

Report of the

**FAO WORKSHOP TO REVIEW THE APPLICATION
OF CITES CRITERION ANNEX 2 a B
TO COMMERCIALY-EXPLOITED AQUATIC SPECIES**

Rome, 19–21 April 2011



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PREPARATION OF THIS DOCUMENT

This is the report of the FAO Workshop to review the application of CITES criterion Annex 2 a B to commercially-exploited aquatic species, held at FAO headquarters from 19 to 21 April 2011. The meeting was funded by the FAO Regular Programme and Japanese Trust Fund Project GCP/INT/104/JPN on “CITES and Commercially-exploited Aquatic Species, Including the Evaluation of Listing Proposals (Phase 2)” as part of activities aimed at the implementation of the application of CITES Fundamental Principles.

FAO.

Report of the FAO Workshop to review the application of CITES criterion Annex 2 a B to commercially-exploited aquatic species. Rome, 19–21 April 2011.

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ABSTRACT

The “FAO Workshop to review the application of CITES criterion Annex 2 a B to commercially-exploited aquatic species” was held in Rome from 19 to 21 April 2011. It was attended by eight independent experts and five FAO Officers. The Workshop was convened by FAO in response to a request by the 15th Conference of the Parties in 2010 to prepare a report that summarized the experience in applying the CITES Resolution Conf. 9.24 (Rev. CoP15) Annex 2 a B criterion and the introductory text to Annex 2 a to some or all the commercially-exploited proposed for inclusion on Appendix II at the 13th, 14th and 15th meetings of the Conference of the Parties, highlighting any technical difficulties or ambiguous issues encountered.

The Workshop analysed the approaches used by the FAO Expert Advisory Panel in applying the criteria described in both paragraphs (A and B) of Annex 2 a. The Workshop noted that the biological information provided by proposals to list commercially exploited aquatic species under CITES Appendix II was usually adequate. While the quantitative indicators provided by the proponents were mostly reliable, not all of them were used appropriately in the proposals (e.g. landings used as proxy for abundance). The Workshop also considered instances where the FAO Expert Advisory Panel was able to access additional information not included in the proposals and examples of data-poor species for which the FAO Expert Advisory Panel made flexible use of qualitative indicators.

In conclusion, the FAO view that for both paragraphs of Annex 2 a the definitions, explanations and guidelines in Annex 5 of the Resolution Conf. 9.24 (Rev. CoP15) apply was endorsed by the Workshop. In addition, the Workshop recommended that the distinction made by the CITES Secretariat between the terms “decline” and “reduce” be clarified, in particular whether some other measure of decline is intended to apply to Annex 2 a B compared to Annex 2 a A. Furthermore the Workshop observed that the FAO Expert Advisory Panel considered CITES Resolution Conf. 9.24 (Rev. CoP15) as a whole to provide adequate guidance for the determination, in a precautionary manner, of whether a species is at risk in the future as a result of international demand for trade.

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BACKGROUND AND PURPOSE OF THE WORKSHOP

1. The Workshop was convened by FAO in response to a request by the 15th Conference of the Parties (CoP) of the Convention on International Trade in Endangered Species (CITES) in 2010 that FAO assist CITES in the process of clarifying the interpretation of criteria for listing commercially-exploited aquatic species proposed on Appendix II. Specifically, the CoP15 requested to "a) *prepare a report that will summarize the experience in applying criterion Annex 2 a B and the introductory text to Annex 2 a of Resolution Conf. 9.24 (Rev. CoP15) to some or all of the commercially exploited aquatic species that were proposed for inclusion on Appendix II at the 13th, 14th and 15th meetings of the Conference of the Parties, highlighting any technical difficulties or ambiguous issues encountered, including, where appropriate, illustrations of these matters by comparison with application of the criteria to other species; b) request IUCN/TRAFFIC¹ and the Food and Agriculture Organization of the United Nations to each prepare a report, subject to the availability of external funding, with the same requirements as the report referred to in paragraph a) above;*"(Dec. 15.28).

