

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



Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

Interpretation and implementation of the Convention

Species trade and conservation

Tortoises and freshwater turtles

REPORT OF THE STANDING COMMITTEE

1. This document has been prepared by the Chair of the Standing Committee Working Group on Tortoises and Freshwater Turtles¹ with the support of the Secretariat, and has been submitted on behalf of the Standing Committee.

Background

2. Pursuant to Decision 14.128², the Tortoise and Freshwater Turtle Specialist Group of the IUCN Species Survival Commission undertook a study to assist in the implementation of Resolution Conf. 11.9 (Rev. CoP13) on *Conservation of and trade in tortoises and freshwater turtles*.
3. The ensuing study (*A study of progress on conservation of and trade in CITES-listed tortoises and freshwater turtles in Asia*) was presented at the 15th meeting of the Conference of the Parties (CoP15, Doha, 2010) as document CoP15 Inf. 22, and at the 61st meeting of the Standing Committee (SC61, Geneva, August 2011) as document SC61 Doc. 47 (Rev. 2), Annex 2.
4. At CoP15, the Conference of the Parties adopted Decision 15.79, directing the Animals Committee, at its 25th meeting (AC25, Geneva, July 2011), to review the final study mentioned in paragraph 3 above, and to make recommendations to the Standing Committee and/or at the present meeting (CoP16), as appropriate. The study was presented to the Animals Committee as document AC25 Doc. 19, Annex.
5. At CoP15, the Conference of the Parties also adopted Decision 15.80, directing the Standing Committee to take into account the recommendations of the Animals Committee, to review the pertinent sections, conclusions, and recommendations of the study referenced in paragraph 3 above, and to make its own recommendations at CoP16.

Implementation of Decisions 15.79 and 15.80

6. In compliance with Decision 15.79, the Animals Committee reviewed the study at AC25 and made a series of recommendations, some of which were revised at its 26th meeting (AC26, Geneva, March 2012).

¹ *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

² *Decision 14.128 was deleted at the 15th meeting of the Conference of the Parties. It read as follows: "The Secretariat shall, subject to external funding, contract the Tortoise and Freshwater Turtle Specialist Group of the IUCN Species Survival Commission to undertake a study which would assist in the implementation of Resolution Conf. 11.9 (Rev. CoP13)."*

7. At SC61, the Standing Committee noted the recommendations of the Animals Committee [in Annex 1 to document SC61 Doc. 47 (Rev. 2)] and agreed that these would be taken into account by an intersessional working group on tortoises and freshwater turtles (WGTFT). This group was also tasked with preparing draft recommendations for consideration at the 62nd meeting of the Standing Committee (SC62, Geneva, July 2012). The WGTFT carried on its discussions electronically, taking into account:
- a) the IUCN study mentioned above;
 - b) the recommendations of the Animals Committee contained in document SC61 Doc. 47 (Rev. 2), Annex 1; and
 - c) the recommendations of the Animals Committee contained in document AC26 WG6 Doc. 1, as amended in executive summary AC26 Sum. 4 (Rev. 1).

The WGTFT therefore considered both the recommendations from the 25th and 26th meetings of the Animals Committee.

8. At SC62, the Standing Committee considered the recommendations of the WGTFT, as detailed in document SC62 Doc. 49 (Rev. 1), and agreed:
- a) To endorse the recommendation of the WGTFT to extend the mandate of that group in order to enact recommendations 2 and 3, as detailed in document AC26 WG6 Doc. 1 and amended in executive summary AC26 Sum. 4 (Rev. 1). These recommendations call upon the Standing Committee to review the proceedings of the turtle conservation workshops in the United States of America in September 2010 and Singapore in February 2011 to provide guidance to the Standing Committee; and
 - b) To encourage the Parties, taking into account deliberations at AC25, AC26, SC61 and SC62, to adopt the draft decisions presented in paragraphs 9, 11, 16 and 19 below.

