

# Crocodylians and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) – update February 2014

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This article is an update of a paper presented at the 17<sup>th</sup> Working Meeting of the IUCN-Species Survival Commission's (SSC) Crocodile Specialist Group (Jelden 2004), held in Darwin, Australia, in 2004. It is available on the IUCN/SSC Crocodile Specialist Group website (<http://www.iucnscg.org>)

The objective of this succinct document is not only to provide an historical overview of the evolution of the CITES Convention in relation to the conservation and management of crocodylians but also to provide insight into the role which the IUCN has played. Since the mid-eighties of last century, the IUCN-SSC's Crocodile Specialist Group's has actively assisted Parties in their request to find solutions for persisting conservation problems in relation to crocodylians.

## 1. Effects of CITES on the World Trade in Crocodylian Skins

- 1960s: 6-8 million skins in world trade annually, majority of which were illegal or unregulated.
- Today: 1.5-1.8 million skins in world trade annually, majority of which are legal and regulated.

## 2. Evolution of the Convention

- 1960: First discussion of problems of illegal wildlife trade at 7th General Assembly (GA) of the IUCN.
- 1963: 8th GA of the IUCN passes resolution on illegal wildlife trade -> call for an International Convention.
- 1964: First draft of a Convention by IUCN.
- 1969: 10th GA of the IUCN discusses a list of species in which international trade should be controlled.
- 1972: UN Conference on Human Environment adopted Recommendation 99.3.
- March 1973: 21 countries signed CITES (Plenipotentiary Conference in Washington which IUCN had recommended in 1963).
- 1 July 1975: CITES enters into force after 10 countries had ratified it.

## 3. Core Contents of the Convention

- CITES lists 7000 animals and 25,000 plants on 3 Appendices (I, II and III).
- CITES regulates international trade through a system of reciprocal permits required before specimens enter or leave a country -> ANNUAL REPORTS provide trade data.
- National implementation of CITES important (i.e. designation of management and scientific authorities, legal protection of CITES species, sanctions) -> BIENNIAL REPORTS available on the CITES Secretariats website provide such national data (<http://www.cites.org/eng/resources/reports.php>).
- Over 95% of CITES-listed species are legally classified as not being endangered -> sustainable commercial trade is permitted.
- Many exemptions (Article VII) under the Convention (captive-bred, personal effects, pre-Convention, etc.).

## 4. Crocodylians listed in CITES Appendix I (1975/2013)

The table below lists only those species which were included in **Appendix I** in 1975 when CITES came into force in relation to those which are listed in Appendix I after the 16<sup>th</sup> Conference of the Parties in 2013. All other crocodylian species or specific geographic populations of crocodylians are listed in **Appendix II**. It is worth noting that when in 1975 CITES entered into force the American Alligator (*A. mississippiensis*) was listed in Appendix I and all populations of the Saltwater Crocodile (*C. porosus*) and the American Crocodile (*C. acutus*) were both listed in Appendix II.

Abbreviations in brackets behind species names in the '2013 column' indicate IUCN Red Listings in 2013 (Version 2013.2), and the IUCN criteria under which those listings were determined; CR= critically endangered, EN= endangered, VU= vulnerable, LR= least risk, DD= data deficient. \* Several geographically separate populations are listed in CITES Appendix II.

