



**CONVENTION ON  
MIGRATORY  
SPECIES**

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12<sup>th</sup> MEETING OF THE CONFERENCE OF THE PARTIES  
Manila, Philippines, 23 - 28 October 2017  
Agenda Item 25.1

**COMMENTS FROM INTERGOVERNMENTAL ORGANIZATIONS ON THE  
PROPOSALS FOR  
AMENDMENT OF APPENDICES I AND II OF THE CONVENTION**

*(Prepared by the Secretariat)*

Summary:

This document contains comments submitted by relevant Intergovernmental Organizations on the proposals for the amendment of CMS Appendices to be considered by the 12<sup>th</sup> Meeting of the Conference of the Parties (COP12).

## **COMMENTS FROM INTERGOVERNMENTAL ORGANIZATIONS ON THE PROPOSALS FOR AMENDMENT OF APPENDICES I AND II OF THE CONVENTION**

1. In accordance with the provisions of Article XI of the Convention, the following Parties have submitted proposals for amendments to Appendices I and II of the Convention for consideration by the Twelfth Meeting of the Conference of the Parties: Angola, Chad, Congo (Republic of the), Eritrea, Ethiopia, European Union and its Member States, Ghana, Honduras, Iran (Islamic Republic of), Israel, Kenya, Mauritania, Monaco, Mongolia, Niger, Pakistan, Peru, Philippines, Samoa, Saudi Arabia, Senegal, Sri Lanka, Tanzania (United Republic of), Togo.
2. In accordance with the provisions of paragraph 7 of Resolution 11.33, the Secretariat has consulted relevant intergovernmental bodies, including RFMOs, having a function in relation to any species subject to a proposal for amendment. These organizations were:
  - Convention on Biological Diversity,
  - Convention for the Conservation of Antarctic Marine Living Resources,
  - Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea,
  - Commission for the Conservation of Southern Bluefin Tuna,
  - Fishery Committee for the Eastern Central Atlantic,
  - Convention on International Trade in Endangered Species of Wild Fauna and Flora,
  - Food and Agriculture Organization of the United Nations,
  - General Fisheries Commission for the Mediterranean,
  - Inter-American Tropical Tuna Commission, International Commission for the Conservation of Atlantic Tunas, Indian Ocean Tuna Commission,
  - International Union for the Conservation of Nature,
  - International Whaling Commission,
  - Northwest Atlantic Fisheries Organization,
  - North Atlantic Salmon Conservation Organization,
  - North-East Atlantic Fisheries Commission,
  - North Pacific Fisheries Commission,
  - The Ramsar Convention on Wetlands of International Importance,
  - South East Atlantic Fisheries Organisation,
  - South Indian Ocean Fisheries Agreement,
  - Secretariat of the Pacific Regional Environment Programme,
  - South Pacific Regional Fisheries Management Organisation,
  - Western and Central Pacific Fisheries Commission,
  - Western Central Atlantic Fishery Commission, and
  - World Heritage Convention.
3. Two organizations, the North Atlantic Salmon Conservation Organization and the South East Atlantic Fisheries Organisation replied that they had no specific comments on the proposals.
4. The full texts of the comments received from intergovernmental organizations in

response to the Secretariat's request for comments, in the language in which they were submitted, are contained in the following annexes to the present document, which constitutes an Addendum to the document UNEP/CMS/COP12/Doc.25.1:

Annex 1 – Food and Agriculture Organization of the United Nations

Annex 2 – International Commission for the Conservation of Atlantic Tuna

Annex 3 – General Fisheries Commission for the Mediterranean

Annex 4 – Western and Central Pacific Fisheries Commission

Annex 5 - Convention on International Trade in Endangered Species of Wild Fauna and Flora

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Our Ref: C-2430

Your Ref:

Rome, 14 August 2017

Dear Mr Chambers,

Thank you for your letter of 18 July 2017, on the upcoming meeting of the Conference of the Parties to CMS and the Proposals to list species on the Appendices. Please find attached views and considerations from the Food and Agriculture Organization of the United Nations (FAO) for your review with the CMS membership.

We also take the opportunity to highlight some issues on pastoralism and terrestrial wildlife and health.

Yours sincerely

Berhe G Tekola  
Director

Animal Protection and Health Division

Mr Bradnee Chambers  
Executive Secretary  
Convention on the Conservation  
of Migratory Species of Wild Animals  
UNEP/CMS Secretariat  
Bonn  
Germany

## Some notes and comment on the amendments suggested to Annexes I and II of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) by FAO/AGA and FAO/FOA

### **CHIMPANZEE (*Pan troglodytes*) to -> Appendices I and II**

While it is undoubtable that occurrence range of Chimpanzee is shared among multiple states and movement across international border occur regularly, there are some doubts as for whether those can qualify as real migrations, particularly as for their required "cyclic and predicable" nature. However, Chimpanzee as a species highly susceptible to Ebola Virus Disease can be an important sentinel for sylvatic epidemic of Ebola, historically known to precede virus spillover to humans. Better conservation and monitoring of transboundary communities of Chimpanzee, including mortality investigation might serve as an early warning signal for likely upsurge of the infection. Better controls of poaching would also be beneficial for disease prevention, as some of the Ebola incursions to humans were related to hunting primates, including *Pan troglodytes*.

