CoP13

Documentation Center for Species Protection

(D.C.S.P.)

Recommendations on the Proposals for the

13th Conference of the Parties in Bangkok

(Thailand)

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DOKUMENTATIONSZENTRUM FÜR ARTENSCHUTZ

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Proposal 13.1 from Ireland

(on behalf of the Member States of the European Community)

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Inclusion of a new paragraph after paragraph 4 in the Interpretation section of the Appendices, to read as follows (with the following paragraphs being renumbered):

5. The g are not subject to the provisions of the Convention:

a) in vitro cultivated DNA* that does not contain any part of the original from which it is derived;

b) cells or cell lines** cultivated in vitro that theoretically at a molecular level do not contain any part of the original animal or plant from which they are derived;

c) urine and faeces;

d) medicines and other pharmaceutical products such as vaccines, including those in development and in process materials +, that theoretically at a molecular level do not contain any part of the original animal or plant from which they are derived; and

e) fossils.

* That is DNA that is assembled from its constituent materials, not solely extracted directly from plants and animals.

** That is cultures of plant or animal cells, that are maintained and/or propagated in artificial conditions and do not contain any significant part of the original plant or animal from which they are derived.

+ That is products subject to a research or manufacturing process such as medicines, potential medicines and other pharmaceuticals such as vaccines that are produced under conditions of research, diagnostic laboratory or pharmaceutical production and do not depend for their production in bulk solely on material extracted from plants or animals and do not contain any significant part of the original plant or animal from which they are derived.

DCSP view: support

a.) and b.) in vitro cultivated DNA, cells or cell cultures cannot be subject to the Convention.

c.) Paper, artistically painted and made of elephant sh*t was offered for sale in the conference foyer in Gigiri/Nairobi (CoP11). A lot of delegates bought this original souvenir. This led to a (ridiculous) discussion as to whether this paper (made from the fibrous remains of elephant dung) is subject to species protection or not. The Standing Committee should be congratulated on putting an end to this "idiocy" by regulation.

d.) Synthetically manufactured medicines cannot be subject to the Convention.

e.) If the term fossil were more clearly defined, e.g. fossilised remains of animals and plants and parts of animals and plants that are extinct, this should also be supported as fossils cannot be subject to the Convention.

Proposal 13.2 from Switzerland

(as Depositary Government, at the request of the Standing Committee)

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Inclusion of a new paragraph after paragraph 4 in the Interpretation section of the Appendices, to read as follows (with the following paragraphs being renumbered):

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

a) in vitro cultivated 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

a.) in vitro cultivated DNA cannot be subject to the Convention.

b.) see 13.1 c.)

c.) synthetically manufactured medicines and pharmaceuticals cannot be subject to the Convention.

d.) see 13.1 e.)

FAUNA

CHORDATA

MAMMALIA

CETACEA

Delphinidae

Proposal 13.3 from Thailand

Orcaella brevirostris

Irrawaddy dolphin

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Transfer from Appendix II to Appendix I.

DCSP view: support

The Irrawaddy dolphin is a species that lives in brackish water and primarily in freshwater Asian rivers and lakes. The IUCN has determined that this species is declining severely in all its ranges, with the species being rated as critically endangered in some areas. The animals are regularly taken from the wild for Asian dolphinariums. Captive-breeding is rarely successful, almost all animals displayed in dolphinariums are taken from the wild. Constant further supplies are required because of the high mortality rate of these animals in captivity. The species meets all criteria for Appendix I listing. There is no lookalike problem as the species is easy to identify. In addition, the species is endangered by habitat pollution and destruction of deepwater habitats.

Balaenopteridae

Proposal 13.4 from Japan

Balaenoptera acutorostrata

Minke Whale

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Transfer from Appendix I to Appendix II of the Okhotsk Sea – West Pacific stock, the Northeast Atlantic stock and the North Atlantic Central stock.

DCSP view: oppose

The never-ending story continues. This time, Japan is claiming that the minke whale by no means meets the criteria for Appendix I listing in the regions indicated any more and that it even poses a threat to populations of other fish species because of overpopulation, and also that the decline of these fish species is a threat to the existence of the population that lives from fishing. While this reasoning is new, it is not particularly original.

As with all whales, the reproduction rate is not high. A female gives birth to one calf per year. If Japan's proposal is approved, the positive population trend would soon be reversed. In the proposal, Japan does not speak of a catch quota, i.e. legal capture is unlimited. Although the proposal does indicate how the species is being driven to extinction, that's as far as it goes. Hunting this species until the next Conference of the Parties could damage populations irreparably.

CARNIVORA

Felidae

Proposal 13.5 from USA

Lynx rufus

Bobcat

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Deletion from Appendix II.

DCSP view: oppose

The bobcat, comprising several subspecies, is indigenous to North America and is widely distributed. No population trend statistics are given. Trade demand is enormous and constantly increasing. In the last five years, approx. 120,000 individuals and furs were exported, which corresponds approximately to 5% of the estimated population. In view of the strong trade demand and the fact that no statistic on impact are available, it would be advisable to keep the species in Appendix II.

Proposal 13.6 from Kenya

Panthera leo

African Lion

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Transfer from Appendix II to Appendix I.

[in accordance with Resolution Conf. 9.24 (Rev. CoP12), Annex 1, paragraphs A. i) and ii) (for the populations of West and Central Africa), and C. i)]

NB: subspecies Panthera leo persica is already included in Appendix I.

