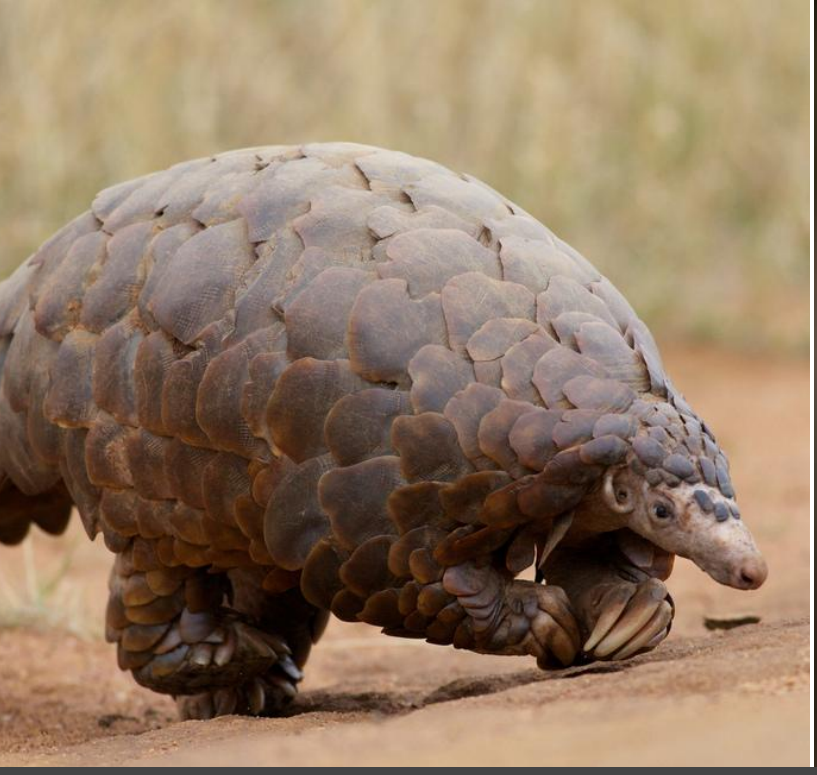
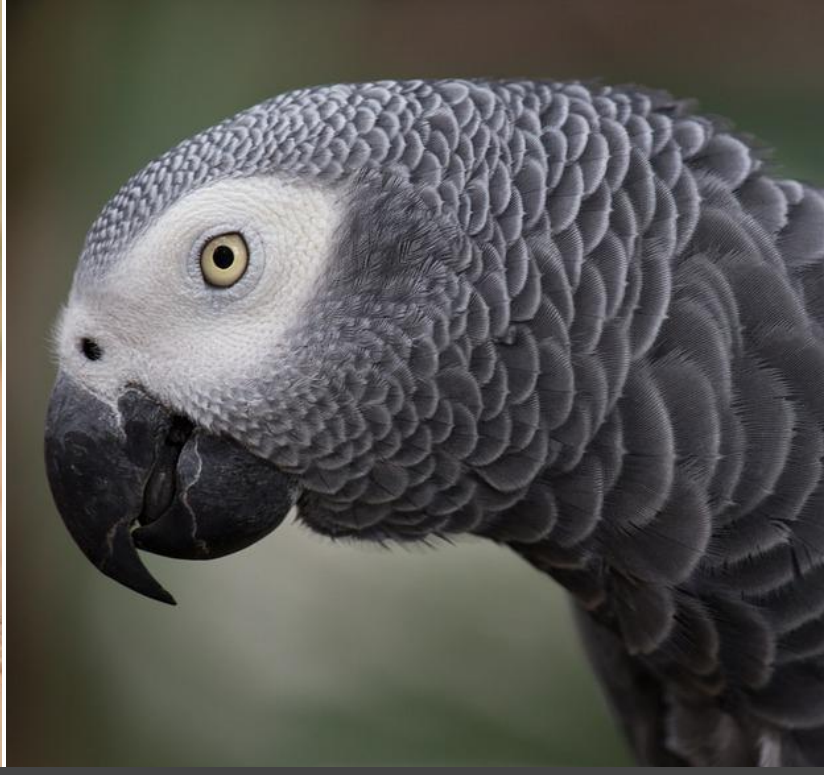
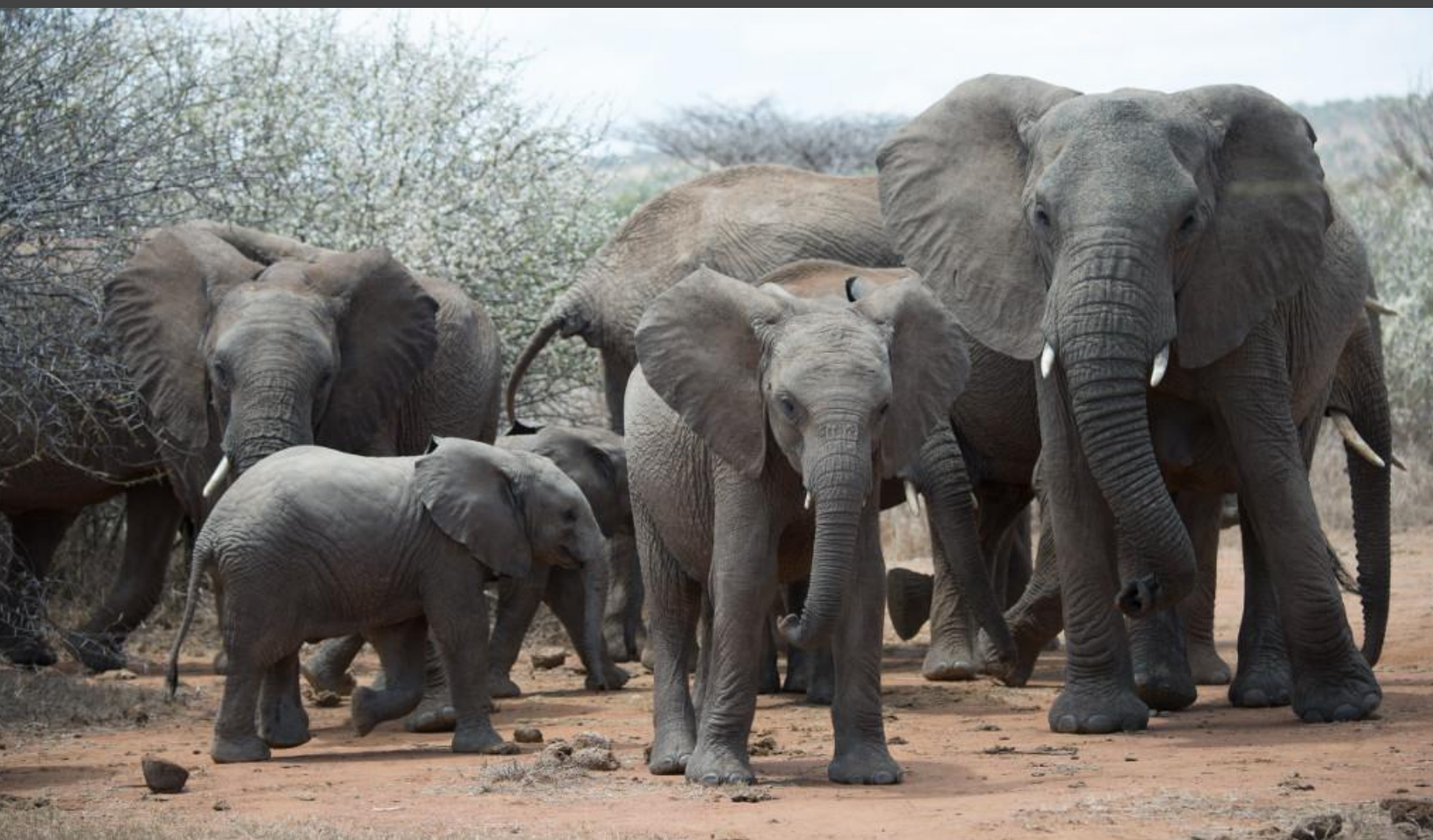




WCS Position Statement

Species Proposals

CITES CoP17 - Johannesburg, South Africa



WCS - SAVING WILDLIFE AND WILD PLACES

The Wildlife Conservation Society (WCS) works to save wildlife and wild places worldwide through science, conservation action, education and inspiring people to value nature. With long-term commitments and conservation programs in dozens of landscapes and seascapes, presence in nearly 60 countries, and experience helping to establish and manage more than 280 protected areas across the globe, WCS applies its biological knowledge, cultural understanding and partnerships to help ensure that wild places and wildlife thrive alongside local communities. Working with local communities and partner governments, we apply our knowledge to address threats to species, habitats and ecosystem services, and issues critical to improving the quality of life of local people whose livelihoods often depend on natural resources*.

