

CITES Conference in Botswana

The fourth meeting of the Conference of the Parties to CITES was held in Gaborone from 19 to 30 April. Delegates included representatives from 59 Parties, 3 non-party states, the European Community (EC), United Nations Environment Programme (UNEP), Food and Agriculture Organisation (FAO) and International Criminal Police Organisation (Interpol). Of the 69 non-governmental organisations (NGOs) represented, 22 were from the USA, 10 from Canada, 6 from the UK, 16 from Botswana and only 3 from other African countries.

The meeting was opened by the President of the Republic of Botswana who emphasized the necessity for international co-operation to prevent over-exploitation of certain species through trade.

It was decided to continue the mandate of the Standing Committee but to revise the membership and establish voting procedures (Conf. 4.1); it was agreed that travel expenses of members could be paid (Conf. 4.2). The Committee recommended that all draft Resolutions and other documents for meetings should be submitted at least 150 days before the relevant meeting; this was adopted (Conf. 4.6).

In the Report of the Secretariat it was pointed out that the Bonn amendment to the Convention text (required for financial provisions to be made enabling the Secretariat to carry out its duties) needs to be accepted by a further 12 Parties before it can come into force.

A list of specific reservations in force at the time of the meeting was included. This showed that 13 Parties have reservations with regard to a total of 28 Appendix I taxa, 4 Parties with regard to 10 Appendix II taxa, and 1 Party with regard to all Appendix III taxa.

The Secretariat was extremely concerned about the small number of annual reports being produced by the Parties. Of the 55 states which were Parties on 1 January 1980, reports had been received from 25 for that year; and of the 61 states which were Parties on 1 January 1981, 20 submitted their 1981 reports before 31 December 1982.

Another source of worry was the possible lack of enforcement in some areas. Although many cases of violation of the Convention had been reported to the Secretariat, not all had been followed up adequately by the countries concerned. However, it was planned to appoint an extra member to the professional Secretariat staff whose main responsibility would be enforcement.

Missions had been undertaken to Congo, Zaire and Togo (which has problems with the re-export of illegally imported wildlife); Paraguay (which still has a ban on export of all native fauna), Bolivia (which has recently had to cancel a lot of unauthorised permits), Uruguay, and Argentina (where the annual hunting quota for Tupinambis spp. had been reduced to 400,000).

There was a brief discussion on the role of the Central African Republic in the ivory trade. It appeared that, although all ivory leaving the country had valid export permits, the quantities involved were much greater than could be accounted for by the hunting quota. It was likely that a lot of ivory was imported without proper documentation and then re-exported. The Secretariat thought that this situation could apply in other States and asked for suggestions as to possible control measures. None was immediately forthcoming and the matter was referred to the Technical Committee (TEC).

The financial report revealed that unpaid Trust Fund contributions for 1982 and prior years involved 25 Parties and amounted to about US\$200,000. The Parties were reminded of their moral obligation to support the operations of the Convention.

The 1984/5 budget was approved; acceptance of the Bonn amendment was urged; contributions to the Trust Fund from sources other than Party States were invited; and the US\$50 charge to observers attending meetings was maintained (Conf. 4.3).

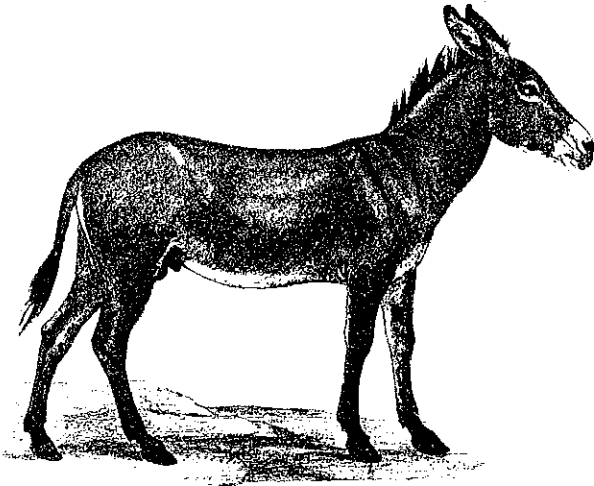
There was a report on relationships with other international agreements and organizations: (a) International Whaling Commission (IWC); (b) the Food and Agriculture Organisation (FAO) - a report on a meeting in January 1983 to discuss a Global Plan of Action for the Conservation, Management and Utilization of Marine Mammals, during which a paper prepared by WTMU was presented by the CITES representative (see Barzdo and Caldwell, *Traffic Bulletin* (V)4:40-60); (c) the European Community (EC) - a Regulation on implementation of CITES will come into force on 1 January 1984 and will bring all 10 member countries into line; (d) the International Air Transport Association (IATA) - several meetings had established the facility for CITES input to the workings of the Live Animals Board; and (e) the International Criminal Police Organization (Interpol) - in 1982 a questionnaire on wildlife protection laws and the illegal trade in wild animals was sent to Interpol member countries. Forty countries (including 15 non-CITES states) supplied information on wildlife trade legislation. Four of these (Belgium, Iceland, Luxembourg and Oman) specified that the import of wild animals was not subject to any restrictions. Sixteen countries reported a large total number of cases of illegal trade during the period 1979-81, in some of which the police helped with investigations. The Interpol representative suggested that the Convention could be improved by including provisions for the imposition of penalties for violations and for the extradition of offenders.



Oryx dammah
(Scimitar-horned oryx)
Transfer From Appendix II
to Appendix I

The name of the Technical Expert Committee was changed to the Technical Committee because of the general nature of much of the consultations (Conf. 4.4). Six Regional Co-ordinators were appointed to assist the Chairman (Conf. 4.5).

The Identification Manual Committee reported that 14 sections comprising 312 pages had been printed and that a further 27 sections were pending. During the meeting, offers to contribute about 200 more sheets were forthcoming. Further contributions were invited- firstly from any Party for existing listings on the Appendices; and secondly from Parties that propose additions to the Appendices to provide sheets for the Manual within one



Equus africanus (African wild ass)
Inclusion in Appendix I

year after acceptance of such additions. There was discussion as to whether the Manual should be produced in languages other than English and a number of Parties felt that it would be far more useful if this were possible. However, it seemed likely that financial constraints might be prohibitive. Subsequently, several delegations offered financial assistance. The French and Spanish speaking Parties were further invited to fund the translation of the Manual into the other languages of the Convention (Conf. 4.19).