DCSP view: support

Quite apart from the fact that the subspecies Panthera leo persicus is already listed in Appendix I, the constant decrease in the wild population in Western and Central Africa is already reason enough to list this species in Appendix I. The total population has decreased by 45% since 1996, though the population in 1996 was already only 30% of the original population. Compared to this, harvesting,

particularly for hunting trophies, has decreased by 15.7%. In addition to loss of habitat, it is particularly the pressure of "hobby hunters" that is mainly responsible for the decline in population density. The percentage of local utilisation for traditional medicine and customs is of minor importance. Although it is true that lions breed very strongly in captivity around the world, this captive breeding does not help diminish the pressure on the wild population as this pressure is primarily due to the hunting passion of high-paying trophy hunters from the USA (350 specimens of 517 in 2002). In ten range states in Africa, there is a complete ban on lion hunting, while eighteen states only allow hunting of "problem animals" or with a permit. Only seven states afford this species no protection whatsoever. In view of the already alarming situation, the populations of Western and Central Africa meet all the criteria for listing in Appendix I.

PROBOSCIDEA

Elephantidae

Proposal 13.7 from Namibia

Loxodonta africana

African Elephant

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Amendment of the annotation regarding the population of Namibia to include:

– an annual export quota of 2,000 kg of raw ivory (accumulated from natural and management-related mortalities);

– trade in worked ivory products for commercial purposes; and

– trade in elephant leather and hair goods for commercial purposes.

DCSP view: oppose

The approx. 11,000 elephants in Namibia are the pitiful remains of the original populations, even though there has been a slight increase in recent years. All proposals to extend trading will pose a grave danger to the remaining populations of all other countries of origin, including those of the Indian elephant. In addition, the serious social and ecological problem of an unbalanced elephant age pyramid will further increase (poaching of older animals with tusks, shooting of leaders and thus loss of hereditary knowledge, uncontrolled increase in half-grown animals).

It should be noted that most populations in the proponent countries are badly depleted and partly only amount to mere thousandths of their original size. Only isolated populations (e.g. in South Africa's Krüger National Park) have a greater – in some cases excessive – density.

History has shown that it is not possible to get a grip on illegal trade and poaching as long as illegal ivory trade persists. Ivory testing with marked material (polymerase chain reaction) has also proved to be unfeasible in practice. Between January 2000 and May 2001, 14,648 tusks and ivory objects were confiscated around the world – the number of smuggled tusks is of course far higher.

The global elephant population is thus continuing to decline, overpopulation is only a local problem in a few range countries. In the past twenty years, the total African population dropped by almost 57%, by almost 16% in the period from 1995 to 1998 alone (period with the best statistics). This even applies to countries such as Namibia and Zambia, that want to revive ivory trade and downlist elephants.

Proposal 13.8 from South Africa

Loxodonta africana

African Elephant

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Amendment of the annotation regarding the population of South Africa to allow trade in leather goods for commercial purposes.

DCSP view: oppose

At every conference, South Africa tries to extend trade in elephant products. No population or trend data are given. Let us recall that South Africa has just one single major population, the population of the Krüger National Park. All others, approx. 60 in total, are extremely small and totally fragmented and many on the verge of extinction. On all other points, please refer to the statements made on Proposal 13.7.

PERISSODACTYLA

Rhinocerotidae

Proposal 13.9 from Swaziland

Ceratotherium simum simum

Southern white rhinoceros

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Transfer from Appendix I to Appendix II of the population of Swaziland with the following annotation:

For the exclusive purpose of allowing international trade in:

a) live animals to appropriate and acceptable destinations; and

b) hunting trophies.

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

The southern white rhinoceros was already made extinct in Swaziland in the 20th century, but a re-introduction programme in the nineteen-sixties and seventies was successful. The total population of southern white rhinoceros in southern Africa recovered somewhat thanks to the Appendix I listing and protection measures and now totals 8440 animals at last count. However, these animals are spread over 247 ranges, which means an average population density of just 34 individuals. There are currently 60 southern white rhinoceros living in Swaziland. Although there has been a significant increase since the massive fight against poaching in the past ten years. Nevertheless, the current figures amount to stagnation in relation to the last twenty years, and a decrease of 55% since successful re-introduction thirty years ago!

Putting the species back into Appendix II would mean another "split-listing". What is more, poaching would boom in all countries of southern Africa and demand for "rhino horn" would sky-rocket once again. Illegal trade is still evident, the small amount of legal trade is simply a result of the Appendix I listing. Moreover, it would be risky at best to want to try to ensure "sustainable utilisation" with a population of just sixty individuals.

AVES

FALCONIFORMES

Accipitridae

Proposal 13.10 from USA

Haliaeetus leucocephalus

White-headed eagle

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Transfer from Appendix I to Appendix II.

[in accordance with Resolution Conf. 9.24 (Rev. CoP12), Annex 4, paragraph B. 2. b)]

DCSP view: oppose

The populations of the national emblem of the United States originally comprised approx. 250,000 individuals. The species was all but made extinct by the nineteen-sixties. With the aid of massive protection measures, the 417 breeding pairs that still remained were able to reproduce to 70,000 birds by 1991. Current population figures are based only on estimates (approx. 100,000 individuals, which is

approx. 40% of the original population). This increase, however, was only limited to some parts of North America, with only 40 breeding pairs in the south-west of the USA (1998). However, there are no current population figures. Today, the main risk to the white-headed eagle is due to massive pollution (above all in the form of pesticides and heavy metals) and habitat loss. In view of the poor state of the south-western populations and the lack of current population trends, it would be advisable to keep the species in Appendix I.

PSITTACIFORMES

Psittacidae

Proposal 13.11 from Indonesia

Cacatua sulphurea

Yellow-crested cockatoo

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Transfer from Appendix II to Appendix I.

[in accordance with Resolution Conf. 9.24 (Rev. CoP12), Annex 1, paragraphs A. i) and ii); B. i), iii) and iv); and C.]

