, and monitoring populations *in situ* can provide much needed information on which populations are of most conservation concern. Further identifying the primary centres of consumption can also help determine where harvest pressures are the greatest and where efforts must be directed for outreach programmes.

c) **Monitoring of market consumption:** Although *Telmatobius* frogs are being constantly harvested to address market demand, it is very difficult to assess the impact of this harvest on natural populations without appropriate quantification of harvested volumes. Data on the number of individuals, sex ratios and body sizes of frogs that are in trade would greatly help to assess the impact of harvesting on local populations.

d) **Identification of additional threats:** Some populations may be under greater pressure than others due to a combination of factors, such as harvesting, pollution, habitat loss, climate change and disease. Determining the nature and extent of these

additional threats to populations that are being regularly harvested may also help to identify those populations that are in greatest need of immediate conservation action.

e) **Nutritional and clinical studies on the potential properties of *Telmatobius* species used in human consumption:** While vendors and/or consumers may claim that *Telmatobius* frogs possess numerous medicinal properties, these claims have gone largely unverified by mainstream science. Controlled experimental studies would help shed some light on this matter.

f) **Natural history:** In light of the population declines that have been observed and that there could potentially be several undescribed species of *Telmatobius*, gathering data on the basic natural history of populations becomes an important priority, especially if population management is found to be appropriate and necessary.

In addition, there is an urgent need for outreach and public education. There is limited public awareness of the plight of *Telmatobius* species, and this is reflected in a "business as usual" approach to frog consumption. Outreach programmes showcasing the threats facing these Andean frogs would help to increase awareness of their population declines.

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SCALLOPED HAMMERHEAD SHARK: WWF-CANON / CAT HOLLOWAY

Ecuador Allows Trade in Incidental Shark Catch

A law in Ecuador permitting the legal trade in shark fins from sharks caught incidentally will be extended for an indefinite period. Targeted shark fisheries and the use of gear or practices that would increase incidental shark catch remain illegal, as does the capture and sale of sharks in the waters of the Galapagos.

Decree No. 902, which took effect on 6 February 2008, replaces Decree No. 486, established in July 2007 for a period of six months as a means of managing the fishery. Its aim is to ensure sustainability of shark populations, contribute to the improvement of fishermen's quality of life and to help avoid the black market trade in shark fins. A record kept of incidental catch will assist in monitoring the fishery and material to improve identification of species will also be produced.

Conditions which apply include the following: only disembarkation of whole sharks caught as incidental catch from registered vessels is permitted; incidental catch must be reported to the fisheries authorities upon arrival at the landing port, where a certificate including species identification, number and weight of the bodies and fins, will be issued; removal of shark fins must take place on land, in landing ports along the coast; and, any fins found on board vessels will be seized and legal action taken against the captain or shipowner.

The President of Ecuador, Rafael Correa, states that implementation of Decree No. 486 has resulted in a 90 per cent reduction in the commercial catch of sharks along the border (Huaquillas), and that incidental catch is decreasing: "Incidental catch represents only 2.38% of the total fishery. In the last six months of 2007, nearly 54 000 sharks were caught, a figure which, although sounds high, in fact represents only 2.5 specimens for each of Ecuador's 20 000 fishing vessels," he said.

It is also announced that the capture of Common Sawfish *Pristis pristis* is prohibited and that live or dead specimens of the following species caught incidentally should be returned to the sea: Whale Shark *Rhincodon typus*, Basking Shark *Cetorhinus maximus*, Great White Shark *Carcharodon carcharias*, and Spiny Dogfish *Squalus acanthias*.

www.presidencia.gov.ec/noticias.asp?noid=10373;
Veronica Moreno, IUCN, in litt. *to B. Ortiz, 7 February 2008*

CHIP ON THE SHOULDER

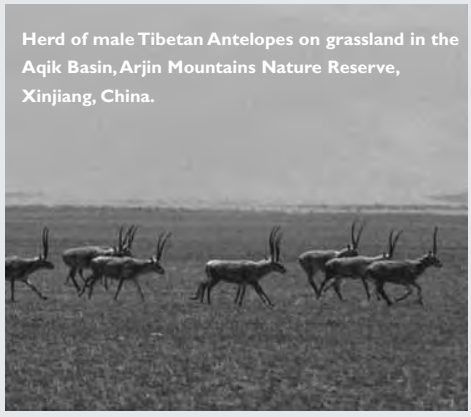
The Government of Jammu and Kashmir in India has devised a scheme whereby all registered products of Tibetan Antelope *Pantholops hodgsonii* (CITES I) will bear microchip tags. It is hoped that this will help to check the illegal trade in the valuable wool (known as shahtoosh) which is used primarily to make shawls. The scheme was initiated in July 2007 on the orders of the Indian Supreme Court. Any person found in the State with a shahtoosh shawl without a digital tag and ownership certificate can now face imprisonment of up to six years.

The Governments of China, India and Nepal already provide full legal protection to the species, which is listed in CITES Appendix I. The administration of Jammu and Kashmir, afforded special status under India's constitution, has previously resisted the pressure to ban shahtoosh trade. In December 2005, the Supreme Court ordered the Jammu and Kashmir wildlife department to make an inventory of genuine users of shahtoosh and give them a certificate of ownership.

Wildlife officials will receive special training to stitch microchips into the corners of each shawl. The electronic transponders are smaller than a matchstick and weigh less than a gramme each.

A single shahtoosh shawl is reported to require the wool of four to five Tibetan Antelopes.

http://news.bbc.co.uk/2/hi/south_asia/6238012.stm;
TRAFFIC Bulletin 18(3):84; TRAFFIC India



Herd of male Tibetan Antelopes on grassland in the Aqik Basin, Arjin Mountains Nature Reserve, Xinjiang, China.

WWF-CANON / RONALD PETOCZ

Conservation of Freshwater Turtles in Pakistan

Uzma Noureen and Ahmad Khan

The results of an investigation carried out in mid-2007 by the Pakistan Wetlands Programme of the Pakistan Government's Federal Ministry of Environment suggest that a well-organized illegal trade in freshwater turtle body parts that involves rural communities, local middlemen and international exporters, has become established in Pakistan.

Freshwater turtles are widely distributed in rivers and streams in most South Asian countries but recently their populations have begun to decline seriously. Pakistan is no exception to this negative trend as it transpires that Chinese markets have been importing large quantities of freshwater turtles and their parts from Pakistan. The turtles are consumed as food but are also used in traditional Chinese medicines. Some of the exporters in Pakistan claim that the turtle parts have aphrodisiac qualities and this perception may contribute to an even higher demand for the contraband.

The trade in freshwater turtles was first introduced to local communities in the region in about 2002, apparently by Chinese workers in the country but, at the time, wildlife laws were not equal to the task of curbing the practice. With little or no recognition of their significant ecological role, freshwater turtles are indiscriminately harvested by impoverished people, such as the Kehal and Mohana communities, living along the Indus River, who generally have extremely limited livelihood options. Trading in turtles can provide such a bonanza, that many find they simply cannot ignore the opportunity to become involved. While the exporters, and to a lesser extent the middlemen, including some of the Chinese workers in the country, are handsomely rewarded, wetlands-dependent people who actually hunt the turtles are paid a pittance for their efforts.

Pakistan has eight species of freshwater turtles. These include four softshell species: the Indian Softshell Turtle *Aspideretes gangeticus* (CITES I); the Indian Peacock Softshell Turtle *Aspideretes hurum* (CITES I); the Indian Narrow-headed Softshell Turtle *Chitra indica* (CITES II); the Indus Mud Turtle *Lissemys punctata andersoni*; and four hardshell species: the Spotted Pond Turtle *Geoclemys hamiltoni* (CITES I); Brown River Turtle *Kachuga smithii* (CITES II), the Indian Roofed Turtle *Kachuga tecta tecta* (CITES II) and the Crowned River Turtle *Hardella thurjii*.

Turtle poachers preferentially kill three species of softshell turtles in Pakistan: the Indian Softshell Turtle, Indian Peacock Softshell Turtle and Indian Narrow-headed Softshell Turtle. As well as being listed in CITES Appendix I, the former two species are classified as Vulnerable in the *IUCN Red List*. The Indian Narrow-headed Softshell Turtle is listed as Endangered in the *IUCN Red List* (and in CITES Appendix II).

The Pakistan Wetlands Programme's field surveys and subsequent specific investigations into the consumption of softshell turtle body parts not only exposed the organized illegal trade but also determined that there was a significant decrease in populations of softshell species. It was found that the soft posterior flap of the shell and chest pellicle in softshell species is in demand as it is perceived to be an important ingredient in certain Chinese medicines. In most cases, the turtle's remains are disposed of in the river or canal after the soft posterior flap of shell and chest pellicle have been excised. The collected parts are dried and then processed in a manner that effectively renders them unrecognizable as turtle tissues. These are then exported to South-east Asian countries, primarily China, often falsely labelled as fish products.

According to information gathered by the Pakistan Wetlands Programme, the turtle-hunting community prefer Indian Softshell Turtles over Indian Narrow-headed Softshell Turtles, as the soft flap they cut from the shell of the former species contains less fat than that from the latter species. For this reason, the flaps from the Indian Softshell Turtles are apparently easier to dry in the open

UZMA NOUREEN

INDIAN SOFTSHELL TURTLES *ASPIDERETES GANGETICUS*.

UZMA NOUREEN

BODY PARTS OF INDIAN SOFTSHELL TURTLES *ASPIDERETES GANGETICUS* LEFT TO DRY IN THE OPEN AIR IN DERA ISMAIL KHAN, NORTH WEST FRONTIER PROVINCE.

air, while the parts of Indian Narrow-headed Softshell Turtles need additional processing that includes rendering of the fat by boiling.

A survey of market mechanisms suggests that middlemen play a significant role in the trade in turtle parts. They pay cash advances to the Kehals and Mohanas for collection of a desired material. The Kehals and Mohanas then kill turtles to collect the quantity of turtle parts for which they have been paid an advance. The middlemen have established their collection centres in the larger towns where the hunters come to barter their "catch". The middlemen supply the collected parts to the exporters in main markets that appear to be located in Lahore and Karachi.

Unfortunately, very little is known about the population density and species abundance of freshwater turtles in the rivers of Pakistan. It appears, however, that freshwater turtles are found wherever freshwater resources are available in the country, with the exception of the high alpine region. Indian Narrow-headed Softshell Turtles and Indian Softshell Turtles are common in the Indus River System, whereas the Indian Peacock Softshell Turtle is rare.

Local Kehal, Jabhel and Pakhiwal communities, among the poorest of Pakistan's people, depend on the available freshwater resources for their subsistence. The Mohana community subsist as fishermen and take freshwater turtles as by-catch. Due to the high demand, turtles are captured throughout the year, but larger numbers are hunted during the summer season because the turtles are more active and are more easily caught in the fishing nets as a consequence. The tools of a turtle hunter's trade include nets, hook lines, gaff-hooks and spears. The size of the daily catch varies from one area to another, depending upon the turtle population size and density, local weather patterns and the level of water in the rivers and streams. The average turtle catch appears to range from 10 to 15 turtles per person, per day.

The marketing of freshwater turtles and their parts takes place at local, national and international levels in a hierarchical marketing chain. Accordingly, rates vary from one level of marketing to another. The rates in local markets also fluctuate according to place, quality and size of the turtle parts on offer. The haul from a single turtle may sell for 200–700 Pakistani rupees (USD4–12) in a local market and for 1500–4500 Pakistani rupees (USD25–75) in national markets. The rates in the international markets have not yet been investigated.

In Pakistan, wildlife conservation is a provincial or territorial responsibility and is implemented under the terms of the provincial or territorial wildlife ordinances and laws. Freshwater turtles were not afforded any protection until late 2007 and the trade in turtles flourished. The export of turtle body parts of certain turtle species is, however, a violation of Pakistan's international obligations under CITES. To overcome this conservation gap, Pakistan's Federal Ministry of Environment took up the recommendations made by the Pakistan Wetlands Programme and issued instructions to the provincial and territorial governments to introduce appropriate conservation measures. The Chief Conservator of the North West Frontier Province (NWFP) Wildlife Department acted proactively and recommended an amendment in the laws of the NWFP Government. The Wildlife Acts of the North West Frontier and the Punjab Provinces were revised and freshwater turtles were listed as protected species. This established a precedent for the other provinces and territories to emulate. In July 2007, the Sindh Wildlife Department and Pakistan Customs Department seized a major consignment of freshwater turtle parts at Karachi International Airport that weighed 700 kg. This shipment was bound for China under the label of dried fish skin. It was estimated by biologists that about 6000 freshwater turtles had been killed to contribute to this consignment. In a similar breakthrough, the NWFP Wildlife Department intercepted and confiscated several consignments of freshwater turtles and their parts in Peshawar, the provincial capital city, in August and September 2007.

Following the revelations made by the Pakistan Wetlands Programme, the conservation of freshwater turtles is now high on the agenda of the federal and provincial or territorial wildlife agencies in Pakistan. The issue nevertheless requires measures other than law enforcement alone. There is a dire need for awareness-raising among the general public and for capacity-building of the staff of wildlife conservation authorities and the Customs Department, alike. Communities such as the Kehal and Mohana not only need the benefit of a well-thought-out conservation education programme but also require assistance with the establishment of viable alternative livelihoods to enhance their subsistence economy. A long-term applied scientific research programme on the ecology of freshwater turtles will improve the understanding of the challenges faced in their conservation and pave the way for further management interventions in Pakistan.

The Pakistan Wetlands Programme needs to identify and collaborate with global partners to curb the international trade that is endangering freshwater turtle species. A significant first step towards achieving this was recently made in December 2007, when the possible establishment of a formal TRAFFIC presence in Pakistan was discussed at a meeting with Roland Melisch, Global Programme Co-ordinator at TRAFFIC. In the eyes of many conservationists in Pakistan, this is long overdue.

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The 14th Meeting of the Conference of the Parties to CITES

J. Gray

The 14th meeting of the Conference of the Parties (CoP14) to CITES took place in The Hague, the Netherlands, from 3 to 15 June 2007 and was attended by 844 representatives from CITES Parties and 400 observers from inter-governmental, international and national organizations. The following is a summary of the most salient features of the meeting from TRAFFIC's perspective. Unless otherwise stated, amendments to the Appendices adopted at CoP14 entered into force 90 days after the meeting, that is on 13 September 2007. Official proceedings of CoP14 will be published by the CITES Secretariat.

The Minister of Agriculture, Nature and Food Quality, Ms Gerda Verburg; the Deputy Mayor of The Hague, Mr Rabin Baldewsingh; the Deputy Executive Director of UNEP, Mr Shafqat Kakakhel; the Chairman of the CITES Standing Committee, Mr Cristián Maquieira; and the Secretary-General of CITES, Mr Willem Wijnstekers, welcomed participants to the meeting. Following a ceremony with a laser display and a live performance to the popular song, the "Circle of Life", the meeting was declared open.

Administrative matters

Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties

The meeting adopted the Secretariat's report on its resources and their use since the 13th meeting of the Conference of the Parties to CITES (CoP13) as set out in **document CoP14 Doc. 7.1 (Rev. 1)** and its estimate of expenditures for the year 2007 (**document CoP14 Doc. 7.2**), including a drawdown of USD85 670 from the CITES Trust Fund to cover an increase in staff costs. The Secretary-General explained the reasons for an increased budget for the work of the Secretariat for the years 2009–2011, as outlined in **document CoP14 Doc. 7.3 (Rev. 1)**. This document included the costed programme of work for the triennium, linked directly to tasks specified in the CITES Strategic Vision: 2008–2013, and proposed creation of new timber, fisheries and other posts in the Secretariat. A Budget Working Group, chaired by Ireland, was established to consider the financing of the Secretariat's work for this triennium. It reported back to Committee II, offering for consideration alternatives of

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SCENES FROM CoP14 INCLUDING (MAIN PHOTO) A PHOTO MOSAIC OF A TIGER'S HEAD CREATED FROM PERSONAL PHOTOS OF NEARLY 25 000 PEOPLE WORLDWIDE, WHICH WAS UNVEILED OUTSIDE THE CONVENTION CENTRE TO URGE WORLD LEADERS TO END ALL TRADE IN TIGERS.

a 21.56% and a 0% increase in the budget financed by Parties' contributions to the Trust Fund, as detailed in **document CoP14 Com. II. 31**. Subsequent to discussion, however, proposals for a 15%, 10% and 3% increase were all rejected in Committee II, but an increase of 6% was adopted by the meeting's final plenary session after protracted debate. Pending the specification of contributions from the Parties to the budget in line with this increase, text of a draft resolution on the costed programme of work for the Secretariat for 2009–2011 (set out in **document CoP14 Com. II. 32**[1]) was adopted (*Resolution Conf. 14.1 Financing and the costed programme of work for the Secretariat for the triennium 2009–2011*). Among other things, it instructs the Secretariat to seek funds proactively from external sources and instructs the Standing Committee to establish a Finance and Budget Subcommittee. Australia announced that it would be providing AUD250 000 (USD210 974) to the CITES Secretariat to fund a timber officer (see **document CoP14 Plen. Rep. 6**).

Committee reports

The recommendations of the Nomenclature Committee contained in its report **document CoP14 Doc. 8.5**, which were to change the list of standard references, were adopted, together with a draft decision directing the Secretariat to continue to consider ways of harmonizing taxonomy and nomenclature between CITES and other multilateral environmental agreements (*Decision 14.18*). The general support for a proposal from the Secretariat to rearrange the listing of animal species in the Appendices in order to present them in alphabetical order at the order, family and generic levels was noted.

Other significant items from discussion of committee reports are recorded under subject-specific sections of this summary.

Strategic matters

CITES *Strategic Vision: 2008–2013*

The Vice-Chairman of the Strategic Plan Working Group, which had been established by CoP13 via *Decision 13.1*, reported on the work of that Group, referring to **document CoP14 Doc. 11** on the CITES Strategic Vision: 2008–2013. In the light of discussion in Committee II revolving around the legitimate extent of change within CITES in response to international environmental priorities, the Chairman of Committee II set up a working group, chaired by Canada, to redraft the Strategic Vision to reflect some of the points raised from the floor. The working group reported back to Committee II on the penultimate day of the meeting, providing revised text for the Vision, and a draft resolution (*Resolution Conf. 14.2 CITES Strategic Vision 2008–2011*) to adopt it, in **document CoP14 Com. II. 20**. It had not been able to complete its task, however, and the document therefore also included two draft decisions directing the Standing Committee and Secretariat to assist in the development of any outstanding indicators for the Vision's Objectives (*Decisions 14.1 & 14.2*). This fact notwithstanding, after agreement to delete an indicator relating to evaluation of unlisted species under Objective 1.4 and a few minor corrections (see **document CoP14 Com. II. Rep. 15**), the Strategic Vision in document CoP14 Com. II. 20 was adopted.

Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity

Responding to a mandate from CoP13, the Animals and Plants Committees reported to Committee II on their work to bring CITES more in line with these Principles and Guidelines of the Convention on Biological Diversity (**document CoP14 Doc. 13**) and on the Committees' resulting recommendations. There being no consensus on these recommendations, the Chairman of Committee II asked interested Parties to form a drafting group to formulate text for amendment of *Resolution Conf. 10.4 Cooperation and synergy with the Convention on Biological Diversity*, as proposed in document CoP14 Doc. 13. Reporting back to Committee II, the group said that there had been a counter-proposal to amend *Resolution Conf. 13.2 Sustainable use of biodiversity: Addis Ababa Principles and Guidelines*. Following a vote, amendments to the latter, as set out in **document CoP14 Com. II. 17**, were adopted. The principal amendment comprised the incorporation as Annex 2 to the Resolution of recommendations from the Animals and Plants Committees (as contained in document CoP14 Doc. 13) guiding applicability of the Principles and Guidelines to CITES.

CITES and livelihoods

Committee II considered the draft decisions in **document CoP14 Doc. 14**. These had built on recommendations from the CITES and Livelihoods Workshop (5–7 September 2006), which had discussed how implementation of CITES listing decisions should take into account potential impacts on the livelihoods of the poor, in line with the amendment to *Resolution Conf. 8.3 Recognition of the benefits of trade in wildlife* made by CoP13. A mixture of support and concern was voiced from Parties in reaction to the draft decisions, so the Chairman of Committee II requested that South Africa convene a working group to identify a way to take the matter forward. The resultant draft decisions in **document CoP14 Com. II. 12** were eventually agreed by consensus and adopted (*Decisions 14.3 & 14.4*). They direct the Standing

[1] *from which the third operative paragraph was accidentally omitted—see p. 5,* ***document CoP14 Plen. Rep. 4***

Committee, subject to the availability of external funding, to initiate a process to develop tools for Parties to use voluntarily for assessing the impacts of CITES decisions on livelihoods.

National wildlife trade policy reviews

In **document CoP14 Doc. 15**, the Secretariat provided information on progress with the implementation of *Decisions 13.74* and *13.75* concerning review of Parties' national trade policies with a view to analysing the impacts of these in terms of socio-economic benefits. In the light of this, it had certain recommendations, encapsulated in four draft decisions, revised text of which was drafted by the Secretariat in consultation with certain Parties, to take account of discussions in Committee II. The new text, in **document CoP14 Com. II. 1**, which stressed that Parties' undertaking of reviews was voluntary and that the Secretariat's participation was dependent on external funding, was adopted (*Decisions 14.21–14.24*).

Capacity building

Document CoP14 Doc. 16 provided information on the capacity-building activities of the Secretariat and a plan for the development of a CITES Virtual College for CITES-related training. The document contained draft decisions relating to this and to Master's degree courses on CITES, for which there was broad support. A revision of these reflecting comments in session (**document CoP14 Com. II. 4**) was adopted. The decisions authorize the seeking of financial assistance for Master's courses (*Decision 14.10*), the Virtual College (*Decisions 14.12* & *14.13*), and an enforcement-based, capacity-building and regional meeting for the Oceanian region before the 58th meeting of the Standing Committee (SC58) (*Decision 14.14*).

