

Documentation Center for Species Protection

(D.C.S.P.)

Recommendations on the Proposals for the
12th Conference of the Parties in Santiago de Chile (Chile)
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Dokumentationszentrum für Artenschutz

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Proposal 12.1 from Switzerland

Amendment of Annotation ° 607 to read:

The following are not subject to the provisions of the Convention:

- a) synthetically derived DNA that does not contain any part of the original;
- b) urine and faeces;
- c) synthetically produced medicines and other pharmaceutical products such as vaccines that do not contain any part of the original genetic material from which they are derived; and
- d) fossils.

DCSP view: support

Ad a.) The Convention cannot be concerned with synthetically obtained DNA.

Ad b.) Paper, artistically painted and made from elephant sh*t, was offered for sale in the conference hall lobby in Gigiri/Nairobi (CoP11). Many delegates bought this original souvenir. This was followed by a (in the opinion of DCSP) ridiculous discussion as to whether this paper (made from the fibrous residues of "elephant-pats") is subject to species protection or not. The Standing Committee should be congratulated on putting a stop to this idiocy by regulation.

Ad c.) The Convention cannot be concerned with synthetically produced medicines.

Ad d.) If the term "fossils" is defined more clearly, e.g. fossils of animals or plants and parts of animals and plants that are extinct, this point should also be approved as the Convention cannot be concerned with fossils.

FAUNA

Proposal 12.2 from Switzerland

Agapornis spp., Platycercus spp., Barnardius spp., Cyanorhamphus auriceps, Cyanorhamphus novaezelandiae, Psittacula eupatria, Psittacula krameri and Padda oryzivora

Lovebirds, Australian Rosellas, Australian Ringneck Parrots, New Zealand Yellow-crowned Parakeets, New Zealand Red-fronted Parakeet, Alexandrine Parakeet, Ringnecked Parakeet and Java Sparrow

Annotation with the following text:

Colour morphs produced by captive breeding are considered as being of a domesticated form and are therefore not subject to the provisions of the Convention.

DCSP view: support

DCSP completely supports the aims of CITES but believes that artificially created specimens have no business to be covered by the Convention. It does not matter whether this is a hybrid orchid or a colour variation of parrot. Bred pets and plants, however rare and even if traded, can never be the subject of the convention. These man-made specimens are precisely what causes a lack of understanding and rejection of CITES among buyers when subjected to CITES regulations. The same applies to proposals 12.43 and 12.51. Therefore, it should be considered whether confusion is possible with natural forms of the above-mentioned species and genera. DCSP thinks that any scientific authority, that is always on site when live specimens are brought across the border, can easily tell the difference. DCSP does, however, recommend identification sheets in colour to facilitate identification for the authorities, as is already the case for other species, genera and families.

CHORDATA

MAMMALIA

CETACEA

Delphinidae

Proposal 12.3 from Georgia

Tursiops truncatus ponticus

Black Sea Bottlenose Dolphin

Transfer from Appendix II to Appendix I

DCSP view: support

The Black Sea bottlenose dolphin is a severely endangered species of dolphin that is found around the world; the species was only protected when the whaling moratorium was installed and thanks to Appendix II listing. As a coastal dweller, the Black Sea bottlenose dolphin is particularly endangered by ocean pollution, legal and illegal fishing methods, and habitat destruction. This applies particularly to the Black Sea region. A tremendous population decline has been observed. This situation is worsened by the extremely low reproductive rate. Relevance in terms of trade primarily concerns living specimens for dolphinaria, etc. The demand for wild collection is multiplied by the high mortality rate involved and is too high for "sustainable exploitation" of this badly endangered population. However, no exact statistics are available on population development. In terms of appearance, the Black Sea bottlenose dolphin subspecies is impossible to distinguish from other populations and can only be distinguished genetically with difficulty. For this reason "split listing" would seem problematic. It would be better to list the entire species in Appendix I. Nevertheless, this proposal should be approved in the spirit of prevention.

Balaenopteridae

Proposal 12.4 from Japan

Balaenoptera acutorostrata

[Common] Minke Whale

Transfer from Appendix I to Appendix II of northern hemisphere populations (except the Yellow Sea, East China Sea and Sea of Japan populations) in accordance with Resolution Conf. 9.24, Annex 4 with the following annotation:

For the exclusive purpose of allowing trade between Parties that are also signatories to the International Convention for the Regulation of Whaling and which have an effective DNA register system to monitor catches, introductions from the sea and imports from other States. To ensure that trade does not result in removals in excess of catch limits, the following additional measures shall be implemented:

- a) notwithstanding the provisions of CITES Article XIV, paragraphs 4 and 5, any trade shall be subject to the provisions of Article IV;
- b) calculation of a safe catch level using the IWC's Revised Management Procedure (RMP);
- c) establishment of export quotas that shall ensure that trade does not result in removals in excess of catch limits;
- d) indication on the trade documents of the number of animals involved when shipment of products are only parts of animals, and tracking of this number through DNA monitoring of imports;

e) implementation of domestic legislation to ensure imports are from animals taken legally; and

f) DNA registers to monitor catches, introductions from the sea and imports and a requirement that all imports be accompanied by certified DNA profiles.

DCSP view: oppose

As at almost every conference, Japan is trying to undermine the absolute moratorium on all whaling declared by the International Whaling Commission IWC. It is not in the spirit of CITES to undermine other, older international conventions.

After successfully decimating its own populations, Japan now seeks to hunt the as yet larger populations outside of Japan.

The IWC moratorium rules out any approval of this proposal.

Proposal 12.5 from Japan

Balaenoptera edeni

Bryde's Whale

Transfer from Appendix I to Appendix II of the western North Pacific population in accordance with Resolution Conf. 9.24, Annex 4 with the following annotation: For the exclusive purpose of allowing trade between Parties that are also signatories to the International Convention for the Regulation of Whaling and which have an effective DNA register system to monitor catches, introductions from the sea and imports from other States. To ensure that trade does not result in removals in excess of catch limits, the following additional measures shall be implemented:

a) notwithstanding the provisions of CITES Article XIV, paragraphs 4 and 5, any trade shall be subject to the provisions of Article IV; and

b) calculation of a safe catch level using the IWC's Revised Management Procedure (RMP);

c) establishment of an export quota that shall ensure that trade does not result in removals in excess of catch limits;

d) indication on the trade documents of the number of animals involved when

shipment of products are only parts of animals, and tracking of this number through DNA monitoring of imports;

e) implementation of domestic legislation to ensure imports are from animals taken legally; and

f) DNA registers to monitor catches, introductions from the sea and imports and a requirement that all imports be accompanied by certified DNA profiles.

DCSP view: oppose

In accordance with proposal 12.4 (minke whale) the IWC moratorium on whaling rules out any approval of this proposal.

PROBOSCIDEA

Elephantidae

Proposal 12.6 from Botswana

Loxodonta africana

African elephant

Amendment of annotation 0604 regarding the population of Botswana to read:

For the exclusive purpose of allowing in the case of the population of Botswana:

a) trade in hunting trophies for non-commercial purposes;

b) trade in live animals for commercial purposes to appropriate and acceptable destinations (and as determined by the national legislation of the country of import);

c) trade in registered stocks of raw ivory (whole tusks and pieces) of Botswana origin owned by the Government of Botswana for commercial purposes only to CITES-approved trading partners who will not re-export ivory. No international trade in ivory to be permitted until 18 months after the adoption of the proposal (May 2004). Thereafter an initial amount of not more than 20,000 kg of ivory may be traded, followed by annual export quotas of not more than 4,000 kg from the year 2005 onward;

d) trade in hides;

e) trade in leather goods for non-commercial purposes; and

f) trade in ivory carvings for non-commercial purposes.

DCSP view: oppose

Essentially, all five proposals (from Botswana, Namibia, South Africa, Zambia and Zimbabwe) aim to get these countries' confiscated stocks of poached ivory on the market. In the short term, it is planned to get 87,000 kg of ivory on the market in this way, followed by a further 13,000 kg every year. It is obvious that this will inevitably rekindle illegal global trade and related poaching on a massive scale. Poaching has obviously been factored in - where else could the annual 13,000 kg of ivory traded after 2005 possibly come from?

These countries are free to commercially exploit those few elephant populations that have increased excessively. There are sufficient ways and means of achieving this even if the African elephant is listed in Appendix I, and these options are utilised.

