



CITES Conference in Switzerland

The seventh meeting of the Conference of the Parties to CITES was held in Lausanne, Switzerland, from 9 to 20 October 1989. Credentials were approved for representatives of 92 Party States, more than at any previous CITES meeting. The participants also included observers from four non-Party States, the United Nations Environment Programme (UNEP), the United Nations Development Programme, UNESCO, the Food and Agriculture Organisation of the United Nations, the European Economic Community (EEC) and 135 other organisations and agencies, including many who were attending solely for discussions on the African Elephant *Loxodonta africana*.

The following report of the meeting is a summary containing what the authors judge to be the most significant points. Some details have therefore been omitted and readers seeking a comprehensive account should refer to the official proceedings which will be published by the CITES Secretariat in due course.

Mr William Mansfield, Deputy Executive Director of UNEP, opened the meeting, noting especially the increased public awareness of CITES and the improved state of financial affairs. Further introductory speeches were made by Mr Ralph Morgenweck, Chairman of the CITES Standing Committee and Mr Franz Blanckart, Secretary of State for International Economic Affairs of the Swiss Confederation. The keynote address was given by His Royal Highness Prince Bernhard of the Netherlands who drew especial attention to the African Elephant and stressed the need to ensure its survival. He also urged the Parties to make decisions on the basis of scientific evidence, rather than politics, commerce or emotion; to fund the CITES Secretariat properly; and to give a higher priority to enforcement at the national level.

Before the meeting started to deal with its substantive issues, the representative of the Netherlands offered, on secondment to the CITES Secretariat, the services of Dr G. van Vliet, currently Scientific Director of Leiden Botanic Gardens, to be Plants Officer for a period of three years.

Between the meetings of the Conference of the Parties, the Standing Committee, which includes a representative of each region, effectively acts on behalf of the Conference. Until now there had been no provision for the attendance at meetings of an 'alternate' if the designated regional representative was unable to participate. A resolution was adopted (Resolution Conf. 7.1) which corrected this and established that only the regional representatives (or their alternates) had voting rights, although the Depositary Government's representative could vote to break a tie. Certain Standing Committee memberships came to an end at the present meeting and following the necessary elections the regional representation is now as follows:

<u>Region</u>	<u>Representative</u>	<u>Alternate</u>
Africa	Malawi	Morocco
Asia	Nepal	Malaysia
Europe	Sweden	Denmark
North America	Canada	USA
Oceania	New Zealand	Papua New Guinea
South and Central America and the Caribbean	Peru	Trinidad & Tobago

In addition, Malawi was elected as Chairman of the Standing Committee.

The thirteenth report of the Secretariat covered the period 1 January 1988 to 30 June 1989, during which the number of Parties (or Parties to be, having acceded/ratified) increased from 96 to 102 states.

By the end of June 1989, the amendment to Article XI, para. 3(a) (financial amendment, Bern, 1979), which entered into force on 13 April 1987, had been approved by 51 Parties and was in force in 58. The amendment to Article XXI (regarding 'regional economic integration organisations', Gaborone, 1983) had been approved by 22 of the states that were Parties at the time of adoption, but will not enter into force until 54 of these have approved it.

A list of specific reservations in force as of 1 April 1989 showed that, although a number of reservations had been withdrawn, overall the number of countries with reservations had increased. Fourteen states held reservations with regard to a total of 33 Appendix-I taxa, six Parties had entered reservations relating to 30 Appendix-II taxa and seven had entered reservations that concerned 49 Appendix-III taxa. The delegation of Japan announced their intention to withdraw their reservation on the Appendix-I listing of Saltwater Crocodile *Crocodylus porosus*.

In the 18 months covered by the report, the Secretariat had registered 104 additional scientific institutions for the exemptions provided by CITES Article VII.6, in a total of ten countries, three-quarters of this number being in Australia.

The Secretariat had also conducted visits to 48 Party States to assist them in various ways and particularly for purposes of training, meetings, analysis of problems, development of projects and fund raising; they had also visited four non-Party countries, with a view to their possible accession. A considerable amount of the Secretariat's time was also taken up with other types of communication, including relations with the press; the official letters, telexes and telefaxes sent by the Secretariat in the first quarter of 1989 alone totalled over 6000 items. The Ivory Unit processed nearly 1300 permits in 1988, representing some 22 000 new tusks in trade, and uncovered several cases of fraudulent transactions.

To help in improving implementation and enforcement of the Convention, the Secretariat organised three seminars at European level in 1989; two for Management Authorities' staff and one for Customs officers. Collaboration was improved with the Customs Co-operation Council and with INTERPOL. Following the publication of a practical guide for Management Authorities on dealing with INTERPOL, the number of CITES-related cases referred to this body rose from two in 1987/88 to 60 in the first half of 1989. The CITES Secretariat was informed of or intervened in over 250 infractions or alleged infractions from May 1988 to June 1989.

Between January 1988 and June 1989 the Secretariat staff increased from 13 to 19 people, the latter total including 10 support staff and one trainee.

Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties attracted a lot of interest because of the financial crisis the Secretariat had faced in 1986 and 1987. The Secretariat's report for the period 1987-1988 indicated that, following the adoption of its special financial plan for 1988-89, the state of affairs had improved considerably and it was operating within budget. It was also expected that the expenditures for 1989 would be well within budget owing especially to: support from external funds for the seventh meeting of the Conference of the Parties; several staff secondments and special monetary contributions; and the substantial increase in the US contribution to the Trust Fund. Especially noteworthy was that the Secretariat had obtained over US\$3 000 000 of external funding (in cash and in kind) for special meetings, projects and programmes.

One recommendation from the Secretariat, intended to improve the financial situation, was that unpaid contributions for 1986 and prior years be forgiven, in the hope that this gesture would stimulate all Parties to pay their full contributions in future. It was noted that UNEP had followed this practice in the past. The Secretariat's documentation showed that this would involve forgiving payments of US\$564 705 out of a total of US\$877 714 still unpaid on 31 August 1989. Ten countries had contributions still outstanding for 1986 and previous years, although three countries (Argentina, German Democratic Republic and USSR) accounted for 99.5% of the amount unpaid. Discussion of this matter was referred to the Standing Committee.