1975	2013
<i>Alligator mississippiensis</i>	-
<i>Alligator sinensis</i>	<i>Alligator sinensis</i> (CR – A1c, D)
<i>Caiman c. apaporiensis</i>	<i>Caiman c. apaporiensis</i> (not assessed)
<i>Caiman latirostris</i>	<i>Caiman latirostris</i> * <sup>1</sup> (LR)
<i>Melanosuchus niger</i>	<i>Melanosuchus niger</i> * <sup>1</sup> (LR)
-	<i>Crocodylus acutus</i> * <sup>1</sup> (VU – A2cd)
<i>Crocodylus cataphractus</i>	<i>Crocodylus cataphractus</i> (DD)
<i>Crocodylus intermedius</i>	<i>Crocodylus intermedius</i> (CR – A1c, C2a)
<i>Crocodylus n. mindorensis</i>	<i>Crocodylus mindorensis</i> (CR – A1c, C2a)
<i>Crocodylus moreletii</i>	<i>Crocodylus moreletii</i> * <sup>1</sup> (LC )
<i>Crocodylus niloticus</i>	<i>Crocodylus niloticus</i> * <sup>1</sup> (LR)
<i>Crocodylus palustris</i>	<i>Crocodylus palustris</i> (VU – A2cd)
-	<i>Crocodylus porosus</i> * <sup>1</sup> (not assessed)
<i>Crocodylus rhombifer</i>	<i>Crocodylus rhombifer</i> (CR – A2cde)
<i>Crocodylus siamensis</i>	<i>Crocodylus siamensis</i> (CR – A2cd)
<i>Osteolaemus tetraspis</i>	<i>Osteolaemus tetraspis</i> (VU – A2cd)
<i>Tomistoma schlegelii</i>	<i>Tomistoma schlegelii</i> (EN – C1)
<i>Gavialis gangeticus</i>	<i>Gavialis gangeticus</i> (CR – A2bc)

## 5. Major Decisions on Crocodylian Conservation Adopted at CITES Conferences

### 5.1 1st Conference of the Parties (Bern, Switzerland, 1976)

- Criteria for the **addition** of species and other taxa to CITES Appendix I and II (biological and trade criteria) - Resolution Conf. 1.1 (now **Resolution Conf. 9.24** adopted at the 9<sup>th</sup> Conference of the Parties in 1994).
- Criteria for **deletion** of a taxon from Appendix I or **transfer** to Appendix II - Resolution Conf. 1.2 (now **Resolution Conf. 9.24**).

### 5.2 2nd Conference of the Parties (San José, Costa Rica, 1979)

- Transfer of the American Alligator (*Alligator mississippiensis*) from Appendix I to Appendix II.
- Trade in hunting trophies - Resolution Conf. 2.11:
  - Only for non-commercial activities;
  - Acknowledgment that killing of App. I animals could enhance the survival of a species.
- Specimens bred in captivity or artificially bred - Resolution Conf. 2.12:
  - Aims to avoid specimens taken from the wild (even ranched specimens collected as wild eggs) being considered as captive-bred;
  - Defines term 'captive bred' for Appendix-I species (biologically and legally);
  - Marking requirements, both for live animals and parts and derivatives of specimens bred in captivity.

### 5.3 3rd Conference of the Parties (New Dehli, India, 1981)

- Transfer of the Saltwater Crocodile (*C. porosus*) and the American Crocodile (*C. acutus*) from Appendix II to Appendix I.
- Trade in ranched specimens - Resolution Conf. 3.15 (now Resolution Conf 11.16):
  - New system for transfer of populations from Appendix I to Appendix II when conservation advantage can be demonstrated and the proposed harvest of any wild taken specimens such as neonates or eggs is considered being relatively safe;
  - Initiative originated from adoption of CITES captive breeding Resolution (Resolution Conf. 2.12);
  - In practice, the resolution has only been applied successfully to crocodylians;
  - Rearing wild specimens in controlled environment must be primarily beneficial to the survival of the local population;
  - Monitoring, reporting and marking requirements (Jenkins et al., 2004).

#### 5.4 4th Conference of the Parties (Gaborone, Botswana, 1983)

- Transfer of Zimbabwean population of Nile Crocodile (*C. niloticus*) from Appendix I to Appendix II pursuant to CITES Resolution on “Ranching”.
- Control of captive breeding operations of Appendix I species (Resolution Conf. 4.15 now Resolution Conf. 12.10):
  - Establishment of a register of operations based on information provided by Parties;
  - No trade with operations which are not registered.