Co-operation with other organizations

The Secretariat presented **document CoP14 Doc. 18.1**, in which it had outlined co-operative activities with the Food and Agriculture Organization of the United Nations (FAO) since CoP13, in particular the signing of the Memorandum of Understanding (MoU) between FAO and CITES, in 2006. The document also contained draft decisions and, while Committee II essentially supported that directed to the Secretariat to enhance co-operation over forestry matters, it could not support that directed to the Standing Committee to create a Fishery Working Group. The final text of the draft decisions reflecting this (**document CoP14 Com. II. 7**) was adopted (*Decisions 14.16* & *14.17*). FAO and the Secretariat each noted concern over the fact that their respective recommendations regarding proposals to list commercially exploited aquatic species in the CITES Appendices were not in harmony (see ***Sharks***: *ad hoc* Expert Advisory Panel).

Co-operation between CITES and the International Tropical Timber Organization (ITTO) was addressed by **document CoP14 Doc. 18.2** and its draft resolution, submitted by the USA. Most Parties were supportive of the proposed co-operation, but amendments put forward by the USA and others led the Chairman to request a revised text for consideration. This text (**document CoP14 Com. II. 5**), which specifies close co-operation between the CITES and ITTO Secretariats and urges consultation of ITTO over listing proposals, was adopted (*Resolution Conf. 14.4 Cooperation between CITES and ITTO regarding trade in tropical timber*). ITTO welcomed such strengthened collaboration.

Interpretation and implementation of the Convention

Review of Resolutions and Decisions

Review of Resolutions

In line with *Decision 13.21* relating to the consolidation of Resolutions concerning Appendix-I species, the Secretariat presented draft consolidated resolutions relating to hunting trophies for Appendix-I species, and to rhinoceroses, Tibetan Antelope, Asian big cats and great apes in **document CoP14 Doc. 20.1**. There being minimal support voiced for these consolidations, they were rejected by consensus. The Secretariat also reported on its review of Resolutions in general and presented proposed amendments to several of these in **document CoP14 Doc. 20.2**. After discussion in Committee II, versions of these amendments as set out in **document CoP14 Com. II. 9** and a draft decision in document CoP14 Doc. 20.2 permitting correction of non-substantive errors found in Resolutions (*Decision 14.19*) were adopted.

Review of Decisions

The Secretariat regularly reviews the validity of Decisions and its report on this process for CoP14 was delivered in **document CoP14 Doc. 22**. It was noted that any Decision not listed in Annex 1 to the document would cease to be in effect after CoP14, unless the Conference had decided otherwise under a separate agenda item of the meeting.

Compliance and enforcement issues

Guidelines for compliance with the Convention

The Chairman (Norway) of the Working Group on Compliance, which had been established at the 50th meeting of the Standing Committee, provided his update to Committee II on the work of this group since CoP13 in

M. ENGLER / TRAFFIC

WWF AND TRAFFIC PARTICIPANTS AT THE HIGH-LEVEL BREAKFAST BRIEFING AT CoP14, ORGANIZED BY WWF NETHERLANDS, IN COLLABORATION WITH OTHER WWF OFFICES AND TRAFFIC, AND INVOLVING REPRESENTATIVES OF 23 COUNTRIES AND 19 GUESTS AT MINISTERIAL AND VICE-MINISTERIAL LEVEL. THE BRIEFING AIMED TO PROVIDE A GLOBAL OVERVIEW OF WILDLIFE TRADE, EMPHASIZING THE NEED TO IMPROVE IMPLEMENTATION OF CITES, TO SHOWCASE WWF AND TRAFFIC IN THE GLOBAL CONSERVATION ARENA AND LINKING THESE ASPECTS WITH THE EUROPEAN UNION WILDLIFE TRADE INITIATIVE. MANY OF THE POINTS RAISED WERE DISCUSSED AT SUBSEQUENT MINISTERIAL ROUND TABLE DISCUSSIONS.

document CoP14 Doc. 23. The Working Group subsequently reconvened to complete its draft guidelines for compliance with the Convention, which were then presented to the Committee as the *Guide to CITES Compliance Procedures* in **document CoP14 Com. II. 21**, together with a draft resolution for their adoption. The resolution was adopted, after the latter had been amended to state that the Conference of the Parties noted, rather than adopted, the Guide (*Resolution Conf. 14.3 CITES Compliance Procedures*).

National laws for implementation of the Convention

Decision 13.83 was the basis for the Secretariat's report in **document CoP14 Doc. 24** on the status of the CITES National Legislation Project, initiated after the eighth meeting of the Conference of the Parties to CITES. In introducing the report in Committee II, the Secretariat announced that half of all Parties had now achieved Category 1 status under the Project. The document included draft decisions connected with advancement of the Project. Comments on the draft decision directed to the Parties revolved mainly around its practicability within the specified time frame, but comments on the decisions directed to the Standing Committee and the Secretariat related to the appropriateness of issuing compliance measures and of assisting with training, respectively. Following discussion and various votes in Committee II, the decision directed to the Standing Committee was adopted unamended (*Decision 14.26*) and those directed to the Parties and to the Secretariat were adopted after amendment, as presented in **document CoP14 Com. II. 8** (*Decisions 14.25 & 14.27*).

Enforcement matters

In accordance with *Resolution Conf. 11.3 (Rev. CoP13) Compliance and enforcement*, requiring a report on enforcement matters at each regular meeting of the Conference of the Parties, the Secretariat presented **document CoP14 Doc. 25**. The report reviewed inter-sessional consideration of enforcement matters by the Standing Committee; alerts and records regarding illicit trade; national enforcement action plans; designation of Scientific Authorities; measures for combating smuggling; and capacity within Interpol. With reference to the last-mentioned item, the Secretariat noted that Interpol had not appointed a criminal intelligence officer on a permanent basis and so the text in *Resolution Conf. 11.3 (Rev. CoP13)* urging it to do so should stand. The Secretariat informed Committee II that, since the report had been written, the number of Parties having submitted contact details for enforcement authorities as directed by *Decision 13.84* had increased from 59 to 64. Nigeria acknowledged that, as stated in the Secretariat's report, it had been remiss in some respects regarding its obligations to implement the Convention, but declared that draft CITES legislation was proceeding through its National Assembly.

The Secretariat urged Parties to adopt the draft decisions in document CoP14 Doc. 25, which directed the Standing Committee to consider endorsement of relevant recommendations from the Secretariat's report prior to the 15th meeting of the Conference of the Parties to CITES (CoP15) and directed the Secretariat to reconvene the CITES Enforcement Experts Group in order to identify measures to improve collection of data on illicit trade. The USA called for better linking of enforcement items for discussion by Parties, in view of the fact that draft decisions to reconvene the CITES Enforcement Experts Group were contained also in document CoP14 Doc. 26[2]. Amendments to the draft decisions stipulating that future meetings of the Enforcement Experts Group should be contingent on the availability of external funding and that the Secretariat should report to CoP15 on enforcement matters were agreed and final text of the decisions, as adopted, was issued in **document CoP14 Com. II. 27** (*Decisions 14.31 & 14.32*).

Compliance and enforcement

Document CoP14 Doc. 26 (Rev. 1), submitted by the European Union (EU), also related to *Resolution Conf. 11.3 (Rev. CoP13)* on compliance and enforcement. Besides a draft amendment to the Resolution, it contained two versions of draft decisions directing the Standing Committee and Secretariat to reconvene the CITES Enforcement Experts Group[3]. In introducing the document, the EU advised Committee II that it should favour the Secretariat's version of these draft decisions. In the light of discussions in session, a drafting group was formed to generate revised text for the draft decisions and amendments to *Resolution Conf. 11.3 (Rev. CoP13)*. This revised text, presented in **document CoP14 Com. II. 23**, was adopted. The decisions require the Experts Group, contingent upon external funding, to assess progress with its own recommendations made at its meeting in Shepherdstown in 2004 and with the national action plans to enhance enforcement of CITES specified in *Resolution Conf. 11.3 (Rev. CoP13)*, and to report to SC58 (*Decision 14.33*). That Committee is directed to review the report with a view to further action by CoP15 (*Decision 14.34*). The amendments to the Resolution urge greater inter-agency co-operation and recommend Parties to join the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption.

Internet trade in specimens of CITES-listed species

The EU submitted **document CoP14 Doc. 28**, containing two versions of draft decisions directed to the Secretariat and to the Standing Committee regarding evaluation, including through the convening of a workshop, of internet-based illegal wildlife trade and formulation of recommendations for its containment. In introducing the document, the EU advised Committee II that it should favour the Secretariat's version of these draft decisions and, with an amendment specifying that a suitably qualified consultant should be contracted to do the work, these were adopted (*Decisions 14.35* & *14.36*). Final text was made available in **document CoP14 Com. II. 6**.

National reports

Intersessional activities in response to decisions taken at CoP13 regarding Parties' national reports were summarized by the Secretariat in **document CoP14 Doc. 29**. Two draft decisions in the document's Annex 2 were adopted by consensus. The first (*Decision 14.37*) directs the Standing Committee to review recommendations to Parties to provide special reports under the Convention, with a view to assessing whether special reports can be incorporated effectively into Parties' annual or biennial reports, while the second (*Decision 14.38*) directs the Secretariat, *inter alia*, to continue to identify ways to reduce the reporting burden on Parties.

Incentives for implementation of the Convention

A vote was needed to ascertain Committee II's approval for the draft decisions in **document CoP14 Doc. 32** on incentives for the effective implementation of the Convention. While the EU, Switzerland, Senegal and Uganda all supported elements of the decisions, Argentina, Australia, Brazil, the USA and Venezuela were not in favour of further CITES work on incentives, stating, for example, that economic incentives were the prerogative of individual Parties. Debate on the decisions was reopened in plenary session by Brazil, who proposed amendments, which were agreed. The final text adopted (*Decisions 14.42–14.47*) encourages Parties to consider practical ways to enhance stakeholder engagement in the implementation of the Convention and directs the Secretariat to review fees for CITES permits and related administrative services, and to continue its co-operation with the BioTrade Initiative of the United Nations Conference on Trade and Development (UNCTAD), subject to the provision of external funding.

Trade control and marking issues

Introduction from the sea

The workshop on introduction from the sea mandated by *Decisions 13.18* and *13.19* took place in late 2005, in Geneva. In **document CoP14 Doc. 33**, the Secretariat presented a draft resolution with alternative definitions of "the marine environment not under the jurisdiction of any State", as decided by the workshop on the one hand, and by a working group established at the 54th meeting of the Standing Committee (SC54), on the other. The document also contained a summary of the efforts of the working group; the report of the workshop held in Geneva in 2005; comments on that report; and a draft decision directing the Standing Committee to establish a working group on introduction from the sea to consider issues identified for consideration in the final report of the workshop, notably a definition for "transportation into a State" and clarification of the term "State of introduction". There was support in session for harmonization between CITES and the United Nations Convention on the Law of the Sea (UNCLOS), for the definition of "the marine environment not under the jurisdiction of any State" proposed by the SC54 working group, and for the setting of a more precise timeframe for the draft decision. Texts of the draft resolution (*Resolution Conf. 14.6 Introduction from the sea*) and decision (*Decision 14.48*) reflecting these preferences (**document CoP14 Com. II. 26**) were adopted.

[2,3] *the Secretariat had undertaken to consolidate the draft decisions in documents CoP14 Docs 25 and 26 relating to reconvention of the CITES Enforcement Experts Group if both were accepted. However, timing of the production of documents CoP14 Com. II. 23 and 27 precluded this during CoP14.*

International expert workshop on non-detriment findings

The proposal for such a workshop, articulated in three draft decisions in **document CoP14 Doc. 35,** was put forward by Mexico, seconded by Canada. Mexico told Parties that the workshop should result in enhanced guidance for making non-detriment findings, including guidelines specific to eight major groups of taxa subject to trade. The decisions (*Decisions 14.49–14.51*) were adopted by consensus. The results of the workshop, which is funding-dependent, are due to be submitted to CoP15.

Appendix-I species subject to export quotas

Three proposals for amending export quotas for Appendix-I species, from Mozambique, Uganda and Kenya, were considered by Committee I. Uganda's **proposal CoP14 Prop. 3**, originally tabled under agenda item 68, was adjusted to request a quota for 28 Leopards, as opposed to 50. The proposal, as amended, and Mozambique's proposal to increase its export quota for Leopard hunting trophies and skins from 60 to 120 (**document CoP14 Doc. 37.1**) were supported by almost all Parties who spoke in session. Amendments to *Resolution Conf. 10.14 (Rev. CoP13) Quotas for leopard hunting trophies and skins for personal use* were adopted accordingly, to adjust the quota for Mozambique and to provide a new one for Uganda (**document CoP14 Com. I. 6**).

Through presentation of **document CoP14 Doc. 37.2**, supported by **document CoP14 Inf. 39**, Kenya sought a repeal of *Resolution Conf. 13.5 Establishment of export quotas for black rhinoceros hunting trophies*, which sets an annual export quota of five Black Rhinoceroses *Diceros bicornis* from Namibia and five from South Africa. Namibia and South Africa countered Kenya's proposal, citing **document CoP14 Inf. 43** and maintaining that the quotas were sustainable. Following a vote, Kenya's proposal in document CoP14 Doc. 37.2 was rejected, with 15 votes in favour and 65 against, and 11 abstentions.

Exemptions and special trade provisions

Personal and household effects

In order to assist with the implementation of *Decision 13.71* (regarding setting quantity limits for specimens of personal and household effects of Appendix-II species), the Standing Committee had established a Working Group on Personal and Household Effects at its 53rd meeting. The Group's recommendations for a revision of *Resolution Conf. 13.7 Control of trade in personal and household effects* and adoption of a draft decision to extend the life of the Group (and replace *Decision 13.71*) were set out in **document CoP14 Doc. 45**, presented in Committee II. At the suggestion of the Chairman of Committee II, a working group was set up to address the recommendations. The working group returned to Committee II with proposals contained in **document CoP14 Com. II. 16**. In session, the EU suggested adding three extra paragraphs to the version of the draft decision in the document, in order to specify concentration on the interpretation of Article VII, paragraph 3 b) of the Convention text; to assess whether there are any categories of personal and household effect that required different treatment under *Resolution Conf. 13.7*; and to monitor Parties' implementation of the Resolution. With these amendments and some clarifications, the draft amendment to the Resolution and draft decision (*Decision 14.64*) were adopted and final text was distributed in **document CoP14 Com. II. 34**.

Relationship between* ex situ *production and* in situ *conservation

Decision 13.78 was the most recent in a series of Decisions of the Conference of the Parties to identify the appropriate way to continue consideration of this relationship. **Document CoP14 Doc. 48 (Rev. 1)**, produced by the Standing Committee as part of this process, was discussed in Committee II. Its salient recommendation was for an independent study to assess the relationship between *ex situ* production and *in situ* conservation. There being no consensus over the merits of such a study in Committee II, the Chairman proposed a vote, which resulted in rejection of the proposal to undertake a study, with 48 votes in favour, 31 against and five abstentions.

Species trade and conservation issues and **Amendment of the Appendices**

Cetaceans

Japan submitted its case for re-evaluation of Appendix-I cetacean listings in **document CoP14 Doc. 51**, which contained two draft decisions. The first of these directed the Animals Committee to review these listings and propose amendments to *Resolution Conf. 11.4 (Rev. CoP12) Conservation of cetaceans, trade in cetacean specimens and the relationship with the International Whaling Commission*, while the second directed the Secretariat to write to the Secretariat of the International Whaling Commission (IWC) conveying concern that the Revised Management Scheme was still incomplete. While Japan considered that review of these listings was apt because the taxa had been included in Appendix I before Parties developed scientific criteria to guide decisions on amending the Appendices—and were supported in their view by China, Greenland, Norway and Saint Kitts and Nevis—Australia, the EU and several Latin American countries were opposed to Japan's draft decisions. The decisions were put to a vote and were rejected, with 26 votes in favour, 54 against and 13 abstentions.

Following a vote (with 60 in favour, 22 against and 13 abstentions), CoP14 also decided (**document CoP14 Com. I. 7**) that no periodic review of any great whale, including the Fin Whale *Balaenoptera physalus*, should occur while the IWC moratorium was in place.

Asian big cats

The Secretariat's report providing background and updated information on Asian big cats and CITES was in **document CoP14 Doc. 52**. It concluded that, in general, the Convention was not being properly implemented with regard to this group of species. Reports from China, India, Kazakhstan, Malaysia, Myanmar and Thailand on their implementation of *Resolution Conf. 12.5 Conservation of and trade in tigers and other Appendix-I Asian big cat species* and the Secretariat's report on its verification and assessment mission to China in 2007 were also contained in the document. Committee II noted the document. In a following session of Committee II, India introduced draft decisions in **document CoP14 Com. II. 19**, that it had drawn up with China, Nepal and the Russian Federation on the basis of the Committee's earlier discussion of document CoP14 Doc. 52. These decisions sought to renew Parties' efforts to implement *Resolution Conf. 12.5*, called for improved international and regional co-operation, and stipulated that operations breeding Tigers on a commercial scale should restrict the captive population to a level supportive only of wild Tiger conservation. They also directed the Secretariat to convene a Tiger trade enforcement meeting within 12 months of CoP14, external funding permitting; to co-operate in the development of a conservation strategy workshop, to be facilitated by The World Conservation Union (IUCN) and Global Tiger Forum; to assist with technical enforcement issues; and to establish a mechanism via the CITES Tiger Enforcement Task Force and Enforcement Experts Group for regular evaluation of illegal trade in Asian big cats. The decisions received wide support in Committee II and, after some amendments, notably one to specify that operations breeding Tigers on a commercial scale should not breed them for trade, they were adopted, as set out in **document CoP14 Com. II. 33** (*Decisions 14.65–14.72*).

Elephants

53.1 Trade in elephant specimens

Document CoP.14 Doc. 53. 1 comprised the Secretariat's report on its intersessional tasks relating to trade in elephant specimens. Specifically, it provided an update on its activities pursuant to *Resolution Conf. 10.10 (Rev. CoP12) Trade in elephant specimens*; on its verification of potential ivory trading partners; on its mission to assess Zimbabwe's ivory trade controls; on implementation of the *Action plan for the control of trade in African elephant ivory*, adopted at CoP13; and noted that illegal trade in ivory continued to occur at serious levels. The document concluded that, if the Action plan were to continue, its continuance would need to be mandated by a Decision of CoP14. Kenya proposed an alternative action plan, as explained in **document CoP14 Inf. 56**, but many Parties supported the original Action plan, as updated in document CoP14 Doc. 53.1 Addendum, and this was duly adopted.

53.2 Monitoring of illegal trade in ivory and other elephant specimens

The document for this agenda item (**document CoP14 Doc. 53.2**) was the report to CoP14 from TRAFFIC, the manager of ETIS (the Elephant Trade Information System). The report highlighted the fact that: it was based on nearly 3000 more records than the equivalent report to CoP13; that illicit trade in ivory was once again increasing; that the five countries most heavily implicated in that trade were Cameroon, China, the Democratic Republic of the Congo, Nigeria and Thailand; that CITES discussions did not appear to give "signals" conducive to stimulating illicit ivory trade and that, in contrast, the trade was most directly related to tangible market forces and the degree of law enforcement; that large-scale seizures, indicative of the involvement of organized crime operations, had become more frequent; and that unless national governance issues were firmly addressed, the implementation of the CITES *Action plan for the control of trade in African elephant ivory* would be severely jeopardized. Eight recommendations based on the report, several centred on implementation of the renewed Action plan, were included in the document. The Secretariat noted that the ETIS report reinforced many of its observations in document CoP14 Doc. 53.1.

After raising various concerns and queries, to which TRAFFIC responded, the Parties noted the ETIS report.

53.3 Monitoring of illegal hunting in elephant range States

This document was the Secretariat's report, pursuant to *Resolution Conf. 10.10 (Rev. CoP12)*, on progress made in implementing the MIKE (Monitoring Illegal Killing of Elephants) programme since CoP13. The Secretariat updated the report orally in session, stating that the MIKE baseline information was now complete for all 45 sites in Africa and all 18 in Asia, as had been agreed at the 55th meeting of the Standing Committee. It continued that rates of illegal killing of elephants were highest in Central Africa, that development of MIKE in Asia remained problematic and that the MIKE approach could be applied to other species. Several range States wished to see MIKE sustainable in the long term. The EU noted the importance of sustained funding and announced that France would be providing USD50 000 for the MIKE South Asian subregion. **Document CoP14 Doc. 53.3** was noted.

53. 4 Illegal ivory trade and control of internal markets

Document CoP14 Doc. 53.4 (Rev. 1), issued in support of proposal CoP14 Prop. 6 submitted by Kenya and Mali, was superseded by the African consensus proposal for elephants (see below) and was withdrawn.

Four proposals to amend the Appendices for elephants were submitted to CoP14:

- **Proposal CoP14 Prop. 4**, submitted by Botswana and Namibia, sought to replace the annotation governing trade in Appendix-II African Elephant specimens with one that would allow an annual commercial export quota for raw ivory.

- **Proposal CoP14 Prop. 5**, submitted by Botswana, sought to replace the annotation governing trade in Appendix-II African Elephant specimens, in this case with one that would allow, for the elephant population of Botswana, non-commercial trade in hunting trophies; commercial trade in hides, leather goods, live animals to appropriate destinations, and raw ivory from registered stocks to certified trading partners; and a one-off sale of raw ivory from registered stocks to certified trading partners.

- **Proposal CoP14 Prop. 6**, submitted by Kenya and Mali, sought to replace the annotation governing trade in Appendix-II African Elephant specimens with one that would effect a 20-year moratorium on trade in raw or worked ivory, with exceptions made for the one-off sale approved at CoP12 and for hunting trophies from Botswana, Namibia and South Africa.

- **Proposal CoP14 Prop. 7**, submitted by Tanzania, sought to transfer the Tanzanian population of elephants from Appendix I to Appendix II, with an annotation allowing certain trade in raw ivory, live specimens and hunting trophies. This proposal was withdrawn before the start of CoP14.