The Nomenclature Committee recommended the formal adoption of the publication Mammal Species of the World: A Taxonomic and Geographic Reference for the names of mammal taxa in the Appendices. They presented a list of suggested changes to bring the present Appendices into line. The publication was adopted but, unfortunately, not all of the suggested changes were accepted. The maintenance of the genus Felis (*sensu lato*) may be an advantage to most users of the lists of the Appendices, but the retention of Equus hemionus khur leaves undetermined whether E. onager is included in the Appendix II listing E. hemionus. Some changes in the nomenclature of reptiles were also suggested and most of these were adopted. A standard nomenclature for reptiles and amphibians was the next to be completed. Procedures for further changes of names of taxa in the Appendices were adopted, together with a recommendation to remove annotations in parentheses from the lists. The Committee undertook to prepare a standardized nomenclatorial reference of subspecies for all mammals with subspecies listed on the Appendices and secured a commitment to fund their future work. It was noted that the Parties have already adopted the Dictionary of Flowering Plants and Ferns (J.C. Willis revised by H.K.A. Shaw, 1973) as the standard reference to generic nomenclature for plants, and they were urged to use A Reference List of the Birds of the World (Morony, Bock and Farrand, the most recent edition) as an interim aid to bird nomenclature (Conf. 4.23). Dr. Wayne King retired from his position as Chairman of the Committee and was replaced by Dr. Stephen Edwards.

The IUCN Threatened Plants Unit presented a report on the implementation of CITES for plants. The low level of reporting plants in annual reports was stressed. This contrasted with the known high volume of trade in eg. Orchidaceae and Cactaceae which involved millions of plants comprising thousands of species. The problems of distinguishing between artificially propagated and

wild-collected plants were mentioned. The former could be allowed free movement providing it were readily apparent that they were not wild-collected. It was considered essential to prepare identification material that covered this point and the means to identify all Appendix I species. Another requirement was the production of a standard nomenclature for plants which would be essential for compatible reporting by different countries.

The Report on National Reports consisted of a paper prepared by WTMU on the implementation of CITES as demonstrated by the trade statistics in the annual reports. The 1979 and 1980 transactions involving various taxa were analysed to assess the degree of correlation. It was found that perfect correlation occurred in less than 5% of the transactions involving animal taxa, and only about 1% of those involving plant taxa. Many (40%) of the discrepancies were due to trade involving non-party states but the remainder were due to faults such as Parties failing to record transactions or to inaccuracies in reporting the country of origin or recording different numbers or identifications of specimens. It was estimated that at least 45% of CITES trade involving animals and 79% involving plants was totally unreported. There was some discussion of technical points in the paper particularly relating to trade in Caiman crocodilus. The observer from IUCN pointed out that this species suffered from considerable taxonomic confusion and that up-to-date information on status was badly needed. He indicated that some discrepancies between national reports were due to incorrect declarations made by traders. The delegation of the Federal Republic of Germany commented on previous discussions of this nature and outlined the measures adopted in that country to improve the situation. The Secretariat recognized this problem as one of the basic weaknesses of CITES; improvements were expected to result from the appointment of the additional professional member of staff whose responsibilities would cover this issue. The meeting then accepted the report.

The document on Effects of Reservations examined the different interpretations applied by various Parties. The problem was exemplified by considering the case of upgrading a species from Appendix II to I, eg. in 1979 Crocodylus porosus except for the population of Papua New Guinea. France interpreted its reservation so as to treat trade in this species (except from PNG) as outside the scope of the Convention, whereas several other countries with reservations continued to treat the species as if on Appendix II. It was hoped that all Parties would interpret the Convention in a uniform manner and it was resolved that all reservations applying to Appendix I species (whether upgraded from Appendix II or not) should treat those species as if listed on Appendix II. Parties with reservations were asked to include all records on trade in the relevant species in their annual reports to facilitate proper monitoring (Conf. 4.25).

The document relating to Regulation of Trade in Wildlife Listed on Appendix II was based on the Convention text stating that exports "should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I". It was understood that compliance with this may be beyond the technical or financial capacity of many Parties. The subject had been discussed at New Delhi and Australia had agreed to co-ordinate the views and practices of the Parties. However, nothing had been submitted. It was recommended to the Technical Committee that they identify those Appendix II species subject to significant

international trade, the status of which was insufficiently known according to the range states; that they develop measures to ensure that trade in these species is within the terms of the above text; and that they encourage the co-operative implementation of these measures (Conf. 4.7).

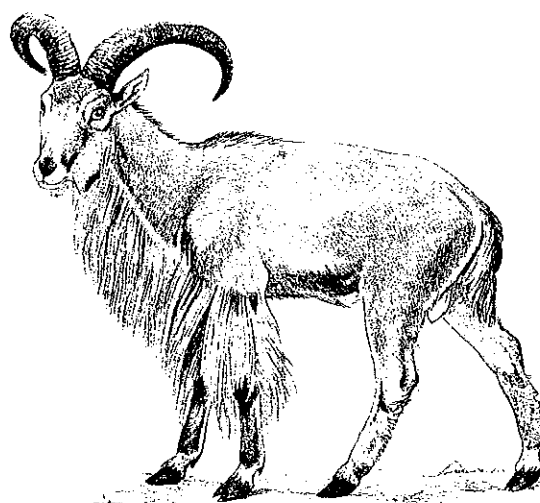
The following topic, Parts and Derivatives from Non-Recognizing States had also been discussed at New Delhi. It was still a problem that some exporting Parties did not regard some parts and derivatives of CITES listed species as 'readily recognizable' (an undefined term in Article I), and therefore allow exports without permit. The countries importing these goods do not know whether they are smuggled or uncontrolled. There was considerable discussion on this point and it was eventually resolved that if an importing country requires export permits to accompany imports of parts and derivatives, they should not waive that requirement because the other Party considered such parts and derivatives as not readily recognizable; and that all Parties notify the Secretariat of their controls on parts and derivatives (Conf. 4.8).

The related perennial subject Parts and Derivatives of Appendix II or III Plants and Appendix III Animals had not been resolved. The Convention text states that these parts and derivatives require specification if they are to be subjected to trade regulation. However, Resolution Conf. 2.18 adopted in 1979 called for protection of all parts and derivatives unless exempt. The new Resolution (Conf. 4.24) modified this approach by recommending that trade in all readily recognizable parts and derivatives of Appendix II or III plants be controlled unless specifically exempt; and that for these species, the following items should be exempt:- seeds, spores, tissue cultures, and cut flowers of artificially propagated orchids. It was further recommended that the Secretariat compile a list of the forms in which plants and their parts and derivatives are commonly in trade to assist enforcement; and finally that Parties dealing with parts and derivatives of animals originating in countries that list them on Appendix III, treat them in the same way as Appendix II parts and derivatives (Conf. 4.24).

