

A full-page photograph of a giraffe standing in a savanna landscape. The giraffe is the central focus, facing slightly to the left. Its long neck is extended upwards. The background is a clear blue sky with some light clouds. The foreground shows tall, dry grass. The overall tone is natural and serene.

**ifaw**

**CITES CoP18  
recommendations**

convention on international trade in  
endangered species of wild fauna and flora



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## **ifaw recommendations:**

# **18th meeting of the Conference of Parties (CoP18) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)**

This briefing outlines recommendations from the International Fund for Animal Welfare (IFAW) on selected proposals under consideration at CITES CoP18. The numbering corresponds to the relevant agenda item. Recommendations on proposals to amend the CITES Appendices are under item 105, after discussion of working documents. The name of the document proponent is given in parentheses.

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# working documents

## 12.

### **Securing better implementation of marine fish species (Antigua and Barbuda)**

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## **ifaw recommendation: oppose**

Doc. 12 urges Parties to refrain from proposing additional marine listings until a report on the efficiency of currently listed marine species is completed, and furthermore suggests that listing of marine species has boosted illegal activities.

The effective conservation of any species, whether marine or terrestrial, takes commitment. Doc. 12 furthers the double standards that have long been applied to marine species at CITES. There is no such thing as perfect implementation for any species listed on the CITES Appendices, and the effectiveness of CITES for marine species has clearly resulted in a mix of successes and challenges, just like the implementation of listings for terrestrial animals and plants.

While some listings are facing specific implementation issues, a blanket statement on the ability of Parties to implement marine species listings as a whole does a disservice to Parties' marine conservation efforts and grossly underestimates the abilities of CITES Parties' management and enforcement agencies, which have delivered incredible progress in implementing marine species listings in often difficult circumstances. Whether sea horses, sharks or queen conch, management of these species has improved by many Parties, largely as a result of the listings of these species on the CITES Appendices.

More than 100 CITES Parties have participated in trainings to ensure that the 30 species of sharks and rays listed in the CITES Appendices are effectively enforced and implemented. This has spurred the creation of fisheries management measures or protections, as well as the creation of non-detriment findings for continued sustainable trade. For many of these governments, this is the first domestic management for sharks and rays, a huge shift in conservation efforts globally that has come about in large part because of the listing of shark and ray species under CITES. A wide variety of tools is now available to Parties looking to implement these listings. This includes visual fin ID, genetic identification and non-detriment finding assistance.

Since 2013, the listing of new marine taxa, such as sharks, has brought an influx of positive attention and funding to the CITES community – a clear indication of the value many see in using this Convention for the management of shared marine resources.

Doc. 12 fails to acknowledge the positive impacts of marine species listings and applies blanket conclusions on their effectiveness based on some limited implementation challenges. Such concerns should not be presumed to occur for any future proposals of marine fish species. For these reasons, Parties should reject the proposals made in Doc. 12.



# 33.

**Combating wildlife cybercrime  
(Standing Committee/Secretariat)**

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**ifaw  
recommendation:  
support with minor  
amendments**

At CoP17, the Parties adopted a series of Decisions recognising the need for scaled-up action to combat illegal online wildlife trade. The Standing Committee (via an intersessional working group) has proposed amendments to Resolution Conf. 11.3 (Rev. CoP17) that represent a strong first step in tackling this important issue. The amendments call for CITES Parties to appoint national focal points to liaise as necessary with other Parties and intergovernmental organisations and importantly to establish national monitoring programmes. Parties are also asked to engage online platforms to increase awareness regarding policies related to wildlife. Additionally, the Parties are asked to renew Decisions calling for strategic engagement by the Secretariat and the sharing of information by Parties.



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**research continues to reveal a shocking array  
of thousands of live wild animals and wildlife  
products from protected species available for  
sale online**

The internet is the world's biggest marketplace; open all hours for buyers and sellers to exchange goods. Largely unregulated, anonymous and virtually unlimited in reach, it also offers endless opportunities for criminal activities, among them a flourishing illegal trade in protected wildlife.

IFAW has been investigating online wildlife trade in protected and endangered species in various countries since 2004. Our research continues to reveal a shocking array of thousands of live wild animals and wildlife products from protected species available for sale online.

Recognising the scale of the problem, IFAW has worked with online technology companies and NGO partners to create the Coalition to End Wildlife Trafficking Online and produce the Global Wildlife Cybercrime Action Plan, as well as deliver in conjunction with INTERPOL a Cyber-enabled Wildlife Crime Workshop.

Therefore, IFAW is strongly supportive of the proposed amendments to Resolution Conf. 11.3 (Rev. CoP17) and the adoption of the Decision texts recommended by Standing Committee, as amended by the Secretariat in Docs. 33.1 and 33.2.

In the suggested new paragraph (e) of Resolution Conf. 11.3 (Rev. CoP17), Parties are encouraged to develop national monitoring programmes and develop a list of Appendix II specimens most commonly found in illegal trade. IFAW supports the development of national monitoring programmes and understands that the specific reference to Appendix II species came about from the need for guidance on which species to prioritise from Appendix II.

However, the wording as it now stands could be misunderstood to imply that monitoring programmes should only focus on Appendix II species, which would be unnecessarily limiting. Deletion of "Appendix II" in paragraph (e), so that the language is inclusive of any CITES-listed species that might be subject to illegal online trade, would provide sufficient flexibility to Parties to prioritise monitoring and implementation to suit the circumstances of any particular country.

Since SC70, two new initiatives have been launched to tackle wildlife crime linked to the internet: the Coalition to End Wildlife Trafficking Online, launched by IFAW, WWF and TRAFFIC in partnership with more than 30 of the world's leading online technology companies; and the Global Wildlife Cybercrime Action Plan, a multi-sector initiative to tackle such crimes through joint efforts of governments, NGOs, the private sector and academia. IFAW recommends Parties make additional amendments to Resolution Conf. 11.3 and the draft Decisions proposed by the Secretariat to encourage engagement with such activities. This could be done through additions to para. 11 (h) of Resolution Conf. 11.3 (in underlined text below):

#### 11. RECOMMENDS that parties ...

h) raise awareness of illegal online trade in wildlife through public outreach and by engaging directly with online technology companies, and where relevant, initiatives that bring together multi-sector expertise; and...

And by additions to the draft Decisions as amended by the Secretariat in Doc.32, so that these would read (additions underlined below):

#### 18. CC parties should:

... (f) where relevant, engage with initiatives that bring together multi-sector expertise to disrupt wildlife crime linked to the internet, such as the Global Wildlife Cybercrime Action Plan and the Coalition to End Wildlife Trafficking Online.

#### 18. DD the secretariat shall:

a) continue the engagement with its partners in the International Consortium on Combating Wildlife Crime (ICWC), regarding best practices and model domestic measures for addressing wildlife crime linked to the Internet, and where relevant, multi-sector initiatives, such as the Global Wildlife Cybercrime Action Plan and the Coalition to End Wildlife Trafficking Online; and...

# 35.

## Disposal of confiscated specimens (Standing Committee)

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### ifaw recommendation: support with amendments

At CoP17, the Parties adopted a Decision calling for a working group to consider several aspects of Parties' obligations with respect to disposal of confiscated specimens. The working group considered a wide variety of topics including guidance, information exchange, and legal and policy provisions. Given the depth of discussion required for this important issue, and the variety of views expressed, the working group was not able to come to specific conclusions on a number of issues.

Doc. 35 summarises the discussions of the working group and proposes the adoption of two Decisions limited to recognition that information sharing is an important first-step in building Parties' capacity to fulfil obligations related to confiscation of specimens.

IFAW supports the Decisions to encourage information-sharing on best practices regarding confiscated live animals. However, given the scale of the challenges facing Parties to deal with confiscated live animals, and the duty of Parties to do so under the Convention, IFAW believes Parties can and should go further in supporting capacity building specific to disposal of confiscated live animals.

Therefore, in addition to the Decisions proposed by the Standing Committee, IFAW urges Parties to consider two additional Decisions to:

- 1.** call on donors and CITES stakeholders to fund confiscation and live animal handling trainings and to incorporate confiscation and live animal trainings, where possible, in ongoing capacity building projects relating to CITES and/or wildlife crime.

- 2.** Parties should specifically include as a topic in the National Legislation Project the review of legal authority to confiscate illegally traded specimens, and recommend that Parties include in domestic measures "legislative provision to require the importer or the carrier who violated the Convention, or both, to meet the costs of confiscation, custody, storage, destruction or other disposal, including returning specimens to the country of origin or re-export (as appropriate) where the Scientific Authority of the confiscating State deems it in the interest of the specimens to do so, and the country of origin or last re-export so wishes", as recommended in Resolution Conf. 17.8 paragraph 5(a).