The first of these proposals, CoP14 Prop. 4, was introduced by Namibia in Committee I on 12 June. Namibia stressed the need to find a better process for making decisions on elephant trade issues in CITES, as the current one was lengthy, expensive and to the detriment of other issues. At Namibia's behest, South Africa offered its compromise suggestion, contained in **document CoP14 Inf. 53**, for a combined amendment to all three elephant proposals. Additionally, the EU referred to its draft amendment to document CoP14 Prop. 4 in **document CoP14 Inf. 54** and Kenya and Mali to their **document CoP15 Inf. 55**, produced in support of their proposal. In order to allow proper consideration of inter-linked elephant documents, their discussion was referred to a group of interested Parties, chaired by Chile, and continued outside Committee I. The resulting draft replacement of the annotation governing trade in Appendix-II African Elephant specimens, and several associated draft decisions, were set out in **document CoP14 Inf. 61** and introduced to Committee I on the penultimate day of the meeting, by Chad and Zambia, on behalf of Africa. As there was consensus to accept this all-African proposal, pre-existing proposals for amending the annotation were withdrawn or did not need to be formally considered and document CoP14 Inf. 61 was adopted.

The new annotation authorizes trade in hunting trophies for non-commercial purposes; restricted trade in live animals; trade in hides and hair; trade in leather goods (for non-commercial purposes only in the case of Zimbabwe); trade in *ekipas* as already approved at CoP13 for Namibia and in ivory carvings for non-commercial purposes for Zimbabwe; strictly controlled trade in registered raw ivory, including the amounts approved at CoP12, to certified trading partners in single sales per destination, the proceeds from which must go to elephant conservation or community programmes. The annotation also states that no further proposals to allow trade in ivory from elephants already in Appendix II may be submitted until at least nine years after the conditional sales of raw ivory. Any eventual proposals would need to be in accordance with the conditions set out in the draft decisions which direct the Standing Committee to establish a new decision-making process for ivory trade proposals by the 16th meeting of the Conference of the Parties and to conduct a rolling review of the status of the African Elephant and the impact of trade on its status (*Decisions 14.77* & *14.78*). Other draft decisions in document CoP14 Inf. 61 direct the African Elephant range States to develop an overall *African Elephant Action Plan*, aiming at implementation of the CITES *Action plan for the control of trade in African elephant ivory*, improved resources for enforcement and reduction of human–elephant conflicts (*Decision 14.75*); direct the Secretariat to establish an African Elephant Fund for the *African Elephant Action Plan (Decision 14.79)*; and call on Parties, international governmental organizations and non-governmental organizations and others to contribute to the Fund (*Decision 14.76*).

Rhinoceroses

Acting on *Decisions 13.23* to *13.25* to share collection of information on rhinoceroses with the IUCN/SSC African and Asian Rhinoceros Specialist Groups in the interests of efficiency of effort, and to provide a summary of the information at CoP14, the Secretariat presented **document CoP14 Doc. 54**. It contained a summary report by the IUCN/SSC Specialist Groups and TRAFFIC on the status, trade and management of rhinoceroses, a draft amendment of *Resolution Conf. 9.14 (Rev. CoP13) Conservation of and trade in African and Asian rhinoceroses*, as this had links to collection of information on rhinoceroses, and draft decisions to address threats posed by illegal trade and inadequate management of rhinoceros horn stockpiles. These were adopted by consensus, following an amendment proposed by the EU, to require that a report

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GOOD PROGRESS WAS REPORTED TO HAVE BEEN MADE ON THE IMPLEMENTATION OF DECISIONS TO ADDRESS CONCERNS OVER THE CONTINUOUSLY DETERIORATING CONSERVATION STATUS OF THE **SAIGA ANTELOPE** *SAIGA TATARICA*, AS A CONSEQUENCE OF WHICH THE SPECIES WAS ARGUABLY RECEIVING THE MOST SUBSTANTIAL CONSERVATION SUPPORT OF ALL THE THREATENED ANTELOPE SPECIES.

THE USA PUT FORWARD A PROPOSAL TO INCLUDE ALL SPECIES OF **RED CORAL** *CORALLIUM* IN APPENDIX II. DESPITE BEING ACCEPTED IN COMMITTEE I, THE PROPOSAL WAS REJECTED AFTER THE DEBATE WAS REOPENED IN PLENARY.

VOTING ON A PROPOSAL TO LIST THE **SPINY DOGFISH** *SQUALUS ACANTHIAS* IN APPENDIX II WAS PUT TO A SECRET VOTE IN PLENARY AFTER BEING REJECTED IN COMMITTEE I, BUT WAS AGAIN REJECTED BY 55 VOTES IN FAVOUR AND 58 AGAINST.

RED CORAL: SEAWEB

SPINY DOGFISH: ANDY MURCH / ELASMODIVER

on progress with the Decisions be given by the Secretariat at the 57th and 58th meetings of the Standing Committee and at CoP15. The final texts were presented in **document CoP14 Com. I. 2** (*Decisions 14.88–14.90*).

Tibetan Antelope

Document CoP14 Doc. 55 (Rev. 1) had been prepared in fulfilment of *Resolution Conf. 11.8 (Rev. CoP13) Conservation of and control of trade in the Tibetan Antelope*, which directs the Standing Committee to provide an update at each meeting of the Conference of the Parties on enforcement measures to counter the illegal trade in Tibetan Antelope products. The Secretariat had expressed concern at SC54 regarding weaknesses in the provisions of Thailand's domestic legislation for dealing with such trade, and had asked Thailand to report to CoP14 on the subject. Thailand's report formed the Annex to document CoP14 Doc. 55 (Rev. 1). While praising progress in Thailand, the EU still had concerns regarding enforcement in India and Thailand. The document was noted by the meeting.

Saiga Antelope

Interconnected *Decisions 13.27* to *13.35* on Saiga Antelope were intended to address grave concerns over the continuously deteriorating conservation status of the species, despite its inclusion in Appendix II since 1995. **Document CoP14 Doc. 56**, produced by the Secretariat, reported on the implementation of the Decisions and concluded that good progress had been made, as a consequence of which, of all the threatened antelope species, the Saiga Antelope was arguably receiving the most concerted and substantial conservation support. In the light of this, the Secretariat proposed that the Parties prolong elements of *Decision 13.28,* concerning funding and other support for Saiga conservation, and adopt a number of further decisions. There being strong support for these recommendations, the seven draft decisions in document CoP14 Doc. 56 were adopted, as set out in **document CoP14 Com. I. 5** after one small amendment. Among other things, the new Decisions (*Decisions 14.91–14.97*) urge range States to implement the *Medium-Term International Work Programme for the saiga antelope (2007–2011)*; call on the Russian Federation to sign the MoU concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope; direct the Secretariat to co-operate with the Convention on Migratory Species on Saiga issues and report back to CoP15; encourage consumer and trading countries to co-operate to reduce and manage trade in Saiga products; and extend the call for assistance made in *Decision 13.28*. The Russian Federation had announced earlier in the meeting that it intended to sign the MoU concerning Conservation, Restoration and Sustainable Use in the near future.

Tortoises and freshwater turtles

Decisions taken at CoP13 (*13.36* and *13.37*) required a summary of information submitted by Parties in biennial reports on their progress in implementing *Resolution Conf. 11.9 (Rev. CoP13) Conservation of and trade in tortoises and freshwater turtles* to be provided to CoP14. They also required the Secretariat to report on its activities relating to these Decisions, including its liaisons with the World Customs Organization (WCO) to promote the use of harmonized tariff codes for tortoises and turtles. **Document CoP14 Doc. 57** contained these reports, as well as recommendations from the Secretariat regarding the continuation of work set in motion by the Decisions. In response, a drafting group of

Committee I produced two draft decisions in **document CoP14 Com. I. 12**, to extend liaison with the WCO and the requirement for reporting on implementation of *Resolution Conf. 11.9 (Rev. CoP13)*. A further two draft decisions were added in session in Committee I (see **document CoP14 Com. I. Rep. 13**). These directed the Secretariat to contract the IUCN/SSC Tortoise and Freshwater Turtle Specialist Group to undertake a study to assist in the implementation of the Resolution and directed the Animals Committee to review the resulting study. The USA and Conservation International pledged financial support for the study. All four decisions (*Decisions 14.126–14.129*) were adopted.

Hawksbill Turtle

Document CoP14 Doc. 58 reported on the poor progress made with Decisions taken at CoPs 12 and 13 in relation to this species, mainly regarding development of a regional conservation strategy for the wider Caribbean, standard protocols for monitoring of populations and measures to reduce illegal trade. In view of this, the Secretariat recommended no further CITES action be taken on the Hawksbill Turtle for the time being. Several Parties disagreed with this, whereupon the Chairman of Committee I established a working group with a mandate to draft new decisions for CITES involvement with Hawksbill Turtles in the wider Caribbean. The resultant **document CoP14 Com. I. 11** set out draft decisions to raise funds in collaboration with the Inter-American Convention for Protection and Conservation of Sea Turtles (IAC) and the Convention for the Protection and Development of the Marine Environment of the wider Caribbean region (Cartagena Convention) and its Protocol Concerning Specially Protected Areas and Wildlife (SPAW Protocol) for a regional Hawksbill Turtle meeting, and to report on the meeting at CoP15. These decisions (*Decisions 14.86* & *14.87*) were adopted by consensus.

Cuba announced it had decided to declare a moratorium on marine turtle fisheries from 2008, allowing only a minimum level of catch, for scientific purposes.

Sharks and stingrays

The Chairman of the Animals Committee, which had established a working group on sharks at its 21st meeting, introduced the Committee's report and recommendations on CITES activities related to sharks contained in **document CoP14 Doc. 59.1**. The 14 draft decisions in the document had grown out of recommendations made by the working group. As Australia had prepared **document CoP14 Doc. 59.2** prior to availability of document CoP14 Doc. 59.1, there were several overlapping decisions between the two documents, such that the Chairman of Committee I established a working group with representatives from all CITES regions, tasked with consolidating, prioritizing and costing the draft decisions from the two documents, taking into account the comments from the Secretariat in document CoP14 Doc. 59.1. The working group returned to Committee I with 17 draft decisions presented in **document CoP14 Com. I. 16**. They covered implementation and effectiveness issues; commodity codes; species-specific reviews and recommendations; South American freshwater stingrays Potamotrygonidae; capacity-building; the *International Plan of Action for the Conservation and Management of Sharks* (IPOA-Sharks); and illegal, unregulated and unreported (IUU) fishing. A suggestion from Japan to delete the last-mentioned decision was rejected after a vote (39 in favour, 48 against and 14 abstentions), but Argentina's proposal to build consultation with FAO into the decision was accepted by consensus, after which the draft deci-

COMMON STURGEON: WWF-CANON / HARTMUT JUNGIUS

HAWKSBILL TURTLE: WWF-CANON / CAT HOLLOWAY

IT WAS REPORTED AT CoP14 THAT THE CITES TRADE DATABASE HAD BEEN MODIFIED SO THAT INFORMATION RELATING TO **STURGEON** *ACIPENSER* QUOTAS AND DATA COLLECTED FROM PERMITS AND CERTIFICATES COULD BE ENTERED.

IT WAS AGREED THAT FUNDS WOULD BE RAISED TO CONDUCT A MEETING ON **HAWKSBILL TURTLES** *ERETMOCHELYS IMBRICATA* FOR THE WIDER CARIBBEAN REGION BEFORE CoP15, WITH THE PURPOSE OF PROMOTING COLLABORATION, PLANNING AND INFORMATION-SHARING WITHIN THE REGION, AND TO CO-OPERATE WITH OTHER ORGANIZATIONS AND MULTILATERAL AGREEMENTS THAT HAVE A MANDATE CONCERNING THE CONSERVATION, MANAGEMENT AND SUSTAINABLE USE OF THIS SPECIES IN THE WIDER CARIBBEAN REGION.

MOZAMBIQUE'S EXPORT QUOTA FOR HUNTING TROPHIES AND SKINS OF **LEOPARD** *PANTHERA PARDUS* WAS INCREASED FROM 60 TO 120.

LEOPARD: WWF / FRITZ PÖLKING

sions in document CoP14 Com. I. 16, with some further small amendments, were adopted by consensus (*Decisions 14.101–14.117*).

Proposals to list two sharks—the Porbeagle *Lamna nasus* and Spiny Dogfish *Squalus acanthias*—in Appendix II were put forward to CoP14. The Porbeagle proposal (**CoP14 Prop. 15**) and the Spiny Dogfish proposal (**CoP14 Prop. 16**), both submitted by the EU, were rejected after votes (54 in favour, 39 against and 12 abstentions and 57 in favour, 26 against and 10 abstentions, respectively). Reasons stated for their rejection included a failure to meet the criteria for listing; identification difficulties; and a conflict with the MoU between CITES and FAO. The latter organization had provided the recommendations of its *ad hoc* Expert Advisory Panel regarding proposals to list commercially exploited aquatic species in the CITES Appendices in **document CoP14 Inf. 38**. Debate on the Spiny Dogfish proposal was reopened in plenary session, but the proposal again failed, this time after a secret ballot, with 55 votes in favour and 58 against.

A proposal to list sawfishes Pristidae in Appendix I was also put before CoP14. Australia, the sole Party exporting live sawfish specimens, put forward an amendment to the proposal (**CoP14 Prop. 17**) from Kenya and the USA, such that all Pristidae species would be listed in Appendix I except *Pristis microdon*, which would be in Appendix II with the annotation "For the exclusive purpose of allowing trade in live animals to appropriate and acceptable aquaria for primarily conservation purposes". After a vote with 67 votes in favour, 30 against and seven abstentions, the proposal, so revised, was adopted.

Sturgeons and paddlefish

CoP13 had adopted *Decisions 13.44*, *13.45*, *13.46* and *13.47* concerning the establishment of a database on trade in sturgeons. The Secretariat reported in **document CoP14 Doc. 60.1** that the UNEP World Conservation Monitoring Centre (UNEP-WCMC) had modified the CITES Trade Database so that information relating to sturgeon quotas and data collected from permits and certificates could be entered. It also reported that the proceedings of the international sturgeon enforcement workshop hosted by the European Commission in June 2006 had been distributed as CITES document SC54 Inf. 6 and that, at SC54, the Standing Committee had established a working group to review issues related to the trade in caviar and the conservation of sturgeons and paddlefish Acipenseriformes. Document CoP14 Doc. 60.1 was noted.

Documents CoP14 Doc. 60.2.1 and **CoP14 Doc. 60.2.2**, submitted respectively by the Standing Committee's working group on sturgeons and the Russian Federation, contained proposals for amending *Resolution Conf. 12.7 (Rev. CoP13) Conservation of and trade in sturgeons and paddlefish.* These were referred by Committee II to a working group, comprising the members of the Standing Committee's working group on sturgeons, and Ukraine. The group returned to Committee II with **document CoP14 Com. II. 25** containing a draft amendment of *Resolution Conf. 12.7 (Rev. CoP13)* and six draft decisions.

The amendment to the Resolution updated time-sensitive requirements and outlined the procedure for setting export quotas for caviar and meat from sturgeons and paddlefish, which specifies that: the quotas be based on an appropriate regional conservation strategy; that all relevant range States must agree quotas from a shared stock, or risk jeopardizing establishment of the said quotas; and that details of the scientific basis for quotas and of the quotas themselves be communicated to the Secretariat by 31 December of the year preceding intended export. It also directs the Animals Committee, in collaboration with others and on a three-year cycle, to evaluate the methodologies for assessing shared stocks of sturgeons and paddlefish, thereby bringing the Animals Committee into the review process for quotas.

The draft decisions urge that export quotas for 2008 should be no higher than those for 2007; direct the Secretariat to remind Parties of their duties regarding submission and recording of caviar permits and certificates and to communicate to the Parties the results of the workshop "Identification of Acipenseriformes Species in Trade" organized by the IUCN/SSC Sturgeon Specialist Group and others; and request Caspian Sea sturgeon range States to participate in FAO's technical co-operation programme. In session, two further draft decisions were agreed by Committee II, as recorded in **document CoP14 Com. II. Rep. 15.**

The draft resolution (*Resolution Conf. 12.7 (Rev. CoP14)*) and all draft decisions (*Decisions 14.118–14.125*), including some small amendments, were adopted.

Toothfish: report of CCAMLR

Committee II considered **document CoP14 Doc. 61** which was pursuant to *Resolution Conf. 12.4 Co-operation between CITES and the Commission for the Conservation of Antarctic Marine Living Resources regarding trade in toothfish*, which encourages the Commission to maintain a "permanent flow of information" to CITES Parties. While the Republic of Korea and Norway said they thought that CITES was not the appropriate forum for dealing with toothfish, China and Singapore said they had made some effort to comply with the Resolution and Australia, the EU and the USA encouraged other Parties to follow suit. Document CoP14 Doc. 61 was noted, with appreciation.

Sea cucumbers

In line with Decisions made by CoP13, the Animals Committee provided a discussion paper on the biological and trade status of sea cucumbers in **document CoP14 Doc. 62**, on the basis of which it recommended adoption

of four draft decisions. Committee I was split in its opinion of the decisions. The Chairman established a working group comprising supporters and opponents to consider them. The group produced three draft decisions in **document CoP14 Com. I. 1**, reflecting those in the original document and adding two additional elements. Norway continued to oppose acceptance, but the decisions in the working group's document were adopted following a vote (77 in favour, four against and 10 abstentions). The Decisions (*Decisions 14.98–14.100*) direct the Secretariat to bring to the attention of FAO the discussion paper presented in document CoP14 Doc. 62 and various Animals Committee recommendations relating to management plans for, and further research on, sea cucumbers. The Animals Committee is directed to evaluate the outcomes of the 2007 FAO Workshop on Sustainable Use and Management of Sea Cucumber Fisheries, in order to recommend appropriate follow-up actions at CoP15.

Trade in traditional medicines

CoP14 agreed to amend *Resolution Conf. 10.19 Traditional medicines*, to urge Parties, *inter alia*, to pursue the development of medicinal alternatives in preference to captive-breeding programmes for Appendix-I species commonly encountered in traditional medicines and to consider the application of stricter domestic measures in relation to exports of personal medicines containing CITES-listed species. The proposed amendments were set out in **document CoP14 Com. II. 22**, in line with Australia's **document CoP14 Doc. 63**, despite the Secretariat's cautioning that the amendments appeared superfluous or unclear.

Bigleaf mahogany: report of the Working Group

The Chairmen of the Plants Committee and of the Bigleaf Mahogany Working Group had jointly prepared **document CoP14 Doc. 64 (Rev. 1)**, an account of the Group's activities since CoP13, pursuant to Decisions taken at CoP13. Based on these, draft decisions for the adoption of an *Action plan for the control of international trade in bigleaf mahogany*, and regarding annotations and non-detriment findings for tree species in general, had been formulated in collaboration with the Secretariat and were set out in Annex 2 of the document. Following acceptance of text to harmonize the decision on non-detriment findings with that of a similar decision resulting from the Report of the Chairman of the Plants Committee (document CoP 14 Doc. 8.3), the draft decisions were adopted, as set out in **document CoP14 Com. I. 17** (*Decisions 14.135, 14.136, 14.145, 14.148* & *14.149*). In addition to instating the Action plan, the decisions set in motion development by the Plants Committee of principles, criteria and indicators for non-detriment findings for wild specimens of high-priority plant taxa; establish support for a workshop on non-detriment findings for tree species before CoP15; and direct the Plants Committee to review annotations to tree species listed in Appendices II and III.

Report of the Central Africa Bushmeat Working Group

The Central Africa Bushmeat Working Group (formerly the CITES Bushmeat Working Group) had been given a mandate through *Decision 13.102* to continue its work and report via the Secretariat at CoP14. Its report was provided in **document CoP14 Doc. 65 (Rev. 1)**. In the same document, the Secretariat recommended that the Parties adopt a decision that the Working Group collaborate with the Convention on Biological Diversity (CBD) and other bodies involved with sustainable forest management, rather than CITES, as this seemed more appropriate. Committee I agreed with this recommendation and the EU proposed an additional recommendation, to encourage the Group to collaborate also with the CBD's Liaison Group on non-timber forest resources, and to report to the Standing Committee and to CoP15. Text of the ensuing draft decisions, which were adopted, was presented in **document CoP14 Com. I. 13** (*Decisions 14.73* & *14.74*).

Periodic Review of the Appendices

The guidelines for selecting taxa for this Review, established under *Resolution Conf. 11.1 Establishment of Committees*, had proved too complex and the Animals and Plants Committees therefore proposed a simplified procedure in the form of a draft resolution, set out in **document CoP14 Doc. 66**. At the request of the Chairman of Committee I, the USA led a working group to refine the draft resolution further. The resulting resolution text (in **document CoP14 Com. I. 14 (Rev.1)**) was adopted (*Resolution Conf. 14.8 Periodic Review of the Appendices*). It instructs the Animals and Plants Committees to establish a schedule for the Periodic Review and identify taxa proposed for review during the next two intersessional periods. It specifies that relatively recently-listed species, or those recently proposed for listing, as well as species that are the subject of other reviews, should not be considered for Periodic Review.

Use of annotations for plants in Appendix II and animals and plants in Appendix III

Several inconsistencies over the years in the interpretation of unannotated plant listings in Appendix II and unannotated animal and plant listings in Appendix III had led the USA to submit **document CoP14 Doc. 67**, with the support of the Animals and Plants Committees. As any CITES texts on interpretations of listings were in Resolutions now repealed, the intent of document CoP14 Doc. 67 was to remedy this situation by adding clarifications to *Resolution Conf. 11.21 (Rev. CoP13) Use of annotations in Appendices I and II* and *Resolution Conf. 9.25 (Rev.) Inclusion of species in Appendix III* and a clarification of the fact that unannotated listings included all parts and derivatives to the "Interpretation" section of the published Appendices. The Parties being in favour of these clarifications, document CoP14 Doc. 67 was adopted.

Other species
(Proposals to amend Appendices I and II)

Proposal CoP14 Prop. 8 from Bolivia to amend the annotation for its population of **Vicuña** *Vicugna vicugna* to allow export of wool and wool products from the entire population was adopted.

Proposal CoP14 Prop. 18 from the EU to include the **European Eel** *Anguilla anguilla* in Appendix II received emphatic acceptance in Committee I, as reflected by the 95 votes in favour of the proposal in contrast to nine against, and was subsequently adopted. An amendment to delay the listing's entry into force by 18 months was put forward by the EU at the time the proposal was introduced.