### **CASPIAN SEAL (*Pusa caspica*) to -> Appendices I and II**

The proposal prepared by Iran is very well grounded and is undoubtedly very timely. Amongst multiple threats to this endemic migratory species of Caspian Sea, are epidemics of CDV, which may develop rapidly and quickly kill large proportion of the population. Occasional mortalities involving up to several hundred Caspian Seals were lately (post the major 2000 CDV outbreak) reported from Russia and Kazakhstan, some of which were linked to this infection. There are indications that CDV can be endemically maintained in the seal populations, but it remains unclear what triggers mass mortality events. Hopefully, inclusion of this species into the CMS Annexes will accelerate research into these, and other factors of concern for species conservation.

### **PRZEWALSKI'S HORSE (*Equus ferus przewalskii*) to -> Appendix I**

The proposal prepared by Mongolia, the only country in the world currently supporting sizable reintroduced population of this species, does not explain in which way its inclusion to Annex I correlates with the definition of "migratory species" adopted by the Convention:

*"Migratory species" means the entire population or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of whose members cyclically and predictably cross one or more national jurisdictional boundaries; (Article 1, 1a)*

Unless evidence is provided in which way species could benefit from inclusion to the Annex I (e.g. future expansion of range is expected, movements across Mongolia-China border etc.), it is difficult to recommend this species for inclusion based on formal criteria and logic of the Convention.

### **CHINKARA (*Gazella bennettii*) to -> Appendix II**

Inclusion of this species is timely, also because other migratory species of Asian gazelles (*Gazella subgutturosa* and *Procapra gutturosa*) are already listed in Annex II. FAO is generally strongly concerned about the negative role livestock diseases which keep on expanding in Asia (e.g. peste des petits ruminants, and also FMD), on wild ungulates. After population immunity to closely related rinderpest virus has vanished following global eradication, PPR significantly expanded its

range in many Asian countries causing devastating epidemics in livestock and mortalities in multiple caprine and ovine wildlife. Recent mass mortality events with Saiga antelopes in 2015 in Kazakhstan (*Saiga tatarica* or *S.t. tatarica*) due to outbreak of hemorrhagic septicemia and in Mongolia in 2016 (*Saiga borealis* or *S.t.mongolica*) due to spread of PPR from livestock are but two examples of high vulnerability of these species to disease. Migratory species of Asian antelopes are already dramatically challenged with multiple negative factors affecting their survival (range fragmentation, poaching, illegal trade and climate change) and might not be able to survive new massive epidemics of infectious disease. Perhaps, both species (sub-species?) of Saiga, but in particular Mongolian Saiga, should be considered for inclusion also into the Annex I? If treated as two subspecies, the Russian, Kazakh and Mongolian Saiga would qualify as a CMS migratory species.

#### **African and Asian Vultures (all proposed species) to -> Annex I.**

Inclusion of vultures is highly justifiable because of their extensive nomadic movement patterns and dramatic declines seen over last decades globally due to several important anthropogenic factors requiring strong international collaboration and joint action. FAO fully supports efforts aiming complete phasing out of diclofenac use as a veterinary drug and its worldwide replacement with available alternative painkillers. Also, whenever for the sake of crop protection or disease control, the practices of wild and stray animal population control involving use of poison should be abandoned. Joint elimination of these two factors across the entire ranges of species concerned both in Africa and Asia could hopefully help to gradually improve situation, for which listing in Annex I could be an additional argument.

#### **LION (*Panthera leo*) to -> Appendix II**

The joint proposal prepared by the Governments of Chad, Niger and Togo is timely and substantiated. FAO is concerned about the threats, e.g. HWC, illegal trade and poaching, to the populations and has been supporting the work related to managing the conflicts between people and lions in Africa (see: <http://www.fao.org/docrep/012/i1048e/i1048e00.pdf>; [http://www.fao.org/docrep/012/k7292e/k7292\\_e00.pdf](http://www.fao.org/docrep/012/k7292e/k7292_e00.pdf)). It is also recognized that the canine virus, distemper (similar to measles in humans, *peste des petits ruminants* in sheep and goats, and rinderpest in cattle), can infect and kill lions in large numbers.

According to the definition of the CMS Appendix II, *Panthera leo* is certainly qualified to be included in the Appendix, as it is a migratory species, which has unfavorable conservation status and international cooperation/agreements would have benefits for the species' conservation/management.

FAO supports the Proposal and would recommend to receive the confirmation of other countries, where *Panthera leo* populations are native (e.g. Cameroon, CAR, Mozambique, Tanzania, Zimbabwe), to act as co-proponents.

#### **Livestock-Wildlife Interaction and Pastoralism**

Livestock, under traditional pastoralist production systems can arguably be considered migratory.

As additional information the following text on pastoralism and wildlife migration might be included into the rationale of the proposals for some of the listed species (e.g.. Lion (*Panthera leo*), Leopard (*Panthera pardus*), PRZEWALSKI'S HORSE (*Equus ferus przewalskii*) and vulture species).

