

Crocodile Specialist Group Steering Committee Meeting
Sofitel Royal Bay Hotel, Agadir, Morocco
(12 May 2026)

Legal Affairs

Report on Activities

1. I am pleased to report that the CSG has not been a party to any litigation nor has the CSG been called as an expert in any formal legal proceedings since our prior report in Darwin, Australia, on 15 April 2024.
2. CSG members continue to provide evidence and expert advice for governmental agencies associated with regulation of crocodilians. Examples include:

- a. **Australia:** The Federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) initiated a process to review and update the Code of Practice on the Humane Treatment of Wild and Farmed Australian Crocodiles (“the Code”) in conjunction with the relevant State/Territory Governments (Western Australia, Northern Territory, Queensland), stakeholders and crocodile specialists from 2023-2025. These regulations set forth standards for the humane capture, restraint and housing of both wild and farmed crocodiles in Australia and ensure the Australian crocodile farming industry continues meet a minimum set of best practice standards.

The “Northern Territory Saltwater Crocodile (*Crocodylus porosus*) Risk Management Framework 2021-2026” is currently under review.

In 2024, the latest edition of the Management Program for the Saltwater Crocodile in the Northern Territory (2024-2034) was released. Its purpose is to ensure the “protection, conservation, sustainable use, control and management” of *C. porosus* in accordance with the Territory Parks and Wildlife Conservation Act 1976. Its objectives are to maintain crocodile populations at accepted densities, enable a robust and profitable crocodile industry, enhance Aboriginal livelihoods, enhance public safety, and improve community awareness.

2025 marked the review, approval and release of the latest edition of the “Wildlife Trade Management Plan (WTMP) for *C. porosus* in the Northern Territory of Australia 2026-2030”. The purpose of this document is to ensure the sustainability of commercially harvested Saltwater crocodiles in the Northern Territory, and specifically to fulfill the requirements under the Commonwealth’s Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and CITES.

Crocodile specialists provided expert advice on the Queensland, Australia Crocodile Control and Conservation Bill 2025. Ultimately, the bill was unsuccessful in the legislature.

- b. **Timor-Leste:** The Government of the Northern Territory of Australia (NTG) is working with the Timor-Leste Government to explore the first steps in developing a Saltwater crocodile management program. The program would, among other things, aim to reduce HCC.
- c. **Malaysia:** Sarawak is currently developing a new management plan for saltwater crocodiles with assistance from crocodile specialists. Recently, a 2-year project aimed at mitigating HCC was launched in collaboration between the Sabah Wildlife Department and the Danau Girang Field Centre. The project will take a community-based approach to mitigating HCC while supporting sustainable conservation management.
- d. **South Africa:** The Scientific Authority & Wildlife Economy Biodiversity Research, Assessments and Monitoring, South African National Biodiversity Institute has reported that a Non-Detriment Finding for Nile crocodiles in South Africa has been approved by the Scientific Authority and is expected to be published in early 2026 for public comment.
- e. **Brazil:** In northern Brazil, the Mamirauá Institute is a social organization funded and supervised by the Brazilian Ministry of Science, Technology, and Innovation. It conducts research, natural resource management, and social development, primarily in the Middle Solimões region, in the state of Amazonas. The objectives of the Mamirauá Institute include conducting applied science and fostering innovation in the adoption of strategies and public policies for the conservation and sustainable use of Amazonian biodiversity. In March 2025, a preliminary management plan model for the Jarauá sector was presented, discussed, and approved by local managers, and subsequently presented to the Deliberative Council of the Mamirauá Reserve. After being

updated, the plan will be submitted to the Brazilian Institute of Environment and Renewable Natural resources (IBAMA) for sustainable harvest of *Melanosuchus niger*.