DCSP view: support

Germany already made this proposal at CoP 10. It is a disgrace that these subspecies of yellow-crested cockatoo are still being exploited. Indonesia - the only range state - is now making this proposal for maximum protection. We can only hope that the member states will agree this time, because there is no way of knowing if this debate will have become superfluous in another six years' time as this species may quite simply no longer exist in the wild. The demand of commercial trade is tremendous and is by no means covered by occasional captive breeding successes by specialists. There are five specimens of the subspecies C.s.abbotti in the wild, 107-115 of C.s.sulphurea, 229-1195 of C.s.citrinocristata (1150-2644 animals in 1992), and some 185 specimens of C.s.parvula divided among seven populations and another 1544-2134 divided among three populations. These figures speak for themselves. If we don't put the brakes on now, the species will be lost.

Proposal 13.12 from Namibia and the USA

Agapornis roseicollis

Rosy-faced lovebird

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Deletion from Appendix II.

DCSP view: support

This pretty species of parrot is found in all well-stocked pet shops. These animals are all captive-bred. Coloured captive-bred varieties are particularly popular among parrot-lovers. Wild catches are usually more susceptible to disease and therefore of no interest. Wild populations have recovered to such an extent that they are now regarded as pests by some maize farmers. The animals are even regarded as commensals of civilisation, adopting artificial structures such as telephone masts etc. as nesting places. The species is not listed on the IUCN list of endangered animals either.

Proposal 13.13 from Mexiko

Amazona finschi

Lilac-crowned Parrot

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Transfer from Appendix II to Appendix I.

[in accordance with Resolution Conf. 9.24 (Rev. CoP12), Annexes 1 and 4]

DCSP view: support

This proposal should definitely be supported. In addition to the precious situation in its natural range (declining populations and habitat destruction), *A. finschi* is also one of the most traded species of Mexican Psittacidae. Statistics prove that the internal demand has increased again in recent years. A large part of this demand is supplied from illegal harvesting as there is practically no successful captive-breeding of this species. Action must be taken urgently in order to combat further loss due to illegal harvesting (Appendix I listing).

PASSERIFORMES

Emberizidae

Proposal 13.14 from Mexiko and the USA

Passerina ciris

Painted Bunting

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraph B. i)]

DCSP view: support

Due to its great popularity, this richly coloured aviary bird is being traded more and more. Most pet shops who stock birds have this species. The species is only captive bred on an insignificant scale, above all because there is adequate supply from the wild. Although there are currently still 3,600,000 individuals, the fact is that the wild populations are constantly declining. In Mexico, the main exporter of this bird, the wild populations are being decimated. In addition to unchecked wild harvesting, other factors are also impacting negatively, particularly brood parasites. In some range states, the species is already rare. This bird of passage is also faced with continuing habitat loss, considering that one breeding pair needs at least 1.2 hectares of territory. It is reasonable and provident to protect this species under CITEs now, before even greater damage is done. What is mo re, an Appendix II listing will encourage aviary breeding.

REPTILIA

TESTUDINARIA

Testudinidae

Antrag 13.15 von Madagaskar

Pyxis arachnoides

Madagascar spider tortoise

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Transfer from Appendix II to Appendix I.

[in accordance with Resolution Conf. 9.24 (Rev. CoP12), Annex 1, paragraphs B. i), iii) and iv) and C. i)]

DCSP view: support

The Madagascar spider tortoise owes its name to its pretty spider-web markings on its carapace. It is endemic to Madagascar and occurs there in three other sub-species. There are a total of ten populations with a total range of just 2000km². This area is located on the narrow strip of coastline (up to 15km inland) in the south-west of Madagascar. The species are threatened above all by international trade in mature animals for terrariums. Only a few specialists succeed in captive breeding the species, and this is very rare. The necessity of strict international protection measures has already been acknowledged by the Scientific Committee of CITES. The species' status has been increased from "vulnerable" to "endangered".

Bataguridae

Proposal 13.16 from USA

Malayemys spp.

Malayan snail-eating turtle

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a,

paragraph B. i)]

DCSP view: support

Although the genus is currently only represented by the species subtrijuga, the USA wants to list the genus in Appendix II as a preventive measure with regard to possible changes of taxonomy. The IUCN classifies the species as vulnerable. The species is easy to catch because of its slowness. Eggs are also harvested for eating. The species is mainly wild harvested for traditional Asian medicine and as food. Pet trade is insignificant as the species is not very popular among terrarium owners because of its "boring" way of life and, what is more, the species is regarded as highly sensitive. Wild populations are declining strongly in all ranges as there is no captive breeding. The species is very susceptible to disease and parasites, which is not particularly conducive to captive breeding. Currently only Indonesia has a quota system for protection of the species. The genus (species) meets all criteria for Appendix II listing.

Proposal 13.17 from Indonesia

Malayemys subtrijuga

Malayan snail-eating turtle

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraph B. i)]

DCSP view: support

The only difference to Proposal 13.16 is that this proposal wants to list the species and not genus. The proposal text is also practically the same. otherwise, please refer to proposal 13.16.

Proposal 13.18 from USA

Notochelys spp.

Malayan flat-shelled turtle

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraph B. i)]

DCSP view: support

Although the genus is currently only represented by the species platynota, the USA wants to list the genus in Appendix II as a prevention with regard to possible changes of taxonomy. The species is found in many places but is no longer common anywhere. The IUCN classifies the status as vulnerable. The species is traded locally and internationally for eating, traditional Asian medicine and for pets, with the latter playing an insignificant role. The species is exported primarily to China. In 1999 the species was still being traded between 2000 and 3000kg per day; mortality during transport was always enormous. This diminished wild populations by more than 20%. The genus meets all criteria for Appendix II listing and is only a logically consistent continuation of the listing of most Asian freshwater turtles at CoP12.

Proposal 13.19 from Indonesia

Notochelys platynota

Malayan flat-shelled turtle

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraph B. i)]

DCSP view: support

The only difference to Proposal 13.18 is that this proposal wants to list the species and not genus. The proposal text is also practically the same. otherwise, please refer to proposal 13.18.

