



IWMC
World Conservation Trust

Towards CoP16 of CITES

(Bangkok, Thailand 3 – 15 March 2013)

**IWMC Recommendations
on Proposals for Amendment
of Appendices I and II**

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Bangkok, Thailand 3 – 15 March 2013

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Proposal	CoP16 Prop. 1
Subject	Transfer from Appendix I to Appendix II of <i>Rupicapra pyrenaica ornata</i>
Proponent	Denmark on behalf of the European Union Member States

RECOMMENDATION – ADOPTION

BACKGROUND

- The subspecies in question was included in CITES Appendix I in 1973 in Washington, D.C. because, at that time, it was considered as critically endangered and without considering its trade status.
- In 2011, the Animals Committee decided that the subspecies should be subject to a review under the Periodical Review of the Appendices process. The European Union agreed to do the work, which was actually conducted by Italy, the subspecies being endemic to the central Apennines in Italy. The European Union, and then the Animals Committee, by mail after its meeting in 2012, endorsed the proposal.
- The total Abruzzo chamois population currently numbers around 1,500 individuals divided into three distinct populations distributed in the three national parks of Abruzzo, while at the time of the inclusion in the Appendices, the population was of about 250-300 individuals found only in one national park from where, in the 1990's, animals were captured for a successful reintroduction programme in other areas. It is interesting to note that one of the reintroduced populations (Majella National Park) is now more numerous than the founder one.
- Although the subspecies, having a small population and a restricted range, still meet the biological criteria for inclusion in Appendix I, international trade is non-existent and the imports reported by some States may be due to erroneous identifications, as Italy forbids the hunting of this subspecies since the beginning of the 20th century, and has never allowed commercial exports. Therefore and while the main threats are the almost total lack of genetic variability, probably due to the prolonged bottleneck at the time of the two world wars, and trophic competition with domestic livestock, particularly sheep and goats, international trade is not at all a threat to this subspecies. This fully justifies its transfer to Appendix II proposed by the authors of the review, possibly before a complete deletion from the Appendices.
- For the above-mentioned reasons, IWMC recommends to the Parties to adopt the proposal.

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Proposal	CoP16 Prop. 2
Subject	Transfer from Appendix I to Appendix II of the populations of Ecuador of <i>Vicugna vicugna</i>
Proponent	Ecuador

RECOMMENDATION – ADOPTION, with an annotation

BACKGROUND

- This proposal derives from the guidelines of the Vicuña Convention (Lima, 1979), established by the range States, for the management and conservation of the species.
- The main aim of Ecuador in becoming a member of the Vicuña Convention was the reintroduction of the species in its territory, to restore its former population and, once it would be adapted and showing a population increase, to start its management and utilization for the benefit of local people, which is the goal of the said Convention. The interest of Ecuador for this issue is embodied in Act I of the Regular Meeting of the Vicuña Convention held in Lima, Peru, in May 1980.
- The analysis of the proposal shows that the current vicuña population of Ecuador meets all biological and technical requirements for the species to be used in a sustainable manner.
- The Government of Ecuador, at the date of the XXIXth Meeting of the Vicuña Convention (2012), had met the requirements of Resolution 170/96, allowing it to request a transfer of its vicuña population from Appendix I to Appendix II. Standing out, among others, the successful population growth during the last three years and the absence of poaching. In addition, Ecuador has the relevant and necessary regulatory and administrative framework, and has organized, trained and prepared to assume their participatory role in the management and utilization of the species the local populations who will be receiving the usufruct of the vicuña as future beneficiaries.
- It is worth noting too that, in the past, several populations of vicuña's range States transferred to Appendix II were much smaller than the populations of Ecuador occurring currently in the Chimborazo Production Reserve, as well as in the Tipin Community.
- In addition, Ecuador, for its entry into the phase of development of the use of its vicuña populations, has and still is benefitting of the help of the other signatory members of the Convention regarding technical assistance and training the proper management of the species.
- In conclusion, IWMC strongly recommends the adoption of this proposal, as this was already agreed by the Vicuña Convention, through its Resolution 341/2012 adopted at the XXIXth Regular Meeting of the Technical & Administrator Committee of the Vicuña Convention, held in the Province of Jujuy, Argentina, in August 2012. However, the listing in Appendix II of the population of vicuñas of Ecuador should be accompanied with an annotation similar to annotations 1, 2, 3 or 4 linked to the listing of populations of each of the other range States. Ecuador, therefore, should amend its proposal accordingly, as it is allowed to do, since the annotation would reduce the scope of the proposal.

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Proposal CoP16 Prop. 3
Subject Transfer from Appendix II to Appendix I of *Ursus maritimus*
Proponent United States of America

RECOMMENDATION – REJECTION

BACKGROUND

- Since climate change issues are taking more and more significance and offering a good field for media and fundraising activities by many NGOs, the polar bear is a new flag species to be emotionally used to support such activities. We may say therefore that the US proposal appears to be based more on emotion than science, in speculating on a rather long term evolution of the species habitat, without taking into account the species adaptive capacity. The proposal is forecasting the disappearance of some polar bears populations because of climate changes but do not demonstrate that these bears could be saved by a listing on Appendix I. Thus, the proposal appears premature and useless, to say the least.
- The species is covered by the 1973 Agreement on the Conservation of Polar Bears between the five range States, the views of which are not provided in the supporting statement. If the polar bear is actually considered as a marine species, the Agreement authorities should have been consulted by the proponent and shall be consulted by the CITES Secretariat. Concerning consultations, it appears that none of the other range States support the proposal and Canada, the main exporting country, expressed its opposition, stating that “an outright ban on trade will have no impact on quotas [i.e. national management quotas], but might have a negative impact on conservation”.
- Canada is a country with a well controlled trade in polar bear and it has improved an already very effective management programme. Each area with polar bear is now represented by a team ensuring close cooperation between scientists, provincial/territorial authorities, communities and hunting representatives. The analysis of trade shows clearly the appropriateness of the management process. A listing on Appendix I will have a significant impact on the livelihood of many small communities without changing the impact of climate changes on the bear population.
- As indicated in the supporting statement, hunting of the species is prohibited in the Russian Federation but an agreement between that country and the proponent country will allow local hunting. This seems to be in full contradiction with the spirit of the proposal.
- The listing in Appendix II does not impose to Parties to trade in the species in question. It allows range States to adapt their species management to the circumstances, including climatic events, without imposing measures that would be difficult if not impossible to change, such as a transfer to Appendix I while the species in question, such as the polar bear, is not endangered at all.
- In conclusion, IWMC recommends to the Parties to reject the proposal as excessive and any future similar proposals for as long as they are not submitted at the request of the Agreement on the Conservation of Polar Bears and the range States.

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Proposal CoP16 Prop. 4
Subject Deletion from Appendix II of *Pteropus brunneus*
Proponent Australia

RECOMMENDATION – ADOPTION

BACKGROUND

- Australia has submitted this proposal at the request of the Animals Committee and following the review Australia has conducted. This species is not considered any longer as a valid species and in addition it is now extinct. Therefore it may not meet the listing criteria, including the precautionary measure that provides for a transfer to Appendix II prior to a deletion from the Appendices, as clearly indicated in the supporting statement.
- In these circumstances, IWMC recommends to the Parties to adopt the proposal.