WCS's 'on-the-ground' presence across much of the globe enables us to address multiple aspects of wildlife exploitation and trade, including wildlife crime, at all points along the trade chain in source, transit and consumer countries. In addressing the illegal wildlife trade, a key WCS priority, we pursue our three-pronged global strategy to *stop the killing, stop the trafficking, and stop the demand* so as to safeguard the future of the many species that are threatened by illegal trade. Similarly, much of our field research and related conservation efforts support the design and implementation of science-based conservation and management strategies that will not only conserve and protect species but also enhance sustainability in the exploitation of species while improving benefits to local communities and economies from sustainable use regimes, when relevant and appropriate.

WCS is a strong supporter of CITES, has staff who have attended all meetings of the Conference of the Parties since CoP7 in 1989, and will be represented by many international wildlife and policy experts at the Seventeenth meeting of the Conference of the Parties (CoP17) in Johannesburg, South Africa. Our views on the proposals to amend the Appendices are based on the CITES listing criteria, the best available scientific and technical information, and information from our field and country programs around the world. WCS looks forward to working with the Parties leading up to and during CoP17.

WCS hereby submits the following recommendations to the Parties (with detailed explanations following). We have not included recommendations for species we do not work on, or that are found in countries where we do not work; we also are still analyzing some proposals and consulting our field experts, and will have updated recommendations closer to CoP17.

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WCS RECOMMENDS THAT PARTIES ADOPT THE FOLLOWING PROPOSALS:

	SPECIES	ENGLISH NAMES	PROPONENTS	PROPOSALS
3	*Vicugna vicugna*	Vicuña	Peru	Amend annotations 1, 2, 3, 4, and 5 in App. II
8 & 9	*Manis crassicaudata*[1]	Indian Pangolin	Bangladesh, India, Nepal, Sri Lanka, USA	Transfer from App. II to App. I
10	*Manis culionensis*	Philippine Pangolin	Philippines, USA	Transfer from App. II to App. I
11	*Manis javanica* and *M. pentadactyla*	Sunda Pangolin and Chinese Pangolin	Viet Nam, USA	Transfer from App. II to App. I
12	*Manis tetradactyla, M. tricuspis, M. gigantea and M. temminckii*	Long-tailed Pangolin, White-bellied Pangolin, Giant Pangolin, South African Pangolin	Angola, Botswana, Chad, Côte d'Ivoire, Gabon, Guinea, Kenya, Liberia, Nigeria, Senegal, South Africa, Togo, USA	Transfer from App. II to App. I
19	*Psittacus erithacus*	African Grey Parrot	Angola, Chad, European Union and its Member States, Gabon, Guinea, Nigeria, Senegal, Togo, USA	Transfer from App. II to App. I
24	*Crocodylus porosus*	Saltwater Crocodile	Malaysia	Transfer from App. I to App. II
26	*Abronia* spp.	Alligator Lizards	European Union and its Member States, Mexico	Inclusion in App. II
32	Lanthanotidae spp.	Earless Monitor Lizards	Malaysia	Inclusion in App. I
33	*Shinisaurus crocodilurus*	Chinese Crocodile Lizard	China, European Union and its Member States, Viet Nam	Transfer from App. II to App. I

[1] WCS supports both proposals, which seek to accomplish the same goal, and we hope they can be merged.

WCS RECOMMENDS THAT PARTIES ADOPT THE FOLLOWING PROPOSALS:

	SPECIES	ENGLISH NAMES	PROPONENTS	PROPOSALS
34	*Atheris desaixi*	Ashe's Bush Viper	Kenya	Inclusion in App. II
40	*Telmatobius culeus*	Titicaca water frog	Bolivia, Peru	Inclusion in App. I
42	*Carcharhinus falciformis*	Silky Shark	Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, Comoros, Dominican Republic, Egypt, European Union and its Member States, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Sri Lanka, Ukraine	Inclusion in App. II
43	*Alopias* spp.	Thresher Sharks	Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, Comoros, Dominican Republic, Egypt, European Union and its Member States, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Kenya, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Seychelles, Sri Lanka, Ukraine	Inclusion in App. II
44	*Mobula* spp.	Devil Rays	Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, Comoros, Costa Rica, Ecuador, Egypt, European Union and its Member States, Fiji, Ghana, Guinea, Guinea-Bissau, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Seychelles, Sri Lanka, USA	Inclusion in App. II
45	*Potamotrygon motoro*[2]	Ocellate River Stingray	Bolivia	Inclusion in App. II

[2] Please refer to the discussion section of this document. While we support this proposal, we also encourage the range States to cooperate further and include all of the freshwater stingrays in Appendix III as a first step to better regulate the trade.

WCS RECOMMENDS THAT PARTIES REJECT THE FOLLOWING PROPOSALS:

	SPECIES	ENGLISH NAMES	PROPONENTS	PROPOSALS
7	*Ceratotherium simum simum*	Southern White Rhinoceros	Swaziland	Alter the existing annotation on the Appendix II listing of Swaziland's White Rhinoceros
14	*Loxodonta africana*	African Elephant	Namibia	Delete the annotation to the listing of the Namibian African Elephant population in Appendix II by deleting any reference to Namibia in that annotation
15	*Loxodonta africana*	African Elephant	Namibia, Zimbabwe	Amend the present Appendix II listing of the population of Zimbabwe of *Loxodonta africana* by removing the annotation in order to achieve an unqualified Appendix II listing
16	*Loxodonta africana*[3]	African Elephant	Benin, Burkina Faso, Central African Republic, Chad, Ethiopia, Kenya, Liberia, Mali, Niger, Nigeria, Senegal, Sri Lanka, Uganda	Inclusion of all populations of *Loxodonta africana* (African Elephant) in Appendix I through the transfer from Appendix II to Appendix I of the populations of Botswana, Namibia, South Africa and Zimbabwe

[3] In the case of Proposal 16, our recommendation is to reject the proposal based on currently available population data but re-evaluate this position after: the Great Elephant Census (GEC) survey data are published later this year (before CoP17); the IUCN/SSC African Elephant Specialist Group has released the new African Elephant Status Report prior to CoP17; we have analyzed the just-released CITES MIKE program's report to CoP17; and the outputs from the Ministerial High-level Meeting to be convened by South Africa just before CoP17, which aims to develop common African position for the CoP and agree on a unified position, are made available.

WCS DETAILED RECOMMENDATIONS

Proposal 3 – Adopt

Vicugna vicugna
Vicuña

Amendment of the CITES Appendices referring to the annotations 1, 2, 3, 4, and 5 of the populations of *Vicugna vicugna* in Appendix II

Proposed by Peru

Resolution No. 376/2015 of the XXXII Regular Meeting of the Technical Committee - Administrator of the Vicuña Convention, held in Chile from 22 to 25 September 2015, highlighted there is little or no monitoring for traceability of vicuña fiber that is exported. It also notes that there are various interpretations of the annotations regarding the brands by control bodies and CITES Management Authorities. These loopholes facilitate poaching and the illegal trade in vicuña products from range States, which is increasing. Therefore, the use of common logos and names (i.e. "Vicuña [Country of Origin]" or "Vicuña [Country of Origin] – Craft") for companies that produce fabrics and garments with vicuña fiber would be very useful. This would allow a common notation for the five signatory countries of the Vicuña Convention and facilitate the traceability of vicuña products.

WCS therefore recommends that the Parties adopt Peru's proposal.

Proposal 7 – Reject

Ceratotherium simum simum
Southern White Rhinoceros

To alter the existing annotation on the Appendix II listing of Swaziland's white rhino, adopted at the 13th Conference of Parties in 2004, so as to permit a limited and regulated trade in white rhino horn which has been collected in the past from natural deaths, or recovered from poached Swazi rhino, as well as horn to be harvested in a non-lethal way from a limited number of white rhino in the future in Swaziland

Proposed by Swaziland

Africa's rhinoceroses are facing a poaching crisis: by the end of 2015, the number of African rhinos killed by poachers had increased for the sixth year in a row with at least 1,338 rhinos killed by poachers across Africa in 2015[4]. As with other recent proposals outside of the CITES process (e.g. the paper by Biggs et al. (2013) Legal Trade of Africa's Rhino Horns, *Science*, 1038-1039) for a legal rhino horn trade as the solution to the rhino poaching crisis, the proponents argue that a legal trade can reduce poaching if:

i. Regulators can prevent the laundering of a threatening level of illegal supply under the cover of a legal trade; and
ii. Demand does not escalate to dangerous levels as the stigma associated with illegality is removed.