With respect to the proposed budget for 1990-92, a considerable increase was noted and included, in particular, the intention to establish three one-person regional offices, in Africa, Asia/Oceania, and South/Central America and the Caribbean, from external funds. There was some controversy in discussions of external funding in general because funds had been raised for conservation projects from the sale of evidently illegally-obtained lizard skins, and because there were strong feelings that the disposal of these skins should have been handled differently. The resulting resolution reflected the concerns expressed.

A resolution (Resolution Conf. 7.2) was adopted: approving the Secretariat's report and the budget (Trust Fund: 1990-US\$2.11M; 91-US\$2.32M; 92-US\$2.25M/ External Funds: 1990-\$2.09M; 91-\$2.23M; 92-\$2.02); requesting UNEP to extend the Trust Fund until 31 December 1995; urging all Parties to pay their contributions to the Trust Fund in accordance with the revised UN scale of assessment and in advance if possible; urging Parties to deposit their instruments of acceptance of the 1979 and 1983 amendments to the Convention; urging non-Party States and all interested bodies to contribute to the Trust Fund; maintaining the standard participation charge for observers at meetings at US\$150, unless the Secretariat decides otherwise; agreeing that funds from non-governmental sources for special projects not be accepted without the Standing Committee's prior review in consultation with the appropriate Committees; and directing the Secretariat to submit to the Standing Committee, and other appropriate Committees, a list of priorities for funding, representing opportunities to enhance the implementation and enforcement of the Convention and to conduct scientific studies and, for each new project, to submit a proposal for expert review six months before the planned appeal for funds.

A summary was presented of the activities of the Animals Committee, most of which had become the subject of other documents discussed at the meeting, e.g. the Ten Year Review proposals and other species proposals. Some unresolved and ongoing issues included a review of the Berne Criteria; a review by the range states of the status of the African Manatee *Trichechus senegalensis*; a review of subspecies in the CITES Appendices; 'Significant Trade' reviews of the Six-fingered Frog *Rana hexadactyla*, the Indian Bullfrog

R. tigrina, giant clams *Tridacnidae* spp. and stony corals. An operating budget of US\$65 000 was requested in order that the Committee would be able to conduct its business during the next two years and the Trust Fund budget approved did include \$66 000 each for the Animals and Plants Committees for the period 1990-1992.

The Plants Committee drew attention to the need for improved reporting on plant trade. The position of a representative for Oceania on the Committee was now vacant. Funding was being sought for a study of significant trade in plants.

The position of Chairman of the Identification Manual Committee still being vacant following Dr Dollinger's resignation in 1987, the Secretariat reported that, despite financial restraints and other difficulties, some animal sheets for the English version had been completed and published. The total number published by the end of August 1989 was 1336, with a further 25 received but not yet printed and 213 in preparation.

A French edition of the manual was in preparation and the first part was due to be printed and made available before the end of 1989.

A Spanish edition was also in preparation, but a lack of funds had prevented further translation of sheets and publication of those already translated. Although the Secretariat stressed the need for a new Chairman to be appointed at the present meeting, this did not occur.

The Nomenclature Committee presented a summary of the status of various checklists. The mammal list was now out of print but a revised edition was nearly finished. The amphibian list was almost sold out but there were currently no plans for publishing a revised version. A list of turtles and crocodylians was in press and a multi-volume list of snakes was expected to be published in 1991. A list of the family Cactaceae was in preparation but required contributions from Parties for its completion. Initial development of lists of lizards and birds was proposed during the next two years.

Other activities had been largely curtailed due to lack of funds, including a review of subspecies listed in the Appendices and enquiries regarding the nomenclatural status of taxa from the Secretariat and Parties.

The Report on national reports prepared on behalf of the Secretariat by WTMU, examined the effectiveness of the implementation of the Convention as shown by the annual reports of the Parties for the years 1986 and 1987. The WTMU report indicated that, despite the considerable increase in the number of Parties, there had been no increase in the percentage submitting annual reports. Annual reports are consistently submitted late, which hampers the accurate monitoring of trade between Parties. It was recommended that reporting procedures should be improved, that annual reports should include the Appendix-listing of species traded, and that trade reported on should be based on actual trade rather than permits issued.

The delegation of the Netherlands expressed disappointment that the CITES Secretariat's contractual agreement with WCMC for computerization of annual report data had excluded artificially propagated plants in the period 1988/89. The Secretariat explained that this measure had resulted from the financial constraints imposed on the Secretariat. WTMU stated that, because of the importance of computerizing the trade data, they had subsidised the Secretariat's budget by including cultivated plants, although this might not be possible in future. They added that, to date, one million records had been entered into the database, some 45% of which referred to trade in manufactured products. It was suggested by WTMU that information to be included in the CITES database should be reviewed and, if possible, reduced in the future.

The Secretariat did not feel that the adoption of further resolutions on this issue would lead to significant improvements. However, the following recommendations contained in the Secretariat's Report were noted: that the Secretariat should continue to investigate the reasons for problems in submission of annual reports, and that Parties needing technical assistance urgently inform the Secretariat; Parties not yet computerizing their recording of CITES trade statistics should explore this possibility as soon as possible and ensure that any such computerization is compatible with the CITES database at WTMU; greater effort should be made by Parties to ensure that the accuracy and completeness of their reports are improved. In particular, reports should be made on a shipment by shipment basis and should include permit/certificate numbers (to facilitate cross-checking); causes for discrepancies in the comparative tabulations should be determined as quickly as possible and results of such analyses be communicated to the Secretariat and the Parties concerned.

The Secretariat presented its review of alleged infractions, explaining that this exercise, first carried out for the sixth meeting of the Conference of the Parties, had two main aims. Firstly, Parties should be provided with a record of instances where it appears that significant attempts (successful or unsuccessful) have been made to violate or evade the provisions of the Convention. Secondly, the Secretariat wished to stimulate constructive discussion of these problems, identify those of major concern or those requiring special attention and seek mechanisms or solutions to reduce or eliminate them. A draft of the Secretariat's report had been transmitted to the Parties for comment prior to the meeting and 15 Parties had responded. The results of the study were presented under the following headings:

- A. Infractions of obligations imposed by the Convention other than those regarding the trade of species mentioned in the Appendices;
- B. Non-response to the Secretariat under Article XIII;
- C. Irregular issuance of pre-Convention certificates (3 cases);
- D. Irregular issuance of 'bred in captivity' or 'artificially propagated' documents (3 cases);
- E. Irregular trade in Appendix I species (19 cases);
- F. Irregular trade in Appendix II species (23 cases);
- G. Non-application of resolutions of the Conference of the Parties (other than ivory) (6 cases);
- H. Invalid documents (17 cases); and
- I. Large-scale or elaborate frauds (5 cases).

