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*The Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures.*

## Twenty Fourth SPREP Meeting

17-19 September 2013  
Apia, Samoa

### **AGENDA ITEM 10.1: Items Proposed by Members -**

**Outcomes of the 16<sup>th</sup> meeting of  
the Conference of the Parties of the Convention on International Trade  
in Endangered Species of Wild Fauna and Flora  
(Bangkok, Thailand, March 2013) of relevance to SPREP members**

*(Paper presented by Australia and New Zealand)*



**Australian Government**



**NEW ZEALAND**  
FOREIGN AFFAIRS & TRADE  
Aid Programme



## Background Paper

## Purpose of Paper

1. The purpose of this paper is to update Members on relevant outcomes of the 16<sup>th</sup> meeting of the Conference of the Parties of the Convention on International Trade in Endangered Species of Wild Fauna and Flora held in Bangkok in March 2013.

## Background

2. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (the Convention), established in 1975, is an international agreement which aims to ensure that international trade in wildlife (plants and animals) does not threaten the survival of a species in the wild.

3. There are currently 178 signatory Parties to the Convention including the following members of SPREP: Australia, Fiji, New Zealand, Palau, Papua New Guinea, Samoa, the Solomon Islands and Vanuatu. Australia is currently the regional representative for the Oceania Region on the Convention's Standing Committee and Fiji is the alternate representative.

4. The Convention lists species on three Appendices depending on the level of protection that is required. Appendix I includes the most threatened animal and plant species and trade is permitted in these species only in exceptional circumstances. Appendix II species are those not necessarily threatened with extinction but may become so unless trade is closely controlled. Appendix III are species included at the request of a Party that already regulates trade in the species but needs cooperation of other countries to prevent unsustainable or illegal exploitation.

5. The 16th meeting of the Conference of the Parties (the Conference) of the Convention was held in Bangkok in March 2013.

6. At the Conference, 55 amendments to Appendices I and II were adopted (see Attachment A). There was a strong focus on marine species listings, with the listing of five shark and two manta ray species found in the Pacific on Appendix II. These species are:

- Oceanic whitetip shark (*Carcharhinus longimanus*)
- Porbeagle shark (*Lamna nasus*)
- Scalloped hammerhead shark (*Sphyrna lewini*) with great and smooth hammerhead sharks (*S. mokarran* and *S. zygaena*)
- Manta Rays (*Manta birostris* and *M. alfredi*)

7. In general, the amendments to the Appendices came into effect on 12 June 2013, except for the marine species listings. These marine listings will take effect in 18 months, on 14 September 2014, to allow Parties adequate time to implement the necessary administrative procedures.

8. Australia's proposal to up-list the freshwater sawfish (*Pristis microdon*) from Appendix II to Appendix I received unanimous support at the Conference of the Parties. This listing limits future international trade to exceptional non-commercial purposes, such as proven conservation breeding programs.

9. The Conference of the Parties reached agreement on a Resolution on non-detriment findings (a scientific review that demonstrates that the export will not affect the survival of the species in the wild). This Resolution provides non-binding guidance to Parties on how to determine non-detriment findings in an appropriate scientifically-based manner. This guidance will be available at [www.cites.org/eng/res/index.php](http://www.cites.org/eng/res/index.php) once it has been finalised by the Convention's Secretariat.

10. The Conference of the Parties also adopted a Resolution on 'Introduction From the Sea' (this will be available on [www.cites.org/eng/res/index.php](http://www.cites.org/eng/res/index.php) once finalised by the Convention's Secretariat). The Resolution provides for agreed procedures for implementing the Convention in relation to listed specimens harvested in international waters (on the high seas). Since the Convention came into force 40 years ago, Parties have disagreed on whether specimens listed under the Convention and harvested on the high seas are the responsibility of the port State where the catch is landed, the flag State of vessel registration, or the chartering State in instances where a vessel 'rental' agreement is in place. The Resolution represents a combination of each of these scenarios, which allows for transparency and robust monitoring, as well as mandating a process for review of these provisions at the next Conference of the Parties. It includes a clear explanation of which State holds responsibility for making non-detriment findings and issuing Convention documents. Importantly for developing Parties in the Oceania region, the Resolution allows a role for States utilising chartered vessels to hold responsibility for ensuring obligations under the Convention are met and issuing the appropriate Convention documents for catch. This has been an area of contention in relation to catch documentation in other international fisheries fora such as Regional Fisheries Management Agreements/Organisations. Several decisions were also agreed at the Conference of the Parties to monitor and assess whether Parties are appropriately implementing their obligations in relation to issuing Convention documents in vessel chartering situations.

## Recommendations

11. The meeting is invited to:

- **Note** the outcomes of the 16<sup>th</sup> meeting of the Conference of the Parties of the Convention on International Trade in Endangered Species of Wild Fauna and Flora held in Bangkok in March 2013;
- **Encourage Members of SPREP, who are a Party** to the Convention on International Trade in Endangered Species of Wild Fauna and Flora to implement the outcomes adopted by the 16<sup>th</sup> meeting of the Conference of the Parties
- **Encourage Members of SPREP, who are a Party** to the Convention to work collaboratively in relation to the sharks and ray listings, particularly determining non-detriment findings and resolving technical and administrative issues for implementing the listings;
- **Encourage Members of SPREP, who are a Party** to the Convention and utilise the vessel chartering provisions provided for under Resolution Conf. 14.6 (Rev CoP16) on Introduction From the Sea, to report to the Convention Secretariat, as and when requested, in relation to Decision 16.49 on how they are applying those provisions and meeting their Convention obligations; and
- **Encourage** Members of SPREP, who are not yet Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora to join the Convention.

## Attachments:

**A** Amendments to Appendices I and II