WCS considers that neither assumption holds true for the rhino horn trade.

[4] Data from the IUCN/SSC African Rhino Specialist Group.

Regulators have consistently been unable to prevent the laundering of large quantities of illegal elephant ivory under the cover of a legal trade. How then could a legal trade in rhino horn involving many of the same range States in Africa and markets in Asia be able to avoid this problem? Regulatory efforts are also substantially inhibited by the significant role played by organized criminal networks in the illegal wildlife trade and the lack of law enforcement capability and poor governance in many range States and horn-consuming States. Additionally, use of rhino horn is both evolving and poorly understood and now includes non-traditional preparations marketed as cures for cancer. If these preparations grow in popularity, there are reasons to fear that demand will escalate if the stigma associated with illegality is removed. Furthermore, many Asian consumer States have made significant progress in reducing demand and altering consumer behavior, and in enforcement—those efforts would be undermined by opening up any international horn trade.

In conclusion, even a conservative application of the precautionary principle suggests that legalizing the trade would be dangerously premature. Moreover, re-opening the legal trade could undermine initiatives to reduce demand for rhino horn required by CITES. Contrary to assertions made in the proposal, demand-reduction initiatives have been successful in curtailing markets for rhino horn. For example, demand for rhino horn in Japan, South Korea, Taiwan (Republic of China), and Yemen, once major consumers of rhino horn, has been significantly reduced through a combination of demand reduction campaigns, impositions of sanctions under the United States' Pelly Amendment, import bans, and moratoria on domestic sales. Such initiatives together with more effective law enforcement throughout the trade chain present the best hope for ending the poaching crisis, not opening a legal trade in rhino horns.

WCS therefore recommends that the Parties reject Swaziland's proposal but recognizes that Swaziland is paying the price for other countries' failures, which is obviously unfair (only three rhinos have been poached in Swaziland in the last 24 years). It is therefore incumbent on the international community to find alternative means of helping to support rhino conservation in countries such as Swaziland.

Proposals 8 & 9 – Adopt

Manis crassicaudata Indian Pangolin

Transfer from App. II to App. I

Proposed by Bangladesh, India, Nepal, Sri Lanka, USA

The Indian Pangolin meets the biological criteria and qualifies for transfer from CITES App. II to App. I in accordance with Article II, paragraph 1, of the Convention. It is experiencing increasing levels of poaching mainly for its meat and scales, both for local use and for illegal international trade with East Asia. It is currently classified as 'Endangered' on the IUCN Red List of Threatened Species. Specifically, *Manis crassicaudata* meets the biological criteria found in paragraphs C i) and ii) of Resolution Conf. 9.24 (Rev. CoP16), Annex 1, due to a marked decline in population sizes in the wild observed as ongoing or inferred or projected on the basis of levels or patterns of exploitation, and a high vulnerability to intrinsic (i.e. low reproductive output, low density, specialized niche requirements) and extrinsic (i. e. a decrease in the area and quality of habitat) factors, and a reduction in recruitment due to indiscriminate offtake.

There appears to be a growing international trade in pangolin scales sourced from India, with traders targeting them across the country[5]. Up to 4.3 tonnes of pangolin scales have been seized over a five-year period making it the most poached Indian mammal in 2015 despite its legal protection under Schedule I of the Wildlife Protection Act 1972. Given depletion of other pangolin species (Chinese and Sunda Pangolin) in the region, the pressure on the species is likely to persist and increase.

Pangolins have been a species of concern for CITES for several decades and *M. crassicaudata* has been listed in CITES Appendix II since 1975. In 2000 at CoP11, the CITES Parties established zero export quotas for all Asian pangolin species traded commercially. However, the zero export quota has been ineffective in curbing the ongoing illegal trade in pangolin meat and scales, and this species now qualifies for transfer to Appendix I.

WCS recommends that the Parties adopt this proposal, as the species clearly qualifies for transfer to Appendix I, and an Appendix I listing is a critical mechanism to conserve the Indian pangolin in the wild.

Proposal 10 – Adopt

Manis culionensis Philippine Pangolin

Transfer from App. II to App. I

Proposed by Philippines, USA

Manis culionensis is currently listed as "Endangered" on the IUCN Red List of Threatened Species and has experienced evident population declines mainly due to high levels of poaching for its meat and scales, illegal international trade, and habitat loss from illegal deforestation.

Given depletion of other pangolin species (Chinese and Sunda Pangolin) in the region, the pressure on the species is likely to persist and increase. *M. culionensis* is endemic to the Philippines and is therefore highly vulnerable to extinction due to its restricted distribution. The species qualifies for the transfer from CITES App. II to App. I in accordance with Article II, paragraph 1, of the Convention. Specifically, *M. culionensis* meets the biological criteria found in paragraphs C i) and ii) of Resolution Conf. 9.24 (Rev. CoP16), Annex 1, due to a marked decline in population sizes in the wild observed as ongoing or inferred or projected on the basis of levels or patterns of exploitation, and a high vulnerability to intrinsic (i.e. low reproductive output, low density, specialized niche requirements) and extrinsic (i.e. a decrease in the area and quality of habitat) factors, and a reduction in recruitment due to indiscriminate offtake.

There is strong evidence to suggest that poaching pressure on *Manis culionensis* has increased following poaching-driven depletion of the Chinese Pangolin (*M. pentadactyla*) and Sunda Pangolin (*M. javanica*). Scales are the most common derivatives found in trade and it is difficult to confirm species identity from isolated scales of the four species of Asian pangolins. Pangolins have been species of concern for CITES for several decades *(M. culionensis* was originally listed as *M. javanica* prior to being recognized as a distinct species). In 2000, at CoP11, the CITES Parties established zero export quotas for all Asian pangolin species traded commercially. However, the zero export quota has been ineffective in curbing the ongoing illegal trade in pangolin meat and scales. The impact of international trade was one of the major factors used by the IUCN to determine the reclassification of *M. culionensis* from Threatened to Endangered on its *Red List of Threatened Species.*

[5] Mohapatra, R., Panda, S., Nair, M. V., Acharjyo, L. N., Challender, D. W.S. 2015. A note on the illegal trade and use of pangolin body parts in India. *TRAFFIC Bulletin* 27: 34–39.

WCS recommends that the Parties adopt this proposal, as the species clearly qualifies for transfer to Appendix I, and an Appendix I listing is at present a critical mechanism to conserve *Manis culionensis* in the wild.

Proposal 11 – Adopt

Manis javanica and *M. pentadactyla* Sunda Pangolin and Chinese Pangolin

Transfer from App. II to App. I

Proposed by Viet Nam, USA

Manis javanica and *M. pentadactyla* have experienced evident population declines mainly due to high levels of poaching and trade for their meat and scales, and both species are currently listed as "Critically Endangered" on the *IUCN Red List of Threatened Species.* The scale of exploitation is immense. Both species are suspected to be locally extinct in many parts of their range. Both species qualify for the transfer from CITES App. II to App. I in accordance with Article II, paragraph 1, of the Convention. Specifically, *M. javanica* and *M. pentadactyla* meet the biological criteria found in paragraphs C i) and ii) of Resolution Conf. 9.24 (Rev. CoP16), Annex 1, due to a marked decline in population sizes in the wild observed as ongoing or inferred or projected on the basis of levels or patterns of exploitation, and a high vulnerability to intrinsic (i.e. low reproductive output, low density, specialized niche requirements) and extrinsic (i. e. a decrease in the area and quality of habitat) factors, and a reduction in recruitment due to indiscriminate offtake.

Pangolins have been a species of concern for CITES for several decades and both species have been listed in CITES Appendix II since 1975 (*M. culionensis* was originally listed as *M. javanica* prior to being recognized as a distinct species). In 2000, at CoP11, the CITES Parties established zero export quotas for all Asian pangolin species traded commercially. However, the zero export quota has been ineffective in curbing the ongoing illegal trade in pangolin meat and scales. Poaching and illegal trade involving an estimated tens of thousands of *M. pentadactyla* and *M. javanica* specimens in the last decade have been confirmed through numerous studies and reports[6]. Current rates of offtake, as documented in confiscations of illegally traded Asian pangolins, are impossible to sustain given the species' life history traits. Pangolins' very low reproductive rates (1 young per year) make them extremely vulnerable to excessive mortality and rapid population declines.