Headings A. and B. did not refer to specific cases. The former included details of countries which had inadequate national legislation to enforce the Convention, countries which had not produced annual reports and countries which had not designated Scientific Authorities, while the latter listed countries which had not replied in a satisfactory manner to requests for information by the Secretariat.

Many of the individual cases identified were followed by a specific recommendation for further action made by the Secretariat; these were the main subjects of discussion during the session devoted to this agenda item. After lengthy debate, it was agreed that, with five exceptions, the Secretariat's recommendations should be adopted. The exceptions all appeared under headings E. and F. in the Secretariat's report.

In addition, four draft resolutions were considered. Two of them were withdrawn after some discussion; these dealt with abuses of diplomatic privilege and notification by the Secretariat of Parties which do not submit annual reports or designate Scientific Authorities. The other two draft resolutions were adopted. The first of these, Resolution Conf. 7.5, on enforcement, called for the adoption of a standard nomenclature for the designation of CITES parts and derivatives, introduced time-limits

within which Parties should respond to requests for information by the Secretariat, and established a procedure which the Secretariat should follow when dealing with major implementation problems in particular Party States. The second Resolution (Conf. 7.4) concerning control of transit shipments, called on Parties to inspect such consignments to the extent possible under their national legislation and to adopt legislation allowing them to seize and confiscate transit shipments that were not covered by valid export documentation.

The Secretariat was asked to take special note of the plea to allow more time for discussion of this agenda item at future meetings of the Conference of the Parties.

Discussions on trade in ivory from African Elephants dominated the debate at the CITES meeting, from Prince Bernhard's opening speech to the concluding remarks on the final day. Colour was added by a 20-m high inflatable elephant tethered outside the conference centre and the crowds of trunk-masked schoolchildren who trooped periodically through the hall.

The formal proceedings centred on seven proposals to transfer Loxodonta africana from Appendix II to Appendix I, submitted by Austria, Ghana, Hungary, Kenya, Somalia, Tanzania and the USA. The biological aspects of these were considered first by Committee I, which was told that the population of the species throughout Africa had declined rapidly from around 1.1 million in 1979 to some 620 000 in 1989. The rate of decline far exceeded the average in some regions, particularly East Africa, but the populations of some countries in other regions were stable or increasing. Several of the latter countries, particularly Botswana, Malawi, South Africa and Zimbabwe, argued that their Elephant populations did not fulfil the Berne Criteria for transfer to Appendix I, and should therefore be left in Appendix II to allow them to continue to generate income from ivory sales. The delegate from Gabon reflected wryly that the chief economic benefit of the Elephant was its ability to generate income for conservationists in developed countries. There was some discussion of whether it was appropriate to consider different populations of Elephants separately, but most of the debate centred on whether continuing legal trade in ivory from some countries would make it impossible to prevent ivory leaving others illegally. Accordingly the subject was passed to Committee II for consideration of trade controls.

The Secretariat described the operation of the ivory trade control system over the previous two years. They refuted the charges that it had failed, pointing out that the volume of ivory recorded in trade had declined from nearly 1000 tonnes in 1983 to less than 400 t in 1987 and possibly less than 200 t in 1988. In support of its request to have Elephants in southern Africa retained in Appendix II, Zimbabwe had prepared a document outlining a new ivory trade control system, by which all ivory would be sold through a single auction room in Botswana. They proposed a 'moratorium' on trade until such a system could be established. It became apparent that further discussion of trade controls was impossible until a decision had been reached concerning the transfer of the African Elephant to Appendix I, and consequently the debate passed back to Committee I.

One alternative to transferring the entire species to Appendix I emerged as a compromise, to retain certain populations in Appendix II. The TRAFFIC Network and IUCN suggested defining objective criteria to judge which populations this should apply to. The southern African countries felt that they already had sufficient information to judge this and proposed the populations of South Africa, Botswana, Zimbabwe, Mozambique, Malawi, Zambia and, on their accession to CITES, Angola and Namibia. A lengthy discussion ensued on possible compromises and on the correct procedure for voting. The Committee rejected the southern African proposal by a 70:20 majority, failed to reach the 2/3 majority to

approve the outright Appendix I listing, and voted by 76:11 to accept a proposal by the delegation of Somalia. The effect of this was to transfer the entire species to Appendix I, and to agree that, at a later date, certain populations could be transferred back to Appendix II on the recommendation of a panel of experts, the composition and terms of reference of which were decided by a working group (Resolution Conf. 7.9). Having no guarantee that the return of certain populations to Appendix II would be achieved, the representatives of Botswana, Burundi, Malawi, Mozambique, Zambia and Zimbabwe announced that they intended to take reservations against this decision (see page 19).

Under the terms of Resolution Conf. 5.11, all stocks of ivory acquired since the first inclusion of *L. africana* in Appendix III (1976) must be considered to be Appendix I material after 18 January 1990, and therefore not eligible for international trade under the pre-Convention exemption. A draft resolution to amend the effect of Resolution Conf. 5.11, to allow the trade in existing stocks of ivory, met with strong opposition and was defeated. Another draft resolution, prepared by the UK, was then approved, urging Parties to enact domestic legislation to prevent commercial trade in ivory with immediate effect, rather than waiting for 90 days until the transfer to Appendix I came into force (Resolution Conf. 7.8). The disposal of confiscated stocks of ivory was a recurring problem, about which several countries were concerned. Burundi urged a solution to its attempts to export its stockpile of about 80 tonnes but, as a result of the recent decisions, no solution could be found other than to enter a reservation. A final twist to the story came when the USA introduced a draft resolution to establish a quota system for the export of tusks from Elephants shot by trophy hunters. This was rejected on the grounds that such trade was already governed under the provisions of the Convention, and also because it proposed setting quotas even for countries whose African Elephant populations had been identified as endangered.

A document on the trade in rhinoceros products was submitted by the Secretariat, containing a report on the continuing trade problems affecting rhino conservation, with a number of recommendations for action. It also recorded the intention of South Africa to propose the transfer of its populations of Rhinocerotidae from Appendix I to Appendix II, subject to an export quota; in fact a proposal had been submitted for consideration by the present meeting but had been received by the Secretariat after the deadline. There was no discussion of this subject.