Pastoralism is one of the few land uses able to co-exist with wildlife, as domesticated and wild animals exploit different ecological niches in the same grazing areas. For example, 92% of all protected conservancies in Kenya fall within pastoral lands (CELEP, 2017). Pastoralists use mobility to

exploit semi-arid environments with unpredictable rainfall and pasture. Wildlife also migrate to access seasonal rainfall-driven food supplies, and migration routes and movements follow the availability of grazing resources which appear under rainy season conditions. Pastoralists also utilize wildlife to track forage availability for their livestock and, through close observation of movement patterns, have relied on species such as wildebeest as indicators of rainfall (Lankester and Davis 2016).

Pastoralists provide a habitat for wildlife. By seed dispersal over large areas, and fertilizing the ground where they are deposited. In Eastern Africa, where countries earn significant foreign exchange through wildlife tourism, pastoralists are being increasingly remunerated to maintain favourable environments outside of national parks for wildlife migration and conservation (de Jode, 2014). But pastoralist/wildlife interactions go beyond co-creation of landscapes. Wild grazers use proximity to pastoralist homesteads to avoid non-human predators and exploit dams, built for livestock, as a source of water. Even planted trees around livestock corrals/stables provide shade and cover for ungulates hiding from predators (Lankester and Davis 2016). Therefore, there can be compatibility between wildlife migration and pastoralism.

ICCAT-SALIDA  
2017-07-21  
S17-05169

INTERNATIONAL COMMISSION FOR THE  
CONSERVATION OF ATLANTIC TUNAS



COMMISSION INTERNATIONALE POUR LA  
CONSERVATION DES THONIDES DE L'ATLANTIQUE

COMISION INTERNACIONAL PARA LA  
CONSERVACION DEL ATUN ATLANTICO

21 July 2017

Mr. B. Chambers,  
Executive Secretary  
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53113 Bonn  
GERMANY

**SUBJECT: CMS COP12 PROPOSALS TO LIST SPECIES ON THE APPENDICES**

Dear Mr Chambers,

The ICCAT Secretariat acknowledges your letter received on 17 July. We note that you request a response to the proposals by the 23 August. Unfortunately, the ICCAT sharks species group met earlier this month and will not do so again until September. In addition, many of the working group members are on vacation or otherwise unavailable during August. As such, a comprehensive response by the deadline provided is not possible. The ICCAT Scientific Committee (SCRS) which provides advice to the Commission in all the scientific matters meets every year in the first week of October. At this stage, it is impossible to provide CMS advice on the 3 shark species proposals. In order to provide you with a constructive and comprehensive response, the SCRS should review this information during its forthcoming meeting to be held from 2 to 6 October. Nevertheless, we will endeavour to assist in this matter. We propose to provide the following information:

1. A preliminary response to CMS authored by those sharks species group members available at such short notice.
2. The ICCAT SCRS will review the response at their October meeting and provide an integrated and comprehensive revision to the preliminary response.
3. This comprehensive final response can be provided at the end of the first week of October.

We hope this will be acceptable for your meeting at the end of October. We understand that this is beyond the deadline you request, but in order to provide an informed and meaningful consultation on these species, we think this process is necessary.

Yours sincerely,



Driss Meski  
Executive Secretary

Preliminary comments by the ICCAT/SCRS Shark Species Group on the CMS COP12 Proposals for the inclusion of three shark species on the Appendices

**BLUE SHARK proposal**

General comments

Blue shark stocks are currently assessed by four major RFMOs in the Atlantic, Pacific, and Indian oceans. These stock assessments have not found blue shark stocks to be overfished or overfishing occurring and thus conservation status does not currently appear to be unfavorable. It is important to note that while uncertainty is pervasive in all stock assessments, the stock assessment process involves the participation of scientists from many countries and includes comprehensive data from many fleets. From the perspective of Atlantic stocks in particular, blue shark stocks are already being managed through ICCAT, implying that international cooperation is already in place and catches are being monitored. Therefore inclusion of Atlantic blue shark stocks in CMS's Appendix II does not seem warranted.

Specific comments

*Section 2 (Overview)*

The proposal mentions that the blue shark is listed on the IUCN Red List of Threatened Species as Near Threatened globally (2005 assessment, requires updating), Near Threatened in European waters in 2015, and Critically Endangered in the Mediterranean in 2016." This is presented presumably as justification for inclusion in Appendix II. It must be noted that a "Near Threatened" classification does not fall under the "threatened" categories in the IUCN Red List, implying that at most, "the species is close to qualifying for or is likely to qualify for a threatened category in the near future". It is also important to note, that unlike stock assessments, which are based on the best available data (see e.g. Coelho et al. 2017, which included information on almost half a million specimens), IUCN Red List assessments may be arbitrary: for example, the criterion on "reduction in population size" is defined as "an observed, estimated, inferred or *suspected* population size reduction of...".