The TEC document on Trade in African Elephant Ivory addressed the concern of many Parties over the practicability or the usefulness of licensing all trade in worked ivory. Such a process imposes an extremely heavy administrative burden whilst, the Head of WTMU noted, the trade statistics for worked ivory are in any case useless for monitoring purposes. TEC proposed that: the only pieces of ivory that should be controlled in trade would be those weighing more than $1/2$ kg; that, in producing annual reports, Parties should indicate the numbers of substantially whole tusks in shipments and indicate the weights of consignments; and that the controls applying to personal effects (under Article VII para. 3) apply as strictly as possible but only in relation to items of more than $1/2$ kg. However, India noted (Doc. 4.23.1) that large consignments of very small pieces of worked African ivory were exported from India and might conceal Appendix I Asian ivory, so that licensing controls were necessary. India also claimed dependence on other Parties to detect illegal imports of worked Indian ivory in shipments of African ivory but noted it was impossible to tell the difference between them. The TEC proposal was rejected. A draft Resolution was presented by a number of African delegations, recognising the problems of India and proposing a phase-out of ivory trade with India so that, from 1 January 1986, no Party would permit the import of any ivory, worked or unworked, from India. The sponsors of this draft Resolution withdrew it without discussion and another Resolution was adopted (Conf. 4.14) which directed TEC to draw up guide-

lines for controlling the trade in worked ivory as quickly as possible.

Of relevance to this, a document on Trade in Souvenirs addressed the problem of tourists being allowed freely to export souvenirs of Appendix I and II species without permits (even where the exemption for personal effects under Article VII para. 3 did not apply). The matter was complicated by widespread public ignorance of international wildlife trade controls. After lengthy discussion, during which St Lucia pointed out the particular problems of small countries with limited staff and funds, the Conference resolved (Conf. 4.12) to urge all Parties to apply the Appendix I trade restrictions to Appendix I "tourist souvenir specimens" - a term to apply only to personal and household effects - whether or not they are traded as personal effects; and to try to apply the usual trade requirements on Appendix II trade also to tourist souvenirs, especially controlling specimens of species likely to be affected adversely by heavy trade, also urging those Parties which regulate trade in Appendix II tourist souvenir specimens to inform other Parties. Countries with problems of tourist souvenir imports were urged to notify the relevant exporting countries and the Secretariat. Parties were also urged to collaborate with tourist agencies, carriers and other bodies to ensure that tourists are made aware of international trade controls.



Ammotragus lervia (Barbary sheep)
Inclusion in Appendix II

A document on the Return of Illegally Traded Appendix II Specimens was presented by TEC, recalling that in New Delhi, 1981, a Resolution (Conf. 3.14) had been adopted regarding the disposal of confiscated Appendix I specimens. Management Authorities were clearly responsible for dealing with confiscated, illegally traded specimens, and it was agreed to recommend (Conf. 4.18) that the manner of disposal be the best possible to benefit enforcement and administration of the Convention, ensuring that the offender did not gain in any way. It was also recommended: that Parties legislate (if they have not already) to require the guilty importer and/or carrier of live specimens to meet the costs of confiscation, custody and, where appropriate, returning the specimens to the country of origin; and that otherwise the financial assistance of NGOs be sought to facilitate the live specimens' return to the state of export or country of origin where such state desires it. St Lucia made it clear that it would like returned to St Lucia all specimens illegally exported.

The Time Validity of Export Permits and Re-export Certificates was a subject of extensive discussion on the interpretation of various Articles of the Convention. It was resolved (Conf. 4.9) that export permits and re-export certificates, when required for import purposes (of Appendix I, II and III specimens) must be presented within six months of the date on which granted. The transaction should be completed within the six month period and, if not, the export permit should be considered void.

It was hoped that procedures relating to Exemptions under Article VII of the Convention would have been rationalized in time for the meeting. However, only limited information had been received from the Parties so it was decided to refer it back to TEC to produce guidelines for the next meeting of the Conference of the Parties. One topic within this subject, the treatment of Artificially Propagated Plants in Appendix II was the subject of a Resolution. Because of the enormous trade in plants, many of which are artificially propagated, it was decided to institute a special system to cope with the problem of paperwork. It was resolved to allow the use of phytosanitary certificates as CITES certificates of artificial propagation, providing that they contained adequate details and were properly authenticated (Conf. 4.16).

The Interpretation of "Pre-Convention Acquisition" had been discussed in Geneva (1977) and San José (1979) but had still not been resolved. It was a problem of determining when the provisions of the Convention apply to a particular specimen. It was noted that the provisions apply to a particular Party either from the date of entry into force of the earliest inclusion of the relevant species in any Appendix, or from the date of entry into force of the Convention for the state concerned, whichever date is later. It was also confirmed that this exemption does not apply to non-Parties. It was resolved that: (a) if a species were moved from one Appendix to another, subsequent to the dates referred to above, this should not affect when the provisions applied to a particular specimen; and (b) the word "acquired" as it appears in Article VII, para. 2 refers to the initial removal of live or dead specimens from their habitat, or the introduction to personal possession of any part or derivative (Conf. 4.11).

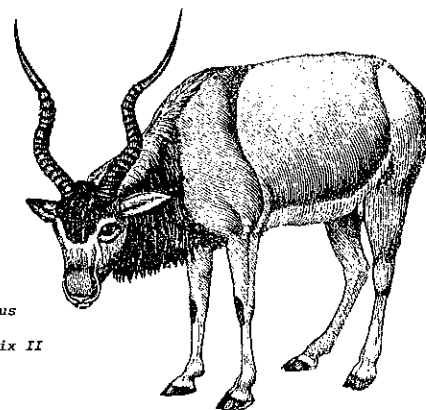
The document on Specimens in Transit pointed to the possible abuse of the exemption from controls for specimens whereby these are termed "in transit" but are actually held by a trader whilst a buyer outside the control of CITES is sought. It was resolved that (a) "transit" refer only to situations in which a specimen is being shipped, with only normal interruptions, to a named consignee and remains under customs control; that valid export documentation is available; that a change of ultimate destination be investigated by the country of transit; and (b) that Parties note that the Convention does not make special provision for airport lounges, free ports, or non-customs zones because each Party is deemed to have sovereignty over the whole of its territory (Conf. 4.10).