A new Resolution (Conf. 7.7) was adopted with regard to trade in leopard skins which allows the quota system to continue without the need to review it at each meeting of the Conference of the Parties. Only changes to the adopted quotas or requests to establish a quota in a new country would need approval. The quotas in the new Resolution are the same as those adopted in Resolution Conf. 6.9 except that Botswana's annual quota has been increased to 100, and a new quota of 50 has been established for South Africa.

Trade in plant specimens: The Plants Committee met on most days and covered a number of topics. The first two days were devoted to discussion of the proposals to change the listings of species in the Appendices. In some cases it was necessary to seek additional information from delegates because a few of the proposals were woefully inadequate. After this, discussion centred on identification aids, primarily the format and content of the CITES guide to plants in international trade. This is already in preparation and is expected to be finished during 1990. Unlike the animal identification manuals, it will be a bound book that will attempt to provide the means to identify a selection of

threatened and look-alike plants in trade. All species listed in Appendix I and many in Appendix II will be described but there will be room for only a representative selection of the larger families listed in Appendix II, e.g. Cactaceae and Orchidaceae. Some non-CITES species traded in numbers giving cause for concern will also be included. The problem of distinguishing between artificially propagated and wild-collected specimens was discussed at some length. Measures suggested to help in coping with the problem included the establishment of a system of registration and certification for nurseries that propagate Appendix I specimens. There would be many problems involved in implementing this successfully but it is hoped that a draft resolution will be agreed by the Plants Committee and put to the eighth meeting of the Conference of the Parties. A study of significant trade in plants was an important priority for which funds had not yet been secured. It was hoped to remedy this as soon as possible. The meetings were concluded with reviews of various plant groups not yet covered by CITES, including bulbs, bromeliads, succulents, carnivorous plants, medicinal plants and tropical timbers. The appointment of Dr Ger van Vliet as CITES Plants Officer was welcomed as a very positive step towards proper control of the plant trade.

A proposal by the USA to not annotate any plant species presently in Appendix I, so that the artificially propagated hybrids of these species will be treated as artificially propagated specimens of Appendix II species, in accordance with Resolution Conf. 6.19 a, was adopted.

A document and draft resolution had been prepared by Australia on the subject of marking of specimens. They sought to establish general principles for a marking and identification system for species subject to ranching, captive-breeding or annual export quotas, whose populations were divided between Appendix I and Appendix II. After some discussion a Resolution (Conf. 7.12) was adopted with the following principal recommendations. With respect to the identification of live specimens: any marking system should be undertaken with due regard for the humane care, well-being and natural behaviour of the specimen involved; the effectiveness and efficiency of microchip technology as an aid to identification should be reviewed by the Parties; and, the use of coded microchip implants should be tested on a sample range of Appendix-I taxa. With respect to parts and derivatives: where requested by individual Parties, the Secretariat should purchase coded tags or stamps for the control of ranches or captive-bred specimens; and, the Animals Committee should address further the issue of marking requirements for the identification of specimens of 'look-alike' species for the purpose of developing practical marking strategies and systems.

It was agreed to continue work on Significant Trade in Appendix II Species and an estimated budget of US\$75 000 for the production of a report covering 100 species was approved. An additional budget was approved to enable IUCN to co-ordinate the screening of species subject to significant levels of trade and to raise funds for and co-ordinate field studies on those species requiring such study as a priority.

TRAFFIC urged the Parties to impose restrictions on trade in species that had been identified as seriously affected by trade until the results of field studies enabled proper non-detriment findings to be made.

The Secretariat had prepared a brief report on sale of confiscated specimens of species included in Appendix II, which proposed a system under which confiscated goods would be donated by Parties to the Secretariat for sale by international auction. The proceeds from such auctions would then be used to establish conservation programmes under the direction of the Secretariat. A large number of Parties expressed their objections to the Secretariat being

involved in such a scheme for a variety of reasons, including lack of personnel and time, negative perception by the public, and lack of expertise. The Parties agreed that the Secretariat should not be involved in the sale of specimens of Appendix II species.

The Secretariat presented a document about export/re-export permits and certificates. The main subjects covered were: verification and printing of permits; use of permits; and cancellation of refused permits. A draft resolution prepared by the Secretariat was discussed at some length and a revised version was adopted. Resolution Conf. 7.3 recommended: the refusal of permits with unauthorised alterations; the use of security stamps with specified additional security measures; the registration with the Secretariat of the names of people authorised by individual Parties to sign permits and certificates (together with sample signatures); and that country-of-origin of re-exports be specified on re-export certificates, together with details of the original export permit and certain other information. Furthermore, the Resolution urged the Parties to indicate on permits or certificates for live animals that the document is only valid if the transport conditions conform to the accepted CITES guidelines or to the IATA regulations, where applicable, and to keep or inelibly cancel original copies of refused permits or certificates. In addition to these measures, the Secretariat was directed to undertake an in-depth study of any necessary changes to the harmonised permit form contained in Resolution Conf. 3.4.

The Secretariat sought the guidance of the Conference of the Parties with regard to treatment of genuine re-export certificates for illegal specimens. Without further advice from the Parties, the Secretariat considered itself to be placed in a difficult position between its willingness to prevent trade in illegal specimens and its desire not to penalise Parties which have not violated the Convention. After some discussion, the Parties recommended that the Secretariat always advocate rejection of a shipment containing specimens which had entered trade illegally, regardless of whether they were covered by genuine re-export documents.

Resolution Conf. 6.24 on the transport of live animals, adopted at the previous meeting of the Conference of the Parties, had proved unacceptable to the IATA Live Animals Board because of specific recommendations and some clauses in the attached checklist which were considered outside of CITES authority. A revised Resolution (Conf. 7.13) was adopted which differed from Conf. 6.24 in its revised checklist of details to be completed for each shipment transported and in the addition of the following new recommendations:

that the dialogue between the CITES Secretariat, through the Standing Committee, and the Live Animals Board of the International Air Transport Association and the Animal Air Transport Association be continued;

that, to the extent possible, live animal shipments be examined and necessary action taken to determine the well-being of the animals by CITES-designated persons or airline personnel during extended holding periods at transfer points;

that Parties not clear for export shipments that either are unaccompanied by a completed shipment checklist or are accompanied by a checklist that contains any "No" answers unless there is a satisfactory explanation; and

that for as long as the CITES Secretariat and the Standing Committee agree, the IATA Live Animals Regulations be deemed to meet the CITES Guidelines in respect of air transport.