*Section 4.2 (population estimates and trends)*

The proposal lists several indices of relative abundance (catch rate analyses) for the Western North Atlantic showing different degrees of decline. First, relative abundance indices are only stock status indicators, not full stock assessments providing a formal determination of the status of a stock. They are only one of several pieces of information that are used in a stock assessment, the others main ones being catches and life history. Second, the choice of these particular catch rate series seems biased, since other indices of abundance showing different trends, are not mentioned. For example, of the 8 catch rate series used in the 2015 ICCAT stock assessment for the North Atlantic stock, the majority of which extend to 2013, 4 displayed a positive trend, 1 no trend, and 3 a negative trend. Similarly, while the 2015 ICCAT stock assessment recognized its limitations due to high uncertainty, the 6 catch rate series for the South Atlantic stock showed a positive trend. Third, the catch rate series included in the proposal all end in the early 2000s or earlier and therefore do not show recent trends included in other series not presented by the authors of the proposal (see second point).

#### *Section 4.4 (Biological characteristics)*

The proposal states that “this species has a higher intrinsic rate of population increase than that of many other large pelagic sharks”. In fact, blue sharks have the highest  $r_{\max}$  value of *any* pelagic shark species.

#### *Section 5.2*

The proposal states that “fisheries stock assessments have been undertaken (or attempted) for some blue shark stocks”. In fact, the blue shark is the most ubiquitously assessed pelagic shark species in the world given its naturally high abundance, with assessments now available for Atlantic, Pacific, and Indian Ocean stocks. There are also several management measures in place which have allowed for better data collection in recent years.

#### *Section 5.3*

It is unclear where the landings used for Figure 5 in the proposal come from. Using the catches reported in the 2015 blue shark stock assessment combined for North and South Atlantic stocks, catches increased by about 50% from 2005 (51,602 t) to 2011 (76,692 t).

#### *Section 6.5*

The indices of relative abundance (see section 4.2) are a form of population monitoring, at least on a relative basis, if they properly account for all variables that can affect abundance.

### **DUSKY SHARK (*Carcharhinus obscurus*) proposal**

#### General comments

The dusky shark only falls marginally under the purview of ICCAT because it is mostly a coastal species, but is also occasionally pelagic and gets caught in ICCAT fisheries. The western North Atlantic stock is regularly assessed by the USA, most recently in 2016, and is actively managed. However, there is no international cooperation in place for potential additional North Atlantic stocks. Inclusion in CMS’s Appendix II may be beneficial for the stocks.

#### Specific comments

##### *Section 4.2 (population estimates and trends)*

The proposal lists several indices of relative abundance (catch rate analyses) for the Western North Atlantic showing different degrees of decline (Table 1). Note that theoretically the most reliable of these rates of decline is that from Cortes et al. (2006) because it is based on a formal stock assessment rather than a single index of relative abundance. Note that the more recent stock assessment for the East Coast of the USA (NMFS 2016) found declines of 70-88% in a 55 year period, or a little less than two generation times.

##### *Section 5.3 (threats to the population)*

The proposal states that “there is some evidence that juvenile management in the United States is mitigating dusky shark decline to some extent”. This is an awkward sentence and it could be better stated as “The commercial and recreational retention of dusky sharks has been prohibited on the East Coast of the USA since 2000, which has improved stock status but not completely eliminated overfishing due to some difficult-to-control bycatch mortality”.

#### *Section 6.3 (management measures)*

The proposal states that “Recovery to MSY is unlikely to be achieved before 2100, but the population rebuilding time is estimated at about 100 years (SEDAR 11)”. This sentence should be changed to “Recovery to MSY (rebuilding) is currently estimated to take from 77 to over 100 years (NMFS 2016)”.

#### **ANGEL SHARK (*Squatina squatina*) proposal**

The Group does not have any relevant information on this species and will not be providing any comments.

#### Literature cited

Coelho, R., J. Mejuto, A. Domingo, K. Yokawa, K-M. Liu, E. Cortés, E. Romanov, and 19 others. 2017. Distribution patterns of the blue shark (*Prionace glauca*) in the Atlantic and Indian oceans. *Fish and Fisheries*: 1-16.

NMFS. 2016. Update to SEDAR 21 HMS Dusky Shark. Stock assessment report. SEDAR, North Charleston, SC, USA.



Food and Agriculture  
Organization of the  
United Nations



General Fisheries Commission for the  
Mediterranean  
Commission générale des pêches pour la  
Méditerranée

Rome, 27 July 2017

**TO THE ATTENTION OF BRADNEE CHAMBERS**  
**Executive Secretary - CMS**

**Subject: Consultations on CMS COP12 proposals to list species on the Appendices**

Dear Executive Secretary,

I hereby refer to your letter dated 18 July 2017 whereby you consulted the GFCM on the proposals submitted to COP12 to list species on the CMS Appendices. At the outset, I would like to thank you for your cooperation and for seeking our inputs in the context of your consultations with RFMOs.

With regards to the proposals to include the Angelshark (*Squatina squatina*) and the Common Guitarfish (*Rhinobatos rhinobatos*) in Appendices I & II, which have been made by the relevant departments of two GFCM Members (Monaco and Israel, respectively; for the sake of clarity, the focal points to the GFCM are national delegates appointed by the departments of fisheries), at this stage we will not be able to provide you with a detailed scientific advice although a preliminary analysis pointed to a need to improve the management of these species. However, I would like to inform you that data concerning both species exist at the national level. They are regularly collected through campaigns at sea and surveys carried out by our Members. However, these data are scattered throughout the Mediterranean region and, at times, sparse. The GFCM, having already acknowledged this situation via its Scientific Advisory Committee on Fisheries (SAC), has called upon its Members to provide a consistent scientific advice on the status of conservation of these species.