THE MEETING

2. The Workshop was held in Rome, from 19 to 21 April 2011, hosted by FAO and funded by the Regular Programme and the Japanese Trust Fund Project on "CITES and Commercially-exploited Aquatic Species, Including the Evaluation of Listing Proposals (Phase 2)".

3. The meeting consisted of eight experts who have served on one or more meetings at the "FAO Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species" (FAO Expert Advisory Panel), invited in their capacity as experts on the subject and not as a representative of their countries or organizations, and five FAO Officers (Appendix B).

4. The meeting was opened by Ms Johanne Fischer who welcomed the participants and introduced Ms Monica Barone, project assistant for the "CITES and Commercially-exploited Aquatic Species, Including the Evaluation of Listing Proposals (Phase 2)". Ms Barone then provided some information on the venue of the meeting.

5. Participants requested that Mr Kevern Cochrane act as facilitator for the Workshop.

6. Mr Georgios Tsounis and Ms Monica Barone were elected rapporteurs.

7. Mr Kevern Cochrane extended the welcome to the participants on behalf of the FAO and thanked all for assisting the important task at hand. The criteria adopted in 2004 by CITES CoP13², included considerable input from FAO, including the information contained in the specific footnote on commercially-exploited aquatic species in Annex 5 and some input to the introductory text as well. The FAO Expert Advisory Panel process was established by the FAO Committee on Fisheries in 2003. In advance of each CITES

¹ IUCN: International Union for Conservation of Nature; TRAFFIC: The wildlife trade monitoring network

² See Conf. 9.24 (Rev. CoP15), www.cites.org/eng/res/all/09/E09-24R15.pdf.

Conference of Parties, the FAO Expert Advisory Panel meets to assess and provide advice on proposals to amend Appendices I and II with respect to commercially-exploited aquatic species. The FAO Expert Advisory Panel has met on three occasions to date: in 2004 (in advance of CoP13), in 2007 (in advance of CoP14) and, most recently, in 2009 (in advance of CoP15). The FAO Expert Advisory Panel in 2004 evaluated the proposals against the original Resolution Conf. 9.24 criteria, as well as the revised ones expected to be adopted. In 2007 and in 2009 the FAO Expert Advisory Panel applied the revised criteria. However, differences in the interpretation of the new criteria between the FAO Expert Advisory Panel and the CITES Secretariat have emerged³. In Doha at CoP15, the CITES Secretariat presented a document on the interpretation and implementation of the criteria (CoP15 Doc. 63), which lead to the decision (CoP15, 15.28), a request to FAO, IUCN and TRAFFIC, to prepare reports that summarize the experience in applying Annex 2 a B criteria and the introductory text to Annex 2 a (Res. Conf. 9.24) to some or all the commercially-exploited aquatic species for which listing proposals had been made. This was the objective of the Workshop. This report is based on the best advice and information provided from participants, as well as on experience in applying the criteria, including any technical difficulties or ambiguous issues. The facilitator pointed out the importance of the workshop and clarified the FAO perspective of always striving for an objective and critical decision making process that considers the best scientific advice, including management and implementation issues, in order to provide a sound basis for deliberation by decision makers.

8. The agenda of the meeting was adopted as given in Appendix A.

9. Mr Kevern Cochrane made a presentation on “Introduction to the CITES listing criteria and their interpretation”.

10. Mr Arne Bjørge presented a “Review of the experience of the first, second and third Expert Advisory Panels in applying the CITES criteria Annex 2 a, Paragraphs A and B, for the inclusion of species in Appendix II”.

11. The Workshop proceeded with a case by case review of the application of the CITES criteria Annex 2 a (A and B), with special attention to technical difficulties and ambiguous issues.

12. The key issues identified included possible points of differences in interpretation such as uncertainties regarding the definition of decline and the estimation of the baseline; the definition of reduction; types of indicators and alternatives; the treatment of data-poor examples; flexibility on the evaluation and a precautionary approach. Further points considered were the role of trade, the extent of decline and mitigation factors.

13. Special attention was paid to evaluating whether the FAO Expert Advisory Panel used all the information presented in the proposals, and whether it made use of other information available.

