

**GGT'S RECOMMENDATIONS ON THE AMENDMENT PROPOSALS
FOR CONSIDERATION AT THE FOURTEENTH MEETING
OF THE CONFERENCE OF THE PARTIES TO CITES
(The Hague, 2007)**

GLOBAL GUARDIAN TRUST

For the benefit of species and people

(GGT's motto)

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SUMMARY OF THE RECOMMENDATIONS

No.	Species	Amendment	Recommendation
1	<i>Nicticebus</i> spp. slow lorise	II→I	No
2	<i>Lynx rufus</i> bobcats	II→0	Yes
3	<i>Panthera pardus</i> leopard	I→II	Yes
4	<i>Loxodonta africana</i> African elephant	annotation	Yes
5	<i>Loxodonta africana</i> African elephant	annotation	Yes
6	<i>Loxodonta africana</i> African elephant	annotation	No
7	<i>Loxodonta africana</i> African elephant	I→II	withdrawn
8	<i>Vicugna vicugna</i> vicuna	annotation	Yes
9	<i>Cervus elaphus barbarus</i> Barbary red deer	III→I	No
10	<i>Gazella cuvieri</i> Cuvier's gazelle	III→I	No
11	<i>Gazella dorcas</i> Dorcas gazelle	III→I	No
12	<i>Gazella leptoceros</i> slender horned gazelle	III→I	No
13	<i>Melanoschus niger</i> black caiman	I→II	Yes
14	<i>Heloderma horridum charlesbogerti</i> Guatemalan beaded lizard	II→I	No
15	<i>Lamna nasus</i> porbeagle	0→II	No
16	<i>Squalus acanthias</i> spiny dogfish	0→II	No
17	Pristidae spp. sawfishes	0→I	No
18	<i>Anguilla anguilla</i> European eel	0→II	No
19	<i>Pterapogon kauderni</i> Banggai cardinalfish	0→II	No
20	<i>Panulirus argus, P. laevicauda</i> spiny lobsters	0→II	No
21	<i>Corallium</i> spp. red corals	0→II	No
22	<i>Agave arizonica</i> Arizona agave	I→0	Yes
23	<i>Nolina interrata</i> Dehesa bear-grass	I→II	Yes
24	<i>Pereskia</i> spp., <i>Quiabentia</i> spp. cactus	II→0	Yes
25	<i>Pereskiopsis</i> spp. cactus	II→0	Yes
26	Cactaceae spp. etc. plants	annotation	Yes
27	<i>Adonis vernalis</i> , etc. plants	annotation	Yes
28	<i>Shortia galacifolia</i> Oconee bell	II→0	Yes
29	Euphorbia spp. spurges	annotation	No
30	<i>Caesalpinia echinata</i> Brazil wood	0→II	No
31	<i>Dalbergia retusa, D. granadillo</i> rosewood	0→II	No
32	<i>Dalbergia stevensonii</i> rosewood	0→II	No
33	<i>Cedrela</i> spp. Spanish cedar	0→II	No
34	Orchidaceae spp. orchids	annotation	Yes
35	Orchidaceae spp. orchids	annotation	Yes
36	<i>Taxus cuspidata</i> Japanese yew	annotation	Yes
37	<i>Taxus</i> spp. Asian yews	annotation	Yes

RECOMMENDATIONS

Prop. 1. Transfer of slow lorises *Nycticebus* spp. from Appendix II to Appendix I (Cambodia)

Although populations have been declining, the species do not meet the criteria for Appendix I listing. The slow lorises are protected in several range states including Cambodia. Nevertheless, a large number of animals are on sale at domestic markets. The range states need to make enforcement efforts internally. Appendix I listing will not solve the problems. It is also regrettable to note that the supporting statement is incomplete, in particular on “species management” which is most required for the species conservation. The proposal should be **rejected**.

Prop. 2. Deletion of bobcats *Lynx rufus* from Appendix II (USA)

The bobcat occurs in Canada, USA and Mexico. The populations are stable or increasing despite the bobcat is harvested for its pelt. The bobcat does not meet the Appendix II listing criteria. Hunting is well regulated by individual States. There is no need to continue to list the species in Appendix II. The proposal should be **accepted**.