CoP14 adopted a draft decision arising from the Report of the Animals Committee (document CoP14 Doc. 8.2) regarding **giant clams** *Tridacnidae* spp. As presented in **document CoP14 Com. 1. 3**, it directs the Secretariat to search for funding to enable a workshop in 2007 to initiate regional co-operation on sustainable fisheries for the species (*Decision 14.80*).

Proposal CoP14 Prop. 21 from the USA was to include all species of the genus ***Corallium*** in Appendix II. In session, the USA proposed an annotation to the proposal to delay its entry into force for 18 months and the EU suggested the proposal be further annotated to exclude fossil corals from the provisions of the Convention. After a ballot (62 in favour, 28 against and 13 abstentions), the proposal as amended by these two annotations was accepted by Committee I. The USA accordingly put forward wording for a draft amendment to *Resolution Conf. 13.7 Control of trade in personal and household effects*, in order to effect exemption of *Corallium* personal and household effects from the provisions of the Convention, and this was also accepted by Committee I. Draft decisions set out in **document CoP14 Com. I. 15** associated with the coral proposal were likewise accepted by Committee I. On the final day of the meeting, however, Tunisia achieved a reopening of debate on the listing proposal, with the result that a secret ballot rejected it with 65 votes in favour and 55 against. The linked draft decisions and Resolution amendment thus became redundant.

Proposals to list tree species at CoP14 comprised **proposals CoP14 Prop. 30**, from Brazil, to include **Brazil Wood** *Caesalpina echinata* in Appendix II and three proposals from the EU: **Prop. 31** to include **Black Rosewood** *Dalbergia retusa* and *D. granadillo* in Appendix II, **Prop. 32** to include **Honduran Rosewood** *Dalbergia stevensonii* in Appendix II and **Prop. 33** to include ***Cedrela* spp.** in Appendix II. In introducing its proposal to include Brazil Wood in Appendix II, Brazil also announced its intention to annotate the proposal. Following refinement of the wording by a drafting group, the Appendix-II listing with an annotation to exclude finished wood articles, notably bows for musical instruments, from the provisions of the Convention was adopted.

In the face of opposition to the *Cedrela* proposal from range States, but with support for the drafting of a decision for continued CITES focus on *Cedrela* species, the EU withdrew its cedar and rosewood proposals. It requested that the decision-drafting group also consider CITES involvement with the *Dalbergia* species. The drafting group accordingly produced a draft decision to adopt an action plan to continue to collect knowledge on *Cedrela odorata* and the three *Dalbergia* species; provided for follow-up on the action plan at the 17th and 18th meetings of the Plants Committee; and directed the Plants Committee to draw up recommendations regarding these species for CoP15. The decision, set out in **document CoP14 Com. I. 10**, was adopted (*Decision 14.146*).

CITES controls for **tree species already listed in the Appendices** were reviewed at CoP14. In addition to the decisions regarding non-detriment findings for tree species, annotations for high priority plant taxa and closer co-operation with ITTO (see ***Co-operation with other organizations*** and ***Bigleaf mahogany*** above), CoP14 decided to set up an electronic working group to review procedures for the inspection and identification of timber shipments (**document CoP14 Com. II. 18** as modified by **document CoP14 Com. II. Rep. 13**). It also adopted a number of tree-related decisions (**document CoP14 Com. I. 9 (Rev. 1)**) arising from the Report of the Chairman of the Plants Committee. These were to strengthen controls for agarwood-producing taxa (*Decisions 14.137–14.144*) and to amend the definition of "artificially propagated" and the guidelines on establishment of export quotas in *Resolution Conf. 10.13 (CoP13) Implementation of the Convention for timber species*. There were two proposals at CoP14 to amend the annotation for yew species in the Appendices: the USA withdrew its **proposal CoP14 Prop. 36** to amend the annotation for *Taxus cuspidata* in favour of a draft decision adopted to review the treatment of hybrids and cultivars under CITES (see **document CoP14 Com. I. Rep. 13**) (*Decision 14. 147*), while the Depository Government's **proposal CoP14 Prop. 37** was adopted, following revision of the proposed amendment of the annotation to *T. cuspidata* to specify live specimens.

A draft decision directing range States to implement regional actions to promote the conservation of yew species *Taxus wallichiana* and other **medicinal plant species**—*Cistanche deserticola*, *Dioscorea deltoidea*, *Nardostachys grandiflora*, *Picrorhiza kurrooa*, *Pterocarpus santalinus* and *Rauvolfia serpentina*—pursuant to *Resolution Conf. 12.8 (Rev. CoP13) Review of Significant Trade in Appendix-II species* was adopted as set out in **document CoP14 Com. I. 9 (Rev. 1)** (*Decision 14.20*). The draft decision to promote development of

EUPHORBIA SP.: K. LOCHEN / TRAFFIC

THE PLANTS COMMITTEE WAS DIRECTED AT CoP14 TO PREPARE PROPOSALS FOR CONSIDERATION AT CoP15 THAT PROVIDE FOR THE DELETION FROM APPENDIX II OF **EUPHORBIA** SPECIES THAT DO NOT MEET THE CRITERIA OF RESOLUTION CONF. 9.24 (REV. CoP14), ARE FREQUENTLY TRADED AND CAN BE CLEARLY IDENTIFIED BY NON-SPECIALISTS.

COUNTRIES OF EXPORT AND IMPORT WERE DIRECTED AT THE MEETING TO MAKE RECOMMENDATIONS AND PREPARE IDENTIFICATION MATERIAL ON FURTHER EXEMPTIONS FOR ARTIFICIALLY PROPAGATED HYBRIDS OF **ORCHIDACEAE** SPP. INCLUDED IN APPENDIX II, TAKING INTO CONSIDERATION THE CAPACITIES OF COUNTRIES TO IMPLEMENT AND CONTROL SUCH EXEMPTIONS EFFECTIVELY.

A PROPOSAL FROM SWITZERLAND TO ADD ARTIFICIALLY PROPAGATED HYBRIDS OF ***MILTONIA, ODONTOGLOSSUM*** AND ***ONCIDIUM*** TO THE LIST OF GENERA ELIGIBLE FOR EXCLUSION FROM THE PROVISIONS OF THE CONVENTION WAS REJECTED.

ONCIDIUM SP.: K. LOCHEN / TRAFFIC

MILTONIA SP.: K. LOCHEN / TRAFFIC

principles, criteria and indicators on the formulation of non-detriment findings for *Prunus africana* and other medicinal plants, also in that document, was likewise adopted (*Decision 14.135*).

The annotations of **orchid listings**, acknowledged to be problematic, were addressed at CoP14. **Proposal CoP14 Prop. 35** from Switzerland as the Depository Government and **proposal CoP14 Prop. 34** from Switzerland were attempts to rationalize the existing annotation for the family Orchidaceae exempting artificially propagated hybrids from the provisions of the Convention. The latter proposal, which also sought to add *Miltonia*, *Odontoglossum* and *Oncidium* to the list of genera eligible for exclusion, was rejected, with 45 votes in favour and 40 against. Proposal CoP14 Prop. 35, an attempt to clarify shipping conditions for the exempted hybrids and the result of deliberations by the Plants Committee, was adopted by consensus. Committee I accepted draft decisions regarding annotations for Orchidaceae, amended to reflect its rejection of Proposal CoP14 Prop. 34. The final text adopted, as set out in **document CoP14 Com. I. 9 (Rev. 1)**, directs the Plants Committee to monitor possible problems arising from the implementation of the annotation for Orchidaceae species in Appendix II, to report to CoP15, and to consider recommendations for further exemptions for artificially propagated orchid hybrids.

Conclusion of the meeting

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

The Parties accepted an offer from Qatar to host CoP15, in 2010. Exact dates are to be determined.

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THE *TRAFFIC BULLETIN* SEIZURES AND PROSECUTIONS SECTION IS SPONSORED BY THE FORESTRY BUREAU, COUNCIL OF AGRICULTURE, TAIWAN: COMMITTED TO SUPPORTING CITES ENFORCEMENT

The cases reported below represent a selection of recent seizures and prosecutions that have taken place around the world. The sources of this information are cited at the end of each country section. The CITES Appendix-listing for each species is placed in parentheses, where appropriate.

CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) establishes international controls over trade in wild plants and animals, or related products, of species that have been, or may be, threatened due to excessive commercial exploitation. Parties have their own legislative vehicle by which to meet their obligations under CITES. The species covered by CITES are listed in three Appendices, according to the degree of protection they need:

APPENDIX I includes species threatened with extinction which are or may be threatened by trade. Trade in specimens of these species is permitted only in exceptional circumstances. An export permit from the country of origin (or a re-export certificate from other exporting countries) and an import permit from the country of importation are required.

APPENDIX II includes species not necessarily yet threatened, but which could become so if trade is not strictly controlled. Species are also included in Appendix II if they are difficult to distinguish from other species in Appendix II, in order to make it more difficult for illegal trade to take place through misidentification or mislabelling. An export permit from the country of origin (or a re-export certificate from other exporting countries) is required, but not an import permit.

APPENDIX III includes species that any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation and as needing the co-operation of other Parties in the control of trade. Imports require a certificate of origin and, if the importation is from the State that has included the species in Appendix III, an export permit is required.

EUROPE

BELGIUM

On 11 June 2007, 80 kg of dried sea horses were seized at Zaventem Airport, Brussels. They had been sent by cargo from Conakry, Guinea, destined for Hong Kong. A forged licence accompanied this shipment. A CITES alert (a communication sent out by the CITES Secretariat to law enforcement personnel) issued on 22 April 2006 from Geneva underlined that old CITES export licences from Guinea were being misused.

Belgian Customs Airport News, CITES 05, 2007

RUSSIA

On 22 and 23 August 2007, police officials confiscated some 1833 kg of black caviar from two of the largest supermarket chains in Moscow and surrounding areas. The caviar was uncovered during raids involving 137 police agents and resulted in the seizure of 1833 kg of the high-grade beluga caviar (from the Beluga Sturgeon *Huso huso* (CITES II)) and 466 kg of sevruga caviar (from the Stellate Sturgeon *Acipenser stellatus* (CITES II)).

On 28 August 2007, Customs and the Frontier Service in the Primorskii Province in the Russian Far East seized a massive cache of illegal wildlife products bound for China. Among the items were 480 paws from Brown Bear *Ursus arctus* (CITES I/11) and Asiatic Black Bear *Ursus thibetanus* (CITES I), and a Siberian Tiger *Panthera tigris* (CITES I) pelt and bones, as well as 20 kg of wild ginseng *Panax*. Legal proceedings have been instigated against Chinese and Russian nationals involved in the case (see also under China).

On 25 September 2007, three men were arrested near Moscow after Customs and traffic police officers stopped a car and seized 14 Saker Falcons *Falco cherrug* (CITES II; Endangered, *IUCN Red List*, 2007). The birds are believed to have originated from the Altai region and were packed and ready to be shipped to the Middle East.

The Saker Falcon has undergone a rapid population decline, particularly on the central Asian breeding grounds, owing to inadequately controlled capture for the falconry trade. Between 6825–8400 wild individuals are trapped each year, mostly in Central Asia, and exported to the Middle East, up to half of them going to Saudi Arabia. More than 90 per cent are believed to be females, potentially leading to an abnormal sex ratio in wild populations, further threatening the species's survival.

"The enforcement officers are to be congratulated for this successful seizure, which is the result of careful intelligence work," said Alexey Vaisman, Senior Programme Officer of TRAFFIC Europe's office based in Moscow.

SOME 20 KG OF WILD GINSENG WERE AMONGST ILLEGAL WILDLIFE PRODUCTS IN A CONSIGNMENT BOUND FOR CHINA AND SEIZED IN RUSSIA IN AUGUST 2007.

www.sowetan.co.za/News/Article.aspx?id=548795, 27 August 2007; www.kommersant.com/p798678/endangered_species/, 27 August 2007; www. panda.org/about_wwf/what_we_do/species/news/index.cfm?uNewsID=112020; TRAFFIC Europe; BirdLife International (2007) Species factsheet: Falco cherrug. www.birdlife.org. Viewed 28 November 2007.

UK

In July 2007, Dr Sian Lim, of London, who was gaoled for four months in January 2006 for the illegal importation and trade in Annex A and B orchids into Heathrow Airport from his native Malaysia in 2004, was fined more than GBP125 000 (USD256 515) for this offence.

Pharmaceutical researcher Dr Lim was caught smuggling some of the most sought-after orchids in the history of orchid collection and among some of the most rare in the world, including *Paphiopedilum rothschildianum, P. gigantifolium* and *P. sanderianum* (see *TRAFFIC Bulletin* 21(1):35). He admitted 13 charges of smuggling rare orchids although he claimed these activities were not for commercial gain.

He was ordered to pay GBP110 331 from the proceeds of his trade, and GBP15 000 in costs, including costs towards research by

MEMBERS OF THE KHANKAISKII FRONTIER DETACHMENT WITH 480 BEAR PAWS AND A SIBERIAN TIGER PELT, SEIZED IN THE RUSSIAN FAR EAST IN 2007.

PHOTOGRAPHS: PAVEL FOMENKO / WWF

experts at Royal Botanic Gardens, Kew. If the money is not paid, Dr Lim will have to serve a further three years in gaol.

The orchids have been formally handed over to Royal Botanic Gardens, Kew, which is in the process of liaising with the Malaysians regarding further research and possible return of some of the orchids.

On 20 June 2007, HM Revenue & Customs (HMRC) officers, supported by Bedfordshire police, arrested a British national at a residential address in Barton-Le-Clay, in connection with the illegal trade and smuggling of ivory to the USA. They also executed a number of search warrants at residential addresses in the town. Items seized from one address included two raw elephant tusks, whale and Hippopotamus *Hippopotamus amphibius* (CITES II) teeth and carved ivory.

The action follows an investigation by HMRC, the US Fish and Wildlife Service (USFWS) and US Immigration & Customs Enforcement (ICE) into the sale of ivory using an online auction site. Among the items thought to have been traded over a two-year period are whole African Elephant *Loxodonta africana* (CITES I) tusks and Sperm Whale *Physeter catodon* (CITES I) teeth.

In September 2007, at Manchester Airport, HMRC officers, working with their counterparts at Heathrow Airport, seized the largest illegal live coral consignment discovered in the UK to date. The animals consisted of 350 live corals and clams, including a significant number of rare corals which are banned from importation into the EU; they had been falsely declared on the Customs import permit. They were discovered in air freight shipped from Indonesia via Malaysia. Following the discovery, Customs officers attended a number of premises in Manchester, Cheshire, West Midlands, Northamptonshire, Yorkshire and Scotland issuing warning notices to an aquarium wholesaler and a number of aquarium traders across the UK in relation to the seizure.

The consignment was detected in September and details were kept confidential whilst investigations were made and checks were carried out on the various aquarium businesses involved. The coral has been transported to ZSL London Zoo, where tanks large enough to cope with them were available. Thanks to the fast action of the Customs officers at the airport the majority of the corals (and clams) survived and are now flourishing in a specialist aquarium. Owing to the difficulties in identifying many corals to species level, experts were called in to assist officers with this task. Species identified included CITES II-listed corals such as Elegant Coral *Catalaphyllia jardinei*, Crater Coral *Trachyphyllia geoffroyi* and species from the genera *Plerogyra* Bubble corals. The shipment had been destined for retail traders based across the UK who had pre-ordered the items via one wholesaler.

Investigation of the case is continuing.

www.lse.co.uk/ShowStory.asp?story=KI2740202C&news_headline=scientist_fined_for_smuggling_orchids, 27 July 2007; HM Revenue & Customs CITES Team; HM Revenue & Customs Press Office, 20 June 2007; HM Revenue & Customs (North West), 15 January 2008

ASIA

EAST ASIA

CHINA

On 19 June 2007, Customs officers in Dongning, Heilongjiang Province, discovered 39 bear paws contained in a black plastic bag under the driver's seat of a Chinese bus returning from the Russian Far East. The case is being investigated.

On 27 July 2007, forest police from Xining, Qinghai Province, in co-operation with police from Gansu Province, arrested a person and confiscated Snow Leopard *Uncia uncia* (CITES I) parts, including 27 skins, three heads and two skeletons, one Clouded Leopard *Neofelis nebulosa* (CITES I) skin, one bear skin, two skins and eight lynx skeletons, and other protected wildlife products. The suspect said that he had been buying these skins and skeletons in Qinghai and Tibet since November 2006 and had sold two Snow Leopard skins. The case is under investigation. The man was apprehended after a person arrested in Qinghai Province on 23 July in possession of a Snow Leopard skin, stated that he had purchased the skin from this individual.

In August 2007, Dehong Intermediate People's Court of Yunnan Province sentenced two men to 10 years' and five years' imprisonment for the illegal trafficking of rare wild animal products, and fined them CNY20 000 (USD2800) and CNY10 000, respectively. The suspects had purchased pelts of four otters and one Bengal Tiger *Panthera tigris* (CITES I) in Myanmar in October 2006. They were apprehended by police from Lianghe County, Yunnan Province, after transporting the pelts from Yingjiang to Tengchong by bus.

Ivory seizures in China:

On 3 August 2007, Customs officials at Wenzhou Airport, Wenzhou, Zhejiang Province, discovered 34 ivory items of African Elephant *Loxodonta africana* (CITES I) during x-ray examination of the luggage of a South African national arriving from South Africa via Hong Kong. The suspect claimed that he was asked to carry the luggage by a friend and did not know what was inside. Requisite documentation was not available. The case is under investigation. It is reported that Wenzhou Customs have uncovered three cases of ivory smuggling during the year.

On 22 August 2007, Customs officers at Xiaoshan Airport in Hangzhou city, Zhejiang Province, confiscated 74 items of ivory (1814 g) arriving from Africa [country not specified]. Items included seals, chopsticks and jewellery. There were 20 ivory smuggling cases in Xiaoshan Airport between January and July 2007, and a total of 229 items were confiscated.

Recently, Customs officials at Baiyun Airport, Guangzhou, seized a total of 805 g of ivory pieces from a Singaporean who declared them to be wood. There have been four ivory seizures at Baiyun Airport since June 2006 and a total of 116 kg has been confiscated.

Recently, Customs officials in Suzhou, Jiangsu Province, seized two whole tusks of Asian Elephant *Elephas maximus* (CITES I), which were smuggled via international mail. One suspect was detained. The tusks had been purchased via the internet from a man in Thailand and were disguised as crafts.

On 16 October 2007, at Changle Airport, Fuzhou, Fujian Province, Customs officers seized 41 ivory items (2.2 kg) from the luggage of a Chinese national returning from South Africa. The case is under investigation. This is reported to be the 19th case involving ivory seizures by Fuzhou Customs during 2007.

In September 2007, at the Intermediate People's Court of Hulun Buir city, in northern China's Inner Mongolia Autonomous Region, two Chinese nationals from Yakeshi, Inner Mongolia, and two Russians, were convicted of smuggling 35 bear paws into China. Zhou Xinquan was gaoled for three years, suspended for three years, and fined 70 000 yuan (USD9440). Jiang Zhenyoushi was sentenced to one year in gaol, suspended for two years, and fined 40 000 yuan. The two Russians, diesel train drivers from Zabaikalsk, were deported after being fined 80 000 yuan.

Zhou had ordered the bear paws from a Russian trader at the market in Zabaikalsk City, in the state of Chita, in Russia, in December 2006, who informed Zhou the following month that he had 35 bear paws for him. With the help of Jiang Zhenyou, Zhou found the two Russian train drivers who agreed to hide the bear paws inside their trains and smuggle them to the railway station in the border city of Manzhouli, Inner Mongolia.

On 12 September 2007, fishermen in Fujian Province caught a female Whale Shark *Rhincodon typus* (CITES II) which was later sold. The shark was 8.5 m long, and weighed 8.5 t. Several days earlier, the fishermen also caught four Whale Sharks in Qingdao, Shandong Province, one of which weighed only 4 t. It was reported that all four animals had been caught in the same location 38 km from land and that they were migrating through the area.

On 14 October 2007, police officers from Xing An, a county of Guilin, Guangxi Province, seized 64 bear paws. Two of the paws were of Malayan Sun-bear *Helarctos malayanus* (CITES I), and the remainder were from Asiatic Black Bears *Ursus thibetanus* (CITES I). The total weight of the paws was more than 130 kg. The smallest weighed 1.5 kg, and the largest 4 kg.

On 24 October 2007, more than 50 live Common Water Monitors *Varanus salvator* (CITES II) were seized in Fang Cheng, Guangxi Province, from a bus which was travelling from Dongxing to Beihai city. This is the third case involving the seizure of Common Water Monitors since July, and almost 200 specimens have been confiscated.

On 6 November 2007, at Xiamen Intermediate Court, Fujian Province, two suspects were given a stay of execution after having been sentenced to death for their involvement in what is the biggest pangolin smuggling case in China to date. A further three suspects were sentenced to life imprisonment or ten years.

From September 2005 to May 2006, this group smuggled 68 000 kg of pangolin meat, 900 kg of pangolin scales, 2849 pangolins and 2600 geckos from Indonesia to Xiamen; the animals and products were then transported to Guangzhou and Shantou in Guangdong Province.

OSAKA CUSTOMS

A SEIZURE OF 2.8 T OF IVORY AT OSAKA NANKO PORT IN AUGUST 2006 REPRESENTS THE LARGEST SEIZURE OF IVORY IN JAPAN SINCE THE INTERNATIONAL IVORY TRADE BAN WAS IMPOSED IN 1989.

On 23 November 2007, railway police in Lanzhou, Gansu Province, detained two people during routine inspections after they were found transporting 62 owls [species not stated; all owl species are protected in China] in several boxes by train to Guangzhou, Guangdong Province. The suspects claimed the birds had been purchased in Tianshui, Gansu Province, and were bound for restaurants in Guangzhou. Twelve of the owls had died from asphyxiation. The birds and the two suspects were handed over to Hunan railway police when the train arrived at Chenzhou. This was reported to be the biggest wildlife seizure carried out by Lanzhou railway police to date.