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Proposals	CoP16 Prop. 5 to 9
Subject	Deletion from Appendix I of <i>Thylacinus cynocephalus</i> , <i>Onychogalea lunata</i> , <i>Caloprymnus campestris</i> , <i>Chaeropus ecaudatus</i> and <i>Macrotis leucura</i>
Proponent	Australia

RECOMMENDATION – ADOPTION

BACKGROUND

- Australia has submitted these five proposals at the request of the Animals Committee and following reviews conducted by Australia. These species are all extinct now. Therefore they may not meet the listing criteria, including the precautionary measure that provides for a transfer to Appendix II prior to a deletion from the Appendices, as clearly indicated in the supporting statements.
- In these circumstances, IWMC recommends to the Parties to adopt the five proposals.

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Proposal CoP16 Prop. 10

Subject Amendment of the annotation for *Ceratotherium simum simum* as follows:
(added text underlined): “(Only the populations of South Africa and Swaziland; all other populations are included in Appendix I. For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies. Hunting trophies from South Africa and Swaziland shall be subject to a zero export quota until at least CoP18. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.)”

Proponent Kenya

RECOMMENDATION – REJECTION

BACKGROUND

- The South African population of White Rhino was transferred to Appendix II at CoP9 in 1994 and that of Swaziland at CoP13 in 2004, both with the annotation that the proponent wishes to change with the introduction of a zero quota on hunting trophies, i.e. in proposing a simplistic solution to a complex issue.
- Sport hunting of white rhinos in South Africa resumed in 1968 when only 1800 animals were present in the country. Now the population is of nearly 19,000, an increase that trophy hunting has contributed to. The selective hunting has served to stimulate breeding performance and the population growth rate has remained high. Moreover rhino sport hunting has produced incentives for important areas to be maintained or created for wildlife management. More than 20 million hectares of land have been made available for wildlife in South Africa, a great contribution to the conservation of biodiversity. Also, trophy hunting has generated important economic incentives to maintain vast areas of wilderness in competition with agriculture or livestock farming.
- "*Clearly Kenya's intention in proposing a zero quota on rhino trophy hunting is to focus all efforts on driving down poaching, which is having a negative impact on rhino in other range States such as Kenya*" is stated in the proposal. This is in full contradiction with what happened in South Africa and is misleading. Trophy hunting and poaching are two completely separates things, and trophy hunting is not the problem but has been and continues to be the solution for rhinos in South Africa and Swaziland. Would Kenya and other range States had adopted the South African policy many years ago the rhinos would not be in the crisis situation they are facing now.
- The South African Government has to be commended for the incredible efforts it is dedicating to rhino conservation in the current poaching crisis and need the support of the whole international community and not of proposals that can seriously undermine its work and also that of Swaziland to combat poaching and illegal trade.
- These efforts includes but are not limited to amending the Norms and standards for the marking of rhinos and horns, strengthening hunting requirements, appointing a Rhino Issue Manager to coordinate stakeholders' inputs and holding discussions with consumer countries such as China and Viet Nam. South Africa is also holding discussions with Mozambique and has made a pledge to tighten its security and elevate some offences to receive more severe penalties.
- As rhino horn grows back if cut, a system to supply horns to the market could be devised, as it has been done with the shearing of vicuña wool. IWMC is calling the Parties to think outside the box for rhino conservation in devising a system with strong incentives for the local communities for "shearing" live rhinos.

- In conclusion, IWMC recommends to the Conference of the Parties to reject the proposal, but urges also all Parties directly concerned, Mozambique in particular, to act in support of the efforts of South Africa and Swaziland.

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Proposal CoP16 Prop. 11

Subject Transfer the population of the African elephant, *Loxodonta africana* of the United Republic of Tanzania (URT) from Appendix I to Appendix II with an annotation to read:

For the exclusive purpose of the following: a) trade in hunting trophies for non-commercial purposes; b) trade in registered raw ivory (whole tusks and pieces) subject to the following: i) a one-off sale of 101,005.25 kg from registered government-owned stocks, originating in Tanzania (excluding seized ivory and ivory of unknown origin); ii) only to trading partners that have been already designated by the Standing Committee, as having sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP14) concerning domestic manufacturing and trade. These are Japan designated as a trading partner at the 54th meeting (Geneva, October 2006) and China designated as a trading partner at the 57th meeting (SC57, Geneva, July 2008); iii) not before the Secretariat has verified the registered government-owned stocks; iv) the proceeds of the trade are used exclusively for elephant conservation, community conservation and development programmes within or adjacent to the elephant range in Tanzania; v) Tanzania will not present further proposals to allow trade in elephant ivory from its population in Appendix II to the Conference of the Parties for the period from CoP15 and ending six years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs b) i), b) ii), b) iii), b) iv). In addition such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78; c) trade in raw hides; d) trade in live animals to appropriate and acceptable destinations, as defined in Resolution Conf. 11.20. The Standing Committee can decide to cause the trade in a), b), c) and d) above to cease partially or completely in the event of non-compliance by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations as may be proposed by the CITES Secretariat. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated.

Proponent United Republic of Tanzania

RECOMMENDATION – ADOPTION

BACKGROUND

- The Tanzanian population of African elephants does not satisfy any of the biological criteria for Appendix I set in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15) and is an Appendix-II population meeting criterion A of Annex 2b. In addition, the proposed annotation clearly meets more than one of the precautionary measures of Annex 4, particularly subparagraphs A. 2. (b) i) and ii) and (c). Therefore, the transfer to Appendix II of the Tanzanian population would be in full compliance with the criteria established by the Conference of the Parties and this should be a crucial factor in guiding it in its deliberations.
- The great efforts made since CoP15 by the U.R. of Tanzania in tackling the issues related to the conservation of its elephant population must be congratulated. By now, that population is the largest in the African continent together with that of Botswana. It is neither small and nor fragmented or declining. It has recovered to a level already much higher than that provided as an objective in the national elephant management plan.