Non-detriment findings for tortoises and freshwater turtles

9. Concerning the making of non-detriment findings for trade in Appendix-II listed species of tortoises and freshwater turtles, the Standing Committee proposes that the Conference of the Parties adopt the following draft decisions:

Directed to the Secretariat

- 16.A Subject to external funding, the Secretariat shall contract independent consultants to undertake a study, taking into account the findings of the Cancún workshop on non-detriment findings and other pertinent sources of information, to identify and discuss factors that are of particular relevance to make non-detriment findings for tortoises and freshwater turtles. These factors should include, but not be limited to, tortoises and turtle population status and dynamics, trade dynamics, production systems, and the trade in parts and derivatives. This study should provide guidance to make non-detriment findings for tortoises and freshwater turtles.

Directed to the Secretariat

- 16.B The Secretariat shall make the results of the study referred to in Decision 16.A available to the Animals Committee for consideration, if possible, at its 27th meeting.

Directed to the Animals Committee

- 16.C The Animals Committee shall review the study undertaken in accordance with Decision 16.A and make recommendations, as appropriate and if possible, at its 27th meeting for consideration by the Standing Committee and the Parties.

Directed to the Standing Committee

- 16.D The Standing Committee shall review the study undertaken in accordance with Decision 16.A and the Animals Committee recommendations, and make its own recommendations, as appropriate, for communication to the Parties or for consideration at the 17th meeting of the Conference of the Parties.

Confiscations and disposal of specimens

10. At SC62, the Standing Committee also considered the deliberations of the WGTFT regarding the ongoing high levels of illegal trade and the subsequent challenges in the disposal of confiscated specimens. Notification to the Parties No. 2011/029 of 23 August 2011 on *Disposal of confiscated live tortoise and turtle specimens* was acknowledged, but the Committee was of the opinion that additional steps could be taken by the Parties and the Secretariat to improve understanding and combat the continuing illegal trade in tortoises and freshwater turtles.
11. Accordingly, the Standing Committee proposes that the Conference of the Parties adopt the following draft decisions:

Directed to the Parties

- 16.E The Parties, particularly those of the Asian region, should collect data on seizures of CITES-listed live tortoises and freshwater turtles, and report these data annually to the Secretariat, along with the disposition of the specimens. The Parties should provide the data in conjunction with their annual report submission. These data should be reported for confiscations through the end of 2019.

The Parties should report, if possible, on the following parameters: species, numbers of specimens, destination (for exports) or source/re-exporting country (for imports), and disposition of the animals as per Resolution Conf. 10.7 (Rev. CoP15) on *Disposal of confiscated live specimens of species included in the Appendices*.

- 16.F The Parties are encouraged to collect and report data voluntarily, in the same manner as indicated in Decision 16.E, on confiscations of international shipments of non-CITES freshwater turtle species, so that such data may shed light on illegal trade methods and provide useful information to enforcement and management authorities.
- 16.G Parties are encouraged to collect and report voluntarily comparable data on confiscations of specimens of CITES and non-CITES species of tortoises and freshwater turtles traded domestically. Parties are encouraged to provide the data annually in response to the invitation by the Secretariat.

Directed to the Secretariat

- 16.H The Secretariat shall invite the Parties to provide the information specified in Decisions 16.F and 16.G, consider the information submitted under Decision 16.E, and report on its evaluation of the data received to the Standing Committee for its next regular meeting, and make recommendations for the implementation and enforcement of the Convention.

Directed to the Standing Committee

- 16.I The Standing Committee shall consider the reports submitted by the Secretariat and its recommendations, and make any recommendations it deems appropriate.

Use of source codes C, F and R

12. The Standing Committee considered the recommendation of the Animals Committee regarding the questionable use of source codes C, F and R on CITES export permits [see recommendation 4 in document SC61 Doc. 47 (Rev. 2)], but concluded that discussion on this matter should be deferred to the working group that the Standing Committee had established to deal with purpose codes on CITES permits and certificates.