³ See SC58 Doc. 43 (www.cites.org/eng/com/SC/58/E58-43.pdf) and SC58 Inf. 6 (www.cites.org/eng/com/SC/58/E58i-06.pdf).

OUTCOME OF THE MEETING

1. Interpretation of criteria

14. The FAO Expert Advisory Panel has operated under terms of reference approved by the twenty-fifth session of COFI (2003). These state, *inter alia*, that:

“For each proposal the Panel shall:

- assess each proposal from a scientific perspective in accordance with the CITES biological listing criteria, taking account of the recommendations on the criteria made to CITES by FAO;
- comment, as appropriate, on technical aspects of the proposal in relation to the biology, ecology, trade and management issues, as well as, to the extent possible, the likely effectiveness for conservation.”

15. The recommendations on the criteria referenced above are those contained in Appendix F of the Second Technical Consultation on the Suitability of the CITES Criteria for the Listing of Commercially-Exploited Aquatic Species held in Windhoek, Namibia, 22–25 October 2001.

2. FAO Expert Advisory Panel evaluation of proposals

16. In order to evaluate possible differences between the proposals and the FAO Expert Advisory Panel evaluations, a comparison of 11 previously-submitted Appendix II proposals with the corresponding FAO Expert Advisory Panel evaluations was carried out. Generally, proposals provided adequate information of species biology, so that the FAO Expert Advisory Panel had no difficulty in assessing aspects such as productivity and vulnerability; accordingly the Workshop did not focus further on these issues.

17. A total of 102 categories of population abundance and other indicators were presented in the proposals, most of which addressed the decline criterion. Very few of the proposal indicators (5 percent) were not explicitly addressed in the FAO Expert Advisory Panel reports. The FAO Expert Advisory Panel often gave greater weight to some of the indicators in the proposal than others. This sometimes resulted in discrepancies in emphasis between proposals and FAO Expert Advisory Panel evaluations, of which three primary causes were identified:

a) *Relative use of quantitative and qualitative indicators:*

Each FAO Expert Advisory Panel evaluation scored the reliability of each indicator mentioned in the proposal (see Appendix C). Although the proposals included a roughly equal mix of qualitative and quantitative indicators, the FAO Expert Advisory Panel found that in general quantitative abundance indicators were more scientifically rigorous and thus obtained a higher reliability score than some of the qualitative abundance indicators. Since the FAO Expert Advisory

Panel considered it important that the evaluations be as objective as possible and capable of withstanding careful scientific scrutiny, FAO Expert Advisory Panel evaluations of population decline tended to emphasize quantitative over qualitative abundance indicators where both were available.

b) *Quality of decline indicator*

Not all indicators of decline were equally robust, since some were excellent indicators of population abundance while others were less so. In some cases, the underlying data were of inadequate quality, perhaps reflecting difficulty in collecting the data. In particular, anecdotal information was difficult to evaluate since the quality of the information was almost impossible to assess. Anecdotal information comprised most of the few (5 percent) indicators that were not explicitly addressed in the FAO Expert Advisory Panel reports. In other cases, the data were not properly analyzed in the proposals to reveal population trends. An example of the latter was the use of catch or landings data without standardization to fishing effort. Almost all proposals included time series of landings and interpreted them as reflective of population abundance. However, landings by themselves do not necessarily reflect abundance. For example, landings of a species can decline in response to reduced fishing quotas, changes in management plans, stock rebuilding efforts, changes in market demand or price, and other factors, even if population abundance is actually increasing. For this reason, catch or landings by themselves were given relatively low weight by the FAO Expert Advisory Panel unless first standardized to effort (e.g. Catch Per Unit Effort).

c) *Historical extent versus recent rate of decline*

Many proposals included indicators of both historical extent and recent rate of decline. The reliability scores assigned by the FAO Expert Advisory Panel tended to be higher for the historical extent of decline indicators because it was more often the case that those indicators had been standardized. Many of the recent rate of decline indicators were estimated from anecdotal information, between estimates extracted from different literature sources, from non-standardized landings time series, or from pooled species information. Nevertheless, the FAO Expert Advisory Panel also viewed cases where the recent rate of decline was reliably estimated, for example *Anguilla anguilla* (European eel), as being of more urgent concern than those that had declined many years ago, and had since stabilized or begun to recover (e.g. some porbeagle populations).