The Guidelines for Transport and Preparation for Shipment of Live Wild Animals and Plants had been adopted in New Delhi and suggestions for amendments were requested at that time. Only the USA had come up with any suggested changes and these, after minor modifications, were adopted. A meeting between the Chairman of TEC and the IATA Live Animals Board led to the agreement that the IATA Live Animals Regulations should be accepted by CITES. It was resolved that, for so long as the CITES Secretariat and TEC agree, the IATA Regulations are generally deemed to meet the CITES Guidelines in respect of air transport; and that a continuing dialogue between CITES and IATA be

developed including the suggestion of appropriate amendments to the IATA Regulations. It was also resolved that Parties should prepare amendments to the CITES Guidelines for the next meeting of the Conference of the Parties (Conf. 4.20).

When the Guidelines for Transport were adopted, a monitoring system to check on compliance with the Guidelines was suggested. A simple voluntary International Reporting System for Specimens Stressed during Transport had been devised and it was resolved to adopt this. It consisted of attaching a Report Card, printed in one or more languages, to every container at the point of export. The card could be completed and sent to the relevant Management Authority by any person involved in the process of shipment when specimens suffering undue stress were found (Conf. 4.21).

A document on Interpretation of "Prepared and Shipped", "Living Specimen", "Cruel Treatment" and Related Responsibilities of the Various Management Authorities referred mainly to cruel methods of capturing animals, particularly the steel-jaw leghold trap. It was suggested that the terms of the Convention should be applied from the time a specimen is removed from the wild and that, for example, an animal killed for the skin trade should be killed humanely. There was considerable discussion on whether the issue was appropriate to CITES. Despite support by several Parties and an impassioned speech by the observer of Friends of Animals, when the issue was put to a vote it was rejected by 6 votes in favour to 30 against.



Addax nasomaculatus
(Addax)
Transfer from Appendix II
to Appendix I

TEC proposed a Resolution for the Control of Captive Breeding and Artificially Propagating Operations in Appendix I Species. Ranching operations were already controlled in as much as any operations dependent upon an Appendix I species must be approved by the Parties before the ranched population is transferred to Appendix II to allow the ranch to trade. The situation was not so clear for captive-breeding and artificially-propagating operations and the exemption allowed for these under Article VII, para. 4, was open to abuse. It was agreed, however, that the planned controls should not apply to artificial propagation of plants nor to "small trade operations". In Plenary, the Resolution was adopted (Conf. 4.15) requesting the Secretariat to compile and update a Register of operations breeding Appendix I species in captivity for commercial purposes, and recommending: that Parties provide the Secretariat with information on such operations within their territories; that, in relation to such operations, the provisions for trading in Appendix II specimens be strictly applied; that Parties reject any document granted under Article VII, para. 4 unless the specimens involved originated from an operation registered by the Secretariat; that comparable documents granted by non-Parties not be accepted without consultation with the Secretariat; and that Parties collaborate as much as possible with WTMU in its survey of Wildlife Farming and Ranching Operations.

In relation to the Regulation of Zoos and Similar Institutions, Uruguay proposed, in collaboration with eight other Central and South American states, a census of zoos and the compilation of a 'World Register' indicating the functions and facilities of each establishment and proposed also the drafting of a code of conduct for the regulation of zoos in relation to CITES. A few Parties expressed the view that regulation of zoos was a matter only for national concern and not relevant to CITES; other Parties disagreed. Before being discussed in Plenary, this proposal was joined with another, from Israel, originally for A CITES Register of Traders in Live Specimens of Wild Fauna and Flora; but the joint proposal referred only to Wild Fauna. It recommended the compilation by each Party of a list of traders (including zoos) (excluding carriers) within its jurisdiction dealing in CITES Appendix fauna, and the transmission of this list to the Secretariat for compilation of a Register as an aid to all Parties. The term 'trader' was defined and an explanatory note indicated how the Register could be used, emphasising that the listing of a trader does not mean that he is accredited in any way. In the light of much opposition to the joint proposal, a vote was taken on a suggestion that the proposal should be referred to TEC for further work, and this was agreed.

Work on the Identification of Mammal Hairs using microscopic techniques was reported on by Uruguay who said they were using these methods satisfactorily in enforcement and requested an exchange of information with other Parties. South Africa said they had used this technique in enforcement for years and their information was available to any Party. The Conference requested that Parties be kept informed of progress and suggested that where the technique was sufficiently refined, the information be included in the Identification Manual.

In New Delhi (1981), it was agreed (Conf. 3.21) that Australia should undertake the coordination of Parties' views on the Reverse Listing Concept for the Appendices. Comments had been received since then from eight Parties, none of which supported the concept of reverse listing, although several NGOs were in favour of it. Australia therefore proposed not to pursue the concept further for the time being and the Conference agreed that no further action was needed.

The Re-export of Confiscated Specimens of Appendix I and II species has been complicated by conflicting provisions of the Convention. Whilst Article VIII provides for the return to the state-of-export of specimens imported to a country in contravention of CITES, Articles III and IV preclude the re-export of Appendix I and II specimens imported not in accordance with the provisions of the Convention and this was re-affirmed by Conf. 3.9 in New Delhi. The USA, therefore, proposed a Resolution recommending that when such illegally-imported specimens are being re-exported by the Management Authority for purposes of Article VIII or for "investigating or prosecutorial" purposes, and when confiscated specimens are sold by the Management Authority, this not being detrimental to the species' survival, the original imports should be considered as in accordance with CITES for the purposes of re-exporting, but that permits should specify that the specimens had been confiscated (Conf. 4.17). This was adopted by the Conference.

A proposal by the UK regarding The Listing of Species on Appendix III recommended that, whenever appropriate, Parties submit lists of species eligible for Appendix III to the Secretariat and that only in cases where a country is prepared to write to the Secretariat to list Appendix III species should importing countries impose restrictions.



Ovis canadensis (Bighorn sheep)
Deletion from Appendix II

This was evidently submitted in the hope of persuading Parties to submit lists of species for inclusion; it was widely opposed and was withdrawn.

For inexplicable reasons, this proposal had been presented in combination with a US proposal requiring Proof of Foreign Law. CITES Notifications of measures taken by Parties that are stricter than measures required by the Convention, may not be sufficient proof, nor be sufficiently comprehensive for the purposes of a court of law. The US proposal recommended: that Parties informing the Secretariat of the existence, adoption or amendment of stricter domestic measures provide also copies of the laws, decrees, etc., and any information of assistance in understanding and interpretation, and the name/address/telephone/ telex of the official responsible for implementation; that Parties notifying the invalidity, deficiency, etc., of permits and certificates do so in a signed statement with details of the official responsible; and that the Secretariat attach to Notifications copies of the relevant information received. This was adopted as a Resolution (Conf. 4.22).

