

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

1. This document has been submitted by the Animals Committee*.
2. At CoP15 (Doha, 2010), the Conference of the Parties adopted the following decision on tortoises and freshwater turtles:

Directed to the Animals Committee

15.79 *The Animals Committee, at its 25th meeting, shall review the final study from the IUCN Species Survival Commission, Tortoise and Freshwater Turtle Specialist Group (IUCN-TFTSG) mentioned in Decision 14.128 and make recommendations to the Standing Committee and/or at the 16th meeting of the Conference of the Parties as appropriate.*

3. At its 25th meeting (AC25, Geneva, July 2011), the Animals Committee created a working group to examine document AC25 Doc. 19, prepared by the Secretariat, which had an annex containing the final study submitted by the IUCN Species Survival Commission, Tortoise and Freshwater Turtle Specialist Group (IUCN/SSC TFTSG).
4. The Committee established the following terms of reference:
 - a) *Review the study from the IUCN Species Survival Commission, Tortoise and Freshwater Turtle Specialist Group (IUCN/SSC TFTSG) contained in the Annex to document AC25 Doc. 19; and*
 - b) *Draft recommendations for adoption by the Animals Committee to be eventually presented to the Standing Committee and/or at the 16th meeting of the Conference of the Parties.*
5. At a later point in the meeting (AC25), the Committee adopted the recommendations of the working group presented in document AC25 WG7 Doc. 1, as follows:
 - *Subject to external funding and with appropriate assistance, the Animals Committee agreed to engage independent consultants to undertake a study to identify and discuss factors that were of particular relevance to make non-detriment findings for tortoises and freshwater turtles, including (but not limited to) turtle population status and dynamics, trade dynamics, and the trade in parts, products and derivatives. This study should provide guidance for Parties to make non-detriment findings for tortoises and freshwater turtles.*
 - *The Animals Committee agreed to report on progress at AC26 and CoP16.*

* *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.*

- *The Animals Committee agreed to review at its 26th meeting the results of the North American Turtle Trade Workshop, held in Saint Louis in September 2010, and the Asian Turtle Conservation Workshop held in Singapore in February 2011, and additional pertinent information, and make recommendations for the consideration of the Parties to amend the CITES Appendices with regard to turtle species.*
 - *The Animals Committee requested the Secretariat to prepare a Notification to encourage Parties to engage partners with expertise and resources when evaluating disposal options for confiscated live turtles, such as repatriation or addition to in situ or ex situ conservation breeding programmes, taking into account Resolution Conf. 10.7 (Rev. CoP15) on the disposal of confiscated live specimens, to maximize the conservation value of such confiscated specimens of rare tortoises and freshwater turtles.*
 - *The Animals Committee wished to inform the Standing Committee that the ability of Parties to make accurate NDFs was undermined by the often undocumented trade in parts and derivatives, and by the sometimes questionable use of source codes C, F and R, and therefore the Animals Committee requested the Standing Committee to place particular emphasis on these topics in its recommendations.*
 - *The Animals Committee noted with concern the trade management challenges identified in the Annex to document AC25 Doc. 19 for tortoises and freshwater turtles. The Animals Committee requested that the Standing Committee consider proposing a decision at CoP16 directing Parties to report on their implementation of recommendations contained in the Annex to document AC25 Doc. 19 regarding enforcement and compliance.*
6. The above recommendations were subsequently presented by the President of the Animals Committee at the 61st meeting of the Standing Committee (SC61, Geneva, August 2011) [see document SC61 Doc. 47 (Rev. 2)].
7. Later, at its 26th meeting (AC26, Geneva and Dublin, March 2012), the Animals Committee set up a working group with the following mandate:
8. In support of the activities of the Standing Committee intersessional Working Group on Tortoises and Freshwater Turtles, the working group shall:
- *assess progress, if any, with the study to identify and discuss factors that are of particular relevance to make non-detriment findings for tortoises and freshwater turtles, including (but not limited to) turtle population status and dynamics, trade dynamics, and the trade in parts, products and derivatives. As this study should provide guidance for Parties to make non-detriment findings for tortoises and freshwater turtles, advise on its integration into recommendations and actions emanating from agenda item 8; and*
 - *review the results of the North American Turtle Trade Workshop, held in Saint Louis in September 2010, and the Asian Turtle Conservation Workshop, held in Singapore in February 2011, and additional pertinent information, and make recommendations for consideration by the Committee, which could make recommendations at the 62nd meeting of the Standing Committee or 16th meeting of the Conference of the Parties, as appropriate.*
9. The Committee made some amendments to the working group's recommendations (AC26 WG6 Doc. 1), adopting them in the following terms:
- a) Draft Decision 16.XX, directed to the Secretariat:

The Secretariat shall, subject to the availability of external funding, engage 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 factors that are of particular relevance to the making of non-detriment findings for tortoises and freshwater turtles, including (but not limited to) tortoise and freshwater turtle population status and dynamics, trade dynamics and the trade in parts, products and derivatives. This study should provide guidance for making non-detriment findings for tortoises and freshwater turtles.

b) Draft Decision 16.XX, directed to the Secretariat:

The Secretariat shall make the results of the study available to the Animals Committee and Standing Committee for their consideration.

c) Draft Decision 16.XX, directed to the Animals Committee:

The Animals Committee should review the study undertaken in Decision 16.XX and make recommendations, as appropriate, to the Standing Committee and the Parties.

d) Draft Decision 16.XX, directed to the Standing Committee:

- The Standing Committee should review the study undertaken in Decision 16.XX 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.
- The Animals Committee requests the Secretariat to prepare a Notification to inform Parties that the reports of the workshops on conservation of tortoises and freshwater turtles held at Saint Louis in September 2010 and at Singapore in February 2011 are available at http://www.fws.gov/international/DMA_DSA/CITES/animals/turtles.html and at the WCS website [insert URL of document AC26 Inf. 17] and that the IUCN study of progress on conservation of and trade in CITES-listed tortoises and freshwater turtles is available on the CITES website (AC25 Doc. 19, Annex).
- The Animals Committee requests that the Secretariat include in this Notification the following:
- The Animals Committee encourages Parties to take note of the information and recommendations contained in these documents, and, if appropriate, to consider preparing amendment proposals or formulate and implement appropriate domestic and other measures to address the conservation of tortoises and freshwater turtles.
- The Animals Committee recommends that the Standing Committee review the reports of the workshops on conservation of tortoises and freshwater turtles, held at St. Louis in September 2010 and at Singapore in February 2011, available at http://www.fws.gov/international/DMA_DSA/CITES/animals/turtles.html and at the WCS website [insert URL of document AC26 Inf. 17], and make its own recommendations, as appropriate.

10. The President of the Animals Committee gave an oral presentation on those recommendations at the 62nd meeting of the Standing Committee (SC62, Geneva, July 2012), expressing his appreciation for the support which the Standing Committee working group on this topic had given to the recommendations of the Animals Committee, as well as that working group's endorsement of the draft decisions contained in the recommendations in question.
11. The Animals Committee considers that the work under Decision 15.79 has been completed and submits for the consideration of the Conference of the Parties the recommendations contained in paragraph 9, which include four draft decisions.

COMMENTS FROM THE SECRETARIAT

- A. In paragraph 9 of the present document, the Animals Committee proposes four draft decisions for adoption by the Conference of the Parties. It is explained that these were agreed by the Animals Committee at its 26th meeting (AC26, Geneva, March 2012), and reference is made to document AC26 WG6 Doc 1 and the amendments made thereto in plenary discussions. The draft decisions in paragraph 9 omit however to show that, at AC26, the Animals Committee also agreed on the merger of what is indicated as draft decisions a) and b).
- B. The final draft decisions concerning tortoises and freshwater turtles that the Animals Committee agreed at AC26, as contained in the summary record, are shown below. The Secretariat agrees with the intent of the proposals, but believes that dissemination of the resulting guidance on non-detriment findings for tortoises

and freshwater turtles through the CITES website would be preferable to consideration by the Standing Committee and the Conference of the Parties. Such an approach is more in line with that proposed in other documents submitted to the present meeting such as document CoP16 Doc. 33 on *Non-detriment findings*. Consequent changes to the proposed draft decisions are shown below (text to be deleted is ~~crossed out~~; proposed new text is underlined):

Directed to the Secretariat

16.A The Secretariat shall, subject to external funding, contract independent consultants to undertake a study, taking into account the findings of the Cancun NDF workshop and other pertinent sources of information, to identify and discuss factors that are of particular relevance to the making of non-detriment findings for tortoises and freshwater turtles, including (but not 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 for the making of non-detriment findings for tortoises and freshwater turtles. The Secretariat shall make the results of the study available to the Animals Committee for its consideration.

Directed to the Animals Committee

16.B The Animals Committee should review the study undertaken in accordance with Decision 16.A and make recommendations as appropriate, for inclusion in the non-detriment section of the CITES website, ~~to the Standing Committee and the Parties.~~

~~**16.C** *Directed to the Standing Committee*~~

~~The Standing Committee should 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.~~

- C. As indicated in its comments on document CoP16 Doc. 58.1, on *Tortoises and freshwater turtles: Report of the working group of the Standing Committee*, the draft decisions above overlap with the draft decisions proposed by the Standing Committee in paragraph 9 of document CoP16 Doc. 58.1. The Secretariat proposes that they be reviewed and merged at CoP16 before their adoption.
- D. The Secretariat concurs with the conclusion in paragraph 11 of the present document that the Animals Committee has fully implemented Decision 15.79 and that it can be deleted.