# 43.

## **Specimens produced from synthetic or cultured DNA (Standing Committee)**

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### **ifaw recommendation: amend**

CoP17 directed the Secretariat to undertake a review of relevant CITES provisions, Resolutions and Decisions to examine how the definition of “readily recognizable parts and derivatives” might apply to trade in wildlife products produced from synthetic or cultured DNA “with a view to ensuring that such trade does not pose a threat to the survival of CITES-listed species”.

Due to delays in the consultant’s report, the Standing Committee working group was unable to engage in a full discussion regarding the scope of CITES coverage. As a result, the proposed Decisions mostly delay full consideration of the issue until after CoP18.

IFAW is concerned that products, such as rhino horn, produced through synthetic technologies are likely to be brought to the market prior to CoP19. Delaying full consideration of this subject until after CoP18 and eventual Decisions until CoP19 could have devastating consequences for some of the most vulnerable species, such as rhinos.

Discussions to date have become overly focused on the scientific methods that produce such specimens. While the science is interesting, CITES regulates products, not processes. The products of most concern are those that are virtually indistinguishable from the real wildlife product.

IFAW therefore recommends that Parties amend the Decisions to include a clear statement from CoP that says synthetic rhino horn, or any other potential products coming onto the market, are regulated by CITES because they are ‘readily recognizable’ as CITES specimens, regardless of their provenance. If these products are not regulated it opens up another enforcement loophole to launder illegal products. For this reason, IFAW urges the Parties to make the following additional Decision:

#### **Parties should:**

Until such time that the Conference of the Parties produces further recommendations, treat specimens produced through biotechnology that are “readily recognizable”, as defined by Resolution Conf. 9.6 (Rev. CoP) because they appear from a label or packaging or from any other circumstance to be a part or derivative of an animal or plant species included in the Appendices, as covered by the Convention.”

## 44.

**Definition of the term ‘appropriate and acceptable destinations’**

### 44.1

**Report of the Standing Committee  
(Standing Committee)**

### 44.2

**International trade in live African elephants: Proposed revision of Resolution Conf. 11.20 (Rev. CoP17) on Definition of the term ‘appropriate and acceptable destinations’ (Burkina Faso, Jordan, Lebanon, Liberia, the Niger, Nigeria, Sudan and Syrian Arab Republic)**




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## **ifaw recommendation: support both**

CoP17 adopted a comprehensive set of Decisions to consider implementation of criteria for the “appropriate and acceptable destination” requirement for live trade in elephant and rhino populations included in Appendix II.

Specifically, Decision 17.180 asks that the Standing Committee make recommendations and develop guidance regarding both “appropriate and acceptable destinations” and “suitably equipped to house and care for” a specimen, which is a requirement for trade in live Appendix I specimens.

Doc. 44.1 presents draft non-binding guidance for Parties to use to determine whether a recipient is “suitably equipped to house and care for” living specimens of Appendix I species endorsed by both Animals Committee and Standing Committee.

Additionally, a number of Decisions are proposed to further the work of the working group, including considering non-binding guidance for making the determination that trade in live African elephants and southern white rhinos will promote “in situ conservation” and species-specific guidance for elephants and rhinos.

Cont.

Doc. 44.2 builds further on these recommendations. Firstly, it recommends that the guidance referred to above for the implementation of Resolution Conf. 11.20 (Rev. CoP17) is annexed to the Resolution. Secondly, it provides amendments to Resolution Conf. 11.20 (Rev. CoP17) that clarify that the only appropriate and acceptable destinations for African elephants are within their natural range, that Management Authorities and Scientific Authorities have shared responsibilities to make findings related to whether trade is to an “appropriate and acceptable destination”, and that policy and legal frameworks should take into account impacts on wild populations and the animals’ social well-being needs.

IFAW urges Parties to adopt the non-binding guidance in Doc. 44.1 as it represents the input of many stakeholders and guidance for the making of the “suitably equipped” finding is long overdue. IFAW also supports the Decisions, which carry forward the additional work required to produce further species-specific guidance for destinations for live African elephants and southern white rhinos, and on the issue of how to define benefits for *in situ* conservation.

IFAW also supports the additional recommendations made in Doc 44.2. It is sensible to ensure that any guidance produced is annexed to Resolution Conf. 11.20 (Rev. CoP17) for ease of reference for Parties. Additionally, IFAW supports the amendments to the Resolution as proposed by Doc. 44.2. The only real benefit for *in situ* conservation of African elephants can be achieved by keeping elephants in their natural range, where they can form productive parts of the ecosystems to which they belong. IFAW also shares the concerns expressed by the authors about the welfare impacts on live elephants taken from the wild and traded to captive destinations outside their natural range.

# 46.

## Quotas for leopard hunting trophies (Standing Committee/Secretariat)

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### ifaw recommendation: support

Doc. 46 includes recommendations from the Standing Committee for carrying over, with amendments, a number of Decisions from CoP17 related to leopard hunting quotas. Following discussion of leopard hunting quotas at SC, where it was apparent that many quotas had been in place for some time without review, it was recommended that hunting quotas for any Appendix I species should be kept under review by the SC. Therefore, the SC invited the Secretariat to propose an amendment to Resolution Conf. 9.21 (Rev CoP13) to give effect to this requirement. Doc. 46 contains this proposed amendment in Annex 2.

IFAW welcomes the proposed amendment to Resolution Conf. 9.21 (Rev CoP13) to include an instruction to the SC to keep under review any Appendix I hunting quotas, and urges Parties to adopt this amendment. Given the perilous state of many Appendix I listed species, it is sensible that the SC reviews any hunting quotas for these species on a regular basis.

# 49.

## Implications of the transfer of a species to Appendix I

### 49.1

#### Report of the Secretariat (Secretariat)

### 49.2

#### Trade in 'pre-Appendix-I' specimens (Côte d'Ivoire, Nigeria and Senegal)

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## ifaw recommendation: support both

At SC69, the Secretariat suggested in its report on pangolins that the Parties should issue export permits for pangolin scales that had been stockpiled prior to the inclusion of all pangolin species in Appendix I, suggesting that these specimens should be treated as Appendix II specimens. A robust debate ensued with most Parties strongly

disagreeing with the Secretariat's legal assessment. Importantly, the Secretariat has revised its legal analysis and has drawn new conclusions. Docs. 49.1 and 49.2 represent the presentation of the issue to the CoP for resolution.

IFAW strongly supports the legal analyses and conclusions in Docs. 49.1 and 49.2. IFAW notes that the Parties have never agreed that specimens acquired while the species was on Appendix II should continue to be treated as Appendix II specimens after an uplisting. Such a derogation would complicate the verification of legal acquisition, incentivise and reward stockpiling, and create an opportunity to launder poached specimens. The idea that the principle of retroactivity of the law requires such a derogation is patently false. In this case, the law is applied at the time of trade, which is the activity regulated by CITES. The timing of acquisition is not the relevant activity for the purpose of applying CITES. IFAW urges Parties to support the conclusions in both documents, which complement one another.



# 60.

## **Illegal trade in cheetahs (*Acinonyx Jubatus*) (Secretariat)**

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### **ifaw recommendation: support with amendments**

Doc. 60 summarises progress on implementation of various CoP17 Decisions related to illegal trade in cheetah, including the development of a cheetah resource kit, a draft of which will be presented to SC71 for review. Doc. 60 contains one draft Decision for the Secretariat to make the final version of the CITES cheetah trade resource kit available in the languages and formats agreed by the Standing Committee, subject to external funding.

The cheetah resource kit represents a useful tool to range and consumer states faced with illegal trade in cheetah. It includes helpful advice on identification of parts in trade and on immediate and long-term care of live cheetahs confiscated from illegal trade. However, as a substantial document, it may prove not to be user-friendly for frontline staff involved in cheetah seizures so Parties may wish to recommend it is accompanied by a short summary document that can be easily used in the field.

In paragraph 11 of Doc. 60, the Secretariat states it explored with its ICCWC partners the feasibility of organising a regional workshop in Eastern Africa and the Middle East to address the illegal trade in cheetahs, but that no decision has yet been made in this regard. However, the Secretariat then goes on to say it will no longer explore this option if the proposed CITES Big Cat Task Force is agreed under Doc. 76.1.

The work of the CITES Big Cat Task Force will likely be dominated by issues about lions and addressing cheetah trade may get lost in this work without a focused regional workshop. Such a workshop would allow Parties in the region most affected by illegal trade in cheetah to familiarise themselves with the new resource kit and ensure it is used to improve enforcement actions.

The Cheetah Conservation Fund, with IFAW as a partner, has recently been awarded a grant to deliver a regional workshop under the UK's Illegal Wildlife Trade Challenge Fund. Parties and the Secretariat and ICCWC partners should be encouraged to participate in this workshop and its planning to ensure it delivers on the needs of Parties in the region.

Illegal trade in cheetahs continues to thrive in the region. In addition to the draft Decision proposed in Doc. 60 and our recommendations above, IFAW believes an additional Decision should be added tasking the Standing Committee with developing specific, time-bound recommendations to source, transit and consumer states.

# 69.

Elephants  
(Elephantidae spp.)