A document from Canada proposing the Establishment of a Scientific Committee noted that the Secretariat (under Article XV) is required to make recommendations to the Parties on all proposals for amendment to Appendices I or II. The Secretariat must necessarily seek comments from selected people, so Canada proposed that a committee be set up to advise the Secretariat on all scientific matters and on the response to proposals to amend the Appendices. Some Parties did express concern about the adequacy of advice received by the Secretariat from IUCN and other sources. However, it was widely felt that the establishment of a scientific committee was not necessary, and Canada withdrew the proposal.

Consideration was given to Captive Breeding and Long Maturing Species because the US pointed out to TEC the problems for some captive-breeding operations of complying with Resolution Conf. 2.12. This Resolution recommends that, in order to be allowed the exemption for dealing in captive-bred Appendix I specimens (under Article VII, paras. 4 and 5), an operation must manage its parental breeding stocks "in a manner which has been demonstrated to be capable of reliably producing second-generation offspring in a controlled environment". To breed species such as green turtles, which take several years to reach maturity and take several more years to

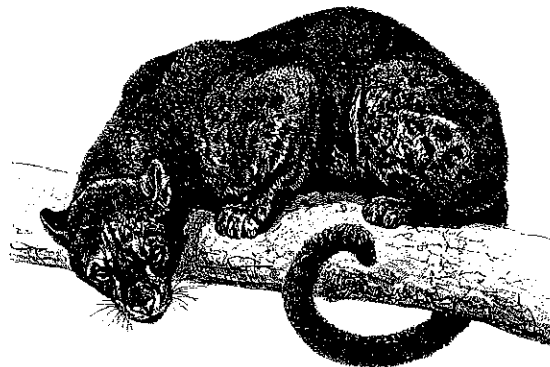
produce second-generation offspring, an operation with no other source of income must therefore bear a heavy financial burden for a long time and TEC believes that it is unreasonable to expect this. So TEC proposed that for species where the age at sexual maturity is more than three years, a Management Authority should allow "limited" exports by the breeders but only under certain conditions (very similar to those in Conf. 2.12 paras. b) and d)). In Technical Committee, nine Parties spoke against the proposal, including USA and including F.R. Germany for all EEC members. None spoke in favour. The major objection was to the weakening of the principles adopted in Resolution Conf. 2.12. The Chairman of TEC suggested that the problem be referred to TEC again and this was agreed without comment.

The Interpretation of Article XVII, paragraph 3 of the Convention has been a problem of ambiguity. The paragraph says that an amendment shall enter into force, for the Parties which have accepted it, 60 days after two-thirds of the Parties have accepted it. It was not clear whether this referred to two-thirds of the Parties at the time the amendment was adopted (the narrow interpretation) or to two-thirds of the current number of Parties to CITES (the wide interpretation). With the wide interpretation, the entry into force of an amendment could be continually delayed as more Parties ratify or accede to CITES. The narrow interpretation was, therefore, adopted with very little discussion (Resolution Conf. 4.27).

Trade in Leopard Skins was discussed because there were two proposals for transferring leopard (*Panthera pardus*) populations from Appendix I to Appendix II, one referring to all eastern and southern African populations and the other only to the population of Mozambique. The Animals Screening Committee passed these to the Plenary with no recommendation. In Plenary, the proposal sponsors, Mozambique, Zambia and Zimbabwe presented a draft Resolution as an alternative to the proposal to transfer the populations to Appendix II. The draft recognized the desire of Parties that commercial trade in leopard skins should not be recommenced, but also that leopards are not in any way endangered in Botswana, Kenya, Malawi, Mozambique, Tanzania, Zambia or Zimbabwe, and that leopards may be killed in defence of life and property, and that Appendix I hunting trophies may be traded under the terms of Conf. 2.11 (San José, 1979). The draft Resolution proposed that international trade in leopard skins be permitted with the following limits for each state in a calendar year: from Botswana, Kenya, Zambia and Zimbabwe, 80 each; from Malawi, 20; from Mozambique and Tanzania, 60 each. The imports would be subject to certain conditions: the imports should be personal items belonging to the owner in the country of export; the skin would not be resold in the country of import; the owner may import no more than one skin a year; each skin would be marked with a locking tag indicating the country and year of export and the total in the year's quota that the skin represents. If adopted, the Resolution would be reviewed at the next Conference. The sponsors emphasised that there was no intention to cull or crop leopards. Several Parties feared the stimulation of a market for leopard skins and India noted the setting of a precedent for establishing quotas on Appendix I species. After considerable discussion, a vote was taken on the Resolution, which was adopted (Conf. 4.13) by 34 votes to 6. The proposals to transfer leopard populations to Appendix II were withdrawn.

The system of a Ten Year Review of the Appendices was set up in New Delhi in an effort to make the lists of species on the Appendices more consistent. The present

Panthera pardus (Leopard)
Proposals to transfer populations
to Appendix II withdrawn



inconsistency was due to the original lists having been compiled on the basis of information that was now out-of-date coupled with the subsequent adoption of well-defined criteria for listing at Berne in 1976. It was apparent that the present lists were excessively long. The first Review was to be co-ordinated by Regional Committee meetings which would each report to a Central Committee. The North American and European regions had completed their reviews and had submitted a number of proposals consequent on their findings. The Asian region had also completed its review and prepared some proposals but these were sent too late for consideration at Gaborone. The Committee for the African Region met at the end of November 1982 but, because of the late date, only considered proposals already submitted. The Committee for the Latin American Region did not meet because of lack of funds and the Committee for the Oceanic Region did not meet either. A Secretariat Committee considered the status of cetaceans occurring in international waters and did not recommend any amendments to the Appendices. The Secretariat commented on the results obtained so far that: (a) few of the species included prior to Berne were subject to amendment proposals even though it was evident that many listed species (eg. rodents, molluscs) were not threatened by international trade and could have been deleted; (b) even if all the deletion proposals were adopted, the lists would not become much shorter, and (c) several proposals concerned regional populations only, and their adoption could create look-alike problems. The regions were urged to complete their reviews and report to the Central Committee at least nine months prior to the next meeting of the Conference of the Parties. It was also recommended that the present arrangements be maintained for the purpose of reviewing the status of listed species at regular intervals (Conf. 4.26).