However, these proposals pose a severe risk to the remaining populations of all other countries of origin, including the Indian elephant. Moreover, the massive social and ecological problem of an unbalanced age pyramid would become even worse (poaching of older animals with tusks, shooting of herd leaders and thus loss of handed-down knowledge, prevalence of adolescent animals).

It should also be noted that most populations in the proponent countries are badly decimated, in some cases only thousandths of their original size. Only a few populations (e.g. in the Krüger National Park in South Africa) are denser - in some cases too dense.

History has shown that it is not possible to come to terms with illegal trade and poaching if international ivory trade is allowed. Ivory testing with marked material (polymerase chain reaction) also proved to be infeasible in practice.

DCSP therefore takes the view that all proposals to downlist the African elephant should be emphatically rejected.

Proposal 12.7 from Namibia

Loxodonta africana

African elephant

Amendment of annotation °604 regarding the Namibian population to read:

For the exclusive purpose of allowing in the case of the population of Namibia:

- a) trade in hunting trophies for non-commercial purposes;
- b) trade in live animals for non-commercial purposes to appropriate and acceptable destinations (as determined by the national legislation of the country of import);
- c) trade in hides;
- d) trade in leather goods and ivory carvings for non-commercial purposes; and
- e) trade in registered stocks of raw ivory (whole tusks and pieces) of Namibian origin owned by the Government of the Republic of Namibia to trading partners that have been verified by the CITES Secretariat to have sufficient national legislation and domestic trade controls to ensure that ivory imported from Namibia will not be re-exported and will be managed according to all requirements of Resolution Conf. 10.10 (Rev.) concerning domestic manufacturing and trade. No international trade in ivory to be permitted until 18 months after the adoption of the proposal (May 2004). Thereafter, an initial amount of not more than 10,000 kg of ivory may be traded, followed by annual export quotas of not more than 2,000 kg of ivory, from the year 2005 onwards.

DCSP view: oppose

See proposal 12.6 above for DCSP's opinion regarding the overall situation of the African elephant.

Proposal 12.8 from South Africa

Loxodonta africana

African elephant

Amendment of annotation °604 regarding the South African population to read:

For the exclusive purpose of allowing in the case of the population of South Africa:

- a) trade in hunting trophies for non-commercial purposes;

- b) trade in live animals for re-introduction purposes into protected areas formally proclaimed in terms of the legislation of the importing country;
- c) trade in hides and leather goods;
- d) trade in raw ivory of whole tusks of any size, and cut pieces of ivory that are both 20 cm or more in length and one kilogram or more in weight of Government-owned stocks originating from the Kruger National Park. An initial stockpile of 30,000 kg is proposed and a subsequent annual quota of 2,000 kg accumulated each year through annual mortalities and management practices.

All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.

DCSP view: oppose

See proposal 12.6 above for DCSP's opinion regarding the overall situation of the African elephant.

Proposal 12.9 from Zambia

Loxodonta africana

African elephant

Transfer of the Zambian population from Appendix I to Appendix II for the purpose of allowing:

- a) trade in raw ivory under a quota of 17,000 kg of whole tusks owned by Zambia Wildlife Authority (ZAWA) obtained from management operations; and
- b) live sales under special circumstances.

DCSP view: oppose

See proposal 12.6 above for DCSP's opinion regarding the overall situation of the African elephant.

Proposal 12.10 from Zimbabwe

Loxodonta africana

African elephant

Amendment of annotation °604 regarding the population of Zimbabwe to read:

For the exclusive purpose of allowing in the case of the population of Zimbabwe:

a) trade for commercial purposes in registered stocks of raw ivory (whole tusks and pieces) of Zimbabwean origin owned by the Government of the Republic of Zimbabwe, to trading partners that have been verified by the CITES Secretariat to have sufficient national legislation and domestic trade controls to ensure that ivory imported from Zimbabwe will not be re-exported and will be managed according to all requirements of Resolution Conf. 10.10 (Rev.) concerning domestic manufacturing and trade. No international trade in ivory to be permitted until 18 months after the adoption of the proposal (May 2004). Thereafter, an initial one-off quota of not more than 10,000 kg of ivory may be traded, and a subsequent annual quota of not more than 5,000 kg of ivory;

b) trade in hunting trophies for non-commercial purposes;

c) trade in live animals for non-commercial purposes to appropriate and acceptable destinations;

d) trade in hides and leather goods; and

e) trade in ivory carvings for non-commercial purposes.

DCSP view: oppose

See proposal 12.6 above for DCSP's opinion regarding the overall situation of the African elephant.

Proposal 12.11 from India and Kenya

Loxodonta africana

African elephant

Transfer to Appendix I of populations currently included in Appendix II, in accordance with Resolution Conf. 9.24, Annex 1, sections C.i) and ii) and D, and in light of Annex 3 on 'Split-listing' and Annex 4 on 'Precautionary measures'.

DCSP view: support

The proposal by India and Kenya is an opportunity to finally eliminate the disastrous split-listing of African elephant populations. It has evolved in practice that this split-listing could not stop poaching and illegal trade. The monitoring instruments proved to be inadequate, methods of marking ivory unpractical. Between January 2000 and May 2001 a total of 14,648 tusks and ivory objects was confiscated around the world, the number of smuggled tusks is, of course, far higher.

As a result, the global elephant population is still diminishing, overpopulation is only a local problem in a few countries of origin. In the past twenty years, the total population in Africa declined by almost 57 %, by almost 16 % between 1995 and 1998 alone (period with the best data). This also applies to countries such as Namibia and Zambia who seek to revive the ivory trade and achieve downlisting. The proposal should be supported at all costs.

ARTIODACTYLA

Cameidae

Proposal 12.12 from Argentina

Vicugna vicugna

Vicugna

Transfer from Appendix I to Appendix II of the population of vicuna (*Vicugna vicugna*) of the province of Catamarca, for the exclusive purpose of allowing international trade in wool sheared from live animals, in cloth, derived manufactured products and other handicraft artefacts bearing the label 'VICUÑA – ARGENTINA'.

DCSP view: oppose

After a population decline from 400,000 to 10,000 specimens between 1950 and 1970, the species is now finally recovering. However, this positive development can only be guaranteed by continued strict protection by CITES. Shearing wild animals is problematic as mortality during captivity is very high and no attention is paid with regard to social ties among the animals (separation of mothers from calves). The proposal completely fails to address these problems or offer any solution. The proponent also fails to present any adequate institutions to monitor this shearing, so that illegal wool from poached animals can also enter trade. Moreover, opening of the US market and the resultant increased demand exerts pressure that the species cannot sustain.

Proposal 12.13 from Bolivia

Vicugna vicugna

Vicugna

Transfer to Appendix II of the populations of Bolivia that are in Appendix I, in accordance with Article II, paragraph 2(a), of the Convention, with the exclusive purpose of allowing international trade in products made from wool sheared from live animals and bearing the label 'VICUÑA – BOLIVIA'.

DCSP view: oppose

This proposal would pose an extreme threat to those Bolivian populations that have not already been released for trade by an annotation. These are small populations of between 500 and 4000 animals. The population currently listed in Appendix II by an annotation, comprises approx. 70 % of Bolivian animals. Poor state monitoring of legal trade with vicuña products is no justification for easing up protection of these populations, either.

Proposal 12.14 from Chile

Vicugna vicugna

Vicugna

Transfer from Appendix I to Appendix II of the population of the Primera Región of Chile through a modification of annotations -106 and +211.

DCSP view: oppose

The aim of this proposal is to permit trade access once again to the populations in the "Primera Región", populations that are only now slowly recovering after decades of intense hunting. The anti-poaching monitoring instruments are not yet sufficiently

refined. What is more, trade with products from dead animals that were kept in captivity is a problem. If wool is taken from a dead animal, it is of course longer and more coveted by the industry. The inadequate monitoring currently cannot prevent poached animals and their wool from entering trade. Also, keeping vicuñas in captivity and escaped animals pose further problems such as transmission of diseases to wild animals or influence on the social behaviour of herds.

AVES

RHEIFORMES

Rheidae

Proposal 12.15 from Chile

Rhea pennata pennata

Lesser Rhea

Transfer from Appendix I to Appendix II of the Chilean population, in accordance with Resolution Conf. 9.24, Annex 4, section B.2.b).