Prop. 3. Transfer of Uganda’s population of leopards *Panthera pardus* from Appendix I to Appendix II with an annual export quota of 50 animals (Uganda)

The leopard has been listed in Appendix I since the inception of CITES. The species is not threatened with extinction and does not meet Appendix I criteria. Eleven African countries have their quotas for leopards without transferring their populations to Appendix II. Uganda may wish to exploit the same effect as these countries under Conf. 10.14 (Rev. CoP 13). Although Uganda’s proposal does not follow the format as described in Annex 6 of Conf. 9.24 (Rev. CoP 13), it is clear that the establishment of an export quota will create conservation incentives to local communities. Either this proposal or the possible request under Conf. 10.14 should be **accepted**.

Prop. 4. Amendment of annotation to the African elephant *Loxodonta africana* populations of Botswana, Namibia, South Africa and Zimbabwe (Botswana and Namibia)

The proponents eloquently elaborate the reason why the proposal needs to be adopted. The existing Resolution Conf. 10.10 (Rev. CoP 12) and other CITES-related regulations are sufficient safeguards. If these regulations and procedures do not function, it would mean the total failure of CITES itself. Starting with 1989 decision, southern African countries have witnessed unfairness surrounding CITES decision making processes. Due consideration should be given to the success of elephant conservation made by these countries. The proposal should be **accepted**.

Prop. 5. Amendment of annotation fto the Botswana population of African elephants *Loxodonta africana* (Botswana)

Botswana has the largest elephant population as a result of its successful management programme. The rationale for the proposal is well elaborated in the supporting statement. Botswana has managed its elephant population in line with the spirit of CITES and their efforts need to be rewarded by the rest of the world at CITES arena. The proposal should be **accepted**.

Prop. 6. Amendment of annotation to the African elephant *Loxodonta africana* populations of Botswana, Namibia, South Africa and Zimbabwe (Kenya and Mali)

India and Kenya submitted similar proposals at CoP 11 and CoP 12. At the outset, we congratulate India on not being a co-sponsor this time. The present proposal aims at 20 years moratorium on trade in ivories. The adoption of this proposal will have extremely negative impacts on Botswana, Namibia, South Africa and Zimbabwe, both from a conservation and financial point of view. The proponents of the proposal, Kenya and Mali need to compensate a loss of revenues which could otherwise be used for conservation and community development. The proposal contains a lot of unsubstantiated allegations and its descriptions are highly speculative. For example, Kenya and Mali estimated 19,000 elephants have been poached annually since CoP 13 based on the mere speculation that authorities seize 15% of illegal shipments of ivory. The proposal also gives the wrong impression that Kenya and Mali agree to the sale of ivories as decided at CoP 12. The Standing Committee concluded at its 54th meeting that Japan's control is adequate. However, Kenya and Mali stress that internal control is inadequate in potential importing countries such as China and Japan. It is clear that contrary to the impression given in the proposal, Kenya and Mali continue to oppose the sale of ivories. Kenya and Mali criticize Zimbabwe for its enforcement. The criticism should be cast on CoP 12 which rejected Zimbabwe's proposal for political reasons. It is strongly recommended that the proposal be **rejected**.

Prop. 7. Transfer of the Tanzanian population of African elephant *Loxodonta africana* from Appendix I to Appendix II (Tanzania)

Withdrawn for unknown reasons.

Prop. 8. Amendment of annotation to the Bolivian population of vicunas *Vicugna vicugna* (Bolivia)

The management of vicunas has been successful in South America. The adoption of this proposal will not have any negative impact on animals in the wild because wool is sheared from live animals. The proposal should be **accepted**.

Prop. 9. Transfer of Barbary red deer *Cervus elaphas barbarus* from Appendix III to Appendix I (Algeria)

The proposal is poorly documented. There is no domestic, nor international use. The species is

currently listed in Appendix III. The conservation status will not be affected by listing in Appendix I. The proposal should be **rejected**.