Proposal 13.20 from USA

Amyda spp.

Southeast Asian softshell turtle

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a),

of the Convention, and Resolution Conf. 9.24 (Rev. CoP12),

Annex 2 a, paragraph B. i)]

DCSP view: support

This proposal should be supported. Appendix II listing is justified by the relatively good wild populations in most parts of the range but also declines in large parts of the range. The majority of trade in this species takes place between the states of south-east Asia, including China, where the turtles are used locally. Although it must be said that there has been massive exploitation of wild populations throughout the entire range in recent years. International trade with other member states is negligible. The question whether listing will ensure better trade control between these states remains open.

Carettochelydidae

Proposal 13.21 from USA

Carettochelyddidae spp.

Pig-nosed turtle

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraph B. i)]

DCSP view: support

The same wording as the proposal by Indonesia, but pertaining to the family Carettochelyidae, which so far features just one species. Should also be supported bearing in mind that we may possibly expect to see a new species in this family and that it would not be necessary to make another proposal as this would automatically include the new species.

Proposal 13.22 from Indonesia

Carettochelys insculpta

Pig-nosed turtle

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12),

Annex 2 a, paragraph B.
i)]

DCSP view: support

This proposal should also be supported, although Appendix II listing is adequate in view of the relatively good populations in most parts of the range (except for parts of Papua New Guinea). This danger for this species is not only due to international trade, the majority of adult animals and above all eggs are for local markets. Suitable population management on site could improve the situation. In addition, Appendix II listing would ensure better control of trade - above all trade to Japan, Hong Kong, Thailand, Malaysia and China, where pet shops and markets regularly offer young animals intended for the international market.

Chelidae

Proposal 13.23 from Indonesia and the USA

Chelodina mccordi

Roti snake-necked turtle

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraph B. i)]

DCSP view: support

The proposal should definitely be supported although the species should in fact be listed in Appendix I. According to the information, the existing populations have declined to a level (almost extinct) that trade is no longer profitable, as it is hardly possible to get any more wild animals. The number of captive-bred animals is also negligible (several hobby breeders in Europe and the USA, along with some dubious breeding in Indonesia) to cater for demand.

However, on the other hand, because we cannot expect any threat due to habitat destruction, populations could recover relatively quickly, which would revive trade interest. Appendix I listing would even be advisable in order to prevent this from happening.

CROCODYLIA

Crocodylidae

Proposal 13.24 from Cuba

Crocodylus acutus

American Crocodile

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Transfer of the population of Cuba from Appendix I to Appendix II.

[in accordance with Resolution Conf. 9.24 (Rev. CoP12), Annex 4, paragraph B. 2 e) and Resolution Conf. 11.16]

DCSP view: oppose

Although the American crocodile ranges widely in Central America, the area is very fragmented and the species is severely endangered in most of its range (USA, Costa Rica, Venezuela, Dominican Republic). Although the populations are larger in Cuba compared to these states, the figures are deceptive as Cuba includes young animals and sub-adults, while other countries only count animals capable of reproduction. "Farming" has only existed in Cuba for 10-20 years and comprises just 330 adults. Overall, the reproduction rate of the Cuban populations is declining. Cuba regards a population percentage of just 12% young animals as a sign of a healthy population. Commercial trade by these farms is based primarily on wild-harvested clutches. Illegal trade is regularly observed. What is more, the proposal amounts to another "split listing".

Proposal 13.25 from Namibia

Crocodylus niloticus

Nile Crocodile

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Transfer from Appendix I to Appendix II of the population of Namibia.

[in accordance with Article II, paragraph 2 (a), of the Convention, and Resolution Conf. 9.24 (Rev. CoP12), Annex 4, paragraph B. 2. b)]

DCSP view: oppose

No data are given regarding the size and trends of the overall Namibian population, 1500 individuals still exist in protected areas (approx. 10% of the range). 2500 living specimens and 166 skins were exported in 2000. However, breeding stations only have 48 adult animals. The export is therefore above all based on wild harvesting. Namibia believes that its proposal will not affect populations in other countries, although the ranges are located above all along rivers bordering on Angola, Botswana, Zambia and Zimbabwe. Namibian Nile crocodiles are obviously so patriotic that they don't cross the rivers to the opposite banks.

Proposal 13.26 from Zambia

Crocodylus niloticus

Nile crocodile

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Maintenance of the population of Zambia in Appendix II, subject to an annual export quota of no more than 548 wild specimens (including hunting trophies, including problem-animal control). This quota does not include ranched specimens.

DCSP view: oppose

Zambia wants to cater for the demand for crocodile products with an increasing number of wild harvested animals as their ranching programme is diminishing and building it up would require greater investment. It must be noted, however, that almost fifty per cent of exports of specimens from breeding farms is already wild harvested. Wild harvesting of clutches has increased by approx. 80% in the past four years!

Population trends were only surveyed in the only range with larger population densities. Most ranges have extremely low population densities. The proposal is based on the principle that if ranching programmes only going badly, just switch to natural resources.

SAURIA

Gekkonidae

Proposal Antrag 13.27 from Madagascar

Uroplatus spp.

Leaf-tailed geckos

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Inclusion in Appendix II.

DCSP view: support

The genus of leaf-tailed geckos is endemic to Madagascar. All of the ten species in the genus are found in woody areas. An eleventh species is currently being described. Their adaptation to arboreal life is evidenced by the sticky pads on the bottom of their body and the sucker-like toes. The animals are nocturnal and can change colour. They feed exclusively on small insects. The females lay their round eggs at the foot of trees and dead plants. The animals are very popular among terrarium-owners because of the spectacular shape of their tail. There are captive-bred specimens but they cannot cater for demand. This results in constant wild harvesting and even protected areas are affected by this plundering. In addition, the genus is threatened by habitat destruction. As the only range state, Madagascar wants to achieve international monitoring of the number of exports by listing the genus in Appendix II, as several species would already meet the biological criteria for listing in Appendix I.