DCSP view: oppose

This species is already exposed to great pressure due to habitat destruction and a low reproductive rate. In addition, the lesser rhea is hunted for its meat, skin and eggs. Between 1987 and 1997, 57 specimens were exported to zoos around the globe. Chile wants to trade captive bred animals from breeding stations, but the proposal makes no mention of any existing, functioning facilities. It must be feared that these schemes will use wild animals. In view of the already rather small Chilean population, this expected harvesting from the wild cannot be justified.

PSITTACIFORMES

Psittacidae

Proposal 12.16 from Costa Rica

Amazona auropalliata

Yellow-naped Parrot

Transfer from Appendix II to Appendix I

DCSP view: support

A. auropalliata occurs in Mexico, Costa Rica, Guatemala, Honduras, El Salvador and Nicaragua. In Mexico, Costa Rica, El Salvador and Honduras the species is on the verge of extinction. The species may already be extinct in Guatemala. There are probably no more than forty specimens still living in Mexico. In Nicaragua the species is classified as endangered and is still being traded legally there and unfortunately still collected from the wild in large amounts. One of these animals costs US\$ 500 and more. Another serious problem is wild collection of the birds by locals as pets, particularly in Nicaragua where these species is offered for sale at local markets for US\$ 50. The species is mainly exported to the USA, the EU and Japan. This species is the most-traded parrot in Central America and is often confiscated from smugglers at the US/Mexican border. There is some captive-breeding by private parrot enthusiasts in the USA, albeit not enough to cater for demand. The species fulfills all criteria for listing in Appendix I. Awarding maximum protection under CITES should enable the species to survive.

Proposal 12.17 from Mexico

Amazona oratrix

Yellow-headed Parrot

Transfer from Appendix II to Appendix I

DCSP view: support

The Yellow-headed Parrot occurs in Belize, Guatemala, Honduras and Mexico. In Belize and Mexico the species is in danger of extinction, in Guatemala and Honduras it is seriously endangered. The loss of habitat particularly in Guatemala is alarming, dramatic in Mexico. Mexico has the greatest annual loss of jungle anywhere in the world. This magnificent parrot is one of the most popular amazons in the world, probably also because it is easy to keep. In addition to legal trade, many birds are also illegally taken from the wild. The species is regularly captive bred in the US and in Europe, but this can only cater for 50 % of demand at best, the other 50 % are still specimens taken from the wild. Appendix I listing is essential in order to safeguard the long-term survival of the species.

Proposal 12.18 from Germany on behalf of the member States of the European Community

Ara couloni

Blue-headed Macaw

Transfer from Appendix II to Appendix I in accordance with Resolution Conf. 9.24, Annex 1, section D.

DCSP view: support

The Blue-headed Macaw lives in Peru, Bolivia and Brazil, its range is relatively small, the total population numbered 10,000 sexually mature individuals in 1990. No exact figures are known at present, but the fact is that these birds have become rare in Bolivia, particularly due to loss of habitat as a result of illegal deforestation. Although the species is captive bred, particularly in Czechia and Slovakia, this can by no means satisfy demand. Almost all natural specimens in trade have been illegally taken from the wild. The notable fact is that these birds are offered for sale at \$US 300 - 1100 at local markets in Bolivia, while in Europe Blue-headed Macaws usually cost between \$US 4000 and 7000, with top prices at up to \$US 12,500. The result is that this promotes smuggling and further depletes the population. We can assume that all blue-headed macaws traded in Europe were illegally taken from the wild. A compounding factor is the small natural progeny, that makes it very difficult for a damaged population to recover. What is more, DCSP feels that all big parrots are unsuitable as pets. Usually, people only buy one bird because of the high price; the animals are usually not kept in conditions suitable for the species, and reproduction is almost never possible. DCSP's opinion is that all macaws should be listed in Appendix I, there is no species in this genus whose population is increasing or at least stable. The reason is always human beings, on the one hand because of habitat destruction and, on the other, because of the boundless greed of having to surround themselves with these magnificent birds.

Proposal 12.19 from South Africa

Poicephalus robustus

Cape Parrot

< [CLICK FOR PICTURE](#) >

Transfer of the South African population from Appendix II to Appendix I in accordance with Resolution Conf. 9.24, Annex 1, sections A.ii), B.i) and C.ii).

DCSP view: support

The Cape Parrot is endemic to South Africa and is a habitat specialist, dependent on Afromontane yellowwood forest (*Podocarpus*). Because large amounts of yellowwood are taken from the wild for veneer production, the loss of habitat is tremendous for this bird. To make matters worse, these birds do not clutch every year, which is why the population is constantly diminishing, and the status is already critical. In addition, the species is shot by pecan nut farmers and is also used in traditional local medicine. The species is kept locally as a pet and is traded legally and illegally on an international scale, although in very small numbers. The total population is estimated to be just slightly more than 600 individuals, with only 100 birds clutching. Maximum protection in Appendix I will certainly aid species survival, but will not be enough. In addition, South Africa, the only country of origin and the proponent, will have to improve survival management for this species.

REPTILIA

TESTUDINATA

Platysternidae

Proposal 12.20 from China and the United States of America

Platysternon megacephalum

Big-headed Turtle

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2 a, sections A and B i).

DCSP view: support

The Big-headed Turtle occurs in China, Laos, Myanmar, Thailand and Vietnam. This species lives in small, relatively cold mountain rivers, usually in strong-flowing waters. In most ranges the species is endangered and generally rare, in some areas the situation is totally unclear. The fact is that the species is traded, in Asia for eating and internationally as a very popular terrarium animal, above all for its bizarre appearance. In almost all ranges the Bigheaded Turtle is protected by local legislation, so practically all animals taken from the wild are taken illegally. There is no captive breeding, probably because of the difficulty of simulating the natural habitat. Loss of habitat, above all due to river straightening for electricity generation, is another compounding factor for the survival of this species. Although the animal is an excellent climber, and can easily get over small waterfalls, it cannot get across dams. Because the population density is decreasing everywhere and the species

fulfils all criteria for listing in Appendix II, it is necessary to protect the species with international legislation.

What is more, on the basis of many years of observing international trade in freshwater turtles with specimens from Asia, particularly in Europe (and above all in Austria), DCSP is convinced that all Asian freshwater turtles should be listed in Appendix II of CITES. Also, more than 25 % of all freshwater turtles in the world are traded on Asian food markets, with 12 - 20 million specimens of all these species offered for sale for various purposes in China alone. No genus and no species from this range can be described as not being vulnerable any more.

Emydidae

Proposal 12.21 from China and Germany on behalf of the member States of the European Community

Mauremys [Annamemys] annamensis

Annam Pond Turtle

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2 a, sections A, and B (i) and (ii)

DCSP view: support

This freshwater turtle occurs in Vietnam, possibly also in Cambodia. It lives in swamps and slow-flowing waters. The species must be described as critically endangered. Because there is no legal trade with this species in Vietnam all specimens traded are illegal. The species is regularly offered as food as Chinese markets. The species is also constantly offered for sale by the international terrarium trade, particularly in the US and Europe. Above all because of its pretty yellow and black head markings and its suitability for captive keeping, the species is very popular with turtle enthusiasts. The main reason, however, is loss of habitat, particularly due to draining of the swamps in which the species lives. The species meets all criteria for listing in Appendix II. See Proposal 12.20 for DCSP opinion concerning the general situation of Asian turtles.

Proposal 12.22 from China and Germany on behalf of the member States of the European Community

Heosemys depressa, Heosemys grandis, Heosemys leyensis and Heosemys spinosa

Arakan Forest Turtle, giant Asian pons turtle, Philippine Pond Turtle and Spiny Turtle

< [CLICK FOR PICTURE](#) >

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2 a:

- a) sections A and B (i) for H. depressa;
- b) section B (i) for H. grandis and H. spinosa; and
- c) section A for H. leyensis.

DCSP view: support

All these turtle species live in Asia and are in fact better known by their synonym genus name Geomyda, the name with which they are still traded today. H. depressa, H. grandis are particularly threatened by wild collection for food. H. spinosa is a popular, much sought-after species among turtle enthusiasts, as is, to some extent, H.grandis, above all in the juvenile stage. The status of H.depressa is critically endangered, H.spinosa is classified as endangered, and H.grandis as vulnerable. All three species fulfil the criteria for listing in Appendix II. See Proposal 12.20 for DCSP's opinion on the general situation of Asian turtles.