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## ifaw recommendation:

comments on each document  
under agenda item 69 can be  
found in the separate IFAW  
briefing on CoP18 elephant  
proposals



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# 71.

**Asian big cats  
(Felidae spp.)**

## 71.1

**Report of the Secretariat  
(Secretariat)**

## 71.2

**Draft decisions on Asian big cats  
(India)**

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### **ifaw recommendation: support doc. 71.2**

A number of Decisions were adopted at CoP17 initiating a process to review legal and illegal trade from and through facilities keeping Asian big cats in captivity, which called for the Standing Committee to determine “time-bound, country specific actions” to address the concerns identified from this process.

At SC70, the Secretariat reported that it had identified 66 facilities keeping tigers in captivity in seven Parties that may be of concern.

However, no further progress has been made on providing country-specific recommendations, so India has proposed a number of draft Decisions in Doc. 71.2 directing Parties that have facilities of concern to take certain measures on conservation of and trade in tigers and other Appendix I Asian big cat species.

There are fewer than 4,000 wild tigers remaining and trade in tiger parts continues to pose a serious threat to them. The unchecked demand for tiger parts and products also drives trade in other big cats in Asia and around the world, including leopards, jaguars and African lions, with teeth, claws and the bones being passed off as tiger.

As India points out in Doc. 71.2, it has been more than 11 years since Decision 14.69 was adopted, which sought to address drivers of illegal trade in Asian big cats but it is yet to be implemented. IFAW shares India’s concerns that the wealth of information contained in the Review and the considerable time and resources that have gone into producing it, will be wasted if no substantive recommendations on Asian big cats come forward without further delay.

IFAW urges Parties to adopt the draft Decisions proposed by India in Doc. 71.2, which urge Parties to address a range of concerns around captive facilities, enforcement efforts, international trade and domestic regulation, and to report on their efforts to the Standing Committee.

**there are fewer than 4,000 wild tigers  
remaining and trade in tiger parts continues  
to pose a serious threat to them**



# 75.

**Pangolins**  
**(*Manis spp.*) (Secretariat)**

## **ifaw** **recommendation:** **amend**



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Doc. 75 contains an update from the Secretariat on implementation of Decisions agreed at CoP17 on pangolins. This includes updates on enforcement efforts, the development by USAID of pangolin ID guides and work by IUCN, including development of a resource kit. In light of some of this work, the Secretariat proposes amendments to the draft Decisions agreed by the Standing Committee at SC70.

As paragraphs 15 and 16 of Doc. 75 highlight, the illegal trade in pangolin specimens continues to take place at an industrial scale and is likely having a significant impact on pangolin populations.

### **the illegal trade in pangolin specimens continues to take place at an industrial scale**

The Secretariat goes on to state that “it remains essential for Parties to remain vigilant and to further scale up efforts to address this illegal trade ... Further, it remains essential for consumer States to ... implement measures to reduce demand for illegal pangolin specimens...”.

However, the draft Decisions, as amended by the Secretariat, contain nothing directed towards consumer Parties but only encourage action in range states. In light of the ongoing scale of illegal trade in pangolin parts, IFAW urges Parties to insist on additional draft Decisions that encourage action by consumer states, including demand reduction efforts, and for such Parties to report on measures taken to the Standing Committee. This would help the Standing Committee fulfil its task in amended draft Decision 18.DD to make recommendations.



# 77.

## Jaguar (*Panthera onca*)

# 77.1

## Jaguar trade (Mexico, Costa Rica)

# 77.2

## Illegal trade in jaguar (Peru)

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## ifaw recommendation: support both (merge)

Docs. 77.1 (Mexico, Costa Rica) and 77.2 (Peru) highlight concerns about hunting of jaguars to supply illegal trade in jaguar parts, primarily in East Asian markets.

Doc. 77.1 proposes draft Decisions to conduct a study on the scale of the trade and based on this for the Animals and Standing Committee to develop recommendations to tackle trade in jaguar parts.

Doc 77.2 proposes a draft Resolution on jaguars for adoption by the CoP, which, *inter alia*, urges Parties to adopt comprehensive legislation, prohibit sale and acquisition of jaguar parts, increase enforcement efforts, engage in cross-border cooperation to protect jaguars, raise awareness about the plight of jaguars to reduce demand for jaguar products, and generate and share data on jaguar populations. It also directs the Secretariat to

initiate a study on illegal trade, similar to Doc 77.1 and facilitate exchange of information between source and destination countries.

It is estimated that jaguar range may have decreased by more than 50% in the last century. Most populations are threatened because of habitat loss and fragmentation (mostly due to human encroachment), direct persecution, human-wildlife conflict, small population size, isolation and deficient law enforcement.

In addition, in recent years there has been increasing evidence that illegal trade in jaguar parts in Latin America may be on the rise, potentially driving population declines and local extinctions (both Docs site examples from Guianas and Bolivia).

IFAW urges Parties to support both documents. The international community needs to understand more about illegal jaguar trade and increase enforcement efforts against it to prevent it growing and threatening jaguar populations already under pressure from multiple other factors.

Given the similarities in the recommended actions in both documents, it may be worth merging them and coming up with a single set of Decisions to accompany the proposed Resolution.

# 83.

**Rhinoceroses  
(Rhinocerotidae spp.)**

## 83.1

**Report of the Standing Committee  
and Secretariat  
(Standing Committee/ Secretariat)**

## 83.2

**Revisions to Resolution Conf. 9.14  
(Rev. CoP17) on Conservation of  
and trade in African and Asian  
rhinoceroses, and associated  
decisions  
(Kenya)**

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### **ifaw recommendation: support doc. 83.1 with amendments support doc. 83.2**

Doc 83.1 presents the report of the Standing Committee and Secretariat. This includes as Annex 2, the report from IUCN Rhino Specialist Groups and TRAFFIC regarding trends in rhinoceros populations and trafficking of their products.

IFAW welcomes the growth in rhino numbers in all but one species (Sumatran rhinos) since these reports were first conducted in 2007. Parties should be commended for their efforts to date and as the Secretariat notes “the controls applied to trade in rhinoceros specimens by Parties under CITES have made an important contribution to this success”.

However, as the Secretariat further notes there is no room for complacency; illegal killing and trafficking remain very high, with at least three rhinos still poached every day in Africa. Parties must not step back from the important controls that have been applied to rhino trade to date.

Doc 83.1 contains recommendations for the six Parties previously identified as priorities for attention by the Standing Committee – China, Mozambique, Namibia, South Africa, Vietnam, Zimbabwe – with the addition of Botswana, which has seen a rise in rhino poaching incidences in 2018.

Annex 1 to Doc 83.1 contains draft Decisions for consideration by the CoP. These draft Decisions capture in very general terms the themes of the recommendations to individual Parties contained in Doc 83.1 and ask the six Parties identified as priorities for attention to report to the Secretariat. However, the Decisions also essentially delay any further specific recommendations until CoP19, instead setting up a process whereby Standing Committee will consider options presented by the Secretariat based on the report in Doc 83.1.



Cont.

IFAW believes it would be beneficial to include more precision in the draft Decisions for CoP18 in line with the specific recommendations already contained in Doc 83.1, as a precursor to further consideration of the issues by the Standing Committee.

In particular, Doc 83.1 highlights the increasingly important role that Hong Kong SAR seems to play in the illegal rhinoceros horn trade chain. A specific Decision requesting authorities in Hong Kong SAR to scale up enforcement efforts and report on such efforts could be added.

Doc 83.1 also highlights discrepancies in reporting of rhino trophy exports from both Namibia and South Africa. A specific Decision could also be added requesting these Parties to investigate and report on such discrepancies.

A recommendation to Zimbabwe on finalising court cases is captured in draft Decision 18.CC, although this does not appear from the IUCN/TRAFFIC report (Annex 2, p.21) to be an issue restricted to Zimbabwe alone.

Mozambique and Vietnam are required to report on a variety of matters under their National Ivory and Rhino Action Plans, so these Parties are already well-covered by the draft Decisions and other CITES reporting mechanisms.

Also, the draft Decisions, while referencing the need for information-sharing between Parties, would benefit from specific references to the need to share DNA samples from horn seizures, which would enable prosecutors to illuminate the entire chain of supply in trafficking cases.

Doc 83.2 (Kenya) contains a proposal to amend Resolution Conf. 9.14 (Rev. CoP1718) on Conservation of and trade in African and Asian rhinoceroses, to include additional references to the closure of domestic markets for rhino horn and allow for the destruction of stockpiles of rhino products as a management option, as well as related reporting requirements.

Doc 83.2 also contains accompanying draft Decisions urging Parties to review their implementation of Resolution Conf. 9.14 and report to Standing Committee, which may develop recommendations as appropriate.

IFAW shares the concerns of Kenya, that domestic markets for rhino horn can provide opportunities for illegal trade; therefore, there is merit in ensuring Resolution Conf. 9.14 is explicit about the need to close domestic markets, as an aid to enforcing provisions to protect rhinos.