- The management policies adopted by the U.R. of Tanzania have led to a steady increase of its elephant population since 1989. Although some subpopulations are now declining, the majority of the subpopulations have healthy demographic structures. This fact alone is a guarantee of the willingness and commitment of the country to continue to properly manage its elephant population. In these circumstances, the role of CITES should be to assist this country in its efforts, by allowing trade in the specimens specified in the annotation, in order to increase the necessary economic resources.
- The ivory stock of the U. R. of Tanzania is probably the largest in Africa. Managed according to the requirements of CITES, the maintenance of this stock has increased costs for the relevant authorities, costs that are subtracted from more useful conservation activities. The sale of this stock would have therefore a double effect, that of reducing the maintenance costs and generating important economic resources for the benefit of the elephant conservation and, importantly as well, to the benefit of local communities sharing the same range. Such economic incentives are an absolute necessity to temper the results of the continuous conflict with wildlife and elephants in particular.
- Nevertheless, recognizing the seriousness of poaching in many countries, IWMC believes that the Parties should start looking to the causes, not only to the effects on the elephant status. Ivory demand is a matter of fact and the lack of legally acquired ivory is benefitting only to traffickers who take advantage of the poor conditions of the local communities and the lack of powerful and co-ordinated community conservation programmes to incite individuals to go poaching. Empowering the communities in management of wildlife resources and economic development could reduce poverty and such poaching incentives.
- IWMC is calling on initiatives like the African Union NEPAD (*New Partnership for Africa's Development*) to embrace community-based wildlife management in its programme. The solutions shall come from within Africa and not be imposed on Africa as it has been for a long time. CITES will be more effective than now in achieving its conservation objectives when it supports strong national and local conservation programmes.
- In 2010 IWMC wrote "*Maintaining the Tanzanian elephant population in Appendix I and thus prevent the country to accrue its resources from a properly regulated and controlled trade would have disastrous effects on elephants and the local communities livelihood improvement. The lack of revenues may exacerbate illegal activities, which may be counteracted only by stimulating the improvement of social and economic conditions, and resolution of conflicts. In other words, to reject the proposal would be fully counter-productive and deny also the CITES fundamental principles, as well as those of the CBD.*" IWMC stands on this recommendation to the Parties.
- In conclusion, IWMC wants to congratulate again the U. R. of Tanzania, and express the hope that other range States, the populations of which are still in Appendix-I, would follow this example of sound implementation of the CITES principles. IWMC therefore recommends to the Conference to acknowledge this in adopting the Tanzanian proposal.

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Proposal CoP16 Prop. 12

Subject Amendment to the annotation for *Loxodonta africana* as follows (additional text underlined, deleted text struckthrough):

h) no further proposals to allow trade in elephant ivory from any populations ~~already~~ in Appendix II shall be submitted to the Conference of the Parties for the period from CoP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g) i), g) ii), g) iii), g) vi) and g) vii). In addition, such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78 (Rev. CoP15).

Proponents Burkina Faso and Kenya

RECOMMENDATION – REJECTION

BACKGROUND

- In support of their proposal, the proponents are using incorrect factual assumptions, in particular the following:

- a) The following is stated in the supporting statement: "*The agreement reached at the 14th meeting of the Conference of the Parties to CITES (The Hague 2007), that there should be no further elephant proposals to allow trade in ivory submitted for the consideration of CITES Parties for a period of at least nine years, was meant to make a vital contribution to this effort to protect elephants. Regretfully, the wording of the annotation inadequately reflects what had been agreed. As it stands, the annotation only applies to those Parties with African elephants already on Appendix II (i.e. Zimbabwe, South Africa, Botswana and Namibia).*

*This Proposal, which amends the wording of the annotation to ensure that no proposals to allow trade in elephant ivory can be submitted during the agreed nine-year period from **any** population on Appendix II, is intended to reflect the intention of the 2007 agreement of the elephant range States, and to ensure that African elephants are not put under any further threat from legalised ivory sales."*

It is incorrect to state that, because the proponents at CoP14 submitted proposal Prop. 6, amended through document CoP14 Inf. 51, both referring exclusively to the populations already in Appendix II. No other populations were referred to in any of the proposals at CoP14. At that meeting, a series of amendments were tabled for the three proposals on the African elephant and a compromise was reached on the basis of document CoP14 Inf. 61 submitted by Chad and Zambia, on behalf of Africa, which clearly stated that the populations in question were those already in Appendix II.

- b) It is important to note that the proponents want to amend also Decision 14.77 on the conditions for the compromise agreed at CoP14. Actually, as it appears from document CoP16 Doc. 37, the proponents want to change seriously the intent of the compromise. The decision making mechanism for trade in ivory to be decided at CoP16, at the latest, was the basis of the nine years moratorium provided in the current annotation. If this basis would be changed, as proposed, the current annotation would not make any more sense, not only for the Southern African Parties but also legally speaking.
 - c) Finally it is stated that: "*There is no adequate, robust, scientific and peer-reviewed evidence that clearly shows that legal ivory sales have not been detrimental to the survival of the species. The Proponents believe the opposite to be the case.*" The belief of the proponents, however, is not substantiated by any of the findings of the Standing Committee or the Secretariat and it can be said that **there is no adequate, robust, scientific and peer-reviewed evidence that clearly shows that legal ivory sales have been detrimental to the survival of the species.**
- In conclusion, IWMC recommends to the Conference of the Parties to reject the proposal.

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Proposal	CoP16 Prop. 13
Subject	Transfer from Appendix II to Appendix I of <i>Trichechus senegalensis</i>
Proponents	Benin, Gabon, Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone

RECOMMENDATION – ADOPTION

BACKGROUND

- The Animals Committee, at its last meeting in 2012, considered a draft proposal but concluded that the information available was not sufficient to meet the criteria for an Appendix-I listing. In addition, the information provided about international trade was extremely limited. The Committee therefore did not support the proposal.
- The revised version under consideration provides more information but that about international trade is essentially anecdotic and refers to trade within the region, which is not subject to any granting of CITES documents, controls and reporting. We may doubt therefore that a listing to Appendix I would lead to any changes in the practice.
- Nevertheless, there is little doubt that the species is threatened within most of its range, in particular due to poaching and an increased impact from the growing local populations, the species being used locally and regionally mainly as bushmeat, which constitute a vast and serious problem in west and central Africa.
- The species is said to be fully protected since the colonial time and, in 1986, it appears that Switzerland suggested already its listing in Appendix I, as are all the other sirenian species. The lack of information made that the proposal was not considered. We may not be certain that a listing in Appendix I would contribute to improve the implementation and enforcement of the national legislations and of CITES but we may hope.
- IWMC therefore recommends to the Conference to adopt the proposal and so to list all species of the genus *Trichechus* in the same Appendix.

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Proposal CoP16 Prop. 14
Subject Deletion from Appendix II of *Caracara lutosa*
Proponent Mexico

RECOMMENDATION – ADOPTION

BACKGROUND

- *Caracara lutosa* was an endemic species of the Island of Guadalupe in Mexico. It is considered as extinct as it was not seen for more than 100 years. To keep it as ‘possibly extinct’ in the CITES Appendices, especially in Appendix II, appears fully useless.
- A draft proposal from Mexico was considered by the Animals Committee at its last meeting in 2012. The Committee endorsed the recommendations from Mexico and therefore supported the deletion of the species from Appendix II.
- In these circumstances, IWMC strongly recommends to the Parties to adopt the Mexican proposal.

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Proposals	CoP16 Prop. 15 to 20
Subjects	Deletion from Appendix II of <i>Gallus sonneratii</i> and <i>Ithaginis cruentus</i> , deletion from Appendix I of <i>Lophura imperialis</i> and transfer from Appendix I to Appendix II of <i>Tetraogallus caspius</i> , <i>Tetraogallus tibetanus</i> and <i>Tympanuchus cupido attwateri</i>
Proponent	Switzerland on behalf of the Animals Committee

RECOMMENDATION – ADOPTION

BACKGROUND

- All these species of Phasianidae were listed in the CITES Appendices in Washington, D.C., when the Convention was adopted, and at a time where no listing criteria were existing. They have therefore logically been subject to review by the Animals Committee.
- The actions enumerated above have all been approved by the Animals Committee for various reasons, as properly explained in the amendment proposals submitted by Switzerland but prepared by France, New Zealand or the United States of America.
- It must be noted that if the direct deletion from Appendix I of *Lophura imperialis* is proposed, in spite of one of the precautionary measures mentioned in Resolution Conf. 9.24 (Rev. CoP15), it is because the species is not recognized anymore as a valid species but as a natural hybrid of two species, one of which is listed in Appendix I.
- Considering the excellent work conducted by the Animals Committee and those who have drafted the proposals, IWMC is strongly recommending to the Parties to adopt these six proposals and so to demonstrate the usefulness of the periodical review of the Appendices.