18. The workshop also considered instances where the FAO Expert Advisory Panel was able to access additional information not included in the proposals. This occurred in several proposals for example: *Lithophaga lithophaga* (Mediterranean date mussel), *Cheilinus undulatus* (humphead wrasse), Coralliidae (red and pink corals), and *Lamna nasus* (porbeagle shark). The intent of the FAO Expert Advisory Panel in considering this additional information was to be comprehensive in its evaluation. In some cases, the additional information introduced had the effect of strengthening the proposals while in others it weakened the argument for listing. Most of the cases where the FAO Expert

Advisory Panel introduced information were “data-poor proposals”: no quantitative indicators or poorly constructed quantitative indices such as *Lithophaga lithophaga* (Mediterranean date mussel), *Cheilinus undulatus* (humphead wrasse) and Coralliidae (red and pink corals). In these cases, the FAO Expert Advisory Panel were often able to compensate for the missing data. In the case of *Lamna nasus* (porbeagle shark) for example, the FAO Expert Advisory Panel reconstructed the index out of concern that the stated decline was derived simply from the time series maximum and minimum without any consideration of fluctuations between those two observations.

19. The Workshop noted the distinction between a proposal for a data poor species and a proposal that did not make good use of the available information. A data poor species is one for which little is known beyond basic life history, and vulnerability is inferred. Most of the indicators would be qualitative, requiring a more flexible approach for evaluation. Some specific examples follow.

- i. An example of a proposal that did not make adequate use of the available information was the proposal 35, CoP13 for *Lithophaga lithophaga* (Mediterranean date mussel), in Appendix II, which contained moderate amount of information and no time series to evaluate against the decline criteria. Additional information on life history and abundance time series were made available by FAO Expert Advisory Panel members. The species is protected through national legislation and international convention in most range states in the Mediterranean. The exploitation and trade in the species is largely illegal and the catch and trade statistics are not available. The current methods of exploitation are destructive towards the limestone habitat. Recolonization of the destroyed habitat is very slow. The species has a wide distribution on limestone rock in the Mediterranean and the Atlantic coast of North Africa, and the species is not or lightly exploited in the eastern Mediterranean and the Atlantic coast of Africa. With the additional information, the FAO Expert Advisory Panel was in a better position to assess whether the species met the criteria of Annex 2 a A and B.
- ii. The proposal 33 for the CoP13 to include, *Cheilinus undulatus* (humphead wrasse), in Appendix II in accordance with Annex 2 a B contained information largely of qualitative nature. This is an example of a data-poor species. In several areas there is no fisheries management in place for *Cheilinus undulatus* (humphead wrasse). Therefore, there was no baseline information to evaluate against the decline criteria. However, the FAO Expert Advisory Panel inferred that depletion is a widespread phenomenon based on substantial declines in local abundance at numerous points within the species range. Accordingly, the FAO Expert Advisory Panel concluded that this large, sedentary and highly valued species meets the criteria according to Annex 2 a B and possibly A. It was noted that CITES listing could make a significant contribution to the conservation of the species, but strengthening the regional and national management of the fisheries is also essential for the conservation of the species.

- iii. Proposal 19 for CoP14 to include *Pterapogon kauderni* (Banggai cardinal fish), in the Appendix II according to the criteria of Annex 2 a B is an example of a proposal of a data-poor species where the FAO Expert Advisory Panel was provided with additional relevant information including recent local initiatives to establish fisheries management. The species has a relatively small area of distribution (9,100 km²). The proposal failed to demonstrate that the species as a whole met the decline criteria although one sub-population was likely extirpated. The FAO Expert Advisory Panel was concerned that listing in Appendix II would hinder national management efforts in this species. The FAO Expert Advisory Panel noted that the Government of Indonesia and concerned NGOs were making efforts in cooperation with local communities to strengthen local management and establish captive breeding programmes that could supply the ornamental fish marked and restock depleted populations.