It is critical that those domestic markets that are currently closed remain closed, in order to ensure opportunities for laundering poached rhino parts do not increase. It is also critical that enforcement efforts to combat illegal markets continues, as rhino poaching remains at an alarmingly high level.

# 86.

## Saiga antelope (*Saiga spp.*) (Standing Committee)

### ifaw recommendation: support

Doc. 86 recommends a number of draft Decisions on saiga antelope, which were agreed at SC70. This includes the addition of a draft Decision on stockpile management, which was not originally proposed by the Secretariat to SC70 but added by Standing Committee members.

IFAW welcomes the additional Decision proposed at SC70 on stockpile management and urges Parties to adopt this and the other draft Decisions in Doc. 86.

IFAW notes that explicit references to promoting the use of alternatives to saiga products that were included in the Decisions agreed at CoP17 have since been lost, although this is alluded to in the *Medium-Term International Work Programme for the Saiga Antelope* for 2016-2020, which Parties are urged to implement in draft Decision 18.AA. However, given all saiga range states currently observe a voluntary moratoria on export of saiga products, meaning no new saiga products should be entering the market legally and stockpiles should therefore be depleting, Parties may consider it worth emphasising explicitly that consumer nations make efforts to reduce demand to support conservation by range states.



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# 104.

**Review of Resolution Conf. 10.9  
on Consideration of proposals for  
the transfer of african elephant  
populations from appendix I to  
appendix II (Standing Committee)**

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**ifaw  
recommendation:  
see separate ifaw  
briefing on CoP18  
elephant proposals**







# 105.

## proposals for amendment of the appendices

### prop. 2

***Saiga tatarica* (saiga antelope)**

**Transfer from App II to App I**

**(Mongolia, US)**

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### ifaw recommendation: support

Saiga antelope meets the criteria for inclusion in Appendix I of CITES – it is threatened with extinction and is affected by trade, as per Article II, paragraph 1 of the CITES treaty. Saiga has been listed as Critically Endangered in the IUCN Red List since 2002. Populations have experienced marked declines throughout its range, with observed decline of more than 80% over the last 10 years. Declines have been driven by disease, mortality events, habitat fragmentation due to linear infrastructure development, and demand for horns, skin and meat.

IFAW has worked over many years to protect saiga habitat and prevent poaching, and to document saiga trade. Horns are the main target of poaching. This causes massive sex skewed ratios in populations because only male saiga have horns.

Parts and derivatives of the saiga antelope are traded in large numbers, both legally and illegally. Currently all saiga range States have voluntary moratoria on international exports of saiga products and laws against hunting and domestic trade in saiga and saiga parts and products. However, this is NOT an official CITES zero commercial quota, and international trade is permitted in saiga horn with a properly issued CITES export permit, since the species is on Appendix II. There is ongoing legal trade between consumer countries (Chinese Mainland and Hong Kong SAR, Japan, Singapore), primarily for intended use in traditional Asian medicine.

There is also clear evidence of illegal trade, through continued reports of poaching and seizures both within range States and by customs on the borders between range and consumer states. In 2018 alone, at least 358 and 1,276 saiga horns were seized at various border checkpoints in Russia and in China, respectively. This is based only on open source information; therefore, the actual number of seized saiga horns is probably higher. IFAW investigations into saiga trade have demonstrated extensive amounts of saiga horn for sale online (including one advert for horn from the Mongolian sub-species), at prices worth more than ivory by weight. Investigations also identified adverts for traditional medicine containing saiga horn.<sup>1</sup>

<sup>1</sup> See IFAW research: Disrupt: Wildlife Cybercrime – Uncovering the scale of online wildlife trade (2018); Wanted – Dead or Alive, Exposing Online Wildlife Trade (2014); Click to Delete - Australia (2014). All available at [www.ifaw.org](http://www.ifaw.org)

## ifaw investigations into saiga trade have demonstrated **extensive amounts of saiga horn for sale online** at prices worth more than ivory by weight

Inclusion of this species in CITES Appendix I will help ensure that international trade for primarily commercial purposes will not contribute to population declines, and will help range, transit and importing Parties combat any illegal trade whereby newly hunted saiga are laundered through stockpiles, as well as encourage greater efforts to reduce demand and take enforcement action. For example, many governments give higher priority to species included in Appendix I, with higher penalties for those convicted of trafficking in CITES Appendix I species. In addition, an Appendix I listing may also prompt more investment in enforcement, including assistance from bilateral and multilateral donors. An Appendix I listing aids in the enforcement of legal trade in saiga as well, as it creates a two-country check to prevent illegal trade. An Appendix I listing also sends a message to the market that continued trade in the species is not sustainable, helping with demand reduction efforts.

There is some confusion about the nomenclature used in the proposal. Based on the best available genetic information, IUCN recognises the Mongolian saiga as a subspecies of *S. tatarica* (*S.t. mongolica*). The proposal refers to *Saiga tatarica*, meaning both the Mongolian saiga and all other saiga across their range. The nomenclature used by CITES considers the Mongolian subspecies as a separate species, *Saiga borealis*, and CITES uses the umbrella term *Saiga* spp. for all saiga. Mongolia and the United States may

need to clarify that the proposal is for *Saiga* spp. The proposal is clear throughout that all saiga are included, including through the consistent use of the nomenclature accepted by IUCN and all saiga experts.

CITES has a process for dealing with just this type of technical error in proposals. Rule 24 of the CoP Rules of Procedure indicates that a proponent may at any time amend a proposal to make it more precise. Under this rule, the US and Mongolia may amend the proposal to clarify to which species it applies. They would be amending the proposal to make it more precise in that they would simply clarify its application to all saiga spp. as is clear from the intent in the proposal. Rule 24 allows proponents to amend proposals EITHER to make them more precise OR to reduce their scope. The use of the word “or” clearly suggests that these reasons for amending a proposal are mutually exclusive. An amendment for the purpose of making the proposal more precise by clarifying the nomenclature issue is allowed without caveat, even if doing so increases the scope of the proposal because of the different nomenclature used by CITES for saiga species.

## prop. 5

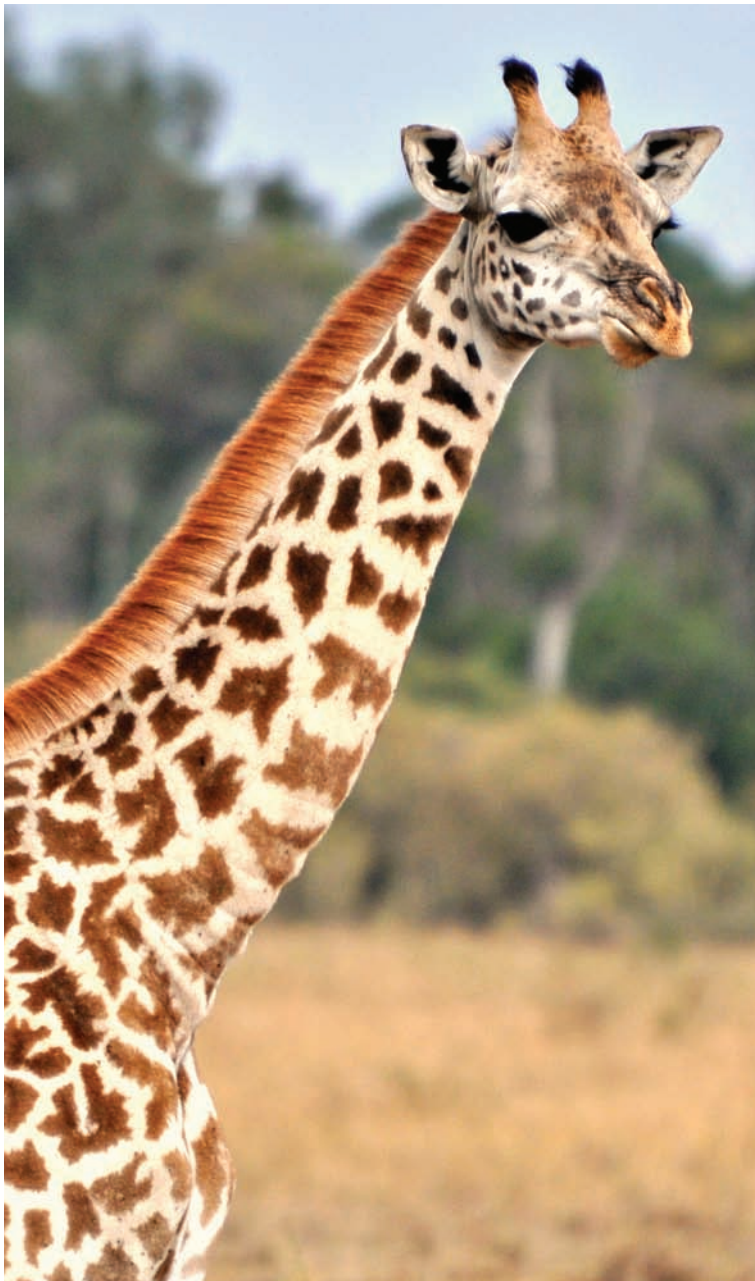
***Giraffa Camelopardalis* (giraffe)**

**Include in App II**

**(Central African Republic, Chad,  
Kenya, Mali, Niger, Senegal)**

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**ifaw  
recommendation:  
support**



Giraffes meet the criteria for inclusion in Appendix II of CITES. Article II, paragraph 2 of the Convention, states: "Appendix II shall include ... (a) all species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilization incompatible with their survival".