In January 2008, in a joint operation, forest police from Gansu Province and from the capital Lanzhou, seized products being offered for sale illegally at markets in the province, including 90 ivory items (38 kg), six Saiga Antelope *Saiga tatarica* horns and one fox pelt. Twelve suspects were detained.

The authorities were acting on information passed to them by TRAFFIC staff who had carried out a market survey of curio markets and TCM outlets in Lanzhou and another city in the province in November 2007. TRAFFIC has subsequently been asked to assist with identification of the sellers.

Following this action, TRAFFIC asked a local volunteer who had assisted with the November survey to return to the markets. No ivory or Saiga Antelope horns were found; further checks will be carried out in due course.

On 18 January 2008, Guangzhou forest police seized 53 pangolins *Manis* and detained four suspects after a raid on three rented premises on a street in Baiyun district that had formerly formed part of a wild meat market that had been closed down. They confiscated 16 live pangolins, 37 dead pangolins and one bear paw. The Guangzhou forest police said that while there was little illegal wildlife trade in markets, it had gone underground, which has resulted in greater difficulty in enforcement.

On 24 January 2008, two people were sentenced to five and two years' imprisonment for illegally transporting 11 pangolins *Manis* (CITES II), and were fined CNY2000 (USD280) and CNY1000, respectively.

The suspects had been apprehended on 14 June 2007 while unloading the pangolins at a restaurant after having transported them from Guangxi province to Gaoming, Guangdong province.

http://news.xinhuanet.com/newscenter/2008-01/18/content_7449338.htm, 19 January 2008; http://news.xinhuanet.com/newscenter/2008-01/16/content_7432855.htm; TRAFFIC East Asia; http://shuangyashan.northeast.cn/system/2007/06/22/050864344.shtml 22 June 2007; www.gscn.com.cn/Get/gsnews/078708321860691_83.htm; http://lzcb.gansudaily.com.cn/system/2007/08/07/010433699.shtml; http://news.bbc.co.uk/2/hi/asia-pacific/6932613.stm; www.gy.yn.gov.cn/ynsgirfy/23784679512515543 04/20070824/157292.htm; www.zj.xinhuanet.com/newscenter/2007-08/07/content_10793346.htm; http://news.xinhuanet.com/video/2007-08/24/content_6599016.htm; www.gd.xinhuanet.com/newscenter/2007-11/21/content_11724412.htm, 21 November 2007; www.jschina.com.cn/gb/jschina/js/suzhou/userobject1ai1700220.html; www.fujianese.com/news/gnxw/2007/1018/241753.htm; www.china.org.cn/english/environment/223870.htm, Xinhua News Agency, 10 September 2007; http://news.qq.com/a/20070913/003292.htm; http://news.qq.com/a/20070910/001441.htm; http://news.sina.com.cn/c/l/2007-10-26/114421417 0618.shtml; www.bbwnews.com.cn/ReadNews.aspx?ID=35746; TRAFFIC East Asia; http://news.163.com/07/1107/05/3SM2O80K0001124J.html; http://news.xinhuanet.com/newscenter/2007-12/01/content_7180115.htm, 1 December 2007; Foshan Daily, 25 January 2008: www.fsonline.com.cn/gaomingtoday/gmzh/20080125021 4.htm

HONG KONG SPECIAL ADMINISTRATIVE REGION

On 12 November 2007, at Hong Kong International Airport, an attempt to import a consignment of reptiles from Indonesia, destined for mainland China, was foiled by officials of the Agriculture, Fisheries and Conservation Department (AFCD), with the assistance of the Aviation Security Company Limited. The shipment included 15 snakes (including 13 pythons) and 22 lizards (including 12 monitor lizards), which were tightly packed inside nylon stockings and cigarette cartons.

A man was arrested after being found hiding the animals inside his luggage; he was unable to produce a permit or health certificate. He was charged under the Prevention of Cruelty to Animals Ordinance (Cap 169), the Protection of Endangered Species of Animals and Plants Ordinance (Cap 586) and the Public Health (Animals and Birds) Ordinance (Cap 139). He was fined HKD2000 (USD256) and sentenced to three months' imprisonment.

The seized animals were to be sent to the department's Animal Management Centre in Sheung Shui.

On 20 November 2007, marine police seized 20 boxes containing 320 Common Rat Snakes *Ptyas mucosus* (CITES II) and six snapping turtles [species not stated] in a crackdown on illegal trafficking between the mainland and Hong Kong. The snakes were being transferred to a boat at Lung Kwu Tan by two men from the mainland when they were stopped. Both reptile species need a licence from the Agriculture, Fisheries and Conservation Department to be traded. Two men were arrested on suspicion of being illegal immigrants and exporting unmanifested cargo.

Agriculture, Fisheries and Conservation Department (AFCD) press release, 13 November 2007; The Standard (Hong Kong), 21 November 2007

JAPAN

On 12 March 2007, the boss and members of a Japanese gang in Nagano were arrested on suspicion of smuggling bear gall bladders and for allegedly violating Japan's *Pharmaceutical Affairs Law* by selling the items without permission.

On 31 January 2007, Nagano police seized 85 animal gall bladders weighing 4.2 kg from the house of the boss who had been arrested on another charge. The method of thin layer chromatography (TCL) conducted by experts to identify the gall bladders revealed that 36 were from bears, and the remainder a mixture from bear, cow and pig; four gall bladders from cows and pigs had had their colour and shape altered to give the appearance of the more valuable bear gall bladder.

A joint investigation between the Japan Coast Guard and the police revealed that the gall bladders had been illegally imported from Russia and a Russian national was subsequently arrested on a charge of smuggling bear gall bladders. A Russian working with the boss, and the two gang members, are suspected to have illegally imported about 2 kg of gall bladders at

DENDROBIUM SP.: K. LOCHEN / TRAFFIC

MORE THAN SIX TONNES OF DRIED *DENDROBIUM* SPECIMENS WERE SEIZED IN INDIA IN LATE 2007.

Ishimaki port in Miyagi prefecture around July 2005 and about 2 kg at Fukui port in Fukui prefecture in November 2005. The boss and gang members are also suspected to have stored 4.2 kg of the bear gall bladders illegally imported for sale without permission under the *Pharmaceutical Affairs Law*.

On 31 May 2007, police officials in Osaka and Okayama charged two men with violating the *Customs Law* and the *Law for the Conservation of Endangered Species of Wild Fauna and Flora* (LCES) following their arrest for allegedly smuggling and selling billiard cue sticks made from ivory. The pair are president and vice president of a billiards goods maker in Okayama Prefecture.

The case broke on 17 October 2006, when Customs officials at Kansai International Airport, Osaka, seized a courier package addressed to the billiards goods' maker that had arrived from Chicago, USA, and which contained 12 products made of elephant ivory. The ivory parts consisted of ferrules—small rods placed at the tip end of billiard cue sticks—measuring 15 cm in length and 3 cm wide. Police subsequently raided the company's premises; according to a police investigation, the two men are suspected of having manufactured and sold 15 cue sticks using ivory. Many other parts and cues made from ivory were found during the raid. According to the company's accounting books, it appears that they have sold 147 cue sticks over a period of about seven years, which the police are investigating.

A PARCEL CONTAINING LEOPARD TORTOISES *GEOCHELONE PARDALIS* FROM TANZANIA WAS SEIZED IN MALAYSIA IN JUNE 2007.

WWF-CANON / MICHEL TERRETTAZ

On 10 July 2007, at Osaka District Court, a man who attempted to import 2.8 t of African Elephant *Loxodonta africana* (CITES I) ivory in August 2006, was found guilty and sentenced to one year in prison, suspended for three years, and fined JPY800 000 (USD6932). Two Korean nationals, who had approached him and had suggested smuggling the items, were placed on an international wanted list on a charge of violating the *Customs Law*.

The ivory had arrived in Osaka Nanko Port on 21 August 2006, disguised to resemble marble and described as such in false import permits. This consignment represents the largest amount of ivory seized in the country since the international ivory ban was implemented in 1989 (see *TRAFFIC Bulletin* 21(2):69).

On 21 July 2007, the president of one of Japan's biggest reptile wholesalers "Rep JAPAN" was sentenced following his conviction on charges relating to fraudulent registration and fraudulent trading of reptiles during 2004 to 2005. Tsuyoshi Shirawa, who was sentenced to a gaol term of two years and six months and fined JPY1 800 000 (USD15 330), had stated that False Gavial *Tomistoma schlegelii* (CITES I) and Radiated Tortoise *Geochelone radiata* (CITES I) specimens that he had been involved in trading in, had been captive bred in Japan. An appeal to the Supreme Court was dismissed.

Two smugglers were also charged with illegally importing Rhinoceros Iguana *Cyclura cornuta* (CITES I), False Gavial and Radiated Tortoise. One was sentenced to two years' imprisonment and fined JPY2 000 000 and the other was sentenced to three years' imprisonment and fined JPY3 000 000. The pair sold the reptiles to Shirawa who obtained legal registration cards for these reptiles, required under the *Law for the Conservation of Endangered Species of Wild Fauna and Flora* (LCES), by submitting fraudulent applications to the registration agency in collusion with an employee at his firm and the director of a zoo in Gunma prefecture. For their part in the collaboration, the director of the zoo was fined JPY500 000. The employee was sentenced to six months' imprisonment, suspended for three years.

15 February/3 March/25 April 2007, Shinano Mainichi Shimbun; 15 February/13 March/25 April 2007, Chunichi Shimbun; 11 May 2007, Kyodo Press; Sankei Shimbun/ Asahi Shimbun and Yomiuri Shimbun, 10 November 2006; Mainichi Shimbun, Asahi Shimbun and Yomiuri Shimbun, 1 June 2007; Kyodo Press, 21 June 2007; www.asahi.com, 10 July 2007, viewed 25 July 2007; TRAFFIC Bulletin 21(2):69, July 2007; TRAFFIC East Asia

MONGOLIA

On 7 October 2007, following the tireless efforts of WWF Mongolia and members of the Government's Mobile Anti-poaching Unit (funded by WWF Mongolia), a case involving an attempt to smuggle 108 Saiga Antelope *Saiga tatarica mongolica* horns was ordered by the General Prosecutor's office in Ulaanbaatar to be reinvestigated by the Prosecutor's office in Khovd.

An offender from Khovd was detained at the crime scene in October 2006 in the county of Chandmani in Khovd Province when the Saiga horns were found concealed in the spare tyre of his vehicle; another 12 people were found to be involved in the offence. Although a local court in Khovd found the offenders guilty of illegal activity, certain reasons emerged that resulted in their sentences being repealed. These reasons included the fact that the court had found that the horns derived from antelopes that had been killed before December 2005 when the value of the horns had increased from USD65–1850; further, a law granting clemency to criminals had been approved in June 2006.

WWF Mongolia, in co-operation with the Division of Criminal Cases against Wildlife Crime of the General Police Office determined that only 19 of the antelopes had been killed prior to December 2005. In referring the case for reinvestigation, the General Prosecutor's office has placed an attorney, local prosecutor and a local police officer under special inspection following suspicion of their involvement in the alleged diversion of a criminal case.

A census of Saiga Antelopes in Mongolia was conducted by WWF Mongolia, in co-operation with the Institute of Biology, in January 2007 (Amgalan, 2007). During this survey, researchers recorded a total of 1734 Saiga Antelopes along the 2139 km-long route in Sharga Gobi, Huisiin Gobi and Durgon Tal in the Great Lakes Basin. With the help of an extrapolation method used for population censuses, some 2800 Saiga Antelopes were found to be inhabiting the Great Lakes Basin, which supports Mongolia's entire Saiga Antelope population. The population here has increased by 50 per cent since 2006 (Amgalan, 2007).

Amgalan, L., (2007). Report on Saiga Census, the Institute of Biology, Academy of Sciences, Mongolia. Unpublished report.

WWF Mongolia

TAIWAN

On 25 June 2007, at Taipei Airport, a Taiwanese tourist returning from South Africa, was found in possession of a rhino horn in his golf club bag. The horn, which weighed 4.8 kg and was 61 cm long, was sent to the forensic lab for examination. The case was prosecuted on 17 December 2007 but at the time of writing is still being processed through the courts.

On 21 August 2007, Customs officials at Taipei Airport found two ivory tusks (total of 5 kg) in the luggage of a Taiwanese national arriving from Thailand. The suspect will be prosecuted for violating the *Wildlife Conservation Act*.

On 6 January 2008, Customs officials at the airport seized 324 ivory chops (around 9.7 kg) from the luggage of a Taiwanese national returning from Hong Kong.

http://news.yam.com/udn/society/200706/2007062642

0968.html; TRAFFIC East Asia; http://udn.com/news/domestic/dom/3982350.shtml; www.mof.gov.tw/ct.asp?xItem=43160&ctNode=657&mp=1

SOUTH ASIA

BANGLADESH

On 28 December 2007, officials of the Department of Forest and Wildlife Trust of Bangladesh seized two Olive Ridley turtles *Lepidochelys olivacea* (CITES I) from sellers at Taantibazar, in Dhaka. The specimens had been brought to the city from Patharghata, Bargun. The turtles are reported to be sold for consumption. The suspect was charged under the *Wildlife Act 1974*. Plans were immediately put in place for the turtles to be repatriated to a beach in Chittagong.

The Daily Star (Bangladesh), 29 December 2007: www.thedailystar.net/story.php?nid =16948

INDIA

In August 2007, a Central Bureau of Investigation team seized 57 shahtoosh shawls (made from the wool of the Tibetan Antelope *Pantholops hodgsonii* (CITES I and domestic trade is banned except for registered items within the States of Jammu and Kashmir)) from three traders who were trying to sell them to a customer at an hotel in central Delhi.

The three were arrested and a car was also seized. The traders, who had brought the shawls from Kashmir, covertly advertised the products on the internet to attract foreign buyers.

Indian Star Tortoise seizures in India:
On 7 July 2007, railway police at Yeshwantpur railway station, Shivajinagar, seized 681 Indian Star Tortoises *Geochelone elegans* (CITES II), bound for Howrah in West Bengal. They had been packed in gunny bags contained within seven cardboard boxes labelled as live tropical fish and fish food.

The Bannerghatta Biological Park (BBP) will be the tortoises' temporary home until the court decides their fate. In June, 300 Indian Star Tortoises seized in 2006 at Bangalore Airport and being cared for at BBP, were released into the wild after a court granted permission for their release.

Consignments of Indian Star Tortoises reported to have been seized at Anna International Airport, Chennai, on 30 July, 3 October, 26 October, 29 October and 28 November, involved 320, 333, 555, 600 and 909 specimens, respectively. In many, if not all cases, the specimens were destined for Bangkok and Kuala Lumpur.

A senior officer said that on three occasions on which attempts were made to smuggle Indian Star Tortoises through the airport recently, the passengers invariably managed to bypass the scanning of baggage by fixing an old security strap on them. Customs officials stated that airport security and airline ground staff should check whether the security strap was fresh or used.

On 24 August 2007, at Mumbai International Airport, 2016 Indian Star Tortoises were seized from two people who had checked in to board a flight to Kuala Lumpur with the tortoises concealed in their luggage. The pair were remanded in custody.

On 19 and 22 October, 610 and 365 Indian Star Tortoises, respectively, were seized from passengers at the airport on their way to Bangkok.

On 29 August 2007, wildlife authorities in Assam seized an estimated 3000 Indian Bullfrogs *Hoplobatrachus tigerinus* (CITES II) from a roadside. A police patrol spotted 14 jute bags lying on the side of a road near the Kaziranga National Park. At least 300 to 400 specimens had died of suffocation.

Wildlife officials said the smugglers probably offloaded the bags from a vehicle, as they feared being caught by forest guards and police officials in the area who were checking vehicles following reports of a tortoise being smuggled in a vehicle.

The surviving frogs were later released in the park.

On 25 October 2007, police in Sonbhadra district, Varanasi, Uttar Pradesh, carried out a raid on Karaundhi village and seized skins of 10 Leopards *Panthera pardus* (CITES I) and arrested two people. The case is under investigation.

On 7 November 2007, at least six tonnes of dried orchids were seized in Manas in Chirang district, Assam. Forestry personnel stumbled upon the nine bags of *Dendrobium* (CITES I/II) orchids on the banks of the Kuklong river. The suspects fled. The 20 km stretch from Kuklong to Kanamakra is reported to be one of the richest orchid zones in the Bodoland area. Kuklong is only 30 km from the Indo-Bhutan border which has raised suspicions that the flowers were to be smuggled across the border. The export of *Dendrobium* spp. is prohibited.

http://timesofindia.indiatimes.com/Delhi/57_shahtoosh_shawls_seized/articleshow/2302397.cms,23 August 2007; The Times of India: http://timesofindia.indiatimes.com/Bangalore/Rly_police_stumble_upon_tortoise_trade/articleshow/2187154.cms, 9 July 2007; http://news.oneindia.in/2007/07/30/star-tortoises-seized-from-air-passenger-1185771881.html; http://news.oneindia.in/2007/10/04/star-tortoises-seized-at-chennai-airport-1191481872.html, 4 October 2007; The Hindu (India), 31 October 2007: www.hindu.com/2007/10/31/stories/2007103161780700.htm;The Hindu (India), 28 October: www.hindu.com/2007/10/28/stories/2007102861190700.htm; www.expressindia.com/latest-news/975-star-tortoises-rescued-sent-to-Sanjay-Gandhi-park-for-care/231595/, 24 October 2007; http://news.oneindia.in/2007/11/28/man-held-possessing-star-tortoises.html; www.mumbaimirror.com/net/mmpaper.aspx?page=article&sectid=35&contentid=2007082520070825035537984411400f9; www.indiaenews.com/india/20070906/68963.htm; http://timesofindia.indiatimes.com/Ten_leopard_skins_seized_in_UP/articleshow/2492049.cms, 26 October 2007; The Telegraph (India), 9 November 2007: www.telegraphindia.com/1071109/asp/northeast/story_8526453.asp

NEPAL

On 10 August 2007, the skins of one Tiger *Panthera tigris* and two Leopards *Panthera pardus* were seized as a result of an undercover operation conducted by Wildlife Conservation Nepal (WCN), the District Forest Office and the Nepal police. The three-metre-long Tiger skin was wrapped in sheets of the *Times of India* newspaper.

On 6 January 2008, the Chief Warden of Langtang National Park sentenced four people to gaol terms and fines for their involvement in illegal wildlife trade in violation of the *National Parks and Wildlife Conservation Act 1973*.

Chhewang Utke Lama (also known as Tashi Tshering) of Humala district and Karsang Lama, a Tibetan living in Nepal, were gaoled for 15 years and each fined 100 000 rupees (USD1590); Mingmar Tamang of Briddim VDC, Rasuwa, and Balram Shrestha of Gorkha were each sentenced to five years in gaol.

The suspects were arrested in September 2005 on charges of smuggling five full size Tiger *Panthera tigris* skins, 37 Leopard *Panthera pardus* skins, 238 otter skins and 113 kg of Tiger bones hidden inside noodle cartons; the consignment had been transported by lorry to Syphru Bensi, Rasuwa district, from where it was to be carried by porters—owing to lack of roads for vehicle transport—to the border with Tibet. The seizure was made at Syphru Bensi by Nepal Army personnel stationed at Langtang National Park to protect the park.

Similarly, police in Surkhet district arrested three people involved in smuggling Tiger skins from India on 4 January 2008. They were arrested with a Tiger skin, 125 pieces of Tiger bones and 22 dried meat pieces at Surkhet while trying to smuggle the consignment to Tibet Autonomous Region, China.

Wildlife Conservation Nepal, 14 August 2007; WWF Nepal

SOUTH-EAST ASIA

MALAYSIA

On 12 June 2007, a postal employee at the Low Cost Carrier Terminal in Sepang became suspicious when a parcel from Tanzania labelled "claypots" started to shake. Upon investigation, 76 Leopard Tortoises *Geochelone pardalis* (CITES II) were found strapped down inside two parcels, their heads tied back to prevent movement; two had died. Discussions were under way with the Government of Tanzania to decide the fate of the reptiles.

On 26 June 2007, 385 Indian Star Tortoises *Geochelone elegans* (CITES II) were repatriated to India following their seizure at Kuala Lumpur International Airport in April.

On 7 July 2007, authorities in Malaysia seized more than 900 live Crab-eating Macaques *Macaca fascicularis* (CITES II) in what officials have called their largest seizure of this species. The primates, confined to cages and sacks, were seized during a raid on a plantation in the southern state of Johor. According to a wildlife official, it was believed that they were destined for food in China and for laboratory studies in the Netherlands. A heap of more than 100 dead Crab-eating Macaques was also found nearby.

Some of the animals were so hungry that they had started to eat their newborn offspring or had hurt each other in fights. They were to be released in stages in protected forest reserves across the nation in order to prevent their being recaptured. Three of the four men arrested face charges under wildlife pro-

tection laws but the fourth, an Indonesian, whose visa had expired, was handed over to immigration authorities.

In September 2007, Department of Wildlife and National Parks (PERHILITAN) officials at Kuala Lumpur International Airport seized 37 Radiated Tortoises *Geochelone radiata* and two Ploughshare Tortoises *Geochelone yniphora* (CITES I) from luggage in transit to Penang. It is unclear why the owner was not stopped in Penang. Both species, which are found in the semi-arid region of Madagascar, are listed in the *IUCN Red List* as Vulnerable and Endangered, respectively. The reptiles are being housed in Malacca Zoo, PERHILITAN's official rescue centre.

http://thestar.com.my/news/story.asp?file=/2007/6/25/nation/20070625144012&sec=nation, 25 June 2007; www.iol.co.za/index.php?set_id=1&click_id=31&art_id=nw20070625083903261C358074, 25 June 2007; http://uk.reuters.com/article/worldNews/idUKKLR303989200707 09, 9 July 2007; http://thestar.com.my/news/story.asp?file=/2007/10/21/nation/19211556; http://thestar.com.my/news/story.asp?file=/2007/10/21/nation/19211556&sec=nation>&sec=nation, 21 October 2007

THAILAND

On 3 July 2007, Customs officials confiscated 102 live pangolins *Manis* in plastic baskets in a lorry headed from Pattani to Bangkok at the Pranburi checkpoint, Sam Roi Yot sub-district, Prachaub Khiri Khan, southern Thailand. The driver of the lorry fled the scene. The pangolins were to be transferred to the Customs Department in Bangkok and then placed in the care of the Department of National Parks.