20. Further differences were identified between proposals and the FAO Expert Advisory Panels regarding Resolution Conf. 9.24 (Rev. CoP15) where it is stated that determination for the purpose of listing should be to "...adopt measures that are proportionate to the anticipated risks to the species...". In applying this, the FAO Expert Advisory Panel considered evidence for all populations that were identified in the proposals, both exploited populations as well as unexploited (or lightly exploited) populations, noting also the guidance to avoid split listings in Annex 3 of the Resolution Conf. 9.24 (Rev. CoP15). The decision as to whether the proposed species globally met the decline criteria was based on the fraction of populations with quantitative indices that met the decline criteria (extent of decline, or recent rate of decline). The FAO Expert Advisory Panel tended to focus on populations with estimable decline because there was data available to make such a determination. For the remaining populations, those with unknown decline were evaluated for future potential to decline based on market demand and likelihood for future exploitation to increase. Where the preponderance of populations was deemed to meet or likely soon to meet the decline criteria, the FAO Expert Advisory Panel concluded that the species met the biological CITES criteria for listing.

3. Comparison of interpretations of Annex 2 a B

21. In accordance with their terms of reference, the FAO Expert Advisory Panel has focused their work on assessing if the biological listing criteria were met based on the best available data and information, and wherever possible across the full range of the species. As noted, the FAO Expert Advisory Panel has made efforts to access additional information, not contained in the proposal, which in some cases assisted in clarifying technical difficulties and/or ambiguities in the data and information provided in the proposal.

22. In addition to its analyses of proposals based on the biological listing criteria, the FAO Expert Advisory Panel has also considered and provided comment on the information available on the nature and extent of trade, the impact of trade on the harvest, and management regimes in place for a species that may mitigate the need for trade to be

regulated under CITES. The FAO Expert Advisory Panel has also addressed the likely effects of a CITES Appendix II listing for a species conservation and its value as a complement to existing fisheries management measures. While the FAO Expert Advisory Panel has considered and provided comment on these factors in their reports, to date the FAO Expert Advisory Panel has supported all proposals to list a species where they found that the biological listing criteria had been met.

23. Examination of the recommendations for listing proposals for commercially-exploited aquatic fish species provided by the CITES Secretariat indicates that the rationale of the Secretariat for application of Annex 2 a B is generally consistent across relevant proposals assessed by them since CoP13. It can be illustrated, for example, by the following two proposals for which the FAO Expert Advisory Panel did not support the proposal but the CITES Secretariat did:

- **Proposal 21 *Corallium spp.*, CoP14:** “Whilst the species in the genus *Corallium* have not suffered marked population declines large enough to meet the Appendix II listing criteria throughout their range, given the demand for specimens of the species and the history of over harvesting in one area after another, it does not seem unreasonable to conclude that for these populations, in accordance with paragraph B. in Annex 2 a..., regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population ..., or that over harvesting for international trade may affect the role of these species in the ecosystems where they occur.” (CoP14 Doc. 68 – p. 42);
- **Proposal 18 *Squalus acanthias*, CoP15:** “The Secretariat concurs with the FAO Ad Hoc Expert Advisory Panel that marked population declines in some stocks... have been large enough to justify an inclusion in Appendix II. The status in other parts of the range of the species is less clear-cut. However, given that demand for meat does appear to be a driver for international trade, it does not seem unreasonable to conclude that, for other populations which are close to meeting the marked population decline guideline (north-west Atlantic and south-west Atlantic), in line with paragraph B in Annex 2 a..., regulation of trade in the species is required to ensure that the harvest of specimens is not reducing the wild populations...” (CoP14 Doc. 68 – p. 35).