A document on the Procedure for the Proposal of Amendments to the Appendices was submitted because of the problem that had arisen when Parties withdrew one of their own proposals for amendment shortly before a meeting despite the fact that other Parties wished to support that proposal. A draft Resolution was recommended that, if a Party becomes aware that another Party is considering a proposal it would itself wish to make, it should either approach the other Party with a view to making a joint proposal, or proceed with its own proposal. This draft Resolution was withdrawn on the advice of the Secretariat and instead the recommendations were approved by the meeting.

Four Parties had submitted proposals on Ranching (Doc. 4.39) as recommended under Resolution Conf. 3.15., for the approval of operations rearing Appendix I specimens taken from the wild. These proposals seek the transfer to Appendix II of a national population of a species for the purposes of ranching carried out for international trade.

Australia had proposed the transfer to Appendix II of its population of Crocodylus porosus but withdrew the proposal without it having been discussed and said it would probably be reintroduced in 1985.

France sought approval for the ranching of Chelonia mydas on Tromelin and Europa Islands, Réunion, in the Indian Ocean. There was considerable opposition to this in the Ranching Screening Committee especially because: (a) there was no evidence that products of ranched animals would be marked to show their origin, as was required; (b) it was not clear that the operation would be beneficial to the wild population, as was required; and (c) a scientific mission sent by the French government to Réunion had advised against the proposal yet their report was not even mentioned in the proposal. The delegate for France, therefore, withdrew the proposal in the Screening Committee and said it would be reformulated for presentation at the next meeting.

Suriname had proposed the transfer to Appendix II of its Chelonia mydas population. Unfortunately, the delegate for Suriname could not be present. The written proposal received both support and criticism; the only substantive objection of Parties was with a lack of information about the marking and certification of products to show their origin. At the UK's suggestion, it was agreed to reject the proposal and request Suriname to supply details about its marking scheme to TEC so that an amended proposal with this information could be put to a postal vote.

Zimbabwe proposed transfer to Appendix II of its Crocodylus niloticus population. The ranching scheme was already established and all the requirements of Resolution Conf. 3.15 had been met. In the Ranching Screening Committee, the presentation of the proposal was applauded and it was suggested that it be used as a model for future ranching proposals. There was a request that animals ranched in Zimbabwe not be sent for restocking programmes in other parts of Africa, because of the possible contamination of subspecies. However, there were no objections to the proposal and in Plenary it was approved without comment.

for inclusion in or transfer to Appendix I of 2 spp. of Berberidaceae, 38 spp. of Cactaceae, 2 spp. of Ericaceae, 4 spp. of Liliaceae (and 1 sp. in Appendix II), and 1 sp. of Orchidaceae. This was done under pressure from Parties stressing the already poor enforcement of CITES with respect to plants. Australia withdrew its proposals to delete from Appendix II Byblis spp. and Cephalotus follicularis.

F.R. Germany's proposal to list on Appendix II all species of Phocidae not already listed on Appendix I was the subject of long and heated debate. The proposal was that hooded seal (Cystophora cristata) be included in Appendix II on the basis of heavy trade and low and possibly declining populations, and that all other Phocidae be included under Article II, para. 2 (b) on the grounds of look-alike problems with products such as leather, oil, dressed and dyed skins and small manufactured items. Arguments against the proposal stressed that it did not meet the Berne Criteria, that there was no look-alike problem for certain products, and that its adoption would create intolerable socio-economic problems and would not aid seal conservation. Sweden proposed that hooded seals be considered separately from other Phocids, but F.R. Germany refused to split its proposal and by a vote of 10 in favour and 30 against, the Conference decided to reject Sweden's suggestion. At the insistence of Canada, the German proposal was voted-on by secret ballot; with 23 in favour, 27 against and 6 abstentions the proposal was rejected.

Malagasy's proposal to delete from Appendix I its population of Nile crocodile was amended to a transfer to Appendix II. However, several delegates felt the proposal did not meet the Berne criteria and on a vote it was rejected, with 2 in favour and 29 against.

Mozambique also proposed the transfer of its Nile crocodile population to Appendix II, noting the local abundance of crocodiles and that it wished to crop 500 animals a year and was starting an egg-based ranching operation. EEC members felt the data did not meet the Berne criteria and a marking scheme was needed; Papua New Guinea said that there were good data provided and that an adequate marking scheme was detailed in the proposal. Several Parties supported the proposal in principle but believed that it should be referred to TEC. It was rejected in a vote of 9 in favour against 13 and was referred to TEC.

Proposals for amendment of the Appendices

(a) Proposals NOT adopted

Of the 172 proposals, 64 were withdrawn and 12 were rejected. The proposals relating to fauna that were withdrawn included eight from Canada and USA for deletion of various fur-bearing mammals from Appendix II and one proposing recognition of the N. American otter (Lutra canadensis) as being listed in Appendix II for resembling other otters. Two proposals to transfer the leopard (Panthera pardus) from Appendix I to II were withdrawn in favour of a Resolution (Conf. 4.13) to allow limited trade. A proposal to transfer the Nile crocodile (Crocodylus niloticus) from Appendix I to II was withdrawn by Zambia on the understanding that it would now be considered by TEC. One Canadian fish proposal was withdrawn - the transfer from Appendix I to II of the shortnose sturgeon (Acipenser brevirostrum). A UK proposal to include the medicinal leech (Hirudo medicinalis) in Appendix II was withdrawn when it was suggested that control of invertebrate trade was poor and the Ten Year Review meeting might best consider this species.

Of those relating to flora, the US withdrew proposals



Leuchtenbergia principis (Agave cactus)
Transfer from Appendix II to Appendix I

With regard to flora, Australia proposed deletion from Appendix II of Anigozanthos spp., Banksia spp. (except B. laricina), Conospermum spp., Dryandra formosa, D. polycephala, Xylomelum spp., Crowea spp., Geleznowia verrucosa and Pimelea physodes. Several delegates noted

that the proposals lacked supporting data. These were considered together and on a vote were rejected.

(b) Proposals adopted

MAMMALS

Lagothrix flavicauda Yellow-tailed woolly monkey
Transfer from Appendix II to Appendix I of this rare and potentially exploitable species, heavily threatened by forest destruction - endemic to rain forests of N. Peru.

Vulpes velox hebes Northern swift fox
Deletion from Appendix I of this possibly invalid subspecies.

Ursus arctos Brown bear
(European populations except those of USSR)
Inclusion in Appendix II

Ursus arctos Brown bear
(Italian population)
Transfer from Appendix I to Appendix II.