SERPENTES

Colubridae

Proposal 13.28 from Madagaskar

Langaha spp.

Leaf-nosed Snakes

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Inclusion in Appendix II.

DCSP view: support

The Langaha genus with its three species is endemic to Madagascar. The attractively painted tree-dwelling snake differs distinctly between males and females, and the tip of their nose is leaf-shaped.

They are found practically all over Madagascar, but only have protected habitats in three national reserves. The animals are very popular among terrarium-owners because of their extremely slim, twig-like shape. This interest is growing, as demonstrated by the export figures presented. There has already been some success with captive breeding, but this can by no means cater for demand. Regulation of international trade by CITES can also have a positive, promoting effect on captive breeding programmes.

Proposal 13.29 from Madagascar

Stenophis citrinus

Stenophis citrinus

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Inclusion in Appendix II.

DCSP view: support

This spectacular yellow-and-black banded snake is endemic to Madagascar. There are two populations, one in the Bemaraha National Park and one in the Namoraka National Park. This species is threatened primarily by the terrarium trade, as the species is very popular among terrarium-owners because of its beauty. The snake lives in bushy areas with many shrubs, which forms its habitat. It prefers very hot, humid areas in valleys protected from wind. This specialisation makes it easy prey for snake-catchers who know the place well. The Madagascan government checks all visitors to the National Parks for illegally caught animals, but listing in Appendix II would support these efforts at the international level.

Viperidae

Proposal 13.30 from Kenya

Atheris desaixi.

Mt.Kenya Bush Viper

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a]

DCSP view: withdraw

The Mt. Kenya bush viper is endemic to Kenya and occurs in two populations. It lives in woody regions between 1600-1700m asl. There are no scientific data concerning the number of specimens, and trade figures are not representative either. There are no national efforts to install a protection or breeding programme, the species seems to be protected by Kenya only on paper. Border smugglers also seem to always be one step ahead of the government. Kenya should revise this proposal and try to come to terms with the problem in the country. Listing the species in CITES alone is no solution and only serves to shift problems.

Proposal 13.31 from Kenya

Bitis worthingtoni

Kenya Horned Viper

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Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a]

DCSP view: support

The Kenya horned viper is found only in Kenya. It only inhabits grassland in regions above 1500m. However, these regions are used for grazing, i.e. it does not inhabit any of the national protected areas. The extremely horny tips on the nose make these animals attractive terrarium animals. The species is kept in many zoos and also by private individuals, but there are no reliable data regarding captive breeding. It is therefore seriously threatened by plundering of wild populations. Although the Kenya horned viper is protected by national legislation, this species is often smuggled. Therefore, the Kenyan government wants to achieve international monitoring by listing the species in Appendix II.

ELASMOBRANCHII

LAMINIFORMES

Lamnidae

Proposal 13.32 from Australia and Madagascar

Carcharodon carcharias

White Shark

< **CLICK FOR PICTURE** >

Inclusion in Appendix II with a zero annual export quota.

DCSP view: support

At the species protection conference in Gigiri in Kenya (CoP11) there was a proposal to list the white shark in Appendix I. There were very emotional discussions and the proposal was amended to only list the species in Appendix II. 51 countries were in favour, 47 opposed, so the proposal failed to achieve the necessary 2/3 majority. The consequence is a further dramatic decrease in the overall population in the years since CoP11. This important predator has been hunted around the world as a diabolical beast ever since the lurid cinema film. Every high-sea "sports" angler is hunting it. Its terrible teeth are misused to decorate living-rooms as proof of the catcher's "manliness". It is this "macho craze" that has brought about this drop in the population. Only Australia has listed this species in Appendix III, nowhere else is the species subject to international protection. In some seas off the coast of Australia the population has decreased by 95%; in many places it is only 20 - 40% of the original population density. If exploitation of this species continues without CITES control, we can expect the species to be endangered to the point of extinction. This is the last chance to save the species from extinction, even if a zero quota is approved.

ACTINOPTERYGII

PERCIFORMES

Labridae

Proposal 13.33 from Fiji Islands, Ireland **(on behalf of the Member States of the European Community)** and the USA

Cheilinus undulatus

Napoleon fish

< **CLICK FOR PICTURE** >

Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraph B.]

DCSP view: support

The Napoleon fish is found practically throughout the Indo-Pacific region. Hence, 48 countries as regarded as range states, including the proponents. The animals live in depths of 1-60m in small groups of 2 to 7 animals that display territorial behaviour. They are very dependent on an intact coral reef. A threat to coral reefs therefore always implies a loss of habitat for the Napoleon fish. It is always difficult to give exact figures on the population status of aquatic animals, but in view of the declining number of sightings by divers and increasingly complex catching methods, we can conclude that the species has diminished. The species is often served above all in top Asian restaurants. A kilo of Napoleon fish costs between US$ 90 and 175. 32,000 tons of reef fish were imported in Hong Kong alone in 1997, which represents a value of US$ 500 million. Malaysia, the Philippines and Indonesia export living fish of 10-40cm to feed them up to eating size at the final customer. By listing the species under CITES, the range states want to control legal trade, as many states already have certain restrictions or even bans on trade.

ARTHROPODA

INSECTA

LEPIDOPTERA

Papilionidae

Proposal 13.34 from Swizerland

Ornithoptera spp., Trogonoptera spp. and Troides spp.

in Appendix II

Birdwing Butterflies

< **CLICK FOR PICTURE** >

Deletion of the annotation "sensu D'Abrera".