24. A key factor differentiating the conclusions of the FAO Expert Advisory Panel and the CITES Secretariat is the treatment of the risk to a species in the future as a result of international demand for trade. The recommendations of the CITES Secretariat indicate that it considers that this potential risk, in combination with indication of some decline, is sufficient to justify listing under Annex 2 a B. By comparison, the FAO Expert Advisory Panel considered that there should be a demonstrable impact on the species in accordance with the Annex 5 definitions and guidelines, in particular those related to decline, to justify listing.

25. The approach taken by the CITES Secretariat can therefore be seen as anticipating a possible impact across the global distribution of the species without requiring data based evidence to project or infer the magnitude of such an impact. On the other hand, the FAO Expert Advisory Panel considered that Resolution Conf. 9.24 (Rev. CoP15) as a whole, in particular the footnote for commercially-exploited aquatic species, sets the acceptable level of risk through precaution included in the thresholds.

26. An important question for CITES Parties is which, if either, of these two approaches to dealing with risk in the application of Annex 2 a B is appropriate for commercially-exploited aquatic species in the context of the Convention or whether further guidance is required.

4. Technical difficulties and ambiguities

27. There were two classes of indicators for which the information provided in the proposals made it difficult for the FAO Expert Advisory Panel to evaluate, and therefore did not weight heavily in the FAO Expert Advisory Panel evaluations: the habitat degradation and the role of the species in its ecosystem. For example in the *Anguilla anguilla* (European eel) proposal (CoP14 Prop. 18), habitat degradation caused by barriers to upstream migration and pollution of benthos was referred to as an influential factor. However, the FAO Expert Advisory Panel did not place great emphasis on pollution because the information available was not sufficient. In addition, it was difficult to evaluate the impact of pollution on prey items even though some information was available. In the case of *Lithophaga lithophaga* (Mediterranean date mussel), the proposal stated that the exploitation was highly destructive to the littoral habitat. This may be a general issue where exploitation of benthic species cause extensive damage to the habitat (see below).

28. The proposal of *Pterapogon kauderni* (Banggai cardinal fish) (CoP14 Prop. 19) stated that coral habitat occupied by this species is highly susceptible to anthropogenic stress such as overfishing of food fish and the destructive fishing method, increased siltation and nitrification, and uncontrolled deforestation. However, the FAO Expert Advisory Panel could not assess the impact of this issue, because the actual data on habitat degradation and its relation to cardinal fish population trends were not shown in the proposal.

29. For *Corallium spp.*, the removal of coral is directly linked to habitat destruction, because corals are important habitat-structuring organisms in marine benthic environment.

30. In such cases the FAO Expert Advisory Panel could only acknowledge the problem but had a technical difficulty incorporating this negative impact into evaluation of the species against Annex 2 a criteria.

31. As noted, proposals for commercially-exploited aquatic species often contain data and information that indicate wide variation between heavily exploited populations (that meet the decline criteria) and populations that are only lightly exploited. This has raised two issues: (a) Guidance is required on how many of these populations need to satisfy the listing criteria for global listing of the species; and (b) there is potential for ambiguity to

arise between the guidance contained in Annex 3 that split listings should be avoided because of enforcement difficulties and the guidance contained in Annex 4 to adopt measures that are proportionate to the anticipated risk to the species. The approach taken by one recent proposal (*Squalus acanthias* [spiny dogfish], [CoP15 Prop. 18]) was to list lightly exploited populations under Article 2b, the so-called “look-alike” criterion. The converse of avoiding split listing because of enforcement problems under CITES is to shift the bureaucratic burden and implementation costs to fisheries that may be sustainably harvesting populations of the species in question.

5. Guidance on interpretation

32. Differences in interpretation of the CITES listing criteria between the FAO and CITES Secretariats have arisen particularly in regard to proposals for listing under Appendix II.

33. In its contribution (CoP14, Inf. 64) on the interpretation of Annex 2 a of Resolution Conf. 9.24 (Rev. CoP15) in relation to commercially-exploited aquatic species, FAO emphasized the statement in these criteria that they “must be read in conjunction with the definitions, explanations and guidelines listed in Annex 5, including the footnote with respect to application of the definition of ‘decline’ for commercially-exploited aquatic species.”