Regarding the situation of H. leyensis, DCSP fails to understand the proponents, for in our opinion no other species of turtle meets the criteria for Appendix I listing so perfectly. The fact is that three specimens of this species were caught for the last time more than eighty years ago, one specimen fourteen years ago. The species lives only in the area of Cabalian in the south of the island of Leyte, which belongs to the Philippines. Furthermore, the fact is that everyone in the high society of turtle enthusiasts dreams of possessing a H. leyensis. The price they would pay would be exorbitant, quite simply "crazy". It is questionable whether the species still exists at all and is not just a vague hope, similar to the Tasmanian wolf. Certainly, Appendix II listing is better than no protection at all. Moreover, identification of traded specimens is more than questionable as practically all scientific authorities lack the knowledge of its appearance. Identification information for this species will be crucial.

Proposal 12.23 from China and the United States of America

Hieremys annandalii

Yellow-headed Temple Turtle

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2a, sections A and Bi).

DCSP view: support

This species occurs in Cambodia, Laos, Vietnam, Thailand and Malaysia. It is not certain whether it occurs in Myanmar. This up to 50 cm large freshwater turtle is endangered in almost all of its ranges. This animal lives in standing or slow-flowing waters. Loss of habitat is one of the reasons for its endangerment. Often this vegetarian turtle is also kept in Buddhist temples, particularly in Vietnam. Hence its common name. The main reason, however, is excessive removal from the wild. The Temple Turtle is commonly eaten in Asia, particularly in China. Most trade with this species is legal, a small amount illegal. The species fulfils all criteria for listing in Appendix II. See Proposal 12.20 for DCSP's opinion on the general situation of Asian turtles.

Proposal 12.24 from India and the United States of America

Kachuga spp. (except Kachuga tecta)

Roofed Turtles

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II with the exception of K. tecta in accordance with Article II, paragraph 2(a), of the Convention and:

- a) Resolution Conf. 9.24, Annex 2 a, sections A and B for K. dhongoka, K. kachuga, K. sylhetensis and K. trivittata; and
- b) Resolution Conf. 9.24, Annex 2 b, section A for K. smithii and K. tentoria.

DCSP view: support

All species of this genus live in India, Bangladesh, Pakistan, Nepal and Myanmar. Apart from *K. tecta*, which is rightly in Appendix I, where it must remain, all other species must be classified as at least endangered, the nominate form and *K. trivittata* as critically endangered. It is uncertain whether *K. trivittata* is not already extinct. The causes for the - in some cases dramatic - decline in the natural populations are many. Habitat loss is one reason in all cases. To a lesser extent these species, above all the small representatives of the genus, are also taken from the wild for the terrarium trade. Because of their pretty appearance and suitability for keeping in captivity, the species are very popular among turtle enthusiasts. Isolated success at captive breeding are currently negligible. The main reason, however, is removal from the wild for Asian food markets. All species of the genus meet the criteria for listing in Appendix II. DCSP fears that the situation will continue to worsen in the years to come and that the entire genus will then meet the criteria for listing in Appendix I. *K. trivittata* and *K. kachuga* already fulfil all criteria for Appendix I listing. See Proposal 12.20 for DCSP's opinion on the general situation of Asian turtles.

Proposal 12.25 from China and Germany on behalf of the member States of the European Community

Leucocephalon yuwonoi

Sulawesi Forest Turtle

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2 a, sections A and B (i)

DCSP view: support

This species is endemic to the island of Sulawesi (Indonesia). The Sulawesi Forest Turtle is classified as critically endangered, and the species is extremely rare. Although the habitats are relatively intact, the total population has declined dramatically. The species was not scientifically described until 1995 and the total population has shrunk to just 20% in this brief period. Both international terrarium trade and sale at Chinese food markets are to blame for this disaster. In the opinion of DCSP, the species already meets all criteria for listing in Appendix I, so listing in Appendix II is the least that can be done to make sure the species survives. See Proposal 12.20 for DCSP's opinion on the general situation of Asian turtles.

Proposal 12.26 from China and the United States of America

Mauremys mutica

Yellow Pond Turtle

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2a, sections A and B i).

DCSP view: support

This species occurs in China, Japan and Vietnam and was once the most commonly traded freshwater turtle in China. Although it is still regularly traded, it is endangered in almost all its populations. To a very small extent the animal is also traded as a pet, but is only really popular among a few turtle specialists. The almost exclusive cause for the threat is sale at Chinese food markets. There is evidence of both legal and illegal trade. The Yellow Pond Turtle meets all criteria for listing in Appendix II. See Proposal 12.20 for DCSP's opinion on the general situation of Asian turtles.

Proposal 12.27 from China and Germany on behalf of the member States of the European Community

Orlitia borneensis

Malayan Giant Turtle

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2 a, section B (i)

DCSP view: support

This freshwater turtle, growing up to 75 cm long, only occurs in Borneo and Sumatra. The species is endangered due to excessive removal from the wild for sale, primarily on Chinese food markets but also on other Asian markets. Habitat loss due also makes it hard for the population to stabilise. The Malayan Giant Turtle is rarely offered for sale in the reptile trade, the demand is negligible with regard to the decline of the species. Trade is mainly legal, albeit with evidence of some illegal trade. The neighbouring country Indonesia supports the proposal because this species is protected there. *O. borneensis* meets all criteria for listing in Appendix II. See Proposal 12.20 for DCSP's opinion concerning the general situation of Asian turtles.

Proposal 12.28 from China and the United States of America

Pyxidea mouhotii

Keeled Box Turtle

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2a, sections A and Bi).

DCSP view: support

This turtle lives in India, Laos, Vietnam, Myanmar and China, primarily in humid mountain forests. IUCN classifies the species as endangered, which applies to almost all ranges. Only in India is the species still common in some regions, above all in national parks. The species is heavily and regularly traded and offered for sale at many Asian food markets. The population density is declining everywhere. As long as the species is not listed by CITES, there is no way to distinguish between legal and illegal trade. Habitat loss everywhere further compounds the situation. To a negligible extent the species is captive bred by Chinese turtle farms. The Keeled Box Turtle meets all criteria for listing in Appendix II. See Proposal 12.20 for DCSP's opinion concerning the general situation of Asian turtles.

Proposal 12.29 from China and the United States of America

Siebenrockiella crassicollis

Black Marsh Turtle

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2a, sections A and Bi).

DCSP view: support

Siebenrockiella crassicollis lives in Indonesia, Malaysia, Cambodia, Laos, Myanmar, Thailand and Vietnam. It inhabits fresh water, swamps, rice fields and rivers, as well as brackish water in the mangrove forests. In Vietnam and Cambodia the species is endangered, vulnerable everywhere else. Owing to excessive removal from the wild,

the population density is constantly declining in all ranges, with the trend continuing to drop. The species is often offered for sale at many Asian food markets. In ten months of 1999 alone, more than 135,000 wild-taken specimens were exported from Malaysia to China. The trade is mainly illegal, there are no effective controls. Habitat loss further compounds the situation.

Cheloniidae

Proposal 12.30 from Cuba

Eretmochelys imbricata

Hawksbill Turtle

Transfer of the population in Cuban waters* from Appendix I to Appendix II, pursuant to Resolution Conf. 9.24, for the exclusive purpose of allowing the Government of Cuba to export its stockpile of shell plates (7,800 kg), accumulated legally from its national conservation and management programme between 1993 and 2002, annotated as follows:

- a) the export will not take place until the CITES Secretariat has verified, within 12 months of the decision, that the importing country has adequate internal trade controls and will not re-export and the CITES Standing Committee accepts this verification; and
- b) the wild population in Cuban waters will continue to be managed as an Appendix-I species.

* In accordance with Article I(a) of the Convention, the population for which a transfer is requested is defined as that segment of the regional Caribbean population bounded by the geographic limits of Cuban waters, which is under the jurisdiction of the Republic of Cuba, and is the exclusive area from which the shell was derived.

Cuba withdrew its proposal on 19.8.2002

Trionychidae

Proposal 12.31 from China and the United States of America

Chitra spp.

Narrow-headed Softshell Turtles

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2a, sections A and B i).

