



CIC - INTERNATIONAL COUNCIL FOR GAME AND WILDLIFE CONSERVATION

CIC's Analysis of Proposals and Matters of CITES COP 14, The Hague

The International Council for Game and Wildlife Conservation (CIC) is an *Intergovernmental Organization* Observer of CITES (IGO). It is a politically independent advisory body working in the public interest that supports the concept of sustainable use. The following analysis has been produced by the CIC's Sustainable Use Commission and Tropical Game Commission.

Proposals

Proposal	Proponent	General Comment	Assessment	Recommendation
CoP14 Prop. 2 <i>Lynx rufus</i> (Bobcat): Proposal to delete the species from Appendix II	USA	This species is not at risk and never was thought to be at risk. The U.S. has consulted with the range states with similar Felidae who have no objection to this proposal (Mexico and Canada). The parts, pieces and derivatives are easily distinguishable and the USF&WS has published a document on distinguishing the subspecies and promises to assist range nations in training to make the distinction. The trade of similar Felidae is believed to be well controlled today.	It should not be listed at all.	SUPPORT
CoP14 Prop. 3 <i>Panthera pardus</i> (Leopard): Proposal to downlist the species from Appendix I to Appendix II with export quota	Uganda	The leopard in Africa no longer warrants listing on Appendix I, though the range nations are satisfied for it to remain on that Appendix and be tourist hunted on quota as a highly regulated and licensed tourist hunting activity. Placing the species on Appendix II will assist Uganda in contending with "Stricter Domestic Measures" of some important importing countries such as the United States in that it would no longer require an import permit.	The proposed leopard downlisting and quota are severable issues. It is not necessary to downlist the leopard to Appendix II to establish a quota by the Parties to the effect that those on quota satisfy the non-detriment requirement. Nevertheless, the concern about excessive commercial fur trade that caused the listing of leopard on Appendix I is no longer an issue.	SUPPORT THE QUOTA

		Uganda is within its rights to request the downlisting of its own population to achieve its purpose even though the practice has been to grant a quota and the leopard population remains on Appendix I. The African leopard is categorized as of “ <i>Least Concern</i> ” (2002) in the IUCN Red List (ver 3.1 (2001). It is a resilient species that is not really in danger in Africa today.	An Appendix II listing with a quota would more accurately reflect the status of this relatively resilient species and the suggested quota (50) is well within conservative limits. Alternatively, a quota should be granted pursuant to Res. Conf. 10.14 (Rev. COP13) as exists in RSA, Botswana, Namibia, Tanzania, Zambia, Mozambique, etc., but be forewarned that such a quota may be meaningless because of stricter domestic measures.	
CoP14 Prop. 4 <i>Loxodonta africana</i> (African elephant): Joint proposal to replace the existing annotation with three simplified annotations	Botswana, Namibia, South Africa and Zimbabwe	Elephants in these four countries were never thought to warrant an Appendix I listing when listed in 1989. The populations have doubled or tripled since then and continue to grow. Neither their status nor management warrants any listing whatsoever.	If the elephant numbers are to be sustained beyond the borders of fully protected areas, whether resident or seasonal, the local people have to derive more benefits in face of the growing conflicts. Eighteen years is a long time to compromise the conservation of elephant of these four countries.	We defer to the African elephant range states in their dialogue meeting.
CoP14 Prop. 5 <i>Loxodonta africana</i> (African elephant): Proposal to amend the annotation pertaining to its own elephant population	Botswana	Botswana’s elephant population has grown from 34,000 to 175,487 since 1983. With or without the six-point annotation, its elephant population is expected to continue to grow at the rate of 5% per year.	Annot. 1. for the non-commercial trade in hunting trophies is not of biological concern and provides value to the local people as well as the government. It should not be in contention. Annot. 2. for trade of hides should not be of concern. Annot. 3. for trade in leather goods should not be in contention. Commercial and illegal trade in hides and leather has never been of concern. Annot. 4. for live animal trade for commercial purposes is of no concern. Annot. 5. & 6. for conditional annual trade of 8 tons of ivory and a one-off sale immediately of 40 tons, respectively is warranted and not of biological significance.	We defer to the African elephant range states in their dialogue meeting.
CoP14 Prop. 6 <i>Loxodonta Africana</i> (African elephant): Proposal to amend	Kenya and Mali	The prospect of banning or restricting ivory trade for another 20 years is dismayed, particularly when the countries’ pledge to expend all the potential revenue on conflict-affected communities and conservation of elephant.	It would have been of no biological significance and most certainly should not warrant banning elephant trophy exports from Zimbabwe for the next twenty years as suggested.	We defer to the African elephant range states in their dialogue meeting.