To this end, I am pleased to inform you that last year the annual session of the Members has adopted the "*Mid-term Strategy (2017-2020) towards the sustainability of Mediterranean and Black Sea Fisheries*" which aims at tailoring SDG 14 targets to the specificities of our region. The mid-term strategy is composed of five main targets, including one target exclusively devoted to the interactions between fisheries and the marine environment at large. In the remit of this target we have launched activities relating to by-catch and survey at seas, including a monitoring programme, which will be undertaken in the upcoming months. At the same time, we have revised our Data Collection Reference Framework to include specific reporting obligations by our Members on by-catch of vulnerable species, including sharks and rays.

In light of this, we foresee to be able to compile a more comprehensive dataset on both Angelshark and Common Guitarfish, which will serve as a basis for a scientifically based advice by the SAC. On the basis of this advice, GFCM Members will be subsequently invited to take any decisions on conservation and management, as appropriate, at their 2018 annual session.

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Food and Agriculture  
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General Fisheries Commission for the  
Mediterranean  
Commission générale des pêches pour la  
Méditerranée

I would therefore ask you to please bring this information to the attention of COP 12 and inform the Contracting Parties of CMS that we will endeavor to transmit the findings of our work (i.e. reports of the SAC and its relevant subsidiary bodies and technical working group) to you, starting from next year. This will help you to inform accordingly the discussions on proposals, including revisions, to list species on Appendices I & II.

Thank you very much in advance for considering my request. I stand ready to discuss further these issues with you, as need be.

Kindest regards,

A handwritten signature in blue ink, appearing to read 'Abdellah Srour'.

Abdellah Srour  
Executive Secretary  
General Fisheries Commission for the Mediterranean

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24<sup>th</sup> August, 2017

Mr Bradnee Chambers  
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Dear Mr Chambers,

Thank you for your letter of 18 July 2017 informing me of the latest developments concerning the proposals to amend the Convention on the Conservation of Migratory Species of Wild Animals (CMS) at your upcoming Conference of Parties in October.

I note that the two proposals which are relevant to our work in the Western and Central Pacific Fisheries Commission (WCPFC) are for the blue shark (*Prionace glauca*) and the whale shark (*Rhincodon typus*). Both species have been designated as WCPFC key shark species and several conservation and management measures, guidelines and regulations which apply to these species are currently in force. There have also been a number of scientific studies conducted on behalf of the WCPFC in recent years which have addressed the stock status of these species. I am pleased to be able to refer you to our newly updated WCPFC “shark portal” which provides a convenient compilation of the WCPFC’s science, compliance, management and data activities related to sharks. Interested parties may access the portal using this weblink: <https://www.wcpfc.int/sharks>.

With regard to your request for comment on the proposals, we tabled your consultation letter at our annual WCPFC Scientific Committee which was held from 9-17 August 2017, and asked for comments to be provided by your deadline of 23 August 2017 (see <https://www.wcpfc.int/node/29748> ). To date, the WCPFC Secretariat has not received any comments from our members, and as your letter requested a response as soon as possible I wanted to reply to you initially today. If I subsequently receive any comments I will forward them under separate cover.

If you require any further information please contact Dr Shelley Clarke, Technical Coordinator-Sharks and Bycatch at [shelley.clarke@wcpfc.int](mailto:shelley.clarke@wcpfc.int). Thank you again for your consultation.



CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA



Our ref.: TDM/ep  
Your ref.:

Geneva, 12 September 2017

**Subject:** CITES comments on Proposals for amendments of CMS Appendices

In accordance with paragraph 7 of CMS Resolution 11.33, the CMS Secretariat is requested “*to consult other relevant intergovernmental bodies, including RFMOs, having a function in relation to any species subject to a proposal for amendment of the Appendices and to report on the outcome of those consultations to the relevant meeting of the Conference of Parties*”.

The CMS Secretariat clarified that it seeks to obtain scientific data and other comments on the proposals in order to communicate this information to the Parties to CMS for consideration at the 12th meeting of the Conference of the Parties (COP12).

The CITES Secretariat shares herewith information relating to proposals to be discussed at COP12 concerning species that are included in the Appendices of CITES.

**[Proposal for inclusion of the Chimpanzee \(\*Pan troglodytes\*\) on Appendices I and II of the Convention](#)**

As indicated in the proposal, *Pan troglodytes* is included in CITES Appendix I since the Convention’s inception.

The CITES Parties have paid particular attention to the conservation of and trade in Chimpanzees and other Great Apes, *inter alia* through Resolution Conf. 13.4 (Rev. CoP16) on *Conservation of and trade in great apes* and related decisions, and regular reviews of their implementation by the CITES Standing Committee and CoP.