#### 5.5 5th Conference of the Parties (Buenos Aires, Argentina, 1985)

- Transfer of Australian population of Saltwater Crocodile (*C. porosus*) from Appendix I to Appendix II pursuant to CITES Resolution on “Ranching”.
- Transfer of several crocodile populations to Appendix II under temporary system based on annual export quotas (Kenya, Somalia, Malawi, Sudan, Zambia, Indonesia, etc.).
- Legal basis is CITES Resolution Conf. 5.21 (Special criteria for transfer of taxa from Appendix I to Appendix II):
  - Transfer **under quota system** only for species (in reality mostly crocodiles) sufficiently safe in the wild (studies);
  - No application of Berne Criteria (Resolution Conf. 1.2) necessary if species were included in CITES Appendix I before listing criteria existed.
  - Temporary approach only (review at CoP7 and CoP9).
- Adoption of Resolution Conf. 5.16 on trade in ranched specimens:
  - Although established to facilitate trade in green turtles (Cayman Islands), its application has been applied predominantly to crocodilians only (Jenkins et al, 2004).

#### 5.6 6th Conference of the Parties (Ottawa, Canada, 1987)

- Decision on management and trade in crocodilians focused on implementation of Resolution Conf. 5.21 .
  - *C. niloticus* populations of ten African range states (see paragraph 5.5.) were maintained in Appendix II with specific annual export quotas.
  - *C. porosus* population of Indonesia maintained in Appendix II with agreed annual export quota.

#### 5.7 7th Conference of the Parties (Lausanne, Switzerland, 1989)

- CITES Resolution Conf. 7.14 (Special criteria for the transfer of taxa from Appendix I to Appendix II):
  - Extension of mandate of quota resolution adopted at COP5 until COP9;
  - After COP9 either maintenance of populations in Appendix II under normal down-listing criteria or ranching criteria;
  - Evaluation: in many, but not all cases quota system was useful (Madagascar, Somalia, Sudan).

#### 5.8 8th Conference of the Parties (Kyoto, Japan, 1992)

- Captive breeding operation for Chinese Alligator (*A. sinensis*) approved.
- Indonesian population of Saltwater Crocodile (*C. porosus*) maintained under Resolution Conf. 7.14 in Appendix II with an annual export quota restricted to ranched and captive bred skins only. The adopted provisions meant an end to the unrestricted harvest of wild Saltwater Crocodiles in Indonesia’s province of West Papua.
- CITES Resolution Conf. 8.3 (Recognition of the benefits of trade in wildlife).
- CITES Resolution Conf. 8.14 (Universal tagging system for the identification of crocodilian skins).
- CITES Resolution Conf. 8.22 (Additional criteria for the establishment of captive breeding operations and for the assessment of ranching proposals for crocodilians):
  - Acknowledges ranching as valuable conservation tool;
  - Being more beneficial for conservation ranching should be given priority over farming;
  - No wild-caught animals should form the breeding stock unless justified by national management plan.

#### 5.9 9th Conference of the Parties (Fort Lauderdale, USA, 1994)

- Australian population of Saltwater Crocodile (*C. porosus*) unqualified maintained in Appendix II in accordance with the Bern Criteria (Resolution Conf. 1.2) than under the ranching criteria.
- Indonesian population of Saltwater Crocodile (*C. porosus*) finally maintained in Appendix II pursuant to CITES Resolution on “Ranching”, but with “special provisions” restricting ranching activities to West Papua only.

#### 5.10 10th Conference of the Parties (Harare, Zimbabwe, 1997)

- CITES Resolution Conf. 10.17 (Animal hybrids):
  - COP decision that trade in hybrids should be controlled in order to support controls on trade in the species included in Appendix I and II;
  - Determination of legal status of hybrids through the respective CITES protected animal (Appendix I or II) in the recent lineage (= 4 generations).
- Transfer of Argentinian population of Broad-snouted Caiman (*Caiman latirostris*) to Appendix II pursuant to CITES Resolution on “Ranching”.

#### 5.11 12th Conference of the Parties (Santiago, Chile, 2002)

- CITES Resolution Conf. 12.9 (Personal and household effects):
  - Definition of term personal and household effects (legality, personal owned and possessed);
  - No CITES documents required for up to 4 specimens per person made of crocodylian leather from Appendix II species;
  - Parties should provide general information on CITES for tourists and more specific information at places of international departure, etc.