<p>the annotations pertaining to trade in Botswana, Namibia and South Africa, and separately in Zimbabwe</p>		<p>Virtually every negative representation made by Kenya and Mali, whether correct or not, could better be addressed by the range states with the revenue these countries are being denied by the longstanding restrictions on trade.</p> <p>Kenya's "Additional Remarks" statement that "the high costs involved in policing the trade seem to exceed the potential benefits by far" suggests that legal trade has been made so burdensome by CITES that only illegal trade can flourish. Obviously, the Southern African countries are rightfully complaining about the restrictions and conditions being unreasonably burdensome. The suggestion that there are isolated illegal activities, if true, should not be controlling.</p> <p>The accusation that a few trophy male elephant were taken and smuggled out of Zimbabwe unlawfully was never proven to be true.</p>	<p>The banning of all elephant trade in Zimbabwe for twenty years threatens Zimbabwe's elephant far more than sporadic illegal activities that are inevitable in human affairs.</p>	
<p>CoP14 Prop. 7 <i>Loxodonta africana</i> (African elephant):</p> <p>Proposal to change from Appendix I to II with a three-point annotation</p>	<p>Tanzania</p>	<p>Proposal WITHDRAWN by Tanzania</p>		
<p>CoP14 Prop. 9 <i>Cervus elaphus barbarus</i> (Barbary Red deer):</p> <p>Proposal to uplist from Appendix III to I</p>	<p>Algeria</p>	<p>This is the only deer in Africa. It is at risk in Algeria, but not by trade.</p> <p>This limited species has been at risk for decades. The IUCN Deer Specialist Group reported that its population in Tunisia had increased in range and number by the thousands in the late 1980's.</p>	<p>There is little or no commercial utilization or trade and it is unlikely that there is significant international trade. It is fully protected where it still exists.</p> <p>Perhaps Algeria should list its own population in Appendix III as Tunisia did in 1976.</p> <p>In the absence of trade it does not qualify for listing.</p> <p>Algeria failed to consult the other range states.</p>	<p>REJECT</p>

<p>CoP14 Prop. 10 <i>Gazella cuvieri</i> (Cuvier's Gazelle):</p> <p>Proposal to uplist from Appendix III to I</p>	<p>Algeria</p>	<p>This species is most certainly at risk in Algeria but it is not a proper candidate because there is no evidence that international trade has an impact on wild populations of this species. The CMS Sahelo-Saharan Antelopes Status and Perspectives Report (2006) shows its status in Algeria as "endangered." Algeria has not consulted the other range states.</p>	<p>Perhaps Algeria should first list its own population on Appendix III like Tunisia.</p>	<p>REJECT</p>
<p>CoP14 Prop. 11 <i>Gazella dorcas</i> (Dorcas Gazelle):</p> <p>Proposal to uplist from Appendix III to I</p>	<p>Algeria</p>	<p>This species' population status varies widely throughout its range. It is the widest ranging gazelle. The ASG/IUCN treats it as "probably vulnerable" in Algeria (2004). Though it may warrant listing on Appendix II in part of its range (not Appendix I), it is not an appropriate candidate, as international trade is not believed to be of significant impact on the population. Algeria has not consulted the other range states.</p>	<p>Listing this species on Appendix I would retard tourist hunting/ sustainable use programs and reduce management options and revenue due to stricter domestic measures. Perhaps Algeria should list its own population on Appendix III as Tunisia did in 1976.</p>	<p>REJECT WITH ADVICE</p>
<p>CoP14 Prop. 12 <i>Gazella leptoceros</i> (Slender-horned Gazelle):</p> <p>Proposal by Algeria to uplist from Appendix III to Appendix I</p>		<p>This species may be at risk but is already fully protected throughout all of North Africa. The CMS Sahelo-Saharan Antelopes Status and Perspectives Report (2006) shows its status in Algeria as "probably endangered". It has not been importable into the United States in more than 30 years and is not commercially traded. Algeria failed to consult the other range nations.</p>	<p>The lack of trade disqualifies it from being a proper candidate species. Perhaps Algeria should list its own population on Appendix III as Tunisia did in 1976.</p>	<p>REJECT WITH ADVICE</p>