On 27 August 2007, Reyaz Ahmad Mir, an Indian national from Kashmir, was convicted of importing and selling shahtoosh shawls (made from the wool of the Tibetan Antelope *Pantholops hodgsonii* (CITES I)). Mir, the owner of a shop selling luxury goods in Bangkok, pleaded guilty and was fined US300 and given a two years' suspended prison sentence. The police acted on information provided by TRAFFIC.

A second and larger case against other Bangkok-based traffickers in shahtoosh is pending.

Thailand's wildlife-crime task force spent four months in undercover investigations before shops selling shahtoosh in Bangkok were raided in July 2006. Three Indian nationals arrested during the raid told undercover investigators that their customers were normally wealthy tourists.

US Fish and Wildlife Service forensics experts travelled to Bangkok in December 2006 to verify that the shawls were derived from wool from the Tibetan Antelope. The defendants initially claimed they were fakes and therefore not illegal.

On 7 October 2007, police in Chumphon arrested two men and seized 130 pangolins *Manis* (CITES II and fully protected under the *Wild Animal Protection Act*) from their vehicle which was headed for Nong Khai. The animals were probably destined for restaurants in Lao PDR and China, police said.

The two men admitted that they had been hired to transport the pangolins from Sadao, Songkhla, on the border with Malaysia, to Nong Khai in the north-east.

The pangolins had been stored for many hours and in dreadful conditions in the van and some specimens were extremely weak. They were to be sent to Huay Sai wild animal research station in Phetchaburi's Cha-am district to recover before being released in the wild.

On 20 October 2007, highway police in Prachin Buri's Si Maha Phot district seized 300 logs of protected rosewood [species not ascertained] that was being smuggled out of the country in a container lorry that had travelled from Sa Kaeo's Watthana Nakhon district to Klong Toey port in Bangkok. The lorry driver was charged with illegal possession of protected wood. The driver of another lorry that had travelled in convoy with him, was charged with providing support to offenders. Pasin Noksakul, commander of the Highway Police, said the pair had admitted that they were hired by a company to transport the logs to Klong Toey port for export to China. The company is being investigated. Pol Maj-Gen Pasin said that between 1 and 20 October, highway police confiscated 2496 rosewood logs and 155 sheets of processed rosewood.

On 29 January 2008, the Royal Thai Navy's Khong River Coast Guard seized 275 live pangolins *Manis* (CITES II) and six dead Tigers *Panthera tigris* (CITES I), three Leopards *P. pardus* (CITES I) and two Clouded Leopards *Uncia uncia* (CITES I) from two lorries at Khub Pung village of Tambon Nam Kham, near the border with Lao PDR. Most of the big cats had been cut in half and their organs removed. They were about to be loaded into boats bound for Lao PDR, for delivery to customers from Viet Nam and China.

PeunPa (a Thai wildlife conservation foundation) confirms the seizure was made possible as a result of cross-border information-sharing under ASEAN-WEN—the ASEAN Wildlife Enforcement Network which was established in 2006 to create a strong law enforcement response against poachers and traders who operate across South-east Asia—with assistance from the ASEAN-WEN Support Program. The ASEAN-WEN Task Force was to meet with international investigators to discuss the next steps in their efforts to track down the traffickers.

Enforcement Division, Customs Department, Thailand, 3 July 2007, Pranburi Province, Southern Thailand; www.bangkokpost.com/breaking_news/breakingnews.php?id=121152; TRAFFIC Southeast Asia; www.wildlifealliance.org/news/press-releases/bangkok-luxury-store-owner.html; www.bangkokpost.com/News/08Oct2007_news12.php; www.bangkokpost.com/News/21Oct2007_news06.php; www.traffic.org/home/2008/1/30/cross-border-intelligence-sharing-leads-to-major-seizure-in.html

VIET NAM

On 4 September 2007, in co-operation with the Viet Nam Forest Protection Department, police officers in Ha Noi seized two dead Tigers *Panthera tigris* (CITES I) as part of a raid on an operation producing medicinal balm. The Tigers, weighing 250 kg each, were stored in two freezer containers, while organs and Tiger meat were scattered throughout the apartment. In a refrigerator, investigators discovered bear paws and two 100-litre aluminium pots containing monkey bones. A search of another apartment rented by one of the suspects yielded four elephant tusks (more than 1.2 m in length), a whole stuffed Tiger, eight bull heads with horns attached, two stag heads, and several bags containing monkey and horse bones. The police took four people into custody and prosecution of the case is pending.

On 19 September 2007, authorities in Quang Ninh confiscated 91 Crab-eating Macaques *Macaca fascicularis* (CITES II) from a lorry heading for China. The monkeys, 19 of which had perished, had been smuggled from the south of the country; the consignment weighed more than 200 kg. The primates were to be used in traditional Asian medicine and for meat. The lorry was seized and the surviving specimens taken to a local conservation centre.

On 7 January 2008, the Ha Noi Department of Police seized two sedated Tigers *Panthera tigris* (CITES I) from a vehicle in central Ha Noi. The traffickers were engaged in a sale and in addition to the two live Tigers, authorities also found a large quantity of various animal parts in the car. A further examination of the traffickers' homes in Ha Dong City by the Environmental Protection Division of the Ha Noi Department of Police also yielded four frozen Tigers (weighing at least 100 kg each) that had been cut into pieces, 11 live bears [likely Asiatic Black Bear *Ursus thibetanus* (CITES I)] and bear parts, rhinoceros horns, and elephant tusks. Five men were detained and the two live Tigers were transferred to the Ha Noi Wildlife Rescue Center.

http://english.vietnamnet.vn/social/2008/01/763243/; Education for Nature in Vietnam, Nature and the Environment in the News, 4 September 2007. Translated from www.tienphongonline.com.vn; http://news.aol.com/story/_a/vietnamese-police-confiscatemonkeys/n20070919041909990006?ecid=RSS0001>

OCEANIA

AUSTRALIA

Australian Customs and Quarantine and Inspection Service (AQIS) officers have foiled two attempts to smuggle snakes and lizard species into Australia through the post. In the first attempt, on 10 June 2007, a Customs officer checking international mail at Australia Post's International Gateway Facility at Clyde, Sydney, discovered two snakes and three lizards concealed in the hollow areas of three ceramic garden gnomes. The following day, Customs and AQIS officers at the same facility x-rayed a second package which was found to contain five snakes and five lizards hidden in pottery figures and ornaments. The species have been identified as: four Australian 'jungle

HOODIA GORDONII: K. LOCHEN / TRAFFIC

HOODIA ORIGINATES IN THE KALAHARI DESERT REGION OF SOUTHERN AFRICA. THE GENUS WAS INCLUDED IN CITES APPENDIX II IN 2005 EXCLUDING THOSE PARTS AND DERIVATIVES BEARING A LABEL TO INDICATE THAT THEY WERE PRODUCED FROM *HOODIA* SPP. MATERIAL OBTAINED THROUGH CONTROLLED HARVESTING AND PRODUCTION, IN COLLABORATION WITH THE CITES MANAGEMENT AUTHORITIES OF BOTSWANA, NAMIBIA AND SOUTH AFRICA.

phase' Carpet Pythons *Morelia spilota variegata* (CITES II); three Leopard Geckos *Eublepharis macularius;* one colour morph of Rosy Boa *Lichanura trivirgata* (CITES II); three New Caledonian Guichenot's Giant Geckos *Rhacodactylus ciliatus*; two juvenile North African agamids *Uromastyx* sp. (CITES II); one East African Sand Boa *Gongylophis colubrinus* (CITES II), and one snake (unidentified).

Customs officers checking post at Australia Post's International Gateway Facility at Clyde, Sydney, are each month intercepting more than 100 packages containing products derived from Hoodia *Hoodia*—a cactus that is in demand for its purported appetite-suppressant properties (see also *TRAFFIC Bulletin* 20(2):64; 21(2):72-73).

Australian Customs is warning the public that they should take care when ordering certain commercial weight-loss products over the internet as they risk having the goods seized. To date, more than 2500 postal packages have been seized. According to a spokesperson, "It appears that most if not all of these packages have been ordered over the internet and no permission has been given to allow the products into Australia. Customs has no alternative but to seize them and it is likely that eventually they will be destroyed."

PHOTOGRAPHS: AUSTRALIAN CUSTOMS

SOME OF THE PACKAGES CONTAINING *HOODIA* PRODUCTS, INCLUDING A SAMPLE OF CAPSULES (INSET)

Ongoing operations co-ordinated by Border Protection Command and which have involved Customs and the Australian Fisheries Management Authority (AFMA), with the use of surveillance aircraft and patrol boats, are targeting a seasonal surge in sea cucumber poaching in Australia's northern waters.

On 24 November 2007, Customs and AFMA officers apprehended five Indonesian fishing boats carrying a total of 53 crew who had also allegedly been targeting sea cucumbers in the vicinity of Evans Shoal, approximately 170 nautical miles north-west of Darwin. A few nights later, on 27/28 November, two Australian Customs patrol vessels apprehended seven Indonesian boats carrying 65 fishermen suspected of fishing illegally in Australia's northern waters overnight. A total of approximately one tonne of sea cucumbers and diving equipment on six of the seven vessels was seized.

On 8 and 9 December 2007, a further seven boats and 43 foreign fishermen were apprehended. Up to 100 kg of sea cucumbers was reported to have been found on board one of the vessels and another was allegedly equipped to fish in Australian waters.

All vessels were destroyed at sea due to quarantine risks and their unseaworthy state.

All the illegal fishers were transferred to Darwin where the cases were to be investigated.

Australian Customs Service media releases, 11 September/ 28 November/10 December 2007;TRAFFIC International

AMERICAS

BRAZIL

In October 2007, police launched an operation in six States to dismantle a gang alleged to have illegally cut down Brazilian Rosewood *Dalbergia nigra* (CITES I and legally protected under Brazilian law) and exported at least 13 t of the wood over the past four years, principally to the USA. Some 350 federal officers, backed by State police and government environmental agents, reportedly arrested 23 people and were searching for two others. Police also began serving 67 search and seizure warrants for the illegal extraction of the wood.

The rosewood was concealed amid cheaper wood, and false export licences had been used. The suspects will be charged with using false documents, criminal association and smuggling contraband.

The US Fish and Wildlife Service is reported to be working with Brazilian police to investigate the alleged illegal trade.

The species is native to eastern Brazil and found only in that country (where it is known as *jacaranda da bahia*). Its wood is hard and dense and prized for use in making fine guitars and other instruments, as well as, for example, for flooring, furniture and chess sets.

International Herald Tribune: www.iht.com/articles/ap/ 2007/10/18/america/LA-GEN-Brazil-Illegal-Wood.php, 18 October 2007

CANADA

On 11 October 2007, at Richard Provincial Court, Yuk Ming (Peter) Ho, of Richmond, British Columbia, was fined CAD9000 (USD9151) after pleading guilty to importing illegally from Hong Kong over 30 000 pieces (10 kg) of ivory of African Elephant *Loxodonta africana.* He was also ordered to pay a further CAD9000 to TRAFFIC to support programmes for the conservation of the African Elephant, and to forfeit all of the ivory seized during the investigation.

TRAFFIC North America-Canada was involved in the investigation from the start, providing identification assistance and documentation on the conservation impact of the illegal trade in elephant ivory. The documentation that was provided helped to convince both the prosecutor and the judge as to the seriousness of the crime. It is the first time that a judge has ordered a donation to TRAFFIC as part of a penalty.

This is the largest number of ivory items seized and investigated by Environment Canada's Wildlife Enforcement Division in recent years. The items seized included various carvings, jewellery and other crafts. The investigation was assisted by the Department of Agriculture, Fisheries and Conservation in Hong Kong, who worked in tandem with Environment Canada to verify information regarding the export of the ivory. The investigation established that while Mr Ho was in Hong Kong in February 2005, he sent himself the parcel in question using a false name and Hong Kong address. The carvings were initially detected by Canada Border Services Agency Officers at the International Mail Centre in Vancouver, who then referred the items to Environment Canada for identification and investigation.

On 8 November 2007, at Halifax Provincial Court, Ramon Placeres and Janitse Martinez, of Florida, USA, were charged under the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA) for their roles in a major smuggling ring involving Queen Conch *Strombus gigas* (CITES II).

Both were convicted and each fined USD10 000 for unlawfully importing Queen Conch meat into Canada and USD10 000 for unlawfully exporting Queen Conch meat from Canada. Of this amount, USD20 000 will be placed in the Environmental Damages Fund that is administered by Environment Canada on behalf of the Government of Canada. The Fund provides courts with a way to direct money from fines to pay for work to restore and protect the environment.

The convictions are part of an 18-month-long investigation involving federal wildlife officers in Nova Scotia, Ontario, Quebec, and British Columbia, and US officers from Florida. Canadian and US federal wildlife officials announced on 26 September 2007 that the smuggling ring had been dismantled.

The smuggling operation is believed to have been responsible for illegally importing and exporting 119 978 kg of Queen Conch meat from several Caribbean and South American countries to and from Canada and the USA between 2004 and 2006. Environment Canada Enforcement Officers seized 17 672 kg of the meat in Halifax, the largest amount seized in Canada. There were also seizures in Montreal and in Buffalo, New York. The US Fish and

Wildlife Service, the US National Marine Fisheries Service, and Canadian and US border officials also contributed to the investigation that lead to the seizures. It has been estimated that the meat of between 798 000 and 1.05 million individual conches was seized from the smuggling ring.

Proceedings are ongoing in Vancouver Provincial Court against others for their alleged role in the smuggling ring.

Environment Canada News Releases, 12 October/8 November 2007; www.ec.gc.ca/default.asp?lang=En&n=714D9AAE-1&news=E456290A-CB9E-4457-AE21-8F5FF7AD491F

CHILE

On 2 October 2007, following a full-scale investigation that began on 28 September 2007, personnel of the National Fish Service (VIII region) seized a container from a lorry which was found to contain 4.3 t of Chilean Abalones *Concholepas concholepas* (known as *loco*); the shipment was destined for Taiwan.

The case came to light when the permits accompanying a shipment claiming to contain mackerel appeared to have been altered. Customs alerted the National Fish Service and when the container was opened it was found to contain fish, including mackerel, and the abalones. The lorry driver was located and he directed the authorities to the factory in Coronel where the abalones had been processed. The premises were searched and abalone entrails were discovered.

This evidence was passed on to the office of the public prosecutor and in the following days, lawyers of the Customs authority and the National Fish Service laid charges against the company.

Servicio Nacional de Pesca: www.sernapesca.cl, Motorizado por Joomla! Generado, 17 January 2008

ECUADOR

On 13 June 2007, operatives of the Ecuadorian environmental police, with ngo support, seized over 19 000 shark fins and arrested four people. The initial seizure, at the immigration checkpoint between Guayaquil and Huaquillas on the Peruvian border, included four sacks with over 227 kg of shark fins that were hidden in a passenger bus travelling to Huaquillas. An Ecuadorian and two Peruvian men were arrested. A further two boxes of shark fins (44.5 kg) were found on a second passenger bus travelling from Guayaquil towards the Peruvian border. A Peruvian man was arrested.

This number of shark fins is reported to represent approximately 4500 sharks. Four species of shark were identified following forensic analysis of the fins: Bigeye Thresher Shark *Alopias superciliosus*, Pelagic Thresher Shark *Alopias pelagicus*, Scalloped Hammerhead Shark *Sphyrna lewini* (listed as Lower Risk-Near Threatened in the *IUCN Red List*) and Sandbar Shark *Carcharhinus plumbeus* (listed as Lower Risk-Near Threatened in the *IUCN Red List*). The fins were incinerated to ensure that they do not re-enter the black market.

A law introduced for six months in July 2007 allowing the sale and exportation of shark fins from sharks caught incidentally in Ecuador, has been extended (see page 98); the capture and sale of sharks in the waters of the Galapagos remains illegal.

FIJI BANDED IGUANA *BRACHYLOPHUS FASCIATUS*: THREE SPECIMENS WERE CONCEALED IN THE FALSE LEG OF A PERSON RETURNING TO THE USA FROM A NATURE RESERVE IN FIJI.

Press Release: Sea Shepherd Conservation Society Sea Shepherd Galapagos sting results in seizure of over 18 000 shark fins, 25 June 2007; The Shark Trust: www.sharktrust.org/v.asp?level2=6365&depth=2&level3=6365&level2id=6365&rootid=6209&nextlevel=6365

USA

In April 2007, Hisayoshi Kojima, a kingpin in the world of illegal butterfly collecting, was sentenced to 21 months in prison and fined USD38 731 following an undercover operation by the US Fish and Wildlife Service (USFWS) that had taken place over many years. He pleaded guilty to 17 charges related to the sale and smuggling of endangered butterflies.

Kojima, a Japanese native who lived in Los Angeles and Kyoto, was initially placed under investigation in 2003 after an undercover USFWS agent, acting as a buyer, made contact with him at an insect fair in Los Angeles. There ensued intermittent contact where Kojima promised to send samples and US Customs were alerted. Some years were to elapse before Kojima could be apprehended with samples in his possession, however. On 31 July 2007, on arriving at Los Angeles Airport, he was searched as he came through Customs. In his possession was a wooden box containing the following species: Dynastes Hercules (beetle), *Dynastes satanus*, Golden Kaiserihind *Teinopalpus aureus* (CITES II), *Ornithoptera croesus* (CITES II); Homerus Swallowtail *Papilio homerus* (CITES I); Luzon Peacock Swallowtail *Papilio chikae* (CITES I); and Queen Alexandra's Birdwing *Ornithoptera alexandrae* (CITES I).

The seized specimens are in the care of the USFWS and were to be donated to a museum.

In June 2007, a Portland man pleaded guilty to unlawfully selling shavings from the horn of a Black Rhinoceros *Diceros bicornis* (CITES I). He was released pending sentencing.

The shavings were sold for purported "medicinal" use at a shop in Portland. The sale was a violation of the *Endangered Species Act*. Identification of the Black Rhinoceros shavings resulted from genetics laboratory analysis at the National Fish and Wildlife Forensics Laboratory in Ashland, Oregon. This was the first instance in which a product offered as "rhino horn" did in fact contain shavings from a Black Rhinoceros. All previously sampled medicinal products claiming to contain Black Rhinoceros instead contained substitutes such as bone from more common species.

On 25 September 2007, at US District Court, Eastern District of Kentucky, Lucian Robinson, Jr, was placed on probation for 18 months and fined USD14 000 for engaging in the interstate commerce of unlawfully purchased wild American Ginseng *Panax quinquefolium*, in violation of the *Lacey Act*.

The *Lacey Act* makes it a federal violation to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any fish, wildlife or plants, taken, possessed, transported, or sold in violation of any law or regulation of any State.

Robinson, a licensed ginseng dealer, admitted as part of a plea agreement that he unlawfully purchased, certified, and/or sold wild ginseng between November 2004 and August 2006. The investigation was conducted by the USFWS, Office of Law Enforcement, with the co-operation of the Kentucky Department of Agriculture.

Kentucky is the largest supplier of wild ginseng in the USA, averaging approximately 16 per cent of the national harvest annually. Seasons are established for harvesting to ensure that ginseng plants reach maturity each year and produce seeds prior to being harvested, thereby ensuring the sustainability of the wild ginseng population.

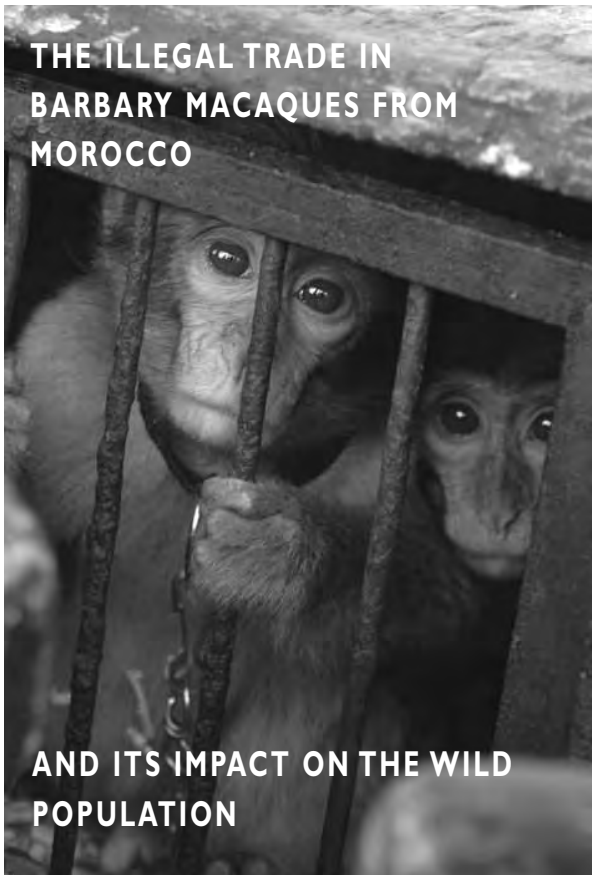
The Kentucky Department of Agriculture implements the ginseng management programme in Kentucky, which is required by Federal regulations in order for Kentucky's ginseng to be eligible for export from the USA. A high percentage of Kentucky's ginseng is exported to South-east Asia where it is used in the medicinal trade.

A Californian man has been charged with using his false leg to smuggle three Fiji Banded Iguanas *Brachylophus fasciatus* (CITES I) from a nature reserve in Fiji to the USA. Officials began investigating the suspect after receiving a tip-off that he was in possession of several specimens. Prosecutors say that he stole the reptiles while on a visit to the South Pacific island in 2002. He is alleged to have constructed a special compartment inside his prosthetic limb to move the reptiles.

Having been informed that the suspect had several specimens at his home, the USFWS launched an undercover investigation into his activities. When his house was searched in July 2007, agents are said to have found a further four Fiji Banded Iguanas. Officials say they think the suspect was breeding the animals for sale. It was reported that the iguanas would now be placed in a breeding programme in the USA.