The delegation of the Federal Republic of Germany was disappointed that this no longer contained a requirement regarding compliance with IATA regulations on transportation of live animals.

Following recommendations made at the sixth meeting of the Conference of the Parties (Resolution Conf. 6.22), IUCN had been asked to set up a workshop to produce guidelines for evaluating marine turtle ranching proposals. The workshop had taken place in Costa Rica, in 1988, and its report was formally adopted. However, as no consensus had been reached, the draft resolution resulting from it was withdrawn. IUCN announced an initiative to develop a turtle conservation action plan, based on regional management strategies, and convened a working group to discuss this. IUCN will report to the next meeting of the Conference of the Parties on the status of the development of the action plan.

The Secretariat summarised a document it had prepared, following a recommendation at the fifth meeting of the Conference of the Parties that a comprehensive Review of Resolution Conf. 5.21 on Special Criteria for the Transfer of Taxa from Appendix I to Appendix II be carried out at the present meeting.

Whilst recognising that Resolution Conf. 5.21 had enabled Parties to utilize, in a rational way, certain species formerly listed in Appendix I and transferred to Appendix II under the special criteria provided by that Resolution, the report identified some problems with regard to its implementation. A draft resolution to replace Resolution Conf. 5.21 had been prepared to take account of such problems and, after some revision by a working group, the following was agreed (Resolution Conf. 7.14):

a) for those species for which an export quota under Resolution Conf. 5.21 was approved prior to the seventh meeting, such transfer should be for a maximum period of two intervals between regular meetings of the Conference of the Parties or one interval should the usual interval become three years, and for those species transferred at or after the seventh meeting, the transfer should be for a maximum of two intervals between regular meetings, after which the population should be transferred to Appendix I if it is not retained in Appendix II under the provisions of either Resolution Conf. 1.2, where applicable, or Resolution Conf. 3.15;

b) quotas should be established, confirmed, or changed only by the Conference of the Parties, and any Party seeking approval of a quota, or a confirmation or a change in its quota, should submit a proposal with information on the status of the species and its management programme to the Secretariat in accordance with the procedures in Article XV;

c) where crocodylians are involved, quota proposals submitted for the first time and proposals which are amended within the normal maximum period, which include a cropping component (i.e. the regulated hunting of wild animals for skins), should be examined more stringently than those referring solely to specimens reared in captivity from wild eggs or hatchlings;

d) if a Party with a quota approved at a regular meeting of the Conference of the Parties intends to keep its quota unchanged for the interval between the next two regular meetings, this should be agreed to by the Conference of the Parties, but no supporting statement is required if the Party has fulfilled its reporting requirements.

e) the wild harvest normally should not greatly exceed the export quota and the supporting statement should indicate: the proposed total annual wild harvest, including but not limited to the offtake from cropping and for trophy hunting and ranching; the proposed number and

type of wild-collected specimens to be exported (e.g., live animals, skins, other parts, derivatives); the proposed number and type of specimens reared in captivity from wild eggs or hatchlings; and the proposed number and type of captive-born specimens (sic).

f) annual reports should include information on the total annual harvest, including its forms; the number and type of wild-collected specimens which had been exported; the number and type of specimens reared in captivity from wild eggs or hatchlings which had been exported and the number and type of captive-born specimens which had been exported.

Responsibility for developing recommendations for marking and other methods of controlling trade in specimens of species subject to quotas, was given to the Animals Committee.

The delegation of the United Republic of Tanzania requested financial support to help monitor crocodile populations.

Consideration of criteria and application for inclusion of new species in the "Register of operations which breed specimens of species included in Appendix I in captivity for commercial purposes": a draft resolution that aimed to establish a format and criteria for presentation of proposals was adopted after being extensively discussed and revised (Resolution Conf. 7.10). The main criteria agreed for consideration of proposals related to:

i) the parental breeding stock: this should be obtained without detriment to the wild population if possible and operations involving critically endangered species should normally be non-commercial;

ii) husbandry and breeding methods: the species must have been bred reliably to the second generation in captivity, and adequate measures to prevent inbreeding must be documented;

iii) operating strategy: the anticipated future production of offspring and any perceived need for augmentation of breeding stock are factors demanding careful consideration.

iv) marking and inspection: these must be carried out in such a manner that the unauthorized addition of wild specimens is not likely to occur without detection.

However, there were still concerns regarding the substance of the Resolution and it was therefore agreed to review this issue comprehensively at the eighth meeting of the Conference of the Parties.

The Philippines had applied to register a captive-breeding operation in their country that had stocks of 19 Appendix I species, including 112 Hyacinth Macaws Anodorhynchus hyacinthinus and 140 Palm Cockatoos Probosciger aterrimus (which had not yet been successfully bred there). Some of the details necessary for registration had not been provided and the delegation of the Philippines agreed to resubmit the proposal.

Denmark had prepared a document and draft resolution that would allow an exemption for blood and tissue samples for DNA studies from the CITES permit requirements (e.g. for genetic fingerprinting of individuals to determine parentage). The proposal was designed to allow the undelayed transport of samples from countries where they are collected to countries where facilities are available to conduct the analyses. The draft resolution recommended that the exchange of 2ml aliquot samples of blood and tissue of CITES species for DNA studies be exempted from the usual CITES permit requirements. The maximum sample size had been chosen to prevent illegal trade in other types of derivatives under the exemption. However there was little support for the

draft resolution and some feeling that it was contrary to the spirit or the letter of the Convention as regards readily recognizable parts and derivatives. The draft resolution was withdrawn by Denmark, but they urged the Parties to make every effort to ensure efficient and timely transportation of scientific samples.