WCS recommends that the Parties adopt this proposal, as the species clearly qualify for transfer to Appendix I, and an Appendix I listing is a critical mechanism to conserve *Manis javanica* and *M. pentadactyla* in the wild.

Proposal 12 – Adopt

Manis tetradactyla, M. tricuspis, M. gigantea and M. temminckii Long-tailed Pangolin, White-bellied Pangolin, Giant Pangolin, South African Pangolin

Transfer from App. II to App. I

[6] Challender, D.W.S., Nguyen Van, T., Shepherd, C., Krishnasamy, K., Wang, A., Lee, B., Panjang, E., Fletcher, L., Heng, S., Seah Han Ming, J., Olsson, A., Nguyen The Truong, A., Nguyen Van, Q., Chung, Y., 2014a. Manis javanica. The IUCN Red List of Threatened Species, version 2014.2. http://www.iucnredlist.org. Accessed 1 December 2015 and Challender, D.W.S., Baillie, J., Ades, G., Kaspal, P., Chan, B., Khatiwada, A., Xu, L., Chin, S., KC, R., Nash, H., Hsieh, H. 2014b. Manis pentadactyla. The IUCN Red List of Threatened Species, version 2014.2. http://www.iucnredlist.org. Accessed 1 December 2015.

Proposed by Angola, Botswana, Chad, Côte d'Ivoire, Gabon, Guinea, Kenya, Liberia, Nigeria, Senegal, South Africa, Togo, USA

All four African species of pangolin, *Manis tetradactyla, M. tricuspis, M. gigantea* and *M. temminckii*, qualify for the transfer from CITES App. II to App. I in accordance with Article II, paragraph 1, of the Convention. Specifically, all four species meet the biological criteria found in paragraphs C i) and ii) of Resolution Conf. 9.24 (Rev. CoP16), Annex 1, due to a marked decline in population sizes in the wild observed as ongoing or inferred or projected on the basis of levels or patterns of exploitation, and a high vulnerability to intrinsic (i.e. low reproductive output, low density, specialized niche requirements) and extrinsic (i.e. a decrease in the area and quality of habitat) factors, and a reduction in recruitment due to indiscriminate offtake. All four species also meet the precautionary measures found in Annex 4 (Resolution Conf. 9.24 (Rev. CoP16)).

There is evidence, supporting the occurrence of increased levels of poaching to meet demand in Asia. In Africa, pangolins are legally protected in many range countries, yet large-scale poaching continues due to lack of enforcement resources (Pangolin Range State Meeting Report 2015). Pangolins in Africa are heavily exploited for domestic bushmeat and traditional medicine, and hunting for domestic use may have already reached unsustainable levels in many range countries. The increasing scarcity of pangolins in Asia, however, has led to an escalation in market prices which is now driving the poaching of African species.

WCS recommends that the Parties adopt this proposal, as the species clearly qualify for transfer to Appendix I, and an Appendix I listing is a critical mechanism to conserve African pangolins in the wild.

Proposal 14 – Reject

Loxodonta africana
African Elephant

Delete the annotation to the listing of the Namibian African Elephant population in Appendix II by deleting any reference to Namibia in that annotation

Proposed by Namibia

Namibia, with this proposal, seeks "to establish a regular form of controlled trade in all elephant specimens, including ivory, in support of elephant conservation, including community-based conservation and the maintenance of elephant habitat. Revenue from regulated trade will, as previously, be managed through a trust fund and used exclusively for elephant conservation and community conservation and development programmes within the elephant range."

Currently, the Namibian elephant population is listed in Appendix II with an annotation that "no further proposals to allow trade in elephant ivory from populations already in Appendix II shall be submitted to the Conference of the Parties for the period from CoP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g) i), g) ii), g) iii), g) vi) and g) vii). In addition, such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78 (Rev. CoP15)", thus nine years after the one-off sale in late 2008. Namibia, with this proposal, seeks the removal of this annotation in its entirety in respect of its elephant population: this can be achieved by deleting any reference to "Namibia" in the annotation.

A key part of the justification provided by Namibia is the failure of the process required by Decision 14.77, which required that "The Standing Committee, assisted by the Secretariat, shall propose for approval at the least at the 16th meeting of the Conference of the Parties a decision-making mechanism [DMM] for a process of trade in ivory under the auspices of the Conference of the Parties." WCS agrees with Namibia that the DMM process has made no significant progress within the specified timeframe, as noted in our Policy Briefing for SC66 (available on request). More importantly, since 2007, the severity of the crisis facing Africa' s Elephants is now much better understood[7], and there is a growing recognition of the significant mismatch between the level of demand for ivory (primarily in the Far East) and the amount of ivory that could be supplied by a well-regulated legal supply, even assuming that such regulation is possible given the perennial problems of corruption and low levels of enforcement and other capacity throughout much of the supply chain. Moreover, China, the most important market for ivory in the world, announced in May 2015 and again in September 2015 that it would end the legal commercial sales of ivory in its domestic markets (and it is hoped will fulfill that commitment prior to CoP17). WCS therefore believes that the DMM is no longer relevant and is an unnecessary distraction from the real priorities which are to secure elephant populations in key sites across Africa, combat trafficking, and very significantly reduce demand for ivory. We are therefore still in agreement with the proposal from Benin, Burkina Faso, Ethiopia and Kenya in SC66 Doc 47.4.2 that the Standing Committee should:

"b) recommend to the Conference of the Parties at its 17th meeting that the mandate under Decision 16.55 (and formerly Decision 14.77) should not be extended, and that the Parties should focus on legislative, enforcement, educational and fund-raising measures to significantly reduce poaching rates, demand for ivory and illegal trade in order to achieve long-term security of elephant populations."

Namibia also argues that its elephant population is secure and growing, indeed it is at the highest level ever recorded for Namibia, and so regulated trade in ivory from its elephants should be allowed. While WCS agrees that Namibia has managed its elephant population well, WCS considers that any re-opening of the international trade in ivory risks further endangering elephant populations across Africa because – as already noted above with reference to the DMM – the widespread significant problems of corruption and low levels of enforcement and other capacity throughout the ivory supply chain facilitate the laundering of illegally-sourced ivory from multiple countries into the legal trade.

WCS therefore recommends that the Parties reject Namibia's proposal but recognizes that Namibia is paying the price for other countries' failures, which is obviously unfair. It is therefore incumbent on the international community to find alternative means of helping support elephant conservation and rural development in countries such as Namibia.

[7] See for example (i) Maisels, Strindberg, *et al.* (2013) Devastating Decline of Forest Elephants in Central Africa. *PLoS ONE* **8**, e59469, which showed that Central African forest elephant population size had declined by approximately 62% between 2002 and 2011, and the species had lost 30% of its 2002 geographical range, and the update to that paper in 2014 Maisels, Strindberg, et al (2014). Update to Devastating Decline of Forest Elephants in Central Africa: 2002-2013. PLoS One 8, e59469 Comments section, which showed that the decline continued at the same rate beyond 2011 to at least the beginning of 2014 and (ii) Wittemyer et al. (2014) Illegal killing for ivory drives global decline in African elephants. *Proceedings of the National Academy of Sciences* **111**, 13117-13121, which showed that that some 100,000 elephants were killed in the 3-year period 2010–2012 and confirmed that current ivory consumption is not sustainable.

Proposal 15 – Reject

Loxodonta africana
African Elephant

Amend the present Appendix II listing of the population of Zimbabwe of *Loxodonta africana* by removing the annotation in order to achieve an unqualified Appendix II listing

Proposed by Namibia, Zimbabwe

Zimbabwe seeks to amend the present Appendix II listing of its population of *Loxodonta africana* by removing the annotation in order to achieve an unqualified Appendix II listing, arguing that "[Effective] and sustainable conservation of Zimbabwe's elephants is wholly dependent on establishing regular open market sales of elephant ivory to fund management and enforcement actions." The current status of elephants in Zimbabwe is not entirely clear – hence the reliance on population modeling in the proposal – although reports suggest a nationwide decline of approximately 7% from 2001 to 2014[8]. The status of Zimbabwe's elephant population will, however, become clearer with the release of further reports from the Great Elephant Census later this year. Moreover, despite statements to the contrary in the proposal, and uncertainties over elephant population size parts of Africa, it is clear we are in the midst of an elephant crisis.