Undocumented trade in parts and derivatives

13. The Standing Committee considered the deliberations of the WGTFT regarding the problem of large-scale undocumented international trade in parts and derivatives (including manufactured products), as well as challenges in identification of parts and derivatives. In response to guidance sought by the WGTFT Chair, the U.S. Fish and Wildlife Service Forensic Laboratory in Ashland, Oregon, had noted that current technology did not appear adequate to make species-specific identification of turtles in commercially

manufactured medicinal products, for example turtle shell parts used in the manufacture of medicinal products (i.e. “turtle jelly”).

14. The Standing Committee also considered the technical challenges faced by wildlife and Customs authorities in identifying to the species level parts and derivatives in trade, particularly shell material, given that current identification materials focused almost exclusively on live or whole animals.
15. The Standing Committee concluded that the most practical and affordable means of improving implementation and enforcement would be through increased effort by the Parties to ensure permits are issued for cross-border trade in turtle parts and derivatives, and to improve education and outreach to stakeholder communities.
16. Accordingly, the Standing Committee encourages the Parties to adopt the following draft decisions:

Directed to the Parties

- 16.J Considering the large-scale illegal and undocumented trade in parts and derivatives from CITES-listed tortoises and freshwater turtles, the Parties, particularly those of the Asian region, should:
- a) take note of this problem and take steps to address it within their national systems to ensure that CITES permits are properly issued and the Convention is fully implemented and enforced;
 - b) examine their enforcement efforts regarding the trade of these parts, and derivatives, and take adequate steps to deter and detect illegal and undocumented trade;
 - c) conduct education and outreach efforts directed towards turtle farms, buyers and sellers of turtle shell, bones, cartilage (calipee), and other parts, medicinal product manufacturers, shippers, brokers, and other key stakeholders to better ensure that turtle parts and derivatives are traded in compliance with national laws and CITES requirements; and
 - d) report their progress in these areas, via the Secretariat, at the 65th meeting of the Standing Committee.

Directed to the Secretariat

- 16.K The Secretariat shall:
- a) forward the reports provided in compliance with Decision 16.J to the Standing Committee, making any recommendations it deems appropriate;
 - b) seek funding to establish and convene a CITES Tortoises and Freshwater Turtles Task Force, which should undertake an exchange of intelligence and develop strategies to combat illegal trade. The members of the Task Force could include ASEAN Wildlife Enforcement Network, the members of the International Consortium on Combating Wildlife Crime, and those Parties in Asia that are most affected by the illegal trade in tortoises and freshwater turtles and their parts and derivatives; and
 - c) report on the work of the Task Force at the 65th or 66th meeting of the Standing Committee and make any recommendations it deems appropriate.

Directed to the Standing Committee

- 16.L The Standing Committee shall consider at its 65th or 66th meeting all the information and recommendations submitted by the Secretariat in compliance with Decision 16.K and make any recommendations it deems appropriate.

Illegal trade in live specimens

17. The Standing Committee noted the concerns raised by the Tortoise and Freshwater Turtle Specialist Group of the IUCN Species Survival Commission (IUCN/SSC TFTSG) in their report, referenced in Decisions 15.80 and 14.128. The IUCN/SSC TFTSG reported that levels of illegal trade in tortoises and

freshwater turtles were particularly high in Asia but that illegal trade was a global phenomenon impacting populations in almost all areas of the world where these species occur. In addition, there was significant illegal trade in species classified in the IUCN Red List as Critically Endangered and Endangered, and listed in Appendix I or II of the Convention³.