Denmark introduced a document and draft resolution referring to the return of live animals of Appendix II or III species. One of the main problems when dealing with the arrival of live specimens not covered by appropriate documentation was considered to be the transport costs which would be incurred if the specimens were returned to their source. It was felt necessary to establish the principle that the Convention does not exclude immediate return to the exporter as an alternative to confiscation for Appendix II and Appendix III specimens, in order to ensure that the costs of return would be forced upon the exporter rather than the Management Authority of the importing country. A Resolution (Conf. 7.6) was adopted with the following elements: a) live Appendix II and III animals arriving at an importing country without a proper export document should be confiscated, or sent to the Management Authority of the re-exporting country or the country of origin; b) in other cases, except in certain defined circumstances, the Management Authority of the importing country may accept that the specimens be returned immediately and directly to the exporter (at the expense of the transporter and eventually the exporter) if the importer refuses to acknowledge the shipment; and c) the Management Authority of the importing country should inform, as soon as possible, the Management Authority of the exporting country of any shipment being returned to the exporter.

Under the terms of Resolution Conf. 5.16, the trade in ranched specimens between Parties, non-Parties and reserving Parties is prohibited. Australia, having experienced problems with the export of Crocodylus porosus skins, had prepared a draft resolution to modify the effect of Conf. 5.16, believing it to be ultra vires. Following some discussion, the draft resolution was withdrawn and a new Resolution (Conf. 7.11) passed, requesting the IUCN Environmental Law Centre to look into the legal implications of Resolution Conf. 5.16 paragraph (j). The Animals Committee was asked to give further consideration to the marking of products of ranching operations.

The delegation of France submitted a draft resolution relating to Amendments to Appendix III, primarily to facilitate implementation of the Convention by specifying that Parties wishing to amend Appendix III should do so at meetings of the Conference of the Parties. It was pointed out that this was contrary to Article XVI.1 of the Convention, which states that Parties may at any time submit to the Secretariat a list of species for inclusion in Appendix III. In view of this and in order to allow for urgently needed Appendix III listings, the wording of the resolution was modified to "encourage" Parties to submit Appendix III listings at the Conference of the Parties, leaving the option to make amendments at other times, in the event of an emergency (Resolution Conf. 7.15).

Trade in crocodilian quota species: when the special criteria (Resolution Conf. 5.21) for transferring populations of Appendix I species to Appendix II under a quota system were adopted, they were originally envisaged as an interim measure, pending the collection of sufficient information to allow other proposals to be developed. Five of the African countries which had previously had export quotas for crocodiles therefore submitted ranching proposals, under the provisions of Resolution Conf. 3.15, to retain their crocodile populations in Appendix II. A report prepared by Dr Jon Hutton, the Secretariat's consultant on Nile Crocodile Crocodylus niloticus, concluded that ranching

Export quotas for crocodylians agreed at the seventh meeting of the Conference of the Parties to CITES

	1989	1990	1991	1992
<u>Crocodylus cataphractus</u>				
Congo	600 w	600 w	600 w	600 w
<u>Crocodylus niloticus</u>				
Cameroon	100 w	0	0	0
Congo	150 w	0	0	0
Ethiopia	2800 r 20 w 25 t	6800 r* 20 w 50 t	8800 r* 20 w 50 t	8800 r* 20 w 50 t
Kenya	4000 r 1000 w	5000 r	6000 r	8000 r
Madagascar	1000 w	0	2000 r	4000 r
Somalia		500	500	500
Sudan	5000 w	5040 w	0	0
Tanzania	2000 w	1000 w	1000 w 4000 r	0 6000 r
		100 t	100 t	100 t
<u>Crocodylus porosus</u>				
Indonesia	4000 w	3000 w 2000 r	3000 w 3000 r	2500 w 5000 r
<u>Osteolaemus tetraspis</u>				
Congo	500 w	0	0	0

r = ranched specimens; w = wild harvest;
t = hunting trophies; h = live ranched hatchlings;
* = including 2500 live hatchlings

▷ operations involving only the removal of eggs from the wild bore little risk of over-exploitation, but that the hunting of wild adults could rapidly deplete populations unless it were carefully controlled. Accordingly, the two proposals which indicated that few or no skins were to be harvested from the wild, those of Malawi and Zambia, were rapidly approved. Mozambique had originally proposed a wild harvest of 1000 skins a year in parallel to its ranching offtake, but withdrew this request in response to the prevailing mood, and the ranching proposal was then accepted. Botswana's ranching proposal also received approval although criticism was directed at the demonstrably adverse impact on wild populations that removal of adults had had in the past and at the continued retention of a reservation. The ranching proposal from Madagascar attracted so much adverse comment that it was referred to a working group, from which it re-emerged as a request for continuation of an export quota. This was agreed with the specification that only ranched skins were to be exported.

Cameroon requested no further exports, and its quotas were therefore set at zero. Ethiopia, which only recently joined CITES and which therefore had a proposal submitted on its behalf by Zimbabwe, had not had time to prepare a ranching proposal, and was granted export quotas to allow the export of ranched products. Kenya has a confusing assortment of exploitation schemes centred on the Mamba Village Crocodile Farm, which is a registered captive-breeding operation, collects eggs for ranch production, and has captured and exported large numbers of adult crocodiles from the Tana River. The latter activities were severely censured, and Kenya modified the quota request to allow only the export of ranched skins and products. It also agreed to remove the farm from the register of captive-breeding operations, noting that the registration had been made redundant by the transfer of the population to Appendix II. Somalia initially requested quotas of 2000 skins a year, but this

was reduced to 500 when the validity of its population estimates was questioned. It agreed to withdraw its reservation on Crocodylus niloticus. Sudan has banned all crocodile hunting but had some 10 040 skins stockpiled which it asked to be allowed to export over the period 1989 and 1990. Tanzania, which was initially criticised for presenting a poorly prepared supporting statement and for having failed to carry out population surveys, presented a revised document, based on a recent survey, which requested an export quota for a lower level of wild harvest with an increasing quantity of skins from ranches. Congo had previously been allocated quotas for three crocodylian species, but had found that it could not sell the skins of Osteolaemus tetraspis African Dwarf Crocodile. Its quotas for this species and C. niloticus, which is rare in the country, were therefore set at zero, and only the Crocodylus cataphractus Slender-snouted Crocodile quota was continued.

The information presented by Indonesia, in support of its proposal for an increase in its quotas for Crocodylus porosus Saltwater Crocodile, demonstrated that illegal hunting of crocodiles in Irian Jaya was continuing at alarming rates and that most of the skins found their way to Singapore where little control was possible owing to that country's reservations. After prolonged debate, quotas were eventually granted on the assurance by Indonesia that increasing quantities of crocodiles would come from ranch production, that only skins between 10 inches and 18 inches belly-width would be exported, that the dealers involved in illegal skin hunting would have their licences revoked and that no further crocodile skins would be exported to Singapore.