Illegal killing of African Elephants, largely for the illegal international trade in ivory, is leading to dramatic declines in many populations, the collapse of elephant ranges, and even local extinctions, particularly in Central Africa, which lost some 65% of its elephants in the 2002–2013 period[9]. Elephant populations in East and Southern Africa are now also facing an increasing threat from illegal killing. Data on the Proportion of Illegally Killed Elephants (PIKE) from the CITES Monitoring the Illegal Killing of Elephants (MIKE) program suggest a steady increase in levels of illegal killing of elephants starting in 2006, peaking in 2011, and slightly declining and leveling off thereafter. However, despite the slight decline since 2011, estimated poaching rates overall remain higher than the normal growth rate of elephant populations and so the elephant population at MIKE sites overall is likely to have continued to decline in 2015[10]. Related work showed that in the 3-year period 2010–2012:

i. Poachers killed some 100,000 African Elephants for their ivory;
ii. The continental population of elephants appeared to have been in decline since 2010 (with Central Africa's elephant population in decline since at least 2007); and
iii. The illegal killing of elephants for ivory likely remains unsustainable[11].

WCS considers that any re-opening of the international trade in ivory risks further endangering elephant populations across Africa given the widespread, significant problems of corruption and low levels of enforcement and other capacity throughout the ivory supply chain that facilitate the laundering of illegally-sourced ivory into the legal trade.

[8] ZPWMA (2014) Preliminary Report on Aerial Survey of Elephants and other Large Herbivores covering the Zambezi Valley, Sebungwe Region, North West Matabeleland and Gonarezhou National Park: 2014. Zimbabwe Parks and Wildlife Management Authority, December 2014.

[9] Maisels, Strindberg, et al (2014). Update to Devastating Decline of Forest Elephants in Central Africa: 2002-2013. PLoS One 8, e59469 Comments section.

[10] https://cites.org/eng/news/pr/african_elephants_still_in_decline_due_to_high_levels_of_poaching_03032016.

[11] Wittemyer et al. (2014) Illegal killing for ivory drives global decline in African elephants. *Proceedings of the National Academy of Sciences* **111**, 13117-13121.

WCS therefore recommends that the Parties reject Namibia and Zimbabwe's proposal. Nevertheless, WCS agrees with Zimbabwe that there is a need to provide alternative incentives for elephant conservation; it is therefore incumbent on the international community to find alternative means of helping support elephant conservation.

Proposal 16 – Reject based on currently available population data but re-evaluate

in light of: Great Elephant Census (GEC) survey data to be published later this year (before CoP17); the IUCN/SSC African Elephant Specialist Group's updated African Elephant Status Report, which will also be released before CoP17; the CITES MIKE program's report to CoP17; and the outputs from the Ministerial High-level Meeting to be convened by South Africa just before CoP17, which aims to develop common African position for the CoP and agree on a unified position.

Loxodonta africana African Elephant

Inclusion of all populations of *Loxodonta africana* (African Elephant) in Appendix I through the transfer from Appendix II to Appendix I of the populations of Botswana, Namibia, South Africa and Zimbabwe

Proposed by Benin, Burkina Faso, Central African Republic, Chad, Ethiopia, Kenya, Liberia, Mali, Niger, Nigeria, Senegal, Sri Lanka, Uganda

The four populations of *Loxodonta africana* do not meet the criteria for "a marked decline in population size in the wild", with the possible exception of Zimbabwe:

i. A summary of recently released surveys in Zimbabwe reports a nationwide decline of approximately 7% from 2001 to 2014[12];
ii. Botswana's large elephant population appears to be stable;
iii. In South Africa, despite a troubling upward trend in elephant poaching rate recorded in Kruger National Park, the overall elephant population in Kruger NP is not in decline and the country's elephant population reportedly has a positive trend, and the CITES MIKE Program's Proportion of Illegally Killed Elephants (PIKE) data for Southern Africa remain below the theoretical sustainability threshold[13]; and
iv. Namibia's elephant population is secure and growing, and indeed is at the highest level ever recorded for the country[14].

WCS agrees with the proponents that despite improvements in control measures aimed at breaking the supply chain for illegal ivory it remains imperative to reduce the demand for ivory at the consumer end. WCS would also add that it is vital to reduce the opportunities for trafficking at the consumer end, by closing domestic ivory markets, and throughout the trade chain. However, the proponents argue that demand reduction is incompatible with "leaving the door open" for the resumption of ivory trade at a future date, implying that transferring the populations from Appendix II to Appendix I would preclude "one-off sales" or sales of ivory

[12] ZPWMA (2014) *Preliminary Report on Aerial Survey of Elephants and other Large Herbivores covering the Zambezi Valley, Sebungwe Region, North West Matabeleland and Gonarezhou National Park: 2014*. Zimbabwe Parks and Wildlife Management Authority, December 2014.
[13] https://cites.org/eng/news/pr/african_elephants_still in_decline_due_to_high_levels_of_poaching_03032016.
[14] Elephant survey data summarized Namibia's proposal to CoP17 to delete the annotation to the listing of the Namibian African elephant population in Appendix II by deleting any reference to Namibia in that Annotation.

under a quota system. This argument is misguided because there is nothing to prevent a country with an elephant population in Appendix I proposing a transfer to Appendix II and a "one-off sale" or an ivory quota in the future. Indeed, both Tanzania and Zambia did propose transfers of their elephant populations to Appendix II and "one-off sales" of ivory from registered government-owned stocks (excluding seized ivory and ivory of unknown origin) at CITES CoP15 in March 2010.

As Namibia stated in its official response to the proposal, transfer to Appendix I will not prevent the illegal killing of the species. We agree with Namibia and believe that the transfer of the elephant populations of Botswana, Namibia, South Africa and Zimbabwe to Appendix I will not help combat illegal killing of elephants in those countries or elsewhere. Moreover, such a transfer is not warranted by the population data, and imposes additional restrictions on those countries that are not clearly justified by the proponents. We do however strongly recommend that all countries close their domestic ivory markets as a critical measure to help eliminate ivory trafficking and associated poaching, and look forward to discussing that measure with the Parties at CoP17.

WCS therefore recommends that the Parties reject this proposal to transfer the populations of *Loxodonta africana* of Botswana, Namibia, South Africa and Zimbabwe from Appendix II to Appendix I, based on currently available population data. However, we recommend that:

- **This position is re-evaluated in light of: Great Elephant Census (GEC) survey data to be published later this year (before CoP17); the IUCN/SSC African Elephant Specialist Group's updated African Elephant Status Report, which will also be released before CoP17; the CITES MIKE program's report to CoP17;**
- **Parties strongly support adoption of the draft resolution in CoP17 Doc. 57.2, which was submitted by 10 African Elephant range States, and recommends that Parties adopt all necessary legislative, regulatory and enforcement measures as a matter of urgency to close their domestic markets for commercial trade in raw or worked ivory. This will have a far greater positive impact on stopping poaching and trafficking in ivory than an Appendix I listing for the elephant populations of Botswana, Namibia, South Africa and Zimbabwe.**

Proposal 19 – Adopt

Psittacus erithacus African Grey Parrot

Transfer from App. II to App. I

Proposed by Angola, Chad, European Union and its Member States, Gabon, Guinea, Nigeria, Senegal, Togo, USA

The African Grey Parrot has experienced evident marked population declines throughout its range in West, Central, and East Africa, and is today extremely rare or locally extinct in Benin, Burundi, Guinea, Guinea-Bissau, Kenya, Rwanda, Tanzania and Togo. Due to observed and ongoing reductions in wild populations as a result of trade and habitat loss, *P. erithacus* meets the criteria for inclusion in Appendix I, [criterion C. i) & ii), Annex 1, Resolution Conf. 9.24 (Rev. CoP16)].

IUCN has acknowledged that this rate of decline "may be a conservative estimate" given "the high levels of forest loss in parts of the range".

Indeed, the *IUCN Red List of Threatened Species* states, "This species has been uplisted to Vulnerable because the extent of the annual harvest for international trade, in combination with the rate of ongoing habitat loss, means it is now suspected to be undergoing rapid declines over three generations (47 years)." Furthermore, recent accounts suggest that population declines in excess of 50% over two generations (31 years) have occurred in many range states.