18. The Standing Committee concurred with the WGTFT that additional efforts are required in implementing and enforcing the Convention in Parties with significant markets for illegal live tortoises and freshwater and terrestrial turtles.
19. Accordingly, the Standing Committee submits the following draft decisions to the Conference of the Parties for adoption:

Directed to the Parties

16.M Parties, particularly those in the Asia region, are encouraged to:

- a) increase enforcement activities to deter, detect and address illegal and undocumented trade in CITES-listed live tortoises and freshwater turtles, and their parts and derivatives, *inter alia* by providing relevant training to national enforcement authorities, strengthening the enforcement and implementation of the Convention for these species, disseminating identification materials and increasing awareness amongst the judiciary; and
- b) provide relevant information on their progress in these areas to the Secretariat for reporting at the 65th meeting of the Standing Committee.

Directed to the Secretariat

16.N The Secretariat shall:

- a) recognizing the ongoing prevalence of an illegal trade in live tortoises and freshwater turtles for the medicinal, food, and pet trades which is threatening the survival of some species in the wild and impacting the integrity of the Convention, seek external funding and, subject to its availability, hire a consultant to analyse reported data, identify species prevalent in illegal trade, and document illegal trade incidents, trade routes (including the Internet-based trade), methods of concealment, and other aspects relevant to enforcing CITES provisions concerning trade in tortoises and freshwater turtles;
- b) subject to external funding, contract a consultant to identify and evaluate tortoises and freshwater turtle identification and capacity-building materials, and assist with developing additional materials as deemed necessary, including the preparation and distribution of multilingual [Bahasa Indonesia, Bahasa Malaysia (Melayu), Bengali, Burmese, Chinese, English, Hindi, Khmer, Lao, Thai, Urdu, Vietnamese, and other languages as appropriate] identification materials focused on the shells and shell pieces of Asian tortoises and freshwater and terrestrial turtles; and
- c) report on progress on Decision 16.M, paragraph b), and paragraphs a) and b) above, including its recommendations, at the 65th and 66th meetings of the Standing Committee.

Directed to the Standing Committee

16.O The Standing Committee shall consider at its 65th and 66th meetings all information submitted by the Secretariat under Decision 16.N and make any recommendations it deems appropriate.

³ Note from the Chair of the WGTFT: IUCN RedList Critically Endangered or Endangered species impacted by the illegal live trade include *Heosemys depressa* (Arakan forest turtle), *Batagur baska* (northern river terrapin), *Leucocephalon yuwonoi* (Sulawesi forest turtle), *Cuora trifasciata* (golden coin turtle), *Siebenrockeilla leytensis* (Philippine forest turtle), *Morenia ocellata* (Burmese-eyed turtle), *Chitra chitra* (Asian narrow-headed softshell turtle), *Nilssonina formosa* (Burmese peacock softshell turtle), *Astrochelys yniphora* (angonoka or ploughshare tortoise), *Geochelone platynota* (Burmese star tortoise), *Astrochelys radiata* (radiated tortoise), *Testudo kleinmanni* (Egyptian or Kleinman's tortoise) and others.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat supports in principle draft decisions 16.A to 16.O, which are presented in paragraphs 9, 11, 16 and 19 of the present document. Their adoption would comprehensively complement provisions that exist already in Resolution Conf. 11.9 (Rev. CoP13) on *Conservation of and trade in tortoises and freshwater turtles*. If these draft decisions are adopted, it will be important to ensure effective coordination and communication amongst all those to whom this large number of measures would be directed, in order to avoid duplication of efforts and institutional confusion, which could hamper effective implementation.
- B. The Secretariat suggests that the wording in the draft decisions in this document be reviewed at CoP16 to ensure that the instructions are clear and aligned with CITES standard terminology (e.g. draft decision 16.I could indicate to whom the resulting recommendations should be directed; some draft decisions use the term “disposition” instead of “disposal”).
- C. The Secretariat notes that draft decisions 16.A to 16.D are virtually identical to those proposed by the Animals Committee in document CoP16 Doc. 58.2, and proposes that these be merged (see Comments from the Secretariat in document CoP16 Doc. 58.2).
- D. Although not specifically mentioned in the present document, Decisions 15.80, 15.81, 15.82 and 15.83 have been implemented or seem no longer required. The Secretariat recommends that they be deleted.