It is recognized by CITES that there are significant and diverse pressures on great apes, with habitat loss and illegal domestic trade in bushmeat being two of the most significant factors impacting on great ape populations. While there is some illegal international trade in great apes as indicated in the proposal, data of the last 15 years from official sources that is available to CITES suggests that such illegal trade has remained limited, and does not substantiate allegations that a large ongoing international trade exists in great apes for the pet, animal park and zoo trade [see also World Wildlife Crime Report, UNODC, 2016]. The most prominent recent example of illegal international trade in great apes involved chimpanzees and gorillas from Guinea between 2009 and 2011, using fraudulent CITES export permits, alleging the apes were captive bred although Guinea has no known captive breeding facilities. Upon the discovery of the falsifications by the Secretariat, the CITES Standing Committee decided to suspend all exports of CITES-listed species from Guinea until the CITES implementation problems were resolved.

It is however recognized that more information is needed on the threats to great ape populations, including that posed by hunting and trade. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties instructed the CITES Secretariat to collaborate with the IUCN/SSC Primate Specialist Group, GRASP, and other experts, and subject to the availability of sufficient funding, finalize a report on the status of great apes and the relative impact of illegal trade and other pressures on their status, for consideration by the Standing Committee. It is expected that this study will be available in 2018.

### **Proposal for inclusion of the Lion (*Panthera leo*) on Appendix II of the Convention**

*Panthera leo* is included in Appendix I (*Panthera leo persica*) and II (African populations only with the following new Annotation, agreed at CoP17: *For Panthera leo (African populations): a zero annual export quota is established for specimens of bones, bone pieces, bone products, claws, skeletons, skulls and teeth removed from the wild and traded for commercial purposes. Annual export quotas for trade in bones, bone pieces, bone products, claws, skeletons, skulls and teeth for commercial purposes, derived from captive breeding operations in South Africa, will be established and communicated annually to the CITES Secretariat.*)

Trade data presented at CoP17 in CoP17 Prop 4 [“Transfer all African populations of *Panthera leo* from Appendix II to Appendix I] showed that between 2005 and 2014, a total of 29,214 lion specimens were recorded as (re-) exports by 102 Parties, of which 19 were African range States. About two-thirds of these specimens derived from captive bred origins. The main exporter was South Africa (nearly 20,000 specimens recorded). The main purposes of trade were trophy hunting (12,315 specimens, of which 4,387 from wild origin), commercial (7,787; 1,701 from wild origin) and scientific (4,811; 4,041 from wild origin). The available trade data suggested that the export of specimens associated with trophy hunting had remained relatively stable during the 10 years analysed (on average 1,232 specimens per year), with apparently some shift from wild to captive-bred origins. Over the same period, some 8,000 skeleton derivatives, including bones, were recorded in exports. This trade has increased, particularly between 2005 and 2010. The very large majority (80%) of these specimens was reported to be of captive-bred origin.

At CoP17, the Parties to CITES directed the CITES Secretariat, in collaboration with African lion range States, CMS and IUCN, to implement a comprehensive set of measures to conserve African lions, study management and trade, and provide longer-term support. The CITES Secretariat has collaborated closely with the CMS Secretariat and IUCN to develop a comprehensive programme of work for the implementation of Decision 17.241, and to collectively seek ways to secure funding for the planned activities. Progress with the implementation of these instructions, including the developed a Joint CMS-CITES African Carnivores Initiative, focusing on African lions (*Panthera leo*), leopards (*Panthera pardus*), cheetahs (*Acinonyx jubatus*) and African wild dogs (*Lycaon pictus*), is presented in document AC28 Doc. 29.

### **Proposal for inclusion of the Leopard (*Panthera pardus*) on Appendix II of the Convention**

*Panthera pardus* is included in CITES Appendix I.

Under section 5.5, mention is made of “hunting quotas for 2,163 leopards” “allocated to African countries”. It is unclear what instances “allocated” such quotas, if they include quotas for domestic and international use, or if these quotas comprise those that CITES Parties agreed to in Resolution Conf. 10.14 (Rev. CoP16) on *Quotas for leopard hunting trophies and skins for personal use*. This Resolution has been in place since 1997, and provides for facilitated, closely controlled annual export quotas for 12 Parties (Botswana, the Central African Republic, Ethiopia, Kenya, Malawi, Mozambique, Namibia, South Africa, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe). Other range States of the species have been exporting specimens of *Panthera pardus*, including trophies, but did not benefit from the controlled facilitation offered by Resolution Conf. 10.14 (Rev. CoP16). Overall, the system put in place by the Resolution, involving limitations of exports to maximum two specimens per year per person, and a dedicated tagging system, seems to have functioned well. However, it is recognized that the conservation status of *Panthera pardus* has deteriorated in recent decades.

At CoP17, the Conference of the Parties therefore adopted four interrelated decisions (Decisions 17.114 to 17.117) on quotas for leopard hunting trophies, calling for the 12 Parties which have quotas established under Resolution Conf. 10.14 (Rev. CoP16) to review these quotas, and consider whether they were still set at levels which are non-detrimental to the survival of the species in the wild, and to share the outcomes of the review and the basis for the determination that the quota is not detrimental, with the Animals Committee at its 30th meeting in 2018. The Animals Committee is to make recommendations to the Standing Committee, which in turn shall make its own recommendations, as appropriate, for consideration at the 18th meeting of the Conference of the Parties in 2019. Such recommendations may include for example revised quotas, or further guidance concerning trade in for leopard hunting trophies and skins for personal use, and relevant amendments to Resolution Conf. 10.14 (Rev. CoP16).