IWMC World Conservation Trust

Proposal CoP16 Prop. 21
Subject Deletion from Appendix I of *Campephilus imperialis*
Proponent Mexico

RECOMMENDATION – ADOPTION

BACKGROUND

- As the species *Caracara lutosa* (see IWMC recommendation on proposal Prop. 14) this species was endemic to Mexico but is now considered as extinct. It was subject to an extensive review by that country.
- A draft proposal from Mexico was considered by the Animals Committee at its last meeting in 2012. The Committee endorsed the recommendations from Mexico and agreed that a prior transfer of the species to Appendix II was useless. Therefore the Committee supported the deletion of the species from Appendix I.
- In these circumstances, IWMC recommends to the Parties to adopt the Mexican proposal.

IWMC World Conservation Trust

Proposal CoP16 Prop. 22
Subject Deletion from Appendix II of *Scelogiaux albifacies*
Proponent New Zealand

RECOMMENDATION – ADOPTION

BACKGROUND

- This species of Strigidae is considered as extinct, having not been seen for almost 100 years in spite of extensive searches.
- The deletion of that species is consistent with the precautionary measures included in Annex 4 to Resolution Conf. 9.24 (Rev. CoP15) and has been supported by the Animals Committee at its last meeting in 2012.
- Consequently, IWMC recommends to the Parties to adopt the proposal from New Zealand.

IWMC World Conservation Trust

Proposal	CoP16 Prop. 23
Subject	Transfer from Appendix I to Appendix II of the population of the Bay of Cispatá of <i>Crocodylus acutus</i>
Proponent	Colombia

RECOMMENDATION – REJECTION

BACKGROUND

- This proposal appears as neither appropriate nor convincing and as being premature. The inclusion of one population of Colombia only could open the door to an illegal laundering of skins extremely difficult to control as much at the national than at the international levels.
- In addition, if the population of a specified region is transferred to Appendix II when the others remain in Appendix I, a captive-breeding operation declared as having been established from specimens originating from that population would not have to be registered with the CITES Secretariat as many other operations of Colombia are and would continue to be.
- The proposal does not clearly explain the reasons behind the request of a transfer to Appendix II, except to state that this is of significance for the local communities. It appears that the only benefit that is looked after from such a transfer would be to facilitate the international trade.
- Consequently, IWMC recommends to the Parties to reject the proposal and to Colombia to consider the submission of a new proposal for CoP17 aiming to the transfer of the whole population of Colombia of *C. acutus* to Appendix II, not only of the population of the Bay of Cispatá.

IWMC World Conservation Trust

Proposals	CoP16 Prop. 24 and 25
Subject	Transfer from Appendix I to Appendix II of the populations of Thailand of <i>Crocodylus porosus</i> and <i>Crocodylus siamensis</i> with zero quotas for wild specimens
Proponent	Thailand

RECOMMENDATION – REJECTION

BACKGROUND

- Both proposals from Thailand are very similar when not identical. As the purpose of the requests of transfer to Appendix II is not to allow any international trade in wild specimens or to establish a programme of ranching for these species, it appears difficult to determine its actual purpose. The supporting statements do not provide the answer to this question.
- We may assume however that the main (hidden?) purpose of the transfer is to simplify the procedures for the trade in captive-bred specimens with other countries, because some of them do not allow imports of captive-bred specimens of Appendix-I species. The purpose might also be to eliminate the need of registration of commercial operations with the CITES Secretariat, as, in accordance with Resolution Conf. 12.10 (Rev. CoP15), only those breeding in captivity specimens of Appendix-I species should be so registered. It appears difficult to support a transfer to Appendix II for such purposes.
- Although Thailand is making efforts to conserve its wild populations of these species, their biological status justify their maintenance in Appendix I, even if the population of each species is more than the 200 individuals provided in the supporting statements.
- In such circumstances, and unless the IUCN/SSC Crocodile Specialist Group would have a different opinion, IWMC may only recommend to the Parties to reject the proposals from Thailand.

IWMC World Conservation Trust

Proposal CoP16 Prop. 26
Subject Inclusion in Appendix II of *Nautinus* spp.
Proponent New Zealand

RECOMMENDATION – ADOPTION

BACKGROUND

- The proposal and its supporting statement have been well prepared and the latter provides the information required under Resolution Conf. 9.24 (Rev. CoP15) to justify a listing in Appendix II.
- As indicated, the species in question were listed in Appendix III, in 2003, at the request of New Zealand, upon a recommendation made by the Conference of the Parties after it had rejected a former proposal to list them in Appendix II at CoP12 in 2002, the species being endemic to that country.
- New Zealand is now considering that the listing in Appendix III is not efficient to prevent the illegal trade in these species, because a number of Parties are not implementing properly the provisions of CITES with respect to Appendix-III species. Although this is unfortunate and possibly due, at least in part, to the misuse of that Appendix by certain Parties, it must be recognized that this lack of efficiency is true under certain circumstances.
- Recognizing that such circumstances exist for the species in question, IWMC recommends to the Parties to adopt the proposal of New Zealand.

IWMC World Conservation Trust

Proposal CoP16 Prop. 27

Subject Inclusion of *Protobothrops (Trimeresurus) mangshanensis* in Appendix II

Proponent China

RECOMMENDATION – REJECTION but inclusion in Appendix III

BACKGROUND

- The snake species proposed for listing in Appendix II is considered as endangered by the proponent and its population is very small and situated in a small area in China. It appears therefore to meet at least one criterion for listing in Appendix I. Nevertheless it is not fully protected and poaching is the main threat affecting it.
- In addition, while the species is recorded in various institutions in the world no legal trade has been authorized.
- In such circumstances, IWMC recommends to the Parties to reject the proposal and to China to immediately request the listing of the species in Appendix III and to enact as quickly as possible the necessary legislation to protect the species as appropriate.

IWMC World Conservation Trust

Proposals CoP16 Prop. 28 to 38

Subjects Transfer from Appendix II to Appendix I or inclusion in Appendix II of, or inclusion of zero export quotas for commercial purposes for the following species of *Chelodina mccordi*, *Clemmys guttata*, *Emydoidea blandingii*, *Malaclemys terrapin*, *Geoemydidae* sp., *Cuora galbifrons*, *Geoemyda japonica*, *Mauremys annamensis*, *Platysternidae* spp., *Geochelone platynota* and *Trionychidae* sp.