#### 5.12 13th Conference of the Parties (Bangkok, Thailand, 2004)

- Transfer of Cuban population of the American Crocodile (*C. acutus*) and the Namibian population of the Nile Crocodile (*C. niloticus*) from Appendix I to Appendix II.
- CITES Resolution Conf. 13.2 (Sustainable use of biodiversity: Addis Ababa principles and guidelines):
  - CITES adopts the Convention on Biological Diversity’s sustainable use (SU) principles that recognize a. o. the value of adaptive wildlife management, the important role of indigenous local communities in conservation and SU of wildlife or the request to develop education and public awareness programs on conservation and SU of wildlife.
- CITES Resolution Conf. 13.6 (Implementation of Art.VII, para. 2 concerning ‘pre-Convention’ specimens):
  - New, more consistent and stringent definition of the term, i.e. the date from which the provisions of CITES apply to a specimen be the date on which the species concerned was first included in the Appendices.
- CITES Resolution Conf. 13.7 (Control of trade in personal and household effects):
  - Resolution defines the term personal and household effects (legality, personal owned and possessed);
  - No CITES document requirement for any dead specimen (difference to previous and repealed Resolution Conf. 12.9), part or derivative of all Appendix II species however with a limit of 4 specimens per person of specimens of crocodylian species included in Appendix II.
- CITES Resolution Conf. 13.10 (Trade in alien invasive species):
  - Parties should consult with country of import when considering exporting potentially invasive species. The CSG has discussed several such cases (e. g. export of *C. niloticus* from Southern Africa to Brazil for farming purposes).

#### 5.13 14th Conference of the Parties (The Hague, Netherlands, 2007)

- Unconditional transfer of Brazilian population of Black Caiman (*Melanosuchus niger*) from CITES Appendix I to Appendix II;
- CITES Resolution Conf. 14.3 (CITES compliance procedures):
  - The resolution provides guidance and assistance in a uniform and transparent manner if a Party is confronted with compliance problems such as the failure by Madagascar to comply with CITES provisions when trading Nile Crocodile specimen. Overall aim is to once again achieve compliance with the obligations under CITES.

- CITES Resolution Conf. 14.7 (Management of national established export quotas):
  - Resolution provides guidelines on how to manage, establish and communicate national established export quotas (e.g. Indonesia or Ethiopia both manage their crocodile skin trade by means of export quotas).