DCSP view: support

This softshell turtle, growing up to 50 cm long, is classified as critically endangered in all habitats. It lives in India, Bangladesh, Pakistan, Thailand, Indonesia and Malaysia, possibly in Nepal, too. The species are pure fish eaters. Neither Chitra chitra nor Chitra indica were ever common, population densities were always lower than other freshwater turtles, probably because of their loner lifestyle. A third species is currently being scientifically described. These strange animals live in fresh water and brackish water, but always on sandy beaches, as they dig themselves in. Locally the species is eaten everywhere but also offered for sale at Asian food markets. The animals bite a lot, which is probably one reason why there is international demand among turtle enthusiasts. Very high prices are paid for juvenile specimens. There is also evidence of egg trade. Habitat loss is another reason for the decline of these softshell turtles. All species in the genus meet the criteria for listing in Appendix II. See Proposal 12.20 for DCSP's opinion concerning the general situation of Asian turtles.

Proposal 12.32 from China and the United States of America

Pelochelys spp.

Giant Softshell Turtle

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II

a) P. cantorii: in accordance with Article II, paragraph 2(a), of the Convention, and Resolution Conf. 9.24, Annex 2a, sections A and Bi); and

b) *P. bibroni*: in accordance with Article II, paragraph 2(b), of the Convention, and Resolution Conf. 9.24, Annex 2b, section A.

DCSP view: support

The genus *Pelochelys* currently features two species. Several new species are currently being scientifically described. *P. cantorii* has a large range and occurs in almost all mainland Asian countries. *P. bibroni* lives in Indonesia and on the Philippines. These softshell turtles can achieve a carapace diameter of 60 cm. Their habitat is always large lowland rivers up to the estuary. All populations are vulnerable, some endangered, above all *P. cantorii*. The main reason for ongoing decline of the population density is excessive removal of the animals from the wild, above all for food. Giant Softshell Turtles are traded both locally and internationally. In ten months of 1999, 43,000 specimens were exported by Malaysia. China is the main importer of these species. Both species are traded both legally and illegally. In Thailand, *P. cantorii* is also traded for the international reptile pet trade. There is also souvenir trade, albeit of secondary significance. Both species are also used in popular Asian medicine. Ongoing habitat loss is a compounding factor. Criteria for listing in Appendix II are met. See Proposal 12.20 for DCSP's opinion concerning the general situation of Asian turtles.

SAURIA

Gekkonidae

Proposal 12.33 from New Zealand

Hoplodactylus spp. and Naultinus spp.

New Zealand Geckos

< [CLICK FOR PICTURE](#) >

Inclusion in Appendix II in accordance with Article II, paragraphs 2(a) and 2(b), of the Convention

DCSP view: support

The New Zealand geckos so far comprise 17 described reptiles that occur exclusively in New Zealand. Further species are expected to be described in the years to come. Some of these species, e.g. the Green Tree Gecko (*Naultinus elegans*), are of great interest to the pet trade due to their attractive colouring, particularly in view of the high prices of more than US\$ 1000 depending on the species. Top prices in Germany

and USA go up to US\$ 15,000. Since national protection implemented 1996 these animals are primarily exported illegally.

Some species such as *Hoplodactylus pacificus* and *H. granulatus* are common in New Zealand and not all of interest to the trade.

The main causes of the stark decline of many species in the past 30 years are biotope destruction due to strong predator pressure by many mammals, above all introduced from Europe. The small size and severe fragmentation of the range of some species (*Hoplodactylus stephensi*, *H. nebulosus*, *H. kahutarae*, *Naultinus manukanus*, *N. grayii*), the extraordinarily low reproductive rate for reptiles, considerable body size (usually more than 20 cm long), and striking coloration make these species particularly susceptible to wild collection.

Owing to the look-alike problem and unclear taxonomic conditions, it is recommended that the entire genus be listed.

Teiidae

Proposal 12.34 from the United States of America

Cnemidophorus hyperythrus

Orange-throated Whiptail Lizard

< [CLICK FOR PICTURE](#) >

Deletion from Appendix II

DCSP view: support

55 species of the genus of whiptail lizards inhabit the USA, primarily prairie and bush habitats. Whiptail lizards generally occur in high population densities and are also difficult to catch.

Population declines of the orange-throated whiptail lizard, that is relatively common in Mexico and California, are due to habitat loss to farming and human settlement. There is extremely little relevance in terms of trade in living specimens, no illegal trade known.

ELASMOBRANCHII

ORECTOLOBIFORMES

Rhincodontidae

Proposal 12.35 from India and the Philippines

Rhincodon typus

Whale Shark

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II

DCSP view: support

While this plankton feeder that inhabits tropical oceans is a common species of shark, it is nevertheless drastically declining in numbers. Severe decline can be observed, for example, off the Philippines. Declines of up to 20-30% have been noted. Due to its extremely low reproduction rate, overfishing is decimating the whale shark extremely quickly.

This decline is due to excessive industrial exploitation (liver oil used for seal testing, meat and fins), primarily in Far Eastern countries. The booming prices of these products are also an indicator of the decline of the species. Illegal trade is also known. Listing in Appendix II would be an important measure in preserving this species and regulating the market.

LAMNIFORMES

Cetorhinidae

Proposal 12.36 from United Kingdom of Great Britain and Northern Ireland on behalf of the Member States of the European Community

Cetorhinus maximus

Basking Shark

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II

DCSP view: support

The situation of the basking shark, that inhabits the temperate zones, is similar to that of the whale shark. Both species are also similar in terms of their biology (plankton feeder, wide range, low density, extremely low reproduction rates). The decline of the species in the last ten years is 50-90% in numerous regions, above all off Scotland and Norway, and is well documented. The decline in the North-east Atlantic in the last 50 years is in excess of 90%, while fishing has come to a complete standstill on the Achilles islands and in Irish waters.

There is trade with liver oil, meat is processed into fish meal. Basking shark fins, traded as delicacies, with prices already rising to more than US\$ 30,000 in the nineties, are easily distinguished from other shark species. Appendix II listing must be seen as an urgent measure.

ACTINOPTERYGII

SYNGNATHIFORMES

Syngnathidae

Proposal 12.37 from the United States of America

Hippocampus supp.

Seahorses

< [CLICK FOR PICTURE](#) >

Inclusion in Appendix II

a) Hippocampus comes, *H. spinosissimus*, *H. barbouri*, *H. reidi*, *H. erectus*, and *H. ingens* in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2 a, section B.i); and

b) the other 26 described species in accordance with Article II, paragraph 2(b), of the Convention, and Resolution Conf. 9.24, Annex 2 b, section A.

DCSP view: support

The thirty-two species of sea-horse live in all temperate, subtropical and tropical waters. Ninety-four countries have access to the ranges. All thirty-two species are vulnerable or endangered, some extremely endangered and some in danger of

extinction. These animals are used above all in traditional Asian medicine. Hundreds of tonnes of the animals are dried and then ground. In Hong Kong alone, more than twenty-three tonnes of dried sea-horse were imported in 2000 (consider that the dry weight of these small animals is extremely small). Thailand alone exported more than 10.5 tonnes in 2001. Seventy-five countries trade with sea-horses, with forty-two countries exporting. A small amount of animals is traded live for aquariums, but these amounts are rather insignificant in terms of endangerment, as is the souvenir trade. If this reckless plundering is not stopped, some species may become extinct in the near future. There is also evidence of illegal trade. In the EU all sea-horses are listed in Appendix D and at least subject to monitoring. In many countries bordering on the ranges sea-horses are protected or no export is permitted. Six species meet the criteria for listing in Appendix II, the other twenty-six species should be listed, too, in order to avoid look-alike problems, particularly because it is difficult to distinguish between them once they have been dried.

PERCIFORMES

Labridae

Proposal 12.38 from the United States of America

Cheilinus undulatus

Humphead wrasse

< [CLICK FOR PICTURE](#) >

Inclusion in Appendix II in accordance with Resolution Conf. 9.24, Annex 2 a, section B.

DCSP view: support

This fish lives in the Indo-Pacific, in the coral reefs of 48 countries. This fish, once very common, is being caught less and less often everywhere due to overfishing. The IUCN Red List classifies the total population between vulnerable and endangered. In the medium term, this fish is in danger of extinction if no effective action is taken to combat overfishing. Trade is primarily via Singapore and Hong Kong. Depending on quality, 1 kg of this fish costs between US\$ 90-175. Large animals of this species weigh up to 200 kg. There is also evidence of illegal trade by Indonesia. The high price and the great demand can no longer be reconciled with sustainable exploitation. The species meets all criteria for listing in Appendix II of CITES.