Proponents China, Japan, United States of America and/or Viet Nam

RECOMMENDATION – ADOPTION

BACKGROUND

- All these proposals concerning tortoises and freshwater turtles were well prepared and provide the information requested under Resolution Conf. 9.24 (Rev. CoP15) to justify their purposes. They may be considered as a continuation of listings made at CoP13 and the result of the work accomplished under various projects or programmes since a number of years.
- All these proposals refer to one or more international meetings held during the last three years that devoted all or part of their time to such species, i.e. the meeting on *Conservation and Trade Management of Freshwater and Terrestrial Turtles in the United States* (2010), the workshop on *Conservation of Asian Tortoises and Freshwater Turtles* (2011) and the *IUCN 5th World Conservation Congress* (2012). Each of these meetings supported several of the proposed amendments to the CITES Appendices.
- The Animals Committee did not make recommendations about these specific proposals but recognized the work accomplished during the first two above-mentioned meetings held before the last Committee meeting. At the latter, the Committee recommended however to Parties to consider the reports of these meetings and to prepare amendment proposals when they considered this appropriate.
- Consequently, IWMC recommends to the Parties to adopt the proposed amendments.

IWMC World Conservation Trust

Proposal CoP16 Prop. 39
Subject Inclusion in Appendix II of *Epipedobates machalilla*
Proponent Ecuador

RECOMMENDATION – ADOPTION

BACKGROUND

- The family Dendrobatidae was included in Appendix II in 1987. At that time, the genus *Colostethus* was excluded from the list of covered species. When the species under consideration was described in 1995, it was classified in the genus *Colostethus* and, therefore, was not listed in the CITES Appendices. In 2006 the species was reclassified as part of the genus *Epipedobates* and of the family Dendrobatidae, under the name *Epipedobates machalilla*.
- Nevertheless, it could not be considered as covered by the Convention, as confirmed by the Nomenclature Working Group of the Animals Committee and the Committee itself at its 25th meeting. As the species was meeting the criteria for listing in Appendix II, the preparation and submission of an amendment proposal for listing of *E. machalilla* in that Appendix at CoP16 was recommended by the Committee (see document AC25 Doc. WG8 1). The Animals Committee agreed that to do so the representative of Central and South America and the Caribbean contact Ecuador, the only country where apparently the species occurs.
- It should be taken into account that if the proposal is not accepted, it would be necessary to indicate in the Appendices and the Checklist of CITES Species that *E. machalilla* would be excluded from the listing of Dendrobatidae spp.
- Consequently, IWMC recommend to the Parties to adopt the proposal of Ecuador.

IWMC World Conservation Trust

Proposals CoP16 Prop. 40 and 41

Subject Deletion from Appendix II of *Rheobatrachus silus* and *Rheobatrachus vitellinus*

Proponent Australia

RECOMMENDATION – ADOPTION

BACKGROUND

- Australia has submitted these two proposals at the request of the Animals Committee and following reviews conducted by Australia. Both species are extinct now. Therefore they may not meet the criteria for listing in Appendix II, as clearly indicated in the supporting statements.
- In these circumstances, IWMC recommends to the Parties to adopt both proposals.

IWMC World Conservation Trust

Proposals	CoP16 Prop. 42, 43 and 44
Subject	Inclusion in Appendix II of <i>Carcharhinus longimanus</i> , <i>Sphyrna lewini</i> , <i>Sphyrna mokkaran</i> , <i>Sphyrna zygaena</i> and <i>Lamna nasus</i> , with an annotation to delay the entry into effect of the inclusion by 18 months to enable Parties to resolve related technical and administrative issues
Proponents	Brazil, Colombia, Comoros, Costa Rica, Croatia, Denmark on behalf of the European Union Member States, Ecuador, Egypt, Honduras, Mexico and/or United States of America

RECOMMENDATION – REJECTION

BACKGROUND

- The comments made by IWMC for CoP15 regarding commercially-exploited marine species apply also to the proposals submitted this time on the same and some other species of sharks. This in particular true with respect to the lack of competence, capacity and resources of the Secretariat and many Parties and to the complexity of implementation and enforcement of CITES provisions to such marine species. This would be even worse for sharks that are taken as bycatch. The fact that most, if not all, States members of FAO and other organizations with functions in relation to marine species are also Parties to CITES should also be kept in mind, in particular at a time where reference to the term ‘synergy’ is constantly made about international treaties and while it should also apply at the national level.
- Considerable discussions about sharks have already taken place within CITES, especially at meetings of the Animals Committee, although most of these species are not listed in CITES Appendices. At its 22nd meeting, the Animals Committee concluded already that improved management rather than listing on CITES was the obvious priority. It did not change this conclusion at its following meetings.
- The proponents recognize that there are serious issues to consider and have therefore associated their proposals with annotations to delay the entry into force for 18 months to resolve technical and administrative issues. It is of concern to see more and more proposals associated with similar delays, which are accepted by the Conference although they may be considered as in contravention with the text of the Convention. Whether such delays would facilitate the implementation and enforcement of CITES is questionable but they clearly demonstrate that CITES was not prepared to deal with the species under consideration.
- Last but not least, it is obvious that CITES has already serious difficulties to ensure a proper implementation for the numerous species listed in its appendices, including the humphead wrasse *Cheilinus undulatus* although the trade in it should be much easier to regulate than that of sharks. To continue to expend these listings, especially to cover commercially-exploited marine resources without having the necessary means is nonsense and may be considered as provocative. This might lead CITES to its explosion or implosion and most likely to its loss of credibility. In addition, it is likely that a number of Parties will enter reservations.
- In conclusion, IWMC recommends to the Conference of the Parties to reject all proposals concerning sharks. This does not mean that nothing should be done to conserve marine species at reasonable levels. On the contrary but this should be done first by those directly concerned, and these proposals should serve as an incentive to convince them that greater efforts are strongly needed.

IWMC World Conservation Trust

Proposal CoP16 Prop. 45
Subject Transfer from Appendix II to Appendix I of *Pristis microdon*
Proponent Australia

RECOMMENDATION – ADOPTION

BACKGROUND

- Although IWMC recommended to the Parties, at CoP10 and CoP14, that the listing in CITES Appendix I of *Pristidae* spp. be rejected, it also recommended, at CoP14, the rejection of the request from Australia to grant to *Pristis microdon* a different status in listing it in Appendix II. The Parties decided otherwise.
- Now Australia has changed its position, considering and showing in its supportive statement that the biological status of its endemic species is justifying a listing in Appendix I.
- It is worth noting that this degradation has occurred in spite of the listing of the species in a CITES Appendix. This is demonstrating once again that such a listing should not be considered, as by certain groups, as an objective but as the signal of a serious problem that should be dealt with.
- In such circumstances, IWMC recommends to the Parties to adopt the Australian proposal in order that all *Pristidae* species be listed in the same Appendix and with the hope, in spite of its doubt, that such listing would have better effects on the conservation of these species than the current one.

IWMC World Conservation Trust

Proposal CoP16 Prop. 46

Subject Inclusion in Appendix II of *Manta* spp.