Prop. 10. Transfer of Cuvier's gazelle *Gazella cuvieri* from Appendix III to Appendix I (Algeria)

The proposal is poorly documented. There is no domestic, nor international use. The species is currently listed in Appendix III. The conservation status will not be affected by listing in Appendix I. The proposal should be **rejected**.

Prop. 11. Transfer of Dorcas gazelle *Gazella dorcas* from Appendix III to Appendix I (Algeria)

The proposal is poorly documented. There is no domestic, nor international use. The species is currently listed in Appendix III. The conservation status will not be affected by listing in Appendix I. The proposal should be **rejected**.

Prop. 12. Transfer of slender-horned gazelle *Gazella leptoceros* from Appendix III to Appendix I (Algeria)

The proposal is poorly documented. There is no domestic, nor international use. The species is currently listed in Appendix III. The conservation status will not be affected by listing in Appendix I. The proposal should be **rejected**.

Prop. 13. Transfer of Brazilian population of black caiman *Melanosuchus niger* from Appendix I to Appendix II (Brazil)

It is clear from the supporting statement that the population is abundant and the species does not meet Appendix I criteria. Probably, the species has been put inappropriately in Appendix I. Brazil mentions that the goal of the proposal is to eliminate illegal trade, adding value and additional incentives to the legal production. One could argue that this is the same as elephants and the proposal should be rejected. However, Brazil's assumption is valid, applicable to any species including elephant, hawksbill and black caiman. CITES needs to encourage legal trade and deter illegal trade. Therefore, the proposal should be **accepted**.

Prop. 14. Transfer of the subspecies of Guatemalan beaded lizard *Heloderma horridum charlesbogerti* from appendix II to Appendix I (Guatemala)

Since this subspecies is listed in Appendix II, trade in the subspecies is already covered by CITES. The subspecies occurs only in Guatemala. If Guatemala wishes to prevent trade in the subspecies, it is sufficient to refuse the export application. There is no need to transfer it to Appendix I and as such, the proposal should be **rejected**.

Prop. 15. Inclusion of porbeagle *Lamna nasus* in Appendix II (Germany)

Based on the figures in the supporting statement, populations have recently been stable. The proponent recognizes a difficulty in implementation, suggesting 18 months delay in the entry into effect. EU states consume this shark for its meat and a 'look-alike' problem need to be addressed. Instead of listing in Appendix II, CITES Management Authorities should discuss with their own fisheries counterparts within their own governments with a view to establishing good management practices including a National Plan of Action for sharks. The proposal should be **rejected**.

Prop. 16. Inclusion of spiny dogfish *Squalus acanthias* in Appendix II (Germany)

It seems that some stocks have been depleted, but the species as a whole is still large in numbers. The proponent recognizes a difficulty in implementation, suggesting 18 months delay in the entry into effect. EU states consume this shark for its meat and a 'look-alike' problem need to be addressed. Instead of listing in Appendix II, CITES Management Authorities should discuss with their own fisheries counterparts within their own governments with a view to establishing good management practices including a National Plan of Action for sharks. The proposal should be **rejected**.

Prop. 17. Inclusion of all the species of sawfishes Pristidae in Appendix I (Kenya, USA)

According to the proposal, the major threats are fishing (mainly by-catch) and habitat loss. A limited number of rostra is in trade. Since targeted fishing for international trade is not a major threat, Appendix I listing will not have any influence on the conservation status. Sawfishes occur in 87 countries/territories. Kenya and USA consulted range states/territories but only 20 of them responded. Under the circumstances, the proposal should be **rejected**.

Prop. 18. Inclusion of European eel *Anguilla anguilla* in Appendix II (Germany)

It is clear from the proposal that the population has declined. However, the proposal refers to several threats affecting the decline, including eel fisheries, habitat loss, pollution, climate change, ocean current change and loss of migration routes. Overall management programme is required for this species. EU should first make its own effort. The number of ranges states is 45 but it is not clear whether these countries support the proposal. In addition, expected workload in documentation needs to be into consideration. It is recommended that the proposal be **rejected**.