Nototheniidae

Proposal 12.39 from Australia

Dissostichus eleginoides and Dissostichus mawsonii

Patagonian toothfish and Antarctic toothfish

Inclusion of D. eleginoides in Appendix II, in accordance with Article II, paragraph 2(a), of the Convention; and

inclusion of D. mawsonii in Appendix II, in accordance with Article II, paragraph 2(b), of the Convention;

with the following annotation:

The conservation, management or other relevant measures or resolutions adopted for Dissostichus spp. by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), relating to Dissostichus spp. harvested from within the CCAMLR Convention Area, shall apply for the purposes of regulating trade in Dissostichus spp. under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) including for the purposes of Article IV of CITES.

States party to CITES conducting trade in Dissostichus spp. harvested and traded in compliance with the conservation, management and other relevant measures or resolutions adopted by CCAMLR, including the Catch Documentation Scheme for Dissostichus spp., shall be regarded as having fulfilled their obligations under CITES as regards trade in Dissostichus spp.

Trade in Dissostichus spp. harvested outside the CCAMLR Convention Area shall be subject to the relevant provisions of CITES and shall be regulated accordingly.

DCSP view: support

These two fish species live in the Antarctic Ocean and in the cold ocean regions of South America. Fishing is totally uncontrolled and usually illegal. In one range, the population was diminished by 55% as a result of illegal fishing. The fish do not attain sexual maturity until 12 years old at the earliest and exhibit low fecundity. These specimens are particularly vulnerable for wild collection, a local population is quickly eradicated. Restaurants currently pay US\$ 10 per kg. There is great demand for this fish in Japan and the USA. Chile is the main exporter. According to CCAMLR, protection measures currently in place are ineffective as about half of the fish are caught illegally. It is therefore extremely urgent to afford this species international protection. Listing in Appendix II of the treaty would be the ideal support for the good intentions of CCAMLR and ensure restricted but sustainable exploitation.

ARTHROPODA

INSECTA

LEPIDOPTERA

Papilionidae

Proposal 12.40 from Germany on behalf of the Member States of the European Community

Atrophaneura jophon and Atrophaneura pandiyana

Sri Lankan Rose Butterfly

Inclusion of Atrophaneura jophon in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2 a, section A; and

inclusion of Atrophaneura pandiyana in Appendix II in accordance with Article II, paragraph 2(b), of the Convention and Resolution Conf. 9.24, Annex 2 b, section A.

DCSP view: support

This magnificent butterfly is endemic to Sri Lanka and severely endangered. Primarily habitat loss but also trade with this species have led to the critical population situation. 25,000 pinned specimens were exported around the world in 1996 alone. The current price for one specimen is between US\$ 100-200 (females usually fetch twice the price of males). As collection of Atrophaneura jophon is strictly prohibited in Sri Lanka and there are no captive-breeding stations anywhere in the world, all specimens have been taken from the wild illegally. The species endemic to India, Atrophaneura, is easily mistaken with the Sri Lankan Rose and should therefore also be listed in Appendix II so as to avoid any look-alike problems. Atrophaneura jophon meets the criteria for listing in Appendix II.

Proposal 12.41 from Germany on behalf of the Member States of the European Community

Papilio aristophontes, Papilio nireus and Papilio sosia

Swallowtail Butterflies

Inclusion of Papilio aristophontes in Appendix II in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex 2 a, section A; and

inclusion of P. nireus and P. sosia in Appendix II in accordance with Article II, paragraph 2(b), of the Convention and Resolution Conf. 9.24, Annex 2 b, section A.

DCSP view: support

Papilio aristophontes is found only on the Comoros and is endangered. Loss of habitat and large-scale collection are the causes. Depending on sex, butterfly collectors pay between US\$ 90 -180. The species is not captive-bred. The species Papilio nireus (common in Africa) and Papilio sosia (also endemic to some African countries) can be hardly distinguished from Papilio aristophontes and should thus also be listed by CITES so as to be able to offer Papilio aristophontes effective protection.

FLORA

ARAUCARIACEAE

Proposal 12.42 from Argentina

Araucaria araucana

Monkey Puzzle Tree

<[CLICK FOR PICTURE](#)>

Inclusion of *Araucaria araucana* in Appendix I, replacing *Araucaria araucana*** +219 (populations of Argentina and Chile), and deletion of *Araucaria araucana** -114 #1 in Appendix II

DCSP view: support

Argentina's proposal is intended to resolve the current absurd situation of a "split-listing". While the populations of this primeval tree in the only countries of origin, Chile and Argentina, are listed in Appendix I, populations in other countries (e.g. afforestations in the Philippines) are in Appendix II. This counter-productive, incomprehensible state of affairs was caused by a misinterpretation by the Secretariat at the last Conference of the Parties. Retaining this status would constitute a dangerous precedent that reduces Appendix I itself to absurdity. After all, all specimens in non-origin countries derive from the populations now listed in Appendix I. This misinterpretation must be eliminated.

CACTACEAE

Proposal 12.43 from Switzerland

Cactaceae spp.

Cacti

Amendment of the text of the annotation °608 that refers to artificially propagated specimens of *Gymnocalycium mihanovichii* (cultivars) forms lacking chlorophyll, to read as follows:

Cactaceae spp. colour mutants lacking chlorophyll, grafted on the following grafting stocks: Harrisia "Jusbertii", Hylocereus trigonus or Hylocereus undatus.

DCSP view: support

This proposal aims to extend annotation °608 to apply to all cactuses. It refers to artificially propagated grafted colour mutants lacking chlorophyll that are sold primarily in white, yellow and red. These plants do not occur in the wild and can hardly survive ungrafted. Because many other cactuses are produced in this way in addition to many forms of *Gymnocalycium mihanovichii* and because we can expect this "fashion" to spread to other cactuses, this proposal to cover all species of cactuses totally justified. CITES must take care of these colour mutants just like pets.

Proposal 12.44 from Switzerland

Opuntioideae spp.

Prickly Pear Cacti

< [CLICK FOR PICTURE](#) >

Deletion from Appendix II

DCSP view: support

At a meeting of the "plant specialist group" in Kyoto, DCSP already pointed out that it does not make sense to "cart along" the subfamilies Pereskioideae and Opuntioideae in Appendix II, if it is so hard to get the justified candidates in the subfamily Cactoideae listed in Appendix I.

The following factors must be noted

1.) The 361 species of the subfamily Opuntioideae are of practically no relevance in terms of trade in wild-collected specimens. Only few species are traded anyway, on the one hand because there is little buyer interest (probably due to its "lazy" flowering behaviour and nasty thorns) and on the other because all these species are very easy to reproduce vegetatively. All species offered for sale are vegetatively reproduced and not taken from the wild. Generally speaking opuntias are slow sellers.

2.) DCSP knows of no threat to even one of these species due to wild collection, neither from the literature nor from our own experience. The few known wild collections were probably only motivated by scientific interest. It must also be noted that it would not occur to any collector to dig up an entire plant including the roots, but only one part. The only threat to opuntias, if any, is due to loss of habitat.

3.) Trade with opuntias and products obtained from these plants is not threat to any species. These opuntias are cultivated on plantations (cochineal louse production and fruit trade).

4.) As welcome as it may be to list entire families due to the look-alike problem, even if not all species of a family or genus are endangered (e.g. Aloe spp.), it must be noted that it is practically impossible to mistake the species of Opuntioideae with the species of Cactoideae. For a "scientific authority" such as CITES this is a non-issue, and even a customs official inspecting cross-border transports can easily distinguish between a "ear-shaped cactus " and a "ball cactus".

5.) The Opuntioideae subfamily does not meet the Fort Lauderdale criteria for listing or retention in Appendix II. To conclude, it should be mentioned that the hundreds of thousands of cactus enthusiasts have no understanding at all for CITES listing of the Opuntioideae subfamily, as is currently in place. CITES will not be taken seriously if such nonsense persists. And it is important that CITES is also supported and taken seriously by the public.

Proposal 12.45 from Switzerland

Pereskioideae spp., Pereskiopsis spp. and Quiabentia spp.