Strategic Matters

Document	Proponent	Comments	Recommended action
Doc. 11 CITES Strategic Vision: 2008-2013		Some of The Strategic Goals are particularly welcome. Objective 1.3 which states that national wildlife trade policies be consistent with the policies and regulations adopted at the international level is important. There is a provision for Parties to implement CITES in a consistent manner and to develop multinational CITES processes “that reduce the need by Parties for recourse to stricter domestic measures and reservations.” The “listing of species is not an end in itself but should be accompanied by management or recovery plans as appropriate.” We also agree that elements of the CBD’s Addis Ababa Principles and Guidelines on Sustainable Use are already implicit in the functioning of Goal 3 of CITES.	
Doc. 13. Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity		We agree with the Secretariat and the annexed recommendations of the Animals and Plant Committees.	The Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity should be treated as “a voluntary additional tool that can be used in making NDFs” (non-detriment findings).
Doc. 14 CITES and Livelihoods	Argentina, China, Germany on behalf of the European Union and Nicaragua	The 14 recommendations warrant consideration if CITES is to be more effective. Likewise, the suggested Decisions.	
Doc. 27 Disposal of illegally traded and confiscated specimens of Appendix II and III species	Indonesia	Though the Parties may benefit from guidance on how to deal with confiscated specimens and parts, the Draft Decision is not sufficient. We must certainly disagree with Section (iii) that the country of origin should always benefit from the sale or auction and the “results from the sale ... should be returned to the country of origin or service ...” This certainly should not be the practice when the item is deemed illegal because of the neglect or fault shared by the exporting country, i.e., it is improperly tagged, the export permit has expired, the export permit is irregular, has typographical errors, dates or information, etc.	Those violations that are errors should be distinguished from those that are willful and in all cases the responsible interest should be identified and taken into consideration in allocating the proceeds and the costs. In many cases the owner/shipper should be permitted to return and reship the item to be in compliance. Parties need to stop seizing items and penalizing owners/shippers for unintentional errors in otherwise perfectly lawful trade activities. A working group should be formed to address the important underlying issues more thoroughly. CITES needs to establish more equitable means of treating specimen that are lawful except for innocent permitting errors. Punitive action such as forfeiture should be “commensurate with the seriousness of the offense,” not greater as per Objective 1.7 of The Strategic Goals (COP 14 Doc.11).

<p>Doc. 28 Internet trade in specimens of CITES-listed species</p>	<p>Germany on behalf of the European Union</p>	<p>Internet trade may require special consideration and a workshop would serve that purpose well.</p>	
<p>Doc. 35 Draft Decision on Holding a Single Expert Workshop on the Making of Non-Detriment Findings in Mexico</p>		<p>There is no doubt about the merits of the regional workshops on how to make non-detriment findings that have been hosted by the Secretariat and IUCN. We have reservations about the cost and benefits from a single worldwide expert workshop that no doubt would then have to break down into regional groupings. Ultimately, the making of non-detriment findings is a local issue for specific taxa. The existing IUCN Checklist seems an entirely adequate guidance as do regional workshops, particularly those in developing countries far removed from Mexico.</p>	
<p>Doc. 37.1 Leopard Export Quota for Mozambique</p>	<p>Mozambique</p>	<p>Mozambique wishes to raise its negligible leopard quota from 60 to 120 to expand its tourist hunting into new tourist hunting areas, not a higher harvest level in its existing tourist hunting areas. It will remain a biologically inconsequential number and is of no concern. It is the best possible use of the species because of the revenue it would generate and the insight the hunter effort and information provides. It will help Mozambique to engage with new communities as stakeholders and beneficiaries in leopard and leopard prey conservation. Leopard in Mozambique were never thought to be threatened by regulated tourist hunting, but were listed on Appendix I because of uncontrolled poaching elsewhere.</p>	<p>The promise of implementing the quota progressively adds to the assurance that the total will not be utilized if experience proves it to be too high. That is not necessary, but is assurance that the quota will be carefully implemented and monitored. The quota can be revisited if it appears to be too high. It will still be relatively low compared to the other tourist hunting countries.</p>