- f. **Peru:** Crocodile specialists and governmental officials have been working on the conservation and management of *Crocodylus acutus* in northern Peru. An assessment guide for the species is currently under review. It will establish standardized guidelines for population monitoring, habitat assessment, threat identification, and priority management actions.
- g. **Panama:** The Ministry of Environment, in collaboration with national research institutions, has conducted rapid assessments and systematic surveys along the Pacific coast to update information on habitat status and population density of *C. acutus*. The project aims to identify conflict hotspots, assess specific high-risk individuals, and implement targeted management actions. Concurrently, there is renewed interest in strengthening regulated captive breeding and ranching initiatives, including educational facilities, as part of a broader strategy integrating conservation, conflict mitigation, and sustainable use.
- h. **Bolivia:** Crocodile specialists are working with the General Directorate of Biodiversity and Protected Areas, to develop a caiman management plan with clear guidelines for *Caiman yacare* in the country.
- i. **Guatemala:** Since 2022, new surveys/studies of *C. moreletii* and *C. acutus* have been conducted in response to human-crocodile conflict at the request of the National Council of Protected Areas (CONAP). Management plans for the conservation of these species are being developed to assist governmental and non-governmental organizations in managing public safety risks associated with crocodiles and provide framework for actions and policies by key institutions responsible for wildlife management.
- j. **El Salvador:** The National Program for the Conservation of Crocodylians (PNCCC) is a strategic initiative of the Government of El Salvador aimed at safeguarding *Ca. crocodilus* and *C. acutus*. The program implements monitoring, rescue, environmental education, and international cooperation actions aimed at population recovery.
- k. **Costa Rica:** Within the Legislative Assembly, Bill No. 24752, titled “Law for the Control of Crocodiles and Caimans in Costa Rica,” is currently under discussion. The bill was introduced in December 2024 and reviewed by the Environmental Commission in February 2025. It has received comments and critiques from multiple conservation organizations. As yet, the Bill has not advanced further in the legislative process.
- l. **USA:** The Florida Fish and Wildlife Conservation Commission (FWC) is currently considering new procedures and/or administrative rule revisions to clarify the legal possession, transfer, and transport of *C. acutus* within the State of Florida.
- m. **Zimbabwe:** The Crocodile Farmers Association of Zimbabwe (CFAZ) continues to work closely with the Zimbabwean CITES office and the Zimbabwe Parks & Wildlife Management Authority (ZPWMA), on the collation of trade data which is submitted to the WCMC/UNEP. CFAZ has supported veterinary research on crocodiles. HCC is a growing concern amongst CFAZ members and the ZPWMA. In an effort to raise awareness, a series of posters and warnings were printed and circulated to sites in known crocodile conflict areas around the country.

3. Caiman farmers and Industry prevailed against the State of California (USA)

Recall that Plaintiffs, various businesses and industry members engaged in the distribution and sale of products made from alligator and crocodile parts, mounted their legal challenge against the Attorney General of California and the Director of the California Department of Fish and Wildlife, in December 2019. They sued to enjoin the enforcement of provisions of California Penal Code sections 653o and 653p, which were scheduled to take effect on 1 January 2020. Those provisions criminalized the sale and possession for sale of alligator and crocodile parts in California. Plaintiffs claimed, inter alia, that the California law was preempted by federal law (the ESA and CITES), which regulated and permitted those activities. Moreover, on the issue of consumptive utilization of crocodylians, California totally ignored the very real conservation issues (sustained utilization) in favor of creating moral outrage.

Chief United States District Judge Kimberly Mueller ruled on 13 October 2020, that Defendants were enjoined from enforcing California Penal Code Section 653o and 653r in connection with the importation, possession, or sale of American alligator bodies, parts, or products thereof, and of the bodies, parts, or products of CITES Appendix II-listed Saltwater and Nile crocodiles, until the final disposition of the case.

In March 2023, the California Court issued its final opinion, holding that Under the Supremacy Clause of the United State Constitution, California Penal Code Sections 653o and 653r were unenforceable and unconstitutional as applied to the importation, possession or sale of American alligator bodies, parts, or products thereof, and of the bodies, parts or products of saltwater crocodiles and Nile crocodiles subject to 50 C.F.R. s. 17.42. The State of California did not appeal. Accordingly, it remains legal to sell and trade American alligator, Saltwater crocodile and Nile crocodile products in the state of California.

Plaintiffs then sought to exclude certain caiman species from the California ban as well. On 26 March 2024, the same U.S. District Court Judge held that under the Supremacy Clause of the United States Constitution (Article VI, Clause 2), California Penal Code Sections 653o and 653r were declared unenforceable and unconstitutional as applied to the importation, possession or sale of the bodies, parts or products of broad-snouted caimans, brown caimans, common caimans, and Yacare caimans subject to 50 C.F.R. § 17.42.

Prepared by: Curt Harbsmeier, Chair Legal Affairs

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