Little is known about the historic populations of *P. erithacus* in Mali, Sudan, Angola and Benin, nor is the species known to occur in those States today. Range States in which it was once common and widespread (i.e. Ghana and Nigeria) now support extremely small populations, indicating massive population declines. Recent data from Cameroon indicate that populations have declined by between 33-60% over ~14 years.

Observed and ongoing reductions in wild populations, [criterion C. i) & ii) Annex 1, Resolution Conf. 9.24 (Rev. CoP16)] as a result of trade and habitat loss cause *P. erithacus* to be a species threatened with extinction according to the CITES criteria, meeting the requirements of inclusion in Appendix I. Inclusion in Appendix I is in the best interests of the conservation of the species as current trade practices have led, or are likely to lead, to population collapses and local extinctions in multiple range States.

Furthermore, concerns over the impact of trade on wild populations of *Psittacus erithacus* have prompted their inclusion in four phases of the CITES Review of Significant Trade and the majority of Range States have ceased legal exports. There is significant evidence of illegal and unsustainable trade. Several countries have regularly exceeded their own declared export quotas in recent years. African grey parrots have also been exported from non-Range States with CITES export permits. There is also evidence of improper or even false use of captive bred source codes on shipments of wild-caught birds. Captive breeding programs have the potential to meet demand. In 2012, South Africa reported exports of 45,000 captive bred African grey parrots; however, this developing avicultural industry is undermined by illegal and unsustainable trade in wild birds.

WCS recommends that the Parties adopt this proposal, as the species clearly qualifies for inclusion in Appendix I, and an Appendix I listing is at present a critical mechanism to conserve *P. erithacus* in the wild.

Proposal 24 – Adopt with non-detriment finding in place

Crocodylus porosus Saltwater Crocodile

Transfer from App. I to App. II with zero quota from the wild other than Sarawak

Proposed by Malaysia

The Sarawak Government has proposed the downlisting both because the species has increased in numbers to the point that those populations no longer meet the criteria for Appendix I, and also to give incentives for low-level harvest to local villagers to conserve crocodiles which potentially threaten humans, rather than eradicating them. WCS Crocodile expert Steve Platt surveyed several rivers in Sarawak two years ago and indicated that densities were the third highest per kilometer of river surveyed after Papua New Guinea and Australia. Moreover, there is no large demand

for wild-caught Saltwater Crocodiles. WCS believes that the transfer to Appendix II should be adopted by the Parties if they are satisfied that there is a rigid system in place to ensure that offtake is not detrimental to the wild population, and that the population is effectively monitored.

WCS recommends that the Parties adopt this proposal, if there is sufficient evidence that adequate monitoring protocols are in place and science-based non-detriment findings have been made.

Proposal 26 – Adopt

Abronia spp. Alligator Lizards

Inclusion in App. II

Proposed by Mexico, European Union and its Member States

The *Abronia* genus is comprised of 29 species: 19 in Mexico (18 endemic), 9 in Guatemala (8 endemic), 2 in Honduras (1 endemic) and 1 in El Salvador. Four of the species are only known by the holotype and an additional ten by only a handful of individuals. Populations of these arboreal species are very little known and mostly restricted to limited areas. Even though deforestation for land use change is considered a major threat to *Abronia* populations, an increasing trade of specimens for the pet trade largely driven by international demand has become an issue of significant concern by countries of origin particularly for the species that have been registered in illegal trade- which fetch high prices among collectors looking for exotic, rare and/or newly described species. Even though limited legal trade for commercial purposes from Mexico has taken place in the recent past for 4 species (*A. campbelli, A. graminea, A. deppi* and *A. lythrochila*), illegal exports from *Abronia* range states of individuals belonging to 9 Mexican and Guatemalan species (*A. martindelcampoi, A. smithi, A. deppii, A. lythrochila, A. mixteca, A. vasconcelosii, A. fimbriata, A. gaiophantasma* and *A. campbelli*) has been documented. Considering *Abronia* low reproduction rates, its restricted distributions, existing habitat loss threats and proven international demand for the pet trade for some of the species, and the fact that differentiation between species might require specific skills, information presented in the proposal by Mexico and the European Union provides convincing justification that unregulated international trade for some species could threaten their survival in the wild.

WCS recommends that the Parties adopt this proposal, as the requirements for Appendix II are clearly met and an Appendix II listing of the *Abronia* genus would allow for improved controls on a threat that could significantly impact some of the species in the wild, and the gathering of international trade data to evaluate the pertinence of an Appendix I listing in the future for some of the species if appropriate.

Proposal 32 – Adopt

Lanthanotidae spp. Earless Monitor Lizard

Inclusion in App. I

Proposed by Malaysia

There is strong justification to list the species in Appendix I given that trade is increasing, due to high demand in the pet trade for this Borneo

endemic species (*Lanthanotus borneensis*). Some dealers have been known to try to smuggle these species for captive breeding. Earless Monitor Lizards are known to have been smuggled through Europe to the US. Since the species is not currently included in the CITES Appendices, regulation within the European Union is a low priority and there is a lack of enforcement. TRAFFIC[15] has found international trade in Earless Monitor Lizards that has largely been carried out online since 2013. Specific instances mentioning the species were documented on forums and social networking sites in Japan, Ukraine, France, Germany and the Czech Republic. The Earless Monitor Lizard is legally protected in its native range countries of Brunei Darussalam, Indonesia and Malaysia. The sudden, growing international interest in the species, however, raises concern given the absence of international trade regulations that would criminalize any such activity. Currently, this is the only species of monitor lizard not protected from overexploitation by CITES.

WCS recommends that the Parties adopt this proposal, as an Appendix I listing is a critical mechanism to conserve Lanthanotidae spp. in the wild.

Proposal 33 – Adopt

Shinisaurus crocodilurus
Chinese Crocodile Lizard

Transfer from App. II to App. I

Proposed by China, European Union and its Member States, Viet Nam

The Crocodile Lizard, listed in CITES Appendix II and as Endangered in the *IUCN Red List of Threatened Species*, is becoming ever more popular among hobbyists. Rising international demand for the species is exceeding available supply of captive-bred specimens, resulting in an increase in illegally sourced wild specimens being offered for sale. Wild populations are at the brink of extinction due to habitat destruction and overcollection for the trade and for local use. It is estimated that fewer than 1000 individuals are presently distributed in small and isolated sites in southern China and northern Viet Nam. In view of the constant decline of diminished populations, any further trade in wild specimens is detrimental to the survival of the species.

The wild population is small and is characterized by at least one of the following: i) an observed, inferred or projected decline in the number of the individuals or the area and quality of habitat; ii) each subpopulation being very small; iv) large short-term fluctuations in population size; v) a high vulnerability to either intrinsic or extrinsic factors.

The area of distribution is restricted to few very small and fragmented locations in Guangxi Autonomous region and Guangdong Province, China and Quang Ninh and Bac Giang Provinces, Viet Nam, which prevents genetic exchange between subpopulations. *Shinisaurus crocodilurus* has vanished from several former localities, amongst others from all former sites in Hunan Province, China. In addition, it was projected that all original habitats in China will be vanished by 2100 (Li et al. 2012). In Viet Nam a drastic decrease in habitat quality was observed during the last recent years (van Schingen et al. 2015).

Based on population estimations a marked historic decline in the wild Chinese subpopulation to about 15% of the baseline was

[15] TRAFFIC Report. 2015. Keeping an ear to the ground. Monitoring the trade in earless monitor lizards

inferred (Huang et al. 2008, section 4.4). Recent monitoring activities in China and Viet Nam describe an ongoing population decline (van Schingen et al. 2015; Zollweg 2011). Currently, detrimental levels of exploitation for the international pet trade and local consumption were observed, which are not sustainable for the wild population.

WCS recommends that the Parties adopt this proposal, as the species clearly qualifies for inclusion in Appendix I, and an Appendix I listing is at present a critical effective mechanism to conserve *Shinisaurus crocodilurus* in the wild.

Proposal 40 – Adopt

Telmatobius culeus Titicaca water frog

Inclusion in App. I

Proposed by Bolivia, Peru

Telmatobius culeus is listed on the IUCN Red List of Threatened species as Critically Endangered, "because of an observed serious population decline, estimated to be more than 80% over the last three generations, due to over-exploitation, habitat degradation, and invasive species". The species experiences many pressures threatening it in the wild, including: (1) habitat loss due to pollution; (2) introduction of exotic fish species such as *Oncorhynchus mykiss* and *Odontesthes bonariensis* in Lake Titicaca[16]; (3) emergence of infectious diseases (the fungus *Batrachochytrium dendrobatidis* has been found on other frogs in the genus *Telmatobius*[17]); and (4) illegal trade. The trade in Titicaca water frog is illegal in Bolivia under Supreme Decree 22641. It is estimated that its population has been reduced by 39% in the last ten years, largely as a result of illegal trade for traditional medicines.