DCSP view: support

This proposal should be supported as there is a formal error involved. This addition was introduced before there was a Nomenclature Committee and before standard references were agreed at the suggestion of this committee. The formal error must now be changed by a new proposal and the new standard reference must be specified by resolution.

MOLLUSCA

BIVALVIA

MYTILOIDA

Mytilidae

Proposal 13.35 from Italia and Slovenia

Lithophaga lithophaga

Date shell

< **CLICK FOR PICTURE** >

Inclusion in Appendix II.

[in accordance with Article II, paragraph 2 (a)]

DCSP view: support

The date shell lives in self-made cavity systems on the coast of the Mediterranean and adjacent areas of the Atlantic, integrated in a long-standing biological succession of various creatures. Harvesting from the wild always involves habitat destruction (blasting or shattering of rock). Since several range states protected the species in the 80s and 90s (Italy, Slovenia, Croatia, Greece), illegal trade began in earnest, and is very hard to control. In some states, the date shell is already in danger of extinction. The date shell has long since been listed on Appendix II of the Bern Convention. As sustainable wild harvesting is totally impossible, the date shell really should be listed in Appendix I.

PHYLUM CNIDARIA

ANTHOZOA und HYDROZOA

HELIOPORACEA, STOLONIFERA, SCLERACTINIA, MILLEPORINA, STYLASTERINA.

Heliporidae, Tubiporidae, Scleractinia, Milleporidae, Stylasteridae

Proposal 13.36 from Swizerland, **(on behalf of the Animals Committee)**

Heliporidae spp., Tubiporidae spp., Scleractinia spp., Milleporidae spp., Stylasteridae spp.

Coral Rocks

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Amendment of the annotation to these taxa to read:

Fossils, namely all categories of coral rock, except live rock (meaning pieces of coral rock to which are attached live specimens of invertebrate species and coralline algae not included in the Appendices and which are transported moist, but not in water, in crates) are not subject to the provisions of the Convention.

DCSP view: support

This proposal is the result of work done by the Animals Committee of CITES. If dead corals are taken as a basis to settle other animals or plants on them that are not listed by CITES, and then trade them, this is not a matter for CITES. Strictly speaking, if it were, a cement block - which includes calcium from fossil aquatic animals - would also be a matter for CITES. In order to be able to distinguish fossil from non-fossil corals in international trade, the Animals Committee has published a working paper that is to be approved as an annotation to the Appendices at CoP13.

FLORA

ASCLEPIADACEAE

Proposal 13.37 from Botswana, Namibia and South Africa

Hoodia spp.

Hoodia-Species

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Inclusion in Appendix II, with an annotation to read as follows:

Designates all parts and derivatives except those bearing the label "Produced from Hoodia spp. material obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of Botswana/Namibia/South Africa under agreement no. BW/NA/ZA xxxxxx)".

DCSP view: support

These plants were used as an aphrodisiac in local popular medicine. The pharmaceuticals industry is extremely covetous of this genus as the medical uses are many. The plant is used as an appetite suppressant, as an aphrodisiac, to fight tuberculosis, haemorrhoids, diabetes, and other illnesses. Trade for succulent-lovers is negligible. The genus is reproduced on a large scale in Chile, but the demand is so great that the natural populations are constantly declining. The status of four species is already vulnerable. The natural population of Hoodia pillansii consists of just 250 specimens. However, it will still be up to the proponent states themselves to come to terms with unchecked exploitation of these plants, as almost all exports come from these three countries. The three states have local protection measures, but it seems that collection permits are still issued very generously. CITES is not a counterbalance for poorly enforced protective measures. The purpose of CITES is above all to help protect species and preserve them from extinction. It will also be down to the local CITES authorities of the three proponent states if CITES is to take action regarding this genus.

EUPHORBIACEAE

Proposal 13.38 from Thailand

To annotate Euphorbiaceae in Appendix II to excluded the artificially propagated color mutants of Euphorbia lactea; are not subject to the provisions of the Convention.

Euphorbiaceae (sukkulent species only) excluded colour mutants, which traded as "Candelabra caktus, False cactus and Dragon bone tree".

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Annotation to read as follows:

Artificially propagated specimens of Euphorbia lactea are excluded from the provisions of the Convention when they are:

a) grafted on rootstocks of Euphorbia neriifolia L.;

b) colour mutants; or

c) crested-branch forming or fan-shaped.

DCSP view: support

These are exclusively artificially reproduced hybrids of Euphorbia lactea. As a matter of principle, DCSP believes that artificially reproduced hybrids cannot be the object of CITES. Hence, it has only to

be reviewed whether there is a lookalike problem with similar species occurring in the wild. These colour mutations and form mutations are unmistakable and are mass-produced. These plants are on sale for home cultivation at all flower markets. Many of these mutants have no chlorophyll and can only survive if grafted onto other, equally artificially reproduced, bases. The same should also apply to Euphorbia trigona. Rejecting this proposal would only increase the lack of understanding for CITES that already exists in the population.

Proposal 13.39 from Thailand

To annotate Euphorbiaceae in Appendix II to exclude artificially propagated specimens of cultivars of Euphorbia millii are not subject to the provisions of the Convention.

Euphorbiaceae (sukkulent species only) excluded cultivars from "Christ plants"

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Annotation to read as follows:

Artificially propagated specimens of Euphorbia milii are not subject to the provisions of the Convention when they are:

a) traded in shipments of 100 or more plants;

b) readily recognizable as artificially propagated specimens.

DCSP view: support

The situation is very similar to proposal 13.38. The "Christ plant" is probably one of the most frequently cultivated succulent plants for home cultivation. Countless gardening stores around the world reproduce all forms, hybrids and mutants of this genus. The plant is also hemerophilous in many tropical countries and grows wild or is planted as a natural fence. The species also serves as a grafting base for many other species. There is no wild harvesting of this plant in Madagascar, the original home of the plant. What is more, the species is one of the few endemic species in Madagascar that is by no means endangered. Also, cultivars are easily distinguished from wild-harvested specimens. It is also practically impossible to mistake them for other Euphorbiaceae.