DRAWING OF FIJI BANDED IGUANA: WWF-CANON / URS WOY

www.usatoday.com/news/nation/environment/2007-08-18-butterfly-smuggler_N.htm; US Fish and Wildlife Service News Releases, 26 June/25 September 2007; TRAFFIC International; http://news.bbc.co.uk/1/hi/world/americas/7007942.stm, 22 September 2007



INFANT BARBARY MACAQUES ON SALE IN MARRAKECH: RONALD TROOSTWIJK

THE ILLEGAL TRADE IN BARBARY MACAQUES FROM MOROCCO AND ITS IMPACT ON THE WILD POPULATION

E. van Lavieren

Introduction

Morocco is known to be a passage to Europe for the illegal trade in animal and plant species originating from northern and western Africa (H. Mesbah, CITES Management Authority, Morocco, pers. comm., 2006). The Barbary Macaque *Macaca sylvanus*, a unique species that occurs in Morocco and Algeria, has been facing a decline in numbers over recent decades, fuelled in large part by their demand for the illegal pet trade, which became apparent in the late 1990s. At this time, zoological parks and sanctuaries in Europe started to notice a significant increase in the number of Barbary Macaques being offered for shelter by ex-owners and in the numbers arriving at their premises after being seized by law enforcement authorities, mainly in France, Belgium, Spain, Germany and the Netherlands. The majority of these animals were most likely wild caught, as many ex-owners of the macaques—principally European Moroccans—stated that they had purchased their pet at local markets in Morocco during their summer holidays. The Strait of Gibraltar is likely the main port of entry (Shipp, 2002), being the route that millions of European Moroccans choose for their annual holiday to Morocco.

Loss of habitat has been the prime factor held responsible for the decline in Barbary Macaque populations (Taub, 1975, 1977; Deag, 1977; Camperio Ciani *et al.* 2003, 2005). At present, however, it appears that the international trade in live specimens is contributing to the species's decline. However, little research has been conducted into the importance of this trade. This study, which was carried out between November 2003 and July 2007, focuses on (i) the trade in Europe and Morocco: quantitative and qualitative data to analyse the dynamics of this trade; and, (ii) the impact of the trade on the wild population of Barbary Macaques in Morocco.

All references to macaques in this paper refer specifically to Barbary Macaques.

Methods

Data collection on the trade

Europe

Several international organizations (IUCN-The World Conservation Union, WWF, CITES Secretariat and UNEP-WCMC), and GONHS (Gibraltar Ornithological Natural History Society)) were asked during the period of the survey to provide information and figures on the trade in Barbary Macaques in Europe. Additional information was gathered from sanctuaries and zoos involved in sheltering Barbary Macaques in Europe (selected from the ISIS (International Species Information System) database) and local animal welfare organizations such as One Voice in France. For this purpose, a questionnaire was developed which focused mainly on the demographics of macaques offered to them or taken in during the previous four years. The information that was provided is presented in the results section and is described in more detail in van Lavieren (2004).

Morocco

According to the sanctuaries in Europe which responded to the questionnaire, many people who handed their monkeys over for shelter reported that they had bought their macaque from markets in Morocco, sometimes naming their location. Market surveys were therefore conducted, in September 2004, assisted by a Moroccan employee of the Institut Scientifique in Rabat, to learn how many macaques were being offered for sale in markets. The following cities and other significant areas were surveyed: Casablanca, Rabat, Salé, Meknès, Fès, Azrou, Ifrane, Middle Atlas Region, Timahdite, Khenifra, Zaouiet Chïkh, Cascades d'Ouzoud and Marrakech. These sites represent the major tourist areas in the country, or they are situated in close proximity to the Middle Atlas region—the region where Barbary Macaques live in the wild. The northern part of Morocco—the Rif mountain region—was excluded from this survey due to limited time availability.

Up to three days were spent in each market in the cities surveyed, depending on the time required to gather sufficient information. All information was gathered via semi-structured interviews with the vendors. Estimations of the number of monkeys offered for sale

Fig. 1. Map of Morocco showing some of the survey sites.

Barbary Macaque *Macaca sylvanus*, mother and young. Atlas Mountains, Morocco.

WWF-CANON / MICHEL GUNTHER

annually were made based on the information provided by traders in order to establish a general level of trade per survey site.

To find out whether monkeys were being sold openly or covertly, an initial orientation survey was conducted at each site. The trade in Barbary Macaques is illegal in Morocco without a permit. The laws are however very poorly enforced and the traders showed little anxiety in speaking openly about their practices. After initial inquiries on pet sales in general, specific questions were asked on the trade in Barbary Macaques: their origin and methods of capture, how many were sold annually, the profile of buyers, the selling price, the age and sex of the macaques, the logistics of the trade, the methods used for smuggling across the border and the reasons why people buy a macaque. The sites that are known for capturing monkeys for the trade were visited and interviews were conducted with vendors of fossils and other tourist items, as these people are known to be involved in the trade (pers. obs.).

The author also conducted a survey in Tangier market over a period of a week in July 2007.

Influence on the wild population

Based on the figures gathered in Morocco and Europe, a rough estimate was made of how many infant macaques are taken out of the wild population on a yearly basis. By using the model described by Robinson and Redford (1991), the annual sustainable offtake was then calculated.

Legislation

The Barbary Macaque has been listed as "Vulnerable" on the IUCN Red List since 1986 (IUCN, 2007) and in CITES Appendix II since July 1975. It is also listed in Annex B of Regulation (CE) N°338/97. Since 2000, the EU has suspended imports of wild specimens of Barbary Macaque from Algeria and Morocco, under the provisions of Article 4.6(b), i.e. for conservation reasons. These suspensions were reconfirmed in 2006 (Regulation (CE) N°605/2006). The species is protected in Algeria and Morocco under national law: legal collection and export of specimens is subject to authorization by permit. Regulation of the legislation is far from adequate, however. The national forestry departments—Eaux et Forêts—are the responsible authorities in these countries.

Status

The Barbary Macaque is the only species of the *Macaca* genus to be found in the wild outside Asia and the only surviving primate in Africa north of the Sahara desert. Its current distribution is limited to relict forest areas in Algeria and Morocco (Fa, 1984; Camperio Ciani, 1986; Menard and Vallet, 1993; Scheffrahn *et al.*, 1993). A semi-wild introduced population lives in

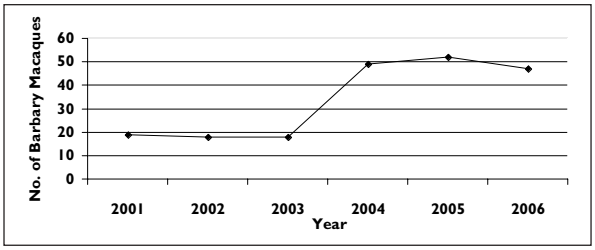


Fig. 2. Requests for shelter of Barbary Macaques at AAP, in the Netherlands, 2001 to 2006.

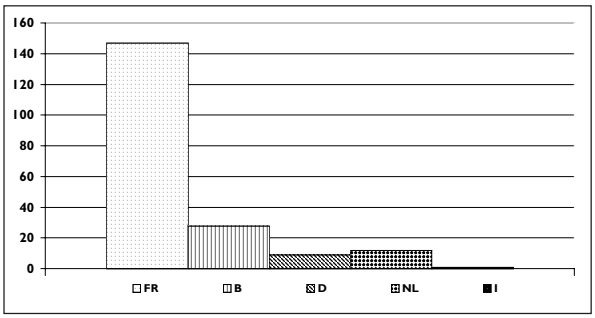


Fig. 3. Total number of requests per country for intake of Barbary Macaques at AAP, in the Netherlands, 2001 to 2006.
FR=France; B=Belgium; D=Germany; NL=Netherlands; I=Italy

Gibraltar (Fa, 1981). In Morocco, the Barbary Macaque can still be found in the Rif mountains (northern Morocco) and in the Middle- and High Atlas mountains (central/southern Morocco). In Algeria, the species lives in the Petit and Grande Kabylie mountains (Taub, 1977).

All populations are fragmented and small (Mehlman, 1989; Fa, 1984; Von Segesser *et al.,* 1999). The only area where the Barbary Macaque occurs in relative abundance, is the cedar-forested area of the Middle Atlas mountains of Morocco (Camperio Ciani *et al.* 2005), which represents the species's largest remaining refuge (Camperio Ciani, 1986; Camperio Ciani *et al.,* 2001), and therefore has a crucial role in the survival of the species. However, even this population has shown a persistent decline in numbers (Lilly and Mehlman, 1993; Camperio Ciani *et al.* 2003, 2005). Recent survey data show that the population in this region has declined from 44 to 15 individuals per km^2 (van Lavieren, 2005), in some areas dropping to an average density of seven to 10 individuals per km^2 (Camperio Ciani *et al.,* 2005), a decline of up to 84 per cent.

The international trade

It is likely that the decline of the wild population of Barbary Macaques in the Middle Atlas is partly due to the trade in infant macaques, which appears to have increased in recent years. Some ex-owners explained how they bought and smuggled their pet into Europe (D. Bezdickova, AAP, pers. comm., 2004). After discovering that caring for a primate in captivity is more dangerous and difficult than expected, many owners soon want to dispose of their pet. In the best cases, these monkeys are brought to sanctuaries voluntarily or they are set free in the outskirts of cities and towns. Consequently, sanctuaries are becoming overstocked with Barbary Macaques, resulting in long waiting lists for the animals to be accepted owing to a lack of space (AAP, Vallée des Singes, Parc Zoologique de Paris, pers. comm., 2004). Eventually, an unknown percentage of these animals is killed by euthanasia (One Voice, pers. comm., 2004).

In France, Barbary Macaques are also used as fighting monkeys in tower block basements (Henley, 2000; El Azizi, 2006), and in some cases, they serve as a substitute for guard dogs (Henley, 2000; Crumley, 2000; Anon., 2000; Anon., 2003).

Results

Europe

Seventeen zoological parks and sanctuaries in Europe known to have Barbary Macaques in their collection were sent a questionnaire. The response rate was 88 per cent. Most Barbary Macaques in trade go to France. According to one zoo in that country, a total of approximately 160 Barbary Macaques were offered to them in 2003 and 2004. This zoo also reports that the majority of the macaques offered had to be killed by euthanasia owing to lack of space for the animals (Rouxel, 2004). It has been claimed that over 500 macaques were smuggled into France from Morocco between 1998 and 2000 (Untertiner, 2003), however this has not been confirmed by the French police. Recently the French police stated that they seize approximately 50 macaques in France each year (R. Reijnen, pers. comm., 2007).

AAP, Sanctuary for Exotic Animals (based in the Netherlands), is one of the few institutions left in Europe to give shelter to Barbary Macaques. AAP currently has a long waiting list for specimens of this species and many animals that cannot be taken in are killed by euthanasia, mainly in France (One Voice, pers. comm., 2004). Figure 2 shows the numbers of Barbary Macaques being offered to AAP for shelter over recent years. These data only show the numbers offered to one sanctuary. Fifty per cent of the sanctuaries that received a questionnaire confirmed an increase in the numbers of macaques offered for shelter between 2000 and 2004 (van Lavieren, 2004). A recent survey conducted by AAP shows that seven zoos and rescue centres in France state that the trade in Barbary Macaques again increased (average 40 per cent) in the last four years (R. Reijnen, pers. comm., 2007). The trade exists in several European countries (Figure 3). In the late 1960s and during the 1970s, hundreds of Barbary Macaques were captured for export to zoos, mainly in Europe (Deag, 1977). The official CITES statistics cover the importation of 591 specimens from Morocco to Europe between 1976 and 2004, whereas the export data for Morocco for the same period report 930 specimens (UNEP-WCMC, 2006). Most were traded alive, and only a small portion was official-

Location	Trade present/absent	Level of trade
Rabat	Absent	
Salé	Present	*
Casablanca	Present	**
Meknès	Absent	
Fès	Present	**
Azrou/Ifrane region	Present	***
Khenifra	Absent	
Timahdite	Absent	
Zaouiet Chïkh	Present	***
Cascades d'Ouzoud	Absent	
Marrakech	Present	***

Table 1. Presence, absence and levels of trade at survey sites.

Levels of trade:
* = *occasionally present (0-10 per annum)*
** = *constantly present (10-25 per annum)*
*** = *major trade location (>25 per annum)*

E. VAN LAVIEREN

A BARBARY MACAQUE ON SALE IN TANGIER MARKET (PLACE EL JDIDA). THIS ANIMAL WAS SEIZED AFTER THE AUTHOR INFORMED THE AUTHORITIES THAT IT WAS ON SALE; IT WAS SUBSEQUENTLY PLACED IN RABAT ZOO.

ly destined for the pet trade. Whereas 62.4 per cent (i.e. 369 out of 591) of individuals was reported in import statistics to originate from the wild or to be of unknown source, this only applies to 35.3 per cent (i.e. 329 out of 930) in export statistics. Since 1976 there have been no export permits recorded for Algeria. The author does not know the reason for the large discrepancies between the import and export statistics. Since 1991, only 40 illegally transported live Barbary Macaques originating from Morocco have been confiscated, mainly at the borders of southern Spain (CITES Trade Database Report, 2006).

Morocco

Survey sites

Table 1 shows an overview of the level of trade at the survey sites. Not many macaques are openly offered for sale, with the exception of Marrakech (an average of six infants are offered for sale openly on a daily basis throughout the year) and Fès (two infants were observed openly for sale). During recent surveys by the author (July, 2007), three infants were openly offered for sale in Tangier market, Place El Jdida, over a period of one week. The vendors here explained that when somebody expressed an interest in buying a macaque, they transport the infant from the Middle Atlas. The transaction then takes place a day or two later. In the Middle Atlas region, Marrakech and Fès, however, the transactions can take place the same day. Table 2 shows the profile of the consumers at the survey sites; the main group of consumers are Moroccan emigrants.

Customs

It was claimed by vendors that it is relatively easy to smuggle a macaque across the border into Europe and they were more than willing to give recommendations on

LOCATION	PROFILE OF BUYER
Salé	European Moroccans (+++); expatriates living in Morocco (+)
Casablanca	European Moroccans (France, Italy) (+++); young Moroccans (++); European tourists (+)
Fès	Europeans (France, Spain, Italy, Belgium, Netherlands) (++); European Moroccans (++); young Moroccans (+)
Azrou/Ifrane region	Moroccans (++); European Moroccans (France) (+++); Europeans (+)
Zaouiet Chïkh	Moroccans—no clear profile confirmed
Marrakech	European Moroccans (+++); Europeans (++); European circuses and zoos

Table 2. Profile of consumers at survey sites. *(+) occasionally; (++) frequently; (+++) majority*

the methods employed for such activities. They explained that the most effective way is to pay a Customs officer approximately 20–50 Euros who will then permit passage with one monkey. As there is no sanctuary for seized animals in Morocco, Customs officers prefer accepting money to seizing the monkey and having nowhere to place it. Other methods include sedation of the animal and asking a lorry driver to take it across the border, or to buy forged vaccination and export documents. The author has crossed both the Moroccan and Spanish border numerous times by car and has never been subject to a search. In all cases it would have been extremely easy to smuggle animals across the borders. Once in Europe, the borders are open. The Customs officers of the southern Spanish ports claim that in the months of August and September, around 200 000 cars cross the borders into Spain from Morocco when the European Moroccans return from holiday. It is impossible during this time to conduct a thorough search of all cars and the priority for Customs is to seize illicit drugs and people entering the country illegally (M. Torroba, Spanish Customs, pers. comm., June 2007).

Capture season

Barbary Macaques are born from April through June (Deag, 1984). Specimens are sold up until they are one year old, which means that they can be sold throughout the year. However, the trade is at its peak during the summer months when European Moroccans arrive on holiday. This corresponds with the experience of sanctuaries and authorities, which report that they are offered macaques for shelter during the autumn months in particular.

Estimation of numbers taken from the wild

From the data gathered during this survey, a rough estimate was made of the number of macaques that are being captured in the wild and smuggled into Europe. The larger cities sell around 50 to 80 macaques annually, and around Azrou in the late summer each capture team is reported to take up to four macaques a day during a one- to two-month period, amounting to more than 200 monkeys in these months. One group had captured 105 infant macaques in August alone (fossil sellers, pers. comm., 2005). Based on these numbers, it is estimated that the total number of macaques captured from the wild for trade to Europe is approximately 300 annually. It should be noted that these estimates lack accuracy.

Influence on the population

The trapping or hunting of animals is only sustainable when the harvest does not exceed net production. Robinson and Redford (1991) state that the maximum possible sustainable offtake is 20 per cent of the production in long-lived species. To estimate the proportion of the production that can be harvested by human hunters, Robinson and Redford (1991) suggested using the average life span of a species as an index of the number of animals that would have died in the absence of human hunting or capture. This model assumes that maximum production would be achieved when the population density corresponds with 60 per cent of the carrying capacity (K), where K is assumed to be the density of an unhunted, undisturbed population (Robinson and Redford, 1986). Although some of the population

BOX 1. METHODS USED TO CAPTURE BARBARY MACAQUES.

Vendors and captors reported that they had official permits for the capture of macaques. It is not clear whether these permits are legal and who provides them.

WWF-CANON / MARTIN HARVEY

1. Vendors selling Barbary Macaques in Casablanca reported that they capture macaques with the use of a clay pot with a small opening, inside which is some food. The macaque reaches inside the pot, grabs the food, but is unable to remove its hand from the pot with the food still in its hand. Other macaques in the vicinity are kept at bay by being threatened with sticks.
2. Captors in Fès and the Azrou region offer the infant macaque bread with wine and/or a sedative as a means of capture; the adult macaques are kept away with sticks.
3. Infant macaques being carried by their mothers may also be targeted in trees by groups of people with packs of dogs; one person climbs the tree to harass the mother with a stick until she drops the infant, which falls to the group below. It is not known how many infant macaques die during this procedure.
4. Barbary Macaques are also captured with nets. The animals walk on to a net laid across the ground and the captors pull a rope causing part of the net to fall on to the animals.

PARAMETER		REMARKS
Total population size	8000–10 000 individuals	Optimistic population size (see discussion)
Number of females in population	4000–5000	Assuming that sex ratio in population is near unity (Taub, 1977; Donohoe, unpublished data)
Females first birth	4.8 years of age	(Lindenfors, 2002)
Interbirth interval	1.5 years	1 year (Lindenfors, 2002) and 2 years (Taub, 1974, in Fa, 1984) makes an average of 1.5 years. Females give birth to one offspring.
Maximum recorded lifespan	22 years	(Lindenfors, 2002)
Reproductive age class	55%	
Infant mortality	23–27% per annum	(Rowe, 1996)

Table 3. Parameters used for calculation of maximum sustainable offtake.

Number of reproductive females:	4000 x 0.55 = 2200	5000 x 0.55 = 2750
Maximum annual offspring:	2200/1.5 = 1466	2750/1.5 = 1833
Annual infant mortality in numbers:	1466 x 0.23 = 337	1833 x 0.2 = 495
Annual production of population:	1466–337 = 1129	833–495 = 1338

Table 4. Calculation of maximum sustainable offtake.

parameters require updating, they are the best available to make a rough calculation of the maximum allowable sustainable offtake. Owing to the paucity of available data, no confidence limits can be given. The parameters used for this calculation are listed in Table 3. With a range of 8000 to 10 000 individuals, the calculation set down in Table 4 can be made.

If the annual production of the Barbary Macaque population ranges from 1129 to 1338 macaques, the maximum range of macaques that can be harvested annually is 20 per cent: the maximum sustainable offtake would be in the range of 225 to 268 individuals annually.

A second method to calculate the sustainable annual offtake is based on the model by Robinson and Redford (1991) used by scientists to calculate the maximum sustainable harvest and percentage offtake for several primate species. The maximum percentage sustainable offtake of the total population of these species lies at around 2.5 per cent per annum (Robinson and Bennet, 2000). If the total population of wild Barbary Macaques is 8000 to 10 000 individuals, the maximum percentage of sustainable offtake ranges from between 200 and 250 individuals. These results are very similar to those resulting from the model used above.

Even if the annual offtake of Barbary Macaques in Morocco is an estimated 300 macaques, the offtake due to trade exceeds sustainability by up to 50 per cent. Considering the capture methods (Box 1), it is expected that the mortality of the mothers during capture is low, and this is confirmed by the vendors.

A survey of the wild population of Barbary Macaques in the Middle Atlas in 2005 (van Lavieren, 2005) showed a decrease in numbers of infants of up to 70 per cent over the period of June to December 2005. Taking into consideration that the natural infant mortality of Barbary Macaques is between 23 per cent and 27 per cent (Rowe, 1996), there is reason to believe that the large decrease was partly caused by the capture for live trade. The same survey calculated a shortage of infants of 40 per cent within the natural female–infant ratio of the species.

Discussion

The data show that the illegal trade in Barbary Macaques from Morocco to Europe is persistent. Many macaques enter Europe annually in spite of the CITES import suspension, and their source can be traced back to Morocco. There are recent indications that there is some trade coming from Algeria, but the trade in that country is mainly domestic (M. Nouar, pers. comm., 2007).

Because of the illegal status of the trade, it has been difficult to obtain accurate data on the extent of this trade to Europe. However, the data recorded in this study suggest that the problem is apparent over the last decade and that the average estimate of present capture offtake (300 annually) exceeds the sustainable offtake when calculated as above using both models. In both models the natural emigration and the adult mortality rates have not been considered in the calculation, and the population is treated as one single population, not taking into account fragmentation into dispersed sub-populations. This means that the maximum percentage sustainable offtake is likely to be even lower than calculations show. Also, an optimistic population size of 8000 to 10 000 individuals is used in this calculation, whereas recent surveys of the population size in the Middle Atlas estimates 6000 (van Lavieren, 2005, unpublished; Camperio Ciani, 2005).

What makes these results even more dramatic is the fact that these figures only show the influence of the trade. The combination of habitat destruction—the main

cause of the decline of the population—together with unsustainable hunting of infants, undoubtedly exerts even more pressure on the population.