34. Annex 2 a requires “to avoid [the species] becoming eligible for inclusion in Appendix I in the near future”, and 2 a B “to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences”. FAO has held the view that the intent of both criteria are addressed operationally for commercially-exploited aquatic species by the relevant definitions, explanations and guidelines in Annex 5. The following paragraph of the footnote is particularly pertinent to Annex 2 a B:

“Even if a population is not declining appreciably, it could be considered for listing in Appendix II if it is near the extent-of-decline guidelines recommended above for consideration for Appendix I listing. A range of between 5 percent and 10 percent above the relevant extent-of-decline might be considered as a definition of ‘near’, taking due account of the productivity of the species.”

35. The Workshop endorsed this FAO view noting that it allows due account, incorporating precaution, to be taken of the possibility of “other influences” than harvesting such as environment or demographic variability, disease and habitat perturbation reducing an otherwise stable population to a level at which its survival may be threatened.

36. The Workshop noted that the CITES Secretariat made a distinction between the terms “decline” and “reduce” in assessing listing proposals under Annex 2 a. To this point the FAO Expert Advisory Panel have evaluated decline using Annex 5 and the associated footnote. However the comments of the CITES Secretariat have left it unclear if the term “reduce” might be referring to some other measure of decline. Clarification on this issue is

needed, in particular whether different quantitative guidelines are intended to apply to Annex 2 a B compared to Annex 2 a A, in which case those different guidelines would need to be specified.

37. Furthermore, the CITES criteria define decline in relation to abundance, area of distribution, or area of habitat of the species. The workshop deliberated whether there were other attributes of a species or its environment which might deteriorate (reduce), such as feeding conditions, placing the species under threat. It considered that for commercially-exploited aquatic species, any such attributes would be strongly correlated with at least one of abundance, area of distribution, or area of habitat. As indicators for these three attributes would usually be more readily available than for other attributes, operationally the current definition is sufficient to also address these other attributes.

38. The Annex 2 a B criterion requires an assessment as to whether the regulation of trade under a CITES listing is necessary. It was not always easy for the FAO Expert Advisory Panel to evaluate the effectiveness of a CITES listing for a species that currently meets the biological CITES listing criteria. This is especially true in the case of a species subject to effective fishery management measures to rebuild the population, and/or measures to monitor and control its trade.

39. When many and widespread populations are involved, guidance is required on how many of these populations need to satisfy the criteria for global listing of the species.

40. As elaborated under section three there are two approaches to deal with potential risk to the species under the application of Annex 2 a B. The approach taken by the CITES Secretariat can be seen as anticipating a possible impact across the global distribution of the species without requiring data based evidence to project or infer the magnitude of such an impact. On the other hand, the FAO Expert Advisory Panel considers that Resolution Conf. 9.24 (Rev. CoP15) as a whole, in particular the footnote for commercially-exploited aquatic species, sets an acceptable precautionary level of risk. Therefore, an important question for CITES Parties is which, if either, of these two approaches is appropriate for commercially-exploited aquatic species in the context of the Convention or whether further guidance is required.

ADOPTION OF THE REPORT

41. The report was adopted at the end of the meeting.

APPENDIX A

Agenda

Tuesday, 19 April 2011

1. Opening session: election of the Chair, adoption of the agenda and arrangements for the Workshop.
2. Opening of the meeting and purpose of the Workshop.
3. Introduction to the CITES listing criteria and their interpretation.
4. Review of the experience of the first, second and third FAO Expert Advisory Panels in applying the CITES criteria Annex 2 a, Paragraphs A and B, for the inclusion of species in Appendix II 9.
5. General discussion on how to address the request by the CoP15 to *“prepare a report that will summarize the experience in applying criterion Annex 2 a B and the introductory text to Annex 2 a of Resolution Conf. 9.24 (Rev. CoP15) to some or all of the commercially exploited aquatic species that were proposed for inclusion on Appendix II, including any technical difficulties or ambiguous issues encountered”*.