ORCHIDACEAE

Proposal 13.40 from Thailand

Orchidaceae in Appendix II

Orchids in Appendix II

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Annotation to read as follows:

Artificially propagated specimens of Orchidaceae hybrids are not subject to the provisions of the Convention when:

a) they are readily recognizable as artificially propagated specimens;

b) they do not exhibit characteristics of wild-collected specimens;

c) shipments are accompanied by documentation such as an invoice that indicates clearly the vernacular name of the orchid hybrids and is signed by the shipper.

Specimens that do not clearly meet the criteria for the exemption must be accompanied by appropriate CITES documents.

DCSP view: support

As a matter of principle, DCSP believes that hybrids and artificially reproduced cultivars cannot be the object of CITES. With regard to the plant, the key aspect is whether there are criteria that allow unambiguous distinction from natural plants and whether a lookalike problem can be ruled out. This is adequately and soundly described in this proposal with regard to orchids in Appendix II. What is more, this proposal covers all orchid hybrids. There are currently approx. 110,000, with 3000 new ones every year. It does not matter whether a tourist buys a hybrid and then takes it across a border from one country to another or whether a dealer transports 100 or more of the same hybrid. This is a matter for the phytosanitary services and not for CITES. This proposal should take priority over proposal 13.41.

Proposal 13.41 from Swizerland

Orchidaceae in Appendix II

Orchids in Appendix II

< **CLICK FOR PICTURE** >

Annotation to exclude artificially propagated hybrids of the following taxa, exclusively under the condition that specimens are flowering, potted and labelled, professionally processed for commercial retail sale and that they allow easy identification:

Cymbidium

Interspecific hybrids within the genus and intergeneric hybrids

Dendrobium

Interspecific hybrids within the genus known in horticulture as "nobile-types" and "phalaenopsis-types", both of which are clearly recognizable by commercial growers and hobbyists

Miltonia

Interspecific hybrids within the genus and intergeneric hybrids

Odontoglossum

Interspecific hybrids within the genus and intergeneric hybrids

Oncidium

Interspecific hybrids within the genus and intergeneric hybrids

Phalaenopsis

Interspecific hybrids within the genus and intergeneric hybrids

Vanda

Interspecific hybrids within the genus and intergeneric hybrids

The annotation to specifically read as follows:

Artificially propagated specimens of hybrids are not subject to the provisions of the Convention when:

a) they are traded in flowering state, i.e. with at least one open flower per specimen, with reflexed petals;

b) they are professionally processed for commercial retail sale, e.g. labelled with printed labels and packaged with printed packages;

c) they can be readily recognized as artificially propagated specimens by exhibiting a high degree of cleanliness, undamaged inflorescences, 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 inflorescences, roots, leaves or other parts resulting from collection; and

e) labels or packages indicate the trade name of the specimen, the country of artificial propagation or, in case of international trade during the production process, the country where the specimen was labelled and packaged; and labels or packages show a photograph of the flower, or demonstrate by other means the appropriate use of labels and packages in an easily verifiable way.

Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents.

DCSP view: support

If proposal 13.40 is not approved, then this proposal should at least be supported. It covers at least approx. 50% of all hybrids, at least those most frequently traded. Unfortunately, this proposal only favours wholesalers, tourists come away empty handed. Nevertheless, the proposal should be supported if needed. Otherwise, please refer to the comments on proposal 13.40.

Proposal 13.42 from Swizerland

(as Depositary Government, at the request of the Plants Committee)

Orchidaceae in Appendix II

Orchids in Appendix II

< **CLICK FOR PICTURE** >

Amendment of the annotation regarding Phalaenopsis hybrids to read:

Artificially propagated specimens of hybrids within the genus Phalaenopsis 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 20 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 is signed by the shipper.

Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents.

DCSP view: support

If proposals 13.40 and 13.41 are not approved, this proposal should be supported as a minimal version. It only covers the hybrids of the genus Phalaenopsis, the most commonly traded hybrid orchid. There are currently approx. 22,500 different hybrids of Phalaenopsis. Unfortunately, only wholesalers are treated preferentially in this case, but not an individual wishing to purchase such a hybrid CITES-free. Otherwise, please refer to the comments on proposal 13.40.

Proposal 13.43 from Columbia

Cattleya trianaei

Christmas orchid

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Transfer from Appendix I to Appendix II.

DCSP view: support

Because, according to the information given, the populations have recovered in the wild (although only studies of three sub-populations are available) and artificial reproduction is also successful, this proposal should in principle be supported. In order to make a decision, it would be helpful to have statistics in in-vitro artificial reproduction programmes so as to be able to tell whether the existing

demand for this beautifully blooming Cattleya can indeed be supplied on the basis of these cultures, without, once again, using natural populations.

Proposal 13.44 from Thailand

Vanda coerulea

Blue Vanda

< **CLICK FOR PICTURE** >

Transfer from Appendix I to Appendix II.

DCSP view: support

This magnificent orchid is artificially reproduced in many countries, particularly vegetatively. Almost no plants are wild harvested for international trade in this species. The main reason for this is that cultivars and hybrids of this species are even more beautiful than the natural form. It is also good to hear that natural populations have recovered well, not least presumably thanks to the Appendix I listing by CITES, and that the criteria for Appendix I listing no longer exist. Only in Myanmar is the plant still wild harvested, but only for local use. However, this proposal must also be seen in context with proposal 13.40 and 13.41, otherwise hybrids of this species cannot be freely traded.