According to Camperio Ciani *et al.* (2005), the percentage of immatures is a strong indicator of the future perspectives of population growth or decline. Both Camperio Ciani *et al.* (2005) and Menard *et al.* (1999) indicate that the proportion of immatures has dramatically decreased. If the adult population is not adequately replaced, it progressively ages and declines (Camperio Ciani *et al.,* 2003).

Robinson and Redford (1991) assume that maximum productivity of a species is when the population is at 0.6K—i.e., 60 per cent of carrying capacity. But for many slow-breeding species, maximum productivity is closer to 0.9K. If the yield is constantly exceeded, the population will decline (Cowlishaw and Dunbar, 2000). It is assumed that the Barbary Macaque population is below 0.6K.

The limitations of both models are that neither incorporates stochasticity or the influence of immigration and emigration; in addition, there is no satisfactory method of establishing the carrying capacity (Cowlishaw and Dunbar, 2000). However the first method proposed by Robinson and Redford (1991) is used widely and is especially developed to assess sustainability in the absence of detailed information about the demographic structure of hunted populations and the impact of hunting on that structure (Robinson and Bennet, 2000).

The reproductive age class percentage is set at 55 per cent of the females; this is based on a stable age class distribution. This percentage is kept relatively low as it takes into account the age of first breeding at 4.8 years, which is late considering the maximum recognized life span is 22 years. In the calculation, it is also assumed that the birth interval is every one and a half years for all reproductive ages. However, in practice, for the females in older age classes, the birth interval tends to decline. This further lowers the calculated sustainable offtake.

Consequences of unsustainable harvesting

Harvested populations should not be reduced to densities where they are vulnerable to local extinction. Once the population reaches critical levels, local extinctions may be inevitable, even though hunting is stopped (Cowlishaw and Dunbar, 2000). Taking into account that the Barbary Macaque population is fragmented, the extinction risk is apparent. If the duration of poaching increases, the probability of extinction will rapidly increase (Kenney *et al.,* 1995).

If poaching can be effectively stopped for a particular population, recovery may follow, but even if a population survives a period of poaching and fully recovers to pre-poaching levels, genetic variability will be lost due to rapid population decline.

Loss of significant numbers of individuals can have wider repercussions throughout the ecosystem. For example, primates often perform a primary role in seed dispersal. Loss of such species will reduce seed dispersal, which, in the long term, will affect forest composition.

RONALD TROOSTWIJK

BARBARY MACAQUE OPENLY ON SALE IN MARRAKECH (PLACE JMA FNAA).

The disappearance of the Barbary Macaque in the Middle Atlas would be a great loss to the world's biodiversity, being the only macaque species outside Asia. Apart from ecological consequences, its disappearance could also affect the economic situation in Morocco. As in Gibraltar, Barbary Macaques attract a large number of tourists every year (pers. obs.; Eaux et Fôrets, 2004, pers. comm.) and it can be expected that the disappearance of this population and its habitat would affect tourism.

The results of this research show that immediate action is required to put a halt to the poaching of Barbary Macaque infants to prevent this species from disappearing from the scarce natural areas where they can still be found.

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CITES "Introduction from the Sea"—a Practical Way Forward:

Proceedings of a Joint TRAFFIC/ANCORS Workshop

F. Meere, G. Geen, Q. Hanich, M. Lack, G. Sant and M. Tsamenyi

Background

On 31 August 2007, TRAFFIC and ANCORS* (The Australian National Centre for Ocean Resources and Security) convened a small group of experts to examine operational issues relating to the question of who should be responsible for issuing Introduction from the Sea (IFS) documentation under CITES for Appendix II species, and how and when this should be applied. The workshop considered the practicalities of whether documentation should be issued by the flag or port State (or some combination) and ran through a series of real examples to test the veracity of its findings.

The workshop participants were Mr Gerry Geen (commercial fisher and consultant), Mr Quentin Hanich (ANCORS), Ms Mary Lack (independent consultant), Mr Frank Meere (facilitator/independent consultant), Mr Glenn Sant (TRAFFIC Global Marine Programme Leader) and Professor Martin Tsamenyi (Director, ANCORS).

Introduction

CITES provides for species listed in Appendix II to be traded commercially subject to certain requirements being met and documentation accompanying the traded goods. The processes for monitoring and tracking such trade are well established for terrestrial fauna and flora and for marine species clearly within the control of a member country.

Under the text of the Convention 'trade' is defined to include "export, re-export, import and introduction from the sea". "Introduction from the sea" is defined as "transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State". Until recently there has been ambiguity concerning the interpretation of both "transportation into a State" and "the marine environment not under the jurisdiction of any State". This ambiguity has increased the complexity associated with the potential application of CITES to marine species caught in these areas.

At its 14th meeting held in June 2007, the Conference of the Parties (CoP) to CITES agreed that: "the marine environment not under the jurisdiction of any State" means those marine areas beyond the areas subject to the sovereignty or sovereign rights of a State consistent with international law, as reflected in the United Nations Convention on the Law of the Sea (Resolution Conf. 14.6).

This Resolution clarified one aspect of the IFS definition, however there remains uncertainty as to how "transportation into a State" should be interpreted and how the CITES processes of making a non-detriment finding (NDF) and issuing an IFS certificate should be implemented. The workshop focused on the latter issue but recognized that this was influenced by how "transportation into a State" is defined.

CITES and Introduction from the Sea

Article III, paragraph 5, and Article IV, paragraphs 6 and 7, of CITES, provide a framework to regulate the introduction from the sea of specimens of species included in Appendices I and II, respectively.

Article III, paragraph 5, is not included here as it deals specifically with introduction from the sea of specimens of species included in Appendix I which was not addressed by the workshop.

Article IV Regulation of Trade in Specimens of Species Included in Appendix II, paragraphs 6 and 7 state:

> "6. The introduction from the sea of any specimen of a species included in Appendix II shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:
>
> (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved; and
>
> (b) a Management Authority of the State of introduction is satisfied that any living specimen will be so handled as to minimize the risk of injury, damage to health or cruel treatment.
>
> 7. Certificates referred to in paragraph 6 of this Article may be granted on the advice of a Scientific Authority, in consultation with other national scientific authorities or, when appropriate, international scientific authorities, in respect of periods not exceeding one year for total numbers of specimens to be introduced in such periods."

*ANCORS is a centre of excellence at the University of Wollongong in oceans governance and maritime security. ANCORS provides multi-disciplinary research, education and high-level advice on national and international oceans governance and law, maritime security and co-operation and ocean resource management.

Workshop Process and Findings

In order to consider fully how IFS might best be interpreted under CITES, the workshop participants reviewed how trade in Appendix II species occurs. This is governed by Article IV of CITES. Key paragraphs include 2, 4 and 5:

"2. The export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:

(a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;

(b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and

(c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.

4. The import of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate.

5. The re-export of any specimen of a species included in Appendix II shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:

(a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention; and

(b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment."

There are likely to be some differences in the processes used for trade in terrestrial species, where the origin and time of capture will generally be known, and those which might be used for marine species. Likewise, there may well need to be different approaches for specimens of target[1], by-product[2] and by-catch[3] species.

The workshop participants first examined the legal and practical issues associated with interpretation of "transportation into a State". The key issue in this regard is at what point is the specimen introduced from the sea. They agreed that for the purposes of CITES, specimens can be considered as having been "transported into a State" when the species is either landed on the vessel as long as the vessel is flagged (and not Stateless) and it is therefore under the control of a State, or landed in a port (i.e., has cleared Customs). In coming to this conclusion the participants considered that for the purposes of commercial fishing, fish are taken when they are captured by the fishing gear and hence it can be argued that they are transported into a State when they land on the deck of the fishing vessel.

G. SANT / TRAFFIC

WORKSHOP PARTICIPANTS, FROM LEFT: F. MEERE, G. GEEN, M. LACK, M. TSAMENYI, G. SANT AND, IN FRONT, Q. HANICH.

In further considering how IFS might work in practice, the participants also discussed how to interpret "prior grant". While they generally concluded that the prior grant of an IFS certificate inferred that it would have to occur prior to a vessel taking a specimen, they acknowledged that the Convention is not explicit in this regard for either terrestrial or marine species. The use of the term "will be so handled" (future tense) in paragraph 6 (b) of Article IV (see above) appears to support such a conclusion. The need for flexibility in developing approaches for the issue of IFS certificates was also discussed, noting that this might be different for specimens of target, by-product and by-catch species and that providing such flexibility would not necessarily imply that an IFS certificate or export permit would be issued in all cases.

Following these initial general conclusions, the participants then sought to examine how a series of options would perform in seeking to maximize the effectiveness of a CITES listing and minimize the amount of product which had not complied with CITES arrangements and been traded into a market State.

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[1] *Target species: the most highly sought component of the catch taken by fishers and usually the one which they are specifically authorized to fish for.*

[2] *By-product: any part of the catch which is kept or sold by the fisher but which is not the target species.*

[3] *By-catch: all living and non-living material which is caught while fishing (and not target or by-product) and includes discards and that part of the catch which doesn't reach the deck but is affected by interactions with the fishing gear.*

Taken by	Tranship to vessel of:	Land in port of:	IFS certificate issued by:	Export certificate issued by (if relevant)	Re-export certificate issued by (if relevant)
Flag State A		State A	port State A (flag State A in this case)	port State	Subsequent exporting country
Flag State A		State B	port State B	port State	Subsequent exporting country
Flag State A	Flag State A	State A	port State A (flag State A in this case)	port State	Subsequent exporting country
Flag State A	Flag State A	State B	port State B	port State	Subsequent exporting country
Flag State A	Flag State B	State A	port State A (flag State A in this case)	port State	Subsequent exporting country
Flag State A	Flag State B	State B	port State B (flag State B in this case)	port State	Subsequent exporting country
Flag State A	Flag State B	State C	port State C	port State	Subsequent exporting country

Table 1. Port State responsible for issuing an IFS certificate assuming introduction from the sea occurs when the specimen crosses the Customs barrier in that port.

Taken by	Tranship to vessel of:	Land in port of:	IFS certificate issued by:	Export certificate issued by (if relevant)	Re-export certificate issued by (if relevant)
Flag State A		State A	flag State A	port State A (flag State A in this case)	Subsequent exporting country
Flag State A		State B	flag State A	flag State A	State B
Flag State A	Flag State A	State A	flag State A	port State A (flag State A in this case)	Subsequent exporting country
Flag State A	Flag State A	State B	flag State A	flag State A	State B
Flag State A	Flag State B	State A	flag State A	flag State A	State B
Flag State A	Flag State B	State B	flag State A	flag State A	State B
Flag State A	Flag State B	State C	flag State A	flag State A	State B

Table 2. Flag State responsible for issuing an IFS certificate assuming introduction from the sea occurs when the specimen is landed on the vessel.

In considering these options, they examined the need for an IFS certificate and associated NDF to be issued prior to the product being taken and for the issuing State also to be able to certify the legality of the product should it be subsequently exported or re-exported.

In respect to this latter point, it was noted that a product which is caught in the marine environment not under the jurisdiction of any State and landed and not exported or re-exported, does not require certification that the product was taken legally. It is also worth noting that certification that the product was taken legally (Article IV 2. (b)) would be assessed against the appropriate domestic legislation of the State issuing the IFS certificate and would only be as robust as that legislation and subsequent assessment[4].

Participants also recognized that where a flag State has ratified the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the UN Fish Stocks Agreement or UNFSA), they are required to issue permits to allow their vessels to fish on the high seas and having such arrangements in place would facilitate necessary IFS administrative arrangements.

To test their thinking as to who should issue the IFS documentation, the participants used the hypothetical example of a by-catch/by-product species being listed in Appendix II—Blue Shark *Prionace glauca* in a tuna fishery. This species was chosen as it is the most commonly caught shark species in geographical areas relevant to IFS and has not been subject to RFMO (Regional Fisheries Management Organisations) management measures that would be relevant to CITES implementation.

Port State as the State issuing the IFS certificate

In analysing the possible operation of IFS arrangements by port States, where "introduction" is interpreted as occurring when the product is landed in the port (i.e., crosses a Customs barrier), the following different scenarios were looked at.

1. Landing where the flag and port State are the same;
2. Landing by a vessel flagged to another State;
3. Transhipment in port where the flag and port State are the same (product does not enter the country—does not cross a Customs barrier);

[4] *This includes the extent to which the domestic legislation adequately reflects commitments made in ratifying international conventions. Where this has not occurred there may be little or no domestic legislation upon which to base such an assessment. These circumstances would apply equally to both port and flag States.*

4. Transhipment in port by a vessel flagged to another State (product does not enter the country—does not cross a Customs barrier).

Based on our assumption that an IFS certificate and NDF should be made prior to the specimen being caught, the participants' conclusions in relation to the above port State options were as follows:

1. Technically a port State (which is also the flag State) could issue an IFS certificate with a NDF to one of its vessels. If the product is to be exported, the port State would also be required to determine that it had been taken legally—again this should be possible if fishing under a high seas permit—but would be more difficult if no permit has been issued.

2. Where a port State is required to issue an IFS and NDF for a vessel flagged to another State, the participants came to the conclusion that it would be very difficult if not impossible for this to occur. Based on their assumption that an IFS certificate should be issued prior to the take of the specimen, this would require the port State to be fully aware of the fishing operations of this and any other vessel which may seek to use its ports. Even if there were flexibility regarding the need for "prior grant of a certificate", and an IFS certificate could be issued after the vessel has taken the specimen, such an approach would appear to be inconsistent with international law (a port State issuing a certificate or permit to flag State vessels[5]). A further potential issue for a port State would arise should penalties be subsequently imposed due to irregularities in CITES processes. This approach also appears inconsistent with the intent and operations of CITES[6]. A further complication would occur if the product is exported or re-exported as the port State would need to determine if the product was taken legally against its laws and not the laws of the flag State, something the authors believe would be difficult if not impossible.

3.&4. Transhipment of product in port where the product does not cross a Customs barrier (i.e remains in a bond area) poses a further series of problems. As the product is not landed in the port, introduction does not occur where the product is transhipped. In this scenario introduction may not occur for some time and the product may be shipped through a number of different ports before introduction occurs. The product may also be mixed with other similar product. Knowing who caught what where, whether a NDF can be made, and whether the product was taken legally, will be difficult if not impossible for the port State to determine.

Overall, the workshop participants concluded that while a port State could issue an IFS certificate and associated NDF in limited cases, it would be administratively complex and may raise questions about consistency with international law. They concluded that having a port State undertake these functions may be more administratively cumbersome than if carried out by the flag State. It was noted that efforts to secure certificates upon entering a port State could in many cases be extremely time consuming and complex and the process would be much easier through the flag State. In addition, it was noted that the majority of vessels fishing that would be subject to the provisions of IFS have sophisticated communications systems which would enable the acquisition of official documentation from flag or port States while at sea.

Flag State as the State issuing the IFS certificate

The participants examined the possible options and outcomes involved in a flag State being responsible for issuing an IFS certificate and associated NDF where the product is considered to be introduced when it is landed on the catching vessel. Four possible scenarios were looked at, in a number of which the flag State would be required to make a determination that the product was taken legally.

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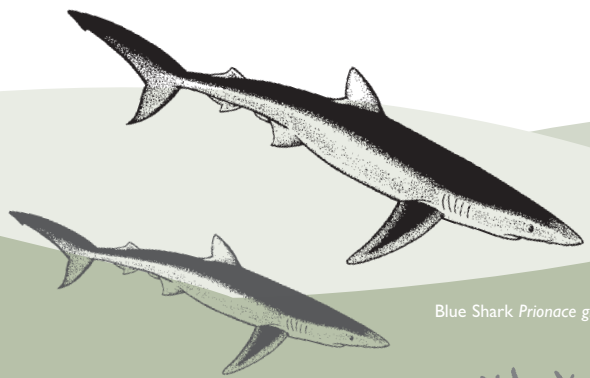
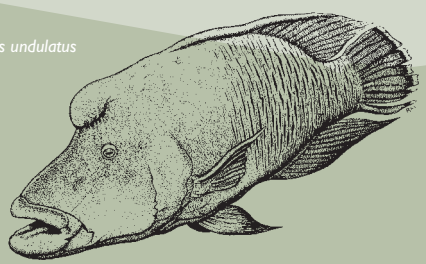
[5] *Flag State control requires that the State issuing the flag has primary control over the operations and laws with which the vessel must comply. While there are some arrangements in place which provide for the limited devolution of such powers (boarding and inspection under the UNFSA, some elements of catch documentation schemes), they still require that the flag State maintain primary control of the vessel and take responsibility for its actions.*

[6] *The Convention wording and established processes for trade in Appendix II species appears to seek to set up and monitor arrangements ex ante rather than ex post which given the likelihood of some form of quantifiable trade limit is intuitively sensible. Arrangements which allow ex post approval and reporting would be likely to undermine the integrity of such a system.*



Blue Shark *Prionace glauca*



Humphead Wrasse *Cheilinus undulatus*

1. flag State vessel landing product in the flag State;

2. flag State vessel landing product in a port State other than the flag State—this would require an export permit from the flag State;

3. transhipment on the high seas to a vessel of the same flag;

4. transhipment on the high seas to a vessel of a different flag—this would require an export permit from the flag State.

The authors' conclusions in respect of the above scenarios are as follows:

1.&3. The flag State would issue an IFS certificate and associated NDF prior to the product being taken in accordance with CITES requirements. If the flag State has ratified the UNFSA, this could be done in association with the issue to the vessel of a permit to fish on the high seas (a UNFSA requirement);

2.&4. The flag State would issue an IFS certificate and associated NDF prior to the product being taken, in accordance with CITES requirements. The flag State would also need to issue an export permit (prior to arriving in port or being transhipped) and be satisfied that the product was taken legally.

In these cases the basic rule would apply that an export permit would not be required until the product was to be moved to a vessel or port of a different flag from the flag State of the vessel that caught the product.

It was concluded that in all cases where "introduction" is considered to occur when the product is taken by the vessel and the responsibility lies with the flag State to issue an IFS certificate and associated NDF, the administrative processes would be less complex than where "introduction" is considered to occur when the product is landed in port. The participants acknowledged that under this approach the flag State of the catching vessel would be required to issue an export permit and therefore make a legal finding, prior to the product being landed in a port other than its own. It was considered that, given the modern communications facilities on these vessels, this would not pose a significant administrative burden.

Conclusions

The purpose of the workshop was to look at what constitutes "transportation into a State" and hence to determine where "introduction" occurs and then to look at who should issue an IFS certificate and make a NDF and how and when this should be done. The overall objective is to start an informed dialogue on this matter so as to ensure arrangements are developed and implemented as quickly as possible. The authors acknowledge that whatever the finally agreed interpretation of "transportation into a State", more thought will be needed as to how administrative processes will operate in support of this outcome.

The workshop participants were conscious that the initial thinking on these questions by some outside this workshop seemed to favour "introduction" occurring when the product first entered a port (crossed a Customs barrier) and hence the port State being responsible for issuing the IFS certificate and associated NDF. The participants understood this thinking to be in part based on the suggestion that flag States may not be as reliable or trustworthy as port States. This latter suggestion was not exclusively supported by workshop participants who agreed this was as much a shortcoming of port States as of flag States.

The workshop concluded that, for the purposes of developing administrative arrangements which ensure that the least possible amount of product is able to circumvent CITES arrangements, it would be preferable to consider "introduction" to have occurred when product is landed on a vessel and that the flag State should be the responsible entity for issuing IFS certificates (and NDF) as well as subsequent export or re-export permits (and determining that the product was taken legally) until the product is landed or transhipped to a State of a different flag to that of the vessel that first caught the product.

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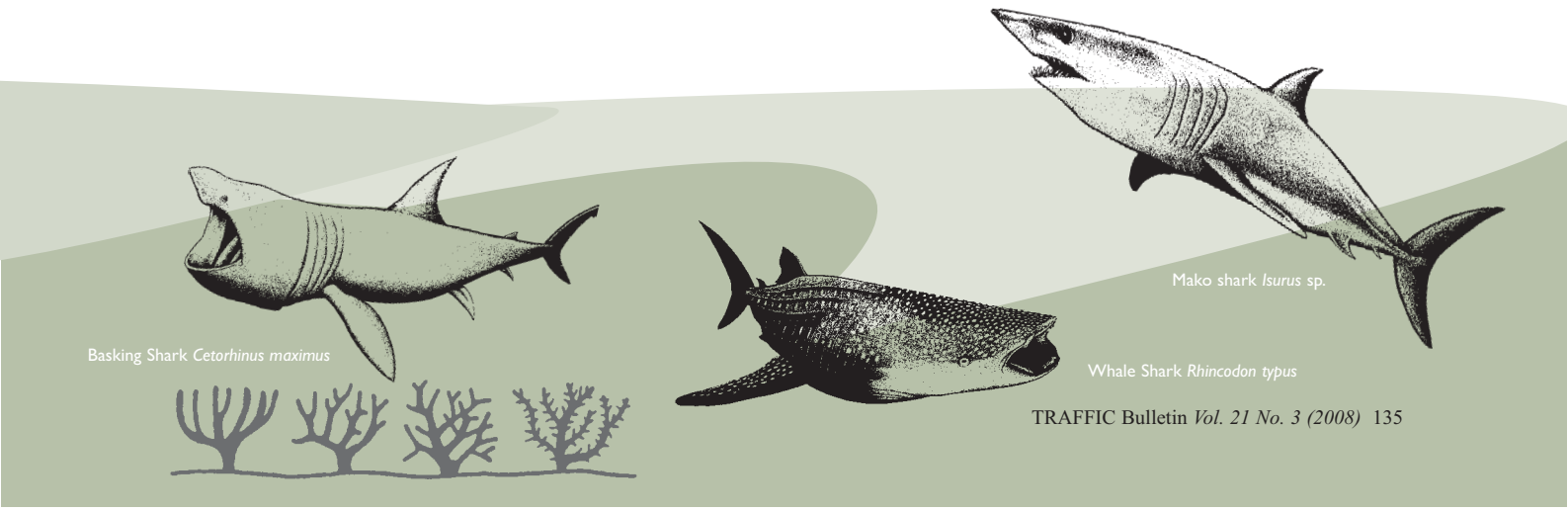

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