Proponents Brazil, Colombia and Ecuador

RECOMMENDATION – REJECTION

BACKGROUND

- The general comments made by IWMC about the proposals for the listing of shark species apply also to the proposal to include *Manta* spp. in Appendix II. It may be added that, considering that the trade in the humphead wrasse *Cheilinus undulatus* should have been rather easy to regulate, IWMC recommended its listing in Appendix II. Yet, it appeared afterwards that numerous problems were faced to implement and enforce that listing, making it ineffective. Therefore, we must express serious doubt now that a listing in Appendix II of *Manta* spp. would benefit to the conservation of these species.
- In addition, the supporting statement provided is not convincing at all, although this does not mean that conservation and management measures should not be taken by the range States. Such measures would certainly be much more efficient than any CITES listing.
- It is worth noting also that the proponents do not ask for a postponement of the entry into force of the proposal, if adopted. Should we understand that, for these species, no technical and administrative issues exist or have to be solved? We might have doubts also about that.
- Therefore, IWMC recommends to the Parties to reject the proposal on which few range States have provided their views.

IWMC World Conservation Trust

Proposals CoP16 Prop. 47 and 48

Subject Inclusion Appendix II of *Paratrygon aiereba*, *Potamotrygon motoro* and *Potamotrygon schroederi*, with an annotation to delay the entry into effect of the inclusion by 18 months to enable Parties to resolve related technical and administrative issues

Proponents Colombia and Ecuador

RECOMMENDATION – REJECTION but inclusion in Appendix III

BACKGROUND

- These proposals are submitted in accordance with Article II, paragraph 2 a), of the Convention for the first two and with Article II, paragraphs 2 a) and b) for the third one, and with Resolution Conf. 9.24 (Rev. CoP15).
- At CoP15, the Conference of the Parties adopted Decision 15.85, directed to the range States of the species of the family Potamotrygonidae (South American freshwater stingrays), which, among other things, encouraged range States to consider including the endemic and threatened species in Appendix III needing the cooperation of other Parties in the control of trade (paragraph c).
- Nevertheless, both proposals are requesting the inclusion of these three species in Appendix II, and with an annotation to postpone the entry into force by 18 months, i.e. half way to CoP17.
- One may wonder why the range States should not use that time to resolve technical and administrative issues on a regional basis and prior to the possible submission of a proposal for inclusion in Appendix II for CdP17. This would also provide an opportunity to consider the inclusion of similar species of at least *Potamotrygon motoro* and *P. schroederi* for look-alike reasons.
- Meanwhile, these species, as recommended by the Animals Committee and in the Decision of CoP15, could be included in Appendix III when the cooperation of the States of import is considered as necessary to control the international trade.
- Regarding *Paratrygon aerieba*, the proposal does not provide sufficient data on the status of its populations and it appears that the main threats facing the species are habitat destruction for various reasons, e.g. in tourist areas, and incidental catches when trawls are used in several rivers where this species occurs. According to the supporting statement, Brazil has banned the export of this species but the situation with respect to international trade in some of the other range countries is not entirely clear.
- In conclusion, IWMC recommends to the Parties to reject these proposals and to range States to include these species in Appendix III when this is felt necessary and to reevaluate the issue on a regional basis.

IWMC World Conservation Trust

Proposal CoP16 Prop. 49

Subject Transfer from Appendix I to Appendix II of *Papilio hospiton*

Proponent Denmark on behalf of the European Union Member States

RECOMMENDATION – ADOPTION

BACKGROUND

- The species in question was included in CITES Appendix I in 1987 because, as that time, it was considered as critically endangered and subject to collection for international trade.
- In 2011, the Animals Committee decided that the species should be subject to a review under the Periodical Review of the Appendices process. The European Union agreed to do the work, which was actually conducted by France and Italy, the species being endemic to the islands of Corsica (France) and Sardinia (Italy).
- As a result of the review and clearly explained in the supporting statement, the species has to be considered now as of least concern and not subject or potentially subject to significant trade, although illegal collection may still be a possible threat. The species is rather abundant and largely distributed and does not meet the criteria for listing in Appendix I. Its transfer to Appendix II, possibly before a complete deletion from the Appendices, is recommended by the authors of the review.
- The European Union, and then Animals Committee by mail after its meeting in 2012, endorsed the proposal.
- For the above-mentioned reasons, IWMC strongly recommends to the Parties to adopt the proposal.

IWMC World Conservation Trust

Proposal CoP16 Prop. 50

Subject Inclusion in Appendix II of *Yucca queretaroensis*

Proponent Mexico

RECOMMENDATION – ADOPTION

BACKGROUND

- *Yucca queretaroensis* is an endemic plant of central Mexico. Its wild populations are small (approximately 60,300 individuals) and occur in a fragmented habitat (607.64 km²). In addition, the species has a high specificity of habitat. It is so considered as biologically rare.
- The wild populations have a high vulnerability: low growth rate, extended generation time, specialized habitat and an unknown specialized pollination. In addition, many specimens removed for the international trade are mature plants. This is reducing the sexual recruitment of wild populations.
- At the 18th meeting of the Plants Committee (Buenos Aires, 2009), the Management Authority of Switzerland introduced document PC18 Doc. 21.1 on Agavaceae Trade, calling attention to the growing and possibly unsustainable international trade demand (mainly from Europe), since 2006, of xerophytic flora of North America, including wild specimens *Yucca queretaroensis*.
- The main threats to the species are illegal harvesting of wild specimens and habitat loss due to erosion and grazing. The main specimens in trade are: seeds, medium-sized (up to 70 cm high, with stem) and large plants (more than 70 cm high, with stem). Internationally traded specimens are principally of wild origin.
- In these circumstances, IWMC recommends to the Parties to adopt the Mexican proposal.

IWMC World Conservation Trust

Proposals	CoP16 Prop. 51, 64, 65, 66, 67, 68 and 71
Subject	Inclusion of <i>Opercularia decaryi</i>, <i>Senna meridionalis</i>, <i>Adenia firingalavensis</i>, <i>Adenia subsessifolia</i>, <i>Uncarina grandidieri</i>, <i>Uncarina stellulifera</i> and <i>Cyphostemma laza</i> in Appendix II
Proponent	Madagascar

RECOMMENDATION – REJECTION, Appendix III?

BACKGROUND

- Five of the seven above-mentioned proposals were already submitted for consideration at CoP15, together with other proposals. While some proposals were adopted the five resubmitted were rejected.
- As at CoP15, the supporting statements for all these proposals are very similar but rather poor, in particular regarding their commercial status. The trade data are minimal and rather old. All trade transactions are declared as legal and no illegal trade is reported. If this is actually the case, the problem could be solved in reducing the legal trade.
- None of these proposals provides for annotations to limit the controls to the specimens mainly in trade. This means, as agreed by the Conference of the Parties, that all parts and derivatives would be included. If, as indicated, the main specimens in trade are small plants, an annotation appears to be a necessity, even if the species listed at CoP15 are not annotated.
- Artificial propagation of all these species appears to be possible and some exist. Since CoP15, no effort seems to have been made to develop such activity. It is not known, in addition, whether the specimens in trade were wild or artificially propagated.
- As the species are all endemic to Madagascar and if the international trade really needs to be controlled through a listing under CITES, a listing in Appendix III would be preferable, with annotations to indicate those parts and derivatives, if any, that should be covered by the listing in addition to entire plants.
- In conclusion, IWMC recommends to the Conference of the Parties, as it already did at CoP15, the rejection of these proposals from Madagascar and to that country to consider requesting the listing of the plants in question in Appendix III, with the proper annotations.