Giraffes satisfy Criterion B in Annex 2a of Resolution Conf. 9.24 (Rev. CoP17) relating to Appendix II listings: "... regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences."

Giraffes have been listed as "Vulnerable" in the IUCN Red List since 2016, with an observed past and ongoing population decline of between 36% and 40% over the last 30 years or three generations. Certain sub-species are "Endangered" (*G. c. peralta*, *G. c. rothschildi*, *G. c. reticulata*) or "Critically Endangered" (Nubian/*G. c. Camelopardalis*, and Kordofan/*G. c. antiquorum*). While main threats are habitat loss, civil unrest, illegal hunting (including for bushmeat) and ecological changes, there is also international trade in giraffe parts and derivatives. The CITES criteria do not require trade to be the main or only factor, but rather only that species are affected by trade that may require regulation in order to prevent overexploitation.

While the full scale of global trade in the species is not precisely known, data is available documenting the international trade in giraffe products, predominantly bone carvings, bones, trophies, skins and jewellery. The proposal shows, based on data from the United States Law Enforcement Management

Information System (LEMIS), that from 2006-2015, the US alone imported a total of 39,516 giraffe specimens. The proposal also documents recent studies that found 321 giraffe products offered for sale online in seven countries within the EU. There is direct evidence of international trade in all giraffe subspecies (see Annex, Table 2, Doc. CoP18. Inf.006), including specimens that originated from countries where giraffe populations are Critically Endangered, Endangered, Vulnerable, decreasing, and/or small.

It is difficult to determine the exact scale of the international trade in giraffes given the lack of global trade monitoring due to the fact that the species is not listed in the CITES Appendices. However, there is clear evidence that the species is in demand internationally. A CITES Appendix II listing would provide data for all giraffe trade globally, for all purposes, and from all sources. Such a database would reveal the true extent of the trade. It will be impossible to determine the scale of trade more accurately without an Appendix II listing.

Annex 4 of Resolution Conf. 9.24 (Rev. CoP17) says: "When considering proposals to amend Appendix I or II, the Parties shall, by virtue of the precautionary approach and in case of uncertainty either as regards the status of a species or the impact of trade on the conservation of a species, act in the best interest of the conservation of the species concerned and adopt measures that are proportionate to the anticipated risks to the species." Given current declines in most

giraffe populations and uncertainty about levels of trade, a precautionary approach is warranted. An Appendix II listing would not prevent trade but would ensure it is recorded and therefore help illuminate current trade dynamics that could be exacerbating the risk to giraffes.

Appendix III is not a substitute for Appendix II. Exports of specimens of species listed on Appendix III do not require the making of a non-detriment finding (NDF), and only require the listing country to make a finding of legal acquisition; all other countries would make no findings. In contrast, export of specimens of species listed on Appendix II requires findings of legal acquisition and non-detriment from all exporting Parties.

Similarly, split-listing giraffes i.e. not listing southern African populations, would not be a substitute. It is difficult, if not impossible, to distinguish giraffe parts in trade to the species or subspecies level, particularly since the majority of specimens in trade appear to be bone or bone carvings (approximately 25,000 of approximately 40,000 specimens in US trade data). Consequently, the option of listing some but not all giraffe populations or subspecies would undoubtedly create enforcement problems. This is the reason Annex 3 of Resolution Conf. 9.24 (Rev. CoP17) on Criteria for amendment of Appendices I and II specifically warns against split-listing of species.

**it is difficult to determine the exact scale of the international trade in giraffes, however, there is clear evidence that the species is in demand internationally**

## prop. 6

***Aonyx cinereus***  
(small-clawed otter)

**Transfer from App II to App I**  
(*India, Nepal, The Philippines*)

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### ifaw recommendation: support

Otter populations in South and Southeast Asia are declining due to various threats including poaching and international trade in otter pelts and an emerging trade in wild-caught live otters for sale as pets. Small-clawed otters are listed as “vulnerable” on IUCN Red List due to inferred population decline driven by habitat loss and exploitation. The population of Asian small-clawed otters has declined by more than 30% in the last 30 years, due in large part to significant reductions in its range and exploitation for the global trade in otter skins and the pet trade.

Asian small-clawed otters have disappeared or declined in many parts of their range. They are believed to be extirpated or extremely rare throughout much of their range in southern China, and recent surveys suggest that small-clawed otters have disappeared from the western Himalayan foothills and perhaps the Indian part of the Sundarbans.

It is likely that their present range in India has been diminished, and they are now considered to be extremely rare in Myanmar.

Poaching for illegal trade in skins and a burgeoning online trade in Asian small-clawed otter pups as pets pose significant threats to the survival of the species. According to TRAFFIC<sup>2</sup>, poaching and illegal trade for use as pets, for fur and for use in traditional medicine pose a significant and growing threat to all tropical Asian otter species. Commercial exploitation of otters is taking place both domestically and internationally in clear violation of national laws and CITES.

Pet otters are popular in Thailand, but the greatest demand seems to be in Japan. At least one “otter café” exists in Tokyo, where three small-clawed otters are kept for customers wanting to hold and pet them.

The illegal pet trade is a growing threat to Asian small-clawed otters. In 2017 alone, 32 live small-clawed otters were seized in Thailand en route to Japan.

Much of the trade in Asian otters has moved online, making it difficult to control. Over just a four-month period, between 734 and 1,189 otters were advertised for sale online in

**over just a four-month period, between 734 and 1,189 otters were advertised for sale online in 560 advertisements in Thailand, Indonesia, Vietnam and Malaysia - 98% of adverts were for small-clawed otters**

<sup>2</sup> Gomez, L. & Bouhuys, J. (2018). Illegal Otter Trade in Southeast Asia. TRAFFIC, Petaling Jaya, Selangor, Malaysia

<sup>3</sup> *Ibid.*

560 advertisements in Thailand, Indonesia, Vietnam and Malaysia, according to TRAFFIC<sup>3</sup>. Small-clawed otters appeared online the most – 98% of the advertisements were for Asian small-clawed otters.

The species meets criteria for Appendix I (Resolution Conf. 9.24 (Rev. CoP17)), Annex 1, paragraph C due to an inferred marked decline in the population size in the wild (a decline of 30% over three generations), a decrease in area, extent and quality of habitat, and a high vulnerability to extrinsic factors (high levels of poaching).

Inclusion on Appendix I will help ensure that international commercial trade will not contribute to further declines in otter populations, and will help make enforcement easier by preventing opportunities for

laundering illegally wild caught otters in legal trade. IFAW notes that having *Lutra lutra* (Eurasian otter) on Appendix I and the other tropical Asian otters on Appendix II makes enforcement difficult given the similarity of appearance of the species and the difficulty in distinguishing between species once discovered in trade, especially skins, furs and other parts and derivatives. Furthermore, the status of otter species once threatened by international trade in other parts of the world has improved after being listed on Appendix I of CITES, including *Lontra felina* (marine otter), *Lontra longicaudis* (neotropical otter), and *Pteronura brasiliensis* (giant river otter) in South America and *Aonyx capensis microdon* (African clawless otter) in Cameroon and Nigeria.



## prop. 7

### ***Lutrogale perspicillata*** (smooth-coated otter)

**Transfer from App II to App I**  
(**Bangladesh, India, Nepal**)

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## **ifaw** **recommendation:** **support**

Otter populations in South and Southeast Asia are declining due to various threats including poaching and international trade in otter pelts and an emerging trade in wild-caught live otters for sale as pets. Smooth-coated otters are listed as “vulnerable” on the IUCN Red List due to inferred population decline driven by habitat loss and exploitation. The population of Asian small-clawed otters has declined by more than 30% in the last 30 years, due in large part to significant reductions in its range and exploitation for the global trade in otter skins and the pet trade

Between 1980 and 2015, 2,949 otter pelts were seized in India. Although few are identified down to the species level, a significant number were likely smooth-coated otters given their desirability as pelts. The trade in live otters for pets is an emerging threat to smooth-coated otters, and they are increasingly found advertised for sale online. Over just a four-month period, between 734 and 1,189 otters were advertised for sale online in 560 advertisements in Thailand, Indonesia, Vietnam and Malaysia, according

to a 2018 TRAFFIC study.<sup>4</sup> Although small-clawed otters appeared in online advertisements most frequently, smooth-coated otters were also found for sale during the study.