An analysis of seizures by the CITES Management Authority of Peru from 2013 to 2015 has shown 9,808 frogs confiscated in the cities of Arequipa, Lima, Puno and Cusco. In Peru, *Telmatobius culeus* is categorized as Critically Endangered (CR) according by Supreme Decree No. 004-2014-MINAGRI for threatened species, and the Government of Peru is working to approve a new National Strategy to combat wildlife trafficking; however, inclusion in Appendix I would greatly assist enforcement efforts in both Peru and Bolivia.

WCS recommends that the Parties adopt this proposal, as the species qualifies for inclusion in Appendix I, and an Appendix I listing is a critical mechanism to conserve the Titicaca water frog in the wild.

Proposal 42 - Adopt

Carcharhinus falciformis Silky Shark

Inclusion in App. II

Proposed by Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, Comoros, Dominican Republic, Egypt, European Union and its Member States, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Sri Lanka, Ukraine

[16] Aguilar, 2010; Richard, 2010; Martín-Torrijos *et al.* 2016

[17] Seimon, T., Hoernig, G., Sowell, P., Halloy, S. & Seimon, A. (2005): Identification of chytridiomycosis in Telmatobius marmoratus at 4450 m in the Cordillera Vilcanota of southern Peru. Pp. 273-281, in: this volume.

The Silky Shark (*Carcharhinus falciformis*) is proposed for inclusion in Appendix II in accordance with Article II paragraph 2(a) of the Convention, i.e., that "regulation of trade in the species is necessary to avoid it becoming eligible for Appendix I in the near future".

C. falciformis is currently listed as Near Threatened globally on the *IUCN Red List of Threatened Species* and threatened (Vulnerable) in the Eastern-Central and Southeastern Pacific Ocean and Northwestern and West-Central Atlantic Ocean. The IUCN Shark Specialist Group has reassessed the Red List status of this species, and the results of the reassessment should be available prior to CITES CoP17.

C. falciformis is a top predator that spends most of its life in the deep waters of the open ocean. It is one of the most commonly caught shark species in tuna longline and purse seine fishing gear, and is captured in very large numbers in target and bycatch fisheries. It is also one of the most common species figuring in the shark fin trade. Overfishing has led to declines in *C. falciformis* populations of between 70% and 90% throughout its range in all regions[18].

Silky Sharks have a low reproductive rate – they give birth to a litter of ca. 6-12 pups after a year-long gestation – and are classified by the UN Food and Agriculture Organization (FAO) in the lowest productivity category of the most vulnerable fishery species[19]. Silky Shark populations are, therefore, extremely vulnerable to overfishing and slow to recover from depletion.

C. falciformis meets the requirements for the inclusion in Appendix II in accordance with Article II paragraph 2(a) due to the marked declines in its populations, driven at least partly by the high value of fin products in international trade, satisfying Criterion A in Annex 2a of Resolution 9.24 (Rev CoP 16).

WCS recommends that the Parties adopt this proposal, as the Silky Shark clearly qualifies for inclusion in Appendix II, and an Appendix II listing will greatly assist in the conservation and management of this species.

Proposal 43 - Adopt

Alopias spp. Thresher Sharks

Inclusion in App. II

Proposed by Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, Comoros, Dominican Republic, Egypt, European Union and its Member States, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Kenya, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Seychelles, Sri Lanka, Ukraine

There are three species of Thresher Sharks, and all are covered by this proposal. *Alopias superciliosus* (Bigeye Thresher Shark) is proposed for inclusion in Appendix II in accordance with Article II paragraph 2(a) of the Convention, and satisfies Criterion A in Annex 2a of Resolution Conf. 9.24 (Rev. CoP16), i.e., that "regulation of trade in the species is necessary to avoid it becoming eligible for Appendix I in the near

[18] Beerkircher, L.R., E. Cortés, and M. Shivji. 2002. Characterisitics of shark bycatch observed on pelagic longlines off the southeastern United States, 1992-2000. Marine Fisheries Review 64 (4): 40-49; Anderson, R.C. and Riyaz Juaharee, "Opinions Count: Declines in Abundance of Silky Sharks in the Central Indian Ocean Reported by Maldivian Fishermen," Indian Ocean Tuna Commission, IOTC-2009-WPEB- 08(2009), http://iotc.org/sites/default/files/documents/proceedings/2009/wpeb/IOTC-2009-WPEB-08.pdf; and Rice, J. and S. Harley. 2013. Updated stock assessment of silky sharks in the western and central Pacific Ocean. Western and Central Pacific Fisheries Commission Scientific Committee WCPFC-SC-2013/SA- WP-03.

[19] Musick, J. A., G. Burgess, G. Cailliet, M. Camhi, and S. Fordham. 2000. Management of sharks and their relatives (Elasmobranchii). Fisheries 25(3):9–13.

future." The other two Thresher Shark species, the Pelagic Thresher (*Alopias pelagicus*) and Common Thresher (*Alopias vulpinus*), are proposed for inclusion in Appendix II in accordance with Article II paragraph 2(b) of the Convention and satisfying Criterion A in Annex 2b of Resolution Conf. 9.24 (Rev. CoP 14), i.e., as "look-alike" species to others already listed or proposed for listing in Appendix II under Article II 2a).

All three Thresher Shark species are classified as threatened (Vulnerable) on the *IUCN Red List of Threatened Species* due to population declines throughout their global range. These declines are caused by overfishing in target and bycatch fisheries that supply international markets for their valuable fins and meat as well as other products.

Regional IUCN Red List assessments indicate that *A. superciliosus* is Endangered in European and Mediterranean waters, and in the Northwest and Western Central Atlantic; Vulnerable in the Indo-West Pacific; and Near Threatened in the Southwest Atlantic.

Over the last 30 years, *A. superciliosis* populations have experienced declines of 70-80% in the Atlantic Ocean[20] and over 80% decline in the Indian and Pacific Oceans within the last three-generation period[21]. There has been a 99% decline from historic baseline for Thresher Sharks in the Mediterranean[22], and the proportion of Thresher Shark fins appearing in the Hong Kong shark fin market has declined 77-99% in the past ten to fifteen years.

Thresher Sharks are wide-ranging migratory species that occur in both nearshore waters and the high seas. Their very low reproductive rate – *A. superciliosis*, for example, gives birth to only 2-4 live pups after a 12-month gestation - makes them among the most vulnerable of all shark species to fishing pressure. Thresher Sharks are at highest risk of extinction of all Pelagic Sharks and one of the seven most threatened families of all sharks and rays.

A. superciliosis meets the requirements for its inclusion in Appendix II in accordance with Article II paragraph 2(a) because of marked declines in its populations, driven at least partly by overfishing for meat and fins for international trade, satisfying Criterion A in Annex 2a of Resolution 9.24 (Rev CoP 16). *Alopias* spp. meet the requirements for inclusion in Appendix II in accordance with Article II paragraph 2(b) since in the most common forms traded (dried, unprocessed fins and meat) are not readily distinguishable by species and, thus closely resemble parts and products of *A. superciliosus*, satisfying Criterion A in Annex 2b of Resolution 9.24 (Rev CoP 16).

WCS recommends that the Parties adopt this proposal, as *Alopias* spp., threatened globally, clearly qualify for inclusion in Appendix II, and CITES Appendix II requirements will greatly assist in the conservation and management of these species.

[20] Baum, J. K. et al. 2003. Collapse and conservation of shark populations in the northwest Atlantic. Science 299: 389-392.
[21] Goldman, K.J., Baum, J., Cailliet, G.M., Cortés, E., Kohin, S., Macías, D., Megalofonou, P., Perez, M., Soldo, A. & Trejo, T. 2009. Alopias vulpinus. The IUCN Red List of Threatened Species 2009: e. T39339A10205317. http://dx.doi.org/10.2305/IUCN.UK.2009-2.RLTS. T39339A10205317.en. and Ward, P., and Myers, R. A. 2005. Shifts in open-ocean fish communities coinciding with the commencement of commercial fishing. Ecology 86:835–847. http://dx.doi.org/10.1890/03-0746.
[22] Ferretti, F., Myers, R. A., Serena, F. and Lotze, H. K. (2008), Loss of Large Predatory Sharks from the Mediterranean Sea. Conservation Biology, 22: 952–964. doi: 10.1111/j.1523-1739.2008.00938.x.