The eighth meeting of the Conference of the Parties to CITES will be held in Tokyo, Japan, early in 1992.

The proposals to amend the CITES Appendices are listed overleaf.

The following three pages summarise the proposals adopted, proposals rejected and proposals withdrawn at the seventh meeting of the Conference of the Parties to CITES. An asterisk (*) placed against the name of a species or higher taxon indicates that one or more geographically separate populations, subspecies or species of that species or taxon are included in Appendix I and are therefore excluded from Appendix II; two asterisks (**) indicate that one or more geographically separate populations, subspecies or species of that taxon are included in Appendix II and are therefore excluded from Appendix I.

PROPOSALS ACCEPTED

FAUNA

MAMMALIA

- Acerodon spp. Flying-foxes
Inclusion in App. II.
- Pteropus insularis Truk Flying-fox¹
Pteropus mariannus Mariana Flying-fox¹
Pteropus molossinus Pohnpei Flying-fox¹
Pteropus phaeocephalus Mortlock Flying-fox¹
Pteropus pilosus Large Palau Flying-fox¹
Pteropus samoensis Samoan Flying-fox¹
Pteropus tonganus Insular Flying-fox¹
Transfer from App. II to I.
- Pteropus spp.* Flying-foxes
Inclusion in App. II.
- Melursus ursinus Sloth Bear
Inclusion in App. I.
- Ursus arctos* Brown Bear
Inclusion in App. II, excluding the population of the Union of Soviet Socialist Republics.
- Ursus arctos** Brown Bear
Inclusion in App. I of Mexican population, in lieu of Ursus arctos nelsoni.
- Felis pardalis Ocelot
Felis pardina Iberian Lynx
Felis tigrina Little Spotted Cat
Felis wiedii Margay
Transfer from App. II to I.
- Loxodonta africana African Elephant
Transfer from App. II to I.
- Cephalophus jentinki Jentink's Duiker
Transfer from App. II to I.
- #### AVES
- Francolinus ochropectus² Djibouti Francolin
Francolinus swierstrai² Swierstra's Francolin
Deletion from App. II.
- Amazona tucumana Tucuman Amazon
Ara maracana Illiger's Macaw
Cacatua moluccensis Salmon-crested Cockatoo
Transfer from App. II to I.
- Buceros rhinoceros Rhinoceros Hornbill
Inclusion in App. II.
- Pitta guajana Banded Pitta
Inclusion in App. II.
- Pitta gurneyi Gurney's Pitta
Inclusion in App. I.
- Pseudochelidon sirintarae White-eyed River Martin
Transfer from App. II to I.

REPTILIA

- Crocodylus niloticus Nile Crocodile
Transfer from App. I to II of populations of Ethiopia and Somalia, subject to quotas (see page 26).
- Dracaena paraguayensis Caiman Lizard
Inclusion in App. II - amended to read 'spp.'.
- Shinisaurus crocodilurus Chinese Crocodile Lizard
Inclusion in App. II.
- Ptyas mucosus Oriental Rat Snake
Naja naja Asiatic Cobra
Ophiophagus hannah King Cobra
Inclusion in App. II.

PISCES

- Latimeria chalumnae Coelacanth
Transfer from App. II to I.
- Scleropages formosus Asian Bonytongue
Transfer from App. I to II of population of Indonesia, subject to quotas: 1250 (1990); 1500 (1991); 2500 with 50% from ranched specimens (1992).
- #### CNIDARIA
- SCLERACTINIA spp.
Milleporidae spp.
Stylasteridae spp.
COENOTHECALIA spp.
Tubiporidae spp.
Inclusion in App. II, excluding fossils.

FLORA

AMARYLLIDACEAE

- Galanthus spp. Snowdrops
Inclusion in App. II, including natural hybrids.
- Sternbergia spp.
Inclusion in App. II.

APOCYNACEAE

- Pachypodium baronii
Pachypodium brevicaulis
Pachypodium decaryi
Transfer from App. II to I, including natural hybrids.
- Rauvolfia serpentina Rauvolfia
Inclusion in App. II, excluding chemical derivatives.

ARACEAE

- Alocasia zebrina²
Deletion from App. I.

CARYOCARACEAE

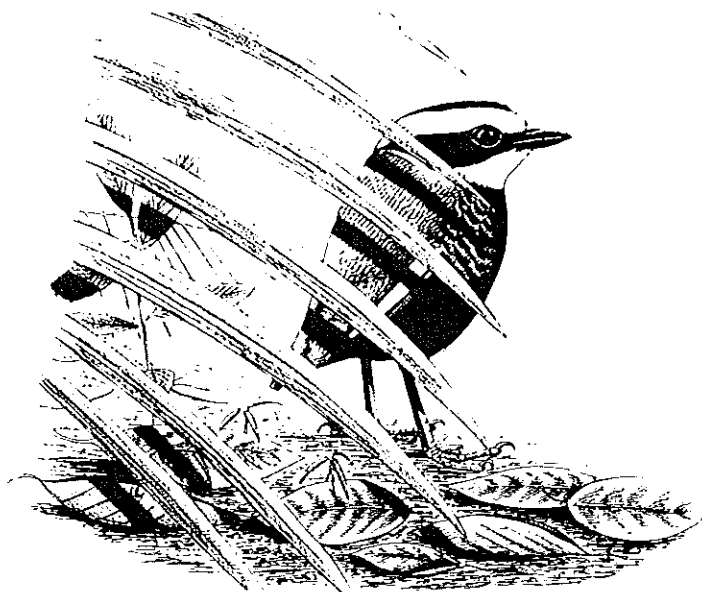
- Caryocar costaricense²
Transfer from App. I to II.

EUPHORBIACEAE

- Euphorbia ambovombensis
Euphorbia cylindrifolia
Euphorbia decaryi
Euphorbia francoisii
Euphorbia moratii
Euphorbia parvicyathopora
Euphorbia primulifolia
Euphorbia quartziticola
Euphorbia tulearensis
Transfer from App. II to I, including natural hybrids.

GENTIANACEAE

- Prepusa hookeriana²
Deletion from App. I.