The species meets criteria for Appendix I (Resolution Conf. 9.24 (Rev. CoP17)), Annex 1, paragraph C due to an inferred marked decline in the population size in the wild (a decline of 30% over three generations), a decrease in area, extent and quality of habitat, and a high vulnerability to extrinsic factors (high levels of poaching).

Inclusion on Appendix I will help ensure that international commercial trade will not contribute to further declines in otter populations, and will help make enforcement easier by preventing opportunities for laundering illegally wild caught otters in legal trade. IFAW notes that having *Lutra lutra* (Eurasian otter) on Appendix I and the other tropical Asian otters on Appendix II makes enforcement difficult given the similarity of appearance of the species and the difficulty in distinguishing between species once discovered in trade; especially skins, furs and other parts and derivatives. Furthermore, the status of otter species once threatened by international trade in other parts of the world has improved after being listed on Appendix I of CITES, including *Lontra felina* (marine otter), *Lontra longicaudis* (neotropical otter), and *Pteronura brasiliensis* (giant river otter) in South America and *Aonyx capensis microdon* (African clawless otter) in Cameroon and Nigeria.

**the trade in live otters for pets is an emerging threat to smooth-coated otters, and they are increasingly found advertised for sale online**

<sup>4</sup> *Ibid.*



## prop. 8

***Ceratotherium simum simum***  
**(southern white rhinoceros)**

**Eswatini Population:**  
**Remove the existing annotation**  
**for the population of Eswatini**  
**(currently referred to as population of**  
**Swaziland)**  
**(Eswatini)**

### ifaw recommendation: oppose

The current annotation to the Appendix II listing of the Eswatini population of rhinos allows commercial trade only in live animals and hunting trophies. Removal of the annotation would allow trade in rhino horn as well. While rhino poaching levels have stabilised somewhat in recent years, overall poaching levels remain dangerously high. As with ivory, any legal market creates enforcement problems by providing legal cover for the laundering of illegal products and potentially stimulates demand. The availability of rhino horn in the marketplace will significantly undermine years of demand reduction work and the strides consumer nations like Vietnam and China have taken to implement domestic bans on rhino horn trade. Therefore, IFAW urges Parties to reject the proposal.

Also, the current annotation provides only for limited trade and notes that all other specimens are treated as if they are on Appendix I. As a result, Eswatini should make the case that the transfer of commercial specimens of rhino horn meet the precautionary measures outlined in Annex 4 of Resolution Conf. 12.4 (Rev. CoP17) in relation to downlistings. However, Eswatini is not proposing an export quota for CoP to approve, and rhino horn is most certainly in illegal trade. When a specimen is likely to be

in trade and no CoP-approved export quota is in place, precautionary measures require that implementation assurances are in place for compliance with the Convention and that appropriate enforcement controls exist. The proposal does not provide these assurances. Although it suggests that all legal horn will be DNA profiled, many transit, re-export and importing countries will not have the equipment or capacity to test all rhino horn, nor will those countries where poached rhino horns are being illegally exported. Therefore, appropriate enforcement controls do not exist.

Furthermore, Eswatini makes the case that it intends to sell rhino horn in order to fund conservation and that this should be a driving principle in support of its proposal. However, the two countries with the greatest demand for rhino horn, Vietnam and China, have enacted legislation that prohibits trade in rhino horn and regulates the sale and distribution of rhino horn domestically. Therefore, without a country to import legal rhino horn, it is unclear whether “legal” rhino horn has much value. Rather the proposal is projecting a value onto legal rhino horn based on its black market value.

## prop. 9

*Ceratotherium simum simum*  
(southern white rhinoceros)

**Namibian Population:  
Transfer from App I to App II with  
annotation for the exclusive purpose  
of trade in live animals and hunting  
trophies  
(Namibia)**

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**ifaw  
recommendation:  
oppose**

Namibia argues its population of southern white rhino does not meet the biological criteria for an Appendix I listing. However, this stems from counting the southern white rhinos that are privately owned as part of the wild population. Of the 1,047 rhinos in Namibia's population, 780 are privately owned. Resolution Conf. 9.24 (Rev. CoP17) provides that the biological criteria apply to "wild populations" which are defined as "the total number of free-living individuals of the species within its area of distribution".



## **CITES trade data indicates namibia has traded 29 live white rhinos and 1,233 white rhino trophies between 2010 and 2017**

Whether Namibia's privately-owned southern white rhinos (approx. 75% of the total population) meet this definition is unclear. Namibia classifies these privately held rhinos as subpopulations but it also indicates that owners keep studbooks, have monitoring systems and de-horn their rhinos. It is also unclear whether any exchange of genetic material occurs between the privately held rhinos and the rhinos in national parks and whether this is naturally occurring or occurs through human manipulation, if it occurs at all.

From a policy perspective, whether such rhinos may be counted as the "wild population" under CITES is an important question. Eswatini, for example, in Prop.8 indicates that its "wild populations" also meet the criteria for specimens "bred in captivity" because it wants to take advantage of the relaxed rules for specimens "bred in captivity" if it is not successful in its bid to amend its annotation to allow for the commercial export of rhino horn.

With only 267 southern white rhinos in national parks, and not privately held, Namibia's truly wild population of southern white rhino meets the biological criteria for an Appendix I listing, because the wild population is very small (Criterion A. Annex 5 of Resolution Conf. 12.4 (Rev. CoP.17) on definitions, explanations and guidelines, suggests a wild population of less than 500 individuals is 'very small').

Enforcement concerns also continue regarding rhinos in Namibia. At SC71, Namibia was flagged as a "priority country for attention", regarding rhinos because of recent escalations in rhino poaching in the country. The conviction rate for poaching and rhino horn trafficking has also failed to keep pace with escalating poaching/trafficking. Only one of 85 reported cases for rhino-related crimes in Namibia between 2016 and October 2018 has resulted in a conviction (SC70 Doc. 56). This suggests that Namibia does not have the enabling conditions to support the precautionary measures required when downlisting a high-value species subject to high levels of illegal trade (as required by paragraph 3(i) of Resolution Conf. 12.4 (Rev. CoP.17) and further defined in Annex 4 to the Resolution).

Finally, it is worth observing that the scope of the proposal does not significantly change the current status of trade in rhino parts and derivatives from Namibia. Namibia can and does already export live rhinos and hunting trophies. CITES trade data indicates Namibia has traded 29 live white rhinos and 1,233 white rhino trophies between 2010 and 2017. Even if on Appendix II, commercial trade in live southern white rhinos would be subject to the "appropriate and acceptable destination" requirements as set out in Resolution Conf. 11.20. These include that neither the live animals nor their progeny may be used, hunted or their horns sold commercially. These restrictions seem to contradict Namibia's argument that opening up commercial trade in live southern white rhinos would unlock a significant marketplace and higher prices.

## prop. 10

*Loxodonta Africana*  
(African elephant)

**Zambian population:**

**Transfer from App I to App II with annotation for purposes of ivory stockpile sales, hunting trophies, hides and leather**

**(Zambia)**

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**ifaw  
recommendation:  
oppose**

**see separate IFAW briefing on  
CoP18 elephant proposals**

## prop. 11

*Loxodonta Africana*  
(African elephant)

**Botswanan, Namibian, South African  
and Zimbabwean populations:**

**Amend existing App II listing  
annotation to allow ivory stockpile  
sales to CITES approved trading  
partners at any time in the future**

**(Botswana, Namibia, Zimbabwe)**

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**ifaw  
recommendation:  
oppose**

**see separate IFAW briefing on  
CoP18 elephant proposals**

## prop. 12

*Loxodonta Africana*  
(African elephant)

**Botswanan, Namibian, South African  
and Zimbabwean populations:**

**Transfer from App II to App I**

**(Burkina Faso, Côte d'Ivoire, Gabon,  
Kenya, Liberia, Niger, Nigeria, Sudan,  
Syrian Arab Republic and Togo)**

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**ifaw  
recommendation:  
conditional support/  
abstain**

**(focus support instead on Doc. 69.5).**

**See separate IFAW briefing on  
CoP18 elephant proposals**



## prop. 31

***Ctenosaura* spp.  
(spiny-tailed iguanas)**

**Include in App II**

**(El Salvador, Honduras, Mexico)**

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### ifaw recommendation: support

Of the 18 species of spiny-tailed iguanas, 13 have been assessed by the IUCN Red List; two are Critically Endangered, five are Endangered, three are Vulnerable, one Near Threatened and one Data Deficient. None of the populations of these species are known to be increasing. Nine species have decreasing populations, five are unknown and four are stable. *Ctenosaura* species have experienced rapid reductions in numbers in recent years and have disappeared from many areas where they were formerly abundant. While threats vary slightly by species, primary threats to *Ctenosaura* include habitat destruction and illegal hunting and capture for food consumption and pet trade.