Prop. 19. Inclusion of Banggai cardinalfish *Pterapogon cauderni* in Appendix II (USA)

This marine fish species is endemic to Indonesia. Indonesia was consulted but it is not clear if it supports the proposal. Unless Indonesia supports the proposal, it should be **rejected**.

Prop. 20. Inclusion of Brazilian populations of Caribbean spiny lobsters *Panulirus argus* and *P. laevicauda* (Brazil)

The management of fisheries species within Brazilian EEZ is under sole responsibility of the state. The effect of listing these species in Appendix II should be fully into consideration. Brazil is concerned that the minimum harvest size restriction is not abode by fishermen. It seems that by listing the species in Appendix II, Brazil asks importing countries to measure every individual ensuring it is not in the excess of the minimum size limit. Brazil should first make its utmost effort and should not abuse CITES. Listing Brazil's population in Appendix II and others not in Appendix will create enforcement problems. The proposal should be **rejected**.

Prop. 21. Inclusion of all red corals *Corallium* spp. in Appendix II (USA)

The species occur widely from tropical through subtropical to temperate seas. But only fragmented data are available on overall population status. It seems that USA has consulted range states including USA. There should be a large number of range states. Only Italy expressed its support. Under that circumstance, the proposal should be **rejected**.

Prop. 22. Deletion of Arizona agave *Agave arizonica* from Appendix I (USA)

Agave arizonica is a scientific synonym of a hybrid between *Agave toumeyana* bella and *A. chrysantha*. The parental species are not listed in Appendices. Retaining *Agave arizonica* in Appendix I has no conservation benefit. As such, the proposal should be **accepted**.

Prop. 23. Transfer of Dehesa bear-grass *Nolina interrata* from Appendix I to Appendix II (USA)

The species occurs in USA and Mexico. It is protected in the tow countries. A major threat is fire prevention because flowering depends on fire. There is little demand domestically and internationally. Appendix II listing is sufficient to cope with unpredictable events. The proposal should be **accepted**.

Prop. 24. Deletion of cacti *Pereskia* spp. and *Quiabentia* spp. from Appendix II (Argentina)

All Cactacea species have been listed in Appendices as a higher taxon. Because of that, many common species are subject to CITES regulation, including *Pereskia* spp. and *Quiabentia* spp.. This is also the case with other plant such as Orchidaceae spp.. The Article II, paragraph 2(b) of the text of the Convention stipulates that Appendix II shall include other species which must be subject to regulation in order that trade in specimens of certain species referred to in sub-paragraph (a) of this paragraph may be brought under effective control. This paragraph 2(b) was refined by Conf. 9.24 that species may be included in Appendix II if the specimens of the species in the form in which they are traded resemble specimens of a species included in

Appendix II or in Appendix I, such that enforcement officers who encounter specimens of CITES-listed species, are unlikely to be able to distinguish between them. *Pereskia* and *Quiabentia* do not resemble other Cactaceae species. Since these species are inappropriately included in Appendix, the proposal should be **accepted**.

Prop. 25. Deletion of cacti *Pereskia* spp. from Appendix II (Mexico)

The proposal is of the same nature as the previous one. For the same reason, the proposal should be **accepted**.

Prop. 26. Amendment of annotations #1, #4 and #8 to plant taxa (Switzerland)

The proposal arose from the work of the Plants Committee following CoP 12 decision. The adoption of the proposal will reduce the workload faced by CITES authorities. The proposal should be **accepted**.

Prop. 27. Amendment of annotation to plant taxa (Switzerland)

This proposal is of the same nature as the previous one. For the same reason, the proposal should be **accepted**.

Prop. 28. Deletion of Oconee bell *Shortia galacifolia* from Appendix II (USA)

The species is endemic to USA, occurring on the Appalachian Mountains. Cultivated plants are sold at US markets but there has been no international trade since 1994. It seems that wild plants are not collected. Deletion of the species from Appendix has no negative impact on the species in the wild and as such, the proposal should be **accepted**.