In March 2017, the Secretariat wrote to the 12 Parties concerned, encouraging them to initiate their reviews of the levels of their national leopard export quotas in the course of 2017 to assess whether they are non-detrimental. It offered its assistance in undertaking these national reviews upon request, and within its financial and technical means.

Regarding the trade data presented in Figure 3, the Secretariat observes that the source of the data is not clear, and that the graph can lead to confusion. The axis has no numerical value, so that it is uncertain what is being represented (trade in specimens of *Panthera pardus* can range from hair, blood, skin parts and teeth to entire trophies or live animals, and can be expressed in numbers, Kg, gr, ml,...). The data represented in the graph focuses on 7 Parties only, and the amalgamation of “bodies, live animals, skins, skulls and trophies” in one category, and “bones, claws and teeth” in a second are not explained or justified.

The CITES Trade data base shows that global gross exports of *Panthera pardus* trophies between 2010 and 2016 remained under 1000 specimens per annum (declining from 929 trophies in 2010 to 704 in 2015); during these 7 years, the main exporters, with over 100 trophies exported during this period, were, in descending order: Zimbabwe, Tanzania, Namibia, South Africa, Zambia, Mozambique and Central African Republic.

#### **Proposal for inclusion of the Gobi Bear (*Ursus arctos isabellinus*) on Appendix I of the Convention**

*Ursus arctos isabellinus* is included in Appendix I of CITES. The CITES trade data base shows that from 1975 to 2015, international transactions for non-commercial purposes remained mainly limited to a very small number of live animals that were part of a travelling exhibition or circus, or transported for zoos. No noticeable trade in parts and derivatives has been recorded, which is the subject of Resolution Conf. 10.8 (Rev. CoP14) on *Conservation of and trade in bears*.

#### **Proposal for inclusion of the African Wild Ass (*Equus africanus*) on Appendix I and II of the Convention**

##### **Proposal for inclusion of the African Wild Ass (*Equus africanus*) on Appendix I of the Convention**

*Equus africanus* is included in CITES Appendix I since 1983 with the following annotation: “Excludes the domesticated form, which is referenced as *Equus asinus* and is not subject to the provisions of the Convention.” The CITES trade database shows movements for non-commercial purposes of very small numbers of live captive bred animals and specimens thereof for zoos or scientific purposes, and for reintroduction [the assertion in both proposals, under paragraph 5.5, that “Internationally, no trade is allowed since the species is listed as CITES Appendix I” is not entirely correct: trade in the Appendix-I listed *Equus africanus* for non-commercial purposes is possible under CITES, and has taken place on a regular, annual basis.]

##### **Proposal for the inclusion of the Przewalski's Horse (*Equus ferus przewalskii*) on Appendix I of the Convention**

*Equus przewalskii* has been included in Appendix I since the inception of the Convention. The CITES trade database shows movements for non-commercial purposes of small numbers of live captive bred animals and specimens thereof for scientific purposes, reintroduction and zoos.

##### **Proposal for the inclusion of the Chinkara (*Gazella bennettii*) on Appendix II of the Convention.**

*Gazella bennettii* has been included by Pakistan in Appendix III since 24/06/2014. This Appendix lists species that are protected in at least one country, which has asked other CITES Parties for assistance in controlling the trade. In the case of trade from a State that included the species in Appendix III, an export permit issued by the Management Authority of that State is required. This may be issued only if the specimen was legally obtained and, in the case of a live animal or plant, if it will be prepared and shipped to minimize any risk of injury, damage to health or cruel treatment. In the case of export from any other State, a certificate of origin issued by its Management Authority is required. In the case of re-export, a re-export certificate issued by the State of re-export is required.

The species is distributed in Afghanistan, India, Iran (Islamic Republic of) and Pakistan. The export for commercial purposes from Afghanistan of CITES-listed species (including *Gazella bennettii*) is suspended since September 2009 (see Notification to the Parties No. 2005/054.). India has banned the export for

commercial purposes of all wild-taken specimens of species included in Appendices I, II and III since May 1999 (see Notification to the Parties No. 1999/39.).

The CITES trade data base recorded only three transactions since 2014. This includes the export of 5 hunting trophies from Pakistan to the USA in 2015.

**Proposal for inclusion of the Steppe Eagle (*Aquila nipalensis*) on Appendix I of the Convention**

**Proposal for inclusion of the Steppe Eagle (*Aquila nipalensis*) on Appendix I of the Convention**

**Proposal for inclusion of Four Vulture Species occurring in Asia on Appendix I of the Convention**

**Proposal for inclusion of Five Vulture Species occurring in Sub-Saharan Africa on Appendix I of the Convention**

**Proposal for inclusion of the Lappet-Faced Vulture (*Torgos tracheliotos*) on Appendix I of the Convention**

**Proposal for inclusion of the Lappet-Faced Vulture (*Torgos tracheliotos*) on Appendix I of the Convention**

*Aquila nipalensis*, *Gyps africanus*, *Gyps bengalensis*, *Gyps coprotheres*, *Gyps indicus*, *Gyps rueppellii*, *Gyps tenuirostris*, *Necrosyrtes monachus*, *Sarcogyps calvus*, *Torgos tracheliotos*, *Trigonoceps occipitalis* and *Rhincodon typus* are all included in CITES Appendix II, being part of the generic listing of Falconiformes spp. in Appendix II (Except *Caracara lutosa* and the species of the family *Cathartidae*, which are not included in the Appendices; and the species included in Appendices I and III).