IWMC World Conservation Trust

Proposal CoP16 Prop. 52

Subject Amendment to the annotation #9 related to *Hoodia* spp. to read as follows:

All parts and derivatives except those bearing a label: Produced from *Hoodia* spp. material obtained through controlled harvesting and production in terms of an agreement with the relevant CITES Management Authority of [Botswana under agreement n° BWxxxxxx] [Namibia under agreement n° NAxxxxxx] [South Africa under agreement n° ZAxxxxxx]

Proponent s Botswana, Namibia and South Africa

RECOMMENDATION – ADOPTION

BACKGROUND

- As explained in the supporting statement, the annotation to *Hoodia* spp. included in Appendix II has created confusion and difficulties for importing countries.
- This was discussed in several occasions within the Plants Committee and the range States agreed to consider the issues and to propose a revised annotation.
- The proposed revised annotation is submitted for clarification only and appears to achieve its goal. It does not change the scope of the listing.
- Therefore, IWMC recommends to the Parties to adopt the proposal.

IWMC World Conservation Trust

- Proposal** CoP16 Prop. 53
- Subject** Amendment to the annotation #3, related to *Panax ginseng* and *Panax quinquefolius*,
with the underlined text:
- Designates whole and sliced roots and parts of roots, excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionary**
- Proponent** United States of America

RECOMMENDATION – ADOPTION although ...

BACKGROUND

- As described in the supporting statement, the successive annotations to these two species of *Ginseng* included in Appendix II, although the original intent was never changed and appeared as accepted by all Parties, have created confusion, which was not eliminated with the last adopted change. The proposal is actually asking for a return to the text adopted at CoP11 but changed at CoP13 because it was considered inappropriate to have an excluding section in such an annotation. The proposal should therefore be considered also as an ultimate effort of clarification.
- One may agree that introducing excluding sections in annotations that are excluding parts and derivatives from controls may be considered as confusing and should be avoided. Nevertheless this may be sometimes useful.
- To avoid such an excluding section in annotation #3, it could be suggested that the word only or exclusively be inserted in the current text after the word “Designates”.
- IWMC recommends to the Parties to adopt the proposal or the amendment proposed in the preceding paragraph.

IWMC World Conservation Trust

Proposals	CoP16 Prop. 54, 55 and 56
Subject	Deletion from Appendix II of <i>Tillandsia kautskyi</i> , <i>Tillandsia sprengeliana</i> and <i>Tillandsia suerei</i>
Proponent	Brazil

RECOMMENDATION – ADOPTION

BACKGROUND

- These proposals have been prepared by Brazil following the work it conducted in accordance with the *Periodic Review of the Appendices* process and the decision of the Plants Committee, at its 20st meeting in 2012, to support the proposed deletion from Appendix II of these three species of *Tillandsia*, which do not meet the provisions of paragraph 2. b) of Article II and criterion A in Annex 2b of Resolution Conf. 9.24 (Rev. CoP15). In addition, no international trade in wild specimens of these species has been reported since 1990.
- Because these three species are endemic from Brazil, this Party was requested by the Plants Committee to take into account what appears to be trade in artificially propagated specimens and that specimens are held by private collectors outside that country.
- Taking this into account, Brazil has submitted these proposals where it is clearly stated that no international trade exist in these endemic species, which may be found also in protected areas. This is compensating the recognized fact that habitat destruction is a problem that is not relevant to CITES.
- In conclusion, IWMC recommends also to the Parties to adopt these three proposals.

IWMC World Conservation Trust

Proposal CoP16 Prop. 57
Subject Deletion from Appendix II of *Dudleya stolonifera* and *Dudleya traskiae*
Proponent United States of America

RECOMMENDATION – ADOPTION

BACKGROUND

- As described in details in the supporting statement, these species were listed in CITES Appendix I in 1983 and transferred to Appendix II in 2000 and 2002 respectively after having gone through the Periodic Review of the Appendices process. More than ten years later, no international trade has been recorded and illegal trade does not appear to be a threat for these endemic US species. In accordance with the CITES criteria, the deletion of these species from the CITES Appendices is now proposed by the range State.
- Under such circumstances, IWMC strongly recommend to the Parties to adopt the proposal, the CITES provisions being of no significance for the conservation of these species.

IWMC World Conservation Trust

Proposal: CoP16 Prop. 58

Subject: Inclusion in Appendix II of *Diospyros* spp. (populations of Madagascar), with an annotation to limit the listing to logs, sawn wood and veneer sheets

Proponent: Madagascar

RECOMMENDATION – ADOPTION

BACKGROUND

- More than 100 species of the genus *Diospyros*, almost fully endemic to Madagascar, are currently listed in Appendix III, at the request of Madagascar, with the same annotation as that proposed for a listing in Appendix II.
- This proposal is submitted by Madagascar following the work accomplished as provided in Decision 15.97 directed to the Plants Committee and in accordance with the recommendations of that decision, which deals also with species of the genus *Dalbergia* (see recommendation regarding proposal Prop. 63).
- Since a number of years, Madagascar is subject to a special treatment under CITES, and as accomplish significant progress. The cooperation with ITTO is also of significance. The proposal is supported by the Plants Committee.
- The proposal does not indicate why a listing in Appendix II would be preferable to the current listings in Appendix III. Nevertheless, considering how the provisions of CITES applicable to Appendix-III species are implemented by a number of Parties, the inclusion in Appendix II appears as justified and would simplify the Appendices presentation.
- Therefore, IWMC recommends to the Parties to adopt the proposal.

IWMC World Conservation Trust

Proposal CoP16 Prop. 59

Subject Amendment to the annotation #12 related to *Aniba rosaedora* in Appendix II to:
#12 Designates logs, sawn wood, veneer sheets, plywood and extracts

Proponent Brazil

RECOMMENDATION – ADOPTION

BACKGROUND

- The species under consideration was listed in Appendix II at CoP15 with an annotation including ‘essential oils’. At the same time a proposal to include in the same Appendix *Bulnesia sarmientoi* was also adopted with a similar annotation #11 but including ‘extracts’.
- These annotations were considered by the Plants Committee, as well as by the Working Group on Annotations of the Standing Committee. As indicated in the supporting statement, Brazil, which proposed the listing of the species at CoP15, agreed to replace ‘essential oils’ by ‘extracts’, the latter term, as defined by the Plants Committee, covering the former one.
- Brazil is also proposing to delete from the annotation #12 its excluding section for finished products, an understandable suggestion although in contradiction with the views of the SC Working Group on Annotations (see document CoP16. Doc. 75, paragraph 11) and to some extent with the proposal from the United States of America about *Panax* species (see recommendation on proposal Prop. 53).
- With these amendments, annotation #12 is becoming almost identical to annotation #11, although the latter still include ‘powders’.
- Although it believes that the issue will have to be considered again by the SC Working Group on Annotations, IWMC recommends to the Parties the adoption of the Brazilian proposal as a step forward in the right direction.