Prop. 29. Amendment of annotation to spurge *Euphorbia* species (Switzerland)

All *Euphorbia* species were originally listed either in Appendix I or Appendix II. Non-succulent species were deleted from Appendix II in 1997. Still, many species are listed without any conservation merit. Deletion of these species is necessary to reduce the workload of CITES authorities. However, the proposal is contrary to the text of the Convention, as is the case with *Taxus cuspidata*. Switzerland should resubmit a proposal in line with the text of the Convention. Therefore, the present proposal needs to be **rejected**.

Prop. 30. Inclusion of Brazil wood *Caesalpinia echinata* in Appendix II (Brazil)

The species is endemic to Brazil. The major threats are deforestation and illegal logging. These

activities will occur even after listing the species in Appendix II. Brazil should strengthen its management and enforcement programme. It is recommended that the proposal be **rejected**.

Prop. 31. Inclusion of rosewoods *Dalbergia retusa* and *D. granadillo* in Appendix II (Germany)

The main reason for the decline in *Dalbergia retusa* populations is habitat destruction. The proponent mentions that most internationally traded timber comes from plantations and that in Costa Rica, trade is very small and it is not exported. It seems that international trade in the species does not have significant impact on the status of the species in the wild. The proponent is concerned about tourist trade in carvings. However, such a trade will continue to go uncontrolled even after listing in Appendix II. It is not clear if the range states in Central America support this proposal. Under the circumstance and unless the range states support the proposal, it should be **rejected**.

Prop. 32. Inclusion of rosewood *Dalbergia stevensonii* in Appendix II (Germany)

Little is known of the population size and trends. The major threat is deforestation which is not related to international trade. It is not clear whether the range states support the proposal. Unless they support the proposal, it should be **rejected**.

Prop. 33. Inclusion of Spanish cedar *Cedrela* spp. in Appendix II (Germany)

As is the case with the previous species, the main reason for decline is habitat destruction. In addition, the species of great concern, *Cedrela odorata* is already listed in Appendix III. In practice, there is no difference between Appendix II and Appendix III listing as far as this species is concerned. Therefore, the range states can use the existing tool for the control of international trade. According to the supporting statement, 35 states/territories are range states, but only Brazil supports the proposal. Unless other range states support the proposal, it should be **rejected**.

Prop. 34. Amendment of annotation to Orchidaceae species in Appendix II (Switzerland)

All Orchidaceae species are listed either in Appendix I or Appendix II. They are not listed for conservation purposes. The problem with orchids are three-fold: (1) a huge number of species belong to Orchidaceae, (2) orchids are easy to be propagated artificially and (3) hybridizations is common. The proposal aims to simplify CITES-related procedures. The simplification will not create a negative effect on the wild population and as such, the proposal should be **accepted**.

Prop. 35. Amendment of annotation to Orchidaceae species in Appendix II (Switzerland)

This proposal is similar to the previous proposal but excluding the genus *Miltonia*, *Odontoglossum* and *Onchidium*. If the previous proposal is not adopted, this proposal should be

accepted.

Prop. 36. Amendment of the listing of Japanese yew *Taxus cuspidata* in Appendix II (USA)

Asian *Taxus* species were listed in Appendix II with the annotation that whole artificially propagated plants in pots or other small containers ... are not subject to the provisions of the Convention. The annotation to exclude these specimens is contrary to the text of the Convention. This proposal was submitted to rectify this problem and is almost the same as the next one. Either this proposal or next one should be **accepted**.

Prop. 37. Amendment of the listing of the four Asian yews *Taxus chinensis*, *T. cuspidate*, *T. fuana* and *T. sumatrana* (Switzerland)

This proposal is designed to have a similar effect to the previous proposal. If the previous one is not accepted, this proposal should be **accepted**. We recommend that the listing of *Taxus* species be further reviewed by the Plants Committee. Such a review may lead to the deletion of the four species from Appendix II or inclusion of other species occurring in North America and Europe.