*Balaenoptera acutorostrata Minke whale
(except population of West Greenland)
*Caperea marginata Pygmy right whale
Transfer from Appendix II to Appendix I. All Cetacea species and populations other than those already included on Appendix I and the catches of which are regulated by the International Whaling Commission and for which the Commission has set zero catch limits for commercial whaling (entry into force 1 January 1986*)

Berardius spp. Fourtooth whales
Hyperoodon spp. Bottlenose whales
Balaenoptera edeni Bryde's whale
Transfer from Appendix II to Appendix I.

Equus africanus African wild ass
Inclusion in Appendix I - distribution drastically reduced.

Moschus spp. Musk deer
(populations of Afghanistan, Bhutan, Burma, India, Nepal and Pakistan)
Clarification of Appendix I listing of Himalayan musk deer - severe hunting pressure has resulted in localized populations in Nepal, and near extermination in India - musk from abdominal gland used extensively in manufacture of perfume, soap and oriental medicine.

Moschus spp. Musk deer
(excluding populations of Afghanistan, Bhutan, Burma, India, Nepal and Pakistan)
Clarification of previous Appendix II listing.

Addax nasomaculatus Addax
Transfer from Appendix II to Appendix I.

Ammotragus lervia Barbary sheep
Inclusion in Appendix II

Cephalophus dorsalis Bay duiker
Cephalophus jentinki Jentink's duiker
Cephalophus ogilbyi Ogilby's duiker
Cephalophus sylvicultor Yellow-backed duiker
Cephalophus zebra Banded duiker
Inclusion in Appendix II - declining mainly because of large-scale deforestation in Africa but potentially vulnerable from sale of skins.

Oryx dammah Scimitar-horned oryx
Transfer from Appendix II to Appendix I.

Ovis canadensis Bighorn sheep
(populations of Canada and United States)
Deletion from Appendix II - widely distributed and declining populations recovered.

AVES

Struthio camelus Ostrich
Inclusion in Appendix I of populations of Algeria, Central African Republic, Chad, Mali, Mauritania, Morocco, Niger, Nigeria, Senegal, Sudan, The United Republic of Cameroon, and Upper Volta.

Pelecanus crispus Dalmatian pelican
Transfer from Appendix II to Appendix I.

Phoenicopteridae spp. Flamingos
Heavily exploited and to non-specialists all members of the family look similar - inclusion in Appendix II of entire family.

Anser albifrons gambelli Tule white-fronted goose
Deletion from Appendix II - essentially no international trade in this US bird.

Oxyura leucocephala White-headed duck
Inclusion in Appendix II of this species declining primarily from habitat loss, but also shooting pressures and trade.



Anthropoides virgo
(Demoselle crane)
Inclusion in Appendix II

Anthropoides virgo Demoiselle crane
Populations declining and range fragmented - inclusion in Appendix II.

Numenius tenuirostris Slender-billed curlew
Transfer from Appendix II to Appendix I.

Ara glaucogularis Blue-throated macaw (often traded under the name Ara caninde, a synonym of Ara ararauna)

Ara rubrogenys Red-fronted macaw
Ognorhynchus icterotis Yellow-eared conure
Transfer from Appendix II to Appendix I - substantial decline in these traded South American birds.

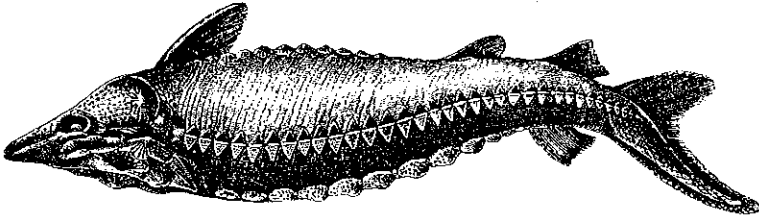
REPTILIA

Epicrates monensis Mona Island boa
Transfer from Appendix II to Appendix I of this extremely rare snake.

PISCES

Acipenser fulvescens Lake sturgeon
Deletion from Appendix II of this fully regulated commercial Canadian species neither threatened nor endangered by trade.

Acipenser sturio Common sturgeon
Transfer from Appendix II to Appendix I of this widely distributed but rapidly disappearing fish.



Acipenser sturio (Common sturgeon)
Transfer from Appendix II to Appendix I

Coregonus alpenae Longjaw cisco
Deletion from Appendix I - not sighted since 1970 also taxonomic opinion that not a valid species but conspecific with C. zenithucus.

Stizostedion vitreum glaucum Blue walleye
This subspecies functionally extinct from G. Lakes Basin where it was historically common - deletion from Appendix I.

MOLLUSCA

Tridacna derasa Southern giant clam
Tridacna gigas Giant clam
Populations of these species much reduced - collected for ornamental shell trade and also fished commercially - inclusion in Appendix II.

FLORA

Agave arizonica New River agave
Agave parviflora Little princess agave
Inclusion in Appendix I of these rare, locally distributed species, of high value in trade.

Agave victoriae-reginae Queen agave
Inclusion in Appendix II.

Nolina interrata Dehesa beargrass
Inclusion in Appendix I.

Ancistrocactus tobuschii Tobusch's fishhook cactus
Ariocarpus trigonus
Backebergia militaris Teddy-bear cactus
Coryphantha minima Nellie's cory cactus
Coryphantha sneedii Sneed's pincushion cactus
Coryphantha werdermannii Jabali pincushion cactus
Leuchtenbergia principis Agave cactus
Lobeira macdougallii MacDougall's cactus
Mammillaria pectinifera
Mammillaria plumosa Feather cactus

Mammillaria solisioides
Neolloydia erectocentra Needle-spined pineapple cactus
Neolloydia mariposensis Mariposa cactus
Pediocactus bradyi Brady's pincushion cactus
Pediocactus despainii San Rafael Swell cactus
Pediocactus knowltonii Knowlton's cactus
Pediocactus papyracanthus Grama-grass cactus
Pediocactus paradinei Houserock Valley cactus
Pediocactus peeblesianus Fickeisen's Navajo cactus
Pediocactus sileri Siler's pincushion cactus
Pediocactus winkleri Winkler's cactus
Sclerocactus glaucus Uinta Basin hookless cactus
Sclerocactus mesae-verdae Mesa Verde cactus
Sclerocactus pubispinus Great Basin fishhook cactus
Sclerocactus wrightiae Wright's fishhook cactus
Turbincarpus spp.
Wilcoxia schmollii Lamb's-tail cactus

Transfer from Appendix II to Appendix I of these extensively exploited or potentially exploitable very rare species.