International legal trade occurs for several species; illegal international, regional and national trade occurs for most if not all the species in the genus. Despite many countries of origin not issuing export permits or legally exporting many endangered, threatened and endemic species of *Ctenosaura*, these species are commonly found in trade in the US and Europe.

Identification of *Ctenosaura* species is very difficult, creating a significant challenge for customs officers to comply with inspection and verification of iguana shipments. An Appendix II listing of all species in the genus would simplify enforcement.

Of the 13 species assessed by IUCN it is clear they meet the CITES criteria for inclusion in Appendix II. Many of these species are already threatened with extinction and are affected by trade. Therefore, they need to be included in Appendix II and subject to regulation in order that trade may be brought under effective control to avoid utilisation incompatible with their survival. The remaining five species should be included under the lookalike provisions of Article II, paragraph 2b of the Convention, given the difficulty in distinguishing between *Ctenosaura* species, and the enforcement challenges that would occur if such species were not included alongside the others.

***ctenosaura* species have experienced rapid reductions in numbers in recent years and have disappeared from many areas where they were formerly abundant**

## prop. 36

### *Geochelone elegans* (star tortoise)

**Transfer from App II to App I**  
**(Bangladesh, India, Senegal,  
Sri Lanka)**

## ifaw recommendation: support

The star tortoise is listed as “Vulnerable” in the IUCN Red List since 2016 based on concerns that population reductions of more than 30% are likely to occur if the exploitation of the species continues or expands. The IUCN listing echoes previous national assessments of Indian and Sri Lankan populations of *Geochelone elegans*.

The illegal collection of wild specimens for the international wildlife trade is recognised as the most important threat for Indian Star Tortoises. *G. elegans* is the single most seized species of tortoise or freshwater turtle worldwide. In addition, studies seem to indicate that seizure records represent only the tip of a far larger iceberg. There are concerns that specimens of *G. elegans* are being smuggled from India and Sri Lanka to primarily Asia (e.g. Thailand and China) but also Europe and the US for the exotic pet trade.

IFAW and our partner organisation Wildlife Trust of India (WTI) have assisted various state forest departments in India in eight incidents of star tortoise confiscations totalling more than 4,000 individuals since 2002. IFAW-WTI has built considerable knowledge on rehabilitating confiscated star tortoises and developed a rehabilitation protocol. IFAW-WTI has been instrumental in the release of hundreds of star tortoises back into the wild in India.

Inclusion of this species in CITES Appendix I will help ensure that international trade for primarily commercial purposes will not contribute to further population declines, and will help range, transit and importing Parties combat any illegal trade whereby wild caught tortoises are laundered into the pet trade, as well as encourage greater efforts to reduce demand and take enforcement action. For example, many governments give higher priority to species included in Appendix I, with higher penalties for those convicted of trafficking in CITES Appendix I species. An Appendix I listing aids enforcement as it creates a two-country check to prevent illegal trade. An Appendix I listing also sends a message to the market that continued trade in the species is not sustainable, helping with demand reduction efforts.



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Cont.

Star Tortoises meet the biological criteria for transfer to Appendix I in accordance with Resolution Conf. 9.24 Annex 1, Criterion C (i) and (ii) based on the following:

- a) an observed on-going decline in population size due to a dramatic increase in international trade in live Indian star tortoise specimens in the last 15 years. Also noting that the greater than 30% population decline recently determined by the IUCN is possibly an underestimate since there is incomplete information on wild population densities (Criterion C (i));
- b) an inferred decrease in recruitment due to the indiscriminate removal of juvenile and adult Indian star tortoises from the wild over multiple generations for exploitation in domestic and international trade (Criterion C (ii));
- c) a high intrinsic vulnerability of the species to overexploitation due to late onset of reproduction and slow reproductive rate, behavioural traits that allow ease of capture, and specialised niche requirements (Criterion C (ii));
- d) a high vulnerability to extrinsic factors, specifically a decrease in area and quality of habitat due to deforestation and land conversion for agriculture, and a high threat of accidental mortalities, via road kills, agricultural equipment and deliberate mortalities to protect crops in converted habitats (Criterion C (ii)).

## prop. 37

### ***Malacochersus tornieri* (pancake tortoise)**

#### **Transfer from App II to App I (Kenya, US)**

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## **ifaw recommendation: support**

The pancake tortoise was first listed as “Vulnerable” in the IUCN Red List in 1996 but provisionally assessed as Critically Endangered (CR) by the IUCN Tortoise and Freshwater Turtle Specialist Group in 2013. In 2018, a draft Red List Assessment confirmed the assessment of the species as Critically Endangered based on observed and estimated population reductions of about 80% in the past two generations (30 years) and predicted for the next 15 years (45 years total for three generations).

The harvesting of wild specimens for the international trade in live animals is largely recognised as the single most important threat to *M. tornieri* in Kenya, Tanzania and Zambia. Due to its unusual appearance and behaviour, the species is particularly popular in the live pet trade in Europe and the US.

*M. tornieri* is threatened with extinction and meets the criteria for inclusion into CITES Appendix I due to:

- a) a restricted area of distribution, given that only a very small proportion of the species range provides suitable micro-habitat and that populations are fragmented, discontinuous and disjunct and the number of populations is decreasing (Criterion B (i) and (iv) of Annex 1, Resolution Conf. 9.24 (Rev. CoP17));





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- b) the species' high vulnerability to intrinsic and extrinsic factors (Criterion B (iii) of Annex 1, Resolution Conf. 9.24 (Rev. CoP17) due to its late maturity, very low reproductive rate and its specialised niche requirements, given its dependence on a specific micro-habitat that has limited availability and is being degraded and reduced;
- c) an observed and ongoing marked decline of wild populations (estimated at 80% within three generations) primarily as a result of trade and aggravated by habitat degradation (Criterion C (i) of Annex 1, Resolution Conf. 9.24 (Rev. CoP17)).

**the harvesting of wild specimens for the international trade in live animals is largely recognised as the single most important threat to pancake tortoises in kenya, tanzania and zambia.**

## prop. 38

***Hyalinobatrachium spp.*,  
*Centrolene spp.*, *Cochranella spp.*,  
and *Sachatamia spp.*  
(glass frogs)**

**Include in App II**

**(Costa Rica, El Salvador, Honduras)**

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### ifaw recommendation: support

The 104 species of the family *Centrolenidae*, known as glass frogs, are nocturnal, arboreal amphibians endemic to Central and South America. The inclusion of glass frogs in Appendix II is necessary, as they are in international trade and the wild populations of some species have either very restricted areas of distribution or have experienced extreme habitat loss that has led to a marked population decline in the wild.

Of the 104 species included in the proposal, four are classified by the IUCN (2018) as Critically Endangered, 12 as Endangered, 16 as Vulnerable, and four as Near Threatened. The remaining 68 species have unknown population trends.

While the main threats to the persistence of glass frog populations are habitat loss and fragmentation (due to the expansion of agriculture, logging, mining and clearing for human settlement construction), climate change and chytridiomycosis (infectious disease that affects amphibians worldwide), glass frogs are also targeted for the international exotic pet trade, where they are highly coveted due to the unique transparent abdominal skin that makes their internal organs visible.

In Europe, glass frogs are regularly offered for sale via online advertisements and at European reptile and amphibian trade shows. In 2014, a German citizen was captured in Costa Rica attempting to smuggle 438 specimens of frogs, lizards and snakes into Germany, including 18 *Hyalinobatrachium valerioi* and 20 *Sachatamia ilex*, which he intended to sell at pet trade shows. Data from the United States Law Enforcement Management Information System (LEMIS) shows 2,138 individuals imported to the US between 2004 and 2016. Glass frogs are nationally protected in many of their range States, yet the legal origin of specimens in international trade is difficult to determine.

The species assessed by IUCN as Critically Endangered, Endangered and Vulnerable are already threatened with extinction and are affected by trade. Therefore, they need to be included in Appendix II and subject to regulation in order that trade may be brought under effective control to avoid utilisation incompatible with their survival. The remaining species should be included under the lookalike provisions of Article II, paragraph 2b of the Convention. The minute differences in the appearance of most of these species make it incredibly difficult for enforcement agents to discriminate among them. Listings of individual species would be essentially unenforceable. Listing all 104 species would also prevent trade from shifting from listed to non-listed species, which could further imperil the latter.





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## prop. 42

### ***Isurus oxyrinchus and Isurus paucus*** (mako sharks)

#### **Include in App II**

**(Bangladesh, Benin, Bhutan, Brazil, Burkina Faso, Cabo Verde, Chad, Côte d'Ivoire, Dominican Republic, Egypt, European Union, Gabon, Gambia, Jordan, Lebanon, Liberia, Maldives, Mali, Mexico, Nepal, Niger, Nigeria, Palau, Samoa, Senegal, Sri Lanka, Sudan and Togo)**

## ifaw recommendation: support

Mako sharks meet the CITES Appendix II listing criteria, with declines from 60-96% worldwide.<sup>5</sup> As many as one million mako sharks are caught each year, an unsustainable number driven by high international demand for their fins and meat and inadequate management.<sup>6</sup> In the early 2000s, mako sharks comprised approximately 2.7% of all shark fins in international trade.<sup>7</sup> By 2015, the proportion of mako shark fins in this market had declined to 0.2-1.2% of all shark species represented.<sup>8</sup> These declines in documented trade could be due to a number of factors, including sampling differences in studies that analyse products in trade. However, given that little to no improvement in global mako shark management took place in this period and a continued increase in fishing pressure, these significant declines in market composition should be considered as additional evidence of significant mako declines globally.