Other Matters and Documents

Document	Proponent	Comments
<p>Doc. 37.2 <i>Diceros bicornis</i> (Black Rhino):</p> <p>Request to Reconsider and Repeal the Annual Export Quotas</p>	<p>Kenya</p>	<p>The issue is whether or not under Res. Conf. 9.21 (ii) there is new scientific or management data that indicates Namibia and the Republic of South Africa black rhino populations “can no longer sustain the agreed quota.”</p> <p>A quota of only five in each of the two countries is deminimus, i.e., of no consequence, especially in light of the management and recovery history of the white rhino that preceded the black rhino in these two countries. Both of these countries have proven their real capacity to successfully manage the species; their expertise is without compare. Though their programs may no doubt be imperfect, they are adaptive and successful.</p> <p>There is no requirement that all other options of utilizing surplus males be exhausted before tourist hunting (18) be utilized, particularly when it generates needed revenue and creates incentives to conserve the species.</p> <p><u>Namibia</u></p> <p>There is no requirement that Etosha National Park “reach its carrying capacity” (18). It is generally not advisable to maintain species populations at or near capacity. The African Rhino Specialist Group of IUCN has made it clear in the case of the rhino in Namibia and South Africa that the rhino “should be managed at densities below long term ecological carrying capacity (zero growth density) ... to maintain rapid population growth and prevent potential habitat damage.”</p> <p>The suggestion by Kenya to the contrary is unsound.</p> <p>The dependence of rhino upon artificial water holes demonstrates that the rhino are managed above the natural carrying capacity of that land at least at times of drought, which suggests the populations may be too high and should be reduced (13). We don’t doubt that there is “insufficient funding” or “financial ability,” but that is a reason for Namibia to use and increase its quota, not to deprive it of that logical resource use (9) (10) (11) (12) (13) (14).</p> <p>The apparent discrepancy in the population numbers in Namibia needs to be explained, but it is our best understanding from various sources that the population is increasing and well managed (8). The subspecies in Namibia, ssp. bicornis, has been increasing for many years and is only Red Listed by IUCN as “Vulnerable”.</p> <p>Tourism has not been demonstrated to measurably threaten rhino at this time. Rather, it is being developed as part of the rhino conservation strategy (16).</p> <p>There are no “conditions for the equitable allocation of concessions” attached to Namibia’s quota (17). Regardless, Namibia’s conservancy and concession program is the envy of the world, though no doubt imperfect and evolving.</p> <p><u>South Africa</u></p> <p>South Africa is monitoring and addressing poaching of rhino and its population of both white and black rhino are reported to be increasing (19) (20) (21) (22).</p>

		<p>The quote from African Indaba is out of context. The misuse of hunting trophies as commercial trade could not be significant if all five were illegally traded, but it is a false issue because it has not occurred. It was reported to be of concern by some interest groups, not an established fact; it is misquoted. Moreover, the measure of the weight and length of a trophy is normal and a good management practice. It certainly is not evidence of intended misuse of the trophy, which would be better served by concealment of identifying characteristics of the particular horn (23) (24). There is no management need or Convention condition that all misuses be “ruled out” for a legitimate one not to be detrimental (25).</p> <p>RSA has an evolving program that is improving each year. It need not be perfect (27). DEAT has this year devised a strategy to better select rhino to be tourist hunted.</p> <p>There is no requirement that “the expenditure of revenue” be expended in any particular manner for the taking of such a biologically inconsequential number of rhino to be non-detrimental. Moreover, financial return from investment in conservation is desirable, not a negative (28). It is a private cost that must be recovered for reinvestment, not a sacrifice. The ownership and participation by a range of different stakeholders is thought by the ARSG of IUCN to be “increasing the long term security” of rhino and to be desirable.</p> <p>The exhaustion of all alternative uses of surplus males is not an absolute requirement in making a non-detriment finding. Regardless, considering the history of white rhino recovery, tourist hunting is most certainly a proven and preferable alternative. Moreover, the tourist hunting of five rhino is not in the alternative of all other methods. In fact tourist hunting is just one of the better uses to which the rhino are being put. (29)</p> <p>In summary, if anything the quotas are too low. The quotas are low to maximize the tourist hunting revenue from each particular rhino however and unfortunately, the stricter domestic measures of some important importing countries are inhibiting demand from tourist hunters that could give rhino a higher conservation value and greater returns to those that are bearing the cost of their recovery and survival.</p>
<p>Doc. 46 Trade in some Crocodilian Specimens</p>	<p>Germany on behalf of the European Union</p>	<p>The recovery of the crocodile is one of, if not the best success story of CITES and justifies exemption and reduction of documentation and costs as found appropriate.</p>
<p>Doc. 53.4 Draft Resolution on Illegal Ivory Trade and Control of Internal Markets</p>	<p>Kenya and Mali</p>	<p>The document raises many issues that perhaps warrant review in a working group or in the African Dialog meeting. The suggested ban of ivory trade for 20 years, or any fixed period, is arbitrary and counterproductive. Such a provision would likely forestall development of non-detrimental practices, not promote their development.</p>