OROBANCHACEAE

Proposal 13.45 from China

Cistanche deserticola

Desert living Cistanche

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Addition of annotation #1, i.e.:

Designates all parts and derivatives, except:

a) seeds, spores and pollen (including pollinia);

b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers; and

c) cut flowers of artificially propagated plants.

DCSP view: support

In order to optimise protection of this little parasitic plant that only occurs in China, and above all in order to promote cultivation, this proposal should be supported, as it must be assumed that the previous annotations were formal errors and not the intention of the proponent. The present proposal also includes all parts and derivates (except for seeds, etc.) of the plant.

PALMAE

Proposal 13.46 from Madagascar

Chrysalidocarpus decipiens

Madagascar kingpalm

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Transfer from Appendix II to Appendix I.

DCSP view: support

This palm is a plant endemic to Madagascar. It has a very restricted range, preferring stony soil and stream-side areas in the few forest reserves of Madagascar that are still intact. In addition to the threat by annual bush fires, trade in palm hearts as a delicacy is also threatening the survival of the species. Only 200 specimens were counted in 1995. The IUCN also classifies this palm species as endangered. Trade is in seeds and young plants - which is legal with an Appendix II listing. As a result, the population cannot regenerate itself. The proponent and only range state, Madagascar, aims to achieve better controls to stop the plundering of this species.

TAXACEAE

Proposal 13.47 from China and the USA

Taxus wallichiana

Himalayan yew

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Amendment of the annotation (currently annotation #2), to read:

Designates all parts and derivatives, except:

a) seeds and pollen; and

b) finished pharmaceutical products.

DCSP view: support

This proposal should be approved for reasons of definition as it would enable more effective control of international trade (the majority of trade in these species concerns semi-finished derivates and products and not the plant itself). Also, the proposal lists synonyms of T. wallichiana that have so far not been included.

Proposal 13.48 from China and the USA

Taxus chinensis, Taxus cuspidata, Taxus fuana, Taxus sumatrana and all intraspecific taxa of these species.

Chinese yew, Japanese yew, Fuana yew, Sumatra yew

< **CLICK FOR PICTURE** >

Inclusion in Appendix II with the following annotation:

Designates all parts and derivatives, except:

a) seeds and pollen; and

b) finished pharmaceutical products.

[in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraph B. i)]

DCSP view: support

All species listed have declining populations and the great demand of the pharmaceuticals industry for products of this kind will entail further decimation. In addition, these species are so-called "alternative" species for *T. wallichiana* (cf. that proposal). Another grave fact is that some countries (e.g. Japan, Indonesia, Philippines) do not have any figures concerning illegal trade (which, it must be feared, exists on a large scale).

THYMELAEACEAE

Proposal 13.49 from Indonesia

Aquilaria spp. and Gyrinops spp.

Agar-wood and Eagle-wood

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Inclusion in Appendix II.

[in accordance with Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraphs A. and B. i), and Annex 2 b]

(NB: Aquilaria malaccensis is already included in Appendix II)

DCSP view: support

The resinous heartwood of these two tree genera is used above all in the Islamic, Buddhist and Japanese cultures for incense, massage oil, perfumes, cosmetics and medicines. These tree species that grow in the rainforests of south-east Asia are extremely overexploited. The trade only requires older trees as resin production of the heartwood is only triggered as a defence mechanism by fungal infestation or mechanical damage. This is the case with only a small amount of the trees felled. Since the listing of one species, Aquilaria malaccensis, in Appendix II, the overexploitation has shifted to a wide variety of these Thymelaeaceae. The wild populations of Aquilaria beccariana, A. microcarpa and A. hirta have already been severely decimated. A massive harvesting boom has already begun with Gyrinops ledermannii eaglewood, that was discovered only recently in Papua New Guinea. This overexploitation is, however, totally unnecessary as some of the species at least are easy to cultivate and the resin can be "harvested" - similar to the rubber tree - as of the 4th or 5th year, as is already being done in Vietnam. The retail price for the raw product increased in recent years and is now in excess of € 1000 / kg. Indonesia exported 150 - 300 t per year in recent years. It is difficult even for experts to distinguish commercial products by species. For this reason, "split listing" the genus would appear problematical. Although Indonesia's proposal is extremely inadequate, the proposal should nevertheless definitely be supported in the spirit of prevention.

Proposal 13.50 from Indonesia

Gonystylus spp.

Ramin

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Inclusion in Appendix II.

[in accordance with Resolution Conf. 9.24 (Rev. CoP12), Annex 2 a, paragraphs A and B i), and Annex 2b, paragraph B] with annotation #1, i.e.:

Designates all parts and derivatives, except:

a) seeds, spores and pollen (including pollinia);

b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers; and

c) cut flowers of artificially propagated plants.

DCSP view: support

Denmark already made the proposal to list Gynostylus bancanus in Appendix II at CoP8 in Kyoto. Unfortunately, the proposal was not accepted, which is why one of the most important range states is now proposing to list the entire genus in Appendix II.

This swamp tree with geniculate roots grows in the Indo-Malaysian region; the wood is mainly used for solid timber and is very hard. The trade name is ramin, probably the most frequently used tropical timber in Central Europe; it ranks among the top tropical timber qualities and is used for tongue and groove boards, mouldings, edgings, etc. Every DIY store, every wood dealer stocks it. Populations have declined dramatically, there is no afforestation. The IUCN classifies the genus as vulnerable. Wild harvesting is proceeding unchecked. Large volumes are being harvested illegally. Since 2001, ramin has been listed in Appendix III of CITES Indonesia. However, protection is by no means adequate, particularly as Malaysia has entered an objection. It is high time to protect the entire species under CITES. This should have been done in 1992.

DCSP WISHES ALL PARTICIPANTS IN THE CONFERENCE THE BEST OF SUCCESS!