CHLOANTHACEAE spp. Australian lambstails
Deletion from Appendix II - none of the rare species and/or those having a restricted distribution is subject to commercial exploitation, contrary to earlier beliefs.

Dudleya stolonifera Laguna Beach dudleya
Dudleya traskiae Santa Barbara Island dudleya
Inclusion in Appendix I because of their rarity, restricted distribution and value in trade.

Fitzroya cupressoides Chilean false larch
Deletion from Appendix I of the coastal population of Chile.

Shortia galacifolia Oconee-bells
Inclusion in Appendix II of this attractive plant, much sought by gardeners.

Kalmia cuneata White wicky
Inclusion in Appendix II due to rarity and vulnerability to commercial overexploitation.

Fouquieria columnaris Boojum tree
Inclusion in Appendix II of this extensively traded Mexican species.

Fouquieria fasciculata
Fouquieria purpusii
Inclusion in Appendix I due to depletion by commercial collectors.

Verticordia spp. Feather flowers
Deletion from Appendix II - none of the species considered to be rare or possibly rare are commercially exploited.

Abies nebrodensis
Deletion from Appendix I - Sicilian species threatened by habitat destruction and not by international trade.

Lewisia cotyledon Siskiyou lewisia
Lewisia maguirei Maguire's lewisia
Lewisia serrata Saw-toothed lewisia
Lewisia tweedyi Tweedy's lewisia
Inclusion in Appendix II for these relatively rare species which are of great commercial value.

Boronia spp.
Deletion from Appendix II - endemic to Australia and not currently exploited.

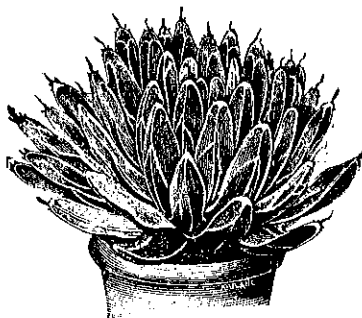
Ribes sardoum
Deletion from Appendix I of this extremely rare but commercially unexploited Sardinian species.

Solanum sylvestre

A non-valid species and therefore recommended to be deleted from Appendix II.

Celtis aetnensis

Deletion from Appendix I - Sicilian species endangered by deforestation and forest fires, but not through commerce.



Agave victoriae-reginae (Queen agave)
Inclusion in Appendix II

Report by Tim Inskipp & Jonathan Barzdo

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Threatened Plants for Sale in UK

Haworthia is a genus of succulent plants in the Liliaceae. The genus is native to South Africa where about 70 species occur. Of these, seven species are listed in 'Threatened Plants of Southern Africa' and others are known to be uncommon in the wild. These rare species are among the Haworthias advertised for sale by British succulent plant nurseries.

To give an indication of the range of trade in Haworthia species in Britain, recent trade catalogues of 15 succulent nurseries in the UK have been surveyed. A total of 181 Haworthia names including varieties are listed by these firms, the majority of which are synonyms. It is particularly worrying to see rare species offered by nurseries which are known to deal in wild-collected plants.

Haworthia spp. of 'Threatened Plants of Southern Africa' on sale in UK:

H. marginata
H. maughanii
H. rubriflora
H. springbokvlakensis
H. truncata

Unlike their larger relatives the Aloes, Haworthias have no international protection under CITES. They are however popular with succulent-plant collectors and their popularity may well increase again with the recent publication of two books on the genus. Difficulty in cultivation and nomenclatural confusion have in the past limited to some extent the demand for Haworthias. The publication of 'New Haworthia Handbook' by M.B. Bayer (1982) offers a much needed chance for nomenclatural stability. Bayer's classification is, in general, followed in 'Haworthia and Astroloba: a collector's guide' by J. Pilbeam (1983).

Many of the Haworthias available to plant collectors are artificially propagated and fortunately most of the easily cultivated species are very prolific. It may be over-optimistic however to hope that publication of the new Haworthia guides will encourage nurseries to propagate the more difficult species to satisfy any renewed interest in the group.

Unfortunately, in common with other plants, the rarer species of Haworthia tend to be difficult in cultivation. This is the case for example with H. marginata, one of the species listed in 'Threatened Plants of Southern Africa' and currently offered by a UK nursery. Only one secure population of H. marginata is now known in the wild with about 30 remaining plants. Other rare species offered in the UK include H. lockwoodii and H. pulchella which is difficult to propagate and very slow growing.

Some species which are rare in the wild are relatively common in cultivation but still over-collecting takes place. Plants of H. maughanii are from time to time removed from the one small hillside where the species occurs. This species is common in collections as is H. truncata. M.B. Bayer comments in his book, 'H. truncata is quite widespread although there are many indications of gross overcollecting (it) is easy to grow and propagates from leaf and from root.'

Although all cacti, together with 9 other succulent genera and 13 succulent species, are already protected by CITES, there are many other rare succulent plants which are readily available in trade with no apparent thought given to their precarious state in the wild. Haworthia is only one such genus.

Reference

Hall, A. V. (1980):

Threatened Plants of Southern Africa. South African National Scientific Programme Report No. 45, issued by CSIR (Council for Scientific & Industrial Research).

Sara Oldfield

Threatened Plants Committee, Kew.

Apology

In the article "An Analysis of Psittacines Imported at Schiphol Airport during 1980 and 1981", in the last issue of the Bulletin (V(1):2-6), we inadvertently listed the red-crowned amazon Amazona rhodocorytha as a species not protected by the Dutch Endangered Species Act. This was not included by the authors but arose from our misinterpretation of the list of protected species. Apparently the legislation follows Forshaw's "Parrots of the World" which includes A. rhodocorytha under the listed A. dufresniana. This conflicts with the CITES Appendices listing which treats A. rhodocorytha as a separate species. We apologise to the authors for this mistake and are grateful to drs. C. J. Kalden (Ministerie van Landbouw en Visserij) for drawing it to our attention.

Drs. Kalden also explained that Psephotus chrysopterygius is not listed because, as far as he is aware, all specimens of the species in trade are captive-bred. He quoted some low prices paid for birds in the Netherlands in support of his statement.

He also stated that no re-export certificates for Appendix II species have been or will be issued unless an export certificate from the country of origin which meets the requirements of CITES has been presented. Only a country in which the species in question occurs in the wild can be considered as country of origin unless the animal is captive bred.

He finally assured us that the Dutch government will adapt the Endangered Exotic Animal Species Act to conform with CITES as soon as possible.