Leaf-bearing Cacti

< [CLICK FOR PICTURE](#) >

Deletion from Appendix II

DCSP view: support

Essentially, the same applies to the subfamilies Pereskioideae, Pereskiopsis and Quiabentia as has been said for Opuntioideae. However, it must be noted that there is even less relevance in terms of trade than with opuntias, as cactus enthusiasts have practically no interest in these plants. There is absolutely no possibility of mistaking it for other cactuses. These leafy plants are only exhibited at botanical gardens, much to the surprise of the public that these are in fact cactus plants. Many pereskias are of no interest to plant enthusiasts due to their treelike growth. The low level of utilisation is sustainable and of no significance in terms of an endangerment. The only threat to individual species is loss of habitat, but by no means trade.

Proposal 12.46 from the United States of America

Sclerocactus nyensis

Tonopah Fishhook Cactus

< [CLICK FOR PICTURE](#) >

Transfer from Appendix II to Appendix I

DCSP view: oppose

The range of this cactus endemic to Nevada/USA is extremely inaccessible and hard to find. Just how large the population is is not known. There is regular trade with seeds of this species, particularly in Europe these seeds are offered for sale through the Internet. It is also certain that the seeds are only offered in Austria by the *Gesellschaft für Kakteenkunde* (cactus society) and are only available to members of this society. All Sclerocactus seeds come from a single source and are exclusively seeds from pure stock plants. These stock plants were also cultivated from seeds. These seeds were taken from the wild many years ago, cultivated in the greenhouse and seeded as totally pure plants. The fact is that no seed offered for sale in Austria in the past and at the moment was collected in the wild. DCSP has personally satisfied itself of the truth of the above statements at the greenhouse of Austria's only Sclerocactus specialist. The fact is that the dissemination of artificially reproduced pure seeds serves the purpose of species protection and does not do any detriment. Because there are only few Sclerocactus specialists in Europe, these people all know each other. The president of the Austrian Cactus Society convincingly informed DCSP that the situation with other suppliers of Sclerocactus seeds is the same as with the Austrian Sclerocactus specialists. The reasons given for Appendix I listing are totally incorrect. Nevertheless, the question must be asked with regard to this proposal, why not list the entire genus in Appendix I? Of the more than twenty species of Sclerocactus, almost one third is already in Appendix I and the various species are very easily mistaken for each other.

Proposal 12.47 from the United States of America

Sclerocactus spinosior ssp. blainei

Blaine's Pincushion

Transfer from Appendix II to Appendix I

DCSP view: oppose

This cactus is endemic to Nevada/USA like the species described in Proposal 12.46. All criteria are the same as Sclerocactus nyensis, as is the rest of the information.

CRASSULACEAE

Proposal 12.48 from the United States of America

Dudleya traskiae

Santa Barbara Island Dudleya

Transfer from Appendix I to Appendix II

DCSP view: support

Although this extreme endemic that occurs on the Santa Barbara Island, off the coast of Los Angeles, is still extremely endangered, above all by the farming industry, specifically by domestic rabbits. In 1970 the species was practically extinct. By means of rigorous protection measures it was possible to stabilise the natural population again. Today there are now groups of plants with up to 100 rosettes. Dudleyas and Echeverias, similar in appearance, are equally popular among succulent enthusiasts. Vegetative reproduction is extremely easy, which is why wild collection is totally unattractive. No legal or illegal wild collection is known, there is only some trade in artificially reproduced specimens. The species no longer meets the criteria for Appendix I listing.

LILIACEAE

Proposal 12.49 from South Africa

Aloe thorncroftii

Thorncroft's Aloe

Transfer from Appendix I to Appendix II in accordance with Resolution Conf. 9.24, Annex 4, section B, paragraph 2 a)

DCSP view: support

There are approximately 7900 specimens of this small aloe left in the wild in eight ranges in South Africa. There is no legal or illegal trade with this species. The species is not very attractive so there is virtually no interest among aloe enthusiasts. Only very few succulent nurseries carry this plant. However, these are all seed-grown plants. This species is protected in South Africa, three of the eight ranges are in protected areas. It can only be confused with *Aloe suprafoliata*. Because it is very easy to reproduce the species from seeds, it is not work collecting it in the wild,

particularly because the species is hard to find. Transfer to Appendix II is fully justified, the criteria for keeping the species in Appendix I listing are not fulfilled.

MELIACEAE

Proposal 12.50 from Nicaragua

Swietenia macrophylla

Bigleaf Mahogany

Inclusion in Appendix II of the neotropical populations, including logs, sawn wood, veneer sheets and plywood, in accordance with Article II, paragraph 2(a), of the Convention and Resolution , Annex 2 a.

DCSP view: support

The populations of the American mahogany tree are declining throughout the entire range, mainly as a result of illegal trade and unsustainable use. In Brazil and Colombia some populations are already extinct due to the drastic overexploitation. There is also illegal felling in protected areas. Regeneration from natural populations cannot be expected because of the demanding ecology and meanwhile very low population density. Listing in Appendix II would involve rigorous monitoring of trade and exploitation. Excessive, uncontrolled use must be stopped.

ORCHIDACEAE

Proposal 12.51 from the United States of America

Appendix-II Orchidaceae spp.

Orchids

< [CLICK FOR PICTURE](#) >

Annotation of Orchidaceae in Appendix II

The annotation to specifically read as follows:

Artificially propagated specimens of hybrids within the genera Cattleya, Cymbidium, Dendrobium (phalaenopsis and nobile types only), Oncidium, Phalaenopsis and

Vanda, including their intergeneric hybrids, are not subject to the provisions of the Convention when:

- a) specimens are traded in shipments consisting of individual containers (i.e. cartons, boxes, or crates) containing 100 or more plants each;
- b) all plants within a container are of the same hybrid, with no mixing of different hybrids within a container;
- c) plants within a container can be readily recognized as artificially propagated specimens by exhibiting a high degree of uniformity in size and stage of growth, cleanliness, intact root systems, and general absence of damage or injury that could be attributable to plants originating in the wild;
- d) plants do not exhibit characteristics of wild origin, such as damage by insects or other animals, fungi or algae adhering to leaves, or mechanical damage to roots, leaves, or other parts resulting from collection; and
- e) shipments are accompanied by documentation, such as an invoice, which clearly states the number of plants and which of the six exempt genera are included in the shipment, and is signed by the shipper. Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents.

DCSP view: support

This proposal by the USA is very practical as it accounts for the real situation where today every flower shop, every flower market, many DIY stores and practically every other food store carries orchid hybrids, usually in vast amounts. DCSP does not understand why hybrids of the Miltonia genus, that are also traded in masses, are not included.

Concerning a.) and b.): It is totally clear that the horticulturally produced plants are as like as two peas in a pod. An "outsider" would be immediately stand out. This is mass produce intended for fast "consumption". The pots themselves are clear indicators of this mass production.

Concerning c.) and d.): When inspecting imports, any member of the scientific authorities can easily tell whether a specimen has been taken from the wild on the basis of visible features. Feed marks, fungal damage, algae growth and different root shape are characteristic of wild-collected specimens. A mass producer is anxious to avoid any kind of damage on the hybrid plants. If you look at a natural dendrobium, for example, it is usually wrinkly and dishevelled, while the same species, artificially reproduced, is full and firm.

Concerning e.): Wholesale producers have not interest whatsoever in wild-collected specimens, the plants they sell are mericloned in hundreds of thousands of one hybrid species. All plants of a hybrid species look exactly the same, both with regard to the body of the plant and the colour and shape of the flowers. It is true that, if the origin is uncertain, or if the plants fail to meet the above criteria, it is necessary to furnish the appropriate CITES documents.

In conclusion, DCSP feels that if this proposal is accepted could contribute considerably to acceptance of CITES in the general public. No one can understand why it is necessary to present CITES documents when carrying an orchid hybrid bought in a flower shop across the border, regardless of the number of plants.

OROBANCHACEAE

Proposal 12.52 from China

Cistanche deserticola

Desert-living Cistanche

Deletion of the annotation to *Cistanche deserticola* in Appendix II

DCSP view: support

This plant is a parasite and has no roots. This aim of this proposal is just to delete annotation #3, but to leave the plant in Appendix II. Annotation #3 refers to roots and parts of roots, which is nonsense and only leads to confusion. China is the only country in which the plant occurs and is the proponent.