Wednesday, 20 April 2011

6. Drafting of the report to inform CITES Animal Committee on the application of CITES criterion Annex 2 a B.

Thursday, 21 April 2011

7. Adoption of the report to the CITES Animal Committee.
8. *Discussion on how to implement a request by COFI Members (12th COFI-FT and 29th COFI) that the FAO Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species be strengthened with regard to providing “additional comments on technical aspects of the proposals in relation to biology, ecology, trade and management issues, as well as, to the extent possible, the likely effectiveness for conservation”.
9. Drafting and adoption of this part of the report.

*(according to the time available)

APPENDIX B

List of participants

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APPENDIX C

Table 1. Criteria used by the FAO Expert Advisory Panel to assign a measure of the reliability of information derived from different sources for use as indices of abundance. A score of 0 indicates that the information was not considered to be reliable and a score of 5 indicates that it was considered to be highly reliable. Any information on abundance allocated a non-zero value was considered to be useful. These scores could be adjusted either up or down in any particular case, depending on the length of the time-series and the amount of information that was available on the sources and methods. (*In: Report of the FAO Ad Hoc Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species. Rome, 13–16 July 2004. FAO Fisheries Report. No. 748. Rome, FAO. 2004. 51p.; Report of the second FAO Ad Hoc Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species. Rome, 26–30 March 2007. FAO Fisheries Report. No. 833. Rome, FAO. 2007. 133 p.; Report of the third FAO Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species. Rome, 7–12 December 2009. FAO Fisheries and Aquaculture Report. No. 925. Rome, FAO. 2010. 150p.*)

Reliability index of population abundance information	Source of data or information
5	Statistically designed, fishery-independent survey of abundance
4	Consistent and/or standardized catch-per-unit effort data from the fishery
3	Unstandardized catch-per-unit effort data from the fishery; scientifically-designed, structured interviews; well-specified and consistent anecdotal information on major changes from representative samples of stakeholders.
2	Catch or trade data without information on effort
1	Confirmed visual observations; anecdotal impressions
0	Information that does not meet any of the above, or equivalent, criteria; flawed analysis or interpretation of trends

The “FAO Workshop to review the application of CITES criterion Annex 2 a B to commercially-exploited aquatic species” was held in Rome from 19 to 21 April 2011. It was attended by eight independent experts and five FAO Officers. The Workshop was convened by FAO in response to a request by the 15th Conference of the Parties in 2010 to prepare a report that summarized the experience in applying the CITES Resolution Conf. 9.24 (Rev. CoP15) Annex 2 a B criterion and the introductory text to Annex 2 a to some or all the commercially-exploited proposed for inclusion on Appendix II at the 13th, 14th and 15th meetings of the Conference of the Parties, highlighting any technical difficulties or ambiguous issues encountered.

The Workshop analysed the approaches used by the FAO Expert Advisory Panel in applying the criteria described in both paragraphs (A and B) of Annex 2 a. The Workshop noted that the biological information provided by proposals to list commercially exploited aquatic species under CITES Appendix II was usually adequate. While the quantitative indicators provided by the proponents were mostly reliable, not all of them were used appropriately in the proposals (e.g. landings used as proxy for abundance). The Workshop also considered instances where the FAO Expert Advisory Panel was able to access additional information not included in the proposals and examples of data-poor species for which the FAO Expert Advisory Panel made flexible use of qualitative indicators.

In conclusion, the FAO view that for both paragraphs of Annex 2 a the definitions, explanations and guidelines in Annex 5 of the Resolution Conf. 9.24 (Rev. CoP15) apply was endorsed by the Workshop. In addition, the Workshop recommended that the distinction made by the CITES Secretariat between the terms “decline” and “reduce” be clarified, in particular whether some other measure of decline is intended to apply to Annex 2 a B compared to Annex 2 a A. Furthermore the Workshop observed that the FAO Expert Advisory Panel considered CITES Resolution Conf. 9.24 (Rev. CoP15) as a whole to provide adequate guidance for the determination, in a precautionary manner, of whether a species is at risk in the future as a result of international demand for trade.

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