Banded Pitta *Pitta guajana*

Drawing by Craig Robson

F L O R A ctd.

HUMIRIACEAE

Vantanea barbourii²
Transfer from App. I to II.

LEGUMINOSAE

Cynometra hemitomophylla²
Transfer from App. I to II.

Platymiscium pleiostachyum²
Transfer from App. I to II.

Tachigalia versicolor²
Transfer from App. I to II.

MELASTOMATACEAE
Lavoisiera itambana²
Deletion from App. I.

MELIACEAE

Guarea longipetiola²
Deletion from App. I.

MORACEAE

Batocarpus costaricensis²
Transfer from App. I to II.

ORCHIDACEAE

Paphiopedilum spp. Lady's slipper orchids
Transfer from App. II to I.

Phragmipedium spp. Slipper orchids
Transfer from App. II to I.

PALMAE

Phoenix hanceana Philippine Phoenix
var. philippinensis²
Deletion from App. II.

Salacca clemensiana² Dalubi
Deletion from App. II.

PODOCARPACEAE

Podocarpus costalis²
Deletion from App. I.

PODOPHYLLACEAE

Podophyllum hexandrum Himalayan Mayapple
Inclusion in App. II, excluding chemical derivatives.

F L O R A ctd.

STERCULIACEAE

Pterygota excelsa²
Deletion from App. II.

WELWITSCHIACEAE

Welwitschia mirabilis² Welwitschia
Transfer from App. I to II.

ZAMIACEAE

Zamiaceae spp. Cycads
Deletion of seeds, from Appendix II.

Chigua spp. Cycads
Transfer from App. II to I.

P R O P O S A L S R E J E C T E D

F A U N A

MAMMALIA

Aonyx cinerea Asian Small-clawed Otter
Lutra perspicillata Smooth-coated Otter
Transfer from App. II to I.

AVES

Ciconia ciconia White Stork
Inclusion in App. II.

REPTILIA

Varanus grayi Gray's Monitor
Transfer from App. II to I.

F L O R A

PALMAE

Chamaedorea amabilis
Chamaedorea ferruginea
Chamaedorea glaucifolia
Chamaedorea klotzschiana
Chamaedorea montana
Chamaedorea oreophila
Chamaedorea pulchra
Chamaedorea stolonifera
Chamaedorea tenella
Chamaedorea tuerkheimii
Inclusion in App. I.

Chamaedorea cataractarum
Chamaedorea ernesti-augusti
Chamaedorea metallica
Chamaedorea radicalis
Chamaedorea rojasiana
Chamaedorea simplex
Inclusion in App. II.

P R O P O S A L S W I T H D R A W N

F A U N A

MAMMALIA

Pteropus tokudae Little Mariana
Flying-fox
Transfer from App. II to I.

Ursus americanus American Black Bear
Inclusion in App. II.

Ursus arctos Brown Bear
Inclusion in App. I, (in lieu of U.a. isabellinus) of
populations of Afghanistan, India, Nepal and Pakistan.

F A U N A ctd

Ursus arctos isabellinus Brown Bear
Transfer from App. I to II of populations of the People's Republic of China and the Union of Soviet Socialist Republics.

Ursus arctos pruinosus Brown Bear
Transfer from Appendix I to II.

Callorhinus ursinus Northern Pacific Fur Seal
Inclusion in App. II.

AVES
Rhea americana Greater Rhea
Inclusion in App. II of all unlisted subspecies.

Rhynchotus rufescens² spp. Rufous Tinamou
Deletion from App. II.

Agapornis cana Grey-headed Lovebird
Deletion from App. II.

Buceros spp. Hornbills
Inclusion in App. II.

Buceros bicornis homrai Northern Great Hornbill
Transfer from App. I to II.

REPTILIA
Chelonia mydas Green Turtle
Eretmochelys imbricata Hawksbill Turtle
Transfer from App. I to II of population of Indonesia, with export quota of 3000.

Varanus bengalensis Bengal Monitor
Varanus griseus Desert Monitor
Transfer from App. I to II.

PISCES
Cynolebias constanciae² Pearlfishes
C. marmoratus^{2,3}
C. minimus²
C. opalescens^{2,3}
C. splendens²
Deletion from App. II.

F L O R A

ARISTOLOCHIACEAE
Aristolochia indica Indian Birthwort
Inclusion in App. II.

DROSERACEAE
Drosera burmanni² Sundews
Drosera indica²
Drosera peltata²
Inclusion in App. II.

FAGACEAE
Quercus copeyensis²
Deletion from App. II.

GENTIANACEAE
Gentiana kurroo Indian Gentian
Inclusion in App. II.

JUGLANDACEAE
Engelhardtia pterocarpa²
Deletion from App. I.

LILIACEAE
Gloriosa superba Malabar Glory Lily
Inclusion in App. II.

F L O R A ctd

ORCHIDACEAE
Eriopsis biloba
Transfer of the population of Guatemala from App. II to I.

Lemboglossum majale
Lemboglossum uroskinneri
Rossioglossum williamsianum
Transfer from App. II to I.

PALMAE
Chamaedorea elegans
Inclusion in App. II.

Chamaedorea seifrizii
Inclusion in App. II.

RANUNCULACEAE
Aconitum deinorrhizum Aconite
Inclusion in App. II.

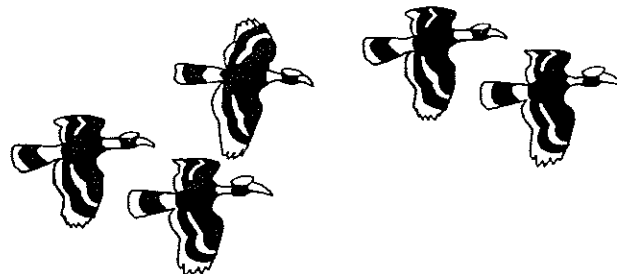
VALERIANACEAE
Nardostachys grandiflora Himalayan Spikenard
Inclusion in App. II.

Notes

- 1 deletion of the annotation 'dead specimens only'.
- 2 proposals submitted in the context of ten-year review of the Appendices.
- 3 to be annotated 'p.e.' (possibly extinct).

Great Hornbills *Buceros bicornis*

Drawing by Richard Grimmett



With thanks to Richard Grimmett and Craig Robson for permission to reproduce their illustrations.

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