PORTULACACEAE

Proposal 12.53 from the United States of America

Lewisia maguirei

Maguire's Bitter Root

Deletion from Appendix II

DCSP view: support

Lewisia magueri is endemic to Nevada/USA. The natural population is estimated at slightly more than 4500 specimens and is classified as stable. The plant is very small and succulent. Although the plant would be of interest to succulent enthusiasts, it is not very popular because it is difficult to cultivate. There is no evidence of legal or illegal trade in wild-collected specimens. Also, collection from the wild is prohibited. There is little trade in artificially cultivated specimens. What is more, the only country in which it occurs is also the proponent. The species does not meet the criteria for remaining in CITES Appendix II.

ZYGOPHYLLACEAE

Proposal 12.54 from Germany on behalf of the Member States of the European Community

Guaiacum spp.

Lignum-vitae

<[CLICK FOR PICTURE](#)>

Inclusion in Appendix II in accordance with Article II, paragraph 2(b), of the Convention, annotated as follows: Designates all parts and derivatives, including wood, bark and extract.

DCSP view: support

Guaiacum officinale and G. sanctum are already listed in CITES Appendix II. Pockwood trees are small evergreens indigenous to Central America, the Caribbean and the southern USA. Populations of three of the four species are decreasing in the wild, one species (G. coultari) is in danger of extinction. Pockwood is an extremely hard wood used for many purposes. Machine bearings, ball bearings, wooden combs, bowling balls, carving, etc. are just a few of the applications. The roots are used as natural medicine against rheumatism and syphilis. The bark of the roots of G. angustifolium is used to produce soap and also to aromatise liqueur. There is busy legal trade with pockwood, primarily from Mexico. Unfortunately there is also illegal trade, particularly by means of false declarations. Because the various species are practically indistinguishable both as timber and once they have been processed, it makes great sense to list the entire genus in Appendix II.

NOTE:

The new government of Madagascar submitted several proposals before the date of submission expired, but this government was not recognised by the United Nations until after 6 June. These proposals are appended below. The Secretariat is prepared to view them as having been submitted in accordance with Article XV of the Convention if it is confirmed through diplomatic channels before the twelfth

Conference of the Parties that the office having submitted the proposals is Madagascar's officially appointed administrative body.

DCSP's opinion:

The decision as to whether the proposals should be deemed as having been submitted in time will be taken by the plenary meeting of the Parties. It is unfortunate that the Secretariat did not publish Madagascar's proposals until 20.9. and 23.9.2002. This date is by all means too late. In terms of content it would be a pity if Madagascar's proposals were not voted on, as they are very welcome.

FAUNA

REPTILIA

TESTUDINATA

Testudinidae

Antrag 12.55 von Madagaskar

Pyxis planicauda

Malagasy Flat-shelled Tortoise

Transfer from Appendix II to Appendix I in accordance with Article II, paragraph 1, of the Convention and Resolution Conf. 9.24, Annex I, sections A (i), (ii) and (v), B (i), (iii) and (iv), and C (i).

DCSP view: support

This species only occurs in a small deciduous dry forest 50 km north-east of Morondava. The species has a low reproductive rate, the females usually only lay one egg per season. The total population is probably less than 10,000 animals. The species is very popular among tortoise enthusiasts and is traded far too frequently. This species is also very sensitive to keep, which is why there is a high mortality rate in captivity. Captive bred specimens are rare exceptions. In 2000 more than 1300 and in 2001 more than 500 specimens were exported; there is also evidence of illegal trade. This species is already in Appendix A in the EU and meets all criteria for listing in Appendix I.

SAURIA

Chamaeleonidae

Antrag 12.56 von Madagaskar

Brookesia perarmata

Armoured Leaf Chameleon

Inclusion in Appendix I in accordance with Article II, paragraph 1, of the Convention and Resolution Conf. 9.24, Annex I, sections B (i) and (iii), and C (i) and (ii), second point.

DCSP view: support

The range of this 11 cm small chameleon is very small on Madagascar. The bizarre-looking animal is very popular among terrarium enthusiasts and was and still is offered for sale in the trade, although the species is difficult to keep and generally dies after a short time in captivity. In the wild the species is on the verge of extinction and meets all criteria for listing in Appendix I. A look-alike problem with other Brookesia species can be practically ruled out.

Antrag 12.57 von Madagaskar

Brookesia spp.(außer Brookesia perarmata)

Inclusion in Appendix II with the exception of Brookesia perarmata.

Empfehlung von DCSP: unterstützen

The situation of the other 25 species is hardly any different than with B. perarmata. In our opinion, the entire genus meets the criteria for listing in Appendix I, so listing in Appendix II is a minimum protection measure anyway. DCSP thinks that all Madagascan Chamaeleonidae belong in Appendix I. Above all because all chameleons are extremely difficult to keep in terraria. After many years of observing the chameleon keeper scene, DCSP comes to the conclusion that there is only one captive-bred specimen per 1000 animals at best. And this one specimen is usually a fluke.

AMPHIBIA

ANURA

Microhylidae

Antrag 12.58 von Madagaskar

**Scaphiophryne gottlebei, S.madagascariensis,
S.marmorata und S. pustulosa.**

Inclusion in Appendix II;

a.) In accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24, Annex II, section B (i) for Scaphiophryne gottlebei, Scaphiophryne pustulosa; and

b.) In accordance with Article II, paragraph 2(b), of the Convention and Resolution Conf. 9.24, Annex II, section A for Scaphiophryne madagascariensis and Scaphiophryne marmorata.

DCSP view: support

These spectacular, colourful frogs, all indigenous to Madagascar, are very popular among frog enthusiasts. As a result of exports of thousands of animals, primarily to the USA and Europe, all populations are now vulnerable. The population density is constantly declining; in addition, the ranges are very small and ongoing habitat destruction further compound the situation. These Microhylides meet the criteria for listing in Appendix II.

FLORA

ORCHIDACEAE

Antrag 12.59 von Madagaskar

Aerangis alata / Aerangis platyphylla *

*In accordance with the standard nomenclature introduced by the Conference of the Parties, these are synonyms of *Aerangis ellisii*.

Transfer from Appendix II to Appendix I

DCSP view: support

Unfortunately, the proposals is very badly prepared scientifically. "Flore de Madagascar" (1941) lists *A. platyphylla* and *A. alata* as distinct species, *A. ellisii* is regarded as a pretty cultivated form of *A. stylosa*. The fact is that *A. ellisii* is a valid species, while *A. alata* and *A. platyphylla* are only synonyms. A glance at the CITES orchid checklist would have clarified this matter immediately for the proponents. Nevertheless, the species *ellisii* is highly endangered. The species is endemic to Madagascar. Habitat loss due to fire cultivation is the main cause, although the insect pollinator is also on the verge of extinction. There is little legal trade, whereas illegal trade is pressurising the species considerably. The species meets all criteria for Appendix I listing. Although *A. ellisii* is already being cultivated in vitro, the justified Appendix I listing can only be the first step in protecting the species in the wild. Local protection measures will be essential. DCSP thinks that all Madagascan species of the *Aerangis* and *Angraecum* genera meet all criteria for listing in Appendix I. All species of these two genera are highly specialised and dependent on special pollinator insects (e.g. *Angraecum sesquipedale* >> *Xanthopan morgani praedicta*) almost all of which are equally endangered. As all of these species are very popular due to their striking, spectacular blossoms, they are frequently traded. Also, these representatives of the genus are hard to distinguish when not in bloom. It would be a very welcome development if Madagascar or another country were to make a corresponding proposal at the next conference.

PALMAE

Antrag 12.60 von Madagaskar

Beccariophoenix madagascariensis, *Lemurophoenix halleuxii*, *Marojejya darianii*, *Ravenea rivularis*, *R.louvelii*, *Satranala decussilvae* und *Voanioala gerardii*.

Inclusion in Appendix II

Empfehlung von DCSP: unterstützen

All of these species of palm are endemic to Madagascar. There are 60 specimens of *R. rivularis* left, 20 of *R. louvelii*, 30 fully grown specimens and 40 young plants of *S. decussilvae*; there are probably less than 50 specimens of *L. halleuxii*, and only 20 of *B. madagascariensis*; there are just 10 plants of *V. gerardii* left, one of which is an adult specimen, all of the species are endangered to critically endangered. Although the population status of *M. darianii* is unclear, this species is also classified as critically endangered. All of the species are traded in the form of seedlings and

seeds. Severe loss of habitat is a compounding factor. All specimens meet the criteria for listing in Appendix II, indeed DCSP thinks that they even meet all criteria for listing in Appendix I.