IWMC World Conservation Trust

Proposal: CoP16 Prop. 60

Subject: Inclusion in Appendix II of *Dalbergia cochinchinensis* in Appendix II, with the following annotation: #5 Logs, sawn wood and veneer sheets

Proponents: Thailand and Viet Nam

RECOMMENDATION – ADOPTION

BACKGROUND

- *Dalbergia cochinchinensis* is a tree species found in Cambodia, the Lao Peoples Republic, Thailand and Viet Nam. It is subject to illegal logging in some parts of these countries.
- The species is also suffering from over-exploitation of the wild population and became rare in most of its natural habitat. The proposal states that few efforts have been made to establish commercial plantations. Therefore all trade in timber originates from illegal logging of wild specimens.
- Little information is available on the population size of *D. cochinchinensis*. However, the wild population is likely to be severely diminished as a result of heavy illegal logging to meet a recent high demand of wood on Asian markets. In Thailand, it was estimated that the country had 300,000 natural stands in 2005, a number reduced to 80,000-100,000 in 2011. In Viet Nam, the species has been exposed to high rates of exploitation too.
- ITTO, with which CITES has establish a good cooperation, expressed its support to this proposal.
- In conclusion, IWMC recommends to the Parties to adopt the proposal.

IWMC World Conservation Trust

Proposals: CoP16 Prop. 61 and 62

Subject: Inclusion in Appendix II of *Dalbergia granadillo*, *Dalbergia retusa* and *Dalbergia stevensonii*

Proponent: Belize

RECOMMENDATION – ADOPTION with an annotation

BACKGROUND

- The inclusion in Appendix II of *Dalbergia retusa* and of *D. stevensonii* is proposed in accordance with Article II, paragraph 2(a), of the Convention and Resolution Conf. 9.24 (Rev. CoP15), Annex 2a, paragraph A, while that of *Dalbergia granadillo* is proposed for look-alike reasons.
- The populations of Guatemala and Panama of the first two species are currently listed in Appendix III, at the request of the same countries. They are accompanied with annotation #2 or #5 to limit the control of trade to specified parts and derivatives.
- On the basis of the information provided in the Belize proposals and of discussions held in meetings of the Plants Committee IWMC believes that the above-mentioned criteria are met and that the listing would contribute to the implementation of the Plan of Action adopted in the region.
- Therefore, IWMC recommends that these proposals be adopted, however under the condition that the listing in Appendix II be assorted with the proper annotation. This is possible as the necessary amendment to the proposals would reduce their scope.

IWMC World Conservation Trust

Proposal	CoP16 Prop. 63
Subject	Inclusion in Appendix II of <i>Dalbergia</i> spp. (populations of Madagascar), with an annotation to limit the listing to logs, sawn wood and veneer sheets
Proponent	Madagascar

RECOMMENDATION – ADOPTION

BACKGROUND

- This proposal is submitted by Madagascar following the work accomplished as provided in Decision 15.97 and in accordance with the recommendations of that decision. As stated in the proposal, 48 species of *Dalbergia* are occurring in Madagascar, while 52 are listed in Annex 2 to the proposal.
- The main threats to the *Dalbergia* species in Madagascar are said to be the excessive and illegal use of the wood, resulting in a significant habitat destruction exacerbated by the forest clearing for the expansion of cultivated areas, through bushfires, and other additional causes.
- *Dalbergia* species have a relatively low rate of growth and regeneration. The absence of certain classes of trees with specific diameters (10-20cm, 20-30cm) disrupts further the latter. The selective cutting of exploitable trees is the main cause of that disruption. Exports may also generate a slower natural regeneration and lead to the decline of populations.
- The inclusion of these populations in Appendix II would ensure that exports be accompanied by CITES permits certifying that the specimens were collected in accordance with the laws and methods not detrimental to the survival species. Nevertheless, the implementation of such a listing would be rather difficult and a serious challenge for Madagascar.
- The Plants Committee, which is cooperating closely with Madagascar, as instructed by the Conference of the Parties, supported the submission of such a proposal at its last meeting in 2012, and ITTO is also favourable to it.
- In such circumstances, IWMC recommends to the Parties to adopt the proposal with the hope that this would favour an improvement of the status of the species concerned in Madagascar.

IWMC World Conservation Trust

Proposal CoP16 Prop. 69
Subject Inclusion in Appendix II of *Osyris lanceolata*
Proponent Kenya

RECOMMENDATION – ADOPTION if ...

BACKGROUND

- This proposal is submitted by Kenya only, although the United Republic of Tanzania was supposed to be also a proponent. The information provided refers essentially to Kenya with some from the U.R. of Tanzania. No data concerning the other range States are provided by the supporting statement. The criteria for listing of the Kenyan population appear to be met and a listing in Appendix III could be suggested.
- In view of the information provided, it appears surprising that the issue was not submitted for consideration by the Plants Committee. Its views and those of ITTO, also non-existent, at least in the supporting statement, would have been useful to make a proper decision.
- It has to be noted also that the true santal wood is not listed in the CITES Appendices.
- The proposal does not forecast an annotation to limit the trade controls to the main parts and derivatives in trade, and in particular to exclude finished products such as cosmetics.
- IWMC may recommend to the Parties the adoption of the Kenya proposal but only if it is supported by the other range States and relevant institutions, and subject to the adoption of a proper annotation, as suggested above. If this is not the case, the proposal should be rejected, Kenya keeping the possibility to request a listing in Appendix III with a proper annotation.

IWMC World Conservation Trust

Proposal CoP16 Prop. 70

Subject Replacement of the annotation #4 to *Aquilaria* spp. and *Gyrinops* spp. by the following annotation:

All parts and derivatives, except:

- a) seeds and pollen;
- b) seedlings and tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) fruits;
- d) leaves;
- e) mixed oil containing less than 15 % of agarwood oil, attached with labels of following words: Mixed oil containing XX % of agarwood obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of XX (name of the State); samples of the labels and list of relevant exporters should be communicated to the Secretariat by States and then all Parties through a Notification;
- f) exhausted agarwood powder, including compressed powder in all shapes;
- g) finished products packaged and ready for retail trade; this exemption does not apply to beads, prayer beads and carvings

Proponent s China, Indonesia and Kuwait

RECOMMENDATION – ADOPTION, although ...

BACKGROUND

- Annotations to plant species producing specimens such as agarwood have always caused some difficulties and generated extensive discussions within CITES, in meetings of the Plants Committee in particular.
- The proposal under consideration is the response to Decision 14.138 (Rev. CoP15) of the Conference of the Parties and the result of discussions between range and consumer States, in particular during meetings organized in response to other decisions of the Conference. Nevertheless, as stated in the supporting statement, all elements of the proposed annotation have not been approved by all Parties involved, and further discussions are expected at CoP16 to try to find a consensus.
- One part of the proposed annotation is similar to a part of that proposed for *Hoodia* spp. (see the recommendation on proposal Prop. 52). In addition, the proposed annotation includes in paragraph g) some excluding language to the exemption, a controversial issue considered also with proposals Prop. 53 and Prop. 59 (see the recommendations on them).
- In these circumstances, IWMC recommends to the Parties to allow further consultations between range and consumer States at CoP16 and to adopt the annotation that should be accepted by them, for as long as its content does not expand the scope of the proposal submitted by China, Indonesia and Kuwait, as this would be contrary to the Rules of Procedure of the meeting.