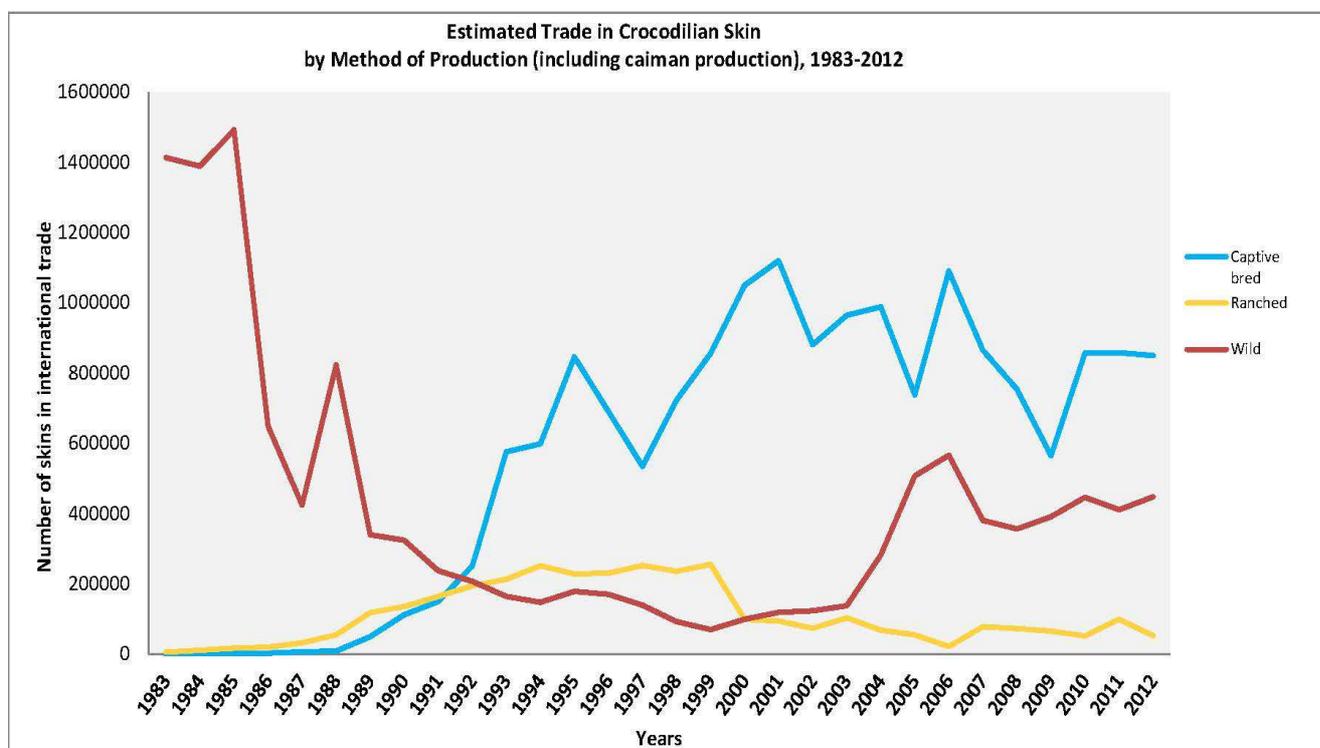
#### 5.14 15th Conference of the Parties (Doha, Qatar, 2010)

- Transfer of the Belize and Mexico *C. moreletii* populations from Appendix I to Appendix II with a zero export quota for wild animals.
- Transfer of the Nile crocodile population of Egypt from Appendix I to Appendix II with a zero export quota pending the development of a management program.
- Resolution Conf. 11.16 amended to refine the definition of the term ‘ranching’ to make it more exclusive.

#### 5.15 16th Conference of the Parties (Bangkok, Thailand, 2013)

- CITES Resolution Conf. 16.6 (CITES and livelihoods):
  - Resolution addresses a. o. issues empowerment of local communities when implementing CITES listings of wildlife or development of mitigation strategies to cope with human-wildlife conflict etc.
- CITES Resolution Conf. 16.7 (Non-detriment finding):
  - One key element of CITES is that trade of either Appendix I or II species shall not be detrimental to the survival of the respective species (following a Party’s determination called a ‘non-detriment-finding - NDF’);
  - Resolution provides a. o. guidance on approach to be taken of making such a NDF.
- CITES Resolution Conf. 9.24 amended to retain and clarify ‘ranching’ as an alternative mechanism to satisfy Annex 4 precautionary measures for down-listing species from Appendix I to II.

## 6. CITES Generates Trade Data



Data source: Compiled from data from CITES annual reports in the UNEP-WCMC Trade Database with additional material provided by the Crocodile Farmers Association of Zimbabwe and the FAO.

## 7. Further Reading

- Jelden, D. (2004) Crocodilians and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). In: *Crocodiles*. Proc. 17<sup>th</sup> Working Meeting IUCN Crocodile Specialist Group: 66 – 68; Gland; Switzerland. [http://www.iucnscg.org/365\\_docs/attachments/protarea/17th-7d31839f.pdf](http://www.iucnscg.org/365_docs/attachments/protarea/17th-7d31839f.pdf)
- Jenkins, R. W. G. D, Jelden, G. J. W. Webb & S. C. Manolis. (2004). Review of Crocodile Ranching Programs. Conducted for CITES by the IUCN-SSC Crocodile Specialist Group. PO Box 530, Sanderson, NT 0813, Australia: 41 pp. – AC 22 Inf. 2: <http://www.cites.org/common/com/AC/22/EFS-AC22-Inf02.pdf>