Proposal 44 - Adopt

Mobula spp. Devil Rays

Inclusion in App. II

Proposed by Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, Comoros, Costa Rica, Ecuador, Egypt, European Union and its Member States, Fiji, Ghana, Guinea, Guinea-Bissau, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Seychelles, Sri Lanka, USA

The proposal covers all nine currently recognized *Mobula* species. *Mobula tarapacana* (Chilean Devil Ray) and *M. japanica* (Spinetail Devil Ray), two of the three largest Devil Ray species, are proposed for inclusion in Appendix II in accordance with Article II paragraph 2(a) of the Convention and Criterion A in Annex 2a of Resolution Conf. 9.24 (Rev. CoP16), i.e., that "regulation of trade in the species is necessary to avoid it becoming eligible for Appendix I in the near future." The other seven *Mobula* species are proposed for inclusion in Appendix II in accordance with Article II paragraph 2(b) of the Convention and satisfying Criterion A in Annex 2b of Resolution Conf. 9.24 (Rev. CoP16), i.e., as "look-alike" species to others already listed or proposed for listing in Appendix II under Article II 2a.

The greatest threat to Devil Rays and their close cousins the Manta Rays – which together comprise the Subfamily Mobulinae – is overfishing through largely unmonitored and unregulated bycatch and target fisheries around the world. Targeted fishing for Mobulid (Devil and Manta) Rays has intensified over recent decades to meet increasing demand for their gill plates, which are traded primarily to China for processing into a putative health tonic. Increased fishing pressure for the gill plate trade has led to local catch declines of up to 96% for *M. japanica*[23] and 99% for *M. tarapacana*[24] in the Indo-Pacific region over the past ten to fifteen years. *Mobula* spp. are highly vulnerable to exploitation due to small and highly fragmented populations, extremely low productivity, and aggregating behavior.

The IUCN Shark Specialist Group has recently completed a global conservation strategy for the Mobulid Rays that provides additional information and recommendations for the conservation and management of these species[25]. In addition, the Shark Specialist Group has been re-assessing the Red List status of the Devil Rays. The first three reassessed species were the three largest Devil Ray species that are most likely to be targeted for their large gill plates: *M japanica*, *M. tarapacana*, and Thurston's Devil Ray (*M. thurstoni*). These revised assessments will be published in June 2016 and are likely to include at least one change in classification, from Near Threatened to Vulnerable. Revised assessments for two other *Mobula* species will be available later in the year.

The IUCN Shark Specialist Group has also completed a Devil Ray 'productivity analysis' based on the Spinetail Devil Ray (*M. japonica*), which is the best understood Devil Ray species[26].

[23] Lewis SA, Setiasih N, Fahmi, Dharmadi, O'Malley MP, Campbell SJ, Yusuf M, Sianipar AB. (2015) Assessing Indonesian manta and devil ray populations through historical landings and fishing community interviews. PeerJ PrePrints 3:e1642 https://dx.doi.org/10.7287/peerj.preprints.1334v1.

[24] White, W.T., Last, P.R., Stevens, J.D., Yearsley, G.K., Fahmi, Dharmadi. 2006b. Economically important sharks and rays of Indonesia. Australian Centre for International Agricultural Research. 338 pp.

[25] Lawson J.M., Walls, R.H.L., Fordham, S.V., O'Malley, M.P., Heupel, M.R., Stevens, G., Fernando, D., Budziak, A., Simpfendorfer, C.A., Davidson, L.N.K., Ender, I., Francis, M.P., Notarbartolo di Sciara, G. and Dulvy, N.K. 2016. Sympathy for the devil: a conservation strategy for devil and manta rays. PeerJ PrePrints. DOI: 10.7287/peerj.preprints.1731v1

[26] Pardo SA, Kindsvater HK, Cuevas-Zimbrón E, Sosa-Nishizaki O, Pérez-Jiménez JC, Dulvy NK. 2016. Devil in the details: growth, productivity, and extinction risk of a data-sparse devil ray. bioRxiv. doi: http://dx.doi.org/10.1101/043885

This analysis found Devil Ray productivity, based on growth rates and natural mortality rates, to be low, and maximum population growth rate of the Chilean Devil Ray (*M. tarapacana*) to be one of the lowest for all chondrichthyans, similar to that reported for the Manta Ray (Dulvy *et al.* 2014). For species with such low annual reproductive output, fishing is likely to be unsustainable; furthermore, if fishing continues at this rate, the local population will likely be reduced by half within a decade.

A final point for consideration of this proposal is that there is evidence that increased trade regulation and other protections for Manta Rays, included on CITES Appendix II at CoP16 in 2013, are shifting exploitation pressure to the Devil Rays, and that the trade in Devil Ray gill plates, not yet regulated internationally, may be enabling the laundering of illegal Manta Ray products. In addition, *Mobula* spp. (as well as *Manta* spp.) are listed on Appendix I of the Convention on Migratory Species (CMS), thus obligating all 123 CMS Parties to fully protect these species. CITES Appendix II listing for Devil Rays will assist in fulfilling CMS mandates and assist in implementing CITES for Manta Rays, while also providing additional measures to support the sustainable use and conservation of these species.

M. japanica and *M. tarapacana* meet the requirements for the inclusion in Appendix II in accordance with Article II paragraph 2(a) due to the marked declines in their populations, driven at least partly by the high value of gill plates in international trade, satisfying Criterion A in Annex 2a of Resolution 9.24 (Rev CoP 16). *Mobula* spp. meets the requirements for its listing in Appendix II in accordance with Article II paragraph 2(b) due to the great difficulty in distinguishing between the traded dried gill plates of the different species in genus *Mobula*, satisfying Criterion A in Annex 2b of Resolution 9.24 (Rev CoP 16).

WCS recommends that the Parties adopt this proposal, as the Devil (*Mobula*) Rays clearly qualify for inclusion in Appendix II, and an Appendix II listing will greatly assist in the conservation of both Devil Rays while enabling more effective implementation of CITES controls for the currently listed Manta Rays.

Proposal 45 - Adopt, but encourage Appendix III and further studies for species in the family Potamotrygonidae

Potamotrygon motoro
Ocellate River Stingray

Inclusion in App. II

Proposed by Bolivia

This proposal concerns one of approximately 29 species of the family Potamotrygonidae, the world's largest evolutionary radiation of Freshwater Stingrays. These are obligate freshwater fishes distributed throughout South America in roughly three distinct catchment basins. *P. motoro* is considered by some experts to be a species cluster rather than a single species. Although it is one of the best known of these species biologically, it is classified as Data Deficient globally on the *IUCN Red List of Threatened Species*. It has been assessed as Vulnerable at the national level in Colombia according to the *IUCN Red List.*

South American Freshwater Stingrays, including *P. motoro,* are captured from the wild for the

international ornamental trade. Tens of thousands of these stingrays, captured as juveniles from the wild, have been exported annually in recent years from Brazil, Colombia, and Peru and, possibly, other countries. *P. motoro* is considered to be the most heavily traded of all these species, with increasing exports from Colombia and more than 12,000 wild specimens exported in 2009 alone and possibly between 10,000 and 40,000 specimens exported annually from Peru. There is also illegal trade in violation of prohibitions and quotas, particularly from Brazil.

Concerns about the impact of trade on these fishes, particularly on recruitment owing to the targeted take of juveniles, have been raised within CITES for over a decade, and in recent years these discussions have included an expert CITES workshop held in Colombia in October 2014 and information-gathering and deliberations of a Freshwater Stingray Working Group under the CITES Animals Committee. These efforts have generated a great deal of information on these species. Additional efforts are under way, including through WCS, to assess populations in the field and gather demographic information that will elucidate the vulnerability of these fishes to extractive use.

Recognizing the extensive information that is available on these species from the CITES Animals Committee process, and the recommendations that Animals Committee has forwarded to CoP17 regarding these species, WCS recommends that the Parties adopt this proposal. In accordance with the other Animals Committee recommendations, WCS further recommends that Range States for species in the family Potamotrygonidae include the species in Appendix III. Finally, in light of the documented knowledge gaps on key aspects of taxonomy, biology, ecology, utilization and trade, including the extent of captive breeding of these species in Asia for the aquarium trade, WCS urges renewed efforts by CITES Parties to undertake and support data collection and analysis, and information exchange to enhance conservation and management of these species.

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