Mako sharks have also long been highlighted as species in need of better management. However, despite being listed on the Convention on the Conservation of Migratory Species of Wild Animals (CMS) a decade ago and heavily caught in fisheries regulated by Regional Fisheries Management Organisations (RFMOs), there has still been limited management progress for these species.

Even with a robust stock assessment showing population declines that exceed the CITES Appendix II listing criteria, ICCAT (International Commission for the Conservation of Atlantic Tunas) has not met the clear advice to prohibit mako retention in the North Atlantic, and reduce mortality elsewhere, meaning that overfishing is likely to continue in the Atlantic. The Western and Central Pacific Fisheries Commission has shown steady declines in catch rates of mako sharks over the past decade and yet no management action has been taken, despite their high vulnerability and susceptibility to overexploitation.

A CITES Appendix II listing for the shortfin mako and the look-alike longfin mako shark (*Isurus paucus*) will ensure that international trade is supplied by sustainably managed, accurately recorded fisheries that are not detrimental to the status of the wild populations they exploit, with the management of mako sharks prioritised throughout their range.

<sup>5</sup> F. Ferretti et al., "Loss of Large Predatory Sharks from the Mediterranean Sea," *Conservation Biology* 22, no. 4 (2008): 952-964, doi.org/10.1111/j.1523-1739.2008.00938.x

<sup>6</sup> S.C. Clarke et al., "Identification of Shark Species Composition and Proportion in the Hong Kong Shark Fin Market Based on Molecular Genetics and Trade Records," *Conservation Biology* 20 (2006): 201-11, doi.org/10.1111/j.1523-1739.2005.00247.x.

<sup>7</sup> *Ibid.*

<sup>8</sup> A.T. Fields et al., "Species composition of the internal shark fin trade assessed through a retail-market survey in Hong Kong."

## prop. 43

***Glaucostegus spp.***  
(guitarfishes)

**Include in App II**

**(Bangladesh, Benin, Bhutan, Brazil, Burkina Faso, Cabo Verde, Chad, Côte d'Ivoire, Egypt, European Union, Gabon, Gambia, Maldives, Mali, Mauritania, Monaco, Nepal, Niger, Nigeria, Palau, Senegal, Sierra Leone, Sri Lanka, Syrian Arab Republic, Togo and Ukraine)**

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### ifaw recommendation: support

Giant guitarfish meet the CITES Appendix II listing criteria, with rapidly declining populations across their range. Recently, giant guitarfish have become part of a global trend of increased demand and fishing pressure for shark-like rays, which have become a significant portion of fisheries landings as they are either retained when bycaught, or in some cases targeted for their very highly valued, and visually identifiable fins, which enter international trade. This has led to local extinctions and severe declines in their populations, and made them one of the five most threatened shark families.

Giant guitarfish populations are suspected to have declined by up to 50% in some regions, but most are suffering population loss ranging from 80% to localised extinctions.<sup>9</sup> In Senegal, landings have dropped by 80% in seven years - from 4,050 tonnes in 1998 to 821 tonnes in 2005, indicating a similarly severe drop in the population of these species.<sup>10</sup>

Noting these declines and the threat international trade poses to these species, an Appendix II listing for all six giant guitarfish will limit trade to sustainable levels, and drive domestic management action throughout their range, allowing their populations to survive and recover. Given the severe declines they have already suffered, in many cases this will mean full protection to allow recoveries to levels where sustainable fisheries may be possible in the future.

**giant guitarfish populations are suspected to have declined by up to 50% in some regions, but most are suffering population loss ranging from 80% to localised extinctions**

<sup>9</sup> E. Romanov, P. Bach, and N. Romanova, "Preliminary estimates of bycatches in the western equatorial Indian Ocean in the traditional multifilament longline gears (1961-1989)." *IOTC Working Party on Ecosystems and Bycatch (WPEB)* Bangkok (2008), Thailand. IOTC-2008-WPEB-10.

<sup>10</sup> A.B.M. Moore, "Are guitarfishes the next sawfishes? Extinction risk and an urgent call for conservation action," *Endangered Species Research* 34 (2017), [www.int-res.com/abstracts/esr/v34/p75-88/](http://www.int-res.com/abstracts/esr/v34/p75-88/).

## prop. 44

**Rhinidae spp. (wedgfishes)**

**Include in App II**

**(Bangladesh, Benin, Bhutan, Brazil, Burkina Faso, Cabo Verde, Chad, Côte d'Ivoire, Egypt, Ethiopia, European Union, Fiji, Gabon, Gambia, India, Jordan, Kenya, Lebanon, Maldives, Mali, Mexico, Monaco, Nepal, Niger, Nigeria, Palau, Philippines, Saudi Arabia, Senegal, Seychelles, Sri Lanka, Sudan, Syrian Arab Republic, Togo and Ukraine)**

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### ifaw recommendation: support

Wedgfishes have been identified as the third most threatened family of chondrichthyans globally. Whitespotted wedgfishes are especially vulnerable because of their use of coastal habitats, susceptibility to multiple fishing gear types, large size and value in trade – all underpinned by little to no management to mitigate these risks. These species hold the highest value of all fins found for sale in the global trade and retail hub of Hong Kong SAR. The combination of these factors has caused population declines of up to 86% in some areas over a period of only five years – exceeding the CITES criteria for an Appendix II listing, and actually qualifying for Appendix I.<sup>11</sup>

Recognising that severe population declines and localised extinctions are already occurring, an Appendix II listing will encourage coordinated management of the international trade in these species, and drive domestic action, which is needed to prevent them meeting the same fate as their Appendix I listed relatives, the sawfishes.

In many places it is already too late to allow continued trade in wedgfish, and strong protections are needed – however, in some locations sustainable fisheries management could still allow continued trade. In either case, the momentum towards proper management that a CITES listing will bring is essential to safeguard their survival. Without a CITES Appendix II listing driving better management for these species, wedgfish may soon suffer extinctions.

**over a period of only  
five years populations  
in some areas have  
declined by up to 86%**

<sup>11</sup>R.W. Jabado et al., "The conservation status of sharks, rays, and chimaeras in the Arabian sea and adjacent waters," *Environment Agency- Abu Dhabi, UAE and IUCN Species Survival Commission Shark Specialist Group* (2017).

## prop. 45

***Holothuria (Microthele) fuscogilva*,  
*Holothuria (Microthele) nobilis*,  
*Holothuria (Microthele) whitmaei*  
(sea cucumbers)**

**Include in App II**

**(European Union, Kenya, Senegal,  
Seychelles, US)**

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### **ifaw recommendation: support**

Although there are more than 1,000 species of sea cucumbers (or beche-de-mer as they are referred to in dried, traded form), the subgenus *Holothuria (Microthele)* contains four species. Three of these (covered by this proposal) have lateral protrusions, or teats, and are commonly referred to as teatfish, which differentiate this group from other sea cucumbers, even in dried form.

*Holothuria fuscogilva* is found throughout the Indian and Pacific Oceans. *Holothuria nobilis* is found in the African and Indian Oceans. *Holothuria whitmaei* is found in the Pacific Ocean.

In the 1980s, harvesting of sea cucumbers increased to feed the demand for beche-de-mer in Asian markets. Trade data for individual species are rarely available but annual global capture of sea cucumbers showed a six-fold increase in the 1980s and has been growing since.

*Holothuria fuscogilva* was assessed as Vulnerable on the IUCN Red List in 2010; the population is estimated to have declined by 30–50% since the 1960s. Both *H. nobilis* and *H. whitmaei* were assessed as Endangered on the IUCN Red List (2010) with declines since the 1960s estimated at 60–70% across most of their range. Historic and recent declines have been observed in the densities of all three species, which are consistent with the indicative guidelines for inclusion in Appendix II of commercially exploited aquatic species.

Sea cucumber fisheries are mostly unregulated, although some countries have employed various measures ranging from total bans and closed fishing areas to quotas and limited access fisheries. However, there are implementation issues with many fishery controls.

International trade is driving the majority of fishing for these species; therefore, an Appendix II listing is required to ensure that catches are not reducing populations to a level where their survival might be threatened. An Appendix II listing will ensure that international trade is supplied by sustainably managed, accurately recorded fisheries that are not detrimental to the status of the wild populations they exploit, and help drive management of sea cucumber fisheries throughout their range.





▶ **take action at [ifaw.org](https://ifaw.org)**



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