None of the 11 species has been selected for the Review of Significant Trade process, which requires the Animals Committee to review the levels of international trade in CITES-listed Appendix-II species on an ongoing basis with the aim of identifying and correcting instances in which Parties appear to be allowing exports of certain species at levels that may be detrimental to the survival of that species in the wild. The review process is laid out in Resolution Conf. 12.8 (Rev. Cop17). It can give rise to species- and country-specific recommendations for improved trade management, and to sanctions or trade suspensions in instances in which Parties ignore such advice.

The trade data that the Animals Committee examined at its recent meeting in July 2017 (see documents AC29 Doc. 13.2 and 13.3) showed that five of the 11 species had been recorded in trade during the 5 most recent years for which trade data is available (see table below). As indicated above, the observed levels of (authorized) trade did not warrant the inclusion by the Animals Committee of any of these species in the Review of Significant Trade. However, CITES is aware of the existence of illegal domestic and regional trade in vulture specimens, as presented in the proposals, although that the scale and nature of such trade and utilization remain poorly documented.

Taxon	Term	2011	2012	2013	2014	2015	Selection criteria	IUCN status	Exporters (ranked)	Range States	% trade by source
<i>Gyps africanus</i>	live	3	8	8	0	4	Endangered	CR (↓)	NA, TZ, ZM	ZA, CM, 40	W(100%)
	trophies	1	0	1	3	0					
<i>Gyps coprotheres</i>	trophies	3	0	2	2	0	Endangered	EN (↓)	ZA, LS	7	W(100%)
<i>Gyps rueppellii</i>	live	0	0	4	0	6	Endangered	CR (↓)	TZ, GN	33	W(100%)
	trophies	0	0	0	0	3					

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<i>Necrosyrtes monachus</i>	live	3	2	0	0	0	CR (↓)	GN	38	W(100%)
<i>Trionocephs occipitalis</i>	trophies	0	0	0	1	0	CR (↓)	ZA	37	W(100%)

The inclusion of *Aquila nipalensis*, *Gyps africanus*, *Gyps bengalensi*, *Gyps coprotheres*, *Gyps indicus*, *Gyps rueppellii*, *Gyps tenuirostris*, *Necrosyrtes monachus*, *Sarcogyps calvus*, *Torgos tracheliotos*, *Trionocephs occipitalis* and *Rhincodon typus* in CMS Appendix I would lead to conservation obligations and measures to be taken by Parties to both Conventions that are stricter than those already in place under CITES Appendix II. In view of the very low levels of international trade and the limited threats posed by this trade, it is not clear if any of the 11 species would meet the criteria for their inclusion in CITES Appendix I.

Concerning the four Asian vultures and five African vultures, the proponents state that “[CITES] Appendix II species require an export permit or re-export certificate to be traded internationally, but can be imported without an import permit (unless required by national law). Export permits are only granted if the export is not detrimental to species’ survival, the species was not obtained illegally, and transportation is conducted appropriately. Authorisation of trade should only be granted in highly exceptional situations. Listing these species on CMS Appendix I would reinforce the provisions already in place under CITES by prohibiting the taking of these species unless for scientific purposes, for the purpose of enhancing propagation or survival, to accommodate the needs of traditional subsistence users or if extraordinary circumstances so require.” The Secretariat notes that not all countries involved in the limited existing international trade are members to CMS.

#### **Proposal for inclusion of the Whale Shark (*Rhincodon typus*) on Appendix I of the Convention**

*Rhincodon typus* was included on CITES Appendix II at CoP12 in 2002, meaning that international trade, including for commercial purposes, remains possible, but is regulated under CITES Article IV, i.e. needs to be legally sourced and not detrimental to the survival of the species in the wild.

Inclusion of *Rhincodon typus* in CMS Appendix I would lead to conservation obligations that are stricter than those in place under CITES Appendix II, as is already the case for *Manta* spp. The CITES Secretariat notes that questions related to the implementation of such discrepancies between CITES Appendices and CMS Appendices have arisen at meetings of the CITES governing bodies before, and that no guidelines in this regard is available. From the information contained in the proposal *Rhincodon typus* does not seem to fulfil the criteria for listing the species in CITES Appendix I, which would be the strictest level of protection under CITES.

Continued development of by-catch and injury mitigation strategies for fisheries, as anticipated in the section on effects of the proposed amendment, would be synergetic to priorities for CITES work on sharks, as identified by CoP17. The expectation that inclusion on CMS Appendix I would improve reporting of fisheries interactions however seems insufficiently substantiated, as no-take measures when not implemented in conjunction with other fisheries management tools, e.g. observer coverage, could also lead to a decrease of reporting.